

Legal framework

The "Law of Cadastre and Real Estate Publicity" (law no. 7/1996) regulates the activities in the domains of cadastre, geodesy and cartography and founded ANCPI, which is organized according to Government Decree No.1038/1996 and its subsequent modifications (Romanian Government Decree No. 98/1999). EC-INSPIRE: Spatial Data Infrastructures in Europe: State of play Spring 2011 Romania K.U.Leuven (SADL) 13 The organisation and functioning of ANCPI, the National Agency for Cadastre and Land Registration, is regulated by Government Decision No 1210/2004 of 29 July 2004. The Decision defines ANCPI as a public institution, with legal personality. It is the single authority in the area of cadastre, geodesy, topography, photogrammetry and mapping, and subordinated to the Ministry of Administration and the Interior. In 2005, the emergency governmental ordinance No. 95/2005 laid the responsibility for the establishment of the national environmental spatial infrastructure for policy making with the national central public authority responsible for environmental management. In 2010, the INSPIRE directive was implemented by Government Ordinance nr. 4/2010 establishing the National Spatial Data Infrastructure (INIS). Through this order the coordinating body for INIS is established, i.e. the INIS Council (CINIS). In one of the annexes (4) the responsables for the coordinating and collaborating public bodies of the INIS Council are listed. Government Ordinance nr 4/2010 also defines the roles and tasks of each of the participating bodies.

Public-private partnerships (PPPs)

In Romania, the PPP model is gaining importance in the form that ANCPI is the public body with overall responsibility and the private firms perform the bulk of the surveying/map production under contract (Geolink Consulting, Ltd, Romania: National Spatial Data Infrastructure and INSPIRE).

Policy and legislation on access to public sector information(PSI)

The "Act on the Free Access to the Information of Public Interest" of 12 October 2001 allows individuals to request public information held by government departments and requires government departments to respond to requests and provide information about their activities within 30 days. Governmental Decision no. 878/2005 on public access to environmental information implements EU Directive 2003/4/EC (http://www.apador.org/en/legi/hot_1115_2002_e.rtf). Directive 2003/98 on the re-use of public sector information was transposed by the Law of 25 April 2007 (http://ec.europa.eu/information_society/policy/psi/docs/laws/romania/law_april_2007.pdf

Romania-Legal Framework

).

Legal protection of GI by intellectual property rights

In 1996 Romania adopted a modern Copyright Law that went into force on 24 June 1996 (Law no. 8 of 14 March 1996). It explicitly protects three-dimensional works, maps and drawings in the field of topography, geography and science in general. EC-INSPIRE: Spatial Data Infrastructures in Europe: State of play Spring 2011 Romania K.U.Leuven (SADL) 14 Article 9 of the Copyright Act states that official texts of a political, legislative, administrative or judicial nature, and official translations thereof, do not benefit from the legal protection accorded to copyright. Article 122 of the Copyright Act was amended to implement, directive 96/9 on database protection, as part of the effort to bring the Romanian legislation in line with the *acquis communautaire*.

Restricted access to GI further to the legal protection of privacy

Art. 26 of the 1991 Constitution states:" §(1) The public authorities shall respect and protect the intimate, family, and private life. §(2) Any natural person has the right to freely dispose of information on himself unless by this he causes an infringement upon the rights and freedoms of others, on public order, or morals." Romania implemented directive 95/46 and enacted on 21 November 2001 Law no. 677 regarding the data protection (Data Protection Act) (OJ, Part I, no. 790 of 12 December 2001); and in 2005 Law no. 102/2005 regarding the setting up, organisation and functioning of the National Supervisory Authority for Personal Data Processing.

Licensing framework

The prices of distribution of GI products are regulated, but no further information could be found.

UN-GGIM Knowledge Base

<http://ggim.un.org/knowledgebase/KnowledgebaseArticle51535.aspx>