

Regulation No. 13/2015
amending ASF Regulation No. 16/2014 on the Financial Supervisory Authority's revenues

Published in the Official Journal of Romania under No. 951 of 22 December 2015

Pursuant to the provisions of Art. 3(1) Letter b), in conjunction with the provisions Art. 6(2), Art. 14, Art. 18(1) and (2) and Art. 28 of Government Emergency Ordinance No. 93/2012 on the establishment, organisation and operation of the Financial Supervisory Authority, approved as amended and supplemented by Law No. 113/2013, as subsequently amended and supplemented, in accordance with:

- Art. 13 of the Statute of the National Securities Commission, approved by Government Emergency Ordinance No. 25/2002, approved as amended and supplemented by Law No. 514/2002, as subsequently amended and supplemented;
- Art. 10(1) of Law No. 32/2000 on the insurance business and insurance supervision, as subsequently amended;
- Art. 14, Art. 57(1) Letter g), Art. 72(2) Letter k) and Art. 78(2) Letter h) of Law No. 411/2004 on privately managed pension funds, republished, as subsequently amended and supplemented;
- Art. 17 of Government Emergency Ordinance No. 50/2005 on the establishment, organisation and operation of the Private Pension System Supervisory Commission, approved as amended and supplemented by Law No. 313/2005, as subsequently amended and supplemented;
- Art. 28(1) of Law No. 204/2006 on voluntary pensions, as subsequently amended and supplemented,

Further to the deliberations of the Financial Supervisory Authority's Board held in the meeting of 9 December 2015,

the Financial Supervisory Authority hereby issues this regulation.

Art. I. – ASF Regulation No. 16/2014 on the Financial Supervisory Authority's revenues, published in the Official Journal of Romania, Part I, No. 899 of 11 December 2014, is hereby amended as follows:

1. Annexe No. 2 shall read as follows:

“Annexe No. 2: Fees and charges applicable for the operation/management/supervision of undertakings for collective investment, private pension funds and insurers/insurance/reinsurance brokers

No.	Category of revenues	Specifications (the operation, the basis of calculation to which the percentage is applied etc.)	Level of the tariff/charges/fee (%)
1.	Percentage/charges of the net asset value/gross earned contributions, corresponding to private pension funds, investment funds/undertakings for collective investment (UCI)	a) monthly percentage of the net asset value of investment funds (undertakings for collective investment)	a) 0.0078%
		b) monthly percentage of the net asset value of privately managed pension funds (Pillar II)	b) 0.0078%
		c) monthly fee of the value of the gross contributions earned by the private pension	c) 0.3%

		funds (Pillar II)	
		d) monthly percentage of the net asset value of voluntary pension funds (Pillar III)	d) 0.01%
		e) monthly fee of the value of the gross contributions earned by the voluntary pension funds (Pillar III)	e) 0.25%
2.	Operation fee applicable to depositaries of privately managed pension funds	Monthly fee of the income obtained from all activities carried out for privately managed pension funds /voluntary pension funds	5%
3.	Operation fee applicable to insurers and insurance brokers	a) Percentage on gross premiums earned by insurers	a) 0.3%
		b) Percentage applied to income from brokerage activity	b) 0.3%
4.	Contribution to the development and maintenance of the CEDAM database and for the exercise of the supervision and control of the insurance against civil liability in respect of the use of motor vehicles	Percentage on gross premiums earned for RCA	0.8%

2. Under Annexe No. 3, Points 1.35, 1.36, 1.41, 1.43, 1.52, 1.53, 1.70, 1.72, 2.18, 3.4 and 3.5 are hereby repealed.

3. Under Annexe No. 3, Points 4.5 and 4.6 shall read as follows:

“4.5. Fee applicable to requests referring to the field regulated under Art. 2(1) Letter b) of GEO No. 93/2012 for the issuance of information, certification or opinions, except for the entities regulated by ASF – EUR 35;

4.6. Tariff/fee for official interpretation of the regulations in force applicable to the entities referred to in Art. 2(1) Letters a) and c) of GEO No. 93/2012, except for the entities regulated by ASF –10,000 lei.”

Art. II. – This regulation shall be published in the Official Journal of Romania, Part I, in the ASF’s Bulletin and on its website, and shall enter into force on 1 January 2016.

President of the Financial Supervisory Authority,
Mișu Negrițoiu

Bucharest, 15 December 2015

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