

2011/2089	Autre infraction présumée	ROUMANIE	Service responsable : HOME/A/03	Etat du dossier au 24/05/2011	Jr.Rs.:	Eq.Jr.:	Resp. Int.: CNII	Resp. Ext.:
Services associés : SGEN/X/00; SFUR/X/00				I. FACTS				
FAILURE TO COMPLY WITH OBLIGATION OF ARTICLE 15 DIRECTIVE 2006/24/EC				The deadline for transposition of the Data Retention Directive (2006/24/EC) was 15 September 2007. 25 November 2008 (Ref 10689) RO informed COM (internal ref SG/CdC(2008)A/8868 of 26112008 - SG-R-2) that measures transposing the Directive, Law no. 298/2008, had been published in the Official Gazette of Romania no. 780/21 November 2008.				
Bases juridiques : Directive:32006L0024				On 30 March 2010, in response to COM's letter of 19 January 2010, RO wrote to COM explaining the legal effects of Decision No 1258 of 8 October 2009 of the Romanian Constitutional Court which annulled the provisions of Law 298/2008 as unconstitutional. In that letter, RO stated that it had set up a national, inter-institutional working party to draw up new transposing measures which complied with the Court's decision.				
Stade : Non-conformité				II. CORRESPONDENCE WITH THE MEMBER STATE				
Financement communautaire : N				On 27 October 2010, COM invited RO officials to meet officials from DG Home Affairs to discuss the status and timescales of preparations of the new legislation.				
Procédures en relation : dossier père -> : dossiers fils ->				On 10 January 2011 RO replied accepting the meeting, which subsequently took place on 21 January.				
Fait Incriminé :				III. CONCLUSION AND PROPOSAL				
Infringement case 2011/2089 - concerning failure by Romania to comply with obligation of Article 15 of Directive 2006/24/EC on the retention of data generated or processed in connection with the provision of publicly available electronic communications services or of public communications networks.				Since the judgment of their constitutional court in October 2008, RO has not indicated to COM how and when it proposes to produce new legislation to comply with the Data Retention Directive. It is therefore proposed to issue to ROM an Article 258 letter of formal notice.				

Mise en demeure 258 (ex226) :	Mise en demeure 260 (ex228) :
Décision :	Décision :
Envoi :	Envoi :
Réponse :	Réponse :
Mise en demeure complémentaire 258 (ex226) :	Mise en demeure complémentaire 260 (ex228) :
Décision :	Décision :
Envoi :	Envoi :
Réponse :	Réponse :
Avis motivé 258 (ex226) :	Avis motivé ex228 :
Décision :	Décision :
Envoi :	Envoi :
Réponse :	Réponse :
Avis motivé complémentaire 258 (ex226) :	Saisine 260 (ex228) :
Décision :	Décision :
Envoi :	Dépot décision :
Réponse :	Ref. Aff. :
	D. Arrêt :
Saisine 258 (ex226) :	
Décision :	
Dépot décision :	
Ref. Aff. :	
D. Arrêt :	
Origine CDO :	Correspondance avec l'état membre (2 dern. évén.):
24/05/2011.MAIL DG HOME	
Historique des décisions (6 dernières décisions) :	

DOCUMENT IDENTIFIÉ

Etat des consultations :							Prop. du service responsable :	
	MD258(ex226)	MDC258(ex226)	AM258(ex226)	AMC258(ex226)	MD260(ex228)	MDC260(ex228)	Prop. des chefs de cabinet :	
DG -> SJ							Prop. décision de la Commission :	
SJ -> DG							Position du service juridique :	
DG -> SG								

