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## Romania's Playbook for Gambling Compliance

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## Romania's Playbook for Gambling Compliance

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Romania's gambling sector has reached an inflection point. A string of regulatory moves since late-2023 has redrawn the map for how operators advertise, structure their Romanian footprint and architect their technology stacks. The impact is no longer incremental; it is systemic. Romania is now a market where compliance choices – about faces in an ad, about the location of your revenue recognition, about whether a player's self-exclusion is truly "platform-wide," about the way B2B suppliers police access – shape not only the integrity of operations but also their long-term competitiveness. Rather than deterring investment, this evolution signals a market entering its most stable and transparent phase, one where responsible growth is rewarded, and regulatory clarity is becoming Romania's strongest selling point.

A series of landmark measures, from mandatory local presence for remote operators to advertising restrictions and expanded due diligence for suppliers, are reshaping both the rules of engagement with the targeted audience and the ethics of participation.

This new regulatory compact carries a clear message to industry participants: transparency is the price of trust. Operators seeking long-term stability must prove that they can integrate responsible-gaming safeguards, fiscal presence, and data-driven oversight into their everyday operations. Suppliers, meanwhile, are expected to act as co-custodians of integrity rather than mere service providers.

Far from signaling hostility to gambling, the shift represents Romania's maturation into a credible, internationally aligned jurisdiction—one that prizes sustainability over spectacle. The era of marketing bravado has yielded to the age of measurable accountability, where reputation is earned through compliance discipline and market access is conditioned on transparency.

This is the environment in which Romania's gambling industry now operates: a market still dynamic and commercially promising but illuminated by a far more exacting regulatory spotlight, one that rewards those prepared to perform under scrutiny.

This article explores how these measures converge to form a new regulatory ecosystem – one that demands as much from marketing departments as from compliance teams – and outlines what operators and suppliers must do to remain competitive in Romania's evolving legal landscape.

### **I. Grounding the game: the onshore imperative**

Effective 6 October 2023, Romania introduced a formal requirement that remote operators accessing the Romanian market must either be Romanian companies or operate through a Romanian permanent establishment (PE), with existing licensees being granted a six-month transitional period, until 6 April 2024, to align. This was not a mere licensing hygiene tweak; it was a re-anchoring of economic nexus. The intent was explicit: to align licensing with tax nexus and ensure that revenues from Romanian-facing gambling are recognized and taxed in Romania, an aspect which had been long emphasized by Romania's government.

Two years on, most licensees complied, either by incorporating locally or by registering a PE, and market

substance has held. Yet practitioners still encounter inconsistent fiscal treatment at the administrative level, particularly regarding the taxation of income and the allocation of intercompany costs, how PE financials interact with group transfer pricing and GGR accounting as well as the VAT and withholding treatment for B2B procurement into a PE.

A recurring challenge in Romania is the alignment of revenues with deductible expenses, particularly when certain business functions are performed outside the local permanent establishment (PE). This can lead to transfer pricing issues and limits on deductibility, affecting overall profitability and requiring careful structuring of intra-group arrangements.

While the legal definition of a PE is clear in theory, practical implementation often brings complexity. Small differences in how activities are characterized or functions allocated can significantly impact the tax analysis. For this reason, PE structuring should be treated as a strategic consideration from the outset, not merely a compliance exercise.

## **II. Advertising resets: no more “famous faces” and a municipal push on outdoor**

Romania's National Audiovisual Council (CNA) adopted a new Audiovisual Code on 25 June 2025. Most of it came into force on 7 August 2025, with the flagship restriction – a ban on gambling ads featuring public, cultural, scientific or sports figures, and any person whose online notoriety could encourage gambling – enforceable on 6 October 2025. The measure is absolute and technologically neutral, applying to television, radio and online audiovisual content alike.

This staggered start was deliberate: it signaled transition rather than shock. Still, the bar is now high, and the ambiguity is real. What makes this provision particularly challenging is that its wording is strikingly open-ended. The Code defines neither “online notoriety” nor the objective criteria to assess it. There is no follower threshold, no metric for engagement, no list of exceptions. This vagueness, combined with the Council's increasing scrutiny of gambling advertising, creates a low threshold for enforcement. In practice, any individual with a meaningful online presence – streamers, podcasters, sports commentators, digital entertainers or even niche content creators – may fall within scope if their appearance could be interpreted as an encouragement to gamble.

The CNA has publicly stated that evaluations will be made on a case-by-case basis, assessing the status of the individual and the tone of the advertising material. However, the authority's prior enforcement history in adjacent sectors (such as food and pharmaceuticals) suggests a low tolerance for borderline cases and therefore commends cautious interpretation. Advertisers are advised to assume that any recognizable figure constitutes a regulatory risk.

The strategic consequence is a complete rethinking of creative communication: products, not people, must now carry the brand narrative. Campaigns once driven by personality must now be built around principles: entertainment value, transparency, product reliability and safer play. The market will likely witness the rise of “neutral branding” – visuals and messages that inform without seducing, entertain without glamorizing and invite participation without personal endorsement. Operators that embrace a compliance-led branding strategy – centered on player trust, product integrity, and responsible participation – will define the next generation of advertising success

There is unrest on the outdoor advertising front at local authority level—even in the capital city, Bucharest. A draft decision to ban gambling, tobacco, and related ads on municipal property is currently under public consultation. However, it appears to lack sufficient political support in the City Council at this stage.

Still, the initiative aligns with a wider European trend to reduce the visibility of gambling in public spaces—reflecting a shift toward presence without pervasiveness.

### **III. One account to rule them all: platform unity and player protection**

If the PE requirement anchors the business, the unique game account rule anchors the player.

Romania's remote regime is platform-centric. The “gaming platform” is the regulated system through which all player interaction occurs, to which at least one domain is connected. Authorization is granted for the activity carried out through that platform. In consequence, a player registered on the platform has a single game account and a unique identifier generated upon registration. The compliance logic follows: restrictions that affect the right to participate in games – self-exclusions, RG limits, account closures – must apply across the whole platform, not be siloed by brand or domain. This is both a teleological interpretation of the secondary legislation and a policy direction reinforced by regulator communications about extending self-exclusion across all accounts a person holds on the operator's platform, even when multiple domains are in play.

In March 2025, the National Gambling Office (ONJN) reiterated this platform-wide approach in public communications and subsequent market conversations. The upshot is commercial as much as legal: a “multi-brand, one-platform” strategy cannot be used to segment RG controls. If an operator fields several front-ends on one authorized platform, then an exclusion activated on any of them should lock the player out across the suite – both as a matter of best practice and, increasingly, regulatory expectation.

#### **Separate wallets under one account?**

Romanian law is explicit about one account per player per platform, but silent about the number of wallets beneath that account. Annex 3 to Order 47/2016 regulating the conditions for the technical reporting into the ONJN terminal, safe and mirror servers even contemplates reporting “all accounts and wallets held by a player”, including tracking “real money,” “bonus money” and other wallet types (e.g., slots-only wallets), provided reporting can reflect balances, movements and session outcomes correctly.

That said, “silence” is not though blanket permission: wallets must not defeat regulatory outcomes. In particular:

- Immediate reflection of results: game outcomes must post immediately to the player's game account. Wallet segmentation cannot introduce latency or uncertainty at the account level.
- No transfers between accounts: the legislation bans transfers between players' accounts. While that does not by itself ban intra-account wallet moves, operators should avoid any wallet-to-wallet transfers that could be characterized as circumvention.
- Adequate funds to place a stake: the operator may not accept a stake unless there are “adequate funds” in the game account. Read conservatively, that implies a single usable balance; read functionally, it allows product-scoped wallets if the staking flow always checks the correct pot and

the account-level visibility is preserved.

- Segmentation must never dilute player protection. Wallets cannot bypass self-exclusion or deposit limits.

Commercially, separate wallets are most defensible when they express product logic (e.g., bonus ring-fencing; vertical-specific pots that simplify RG caps), and when the operator's T&Cs explain them clearly, including how deposit limits, time-outs and closures cascade across wallets. Technically, the safe and mirror server feeds and monthly regulator statements must aggregate correctly across wallets, and the 90-day player-facing statement history must remain coherent at account level.

The unique game account rule epitomizes Romania's philosophy of platform-level responsibility. Operators must ensure that technological convenience never outweighs the integrity of player protections. In this model, compliance is not a barrier to innovation – it is the blueprint for sustainable design.

#### **IV. The new guardians: B2B providers as compliance enforcers**

Amendments to the gambling framework in 2024–2025 recalibrated the duties of Class II licensees (software providers, platform hosts, payment processors and other ancillary providers).

In essence, Class II entities are currently prohibited from providing services to unlicensed operators that: (a) address Romanian users (e.g., through Romanian-language content), (b) accept deposits or withdrawals in RON or other currencies/crypto-assets from Romanian participants, or (c) allow access from Romanian territory. They are also prohibited from servicing domains on the regulator's blacklist. For certain categories – software producers/distributors, platform providers and payment processors – the law requires technical solutions that determine the actual location of game participants independently of the gambling platform's own geodata. Where unlicensed access from Romanian IP space is identified, the service must be blocked and the provider must seek remediation by the unlicensed entity. Monthly, by the 10th of the current month for the previous month, covered Class II providers must submit a centralized report to the National Gambling Office detailing blocks and the access vectors observed.

In brief, suppliers became gatekeepers.

A legislative clean-up is imminent. Constitutional Court review of broader, non-gambling points delayed promulgation of a package that fine-tunes several obligations, including narrowing the scope of the "Romanian citizens without tax residence abroad" clause so that, going forward, blocking/reporting would key primarily off Romanian IP access. Assuming the Court dismisses the objections in early October 2025, promulgation and publication could make these adjustments operative before November. This is a moving piece – track the Court decision, then any potential ONJN Circulars, then adjust compliance logic (especially geolocation rule sets and who-to-block lists) accordingly.

Sanctions matter. The 2025 package tightened criminal exposure for prohibited servicing and preserved the toolbox for administrative sanctions (including license revocation). For Class 2 providers, that means a fail-fast posture: if a partner's licensing status degrades, if access from Romania is detected where it should not be, or if a domain pops up on blacklist updates, switch-off must be near-instant and evidenced.

Romania now imposes on B2B licensees a dual identity: enablers of gambling activity and enforcers of compliance. Suppliers must invest in location-determination technology, maintain auditable logs of blocking actions, and produce timely monthly reports. Those who treat these obligations as integral to service quality, rather than as a regulatory burden, will enhance their commercial standing and reduce enforcement exposure.

## **V. Mapping the machines: the Public Registry of gaming equipment**

Transparency now extends to infrastructure. Article 13 para. (1') of GEO 77/2009 requires ONJN to maintain a public registry updated at least once every 24 hours, containing:

- the names and addresses of all licensed operators;
- the locations of authorized gambling premises; and
- the serial numbers and locations of every licensed gaming equipment.

The regulator has been actively seeking equipment lists not only from land-based Class I organizers and Class II entities that produce, distribute, repair, maintain, import, export or otherwise deal in gaming equipment, but also from Class II live casino studios. The legal bases for these requests are the registry provisions in the gambling ordinance and the regulator's founding ordinance e (GEO 20/2013), which authorizes the Office to request data and information from operators whose activity, even if occasional, impacts the sector, making written requests binding and sanctionable if ignored.

Deadlines arise from two sources: the specific deadlines set in the regulator's written requests (which should be observed as binding) and the daily update cadence for the registry itself. In the absence of express procedural rules for the initial data-gathering phase, operators should meet the initial deadlines specified in the ONJN requests and afterwards implement internal service-level agreements to transmit any subsequent changes within 24 hours of effectiveness, as the regulator's 24-hour update obligation may be interpreted as implying a corresponding duty for operators to update their data within the same timeframe following any change.

The registry marks Romania's shift toward data-driven oversight and introduces a new layer of operational transparency. For many B2B suppliers, it represents their first obligation to maintain serialized inventories and synchronize asset management with regulatory reporting.

## **VI. From paper to practice: Romania's AML Overhaul**

Romania transposed the 4th and 5th AML Directives via Law 129/2019 and supplemented this with sectoral instructions for gambling that took effect in early 2022. Romania's AML framework covers gambling providers as reporting entities and expects a risk-based program with designated responsible officers, proportionate customer due diligence (including enhanced measures where appropriate), transaction monitoring, record-keeping (minimum five years), screening for politically exposed persons, and prompt suspicious activity reporting to the Financial Intelligence Unit (ONPCSB).

Periodic audit obligations have also taken shape. Licensed gambling operators who exceed defined accounting thresholds (two of the statutory three – typically balance-sheet total, net turnover and average employees – in the previous financial year) must commission statutory financial audits every two years.

The supervisory climate has also evolved from formalistic checks to evidence-based ONJN thematic inspections that test whether rule sets are embedded in the AML policies, KYC process, monitoring scenarios and which also check whether the AML audits have been accordingly carried out.

Operators who treat AML analytics as a strategic tool rather than a compliance cost will not only satisfy the law but gain a market reputation for integrity, a decisive asset in an industry under constant public scrutiny.

### **The European ripple effect: Romania as a regulatory template**

Romania's trajectory mirrors a wider continental shift. Across Europe, governments are aligning gambling with broader digital and consumer-protection agendas: stricter advertising ethics, enhanced tax alignment, robust AML frameworks and technological transparency.

We have now entered a new era in which reputation is inseparable from compliance. The country's regulatory overhaul replaces permissive ambiguity with structured responsibility. The ONJN's growing transparency – through public consultations, industry dialogues, and published decisions – has further increased predictability and investor confidence.

Advertising has lost its glamour but gained legitimacy. Remote operations now require local taxation and tax visibility. B2B providers share enforcement duties. Platforms are bound by unified player protections. And AML supervision has evolved from checklists to data science.

The transition is demanding, but it positions Romania as one of Europe's most credible, transparent, and sustainable gambling markets. For operators and suppliers that view compliance not as a constraint but as a competitive differentiator, the message is clear: Romania is no longer merely a license jurisdiction – it is a model of modern governance in gambling.

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