

Briefing

22 June 2022

Changes concerning establishment and operation of industrial parks

Law No. 168/2022 amending and supplementing Law No. 186/2013 on the establishment and operation of industrial parks was published in the Official Gazette, on 2 June 2022, concluding a long-awaited legislative process initiated back in 2013. Following numerous interventions from the relevant public authorities, the amendments to the previous legal framework have been finalized, as follows:

- The definition of the *park manager* has been amended, by restricting the sphere of issuers of industrial park titles. The new definition eliminates the possibility for specialized bodies of the central public administration and the Government (in the case of old industrial platforms which have been privatized according to a government decision) to grant the industrial park title. Currently the authority that may grant the industrial park title is the Ministry for Development, Public Works and Administration;
- The category of entities that are eligible to be founders of industrial parks has been extended by adding economic operators that operate and own all or parts of existing industrial platforms;
- A new condition for the issuance of the industrial park title has been introduced for industrial parks located within the built-up area of administrative-territorial units, namely the requirement of having access to streets that allow easy access and movement of vehicles for the transport of goods;
- One of the conditions that needed to be fulfilled in order to obtain the industrial park title provided that the land on which the industrial park was located had to be free from any mortgage - Law No. 168/2022 has amended this condition by providing an exception to this requirement, namely mortgages set up in order to guarantee the repayment of bank loans and loans from non-banking financial institutions contracted by the founders of the industrial park or by the park manager for financing investments in the maintenance and/or development and/or upgrading of the infrastructure of the industrial park, as well as for its operation or the purchase of assets that are part of the industrial park;
- New documents will need to be attached to the application for obtaining the industrial park title, such as the map with the location, vicinity and access roads of the industrial park;
- Lastly, obtaining the industrial park title by undergoing the simplified procedure will no longer require the fulfillment of the condition to obtaining the consent of the public local authority.

Law No. 168/2022 amending and supplementing Law No. 186/2013 on the establishment and operation of industrial parks has entered into force on 5 June 2022.

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