

**REMARKS CONCERNING AMENDMENTS
BROUGHT IN 2017 TO ROMANIAN LEGISLATION
IN THE FIELD OF PROCUREMENT**

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ABSTRACT: *In 2016 Romania transposed in its national legislation the directives contained in the EU legislative package, through which was realized a reform in the field of public procurement at the level of the European Union, whereas in 2017 several tertiary regulations for their enforcement were adopted. Approximately one year and a half following the enforcement of the new norms and procedures, several subsequent problems from their content had been identified, in addition to the problems that arose from their application.*

In order to solve these issues, the Romanian Government adopted, in December 2017, three Emergency Ordinances (no. 98/2017, no.104/2017 and no. 107/2017), thus modifying substantially the primary legislation in the field of public procurement, practically rewriting the regulation of the public-private partnership and establishing new rules aiming at the ex-ante control for the award of public procurement contracts/framework agreements, as well as for the award of sectoral contracts and for the award of public works concession contracts and public services concession contracts.

In this study we will try to analyse the modifications, both a topicality and an important subject, emphasizing the deficiencies and finding possible steps forward.

KEYWORDS: *public procurement; sectoral public procurement; concession contracts; remedies; appeals concerning the award of public procurement contracts; ex-ante control; public-private partnership; Emergency Ordinances; Romania.*

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