

GOVERNMENT EMERGENCY ORDINANCE NO.34/2008
on the organisation and functioning of the Unique National System for Emergency
Calls, approved with amendments and completions, by Law no.160/2008¹

(unofficially consolidated text,
including the legal provisions in force as of October 4, 2008)

CHAPTER I: General Provisions

Art. 1. - The unique national system for emergency calls, hereinafter referred to as *SNUAU*, is established and administered by the SNUAU administrator for the purpose of providing the 112 emergency service to the citizens, ensuring the takeover of emergency calls from the citizens and their conveyance to the specialised intervention bodies, as the case may be, or for the purpose of call processing and alerting directly the intervention teams in view of providing for an immediate, constant and coherent reaction in case of emergency.

Art. 2. - (1) The single number for emergency calls on the public telephone networks is 112.

(2) The single number for emergency calls may be called if action is required from the specialised intervention bodies, in order to provide immediate assistance when the citizens' life, integrity or health or the public order, public or private property or the environment is endangered.

(3) The technical system implemented in Romania is E 112.

(4) Calls to 112 shall not be charged on the end-users.

Art. 3. - For the purposes of this Emergency Ordinance, the following definitions shall apply:

a) repealed

b) specialised intervention bodies - structures of the public administration authorities, in charge of providing immediate intervention in view of solving emergencies, in the field of ambulance, Mobile Emergency Service for Resuscitation and Extrication (S.M.U.R.D.), police, gendarmerie, public professional and voluntary emergency services, including S.M.U.R.D., terrorism fighting services, as well as other bodies established by government decision;

c) fake calls - intentional use of the emergency number 112 in order to unreasonably trigger the alert or intervention of the specialised intervention bodies;

d) emergency call - a call to the 112 emergency service that requires the specialised intervention of the specialised intervention bodies;

¹ According to Art.11 of the Government Emergency Ordinance no. 106/2008 on the establishment of the National Regulatory Authority for Communications, within the normative acts in force, "the National Regulatory Authority for Communications and Information Technology" and „ANRCTI" shall be replaced by "the National Authority for Communications" and "ANC".

e) prank calls – calling 112 repeatedly and in bad faith, the caller failing to present a situation that justifies action from the specialised intervention bodies, or calling 112 in order to address profanities to the operators;

f) unintentional call - calling 112 by mistake;

g) repealed

h) unique centre for emergency calls - specialised structure for taking over and handling emergency calls to 112, ensuring permanent service, operated by the SNUAU administrator;

i) emergency dispatcher station - specialised structure for taking over and handling emergency calls received through the unique centre for emergency calls, ensuring permanent service, operated by the specialised intervention bodies;

j) integrated emergency dispatcher station - specialised structure ensuring permanent service, which, beside the take over of emergency calls, provide for alerting and coordinating the intervention teams of all the specialised intervention bodies, either medical and paramedical, on one physical location. Coordination shall be provided by specialised personnel, including by a medical coordinator, with higher education, from the ambulance or S.M.U.R.D. service;

k) E 112 – emergency call service extended by the addition of information on the location of the terminal where the caller announces the emergency;

l) ETSI - European Telecommunications Standards Institute;

m) service degree - probability (P), expressed as a decimal ratio, that a call be blocked. P.01 is a service degree which reflects the probability that, during a peak hour, one of 100 calls should be blocked;

m¹) primary location information - data with the content and format established by the National Regulatory Authority for Communications and Information Technology*), indicating the network elements which are relevant for caller location and which do not require the operator's additional processing;

n) location information - data with the content and format established by the National Regulatory Authority for Communications and Information Technology and implemented within the SNUAU, indicating the geographic position of the terminal equipment held by a certain mobile telephony provider or the physical address where a certain terminal point of a fixed telephone network is installed;

o) access point of the unique centre for emergency calls – physical point where a caller to the unique emergency number 112 is granted access to the specialised intervention bodies;

p) routing - directing calls to the unique emergency number 112 initiated on the terminal equipments of a public telephony network, based on the allocation area of the calling terminal equipment, towards the corresponding unique centre for emergency calls;

q) 112 emergency service - service provided by SNUAU, ensuring the take over of the citizens' emergency calls and the conveyance of these calls to the specialised intervention bodies, in view of providing for an immediate, constant and coherent reaction in case of emergency;

r) intervention station - assembly point of the resources made available by the specialised intervention bodies in view of solving emergencies;

„s) SNUAU - integrated set of applications, equipments and networks for communications and information technology which constitutes the citizen's unique interface of access to the specialised intervention bodies and which enables adequate response to the respective

emergency call; the public access interface is built by integrating in one system the unique centre for emergency calls with the dispatcher stations of the specialised intervention bodies;”

t) telematic terminal - specialised terminal that ensures the possibility of transmitting emergency calls and information regarding the emergency by the persons with hearing/speech disabilities, using techniques of automatic information transmission and processing, by means of modern communication procedures;

u) 112 - the single number for emergency calls;

v) technical support - communications equipment and antennae used exclusively for the SNUAU.

CHAPTER II: Organisation of the SNUAU

Art. 4. - (1) SNUAU shall be organised in accordance with the directives, standards, ETSI recommendations and European practices regarding the communications and information technology systems used as a support for the E 112 service.

(2) The SNUAU administrator is the Special Telecommunications Service.

Art. 5. - (1) In view of the SNUAU coordination, there shall be established the National Committee for the coordination of the SNUAU activity, an inter-institutional body without legal personality, hereinafter referred to as the Committee, which functions under the authority of the Romanian Government and consists of the following:

a) president – the minister of communications and information technology;

b) vice-president – the manager of the SNUAU administrator;

c) members, i.e. officials equivalent to state secretaries of the Ministry of the Interior and of Administrative Reform and the Ministry of Public Health, as well as one of the vice-presidents of the National Regulatory Authority for Communications and Information Technology.

(2) The Committee shall elaborate the policies and strategies regarding the functioning, operation and development of the SNUAU, as well as of the 112 emergency service in Romania, adopting decisions therefor, by consensus.

(3) The Committee shall coordinate, at a national level, in a coherent manner, the actions of all the bodies involved in the functioning of the SNUAU according to the European requirements in the field.

(4) As a working body of the Committee, there shall be established a permanent Technical Secretariat, consisting of specialists in the operations of the specialised interventions bodies, as well as of other specialists of the public institutions provided in paragraph (1), nominated by decision of the Committee, upon the proposal of the managers of the institutions represented in it.

(5) Representatives of the providers of electronic communications networks and services, of the civil society, of all the competent public authorities and institutions in the field may be invited to the Committee works.

(6) The organisation, functioning and attributions of the Committee, as well as of the technical secretariat shall be established by internal rules, which are elaborated within 60 days from the entry into force of this emergency ordinance and approved by Government decision.

Art. 6. - (1) In view of providing the emergency service 112, SNUAU consists of unique centres for emergency calls, emergency dispatcher stations and integrated emergency dispatcher stations, organised in each county capital, in the municipality of Bucharest and in other municipalities and towns, as the case may be.

(2) Unique centres for emergency calls are operated by the SNUAU administrator.

(3) Emergency dispatcher stations are operated by the specialised intervention bodies.

(4) Integrated emergency dispatcher stations are operated by the SNUAU administrator and by the specialised intervention bodies.

CHAPTER III: The SNUAU Personnel

Art. 7. - (1) The SNUAU personnel operate in the unique centres for emergency calls, emergency dispatcher stations and integrated emergency dispatcher stations.

(2) The personnel of the unique centres for emergency calls consist of employees of the SNUAU administrator, that perform the activities required in the following fields: operation, technical maintenance, provision of technical, material and financial resources, legal assistance and secretariat.

(3) The number of positions for the structures provided in paragraph (2) shall be established by decision of the Supreme Country Defence Council, whereas the personnel expenses shall be financed to the extent allowed by the positions approved by the annual budget laws.

(4) The personnel of emergency dispatcher stations are ensured by the specialised intervention bodies where they belong.

(5) The personnel of integrated emergency dispatcher stations is ensured, as the case requires, by the SNUAU administrator, by the specialised intervention bodies and by the employees of the local public authorities temporarily attached to the SNUAU, based on the collaboration protocols concluded by these institutions.

CHAPTER IV: Functioning of the SNUAU

Art. 8. - SNUAU establishes, in accordance with the ETSI standard, two functional structures:

a) one integrated distributed structure, where the unique centre for emergency calls transfers the emergency calls and the associated information to the emergency dispatcher stations of the specialised intervention bodies, scattered in the premises of each intervention body;

b) one integrated central structure, where the unique centre for emergency calls and the emergency dispatcher stations of the specialised intervention bodies are physically situated in one location, as an integrated emergency dispatcher station.

Art. 9. - SNUAU shall ensure interoperability between the emergency dispatcher stations of the specialised intervention bodies within one area of responsibility.

Art. 10. - Within the structure presented in Article 8(a), the unique centres for emergency calls have the following main attributions:

a) receive and automatically record emergency calls communicated by telephone, radio, automatic announcing, signalling, alerting devices or by other means and confirm, to the greatest possible extent, the received calls;

b) analyse, direct and transmit effectively the emergency calls to the emergency dispatch stations, as well as to the competent authorities, depending on the specific of the emergency situation and on its consequences, based on an index of emergency situations established by all the specialised emergency bodies;

c) transfer the calls, the data and the information regarding the emergency, for which the scope of responsibility was assessed, to the operational centre and to the operations centre for emergency calls, upon their request;

d) receive and record the data and the information regarding the progress of the events and of the interventions;

e) consolidate, store and make available to the competent public authorities the data regarding the handled emergency calls;

f) receive emergency calls also in the languages of the national minorities living in that administrative-territorial unit, as well as in at least one internationally spoken language;

g) receive calls from the disabled, by means of the telematic terminals used on the public networks, to the technically feasible extent.

Art. 11. - Within the body provided in Article 8 letter a), the emergency dispatcher stations have the following main attributions:

a) ensure the take over of the emergency calls relayed by the unique centre for emergency calls, on a permanent basis;

b) alert the intervention body/personnel immediately;

c) ensure and maintain the link with the own resources sent to the emergency site or with the bodies they belong to, on a permanent basis;

d) ensure technical facilities and personnel for the adequate operation;

e) consolidate, store and make available to the competent authorities the data regarding the handled emergency calls;

f) ensure the interface with the remote expertise and coordination centres;

g) ensure the communication means required for making the connection between the emergency dispatcher stations, the intervention stations and the resources sent to the emergency site.

Art. 12. – Within the body provided in Article 8 letter b), the integrated emergency dispatchers have the following main attributions:

a) automatically receive and record emergency calls communicated by telephone, radio, automatic announcing, signalling, alerting devices or by other means, confirm and locate - to the greatest possible extent – the received calls;

b) immediately alert the intervention body/personnel of the integrated bodies or operatively direct and transmit emergency calls to the emergency dispatch stations operating outside the integrated emergency dispatch station, as well as to the competent bodies,

depending on the specific of each emergency and on its consequences, based on an index of emergency situations established by all the structures specialised in dealing with emergencies;

c) establish and permanently maintain the connection with the resources sent to the emergency site or with the bodies they belong to;

d) calls, data and information regarding the emergency situation are transferred to the national/county operation centre for emergency situations, for which the responsibility was assessed, upon the latter's request;

e) receive and record the data and information regarding the progress of the events/interventions;

f) consolidate, store and make available to the competent bodies the data regarding the handled emergency calls;

g) receive emergency calls also in the languages of the national minorities living in the territorial-administrative unit, as well as in at least one internationally spoken language;

h) receive calls from the disabled by means of the telematic terminals used in the public networks, to the technically feasible extent;

i) ensure the interface with the remote expertise and coordination centres.

CHAPTER V: Regulation of emergency communications

Art. 13. - (1) The National Regulatory Authority for Communications and Information Technology monitors the manner in which the providers of electronic communications networks and services observe the obligations provided in this emergency ordinance.

(2) The President of the National Regulatory Authority for Communications and Information Technology sets up by decision the technical and economic terms regarding the establishment of communications towards the SNUAU.

Art. 14. - The providers of publicly available telephone services through the fixed public networks shall have the following obligations:

a) give precedence to receiving and retransmitting an emergency call from any fixed terminal point they operate until the disconnection of the respective telephone circuit;

b) provide in the notification the disconnection date for the telephone circuit mentioned at letter a) and the fact that - from the respective date – the user will no longer call 112.

Art. 15. - The providers of publicly available telephone services by means of public mobile networks have the following obligations:

a) give precedence to receiving and retransmitting an emergency call from any fixed terminal point, irrespective of the service type used by the respective subscriber;

b) inform the users of prepaid services on the importance of transmitting their personal data, which are required in view of granting access to 112, through the unique centre for emergency calls, with maximum effectiveness.

Art. 16. – The providers of publicly available telephone services shall ensure the automatic take over and relaying of emergency calls from all the telephone services installed in public places, irrespective of the manner in which the calls from these terminals are charged.

Art. 17. - The providers of public electronic communications networks or of publicly available telephone services shall give precedence to the connections with the SNUAU dispatcher stations, in emergency situations, which damage or may damage the infrastructure and/or services of the providers of public electronic communications networks or of publicly available telephone services.

Art. 18. - (1) The providers of publicly available telephone services have the obligation to make available to the SNUAU administrator and to update, by the 25th day of each month, their own databases that include the subscribers' telephone numbers, names and addresses, free of charge, in the format established by the National Regulatory Authority for Communications and Information Technology.

(2) The SNUAU administrator has the obligation to ensure the confidentiality and security of the databases according to the legal provisions regarding the processing of personal data and their free circulation, regarding the processing of personal data and the protection of privacy in the electronic communications sector, as well as to the ancillary normative acts.

Art. 19. - (1) The SNUAU administrator and the specialised intervention bodies have the obligation to ensure the confidentiality and security of the callers' personal data collected and stored during the emergency calls.

(2) Personal data shall be processed in accordance with the provisions of the national legislation in the field.

(3) The confidentiality obligation provided in paragraph (1) shall not be applied to written data requested by the court or by the attorney-at-law.

Art. 20. - (1) The National Regulatory Authority for Communications and Information Technology analyses and establishes the technical terms for the provision of primary location information and of the location information regarding the callers to the SNUAU by the providers of public telephone networks.

(1¹) SNUAU shall transform primary location information into caller location information.

(2) The SNUAU administrator consolidates, stores and makes available to the specialised intervention bodies the data thus handled, only directly and exclusively in keeping with the legal attributions of each body.

(3) Access to the primary location data is allowed only during the operation of the emergency call.

(4) The National Regulatory Authority for Communications and Information Technology analyses and establishes the procedures and the technical terms for limiting prank and fake calls, as well as unintentional calls.

Art. 21. - The service degree accepted for 112 dedicated trunks is P.01.

Art. 22. - (1) The relevant authorities of the central and local public administration, designated according to the law, shall make available to the SNUAU administrator, free of charge, in a certain standard format, compatible with the SNUAU, the digital maps of the areas within its scope of competence, the databases regarding the list of roads alongside the corresponding codes, which they update as often as required, and shall inform the SNUAU administrator on road status, specifying the area limits and the period within which the traffic on public roads is closed or jeopardized .

(2) The SNUAU administrator shall inform the emergency dispatch stations on the respective changes and shall perform the corresponding amendments, as technically feasible, on the digital map.

(3) The responsibility for the accuracy, adequacy and integrity of the information sent to the SNUAU administrator on the road list, road codes and of the information on road status and the status of traffic on public roads shall incumb on the sender of such information.

Art. 23. - (1) Upon the Committee's approval, the SNUAU administrator may conclude conventions and collaboration protocols with non-governmental organisations, companies and with other public services, set up according to the law, which may contribute to the functioning of the SNUAU.

(2) The legal persons provided in paragraph (1), which are interested in establishing communications with the SNUAU, shall bear the expenses for covering the costs of establishing communication with the unique centres for emergency calls, whereas the occurring revenue received by SNUAU shall be paid to the state budget.

(3) All the legal persons interested in establishing communication with the SNUAU shall request the SNUAU administration a written technical authorisation assessing the compatibility of their systems with the technical solution implemented within the system.

Art. 24. - (1) The SNUAU administrator, the specialised intervention bodies, the National Regulatory Authority for Communications and Information Technology and the providers of publicly available telephone services shall inform the public on the existence and usage of the single number for emergency calls 112.

(2) The single number for emergency calls 112 is the only number that can be posted on the public means of emergency intervention. Such posting shall be ensured by the specialised intervention bodies that own the respective means.

CHAPTER VI: Financing the SNUAU

Art. 25. - (1) The costs of the administration, operation, maintenance and development of the SNUAU shall be born from the state budget, by means of the SNUAU administrator's budget.

(2) repealed

Art. 26. - (1) The National Regulatory Authority for Communications and Information Technology pays annually, during 2008-2012, to the state budget, a contribution amounting to 38 million RON, which may be amended annually, by Government decision.

(2) The amount provided in paragraph (1) shall be diminished by the amount of the contributions paid by the National Regulatory Authority for Communications and Information Technology to the SNUAU operator, as own revenues, by the date of starting the SNUAU financing from the state budget.

(3) The amount of the payment obligations towards the suppliers and towards the personnel employed on the date of taking over, from the state budget, of the financing for the expenditures referred to in Article 25 shall be paid from the RON or foreign currency amount available in the SNUAU accounts on that date, whereas the unspent amount shall be transferred to the state budget.

(4) The Ministry of Economy and Finance shall be authorised to bring, upon the SNUAU administrator's proposal, amendments to the volume and structure of the income and expenditure items of the state budget, to the amounts allotted for activities financed integrally from own resources, and to the annexes of the SNUAU administrator's budgets.

Art. 27. - The draft SNUAU budget, endorsed by the Committee, is included in the draft SNUAU administrator's budget, which shall be approved by the annual budget laws, once with the SNUAU administrator's budget.

Art. 28. - The SNUAU administrator's budget shall provide the amounts for the functioning of the public communications resources used in view of:

- a) connecting the unique centres for emergency calls with the emergency dispatcher stations/integrated dispatcher stations;
- b) connecting the unique centres for emergency calls with the communications operators' networks.

Art. 29. – The budgets of the main credit release authorities within whose structure the specialised intervention bodies lie shall provide the funds required for the functioning of the public communications resources used in view of:

- a) connecting their own intervention stations with the emergency dispatcher stations/own integrated emergency dispatcher stations;
- b) communicating with their own intervention resources.

Art. 30. - The space and the technical facilities required by the functioning of the SNUAU shall be made available by the SNUAU administrator, free of charge, by the public institutions financed from the state budget.

CHAPTER VII: Sanctions

Art. 31. - (1) Breach of the provisions of this emergency ordinance triggers administrative, disciplinary, civil or contravention responsibility, as the case may be.

(2) The responsibilities of the operating personnel are established by decisions issued by the Committee.

(3) The operating personnel of the SNUAU are exonerated from disciplinary responsibility if their action complied with the provisions of operation rules approved by the Committee.

(4) The operation rules shall be published on the SNUAU administrator's website.

Art. 32. - (1) The following deeds shall be considered breaches and shall be sanctioned as follows:

a) prank calls to the single emergency number 112, by a fine ranging between RON 500 and RON 1,000;

b) fake alert to the specialised intervention bodies, by a fine ranging between RON 500 and RON 1,000;

c) breach, by the providers of public electronic communications networks or of publicly available electronic communications services, of the obligations provided in Articles 14-17 and in Article 18 (1), by a fine ranging between RON 5,000 and RON 100,000;

d) breach, by the providers of electronic communications, of the technical and economic conditions regarding the establishment of communications towards the SNUAU laid down, under the legal provisions, by the National Regulatory Authority for Communications and Information Technology, by a fine ranging between RON 5,000 and RON 100,000;

e) breach, by the SNUAU administrator, of the obligations regarding the security and confidentiality of the databases, provided in Article 18(2) and in Article 19(1), by a fine ranging between RON 1,500 and RON 50,000.

(2) Breaches shall be assessed and fines shall be enforced, as provided in paragraph (1) letters a) and b), by the persons therefor mandated within the Ministry of the Interior and of Administrative Reform, based on the data provided by the SNUAU administrator.

(3) Breaches shall be assessed and fines shall be enforced, as provided in paragraph (1) letters c) and d), by the persons therefor mandated within the National Regulatory Authority for Communications and Information Technology.

(4) Assessment of the breaches and enforcement of the fine provided in paragraph (1) letter e) shall be performed by the persons therefor mandated within the National Surveillance Authority for the Processing Personal Data, set up by Law no.102/2005 on the establishment, organisation and functioning of the National Surveillance Authority for the Processing Personal Data, with the subsequent amendments and completions, according to the attributions provided by Law no. 677/2001 on the protection of persons regarding the processing of personal data and the free movement of such data, with the subsequent amendments and completions.

(5) The provisions regarding the breaches, provided in paragraphs (1)-(4) shall also observe the provisions of the Government Ordinance no.**2/2001** on the legal regime of contraventions, approved with amendments and completions by Law no.180/2002, with the subsequent amendments and completions.

CHPATER VIII: Final and transitory provisions

Art. 33. – This Emergency Ordinance enters into force within 10 days from the date of publishing in the Romanian Official Journal, Part I.

Art. 34. - On the date of entry into force of this emergency ordinance, Emergency Ordinance no. 18/2002 on the functioning of the Unique National System for Emergency Calls,

published in the Romanian Official Journal, Part I, no. 81 of February 1, 2002, approved with amendments and completions by Law no. 398/2002, with the subsequent amendments.