



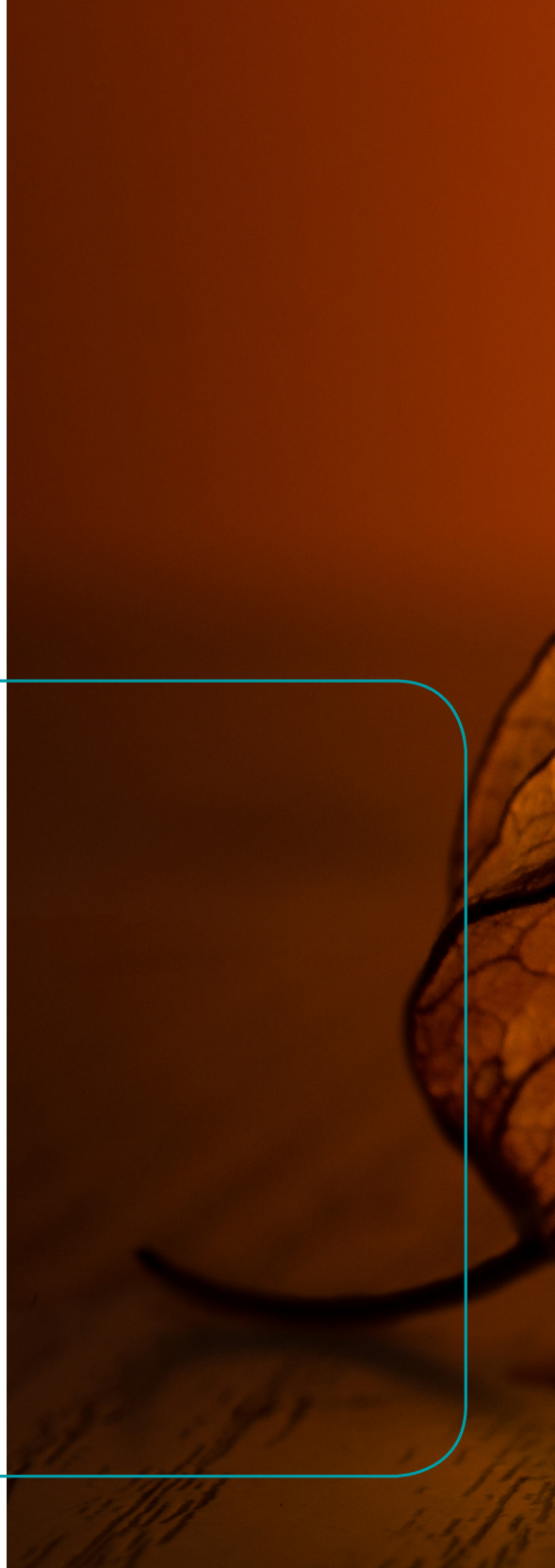
BRISC

LEGAL

BUSINESS LAW

Welcome to BRISC LEGAL

Outstanding legal services from the heart of Transylvania





the link between

Your desire is to maximize the returns of each transaction.



Our fulfillment is to get the deal through in a risk-free manner.

Your mission is to make better business.



Our priority is to protect your path by providing sound legal services.

You expect pragmatic solutions in an ever-changing market.



We pioneer, tailor and deliver legal counseling for your well-being.

You strive to reach new heights of success.



We are committed to your journey.

BRISC

LEGAL





The firm

BRISC LEGAL is a fresh and dynamic law firm from Cluj-Napoca, the heart of Transylvania. Founded in 2017 by name partner *Horațiu Brisc*, we have come together to form a team focused on quality and driven by results.

Your expectations no longer align well with the traditional lawyer services model. You desire efficient legal solutions that are characterized by adaptability, promptitude and creativity. We will do all of this by ensuring we always challenge ourselves to bring original but pragmatic solutions to the complex legal challenges you face.

We value

Knowledge

Knowledge is everything for a lawyer. Passion for knowledge is at the forefront of our work. Profound knowledge and constant learning are prerequisites for outstanding legal services.

Trustworthiness

Trustworthiness is at the core of the client-lawyer relationship and it is built upon honesty and loyalty. We have the desire to build long-lasting partnerships based on mutual trust.

Dynamism

We need to be dynamic in order to adapt to a complex, ever-changing environment. We strive for improvement and thus, we are constantly working towards it.

Effectiveness

We focus on obtaining the desired result – we maximize available resources through self-organization, pragmatism and proactivity.

Creativity

You need to get off the beaten tracks in order to explore new opportunities. We embrace challenges and enjoy the unconventional questions. Using creativity and innovative solutions we succeed in finding a road to apparently inaccessible destinations.

Integrity

You are about to enter into the unknown and you will give your unconditional vote of confidence. We will answer you back by being transparent, moral, keeping our promises and assuring continuous communication.



What we do

BRISC LEGAL provides integrated business law services to public authorities and private clients from a wide range of industries covering both dispute resolution and transactional law capabilities.

We are skilled in representing investors in Romania, particularly the Transylvania region, actively engaging in various fields of business. We counsel our clients during their initial investment in Romania and assist them, later on, in developing their businesses.

We advise our clients and draft documents for them, we advocate for our clients and negotiate on behalf or next to them. At need, we will use our court skills for the well-being of our clients.



Practice areas

Commercial •

Corporate •

Real Estate •

Contracts •

Litigation •

Construction •

Insolvency •

Employment & Benefits •

Procurement & Public Services •

Risk & Compliance •

If you plan on incorporating a company, or if you need assistance on how to structure and run a company or form a partnership, BRISC LEGAL will provide you corporate legal solutions, tailored to your business profile, needs and expectations.

Incorporation and initial structuring of the business in Romania

- legal advice on determining the appropriate type of company/ structure for your business by providing comparisons between the different types permitted under Romanian law;
- legal advice on the organization and conduct of the business in Romania;
- legal advice in relation to the functioning of the corporate bodies and representatives' duties and liabilities; assistance on structuring the decision making corporate bodies;

- assistance during incorporation by drafting the Trade Registry documentation and assuring required representation before competent authorities.

Corporate changes within your Romanian business

- legal assistance as regards day-to-day corporate changes (relocating the registered office, replacing members of the corporate bodies, setting up or dissolution of a secondary office or working points, updating the articles of incorporation);
- legal assistance with the procedures of increasing and reducing the share capital (in kind or in cash contribution, debt to equity swap, etc.);
- legal assistance in relation to the restructuring of the company (acquisition, merger, spin-off, liquidation), with the drafting of related documentation and completion of required formalities.


Corporate dissolution and liquidation of your Romanian company

- legal advice and assistance with the dissolution, liquidation and strike off of the company or branch; assistance before the Trade Registry with the company's deregistration.

Mergers and acquisitions

- legal assistance to the shareholder/s during the selling or buying process – advice on the structuring of the transaction (share/asset deal or merger), drafting and negotiation of the share sale-purchase agreements, required procedures before the competition authority, assistance before the Trade Registry;
- performing legal due diligence of target company/asset, with the aim to obtain detailed insight on the target's legal status and mitigate transaction risks.





The Romanian real estate market has seen a significant increase over the past years. Professional legal counsel is essential for a successful project given the intricacies of this area.

We deal with all legal aspects relating to real estate development and construction projects, in particular by designing the required contractual instruments and by overseeing their implementation. Apart from mainstream real estate work, our expertise covers town planning and public law issues, financing methods, opportunities for tax efficiency, assessing the impact of environmental and construction laws and corporate schemes.

We may serve you during the entire life cycle of a real estate project:

- identification of the appropriate corporate vehicle and contractual structure for the future real estate project;
- due diligence process over future property (land and building title clearing) or target company;
- drafting of real estate specific agreements (joint venture, lease and contractor agreements);
- legal assistance for the financing of real estate projects and during negotiations with finance providers;
- legal advice during the construction and operation process; assistance in relation to town planning and construction regulations or permits, technical and environmental issues;
- assistance in real estate litigation.

Litigation

We prefer a pre-litigation solution over a court dispute. However, there are times when litigation is necessary. We will deliver innovative but pragmatic legal solutions in order to obtain the maximum efficiency from our judicial approach.

Commercial litigation

- assistance in relation to disputes over performance of the commercial agreements (insurance agreements, acquisition-related issues, banking and consumer protection, product liability);
- support for the recovery of debts (enforcement proceedings, simplified procedures, damages claims or requests for opening of insolvency proceedings); protecting debtors' interests within the debt recovery or enforcement proceedings initiated against him;
- assistance within other commercial lawsuits.

Town planning disputes

- procurement and cancellation of town planning documentation

town planning certificates, archaeological discharge, demolition and building permits, expropriations, demolition of illegal buildings;

- assistance with challenging fines imposed by the Romanian authorities for alleged breaches of the legal framework applicable to constructions.

Administrative law litigation

- assistance in challenging administrative acts issued by the Romanian authorities (legislative acts, licenses, authorizations, permits, etc.);
- support for compelling authorities to issue different administrative acts;
- assistance in challenging the public procurement results and procedures;

Tax litigation


- challenging inspection minutes and tax decision issued by the tax authorities for alleged breaches of regulations concerning the payment of various taxes, such as: VAT, profit tax, social contributions, income tax, local tax;
- challenging the enforcement proceedings illegally initiated by the tax authorities;
- challenging fines imposed by the Romanian authorities in various domains.

Employment litigation

- protecting the interests of employers or employees following termination of the individual employment agreement;
- assistance during alleged breaches of employment agreements (recovery of salaries/ other compensation, violation of non-compete, IP clauses, etc.).

Corporate and competition litigation

- assisting shareholders and management bodies in a broad range of corporate disputes: shareholders litigation, cancellation of corporate resolutions, cancellation of Trade Registry amendments, protection of minority shareholders, opposition to corporate resolutions, personal liability of directors and managers;
- assisting clients within down-raids and before the Competition Council and, subsequently, during judicial proceedings for challenging the sanctioning decisions.



In an ever-changing market, with economic fluctuations and fast legal developments, workforce matters often present challenges on a daily basis. Developing long lasting relations with our clients that allow us an in-depth understanding of their businesses is crucial.

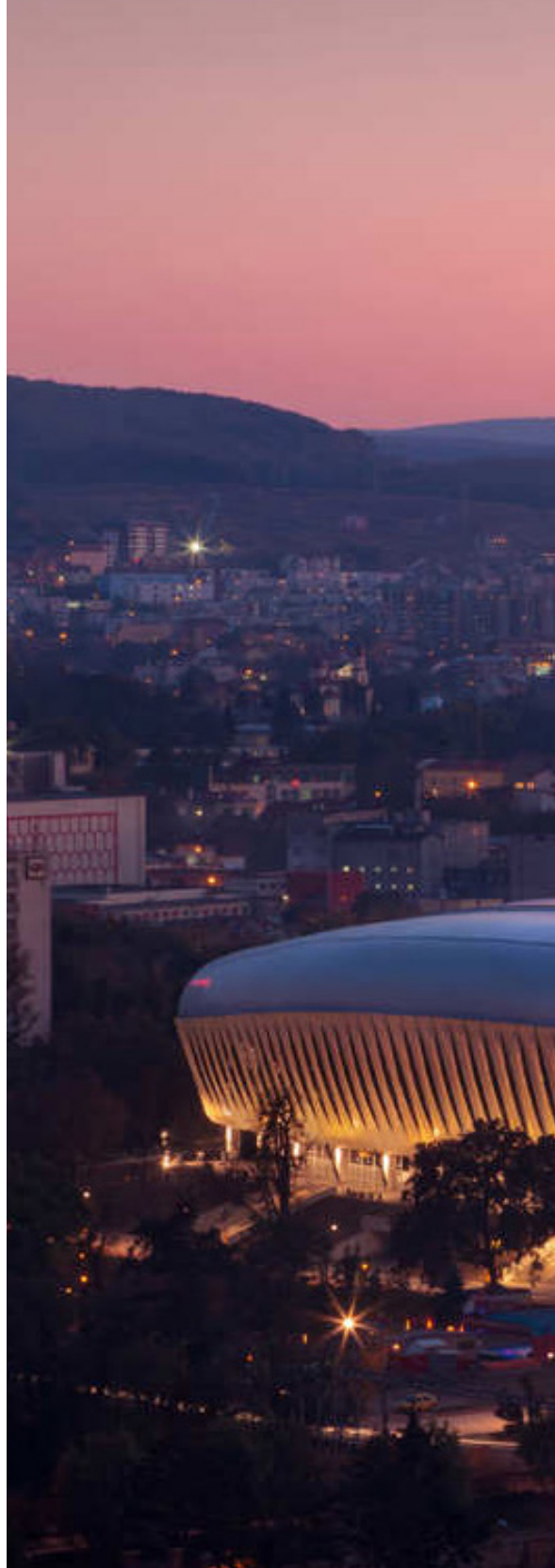
Our employment expertise allows us to identify issues and mitigate risks before they trigger potential work-related conflicts.

- drafting individual employment agreements and amending them with special contractual clauses (loyalty and non-compete, confidentiality, professional training and mobility, performance bonuses as equity or cash compensation, special termination packages);
- drafting required documentation in relation to the termination of individual employment agreements;
- assistance in negotiation the termination package for employees in management positions;
- legal advice during business restructuring, posting of workers and in relation to collective employment issues;
- assistance in relation to employment litigation.

Horațiu Brisc



Horațiu Brisc is the founding lawyer of **BRISC LEGAL** and a qualified Romanian lawyer, registered with the Cluj Bar and member of the National Union of Romanian Bar Associations. He graduated from the Law Faculty of the „Babeș-Bolyai” University and pursued postgraduate studies in business law within the same faculty in Cluj-Napoca and with the Juridicum University of Vienna. Before founding **BRISC LEGAL**, Horațiu was member of the Bucharest Bar and worked in reputed law firms located in Bucharest.



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