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**The Dispute Resolution Review 2012**  
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Article link: [The Dispute Resolution Review Romania 2012.pdf](#)

**Publisher:** [Law Business Research](#)

**Published in:** [The Dispute Resolution Review Romania 2012.pdf](#)

The legal highlight of the year is the entry into force, on 1 October, of the New Civil Code, an ample and systemic overhaul of all aspects of substantive civil law. Although a new Civil Procedure Code is yet to come into force, the enactment of the New Civil Code has already impacted Romanian dispute resolution procedures on a number of counts. Firstly, the New Civil Code has introduced rules that allow for new types of claims to be filed with Romanian courts. Among the most important are that: parties will henceforth be able to ask the court to supplement their concluded agreements; courts will be able to adapt or re-evaluate a contract's performance due to changes in the circumstances taken into account at signing; and co-owners of an asset will no longer be held to acting in unanimity as claimants/defendants in trials regarding such asset. The new Civil Code regulates for the first time certain institutions (such as trusts and time-share ownerships, or the parties' permission to set prescription terms for their obligations within certain limits), removes previous interdictions (for instance, it permits the sale with repurchase option) or changes the effects of certain legal actions (such as recognising land book registration as a constitutive rather than a publicity effect). All these novelties and modifications create new legal grounds for claims in court, and will increase the number, variety and complexity of cases. Secondly, by repealing a long-standing distinction between civil and commercial matters, a pinnacle of the former legislation, the New Civil Code called forth several changes in court jurisdiction. While previously jurisdiction over a certain civil or commercial claim was allocated to either the district court or the tribunal by reference to the value of the claim, two different thresholds being set respectively for civil commercial claims, now the distinction between commercial and civil matters has been removed. A single 500,000 lei threshold has been set for all civil cases; all claims under this value fall in the jurisdiction of district courts, while all claims over this value are to be settled by tribunals. In addition, in terms of territorial jurisdiction, courts may no longer retain jurisdiction by reference to the place where a commercial debt was created or where payment was to be performed. A third consequence of the amendment is that the new Civil Code has fundamentally altered the structure of Romanian courts by eliminating a prior separation into commercial and civil divisions within the civil jurisdiction; rather, specialised panels within the unified divisions will rule upon various categories of civil cases.

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