

New Regulation of the Classification of Activities in the Romanian Economy

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Abstract

Starting with 01.01.2025, Order no. 377/17.04.2024² of the President of the National Institute of Statistics regarding the updating of the Classification of Activities in the National Economy (CAEN) following the NACE amendments at the level of the European Union entered into force in Romania. This paper proposes a general analysis of this topic from an interdisciplinary perspective, given that this classification applies to all areas of economic and social activity and is mandatory, for statistical purposes, for all central and local public administration bodies, budgetary units, economic agents, regardless of the form of ownership, employers', trade union, professional and political organizations, foundations, associations and other natural and legal persons, when completing official documents whenever the activity is required to be specified. The study will analyze both national regulation and the regulation in force in the European Union and at a global level, and we will present the context of establishing this regulation, the general features, as well as the importance of the classification.

Keywords: CAEN, NACE, ISIC, UN, economic activity, National Trade Registry Office, professional trader, registration, object of activity.

JEL Classification: K23

1. Introduction

In 1948, the Economic and Social Council of the United Nations adopted resolution 149 A³ (VII) of 27 August, by which a standard industrial classification of all economic activities was adopted for the first time at world level, this being the original version.

The International Standard Industrial Classification of All Economic Activities (ISIC) is the international reference classification of productive activities. Its main objective is to provide states with a set of activity categories that can be used for the collection and reporting of statistics according to the activities carried out⁴.

Since the adoption of ISIC in 1948, most countries have used ISIC as their national classification of activity or have developed national classifications derived from ISIC. ISIC therefore represents a model used by countries to develop their own national classifications of activity, and is an important tool for comparing statistical data on economic activities internationally.

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² Order no. 377/17.04.2024 of the President of the National Institute of Statistics on the updating of the Classification of Activities in the National Economy CAEN, published in the Official Gazette of Romania, part I, no. 385 of 25.04.2024.

³ Statistical Papers, No. 4, Lake Success, New York, October 31, 1949, https://unstats.un.org/unsd/publication/seriesm/seriesm_4rev4e.pdf, accessed on 10.05.2025.

⁴ Smaranda Angheni, *Drept comercial*, 2nd edn., Ed. CH. Beck, Bucharest, 2022, p. 57; Cristian Gheorghe, *Tratat de drept comercial roman*, 2nd edn., Ed. CH. Beck, Bucharest, 2022, p. 87.

ISIC is managed by the United Nations Statistics Division (UNSD), the former United Nations Statistics Office, which operates within the United Nations Department of Economic and Social Affairs (DESA) as the central mechanism within the UN Secretariat for meeting the statistical needs and coordinating activities of the global statistical system. The Division is supervised by the United Nations Statistical Commission, established in 1947 as the apex entity of the global statistical system and the highest decision-making body for coordinating international statistical activities. It brings together the chief statisticians of member states from around the world⁵.

The Division compiles and communicates global statistical reports, develops standards and norms for statistical activities, supports countries in their efforts to strengthen their national statistical systems, and publishes regular data updates, including the Statistical Yearbook and the World Statistics Pocketbook, as well as books and reports on statistics and statistical methods.

As a result of global economic development, it has become necessary for the original version of ISIC to be revised periodically to meet the needs of global development. The first revision of the standard industrial classification of all economic activities ISIC, Rev.1, was carried out in 1958, after being examined by the Statistical Commission at its 10th session⁶. The second revision, ISIC, Rev.2, was prepared in 1968⁷ after the revision proposals were considered and approved by the Commission at its 15th session in 1968. The third revision of ISIC, Rev.3, was approved by the Commission at its 25th session in 1989 and published in 1990⁸. The update of the third revision of ISIC, Rev.3.1, was considered and approved by the Commission at its 33rd session in 2002 and was issued in 2004⁹. The third and fourth revisions focused on increased harmonization of ISIC with regard to product classification activities given the considerable complexity of the new regulated economic activities, as well as constraints that did not apply in previous revisions of ISIC. Since ISIC occupies a central position in the international comparison and analysis of a wide range of statistics, great attention has been paid to ensuring that ISIC will be compatible with both the economic structure and the statistical practice and needs of different countries of the world¹⁰. Both revisions also introduced an increasing level of detail, particularly in the part dealing with service activities, reflecting the growth of this sector of the economy in most countries of the world.

The emergence of new technologies and new divisions of labour between organisations has created new types of activities and new forms of industry, posing a challenge to both providers and users of statistical data. In response to their increasing demands, the Expert Group on International Economic and Social Classifications, at its

⁵ Olga-Andreea Urda, *Drept comercial roman*, third edition, revised and added, Ed. Universul Juridic, 2019, Bucharest, p. 114; Luminita Tuleasca, *Drept comercial. Intreprinderile comerciale*, Ed. Universul Juridic, Bucharest, 2016, p. 27.

⁶ International Standard Industrial Classification of All Economic Activities, Statistical Papers, Series M, No. 4, Rev.1 United Nations publication, sales number E.58.XVII.

⁷ International Standard Industrial Classification of All Economic Activities, Statistical Papers, Series M, No. 4, Rev.2 (United Nations publication, Sales No. E.68.XVII.8).

⁸ International Standard Industrial Classification of All Economic Activities, Statistical Papers, Series M, No. 4, Rev.3 (United Nations publication, Sales No. E.90.XVII.1).

⁹ International Standard Industrial Classification of All Economic Activities, Statistical Papers, Series M, No. 4, Rev.3.1 (United Nations publication, Sales No. E.03.XVII.4).

¹⁰ <https://classification.codes/classifications/industry/isic>, accessed on 10.05.2025.

4th meeting in 1999, considered the need for a revision of ISIC to better reflect changing structures and analytical requirements. Since a complete revision would have required a longer period of time to complete, the Expert Group recommended an update of the third revision of ISIC, which became Rev. 3.1 scheduled for 2002, to address less immediate concerns about the classification and, at the same time, to begin preparations for the 4th revision of ISIC, which was completed in 2006¹¹.

The latest revision is ISIC Rev. 5¹², which was approved by the United Nations Statistical Commission (UNSC) at its 54th session in March 2023, with states to begin adapting their national classifications and business registers between 2025 and 2026, and from 2027 ISIC Rev. 5 to be effectively implemented.

ISIC classifies entities by activity¹³. The most detailed categories are defined by combinations of activities described in statistical units, taking into account the relative importance of the activities included in these classes. Economic activities can be classified in a variety of ways. At the highest level, they are often classified according to the three-sector theory into sectors: primary (extraction and agriculture), secondary (production) and tertiary (services). Some authors add quaternary (knowledge) or even quinary (culture and research) sectors. Over time, the fraction of a company's activities within each sector changes.

Starting from the regulation of ISIC at the global level, the need for its own regulation was imposed at the level of the European Communities, and in 1970 NACE, "Statistical Classification of Economic Activities", was regulated, a term derived from the French title: *Nomenclature statistique des activités économiques dans la Communauté européenne*. As at the global level, at the level of the European Communities, respectively, since 1992, at the level of the European Union, the statistical classification of economic activities has been revised according to economic development at the community level and ISIC updates.

In fact, the first regulation of the statistical classification of economic activities was carried out between 1961 and 1963 and was materialized by the adoption of the *Nomenclature des industries établisés dans les Communautés européennes*, NICE¹⁴, Classification of industries established in the European Communities, followed in 1965 by Commerce dans la EEC, NCE, Classification of Trade in the European Communities, in 1967 by Classification for Services, followed by one for agriculture, both in major divisions.

In 1970, as we have already mentioned, the first completed version of NACE, *Nomenclature statistique des activités économiques dans la Communauté européenne*, General industrial classification of economic activities within the European Communities, was adopted.

In 1990, the first revision of NACE Rev. 1, taking as a starting point the structure

¹¹ International Standard Industrial Classification of All Economic Activities, Statistical Papers, Series M, No. 4, Rev.4 (United Nations publication, Sales No. E.08.XVII.25). See for a doctrinal analysis Stanciu D. Carpenaru, *Tratat de drept comercial*, fifth edition, updated, Ed. Universul Juridic, Bucharest, 2016, p. 75 et seq.

¹² International Standard Industrial Classification of All Economic Activities, Statistical Documents, Series F, No. 80, United Nations publication, Sales No. E.01.XVII.9)

¹³ <https://unstats.un.org/unsd/classifications/Econ/>, accessed on 10.05.2025.

¹⁴ https://ec.europa.eu/eurostat/statistics-explained/index.php?title=NACE_background, accessed on 10.05.2025.

of ISIC Rev.3, this classification including additional details to reflect European activities that were inadequately represented in ISIC. This first revision was made by the adoption of EEC Regulation No. 3037/90¹⁵ on the statistical classification of economic activities in the European Community.

The purpose of adopting Regulation EEC No 3037/1990 was to establish a common statistical classification of economic activities within the European Community, in order to ensure the comparability of national classifications with Community ones, and to apply only to the use of the classifications for statistical purposes. The Regulation established a common basis for the statistical classification of economic activities in the European Community, hereinafter referred to as "NACE Rev. 1", which comprised:

- a first level consisting of headings identified by an alphabetical code (sections);
- an intermediate level consisting of headings identified by a two-character alphabetical code (subsections);
- a second level consisting of headings identified by a two-digit numerical code (divisions);
- a third level consisting of headings identified by a three-digit numerical code (groups);
- a fourth level consisting of headings identified by a four-digit numerical code (classes).

Later, in 2002 a small update was made, with NACE Rev. 1.1 being adopted and in 2006, Regulation 1893/2006¹⁶ of the European Parliament and of the Council adopting NACE Rev. 2 was adopted.

The current version is NACE Rev. 2.1 and was established by Delegated Regulation (EU) 2023/137¹⁷ of the European Commission, being the European implementation of the ISIC, Rev 5 classification.

2. The main aspects of the regulation

In Romania, the ISIC and NACE regulations are called CAEN - "Classification of Activities in the National Economy", being a standardized system used to identify the object of activity of professionals who carry out economic activities. The CAEN codification not only facilitates the organization of statistical data at national and European level, but also has fiscal implications, regarding accounting reports and, possibly, regarding the conclusion of the constitutive acts of a professional legal entity.

According to art. 1882 paragraph 2 of the Civil Code¹⁸ "any company must have a determined and lawful object, in accordance with public order and good morals". Also,

¹⁵ Council Regulation (EEC) No 3037/90 of 9 October 1990 on the statistical classification of economic activities in the European Community, published in the Official Journal OJ L 293, 24.10.1990.

¹⁶ Regulation (EEC) No 1893/2006 of the European Parliament and of the Council establishing the statistical classification of economic activities NACE Rev. 2 and amending Council Regulation (EEC) No 3037/90 as well as certain EC Regulations on specific statistical domains, published in the Official Journal of the European Union OJ L 393/30.12.2006.

¹⁷ Commission Delegated Regulation (EU) 2023/137 of 10 October 2022 amending Regulation (EC) No 1893/2006, published in the Official Journal of the European Union OJ L 19 of 20.1.2023.

¹⁸ Civil Code of 2009, Law no. 287/2009, republished in the Official Gazette of Romania, part I, no. 505 of 2011.07.15.

art. 7 letter c and art. 8 letter c of Law no. 31/1990¹⁹ on companies refer to "the object of activity of the company, specifying the field and main activity". Therefore, authorization for the main NACE code is not just an administrative formality, but a legal condition for the establishment of any professional legal entity, given that the object of activity must be specified, determined and licit, by indicating the NACE code that will determine the main activity of the professional, as well as, possibly, secondary activities, if they are to be mentioned.

The first legislative regulation of the classification of economic activities in Romania was carried out in 1962 when, by Decision of the Council of Ministers no. 483/1962²⁰, CREN, the classification scheme of the branches of the national economy, was approved. At that time, the ISIC Rev.1 regulations were applied worldwide and the NICE regulations were crystallized in the European Communities.

By Government Decision no. 656/1997²¹, which entered into force on 1 January 1998, the Classification of Activities in the National Economy - CAEN, developed by the National Commission for Statistics and inspired by ISIC Rev.3 and NACE Rev.1 adopted by EEC Regulation no. 3037/1990, was officially introduced into our legislation.

Given that, at the global and community level, ISIC and NACE have undergone changes in order to be updated and keep pace with the new economic activities that have emerged, at the national level, the CAEN classification has also been revised. Thus, by Order of the President of the National Institute of Statistics no. 601/2002²², CAEN Rev.1 was adopted, corresponding to NACE Rev.1.1, and by Order of the President of the National Institute of Statistics no. 337/2007²³, CAEN Rev.2 was adopted, corresponding to NACE Rev. 2. In recent years, the global and national economy have experienced significant changes, the structure of economic activities has evolved, new economic activities have emerged that required their own regulation, and other activities have become obsolete. At the legislative level, changes have already been made to ISIC and NACE, so that, at the national level as well, the need for new regulations has been imposed to adequately reflect economic realities, to update and modernize classifications to correspond to new fields of activity and emerging technologies, to simplify and clarify the coding of certain activities, facilitating their identification and comparison at national and European level, and to eliminate ambiguities and overlaps in the classification, so that each activity is appropriately classified.

As a result, Order no. 377/17.04.2024 of the President of the National Institute of Statistics was adopted on the update of the Classification of Activities in the National Economy CAEN Rev. 3, which entered into force on 1 January 2025, by which the

¹⁹ Law 31/1990 on companies of 16.11.1990, republished in the Official Gazette of Romania, part I, no. 1066 of 2004.11.17.

²⁰ Council of Ministers Decision no. 483/1962 on the approval of the classification scheme of the branches of the national economy, published in the Official Gazette, Part I, no. 14 bis of 29 May 1962.

²¹ Government Decision no. 656 of 6 October 1997 on the approval of the Classification of Activities in the National Economy - CAEN, published in the Official Gazette of Romania, Part I, no. 301 of 5 November 1997.

²² Order of the President of the National Institute of Statistics no. 601/2002, published in the Official Gazette of Romania, Part I, no. 908 of 13 December 2002.

²³ Order of the President of the National Institute of Statistics no. 337/2007 published in the Official Gazette of Romania, Part I, no. 293 of 3 May 2007.

national regulation was harmonized with the European Union regulation NACE Rev. 2.1 and the global ISIC Rev.5.

Government Decision no. 284 of 20.03.2025²⁴ amended Government Decision no. 656/1997 on the approval of the Classification of Activities in the National Economy and established a deadline of 18 months from the entry into force of Order no. 377/2024 (01.01.2025) or GD no. 284/2025 (03/25/2025), the Government being absolutely incoherent, so that all interested legal subjects, natural and/or legal persons can modify their CAEN code.

According to art. 3 of GD no. 656/1997, amended by art. 2 of GD no. 284/2025 "CAEN applies to all areas of economic and social activity and is mandatory, for statistical purposes, for all central and local public administration bodies, budgetary units, economic agents, regardless of the form of ownership, employers', trade union, professional and political organizations, foundations, associations and other natural and legal persons, when completing official documents whenever the specification of the activity is required". As a result, the scope of application of CAEN codification is not limited only to professional traders, natural and legal persons upon registration of which the National Trade Register Office imposes the obligation to specify the object of activity, but covers, practically, all categories of legal subjects, natural or legal persons, public or private law, regardless of the form of ownership that carry out an economic activity.

Before analyzing CAEN Rev.3, a clarification should be made regarding its applicability, namely, GD no. 284/2025 established the obligation of CAEN "for statistical purposes", which, from my point of view, is incorrect, as long as specifying the main object of activity is a condition for the legality of the constitutive act. Or, perhaps, the new regulation considers the possibility of specifying the textual object of activity, without expressly specifying the CAEN code. In any case, the interpretation according to which the CAEN code would be mandatory only for statistical purposes, and not for the establishment/registration of the legal subject is wrong. Moreover, even if this hypothesis were correct, carrying out an activity that is not mentioned in the object of activity, possibly for which prior authorization is also required, has particularly serious legal consequences, the sanction being the confiscation of the income thus obtained under Law no. 12/1990²⁵ on the protection of the population against illicit commercial activities.

From the perspective of the Government decision, economic activity represents the activity resulting from the combination of resources - equipment, labor, production techniques, information flows or products - to produce goods or services. Any activity is characterized by product inputs (goods or services), the production process and product outputs (goods or services). In practice, most production units carry out activities of a mixed nature. The identification of a main activity is necessary to classify a unit in a specific position in CAEN Rev.3.

With reference to the CAEN classification, a distinction is made between the

²⁴ Government Decision no. 284 of 20.03.2025 amended Government Decision no. 656/1997 on the approval of the Classification of Activities in the National Economy, published in the Official Gazette of Romania part I, no. 257 of March 25, 2025.

²⁵ Law no. 12/1990 of August 6, 1990, on the protection of the population against illicit production, trade or service provision activities, republished in the Official Gazette of Romania no. 121 of February 18, 2014.

main activity, the secondary activity and the auxiliary activity.

The main activity is identified by the descending order method (from top to bottom) as being that activity that contributes to the greatest extent to the total added value of the entity considered. The main activity thus identified does not necessarily represent 50% or more of the total added value of the unit. We would like to point out that Law no. 265/2022, as well as the Companies Law no. 31/1990 refer to the fact that, in the object of activity of the professional having the obligation to register in the Trade Register, only the main activity must be declared, in a mandatory manner. Otherwise, the sanction is the nullity of the constitutive act and, obviously, the nullity of the professional.

The secondary activity is any other activity of the unit, an activity that produces goods or services. The question arises whether the legal entity having declared a main activity and a secondary activity can carry out, as the main activity, the secondary activity... Obviously, if the secondary activity is carried out in isolation and will not contribute decisively to the added value of the legal entity, I consider that there is no impediment, since it is not mandatory to mention the secondary activity in the constituent documents. If, however, the secondary activity is carried out frequently, organized, as a main activity and contributes decisively to the added value of the legal entity, in this case, I consider that, by the decision of the extraordinary AGM, the constituent document of the legal entity must be amended in the sense of changing the object of activity by mentioning the secondary activity as the main activity.

Auxiliary activity is that activity which helps to carry out the main and secondary activities. There are auxiliary activities: accounting, transport, storage, purchasing, conditioning, promotion, repair and maintenance, etc. Thus, ancillary activities are those which exist only to support the main and secondary productive activities of a unit. Auxiliary activities provide consumable goods and services for the use of that unit. However, if the activities of a statistical unit and the corresponding auxiliary activities are carried out in different geographical areas, then it may be advisable to collect data separately on these units, in order to obtain data categories that can be classified according to geographical area.

To be considered auxiliary, an activity must meet certain conditions, namely: to serve the unit or units to which it belongs and the goods or services produced must not be the subject of market transactions; a similar activity must be carried out in similar independent production units; to provide services or, in exceptional cases, consumable goods that are not part of the unit's final product; to contribute to the current costs of the unit itself, i.e. not to generate gross capital formation (fixed assets).

At present, CAEN Rev. 3 consists of 99 divisions, the first class, 0111 being "Growing of cereals (except rice), legumes and oilseeds" and the last class, 9990 being "Activities of extraterritorial organizations and bodies".

In the CAEN Rev. 3 classification, economic and social activities are grouped into four levels: a first level, consisting of titles identified by an alphabetical code (sections); a second level, consisting of titles identified by a two-digit numerical code (divisions); a third level, consisting of titles identified by a three-digit numerical code (groups); - a fourth level, consisting of titles identified by a four-digit numerical code (classes). Classifications are made according to the principle of homogeneity as a set of activities that have common characteristics, namely the nature of the goods and services

provided (their physical component, stage of manufacture, the needs they can satisfy); the way goods and services are used by economic agents (intermediate consumption, final consumption, capital formation, etc.) and raw materials, technological processes, organization and financing of production.

The main criteria used in delimiting the divisions and groups of CAEN (two-digit and three-digit levels respectively) refer to the characteristics of the activities of the productive units, which play a decisive role in determining the degree of similarity between the structures of the units and certain economic relationships. The main grouping aspects for activities are the following: the nature of the goods and services produced; the uses for which the products and services are intended; the means, process and technology of production. The weights assigned to these criteria vary from one field to another. In a number of cases, for example: the food, textile, clothing and leather industries, the machine and equipment construction industry and the services sector, the criteria are so balanced among themselves that the issue of assigning weights loses its significance. In the case of intermediate products, the physical composition and the stage of manufacture often gain an important weight. In the case of products involving complicated production processes, priority is frequently given to the end use, technology and production flow of the products concerned, to the detriment of the physical composition of the products.

A statistical classification has the following main characteristics: strict and detailed hierarchical organization that makes it possible to collect and present information at various levels of aggregation (depending on data availability); exhaustive coverage of the observed domain; the inclusion of each phenomenon or object analyzed in a single classification entity (mutually exclusive entities); the classification of objects analyzed in various branches of the classification is governed by homogeneous methodological principles.

The CAEN does not distinguish according to the form of ownership and legal form, since such criteria are not related to the characteristics of the activity itself. Units engaged in the same type of economic activity are classified in the same way, even if, for example, the company belongs to private owners or to the Government, or the parent enterprise is or is not made up of one or more units. The classifications "form of ownership" and "legal form" are constructed independently of the classification of activities. Similarly, manufacturing units are classified by the main activity in which they are engaged, whether the work is performed by electric machines or manually, or whether it is performed in a factory or a household; modern versus traditional is not a criterion.

In the structure of CAEN Rev.3, the distinction between commercial and non-commercial purpose (market and non-market) is not a consideration. Although there are some classes that are normally non-market, there may be several others that are usually carried out by both commercial companies and state institutions.

As we have mentioned, following the adoption of GD no. 284/2025, the Government has established a deadline of 18 months for all interested parties to make the transition from CAEN Rev. 2 to CAEN Rev. 3. This change can be made automatically or manually.

The automatic change involves submitting a registration application to the National Office of the Trade Register, specifying the automatic update, in which case the

Trade Register automatically checks the existing codes of the professional, correlates them with the new codes in CAEN Rev 3 and, automatically, will upload the new resulting CAEN Rev 3 codes to the database. It is a quick procedure that does not involve any cost on the part of the professional.

Manual modification involves drafting several documents necessary to update the CAEN codes, so that they are in compliance between CAEN Rev 2 and CAEN Rev 3. It is a more complex procedure that involves, first of all, adopting an extraordinary AGM decision to modify the object of activity, the actual modification of the articles of association, as well as submitting the application for registration of the mentions. The documents are submitted to the Trade Register in whose territorial jurisdiction the registered office is located for the official registration of the modifications. This method offers more control over the declared activities, avoiding possible confusions generated by the automatic method, the professional having the opportunity to decide for himself which activities to include in his documents, thus avoiding confusions related to the classification of economic activities. The disadvantage of this method is the time required to manually make the modification, considering that the procedure for convening and conducting the AGM must be respected, as well as the fact that this method also involves additional costs.

3. Conclusions

Analyzing CAEN Rev. 3 we can observe the following aspects regarding the codes in the new classification of economic activities:

There are CAEN codes that have remained unchanged, in the sense that they retain both their number and description from NACE Rev. 2, they are considered clear and do not need explanations.

There are CAEN codes that have been merged, in the sense that some codes from CAEN Rev. 2 have been combined into a single code in NACE Rev. 3 to simplify the classification and eliminate redundancies. This process helps to create a more concise picture of the economic areas.

There are CAEN codes that have been divided into several new codes to better reflect current economic realities and emerging activities. Some of these new codes regulate activities that were not previously covered by NACE Rev.2.

Compared to CAEN Rev. 2, the version in force from 1 January 2025 has reconfigured the classification by establishing a more flexible structure, allowing for a more precise classification of economic activities. As previously mentioned, some codes have been restructured to better reflect the specifics of activities in new or expanding fields. Also, certain fields that were previously treated in a general way are now detailed by category, which allows for a more precise identification of the activities carried out.

Another new element is the integration of new areas of activity in CAEN Rev. 3, namely modern services were regulated, in CAEN Rev. 3 new codes are found for emerging activities, such as streaming services, non-formal services, digital consultancy and cybersecurity solutions, areas that were not sufficiently well represented in REV 2. Also, CAEN Rev. 3 gives particular importance to the IT sector, digitalization and technology, areas that have grown exponentially in recent years. For companies in these sectors, the new codes offer the possibility of a much more accurate classification.

The new CAEN Rev. 3 regulation attempted to eliminate overlaps and ambiguities, given that, in the previous regulation, there were codes that could be applied to similar activities, which generated confusion in the interpretation and application of the regulations. In CAEN Rev. 3, these overlaps were minimized, so that each activity is associated with a unique and clearly defined code.

We believe that the current version of the NACE Rev. 3 classification has managed to meet the requirements of economic development, allowing the correct classification of various economic activities.

As a final clarification, given that CAEN Rev. 3 transposes NACE Rev. 2.1 and ISIC Rev. 5 into national legislation, certain more “distinctive” activities may appear that may create confusion. The essential clarification that must be made is that, regardless of the activity envisaged and the related CAEN code, an activity will only be able to be carried out if it is regulated by distinct normative acts in national legislation and is not an activity prohibited by national legislation.

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