

Brief outline of current legislation versus the envisaged changes

| Law no. 200/2006 on setting-up and using a Guarantee Fund for the payment of salaries <i>Implementing Directive 2008/94/EC on the protection of employees in the event of the insolvency of their employer</i> | |
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| Current status | ❖ national law does not entail provisions that exclude seafarers from the scope of law and, thus, will not trigger amendments. |
| Envisaged changes | ❖ only a transposition reference of the Directive on Seafarers will be included. |
| Law no. 217/2005 on the establishment, organization and functioning of the European Works Council <i>Implementing Directive 2009/38/EC on the establishment of a European Works Council or a procedure in Community-scale undertakings and Community-scale groups of undertakings for the purposes of informing and consulting employees</i> | |
| Current status | ❖ national law entails provisions that exclude seafarers of the merchant marine from the scope of law. |
| Envisaged changes | <ul style="list-style-type: none"> ❖ the current exclusion will be repealed; and ❖ new provisions will be included with respect to the possibility of crew members of a seagoing vessel who are members of a special negotiating body or of a European Works Council to attend meetings and to facilitate their participation thereto (<i>i.e. providing the possibility for seafarers to use new information and communication technologies</i>); ❖ a transposition reference of the Directive on Seafarers will also be included. |
| Law no. 467/2006 on establishing a general framework for informing and consulting employees <i>Implementing Directive 2002/14/EC establishing a general framework for informing and consulting employees</i> | |
| Current status | ❖ local regulation entails provisions that exclude seafarers of the merchant marine, who are on mission, from the scope of law. |
| Envisaged changes | <ul style="list-style-type: none"> ❖ the current exclusion will be repealed; and ❖ a transposition reference of the Directive on Seafarers will be included. |

Brief outline of current legislation versus the envisaged changes (cont.)

| Law no. 53/2003 regarding the Labour Code | |
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| <i>Implementing Directive 98/59/EC on collective redundancies</i> | |
| Current status | ❖ the regulation does not entail provisions that exclude application of the collective redundancies regime to seafarers. |
| Envisaged changes | <ul style="list-style-type: none"> ❖ new provisions will be included with respect to the employer's additional obligation to notify the competent authority of the state under which the vessel sails, where the planned collective redundancy concerns seafarers; ❖ a transposition reference of the Directive on Seafarers will be included. |
| Law no. 67/2006 regarding the protection of the employees' rights in case of transfer of undertakings, units or parts thereof | |
| <i>Implementing Directive 2001/23/EC on the safeguarding of employees' rights in the event of transfers of undertakings, businesses or parts of undertakings or businesses</i> | |
| Current status | ❖ the regulation entails provisions that exclude seafarers of the merchant marine from the scope of law. |
| Envisaged changes | <ul style="list-style-type: none"> ❖ the current provision referring to the exclusion will be amended and the law will apply to a transfer of a seagoing vessel that is part of a transfer of an undertaking, business or part thereto, provided that the transferee is situated, or the transferred undertaking, business or part thereto remains within Romanian territory; the law shall not apply to transfers envisaging exclusively one or more seagoing vessels; ❖ a transposition reference of the Directive on Seafarers will be included. |