**CORONAVIRUS: CERTIFICATES REGARDING THE STATE OF EMERGENCY. HOW CAN COMPANIES OBTAIN THEM?**

Dear client,

In these unprecedented, difficult times, the Romanian Government and businesses are working together to address the economic challenges of the strict containment restrictions put in place to limit the spread of the Coronavirus.

As part of the Government plan, the Ministry of Economy, Energy and Business Environment (MEEBE) has issued on 24 March 2020 Order No. 791 detailing the procedure companies can follow to obtain the Certificate regarding the State of Emergency (the “**CSE**”).

There are two types of CSEs, Blue and Yellow, that companies can use to address the immediate challenges the COVID-19 lockdown represents and they will only be issued for the duration of the state of emergency (16 April 2020).

This is not a universal scheme, as the CSE applies to the most heavily disrupted businesses in terms of financial distress.

Please find below a brief summary of the relevant procedure you can follow to obtain a CSE:

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| CSE Type  Type 1/Blue  Type 2/Yellow | Issuer: Ministry of Economy, Energy and Business Environment (MEEBE)  Companies that totally/partially closed their activity following the decisions issued by the Romanian authorities during the state of emergency period can apply for a BLUE CSE.  Companies experiencing a 25% decrease in cash flow for March 2020, compared to the average cash flow of the company for the period January – February 2020, can apply for a YELLOW CSE.  Note: a company may obtain only 1 (one) type of CSE. |
| How companies can use the CSE | * towards public institutions to obtain the tax facilities or supporting measures for the business continuity * towards private contractors   **Note**: the CSE does not replace the Force Majeure Certificate (the “**FMC**”) that is issued by the Romanian Chamber of Commerce. |
| Procedure is exclusively online | Companies can apply to obtain the CSE exclusively by electronic means via the internet site: [http://prevenire.gov.ro](about:blank), a platform owned and operated by MEEBE.  **Required documents**:   1. identification date of the applicant company; 2. sworn statement of the legal representative (provided in the Annex no. 3 to the above Order) attesting that the information and document submitted with the application are true and real; 3. other documents attesting the ones indicated by the company in support of its application for obtaining the CSE.   **Electronic Signature versus Hand Signature**   * The legal representative of the company must electronically sign the document when it will be uploaded. * Alternatively, if the legal representative of the company (since the legal representative does not hold an electronic signature) has only hand signed the application forms, the forms shall be uploaded on the internet site [http://prevenire.gov.ro](about:blank) by using the electronic signature of representative appointed/empowered nominated by the company in this respect.   If your legal representative does not have an electronic signature in place, **Musat & Asociatii can help you with the filling**. |
| When can companies obtain the CSE | The CSE is issued automatically and electronically as soon as the application form (and supporting documents) is validated by the authorities.  **Note:** **the CSE will only be issued for the duration of the state of emergency (until 16.04.2020).** |
| Validity of the CSE | The CSE is valid without signature and stamp. You can verify them by imputing their number and series on [http://prevenire.gov.ro](about:blank).  The competent authorities may check during their inspection and control activities all the documents for the issuance of the CSE. |

Our dedicated team of attorneys & consultants may provide you with all the required assistance for filling and electronically signing the required forms and documents for the entire procedure, hence, please do not hesitate to contact us for any aspects in connection thereof.

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Best regards,

The Musat & Asociatii team