

ROMANIAN REGISTER OF URBAN PLANNERS

HIGHER COUNCIL

DECISION

on the approval of the Regulation on acquiring the right to sign and seal urban and spatial planning documents and the Regulation on the organisation and operation of the Romanian Register of Urban Planners

On the basis of the provisions of Article III of the Law 289/2006 on the amendment and supplementation of the Law 350/2001 on urban and spatial planning, having regard to the assent of the Ministry of Transport, Construction and Tourism nr. 5.095/R.B. of 19 September 2006,

The Higher Council of the Romanian Register of Urban Planners has decided as follows:

Article 1. – The Regulation on acquiring the right to sign and seal urban and spatial planning documents, provided for in Annex 1, has been adopted.

Article 2. – The Regulation on the organisation and operation of the Romanian Register of Urban Planners, provided for in Annex 2, has been adopted.

Article 3. – Annexes 1 and 2 are integral part of this Decision.

Article 4. – This Decision shall be published in *Monitorul Oficial al Romaniei*, Part I.

Article 5. – The Secretariat of the Romanian Register of Urban Planners shall make the necessary arrangements for the publication of this Decision.

President of the Higher Council of the Romanian Register of Urban Planners,
Alexandru Sandu

Bucharest, 26 September 2006
Nr. 2

REGULATION

on acquiring the right to sign and seal urban and spatial planning documents

CHAPTER I

General Provisions

Art. 1. – (1) This Regulation is aimed at defining the right to sign and seal urban and spatial planning documents, as well as at establishing the procedures of acquiring and exercising such right.

(2) The establishment of the right to sign and seal is aimed at certifying the quality of urban and spatial planning documents, as well as at complying with the legal regulations in the process of drawing up such documents, by setting out the responsibilities of the professionals that draw up and/or verify such documents.

(3) The aims of this Regulation are as follows:

- (a) to define the right to sign and seal;
- (b) to set out the exercise of the right to sign and seal in relation to the type of the urban and spatial planning documents;
- (c) to set out the procedures and terms under which the right to sign and seal can be acquired, exercised or withdrawn;
- (d) to define, with a view to securing the copyright, the intellectual property in relation to the drawing up of urban and spatial planning documents.

Art. 2. – This Regulation has been drafted according to the provisions of Art. 38 of the Law 350/2001 on urban and spatial planning.

Art. 3. – This Regulation shall be enforced in correlation with the provisions of other normative acts in the field.

Art. 4. – The terms and expressions in this Regulation shall be given the following meanings:

- a) **urban planner** – a professional in the field of urban and spatial planning, as qualified as a result of different basic academic formation and training in urban and spatial planning or practicing in the field; in this context, the term of *urban planner* includes all categories of specialists referred to in (b) to (d);
- b) **qualified urban planner** – a graduate holding a diploma granted by a urban and spatial planning faculty recognised by the State of Romanian, after completing a minimum 5 years of study; such a professional has the academic qualification of “qualified urban and spatial planner”; such a professional is referred to in this Regulation by the syntagm of *qualified urban planner*;
- c) **urban architect** – a graduate holding a diploma of an architecture faculty recognised by the State of Romania, after completing a minimal 5 years of study, having a 6 year professional experience in urban and spatial planning for graduates of academic institutions until and including 2002, or a 2 year professional experience for graduates of academic institutions starting with 2003, or having completed a postgraduate training programme in urban and spatial planning; whenever, in this Regulation, the academic

qualification of architect is accompanied by the term “urban”, it refers to the professional experience in the field or a degree of a postgraduate training programme;

d) **urban economist, urban engineer, urban geographer, urban sociologist** – a graduate holding a university degree or diploma in economics, civil engineering, geography, sociology, having a minimum 2 years practical experience in spatial and town planning, and who is a graduate of a postgraduate training programme in urban and spatial planning; whenever, in this Regulation, the academic basic qualification is accompanied by the term “urban”, it refers to the graduation of a postgraduate training programme;

e) the syntagm “**professionals qualified in urban and spatial planning who acquire the right to sign and seal and are registered with the Romanian Register of Urban Planners**” – in accordance with Art. 38, (4) of Law 350/2001, refers to the following categories of specialists:

1. qualified urban planners, according to (b);

2. graduates holding a diploma in a field/ speciality recognised by the Romanian State, in one of the following fields related to urban and spatial planning: civil engineering-installations, geography, sociology, economics, ecology, transport, telecommunications, power engineering, hydrologic engineering, history, and having graduated a postgraduate training programme in urban and spatial planning, which is certified according to the law and recognised by the Romanian Register of Urban Planners;

3. graduates holding a diploma of an architecture faculty or other faculties related to urban and spatial planning, as referred to in 2, above, of the series of graduates prior to 2002 and having a practical experience of at least 6 years in urban and spatial planning;

f) **specialist holding the right to sign and seal** – a specialist qualified in urban and/or spatial planning who has acquired the right to sign and seal in accordance with the provisions of this Regulation and who has registered with the Romanian Register of Urban Planners;

g) **the right to sign and seal** – the right of the specialists in urban and spatial planning to draw up and/or sign and seal urban and spatial planning documents or parts thereof, according to schemes A and B, provided for in the Annex to this Regulation;

h) **acquiring the right to sign and seal** – a procedure by which the urban and spatial planning specialist demonstrates his/her professional skills, experience and knowledge of the legal framework in the field, and at the end of which the urban and spatial planning specialist is granted the right to sign and seal;

i) **attestation of the right to sign and seal** – release of the certification document, registration with the Romanian Register of Urban Planners and evidence in proof of the possession of the right to sign and seal by specific means: the seal and the identity card;

j) **exercising the right to sign and seal** – the set of procedures, rights and liabilities that a urban planner holding the right to sign and seal has to comply with in relation with the urban planning documents.

Art. 5. – The principles governing this Regulation are as follows:

1. **The principle of multidisciplinary integration.** The urban and spatial planning activities, as defined by the law, have an interdisciplinary character; the formulation and application of sustainable spatial development strategies, policies and programmes, as well as the drawing up of urban and spatial planning documents are, at spatial level, integration processes of components in different fields: social, economic, ecological, environmental protection, cultural, technical, political and legal.

2. **The principle of co-participative planning.** Urban and spatial planning and urban design are co-participative processes including both professionals, decision- makers

within the public administration, citizens, NGOs and companies, as well as other concerned legal or physical entities.

3. **The principle of teamwork.** Urban and spatial planning documents shall be drawn up by multidisciplinary teams including: urban planners, architects, engineers, geographers, economists, sociologists, legal advisers, biologists, historians, demographers, landscape architects, ecologists, technical judicial and extrajudicial experts, specialists in mediation and public participation, urban management, public administration, continuous academic training and development, as the case may be; the team has to include all the necessary specialists to fully cover the specific problems that make the object of the documents.

4. **The principle of spatial organisation.** Urban and spatial documents are specific tools for spatial planning; therefore, the capacity to organise space should be a basic professional skill for the specialists of the team that draw up such documents, and the basic academic formation of the manager of the team drawing up the documents that directly establish the spatial urban configuration has to be related to the physical organisation of space.

5. **The principle of specialized and interdisciplinary activity.** Considering the complex and integrated nature of urban and spatial planning documents, the professionals of a different basic academic formation than that of urban planning are required to be specialized in the field; such specialization can be acquired by following postgraduate training programmes and by gaining professional experience within multidisciplinary teams.

6. **The principle of differentiating between the documents.** Urban and spatial planning documents provided by law are differentiated both in relation to the field of reference – urban and spatial planning– and the size of the territory making the object of such documents, and in relation to the particularities of such territory – physical, functional, economic, social, spatial – and the goal, nature and size of the proposed interventions or goals.

7. **The principle of a differentiated right to sign and seal.** The right to sign and seal is defined depending on the types of urban and spatial documents, without ignoring the differences between the content and complexity of documents. Therefore, the types of documents shall, in order to define the right to sign and seal, be grouped according to their content and the similar skills that are necessary for the coordination of the drawing up of such documents.

8. **The principle of differentiating between the coordination of the whole process of drawing up documents and the responsibility for drawing up parts thereof.** The complexity and the large size of certain documents require the division of their content, according to the regulations in force, into separate elements; the exercise of the right to sign and seal is differentiated according either to the coordination of the whole process of documents drawing up or the responsibility for drawing up parts thereof.

Art. 6. – (1) The right to sign and seal is granted by the Romanian Register of Urban Planners following either a certification procedure or an examination organized in accordance with the provisions of this Regulation.

(2) The right to sign and seal can be granted, with a view to coordinating the whole process of drawing up documents or parts thereof, to any individual who complies with all of the following requirements:

- a) possesses a full exercise capacity;
- b) is a “qualified expert in urban and spatial planning”, according to the provisions of Art. 4, (e);
- c) has passed the certification procedure or the examination required to obtain the right to sign and seal.

(3) Professionals included in the categories referred to in Art. 4, (e), 1 and 2 can become qualified experts only following a period of professional practice in drawing up urban and spatial planning documents.

CHAPTER II

Right to sign and seal and categories of urban and spatial planning documents

SECTION 1

Responsibilities related to the right to sign and seal

Art. 7. – When coordinating a process of drawing up urban or spatial planning documents, the expert holding right to sign and seal takes on the responsibility for the quality of the whole body of documents, applying and complying with the legal regulations on planning or design, as appropriate, for the content of the documents and their presentation in the approval procedure.

Art. 8. – When drawing up parts of the urban and spatial planning documents, the expert holding right to sign and seal takes on the responsibility for the quality of such parts, applying and complying with the appropriate legal regulations, as well as for the quality and findings of possible substantiation studies on which the drawing up of such documents is based.

Art. 9. – (1) The right to sign and seal shall differ for each of the following categories of urban and spatial planning documents:

- a) spatial development plan of the national territory;
- b) county development plans, regional development plans, inter-county development plans and border development plans;
- c) inter-city or inter-communal development plan, metropolitan development plan and development plan for the outskirts of the main cities and towns;
- d) general urban plan and plan of the urban zone together with the related local by-laws;
- e) detailed urban plans.

(2) A qualified expert can acquire the right to sign and seal for several categories of urban and spatial planning documents or parts thereof.

(3) Pursuant to the provisions of this Regulation, the experts referred to in Articles 10 to 13 can sign and seal documents only after they have been granted the right to sign and seal.

Art. 10. – (1) The right to sign and seal for the coordination of the process of drawing up urban and spatial planning documents shall be set as follows:

- a) county development plans, regional development plans, inter-county development plans and border development plans can only be signed and sealed by the following experts: qualified urban planners, urban architects, urban economists, urban geographers, urban sociologists and urban engineers;
- b) inter-city or inter-communal development plans, metropolitan development plans and development plans for the outskirts of the main cities and towns can only be signed and sealed by the following experts: qualified urban planners, urban architects, urban geographers and urban engineers.

(2) The right to sign and seal for the coordination of the process of drawing up parts of the national development plan shall be granted to experts specialized in the field which makes the object of the concerned part, if qualified according to the provisions of this Regulation.

(3) The right to sign and seal involves assuming the whole responsibility of the manager for the quality of the urban and spatial planning documents.

Art. 11. – (1) The right to sign and seal related to the coordination of the process of drawing up urban and spatial planning documents shall be set as follows:

a) general urban plans and plans of urban zones, as well as the related local urban planning by-laws can only be signed and sealed by the following experts: qualified urban planners and urban architects;

b) detailed urban plans can only be signed and sealed by the following experts: qualified urban planners, urban architects and architects;

c) plans of urban zones and the related local urban planning by-laws for housing estates and related functions can also be signed and sealed by architects.

(2) The right to sign and seal involves assuming the whole responsibility of the manager for the quality of the urban planning documents.

Art. 12. – (1) Parts of the spatial development plans could be structured, according to the framework content, as chapters or sections that shall only be signed and sealed by experts who have right to sign and seal, when such parts are included in one of the following categories:

a) natural environment and its quality – qualified urban planners, urban geographers, geographers, biologists, ecologists and environmental engineers;

b) economic development of the territory – qualified urban planners, urban economists;

c) demography and labour force – qualified urban planners, urban geographers, geographers, urban sociologists, sociologists;

d) technical endowment of the territory – qualified urban planners, engineers specialized in the field;

e) protection and development of the natural heritage - qualified urban planners, urban geographers, ecologists, biologists, landscape architects;

f) protection and development of the built environment - qualified urban planners, urban architects, architects and historians.

(2) The parts of the general urban plans of the municipalities that are included in classes “0” and “1”, as provided by the law, for municipalities, towns and communes on whose territory there are health or tourist resorts, as well as parts of plans of urban zones for central areas of the municipalities included in classes “0” and “1”, and those for health resorts and urban protected areas could be structured, according to the framework content, as chapters or sections.

(3) The following parts of the urban plans referred to in (2) above shall only be signed and sealed by experts who have right to sign and seal, when such parts are included in one of the following categories:

a) public utilities – speciality engineers specialized in town planning;

b) urban sociology and demography – qualified urban planners, urban sociologists or having experience in urban sociology, geographers;

c) environmental quality – qualified urban planners, ecologists, speciality engineers;

d) urban economics – qualified urban planners, urban economists or having experience in urban economics;

e) urban history studies – qualified urban planners, urban architects, architects, historians with postgraduate degrees in urban planning or having experience in urban history;

- f) landscape planning – qualified architects, qualified urban planners, urban landscape planners, landscape horticultural engineers;
- g) transport and communications – qualified urban planners, speciality engineers.
- h) geological surveys – speciality engineers.

(4) The provisions of this Article shall apply together with the provisions of the regulations on the framework-content of the urban and spatial planning documents.

Art. 13. – (1) To ensure appropriate enforcement of the provisions of this Regulation and take advantage of the experience gained by a number of specialists in the drawing up of urban and spatial planning documents, the Higher Council of the Romanian Register of Urban Planners (hereinafter referred to as *the Council*) can decide to grant the right to sign and seal to other categories of specialists, apart from those referred to in Articles 4 and 6.

(2) The period for which the right to sign and seal can be granted must not exceed 6 years, after which, the right to sign and seal can be acquired only by complying with the general requirements provided for by this Regulation.

(3) The Council shall set and make public, within 6 months after the publication of this Regulation, the categories of specialists who benefit from the provisions of this Article, on the basis of the professional experience in the drawing up or certification of urban and spatial planning documents, or the degrees obtained by such specialists as well as on the basis of the right to sign and seal procedure applied in the case of such specialists.

(4) After publication of the categories of specialists who can benefit from the provisions of this Article, the interested individuals can submit applications within one year interval. At the end of such interval, the provisions of this Article shall be repealed.

(5) The registration with the Romanian Register of Urban Planners shall state “right to sign and seal granted for a definite period” and specify the validity limit of the right to sign and seal.

Art. 14. – The college-graduate architects, who graduate the College of Architecture and Urban Planning, Urban Planning Department, within the “Ion Mincu” University of Architecture, can acquire the right to sign and seal the following urban development plans:

- a) plans of urban zones and related local by-laws, whose object is a new housing estate to be used exclusively for house building and having at least 20 lots not exceeding 1000 m² each;
- b) detailed urban plans whose object is the location of constructions of minor importance as defined by the Law 10/1995 on quality in building, with its subsequent amendments.

SECTION 2

Specialization

Art. 15. – (1) Postgraduate specialization programmes in urban and spatial planning may include advanced architectural studies, integrated masters degree, postgraduate study and doctor degree programmes in urban and spatial planning.

(2) The specialization programmes shall be diversified so as to allow qualification in: urban and rural economic development, social planning and forecasting, housing, urban and rural rehabilitation, transport, power engineering, communications, landscape architecture, protection of natural and built environment, leisure and tourism, urban law.

(3) With a view to acquiring the right to sign and seal, the specialists who have graduated from architecture faculties and other faculties in fields related to urban and spatial planning must attend and complete postgraduate specialization programmes

recognised by the Romanian Register of Urban Planners. Only after completing such programmes, specialists may manage the process of drawing up urban and spatial planning documents, in accordance with this Regulation.

(4) As regards the specialists of the previous graduation years (including 2002), they must not attend postgraduate specialization programmes if they give proof of having at least 6 years of professional practice in the field.

(5) For the purpose of Art. 4, the Council shall issue a decision of approval in order to accredit the specialisation courses in urban and spatial planning, starting from a proposal by the Professional panel, which must examine the syllabi, and following an application by the initiator or the specialist requesting the right to sign and seal, and on the basis of a number of criteria set up and approved by the Council, in accordance with the regulations of the European Council of Town Planners. The Council shall ensure publication of a list of the recognised courses every year.

Art. 16. – The Romanian Register of Urban Planners shall keep records and approve for recognition the specialization programmes in urban and spatial planning that comply with the requirements of specialists formation and practice in this field.

SECTION 3

Period of professional training

Art. 17. – (1) The qualified experts referred to in Articles 4 (e) 1 and 2 must, in order to obtain the right to sign and seal, undergo a 2 years period of training in public or private institutions, based on individual labour contracts, under the guidance of an expert in urban and spatial planning who holds right to sign and seal.

(2) The Romanian Register of Urban Planners can validate, upon personal request, the graduation of a one year specialization programme of the period of professional training for graduates of the “master” specialization programmes that include courses in drawing up urban and spatial planning documents and a period of professional training in the field.

(3) As regards the qualified experts in urban and spatial planning referred to in Art. 4 (e) 3, the professional activity of 6 years shall be the equivalent of the period of traineeship.

(4) The Romanian Register of Urban Planners states in its regulations the requirements for the training period and monitoring the fulfilment of such requirements.

Art. 18. – (1) During the professional training period the specialists have the capacity of “trainees” and shall register with the Romanian Register of Urban Planners under the heading “Trainees”.

(2) The specialists shall submit an application to the Romanian Register of Urban Planners to be registered as trainees.

(3) In order to be registered, the applications shall be accompanied by the following documents:

- a) a copy of the different diplomas: graduation diploma or degree, as appropriate and, if the case may be, the certificate of graduation of a postgraduate training programme;
- b) credentials by two experts holding right to sign and seal, who propose the registration of the applicants as trainees with the Romanian Register of Urban Planners, of which one of the experts shall undertake the task of tutorial adviser for the whole training period.

Art. 19. – (1) The trainees shall have, for the whole training period, the following rights:

- a) they can participate in the drawing up of any urban and spatial planning documents that are signed and sealed by experts having such right;

b) they can put their signature on theoretical and other studies, plans and designs of their own, intended for competitions, exhibitions or other similar events.

(2) The trainees shall have the following responsibilities:

- a) to comply with the requirements related to the training period;
- b) to perform effectively in the trade and to inform the concerned parties giving written notice of any reason for which they might abandon the training;
- c) to enhance their theoretical knowledge and to assimilate the best professional practices;
- d) to participate in professional events organized by the Romanian Register of Urban Planners.

Art. 20. – At the end of the training period, the trainees receive an evaluation report by their tutorial advisers, which they need for the examination for the granting of the right to sign and seal.

Art. 21. – (1) The training shall be suspended during the periods of military service or call up, or in case of justified absence from work.

(2) The period of training prior to suspension shall be included in the overall period of training.

(3) The Council shall, upon request, decide to suspend the training and examine the circumstances that justify the absence from work and decide upon the suspension period and the length of the training period previous suspension.

(4) The suspension period shall be registered in the Romanian Register of Urban Planners.

CHAPTER III

Acquiring the right to sign and seal

Art. 22. – (1) The procedure of acquiring the right to sign and seal includes the following steps:

- a) registration for the procedure of attesting the right to sign and seal;
- b) registration for the examination procedure for acquiring the right to sign and seal;
- c) progress of the procedure for attesting the right to sign and seal or, if appropriate, the progress of the examination for obtaining the right to sign and seal;
- d) granting the right to sign and seal.

(2) In order to be allowed to exercise the right to sign and seal, the holders should register with the Romanian Register of Urban Planners

Art. 23. – (1) The registration for attesting the granting of the right to sign and seal shall include the following steps:

- a) submission of the attestation dossier to the secretariat of the examination panel;
- b) examination of the documents of the attestation dossier by the secretariat of the examination panel;
- c) forwarding the checked dossier to the examination panel.
- d) The Council may impose, with a view to attesting the granting of the right to sign and seal urban and spatial planning documents, an examination of the candidates' portfolio of works.
- e) The Council can reject with good reason the registration of the candidates and can decide not to grant the right to sign and seal urban and spatial planning documents.

(2) The registration for the examination procedure with a view to being granted the right to sign and seal shall include the following steps:

- a) submission of the registration dossier to the secretariat of the examination panel;
- b) the secretariat of the examination panel shall check up the content of the registration dossier as to the compliance with all the requirements of this Regulation;
- c) confirmation of the registration for examination and setting the examination date.

Art. 24. – (1) The attestation procedure of the right to sign and seal includes:

- a) an evaluation of the portfolio of works submitted by the applicant;
- b) an evidence in proof of the applicant's academic title (authenticated copy of the diploma);
- c) practical experience or postgraduate training programmes taken;
- d) credentials by two experts holding the right to sign and seal.

(2) The examination for the granting of the right to sign and seal consists in the following steps:

- a) an evaluation of the documents contained by the registration dossier as regards the experience gained during the training period, i.e. the practical experience in drawing up urban and spatial planning documents;
- b) examination of the applicant's knowledge of urban and spatial planning regulations;
- c) an interview about the applicant's awareness of the latest issues in urban and spatial planning in Romania and his practical experience.

(3) Unsatisfactory results in any of the tests referred to in paragraph. (2) (a) and (b) above lead to the rejection of the applicant who can no longer participate in the next tests.

Art. 25. – (1) The attestation and the examination for the granting of the right to sign and seal shall be organized every quarter by the Romanian Register of Urban Planners together with the “Ion Mincu” University of Architecture and Urban Planning in Bucharest, the Trade Association of Romanian Urban Planners and the Ministry of Transport, Construction and Tourism.

(2) Usually, the examination shall be made in Bucharest, but in other cities as well, when the number of applicants in the area is significant; a local expert holding right to sign and seal, preferably a member of the professorate in the field, shall be invited as a member of the examination panel.

(3) The attestation procedure shall take place at the premises of the Romanian Register of Urban Planners.

Art. 26. – The right to sign and seal shall be granted following a decision by the Higher Council of the Romanian Register of Urban Planners, after the validation of the results.

Art. 27. – The attestation and examination fees for granting the right to sign and seal shall be calculated by the Higher Council of the Romanian Register of Urban Planners in such a way as to cover the costs of the examination panel, registration and management of the records related to the right to sign and seal.

Art. 28. – (1) An examination panel and its secretariat shall be set up for the procedures of attestation and examination.

(2) The examination panel shall be headed by a chairman.

(3) The examination panel shall include 7 full members and 4 alternate members, appointed as follows:

- a) the chairman shall be appointed by the Higher Council of the Romanian Register of Urban Planners from the members of the panel;
- b) 2 full members shall be appointed by the Trade Association of the Romanian Urban Planners;
- c) 2 full members shall be appointed by the Ministry of Transport, Construction and Tourism;
- d) 2 full members shall be appointed by the “Ion Mincu” University of Architecture and Urban Planning in Bucharest.

(4) The alternate members shall be appointed in the same way as the full members, by each of the institutions referred to in (3) above.

(5) The members of the examination panel shall be appointed among renowned personalities of professional and moral reputation who have a rich experience in urban and spatial planning; they have to fulfil the following requirements:

- (a) to be experts holding right to sign and seal;
- (b) to have at least 10 years of service in the trade.

(6) The constituency of the examination panel shall be numerically balanced between its members originating from the higher-education institutions and those whose main work is to draw up urban and spatial planning documents.

(7) The mandate of the examination panel shall be given for a period of 2 years; 3 successive mandates are allowed for each of the members, provided that at least 2 members of the panel have been replaced at the end of each mandate.

(8) A fee for each meeting shall be paid to the members of the panel; its amount shall be calculated by the Higher Council of the Romanian Register of Urban Planners.

(9) The members of the secretariat of the examination panel shall be selected among the staff of the Romanian Register of Urban Planners.

Art. 29. – The date of the attestation or examination shall be notified by the examination panel and shall be made public within at least 3 months before the examination date, together with:

- a) the schedule, examination procedure and marking system;
- b) the compulsory documents of the registration dossier;
- c) the list of the legal regulations in force on urban and spatial planning;
- d) the set of subjects and the references.

Art. 30. – In order to register for the attestation or examination procedures, the applicant shall submit a dossier which shall include the following documents:

- a) an application;
- b) a curriculum vitae including a detailed description of the applicant's professional performance record;
- c) an authenticated copy of the graduation diploma released by a higher-education institution or, if appropriate, the degree;
- d) an authenticated copy of a certificate attesting the completion of a postgraduate training programme and other certificates awarded by other specialization programmes;
- e) other documents attesting the applicant's professional skills or work;
- f) an evaluation report on the progress of the training period, if appropriate;
- g) a portfolio of works;
- h) a list of the published books, studies, articles or other speciality papers by the applicant;
- i) a receipt in proof of payment of the examination fee.

Art. 31. – (1) With a view to attestation, the examination panel shall examine the applicant's dossier and propose to the Higher Council of the Romanian Register of Urban Planners the validation of the application. In case the application has been rejected, the examination panel should provide the reasons for its decision.

(2) The examination panel shall set up the examination procedure and the marking system, as well as the lowest mark required to pass the exam; they shall be made public together with the examination date.

(3) The rates which the marks of the 3 examination tests represent within the final mark shall be as follows:

- a) 40% for the content of the registration dossier, including the portfolio of works;
- b) 30% for the knowledge of the spatial and urban planning regulations;

c) 30% for the interview.

(4) The final examination mark shall be obtained by summing up the marks of the 3 tests, in accordance with the rates provided for in (3) above; the results shall be posted, by the courtesy of the examination panel, at the premises where the examination has been made.

Art. 32. – (1) Any objections related to the examination marks or the progress of the examination procedure shall be forwarded, within 48 hours after the announcement of the results, to the Higher Council of the Romanian Register of Urban Planners; the latter shall formulate its replies within 7 days after the announcement of the results.

(2) The decision of the Higher Council of the Romanian Register of Urban Planners may be attacked in court in accordance with the legal regulations in force.

Art. 33. – (1) The Higher Council of the Romanian Register of Urban Planners shall validate the results of the attestation or examination procedures and agree to the granting of the right to sign and seal to the experts having passed the examination, within 30 days after the end of the examination procedure, but no later than 90 days after the submission of the full dossier.

(2) A certificate attesting the right to sign and seal shall be issued to the experts who have been granted the right to sign and seal; the certificate shall state the categories of documents for which the right to sign and seal has been granted.

(3) The certificates attesting the right to sign and seal shall be accompanied by an annex indicating the results of the examination.

(4) The experts can exercise their right to sign and seal only after they have been registered, based on the certificate attesting their right to sign and seal, with the Romanian Register of Urban Planners.

Art. 34. – (1) The right to sign and seal must be granted for an indefinite period of time.

(2) The right to sign and seal shall be withdrawn in case of non-compliance with the requirements related to its exercising.

(3) The irrevocable suspension and withdrawal of the right to sign and seal are regulated by the Rules of organization and operation of the Romanian Register of Urban Planners.

Art. 35. – (1) The experts holding right to sign and seal and registered with the Romanian Register of Urban Planners shall receive seals and identity cards according to the certificate attesting the right to sign and seal.

(2) When an expert has been granted several certificates attesting his/her right to sign and seal for several categories of documents, on different dates, the seal and identity card of such expert shall be replaced with a different seal and identity card which must include the updated information, so that each expert holding right to sign and seal uses a sole seal and a sole identity card.

(3) The identity card shall contain information about the holder's academic qualification, professional specialization, category or categories of documents for which the expert has received right to sign and seal, and the registration number in the records of the Romanian Register of Urban Planners.

(4) The seal shall contain the holder's name and surname and the categories of documents on which the seal can be affixed and the serial number of the identity card.

CHAPTER IV

Exercise of the right to sign and seal

SECTION 1

Practical exercise of the right to sign and seal

Art. 36. - (1) The right to sign and seal shall be exercised in signing documents of urban and spatial planning and in affixing the seal on such documents.

(2) The urban and spatial planning documents must be signed and sealed in the following way:

- a) on the title page, on each written part; and
- b) on each drawn part provided for as compulsory by the regulations on the framework content of the documents.

Art. 37. – In complying with the regulations in force, the experts holding the right to sign and seal shall be entitled:

- a) to work out and/ or check and sign and seal such categories of urban and spatial planning documents for which they have received the right to sign and seal, according to this Regulation;
- b) not to seal urban and spatial planning documents, if they consider that the quality of such documents is inappropriate or if the rules for the preparation of the documents have not strictly been complied with;
- c) to permanently be kept informed, by the courtesy of the Romanian Register of Urban Planners, of the changes in the legal environment and the regulatory initiatives in the field of urban and spatial planning;
- d) to use in all professional papers, besides his/her basic academic title, the mention "expert holding right to sign and seal urban and spatial planning documents ", and mention about his/her registration with the Romanian Register of Urban Planners, according to its rules of organisation and operation.

Art. 38. - The experts holding the right to sign and seal shall have the following duties:

- a) to comply with the provisions of this Regulation;
- b) to take knowledge and comply with the legal provisions in force on the practice of urban planning;
- c) to prove diligence and professional integrity and to take on, by exercising his/her right to sign and seal, full professional responsibility in his/her relation with the client and public authorities,
- d) to ensure, when working the documents out, the balance between the public and private interests;
- e) to inform the client about the requirements on the documents drawing up and approval;
- f) to support, jointly with the client, the approval and promotion of the documents during the approval procedure;
- g) to notify the client of the circumstances that might lead to an unsuitable professional quality of the documents or non-compliance with of the regulations on the working out and approval of documents;
- h) to be concerned with the improvement of his/her professional skills and to take knowledge of the regulations in the field,
- i) to pay the taxes related to the exercise of the right to sign and seal, according to the provisions of this Regulation.

SECTION 2

Copyright

Art. 39. - (1) Pursuant to the provisions of the Law no. 8/1996 on copyright and related rights, with its subsequent amendments and supplementations, studies and documents on urban and spatial planning or parts thereof represent intellectual property (scientific works) of physical or legal entities, as appropriate; they are, by their mere creation, recognised and protected – whether made public or not, whether completed or not.

(2) Urban and spatial planning studies and documents are collective works, where the personal contributions of the co-authors are considered as a whole, and no individual right is granted to any of the co-authors for the whole work except for structuring of urban and spatial planning processes.

Art. 40. - According to the legal provisions, the following can be subject to copyright:

1. For plans of urban zones or county development plans, the drawing of the proposed development scenarios is subject to copyright
2. For the general urban plans and plans of urban zones, the configuration of public and private spaces and the spatial configuration on the drawing of the urban picture are subject to copyright.
3. For the detailed urban plans, the configuration of the built volumes on the drawing of the urban picture is subject to copyright.
4. The original documents falling under the effects of the Law 8/1996 on the copyright and related rights, with its subsequent amendments and supplementations according to 1, 2 and 3 above, cannot be used unless mentioning the author's name.
5. The copyright referred to in 1, 2 and 3 above can only be claimed based on a special clause in the contract concluded between the parties, according to the regulations in force.

CHAPTER V

Transitional and final provisions

SECTION 1

Transitional provisions

Art. 41. – (1) Experts in specialities related to urban and spatial planning, who do not hold right to sign and seal, shall be allowed to sign and seal chapters of urban and spatial planning documents or sections thereof, as provided for in Art. 12, until December 31, 2006.

(2) In that interval the sign and seal of the chapters or sections of urban and spatial planning documents shall be conditioned by the experts' qualification in the field matching the subject of the parts of the documents, attested by a graduation diploma or degree.

Art. 42 – The proof of the professional skills shall be made by providing a Xerox copy of the graduation diploma or degree, which must be annexed to the documents of spatial and urban planning submitted for approval, and after the granting of the right to sign and seal, by annexing the certificate released by Romanian Register of Urban Planners to such documents.

SECTION 2

Final provisions

Art. 43. - When contracting the preparation of urban and spatial planning documents, financed from public funds, under the terms of the regulations in force, the drawing up team has to include, as a manager, an expert holding right to sign and seal the respective category of documents.

Art. 44. - Where the documents are drawn up within the Ministry of Transport, Construction and Tourism or by specialised compartments within city or town halls or county councils, the right to sign and seal can be exercised by public officers provided that they participate in the drawing up process, according to the regulations in force.

Art. 45. - (1) As regards the professionals having the quality of chief architect of the county, chief architect of the city, chief architect of the district or chief architect of the town, the Higher Council of the Romanian Register of Urban Planners may decide to equal the managing experience in implementing provisions of the spatial and urban planning documents with the professional experience referred to in Art. 16 (3).

(2) A decision may be made to equal practical experience as above, provided that:

- a) the expert has at least 4 years of service as chief architect;
- b) his/her professional training complies with the provisions of Articles 10 to 13.

(3) The practical experience can be equalled only with a view to obtaining the right to sign and seal for the following categories of documents:

- a) for the chief architects of towns and districts of the Bucharest municipality, the urban plans and the related by-laws,
- b) for the chief architects of municipalities, urban plans and related by-laws, metropolitan or periurban development plans, as the case may be;
- c) for chief architects of counties, urban plans and related by-laws, metropolitan, periurban, county, inter-county, regional or county-border development plans.

(4) The equivalence shall be decided after examination of each individual case, upon the request of the concerned parties, after submitting a dossier whose content shall be decided by the Higher Council of the Romanian Register of Urban Planners.

Art. 46. - (1) The graduates of foreign higher education institutions, Romanian or foreign citizens, can acquire the right to sign and seal if their diploma and, if case may be, their speciality, are recognized by the Romanian State, according to the regulations in force, and agreed by the Romanian Register of Urban Planners.

(2) The graduates referred to in (1) above are granted the right to sign and seal following a procedure provided for by this Regulation.

(3) The foreign professionals holding right to sign and seal in a different country or who are members of a national organization regulating the right to practice urban and spatial planning, can acquire the right to sign and seal in Romania if mutual agreements have been concluded between the Romanian Register of Urban Planners and the respective organizations that manage the right to sign and seal or the right to practice, as appropriate, and if they pass an exam in the Romanian regulations in force on urban and spatial planning.

(4) By derogation from the provisions of paragraphs (1) and (3), the citizens of the Member States of European Union or of the European Economic Area can be granted the right to sign and seal based on the recognition of their diplomas and professional qualifications, according to the legal provisions on the recognition of the diplomas and professional qualifications for the professions regulated in Romania.

Art. 47. - (1) For exercising the right to sign and seal a fee shall be paid, for each documentation drawn up, in the account of the Romanian Register of Urban Planners.

(2) The fixed amount of the fees is yearly set, following a decision by the Higher Council of the Romanian Register of Urban Planners.

(3) In comply with the provisions of regulations in force, documents submitted for approval must be accompanied by a receipt in proof of the fee paid in the account of the Romanian Register of Urban Planners for exercising the right to sign and seal.

Art. 48. - (1) If the number of applications for registration is very large, additional examination sessions for granting the right to sign and seal shall be organized.

(2) The decision concerning the additional examination sessions shall be taken by the Higher Council of the Romanian Register of Urban Planners.

Art. 49. - (1) The curricular and specialisation programmes in the field of urban and spatial planning, that were or are currently applicable and have been accredited according to the legal provisions, should be agreed by the Romanian Register of Urban Planners *ex officio* with a view to granting the right to sign and seal urban and spatial planning documents.

(2) The curricular and specialisation programmes in the field of urban and spatial planning, applicable after the enforcement of this Regulation, and aimed at training the specialists provided for in Art. 4, shall be approved by the Romanian Register of Urban Planners in comply with the procedure indicated in Art. 15 (5); such approval can be requested by the institution interested in the accreditation of such programmes in comply with the legal provisions in force.

(3) The recognition procedure shall take into account the way such programmes meet the professional requirements and approach the issues in the field of urban and spatial planning.

Art. 50. - (1) Pursuant to the provisions of this Regulation, the right to sign and seal shall be granted for the chapters and sections of urban and spatial planning documents, referred to in Art. 12.

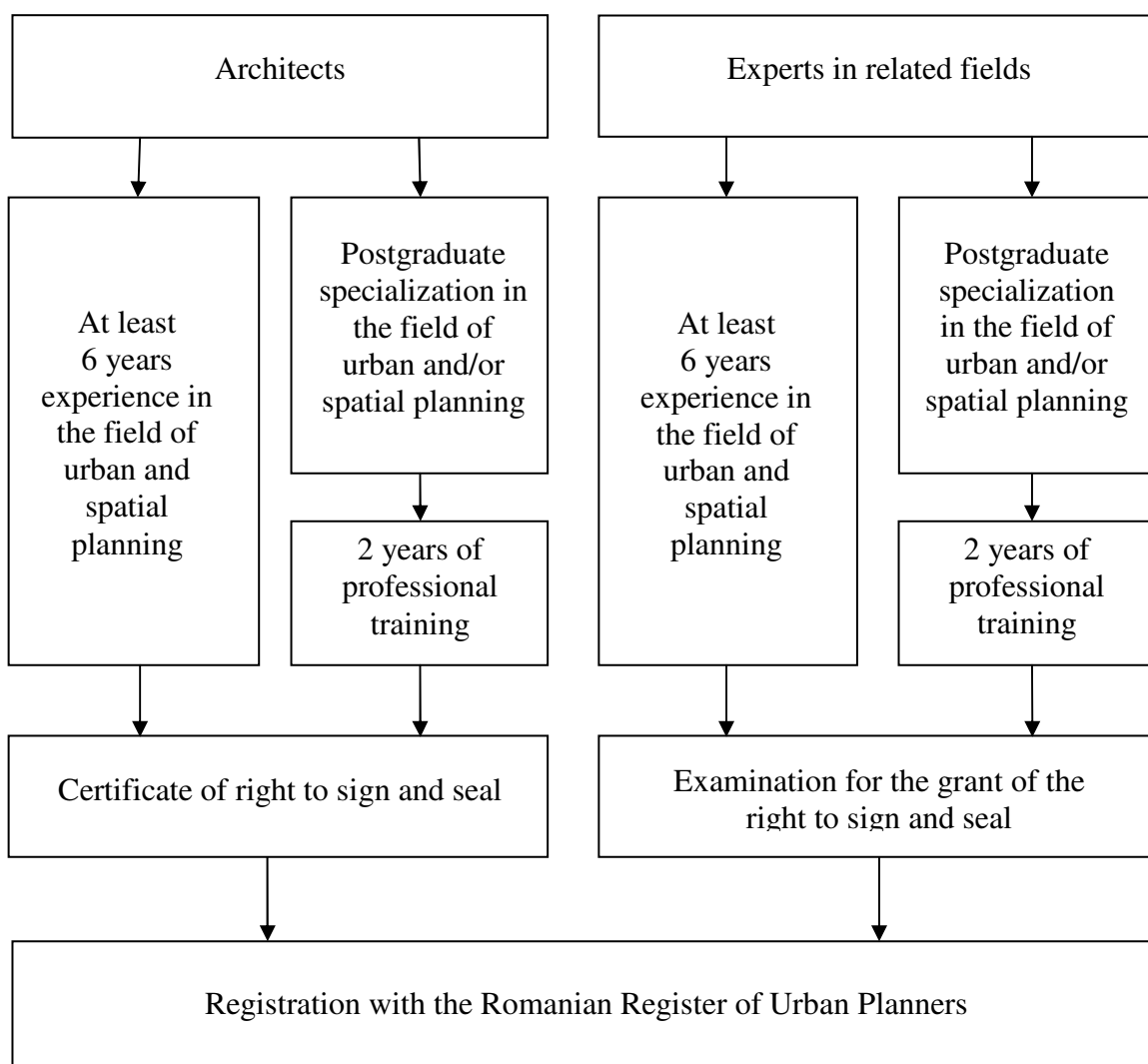
(2) The specific procedure of granting the right to sign and seal to different professional categories shall be set up by the Higher Council of the Romanian Register of Urban Planners.

Art. 51. - When the structure of the curricular and specialisation programmes or the categories of urban and spatial planning documents have been changed, the Council shall be entitled to submit to the Ministry of Transport, Construction and Tourism a proposal for updating this Regulation according to the new requirements, while complying with the requirements and restrictions on the exercise of the right to sign and seal depending on the academic qualification, according to the regulations in force.

Art. 52. - The Annex containing Diagram A on the acquiring the right to sign and seal urban and spatial planning documents and registration with the Romanian Register of Urban Planners – Graduates of academic institutions until and including the year 2002 and Diagram B on the acquiring of the right to sign and seal urban and spatial planning documents and registration with the Romanian Register of Urban Planners – Graduates of academic institutions beginning with the year 2003 is integral part of this Regulation.

DIAGRAM A

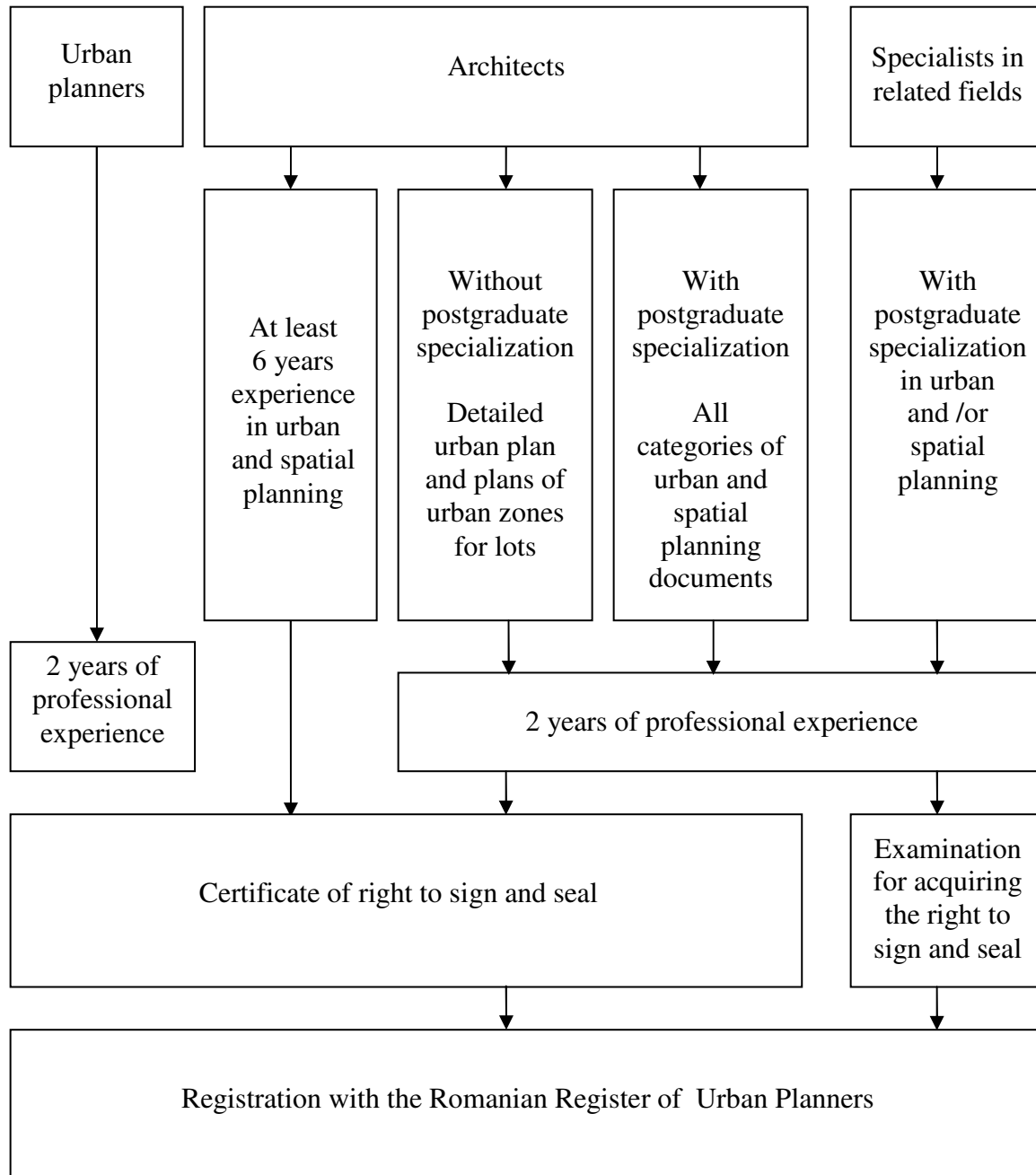
**on acquiring the right to sign and seal urban and spatial planning documents
and registration with the Romanian Register of Urban Planners**
■ **Graduates of academic institutions until and including the year 2002**



^{*}) The Annex to the Regulation is reproduced in facsimile form

DIAGRAM B

on acquiring of the right to sign and seal urban and spatial planning documents
and registration with the Romanian Register of Urban Planners
■ Graduates of academic institutions starting with 2003



REGULATION

on the Organisation and Operation of the Romanian Register of Urban Planners

CHAPTER I

General Provisions

Art. 1 – (1) The Romanian Register of Urban Planners is the authority which administrates the right to sign and seal urban and spatial planning documents, as provided by the regulations in force.

(2) The Romanian Register of Urban Planners is a public self-financed institution, a legal entity, whose financial resources consist of the attestation or examination fees collected for acquiring the right to sign and seal urban and spatial planning documents, for enrolment in the Romanian Register of Urban Planners, for the exercise of such right and of other legal sources.

(3) The Romanian Register of Urban Planners is based in Bucharest.

Art. 2 – (1) The document where urban planners holding the right to sign and seal urban and spatial planning documents can be enrolled is called the “Register of Urban Planners”, hereinafter referred to as the *Register*.

(2) According to the provisions of the law, the professionals who have acquired the right to sign and seal, and the professionals participating in the drawing up of urban and spatial planning documents can be enrolled in the Register.

Art. 3 – (1) In comply with the regulations in force, the Romanian Register of Urban Planners shall fulfil the following duties:

1. to organise the examinations for granting the right to sign and seal, pursuant to the Regulation on acquiring the right to sign and seal urban and spatial planning documents;
2. to enrol and manage the records of the professionals holding the right to sign and seal urban and spatial planning documents;
3. to provide details on the exercise of the right to sign and seal;
4. to monitor the enforcement and compliance with the regulation on acquiring the right to sign and seal;
5. to supervise, following a notification sent to the central and local public administration bodies, other institutions, physical and legal entities or *ex officio*, the exercise of the right to sign and seal, and decide on the sanctions to be applied according to the regulations in force;
6. to draw up, together with the Romanian Association of Urban Planners and in co-operation with other associations of the urban and spatial planning professionals and specialised higher-education institutions, the Statute and Code of Ethics of the Urban Planners, which shall be submitted for approval in comply with the regulations in force;
7. to advertise the urban planners enrolled in the Register;
8. to propose regulations and participate in drafting regulations on urban and spatial planning as well as urban design;

9. to approve methodological norms on the drafting and approval of the content of the urban and spatial planning documents;
10. to organise national and international specialised exhibitions and contests on urban planning;
11. to edit together with the Romanian Association of Urban Planners specialised publications of information and promotion of the good practice and critical opinions in the area;
12. to award prizes to the authors of the best works;
13. to carry out trading work, the returns of which are to be used for fulfilment of its duties;
14. to keep permanent communication with its organisations and the registered professionals;
15. to fulfil other duties, according to the regulations in force.

(2) The Romanian Register of Urban Planners shall contribute to the definition of the place and role of the specialists and professionals in urban and spatial development, promote the professional values and the public interest in the practice of urban and spatial planning.

Art. 4 – In fulfilling its duties, according to the regulations in force, the Romanian Register of Urban Planners shall:

1. steadily co-operate with the Romanian Association of Urban Planners;
2. co-operate with the ministries, central institutions, prefectures, and the local public administration authorities – local councils, county councils, town or city councils, as well as the Romanian Federation of Local Public Authorities;
3. co-operate with other professional organisations in the area of urban and spatial planning, and the associations of professionals in urban and spatial planning of the local public administration – the Association of Chief Architects of Municipalities, the Association of Chief Architects of the counties – or any other similar organisations;
4. co-operate with the “Ion Mincu ”University of Architecture and Urban Planning in Bucharest and other higher-education institutions, providing accredited curricular programmes;
5. discuss with the Romanian Order of Architects matters concerning the practice of urban and spatial planning;
6. co-operate with the institutions providing continuous training or assistance programmes in the area of urban and spatial planning in the country and abroad.

CHAPTER II

Organisation and operation of the Romanian Register of Urban Planners

Art. 5 – The organisational chart of the Romanian Register of Urban Planners includes:

1. The Higher Council;
2. specialised panels;
3. secretariat.

Art. 6 – (1) The Higher Council of Urban Planners, hereinafter referred to as the *Council*, is the managing body of the Romanian Register of Urban Planners.

(2) The Council consists of 9 full members and 6 alternate members, assigned as follows:

- 3 full members and 1 alternate member assigned by the Ministry of Transport, Construction and Tourism;
- 2 full members and 1 alternate member assigned by the Romanian Association of Urban Planners;
- 1 full member and 1 alternate member assigned by the “Ion Mincu” University of Architecture and Urban Planning of Bucharest;
- 1 full member and 1 alternate member assigned by the Association of Chief Architects of the Counties;
- 1 full member and 1 alternate member assigned by the Association of Chief Architects of the Municipalities;
- 1 full member and 1 alternate member assigned by the Romanian Order of Architects.

(3) Only specialists and professionals in urban and spatial planning, with at least 10 years of experience and good name, holders of the right to sign and seal urban and spatial planning documents, having their taxes paid off and who have never been subjected to punitive, disciplinary or administrative sanctions in the practice of their profession shall be assigned as full members of the Council.

(4) The alternate members of the Council shall substitute by right full members whenever the latter are unable to fulfil their assignments for a period not exceeding 4 months or fail to comply with the terms provided for in paragraph (4).

(5) The current work of the Romanian Register of Urban Planners shall be carried out by a Secretariat subordinated to the Council and headed by its executive director.

Art. 7 – (1) In granting the right to sign and seal the Council shall:

1. decide upon the date and place of the attestation or the examination for granting the right to sign and seal;
2. appoint the president of the examination panel for granting the right to sign and seal;
3. analyse and solve the disputes arising from the application of the rules of attestation or examination for granting the right to sign and seal;
4. decide upon the granting of the right to sign and seal to the specialists who have passed the attestation procedure or the examination and release the attestation certificates;
5. decide upon the enrolment of the attested specialists in the Romanian Register of Urban Planners;
6. certify the withdrawal of an urban planner’s right to sign and seal;
7. co-ordinate the preparation of the procedures for granting the right to sign and seal chapters or sections of the urban and spatial planning documents and approve such procedures;
8. decide upon the suspension and/or withdrawal of the right to sign and seal, as well as the removal of the name of an urban planner from the records of the Register, in accordance with the provisions of this Regulation;
9. arbitrate, upon request, disputes of professional nature among the urban planning professionals holding right to sign and seal enrolled in the Romanian Register of Urban Planners;

(2) According to the regulations in force, the Council shall:

1. co-ordinate the preparation, together with the Romanian Association of Urban Planners, the Statute and the Code of Conduct of the urban planners;
2. approve or, if need be, acknowledge academic syllabi for provision of training or specialisation in urban and spatial planning.

(3) The Council shall fulfil, according to the regulations in force, the following duties in terms of co-operation with other organisations:

1. concludes agreements of co-operation with public institutions or other legal Romanian entities activating in the area of urban and spatial planning with a view to developing monitoring, documentation and research programmes, or representing Romanian urban planners in international organisations;
2. concludes agreements of bilateral or many-sided co-operation with similar foreign organisations.

(4) According to the regulations in force, the Council shall fulfil the following duties in relation to the current work of the Romanian Register of Urban Planners:

1. approves programmes and projects meant to fulfil the tasks of the Romanian Register of Urban Planners, depending on the available resources;
2. sets up other working groups than those referred to in this Regulation;
3. approves the constituency of the specialised and working groups;
4. approves the rules of operation of the working groups of the Romanian Register of Urban Planners;
5. approves the budget of receipts and expenditures of the Romanian Register of Urban Planners and its execution, according to the provisions of the regulations in force;
6. approves the staffing schedule of the Secretariat, and the rate of wages;
7. decides upon the assets of the Romanian Register of Urban Planners;
8. decides upon the headquarters of the Romanian Register of Urban Planners and sets up county head offices and , if need be, decides upon the premises;
9. sets up fees related to the exercise of the right to sign and seal different categories of documents;
10. decides upon the fees for examinations and registration with the Romanian Register of Urban Planners;
11. approves the business work made with the intention to gather funds for increasing the financial resources of the Romanian Register of Urban Planners;
12. decides upon the acceptance and use of donations and sponsorship funds with a view to fulfilling the duties of the Romanian Register of Urban Planners;
13. approves the annual report by the executive director;
14. sets up the schedule of the specialised national and international town planning shows and contests;
15. approves the editing of specialised publications;
16. awards prizes and approves the rate of prizes awarded for the best urban planning works;
17. approves, following an agreement by the Romanian Association of Urban Planners, the set up and award of professional distinctions and make suggestions on the award of Romanian orders and medals;
18. approves the rate of the fees for the members attending the meetings of the Council and panels.
19. approves the Regulation on acquiring the right to sign and seal urban and spatial planning documents and the Regulation on the organisation and operation of the Romanian Register of Urban Planners following the assent by the Ministry of Transport, Construction and Tourism;
20. ensures uninterrupted operation of the Romanian Register of Urban Planners through nomination of representatives of its constituent organisations.

Art. 8 – The Council shall gather in meetings at the headquarters of the Romanian Register of Urban Planners, or every time considered necessary, upon a decision by the president of the Council or at least five members of the Council.

1. The Council shall be convened in writing, one week at the latest before the meeting date, specifying the date, time and agenda of the meeting.

2. The documents to be reviewed in the ordinary meetings shall be sent to the members of the Council together with the invitation to the meeting.
3. The meetings for the analysis of the issues on the agenda shall be attended by qualified urban planners holding the right to sign and seal, and other professionals in the area.
4. The Council shall adopt decisions by a straight majority.
5. If the votes are equal, the vote of the president of the Council shall be a casting vote.
6. The minutes of the meetings shall be filed in a special register, which can be made available only to the urban planning professionals holding the right to sign and seal and enrolled in the Register.
7. The Council shall, at the end of its mandate, draw up a report of activity to be sent to the organisations having members appointed in the Council, and made available to the Urban Planners holding the right to sign and seal and enrolled in the Register.
8. The members of the Council shall receive a fee for attendance of the meetings.
9. The meetings of the Council shall be held on the basis of own rules of operation.

Art. 9 – (1) The president of the Council shall be elected from the members of the Council by show of hands as a result of a straight majority.

(2) The President shall represent the Romanian Register of Urban Planners in the relation with public authorities and the physical and legal entities in the country and beyond the borders of Romania.

(3) The president shall chair the works of the Council and co-ordinate the activity of the executive director, as a head of the Secretariat of the Romanian Register of Urban Planners.

(4) The president shall decide upon the establishment of working groups for the debate of the issues on the agenda of the Council and can involve in the arbitration of the disputes, in comply with the provisions of the rules passed by the Council.

(5) If, for a determined period, the president has been incapable to exercise his/her prerogatives, the president can delegate the exercise of his/her duties to another member of the Council.

(6) The major duty of the president shall be to take decisions.

Art. 10 – (1) To fulfil the duties of the Romanian Register of Urban Planners, the Council shall set up specialised panels.

(2) The specialised panels of the Register of Romanian Urban Planners shall be as follows:

1. The panel of professionals;
2. The examination panel for granting the right to sign and seal;
3. The auditing panel.

(3) The panels shall be standing as long as the mandate entrusted by the Council.

(4) The Council shall decide on the set up of other standing or provisional working panels than those referred to in paragraph (2).

(5) A person must not be a member of several panels.

(6) The members of the panels shall meet similar requirements like the members of the Council, as provided for in Article 6 (4).

(7) The auditing panel shall include among its members an accounting expert.

(8) The Council can duly request the institutions appointing members of the panels to review the nomination of certain members.

(9) The constituency and operation of the panels shall be decided according to special rules approved by the Council.

(10) The secretarial work of the panels shall be carried out by the Secretariat of the Romanian Register of Urban Planners.

(11) Adoption of decisions shall be the task of the panels.

Art. 11 – (1) The panel of professionals

1. The major objectives of the panel of professionals shall be as follows:
 - a). to work out the statute and monitor the status of the profession and the role and place of the urban and spatial planning professionals in relation to the evolution of the human settlements and spatial development;
 - b). to assess the way the practice of urban and spatial planning and the exercise of the right to sign and seal meets the requirements of urban and spatial development and complies with the technical regulations in the area;
 - c). to increase the suitability of the basic and continuous training and development programmes to the requirements imposed by urban and spatial planning.
2. According to the regulations in force, the panel of professionals shall have the following duties:
 - a). to take part in the drafting of the Statute and the Code of Conduct of urban planners;
 - b). to review the proposals of regulations on urban and spatial planning as well as those regarding the content of the urban and spatial planning documents;
 - c). to draw up reports on the statute of the urban planning profession in other countries;
 - d). to propose or, if need be, to assess programmes and projects of professional co-operation – conferences, seminars, workshops;
 - e). to review, upon a request by the Council, or on the basis of a hearing of experts, if need be, the quality of certain urban and spatial planning documents and make suggestions on the suspension and/or withdrawal of the right to sign and seal;
 - f). to analyse the exercise of the right to sign and seal and initiate monitoring actions;
 - g). to co-ordinate monitoring and draw up periodical reports on the training of the professionals in the area of urban and spatial planning;
 - h). to structure and approve the content of the specialisation and continuous development syllabi carried out by the Romanian Register of Urban Planners together with the Ministry of Transport, Construction and Tourism and in co-operation with higher-education institutions or other legal entities;
 - i). to review and suggest approval or, if need be, acknowledgement of the academic instruction or training syllabi and the continuous development programmes in the area of urban and spatial planning.

(2) The examination panel for granting the right to sign and seal.

The objectives, duties, constituency and the working rules of the examination panel for granting the right to sign and seal shall be set out by the Regulation on acquiring the right to sign and seal urban and spatial planning documents.

(3) The auditing panel

1. The main duty of the auditing panel shall be to control the use of the financial resources of the Romanian Register of Urban Planners and check:
 - a). the management of the assets of the Romanian Register of Urban Planners;
 - b). whether the financial operations proceed according to the provisions of the law, comply with the decisions of the Council and whether they correspond to the approved budget estimates;
 - c). the lawfulness of the balance sheet of the Romanian Register of Urban Planners.
2. The auditing panel shall draw up reports and submit them to the Council.

Art. 12 – (1) The Secretariat of the Romanian Register of Urban Planners shall fulfil its current duties on the basis of the decisions made by the Council.

(2) The Secretariat shall consist of an executive director and the staff employed on the basis of individual employment contract for an indefinite period.

(3) The Council shall approve the organisational chart.

(4) The personnel of the Secretariat of the Romanian Register of Urban Planners shall be paid in comply with the regulations in force regarding the self-supporting public institutions.

(5) The Council shall appoint the executive director in comply with the regulations in force.

(6) The main duties of the executive director shall be as follows:

1. to manage the current work of the Romanian Register of Urban Planners;
2. to implement the decisions by the Council and the decisions by the president himself/herself;
3. to ensure all necessary conditions for the progress of the works of the Council and the panels of the Romanian Register of Urban Planners;
4. to assure current management of the assets of the Romanian Register of Urban Planners;
5. to ensure the preparation and execution of the budget of the Romanian Register of Urban Planners;
6. to co-ordinate the economic activities of the Romanian Register of Urban Planners, according to the provisions of Article 3 (1).

(7) The executive director shall submit, at every meeting of the Council, reports on the current activity, and detailed information on certain subjects following a request by the president or the members of the Council.

(8) The main duty of the executive director shall be to take decisions.

(9) The rules of organisation and operation of the Romanian Register of Urban Planners shall be approved by the Council.

Art. 13 – (1) The financial resources of the Romanian Register of Urban Planners shall consist of fees, donations, sponsorships and receipts from economic activities, the rates of interest included.

(2) The rate of fees is set in relation to the costs of the organisation and operation of the Romanian Register of Urban Planners.

(3) The fees paid to the Romanian Register of Urban Planners shall be as follows:

- The attestation or examination fee with a view to acquiring the right to sign and seal;
- The fee for enrolment in the Register;
- The fee for the exercise of the right to sign and seal calculated for different categories of documents.

(4) The fee for the exercise of the right to sign and seal shall be different for the various categories of documents signed and for the co-ordination of the preparation of the overall documents or, if the case may be, for the preparation of certain sections of such. The coordinator of a set of urban or spatial planning documents shall be the one who pays the fee on the date of registration of the documents in the records of the local public administration authority in charge of approving and endorsing the documents.

(5) The Council shall calculate the rate of fees.

(6) If an examination is intended to only check the knowledge of the regulations in the field, a deduction by 50% of the fee shall be applied.

(7) The registration of the trainees shall be free of charge.

(8) The fees shall enter in a special account opened by the Romanian Register of Urban Planners or be paid at its headquarters.

Art. 14 – (1) The budget of the Romanian Register of Urban Planners shall be estimated by the Secretariat and be approved by the Council in comply with the regulations in force.

(2) The budget of the Romanian Register of Urban Planners shall include the following chapters:

1. The budget of the Council;
2. The budget of the panels;
3. The budget of the Secretariat.

(3) The annual balance sheet of the Romanian Register of Urban Planners shall be made available to the public and its essential data shall be published in the Newsletter of the Romanian Register of Town Planners and shall be displayed on the Register's website.

Art. 15 – (1) The members of the Council, panels or, as the case may be, the working groups shall receive emoluments granted for their attendance of the meetings, seminars, conferences, workshops, working sessions and other such events, for travel and work performed apart from such.

(2) The Council shall set the rate of emoluments.

CHAPTER III

The records and enrolment in the Romanian Register of Urban Planners

Art. 16 – (1) The specialists holding the right to sign and seal urban and spatial planning documents and the trainees, and other professionals in the area of urban and spatial planning shall be enrolled under different headings.

(2) The Register shall include two sections:

1. specialists holding the right to sign and seal;
2. trainees.

(3) The section devoted to specialists holding the right to sign and seal shall refer to coordinating the preparation of sets of documents and parts thereof for which the right to sign and seal has been granted.

(4) The coordination of the preparation of urban and spatial planning documents shall include:

1. spatial development plan of the national territory, symbol "A";
2. spatial development plans of the county areas, spatial development plans of the regional areas, spatial development plans of the inter-county areas and spatial development plans of the border areas, symbol "B";
3. spatial development plans of the inter-city or inter-communal areas, spatial development plans of the metropolitan areas and spatial development plans of the peri-urban areas of the major municipalities and towns, symbol "C";
4. general urban plans and plans of the urban zones together with the related by-laws, symbol "D";
5. plans of the urban zones and urban planning by-laws related to housing plots and other related uses, symbol "D₁";
6. plans of the urban zones and related urban planning by-laws whose object is new housing estate, including 20 plots at the most and not exceeding 1,000m² each, symbol "D₂";
7. detailed urban plans, symbol "E";

8. detailed urban plans whose object is the location of constructions of minor importance, as defined by the provisions of the Law 10/1995 on the quality in building, with its subsequent amendments, symbol “E₁”;

(5) Preparation of parts of urban or spatial planning documents shall include:

1. natural landscape and environmental quality, symbol “F₁”;
2. economic development of the territory, symbol “F₂”;
3. demography and labour force, symbol “F₃”;
4. technical endowment of the territory, symbol “F₄”;
5. natural heritage protection and development, symbol “F₅”;
6. built environment protection and development, symbol “F₆”;
7. urban endowment, symbol “G₁”;
8. urban sociology and demography, symbol “G₂”;
9. environmental quality, symbol “G₃”;
10. urban economics, symbol “G₄”;
11. studies of urban history, symbol “G₅”;
12. landscape development, symbol “G₆”;
13. communication ways and transport, symbol “G₇”;
14. geological survey, symbol “G₈”;
15. other studies, symbol “G₉”.

(6) “*Coordination of the urban and spatial documents*” shall also mean preparation of such parts of documents by the specialist whose professional qualification complies with the provisions of Articles 10-13 of the Regulation on acquiring the right to sign and seal urban and spatial planning documents.

(7) The records of other professionals in urban and spatial planning shall have information character and shall be structured on the following sections:

1. researchers and authors of specialised studies;
2. specialists in public administration;
3. specialists in urban management studies;
4. specialists in academic formation and development;
5. specialists in urban and rural economic development;
6. specialists in urban planning law;
7. specialists in mediation and public participation;
8. judicial and extra judicial technical experts in the area of urban and spatial planning;
9. other specialists defined by the Council.

(8) The records of the specialists specified under paragraphs (4) and (5) shall be structured according to their field of speciality.

(9) The listing in the Register and in the records of other categories of professionals shall be in alphabetical order.

(10) The Council shall decide on the right to sign and seal parts of documents and the fields of speciality of other categories of professionals depending on the content of the urban and spatial planning documents.

Art. 17 – The supporting documents necessary for enrolment of the applicants shall include:

- a). for professionals holding the right to sign and seal urban and spatial planning documents:
 - an enrolment form;
 - a certificate attesting the holder’s right to sign and seal released by the examination panel;
 - a receipt in proof of paying the registration fee.
- b). for trainees:

- an enrolment form;
 - an application for being accepted as trainee;
 - a notarised copy of the certificate of graduation or the certificate of specialisation, as the case may be;
 - the credentials by two professionals holding the right to sign and seal supporting the application for admittance of the graduates as trainees. One of two professionals providing the credentials should assure the tutorial advice of the trainees for the entire length of the training period according to the guidelines for the training period approved by the Council.
- c). for other categories of professionals in urban and spatial planning:
- an enrolment form;
 - a notarised copy of the certificate of graduation or the degree;
 - notarised copies of the graduation certificates of post-graduate courses or other certificates attesting specialisation
 - list of the published articles, books, as the case may be;
 - a curriculum vitae;
 - a receipt in proof of having paid the examination fee.

Art. 18 – (1) The data registered on the basis of the application forms shall include:

- a). name, address and date of birth;
- b). name of the graduation certificate released by the higher-education institution, year of release, the name of the higher –education institution and the serial number of the graduation certificate; other certificates or deeds attesting completion of post graduation or specialisation courses;
- c). the year in which the right to sign and seal has been granted, as the case may be;
- d). the serial number of registration, in the chronological order of the records;
- e). the form in which the urban and spatial planning profession has been practiced;
- f). list of his/her works;
- g). the distinctions awarded by the State of Romania, other states, institutions or Romanian and international authorities;
- h). graduation and specialisation certificates, granted after the enrolment in the Register;
- i). sanctions applied;
- j). periods and reasons for withdrawal of the right to sign and seal – if need be;
- k). date of and reasons for deletion from the records.

(2) Pursuant to paragraph (1) the data registered shall be adapted by the Council depending on the category of specialists holding the right to sign and seal or trainees, as provided for in Article 16.

CHAPTER IV

Access to the records of the Romanian Register of Urban Planners

Art. 19 – (1) The records shall be available to the public. The Secretariat of the Romanian Register of Urban Planners shall make the published or non-classified records of the Register regarding the professionals holding the right to sign and seal available to third parties.

(2) A copy of the records regarding the urban and spatial planners holding the right to sign and seal shall be made available to the county councils and the General Council of the Municipality of Bucharest for consultation by the interested persons.

Art. 20 – The records of the Register related to the professionals in urban and spatial planning shall be published in *Monitorul Oficial al României*, Part I.

Art. 21 – The Secretariat of the Romanian Register of Urban Planners must release, at the expense of an applicant, certificates containing the non-classified registered data related to a professional holding the right to sign and seal urban and spatial planning documents or a professional entered in the database. The certificates shall bear a serial number, shall be signed by the executive director, shall have the date of release mentioned and shall bear the stamp of the Romanian Register of Urban Planners. Records of the release of such certificates must be kept.

CHAPTER V

Suspension and withdrawal of the right to sign and seal

Art. 22 – (1) The cases in which suspension for a period of 6-12 months of the right to sign and seal urban and spatial planning documents must be applied are as follows:

- a). exercise of the right to sign and seal categories of documents different from those for which such right has been granted;
- b). preparation of documents disregarding the regulations in force;
- c). violation of the copyright and/or appropriation of the intellectual property, without mentioning the author;
- d). repeated non-payment of the fees for the exercise of the right to sign and seal categories of documents;
- e). other actions detrimental to the honour and repute of the profession of urban planner.

(2) The suspension decision shall be in written form, shall be signed by the president of the Council and grounds for suspension shall be provided.

(3) The suspension decision shall become effective immediately after being notified.

(4) The suspension decision shall be notified to the offender within 15 days, shall be posted at the headquarters of the Romanian Register of Urban Planners, shall be registered and shall be published in the next year in *Monitorul Oficial al României*, Part I, on the publication date of the Register.

(5) The decision of suspension of the right to sign and seal shall specify the deadlines and the procedure to attack the decision.

Art. 23 – (1) The decision to revoke the right to sign and seal, followed by exclusion of the professionals from the Register shall be applied in the following cases:

- a). invalidation of the graduation certificate, specialisation certificate or certificate of training;
- b). if the sentence for an offence directly related to the exercise by an enrolled professional of the right to sign and seal has remained final;
- c). waiving the right to sign and seal upon request;
- d). if a sanction implying suspension of the right to sign and seal has remained final;
- e). for cause of death;

(2) The decision on the irrevocable withdrawal of the right to sign and seal, more precisely deletion from the records, shall be made by the Council in a written form signed by the president of the Council.

(3) The decision shall become effective as of the date of notification.

(4) The decision of withdrawal/deletion from the records shall be notified to the respective persons within 15 days and shall be posted at the headquarters of the Romanian Register of Urban Planners.

(5) The decision of withdrawal/deletion shall specify the deadlines and the procedure to attack the decision.

(6) The decision of withdrawal/deletion, remained final, shall be published in *Monitorul Oficial al României*, Part I.

Art. 24 – The injured person can make an appeal to the Council and to the qualified courts against the decisions of non-granting, suspension or revocation of the right to sign and seal, according to the provisions of the Law No. 29/1990 on the administrative courts, with its subsequent amendments and supplementations,

Art. 25 – (1) Professionals enlisted in the Register shall be subject to disciplinary punishments, in comply with the provisions of the regulations in force.

(2) In the case of the professionals enlisted in the Register, considered public servants according to Articles 35 and 36 of the Law 350/2001 on spatial and urban planning, with its subsequent amendments and supplementations, a disciplinary panel can be set up.

CHAPTER VI

Transitory and final provisions

Art. 26 – The Council shall be set up for a period of 2 years.

Art. 27 – Specialised panels shall be set up for a period of 2 years and shall become operational within 30 days after the enforcement of this Regulation.

Art. 28 – This Regulation can be amended or supplemented upon a proposal by the Council, and after the assent of the Ministry of Transport, Construction and Tourism.

Art. 29 – The capacity of judicial and extra judicial technical expert in the area of urban and spatial planning shall be acquired under the provisions of the regulations in force.

Art. 30. – The decisions taken by the Council as regards the fees for the exercise of right to sign and seal urban and spatial planning documents, acquiring the right to sign and seal documents and enrolment in the Romanian Register of Urban Planners, the Code of Conduct of Urban Planners, the constituency of the Council, the examination panel and the editorial staff of the publications of the Romanian Register of Urban Planners shall be published in the Newsletter of the Romanian Register of Urban Planners and shall be displayed on the Register's website.