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Sale of agricultural lands located outside built-up area in Romania: novelty
elements introduced by Law no. 175/2020**

Abstract

Law no. 17/2014 on some measures to regulate the sale of agricultural land located outside the built-up area was adopted among other reasons to ensure food security and protect national interests in the exploitation of natural resources. These goals are perfectly justified and foreshadow changes in the global environment that will affect social and economic arrangements in the future with great impact. In this context, the importance of protecting agricultural land as a natural resource of central importance is a legitimate political goal. However, the methods used must be very carefully chosen in order to create a legal regime for the sale of agricultural land that respects, on the one hand, the requirements of European law and, on the other hand, fulfills the national interest as far as possible. The current legal regime, created by amending Law no. 17/2014 by Law no. 175/2020 for the amendment and completion of Law no. 17/2014, in force since 13 October 2020, creates a legal regime that raises more questions than it settles regarding the real challenges outlined above.

Keywords: Romania, agricultural land, preemption rights, prior authorisation of selling.

1. General aspects

Law no. 17/2014 on some measures to regulate the sale of agricultural land located outside the built-up area¹ was adopted to ensure food security and protect national interests in exploiting natural resources. To achieve this goal, the law establishes important measures to regulate agricultural land sales outside the built-up area. Agricultural land located inside built-up areas is not subject to this regulation; these sales are subject to general dispositions of the law.

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¹ Law no. 17/2014 regarding some measures to regulate the sale-purchase of agricultural lands located outside the built-up area and to amend Law no. 268/2001 on the privatization of companies holding public and privately owned state lands for agricultural use and the establishment of the State Domains Agency, published in the Official Gazette, Part I no. 178 of March 12, 2014.



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