

CMS | Romania makes changes to natural gas licence regulations



On 1 January 2026, Romania enforced ANRE Order 83/2025, which amends the process for granting authorisations and licences in the natural gas sector and repeals the previous 2020 Regulation.

The following article summarises the most important updates and explores their potential impact.

Removal of authorisation for liquefied natural gas (LNG) and hydrogen installations

The new regulation removes setting-up authorisations for LNG and hydrogen production sites. Licences can still be obtained for LNG supply and the operation of LNG terminals, and for the commercial exploitation of hydrogen production installations. As a result, LNG and hydrogen projects licensing is expected to be more straightforward in comparison to the 2020 Regulation.

New requirements for supply and trading licences

To obtain supply or trading licences, applicants must file evidence of financial resources of at least EUR 200,000 (or its equivalent) as opposed to the previous Regulation, which required financial resources of 25% of the estimated turnover to be achieved in the first 12 months of activity, but not less than EUR 100,000. Similarly, the request will require the proof of effective employment contracts for at least three employees, each with a minimum of three years prior experience in the natural gas sector.

ANRE also requires current licence holders to provide the same evidence, along with a list of Romanian locations where the activity will be conducted and a list of single points of contact for informing end customers, within a maximum of six months from the date of approval of this regulation. This means that supply and trading licence holders have until 1 June 2026 to submit proof of compliance with the new provisions.

Changes in duration and extension of setting-up authorisations and licences

According to the changes, supply and trading licences now have an initial duration of up to five years. The overall maximum duration of 25 years remains unchanged and continues to apply to all other categories of licences.

If the minimum 30-day deadline for filing an extension request is missed or if the documentation remains incomplete by the date of expiry of the setting-up authorisation or licence, the request is treated as an application for a new setting-up authorisation for the remaining investment or for a new licence. This creates a clear procedural distinction that did not exist in 2020.

Furthermore, upon expiry of the maximum validity period, holders may apply for a new setting-up authorisation or a new licence, provided they do so at least 90 days before expiry. For infrastructure operating licences (i.e. upstream pipelines, storage, transmission, distribution), the duration of the new licence is tied to the term of the “new contracts” underpinning the activity (e.g. new concessions), thereby formalising automatic recalibration to the contractual basis.

Changes in the application file analysis term for licences

Another clear procedural distinction to the previous regulation is the 60-day term of license granting file analysis as opposed to the previous 30-day term.

Upon analysis of the file, the applicant has 60 days to respond to the observations and additional requests from ANRE as opposed to the previous 30-day term.

The six months overall limitation period for the file review of applications remains the same. What is new is that the respective six-month term may be extended when ANRE is conducting an audit in connection with the application of the respective company.

Removal of the requirement to pay upfront

The changes remove upfront payment upon request being filed to a date following ANRE assessment of the documentation. Previously, applicants were required to submit proof of payment of the analysis tariff together with the filing. Failure to pay within ten business days resulted in ANRE not analysing the request.

Licensing requirement for foreign operators without home-state licensing systems

Where the energy regulatory authority or another competent authority in the operator’s member state does not issue licences or similar documents allowing natural gas supply or natural gas trading, an economic operator wishing to conduct natural gas supply or trading in Romania must obtain a Romanian natural gas supply or trading licence under this regulation, and maintain a physical point of contact in Romania for the entire licence term.

Under the 2020 Regulation, EU-established operators from EU member states that lacked a similar licencing regime but had the equivalent certification for trading or supply activity in their home state could participate in the Romanian market on the basis of an ANRE confirmation without needing a separate Romanian licence or an active local legal presence. The new amendment removes the previous facility and expressly imposes specific Romanian licencing requirements even for well-versed traders active in multiple member states that do not have a similar licensing regime, making the licence passporting process more restrictive to implement.

Operators established in member states where a comparable licencing regime exists can still participate in the Romanian gas market on the basis of confirmation by ANRE that they hold a home-state licence.

Annual GIS reporting obligations

Holders must submit, annually by the end of March, updated GIS information for all targets in operation on 1 March of that year. The regulation further clarifies that this obligation also applies to licences obtained after 31 January 2021.

Under the 2020 Regulation, GIS data were required as a one-off submission for all operating assets by 31 January 2021, rather than as an ongoing annual update duty.

New withdrawal grounds and enforcement measures

ANRE introduces two additional punitive situations with clear disciplinary purpose, which trigger licence withdrawal:

- non-payment of amounts owed to ANRE or the inability to reach the holder for payment within one year of invoice issuance, in which case the licence may be withdrawn without prior notice; and
- breach by the supplier of the prohibition in Law 123/2012 by sending unilateral termination notices to end customers.

These specific grounds for license withdrawal were not previously listed in the 2020 Regulation.

For more information on how the new regulations that came into force on 1 January will affect your Romania-based business, contact your CMS client partner or the CMS experts who contributed to this article: **Varinia Radu, Ramona Dulamea, Raluca Diaconeasa and Madalina Constantinescu**.