

Updating the Scope of Activity according to CAEN Rev. 3 for all Companies

The Romanian CAEN codes, which must be used to describe the activities carried out by companies in Romania, have been reformed. As of 25 March 2025, there is a 18-month deadline for adapting the CAEN codes declared to the commercial register to the current version (so-called CAEN Rev. 3). The following aspects are relevant in practice:

1. New Structure of the Codes

Not all old codes from 'Rev. 2' have a counterpart in the new Rev. 3 classification, so that some of them are divided into several codes or others are summarized in one code. The update is therefore sometimes confusing.

2. General Rules

All activities performed must be registered with the commercial register; these can be carried out or declared (i) at the registered office, (ii) at secondary offices or (iii) at third parties, i.e. at business partners/customers.

It is no longer possible to enter several activities in the commercial register and only report some of them as activities carried out. Instead, only those must be selected that are actually carried out and are relevant from an accounting and legal perspective.

3. Procedure

The following alternatives exist for updating the activities in the commercial register:

- **automatic procedure**, upon request: the commercial register automatically updates the scope of activity on the basis of a power of attorney, without a shareholders' resolution or updated certificate of incorporation being required.
 - **ordinary registration procedure**: by shareholder resolution and updated certificate of incorporation: this procedure allows the company to specifically select, add or remove relevant codes. This option is useful if the company carries out many ancillary activities.
4. **Irrespective** of the procedure chosen in accordance with point 3 above, the management of each company must check and decide which new codes are actually exercised and therefore need to be declared. All codes that are no longer relevant must be deleted from the commercial register through the **ordinary procedure**.

At the same time and depending on the final list of activities, the operating licenses must also be checked and adjusted, if necessary.

For any information or in case of uncertainties, do not hesitate to contact us.

Best regards,

The STALFORT Legal. Tax. Audit. – Team

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