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Welcome to România !

Information guide for third country nationals



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WELCOME TO ROMANIA!
Information Guide for Third -country
Nationals

2nd edition

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FOREWORD

If you are a third country national and you have a right of residence in Romania, it means that you have decided to work, study, reunite your family or do business in Romania, at least for a certain period of time. This guide was developed as a means to help you adapt to and integrate into the host society.

The first version of this material was published by ARCA-FRRM, in partnership with ADO SAH ROM and the Soros Foundation in Romania, in January 2010, part of the project called „*Welcome to Romania! Improving the knowledge of third country nationals regarding their rights, obligations and means to integrate into Romanian society*”.

This new edition is an update of the previous guide, published under the name „*Welcome to Romania! Information guide for third country nationals*”, which took into account the legislative changes in Romania in the 2010 – 2012 period.

The guide is first and foremost devoted to third country nationals, citizens of countries that are not members of the European Union, of the European Economic Area or the Swiss Confederations, foreigners whose legal status is in many ways different from that of EU citizens.

The guide is aimed at providing information regarding your rights, obligations and possibilities of integrating as a foreign citizen that has a right of residence in Romania. By providing information regarding the responsibilities of the public institutions, the labour market, the protection and social assistance system in Romania, access to health care, ways of solving claims, forms of association, etc., we hope to help improve your chances of benefiting from these rights, to prevent and fight discrimination in the workplace and social marginalization, to increase mobility and present to you some ways of active participation in the life of the community you are part of.

Also, with this guide we hope we can help develop a relationship based on mutual trust and responsibility, hoping that Romania will eventually become a place where you can feel at home.

This guide, available in Romanian, English, Arabic, Turkish and Chinese, cannot replace legislation, but it can redirect the reader towards competent sources of information on a particular subject. Although we

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have made all possible efforts to make sure this guide provides fair and coherent information, please take into consideration the fact that we could not include all information that could be of relevance to you, as well as the fact that legislation, phone numbers, addresses and other types of information may change; that is why we suggest you always contact the competent institutions to get the information you are interested in.

We want to thank all those who have helped us develop this guide.

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ABBREVIATIONS

AJOFM	County Employment Agency
ANAF	National Tax Agency
ANITP	National Agency against Trafficking in Persons
ANOFM	National Employment Agency
CNAS	National Health Insurance House
CNFPA	National Council for Adult Professional Training
CNP	Personal Numerical Code
CNPP	National Public Pensions House
CNRED	National Centre for Diploma Recognition and Equivalency
FNUASS	National Single Health Insurance Fund
IM	Labour Inspection
ITM	Territorial Labour Inspectorate
MAI	Administration and Interior Ministry
MECTS	Ministry of Education, Research, Youth and Sport
MFP	Ministry of Public Finance
MMFPS	Ministry of Labour, Family and Social Protection
MS	Health Ministry
OG	Government Ordinance
ONG	Non-Governmental Organization
ONRC	National Trade Registry Office

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ONU	United Nations Organization
ORI	Romanian Immigration Office
OUG	Government Emergency Ordinance
RTT	Third-Country National
SEE	European Economic Area
EU	European Union

ROMANIA – GENERAL BACKGROUND

3.1. Romania-General Background

Romania is a country situated in the south-east of Central Europe, neighbouring Bulgaria, Serbia, Hungary and the Republic of Moldova, and it is bordered by the Black Sea Coast in the south east, and by the River Danube in the south.

Romanians are the main ethnic community in Romania, accounting for 88.6% of the total population. After them, the next major ethnic group is that of the Hungarians, with 6.5%. Among the other ethnic groups that number over 20,000 people there are: Ukrainians (51.7 thousand people), Germans (36.9 thousand), Turks (28.2 million), Russians (23.9 thousand) and Tartars (20.5 thousand).

The official language of the country is Romanian, a language of Latin origin, which has a big number of words and phrases specific to other cultures. In the towns and villages where a certain ethnic majority accounts for more than 20% of the population, the language of that minority may be used in public administration and the legal system. The main foreign languages taught in Romania are English, French and German.

Religious life in Romania observes the principle of freedom of religious beliefs. Romania can be considered a secular state, which maintains its neutrality to religious associations and cults. The largest

ROMÂNIA

Member of the European Union since 1 January 2007

Location: South-Eastern Europe

Official language: Romanian

Form of government: republic

National currency: leu/RON

Population: 19,043,000 in 2011

Climate: temperate-continental, with four seasons

National Anthem: Awaken, you, Romanian!

Romania's flag is tricolor; colours are vertical, in the following order: from the stick: blue, yellow, red.

Administrative-territorial units: 41 counties plus

Bucharest. Counties are subdivided into towns/cities and communes. Communes are rural localities.

The largest cities by number of inhabitants: Bucharest (capital), Iași, Constanța, Cluj-Napoca, Timișoara, Craiova, Galați, Brașov, Ploiești, Brăila.

part of Romania's population is Christian orthodox. Also, there are other Christian denominations represented in Romania, such as Roman Catholicism, Protestantism, Pentecostalism, and Greek-Catholicism. There is also a Muslim minority, in Dobrogea, south-eastern Romania, made up mostly of Turks and Tartars.

Romanians' Fundamental Norms and Values

Romanian society shares and promotes values such as: tolerance, generosity, education, good manners, sociability, work, honesty, perseverance, and hospitality.

- The Romanian State promotes and defends the fundamental human rights and freedoms, pluralism, democratic values, minority rights, multiculturalism and the principles of an open society – transparency, civic activism, plurality of opinion and interests;
- In Romania, women and men are equal. Men and women have equal access to education, work, culture, social life, public and political offices.

Social Conventions

- During any interaction with other people, the participants will wait for the interlocutor to finish his/her intervention, without interrupting.
- Saluting is often accompanied by a handshake.
- The vertical move of the head (up and down) means *yes*, therefore an agreement. The horizontal move of the head (from right to left) means *no*, therefore a disagreement.
- A bouquet of flowers must contain an odd number of flowers.
- In a meeting, punctuality is highly appreciated. One must announce when late.
- Public means of transport have special seats for the elderly, for sick people, pregnant women and people holding babies/children in their arms.

Legislative Background

Romania is a democratic republic, a rule of law state, in which observing the Constitution and the other laws is compulsory for both its citizens and the other people who are on its soil.

The powers of the state – legislative (Parliament), executive (Government) and judicial (courts of justice: courts of 1st instance, courts/tribunals, courts of appeal, the High Court of Cassation and Justice) – are separate. The legislative power – Parliament – is the authority in charge of drafting and adopting laws. As a member of the European Union since 2007, Romania must abide by the EU regulations and directives and enforce them domestically.

The legislative framework is given by:

- International regulations that Romania is a party to, and the regulations it must observe as an EU Member State;
- Domestic law regulations, made up of all national judicial standards and regulations in force at a certain moment;

The system of laws in Romania is based on a hierarchy, established based on the criterion of importance. The fundamental law in state is the Constitution (the current Constitution was passed in 1991 and amended by referendum in 2003). Except for the Constitution, Romanian and foreign citizens who are on Romanian soil must observe those laws and regulations that regulate certain social relations or fields such as the status of the foreigners, sanctioning contraventions, education, civil conventions, commercial relations and companies, etc. These laws can be: organic, ordinary, Government Decisions (GD), ordinances (GO) and emergency ordinances (EGO), orders, etc.

Also, in Romania (just like in other European countries such as Italy or Germany), fields that are particularly important are regulated by a combination of provisions, included in codes such as:

- The Labour Code – which addresses industrial relations between employers and employees;
- The Civil Code;
- The criminal Code (addresses general law infringements by people, which affect basic social relations, and stipulates the applicable penalties);
- The Fiscal Code.

The main acts that regulate foreigners' status in Romania are:

- Emergency Ordinance no. 194 of December 12th 2002 on the status of foreigners in Romania, amended and updated in 2011 under Law no. 157 of 2001
- EGO no. 56 of 2007 regarding the employment and posting of foreigners in Romania, amended under Law 157/2011;
- GO no. 44/2004 regarding the social integration of foreigners who have got a form of protection or a right of residence in Romania.

Managing Migration in Romania – Institutions, Services and Programs

In Romania, the responsibility of managing migration is shared between central institutions (governmental structures) and local institutions (local public authorities and decentralized services). They collaborate both among each other, and with similar bodies from other countries, with international organizations and the Romanian civil society.

In keeping with the EU policies, but also with its national priorities, the Romanian State adopts the National Strategy on Immigration and Annual Action Plans for its implementation. At the same time, through bilateral agreements concluded with other countries, some provisions individualize the measures that Romania takes for the citizens of those countries.

Romanian State's concern for foreigners who have the right of residence in Romania, or who want to get this right, is translated into direct services, free social and cultural integration courses and programs, and also into free access or access for a certain fee to education and other public services (medical, social, financial, etc).

In order to benefit for free from the integration services provided by the Romanian Immigration Office or by various NGOs, you can go straight to the immigration office or you can get information about the activities carried out by the above mentioned organizations in the last chapter of this guide.

3.2. Fundamental Rights and Duties

As a foreign national who has the right of residence in Romania, you benefit from the fundamental rights and freedoms guaranteed in this country, but, at the same time, you have some major duties.

The Romanian Constitution refers to the democratic and social nature of the state, establishing at the same time that human dignity, citizen rights and freedoms, the free development of human nature, righteousness and political pluralism are supreme, guaranteed values.

Therefore, you, as a foreign citizen, are granted several inalienable, fundamental (constitutional) rights. These are the rights that you have, with no limitations:

- The right to life and physical and psychological integrity (this has been and remains one of the fundamental citizen's rights, but also the most important natural human right; in Romania, death punishment is forbidden, and no person can be subject to torture or to any inhumane or degrading punishment).
- The right to individual freedom and safety;
- The right to defence;
- The right to confidential correspondence;
- The right to health care;
- Freedom of consciousness and speech;

When exercising your rights, you need to take into account some major aspects. For instance, you have the fundamental right to private and family life, provided you do not infringe upon other people's rights and freedoms.

You must know that, as a foreign citizen, you cannot exercise those rights that are exclusively political, namely the right to vote or to be elected.

Obviously, as a member of the community, you have rights that are specific to your situation, but obligations as well, such as observing public order and quiet, morals and, first and foremost, observing the legislation in force, for the entire length of your stay in Romania.

All constitutional provisions regarding the fundamental rights and freedoms that are recognized in Romania are interpreted and applied in keeping with the Universal Declaration of Human Rights, and with the pacts and treaties that Romania is a party to. If there are discrepancies

between the pacts and treaties on international rights on the one hand, and domestic laws on the other, international regulations have priority, except for the case in which domestic legislation includes provisions that are more favourable.

3.3 Foreigners' integration into Romanian society

Romania does have the legislative and institutional framework that should allow you to get familiarized with the characteristics of Romanian society and to feel part of this society.

Social integration is the finished product of a multi-dimensional and ongoing process of *“the active participation of foreigners who have got a form of protection or a right of residence in Romania, in the economic, social and cultural life of Romanian society, with a view to preventing and combating social marginalization and adapting to the conditions provided by Romanian society”¹.*

Social integration is about reaching four dimensions:

- Cultural (the level of knowledge of Romanian language, time spent in Romania, acquiring cultural values, etc.)
- Social (assessed through the existence of friends, mixed marriages, non-discriminatory attitude);
- Economic (the possibility to access the labour market, housing, education, health-care and other services);
- Public opinion (opinion about foreigners, social representation, the presence or absence of stereotypes, etc.)

The foreigners who have got the right of residence in Romania may benefit, upon request, from the following **free** services:

1. Courses of Romanian language, organized by the Ministry of Education in cooperation with the Romanian Immigration Office, which aims at „getting the participants familiarized with Romanian Language”²
2. Cultural accommodation sessions
3. Information and counselling regarding foreigners' rights in Romania and concrete means of exercising these rights.

¹ In keeping with art. 2, letter b) of Government Ordinance no. 44/2004

² In keeping with art. 352, paragraph 1, of Government Ordinance no. 44/2004

Cultural accommodation sessions are aimed at helping foreigners get familiarized with the Romanian traditions, customs and values and providing them with practical information about Romanian society.”³ These sessions are provided by the specialized staff of the Romanian Immigration Offices in facilities especially equipped within territorial centres, or can be subcontracted to NGOs.

You may benefit from cultural accommodation sessions and Romanian language classes just once, in keeping with the legislation in force.

For more details you can approach the territorial centres of the Romanian Immigration Office. You can find the contact data of these centres at: **http://ori.mai.gov.ro/formatiuni_teritoriale/index/ro**

We believe that a person is fully integrated into society if: he/she maintains social connections with the community members they identify with, with the members of the host society and with state institutions and has enough knowledge of language and culture to feel safe and perceive their own situation as being stable and resembling that of a citizen of the host country.

Therefore, we hope you will find in this guide information that may account for a useful foundation for your getting adapted to Romanian society, understanding your situation in this country, the rights you can benefit from and the duties you have, and – why not – knowledge that will help you start the complex process of integration.

³ In keeping with art. 351, paragraph 2, of Government Ordinance no. 44 /2004

THE RIGHT OF RESIDENCE

Getting the right of residence is the first step that you must take in order to be able to benefit from other rights, such as work, education, medical care, etc.

It is important that, once you've been granted the right of residence, you check the date on which it expires, for you to be able to submit the application for the extension of the residence permit, at least 30 days before its expiry.

- Foreigners' entering the country, residing in and leaving Romania, as well as their rights and obligations are regulated by EGO no. 194/2002 regarding the status of foreigners in Romania, updated under Law no. 157/2011⁴.
- Foreigners' employment in Romania is regulated by EGO no. 56/2007, updated by the same Law no. 157/2007.

Romanian legislation defines the foreigner as being *that person who does not have Romanian citizenship, the citizenship of an EU/EEA Member State, or the membership of the Swiss Confederation*. If you are part of this category, then the following information is for you.

4.1. Information about entering and leaving Romania

If you have a Romanian residence document **you have the right** to:

- Move freely within the country and set your domicile or residence whenever you like.
- Get in and out of the country during the period in which your residence document is valid.
- Have access to any type of public service, as provided by law.

Also, you **have the obligation** to:

- Observe the Romanian legislation;

⁴ The updated version of these laws may be checked on the Romanian Immigration Office's website:

<http://ori.mai.gov.ro/detalii/pagina/ro/Legislatie-nationala/121>

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- Observe the purpose for which you got the residence document;
- Notify the Romanian Immigration Office in case you get married/divorced, in case a member of your family is born or dies, or if you move to another address.
- Notify the Romanian Immigration Office if you change your passport or you get a new job.

If you are in one of these situations, you must declare the change in your status within 30 days since the event occurs. If you do not notify the ORI you may be sanctioned with a fine ranging from 100 to 500 RON.

In order to be able to enter Romania you must make sure you have:

1. a border crossing document (e.g. passport, travel document, etc.), recognized by the Romanian state. If you are put down on the passport of another person, you will be able to get into the country only if accompanied by that person.
2. an entry visa or a valid residence permit issued by the Romanian Immigration Office or any other authorization that gives you the right to transit or stay in Romania.
3. documents attesting your means of subsistence in Romania (e.g. an amount of money in cash or a bank statement, a invitation letter attesting that your accommodation is provided or that you have a hotel room booked, etc.) if you enter Romania based on a visa. Proof of means of subsistence is not an obligation for those who have a residence permit or are members of a Romanian citizen's family.

In case you are denied the right to enter Romania, you will get a written document, in which the refusal is well reasoned. If you cannot leave the country right away, the Border Police will provide temporary accommodation in the transit area or in a centre that has the same status, until the moment you can leave, but no longer than 24 hours.

Leaving Romanian territory

It is recommended that, when you exit Romania, you use the same travel document you used when you last entered the country, bearing the entry stamp and / or the visa you got from the Romanian

embassy or consulate abroad. If you have changed your documents in the meantime, we recommend you keep the old travel documents too, in case they are requested.

4.2. Visa Requirements

Visa is the authorization that gives a foreign citizen the right to ask for airport transit permission, for right of transit or temporary residence for a limited period of time.

You do not need a visa if:

- You've got a right of residence for the EU/EEA/Swiss Confederation as member of the family of one of these countries' citizen, who exercises his/her right of residence on Romanian soil, and whom you accompany or join.
- You've got a residence permit issued by the Romanian Immigration Office.
- You've got a long term residence permit for a EU member state;
- You are a stateless person or you've got a long term right of residence in another EU member country;
- You've got a short-term residence visa or a residence permit issued by states members of the Schengen Area, Bulgaria or Cyprus, in which case you may transit Romania for 5 days.
- You are citizen of a state listed on appendix II of the EC Regulation 539/2001 - the list of third countries whose nationals are exempt from the obligation to get a visa to cross the external borders of the member states.

<http://ori.mai.gov.ro/api/media/userfilesfile/Cetateni%20non-UE/ANEXA%20II%20IAN%202011.pdf>

(!) Those who do not need a visa to enter Romania are not allowed to stay more than 90 days within 6 months.

You need a visa if:

- you are a national of a country listed on Appendix I to EC Regulation – list of third countries whose nationals need a visa to cross the external borders of the EU member states.

<http://ori.mai.gov.ro/api/media/userfilesfile/Cetateni%20non-UE/ANEXA%20I%20IAN%202011.pdf>

- you enter the country to stay for more than 90 days and apply for a residence permit (except for citizens of the US, Canada and Japan, whose right of residence can be extended without them having to get an entry visa).

Types of Visa

Depending on the purpose for which they are granted, visas can be of various types, each of them having certain particularities:

	Short - term residence visa (C)	Long-term residence visa (D)
Purpose of the trip	<ul style="list-style-type: none">▪ diplomatic mission (for the servants in question and their family members)▪ tourism▪ visit - obtained based on an invitation sent by a Romanian citizen or a foreigner who has a right of residence in Romania▪ business▪ transport▪ sporting, cultural, scientific, humanitarian activities▪ short-term medical treatment	<ul style="list-style-type: none">▪ economic activities (D/AE),▪ commercial activities (D/AC),▪ professional activities (D/AP),▪ employment (D/AM),▪ posting (D/DT)▪ education (D/SD),▪ family reunification (D/VF),▪ religious activities (D/AR),▪ scientific research activities (D/CS)▪ diplomatic visa and work visa (DS)▪ other purposes (D/AS).
Number of entries	One/multiple	One/multiple
Validity/ Conditions	It is usually granted for maximum 6 months, with the possibility of	Granted for a period of 6 months, with the possibility of staying in

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	staying up to maximum 90 days (continuous or interrupted stay), in the visa validity period. For certain categories of people, who travel frequently to Romania, a short term residence visa can be issued for maximum 5 years, but with the possibility of staying on Romanian soil for maximum 90 days within 6 months since the first entry.	Romania up to maximum 90 days (continuous or interrupted), within the visa validity period
Extension	It cannot be extended. It does not allow you to apply for another residence permit.	It can be extended if the purpose of the stay remains the same. Based on that, you can get a residence permit.
Observations	The purpose for which it was obtained cannot be changed.	The purpose for which it was obtained cannot be changed. Otherwise, you must leave the country and apply for another long term residence visa.

Visas are issued by Romania's diplomatic missions. You can find a list of these missions at: <http://www.mae.ro/romanian-missions>.

The list of documents that you must submit may vary depending on the country you are a citizen of; that is why you have to contact directly the diplomatic mission (embassy/consulate) in the country of origin or residence.

<http://ori.mai.gov.ro/detalii/pagina/ro/Venireacalatoria-in-Romania/67>.

(!) If you entered the country on a short-term residence visa, you cannot extend your stay, even if you can provide justification for the reason why you want to remain in the country (e.g. you've been promised a job. In order for you to be able to remain in Romania for a longer period of time, you will have to go back to your home country and apply for a long term residence visa, based on which you will be able to come to Romania and apply for a residence permit, for the same purpose for which you got the visa.

(!) Marriage between a foreign citizen and a Romanian citizen / foreigner who's got a right of residence in Romania, is possible only if the foreign citizen has a valid right of residence (granted on the basis of a long term residence visa or a valid residence permit).

4.3. The permit of residence in Romania

People who are exempt from the obligation to get a visa to enter Romania, as well as people who have a long-term residence visa may request the extension of their stay in Romania by getting a residence permit. The application will only be accepted if you meet the following requirements:

- You have a valid travel document.
- You can prove you will remain in Romania for the same purpose for which you were granted a long-term residence visa, or you can demonstrate the purpose of your stay (if you did not need an entry visa).
- You married to a Romanian citizen and you want to apply for a temporary residence permit for family members of Romanian citizen.
- **In order for you to be able to apply for getting or extending the right of temporary residence in Romania**, you will have to file an application with the Romanian Immigration Office, within the period in which you can still have the right of residence (a visa or a valid residence permit). The application folder must contain a number of documents, such as: a copy of

your passport, proof of you having a place to live, proof of medical insurance, receipts proving you have paid the fees for the document to be issued;

Besides these documents, depending on the purpose for which you need an extension of your stay in Romania, you will have to provide some additional documents. To learn what documents you need, you can approach the Romanian Immigration Office or you can access www.ori.mai.gov.ro, the Non-EU citizen/Residence in Romania section.

Information included in the residence permit:

- Name and surname of the foreign citizen
- Date of birth
- Country of origin
- Series, number and the personal numerical code (CNP) granted to the foreign citizen when they request the first residence document in Romania. The CNP remains valid until that person gets Romanian citizenship and, therefore gets a new CNP.
- The type of residence permit and the purpose for which the foreigner is domiciled in Romania;
- The address in Romania;
- The issuing date and the expiry date of the residence document;

If your residence permit is stolen, lost or gets damaged, you must announce the Romanian Immigration Office within 5 days and ask for a new permit.

The temporary residence permit

A short term residence permit may be requested by any citizen of a third country who does not need a visa to enter Romania or who has a long term residence visa. This document can be issued for various purposes, such as:

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Type of temporary residence permit (purpose)	Who can request this document	The maximum validity of the document	Specific conditions under which the document is issued ⁵
Economic activities	Economic activities carried out independently or part of family associations	1 year	You bring evidence of holding a functioning license for your business and proof of having the necessary monthly means of subsistence of 250 Euro.
Professional activities	People who carry out professional activities	1 year	You have to prove you have at least 250 Euro in subsistence.
Commercial activities	People who manage businesses in Romania	3 years, depending on the type of business and turnover	You earn at least 700 Euro per month, if you are a shareholder, or 500 Euro per month if you are an associate. Also, there are some other major conditions that must be met, described in the chapter titled <i>Setting up a business</i> .
Labour	People employed on an employment contract in Romania (permanent workers, seasonal workers, interns, athletes, people with nominal	1 year	You have a valid work permit and a minimum salary of at least the minimum national gross salary. Foreigners who have a residence permit for studies may

⁵ These are just a few of the specific conditions that you must fulfil in order to apply for a right of residence. The Romanian Immigration Office can provide you with a full list of documents that you may need.

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	authorizations, cross-border workers or highly skilled workers)		request an extension of the right of residence for work, after completing their studies, without having to leave the country, provided they conclude a full time employment contract, in the field they specialized in and graduated from.
	Highly skilled workers (any person who has a higher education diploma and wants to get employed in Romania on a job that fits the qualifications certified by the diploma)	2 years	You have to be paid the equivalent of at least 4 average salaries. If you lose your job, you have a grace period of 3 months in which you can find another job, without having to leave the country.
Posting	People employed abroad, but posted to a company in Romania.	Maximum 1 year, within a period of 5 years, with the possibility of extending it based on agreements between the countries.	You have a valid posting order and you can prove you earn at least the minimum gross salary.
Education	People who want to come to Romania to attend an education institution. They have the right to work a maximum of 4 hours a day,	1 year (it is renewed annually and it can be extended by 3 months at the end of the studies to	You must prove you have been accepted by an education institution in Romania, accredited or authorized as provided by law, and that you have the

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	but they need a work permit.	have the necessary graduation documents drawn up) Students on scholarship get a residence permit valid for the entire duration of the studies.	necessary means of subsistence equivalent to at least the minimum salary (except for the Romanian born foreign students). Students can change their field of study provided they do not exceed the initially estimated length of study. Otherwise they will have to get another long-term residence visa.
Family reunification	Family members (husband/wife, children, parents) of foreign citizen who have the right of residence and of people that benefit from a form of protection in Romania.	5 years	The sponsor (who requests the family reunification) must prove kinship to the people in question
Family members of Romanian citizen	Family members of Romanian citizens	5 years	Verifications will be made to see if that marriage is not a marriage of convenience.
Right of residence granted independently to family members	<ul style="list-style-type: none"> ▪ divorcees ▪ the sponsor / Romanian citizen has died; ▪ the person has come of age or has turned 21, if he/she is a member of the Romanian 	6 months	To have had a right of temporary residence for family reunification or as a family member of a Romanian citizen, in the past 5 years.

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	citizen's family;		
Religious activities	People who carry out religious activities in Romania	1 year	You need the approval of the State Secretariat for Religious Denominations
Scientific research	Scientific researchers	5 years	You need an acceptance document endorsed by the National Authority for Scientific Research. If you have a right of residence for another EU member state, you may ask for a transfer of the right of residence to Romania, without having to get a long term residence visa.
Teaching activities	Teachers, educators, etc.	1 year	
Other purpose	<ul style="list-style-type: none"> - foreigners who are under a long term medical treatment and an attendant (if necessary) - managers of a company; - people who have come to Romania to get unpaid professional training from a licensed provider or a licensed company in the public or private 	1 year	You must prove you are in one of the situations in which you can ask for a right of residence for other purposes.

	sector - foreigners who carry out volunteer work		
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The temporary residence permit can be annulled or revoked by the Romanian Immigration Office if you are in one of the following situations:

- you obtained the right of residence without having met all the requirements or you used forged documents/false information to get this right;
- you have entered the country under fake identity;
- you have tried to illegally cross the border or smuggle into the country people who did not have the legal right to enter or reside in Romania;
- you have committed crimes on Romanian soil and you are believed to be a threat to public order;

- **You have a residence permit as a family member of a Romanian citizen and you were out of country for more than 6 months, within a calendar year.** In this situation, the residence permit automatically loses its validity and you will have to enter Romania based on a visa. The only exceptions are when you can prove you had to leave the country to: serve in the military, you were ill or pregnant, or there were some exceptional circumstances that did not allow you to return.

- you suffer from a disease that is a threat to public health, which you got prior to getting the right of residence in Romania and you refuse the medical treatment prescribed;
- you have an EU Blue Card but you do not have the necessary incomes to provide for yourself and your family at the level of the minimum national income. Also, the EU Blue Card can be revoked if, within the period of validity of the card, you have several periods of unemployment;
- you no longer observe the purpose for which you got a right of residence.

The long-term residence permit

The long-term residence permit is granted to those foreigners who domiciled in Romania for longer periods of time and meet the following conditions:

- they've had a right of continuous residence in Romania in the last 5 years⁶, before submitting the application (in these 5 years they have not been away for longer than 6 consecutive months or 10 months in total)⁷. If the purpose of the stay is education, then the period is halved.
- they have the means to support themselves accounting for at least the minimum national net salary, except for the foreigners who are family members of Romanian citizen, who do not have to make this proof.
- they have a social health insurance;
- they can prove they have a space to live in (owned, rented, free lodging, leased);
- they can speak Romanian at a satisfactory level;
- they are no threat to public order and national security;

The right of permanent residence can also be granted to the following categories of foreign citizen:

- holders of EU Blue Card who can prove they've been living in Romania in the past 2 years and that they've had continuous residence in an EU member country in the past 5 years;
- minors whose parents have the right of permanent residence (if only one of the parents has this right, then the consent of the other parent is needed);
- foreigners who can prove they have made investments worth minimum 1,000,000 Euros or have created over 100 full time jobs;

⁶ For those who benefit from a form of protection (refugees or people with subsidiary protection), this period is 4 years;

⁷ When establishing this period, half of the period of residence for studies is taken into account and are not taken into account the right of residence granted by the short residence visa, the diplomatic or work visa, or the right of residence for seasonal workers;

To check the list of documents that you must submit when applying for a long term residence permit, access the following link:

http://ori.mai.gov.ro/detalii/pagina/ro/Sedere-pe-termen-lung-in-Romania/79sau_adresați-vă_direct_Oficiului_Român_pentru_Imigrări.

The right of long term residence cannot be granted to the foreign citizens who, when the application is filed, are:

- bearers of the right of temporary residence for studies (residence permit for studies);
- asylum seekers or beneficiaries of temporary humanitarian protection or temporary protection;
- bearers of the right of residence granted by a short term residence visa, a diplomatic or a work visa.

A long term residence visa has a validity of 5 years, except for the family members of Romanian citizens, who will have a document valid for 10 years, and who will be able to ask for an extension.

A long term residence right can be annulled or revoked:

- if you get the right of long term residence on the territory of another state;
- upon request or when getting Romanian citizenship;
- if a long term resident, holder of an EU Blue Card, or family members of Romanian citizens have been absent from the EU, the EEA or the Swiss Confederation for more than 2 consecutive years.

▪ if you have been away from Romania for more than 12 consecutive months, except for the situation in which, during this period, you benefitted from a right of temporary residence in an EU member state;

▪ if you have been absent from Romania for a period longer than 6 consecutive years, even if during this period you benefitted from a right of temporary residence in an EU member state;

If you are in this situation, you will be able to ask for another long term residence permit only after you have uninterruptedly stayed in Romania for 12 months. During this interval, any person that has been

revoked the right of long term residence for any of the reasons mentioned above, will be able to apply for a right of residence for any of the purposes stipulated in EGO 194/2002 without having to leave the country to get a long term residence visa.

The rights of the holders of long-term residence permits:

- free access to the labour market (without a work authorization);
- access to all forms and levels of education and professional training, including scholarships;
- study equivalency and recognition of diplomas, certificates, competence certificates, professional qualification certificates, in keeping with the legal provisions in force;
- social security, social assistance and protection (e.g. social welfare, subsidies, etc.);
- public health care;
- global income tax deductions and tax exemptions;
- access to public goods and services, including to get a house;
- freedom of association, affiliation and membership to a trade union or professional association.

If somebody applies for a right of long term residence, and the application is turned down, they will continue to stay in Romania on the basis of the temporary residence right, which is not affected by the new application being rejected.

Irrespective of the type of residence permit you hold, it is important to file an application for its extension at least 30 days before the date on which it is due to expire.

WORK AND SOCIAL PROTECTION IN ROMANIA

The Romanian Immigrations Office (ORI) is the institution in charge of issuing documents that give foreigners the right to work in Romania. The nationals who are not citizens of another state member of the EU, the EEA or of the Swiss Confederation have the right to work in Romania, provided they observe legal conditions and obligations that are presented in this chapter.

5.1. Employment

If you wish to come to Romania as a permanent, seasonal, cross-border, skilled worker or intern, and you do not belong to the category of foreign citizens that do not need a work permit (e.g. members of a Romanian family, people that have permanent residence in Romania, people benefiting from a form of protection) or who are in Romania for another reason, which gives them the right to work (e.g.: students, people who have come to reunite with the family), you will have to go through the following stages:

1. to identify an employer on Romanian soil;
2. your employer must get a work permit for you;
3. to get a long term visa, based on a work permit and other documents, submitted to Romania's diplomatic mission in the state you are in (if you are already in Romania and benefit from a legal right of residence , you don't have to get this long residence visa);
4. based on the long term residence visa you will be able to enter Romania, for the same purpose put down on your long term visa;

For a foreign citizen to be employed in Romania by an employer that works legally, the following requirements must be observed⁸:

1. the vacant positions cannot be taken by Romanian citizens, citizens of other EU member countries, of the countries signatory to the Agreement

⁸ Art. 4 of GEO no. 56/2007 on employment and the posting of foreigners to Romania;

on the European Economic Area or foreigners who are permanent residents of Romania;

2. the foreign citizen must meet all the professional training requirements and must have the necessary experience and licenses requested by the employer in keeping with the legislation in force;

3. the foreign citizen must prove he/she is medically fit to carry out that activity and does not have a criminal record incompatible with the activity he/she is carrying out or is about to carry out in Romania.

4. the foreign citizen must fit in the annual contingent approved under Government ordinance;

5. the employer must have paid all its obligations to the state budget for the latest quarter;

6. the employer must really carry out the activity it requests a work permit for;

7. the employer must have never been sanctioned for undeclared work or illegal employment;

The law compels you to submit a statutory declaration attesting you have minimum knowledge of Romanian. It is good to check if in the company you are going to work for there are other people who speak your language or if you can benefit from the services of an interpreter.

You don't have to meet the requirements listed above if you belong to one of the following categories:

- you are the manager of a company that has foreign shareholders and you are the only person appointed to that position;
- you request a nominal work permit;
- you request a work permit for cross-border workers;
- you own the right of residence for studies.

5.2. Work authorizations

In keeping with the legislation in force⁹: *"Annually, a Government Decision establishes the number of work authorizations that can be issued for foreigners, in keeping with the provisions of the special*

⁹ GEO no. 194/ 2002 regarding the status of foreigners in Romania;

legislation regarding the employment and posting of foreigners in Romania." A work authorization is the official document, issued in keeping with the legal provisions in force, which gives its bearer the right to be employed or posted in Romania, with one employer and in one position¹⁰. This means that, if you are part of the category of foreign citizens who need a work authorization and you change your position, job or employer, you will need a new work authorization.

You do not need a work authorization if¹¹:

- you have the right of permanent/long term residence (established domicile) on the territory of Romania;
- you got a form of protection in Romania (refugee or subsidiary protection);
- you are a family member of a Romanian citizen and you have a residence permit that states this purpose;
- if you come from a country with which Romania has concluded bilateral agreements, conventions or understandings regarding the access to the labour market;
- if you carry out didactic, scientific, cultural or other specific temporary activities in accredited or temporary licensed line institutions in Romania, based on bilateral agreements;
- if you have a right of residence to carry out scientific research activities, you are part of the specialized staff, on the basis of the Education, Research, Youth and Sports Minister's Order and if you carry out artistic activities in cultural institutions in Romania, on the basis of the order issued by the Minister of Culture and National Heritage.
- if you are about to carry out temporary activities, requested by ministries or other bodies of the central or local public government, or by autonomous administrative authorities;
- if you are head of branch, representative office or outlet in Romania of a company based abroad, in keeping with the documents stipulated by the Romanian legislation in the field;

¹⁰ Art. 4 of Law no.157/2011 amending laws regarding the status of foreigners in Romania.

¹¹ Art. 5 of GEO no. 56/2007 regarding employment and the posting of foreigners to Romania.

- if you are employed by legal persons based in one of the countries members of the EU, the EEA or the Swiss Confederation, posted in Romania, provided you have a residence permit from that country;
- if you are an asylum seeker, after one year since the asylum application was filed, if you are undergoing the protection granting procedure;
- if you are at sufferance, for the period for which you were granted sufferance to remain on Romanian soil.

A work authorization is issued for a person to be accepted to enter Romania and to extend their right of residence for periods no longer than one year. The work authorization is issued by the RIM on your name, at the request of the employer.

A work authorization can be issued even if:

- you come from a country with which Romania has concluded agreements, conventions or understandings on visa waiving or for which Romania has unilaterally waived visas;
- you benefit from a right of temporary residence for family reunification, granted in keeping with the legislation regarding the status of foreigners in Romania;
- you benefit from a right of temporary residence for studies and you request employment based on a part-time (maximum 4 hours a day) individual employment contract;
- you are posted to Romania.

Students, foreign citizens who have a residence permit for studies are allowed to work for the duration of their studies, provided they observe the part time program - maximum 4 hours/day - and they need a work authorization. The fee that must be paid by the employer is smaller - the equivalent in RON of 50 Euros. The employer does not have to provide evidence regarding the observance of their fiscal obligations.

At the end of the education period, if the former student gets employed, in the field from which he/she graduated, can get a work visa **without having to leave Romania¹² and without the employer having to pay the fee.** The Romanian Immigration Office will issue the permanent (full-time) worker authorization based on the employment contract, without asking from the employer the documents needed for this type of authorization¹³.

¹² Art. 56, paragraph 10 of EGO no.194/2002: Foreigners who have a residence permit for studies can ask for an extension of the right of residence for work, after completing their studies, without having to get a long term residence visa for that, provided they have signed a full time employment contract, in the field they specialize in.

¹³ Art.15, paragraph 12 of GEO no.56/2007: foreigners who have a work authorization obtained in the conditions stipulated by art.4, paragraph 3, letter (work authorisations for foreigners who have a right of temporary residence for studies and want to work on the basis of a part-time individual employment contract), after completing their studies in Romania, are issued, at the employer's request, a new work authorization, without having to fulfil the conditions stipulated in art.7, paragraph 1 and without having to pay the fee stipulated in art.20, provided they have concluded a full time employment contract, in the field in which they are specializing.

Types of work authorizations that can be granted to foreigners:

Work authorization for permanent workers	Gives the holder the right to be employed based on the individual employment contract concluded for an indefinite or limited period of time, with just one physical or natural person in Romania, or with a branch or office in Romania of a foreign company.
Work authorization for posted workers	Gives the holder the right to carry out work, for a period of maximum one year within minimum 5 years, based on a posting decision by an employer, foreign legal person, to an employer legal person in Romania or branch/office in Romania of a legal person based abroad. Under the international agreements, conventions or understandings that Romania is a party to, the period for which the posted worker carries out an activity on Romanian soil can be extended, by observing the conditions and situations specifically stipulated by those conventions ¹⁴ .
Work authorization for seasonal workers	Gives the holder the right to be employed on Romanian soil for a period of 6 months at the most, within 12 months, with no possibility of extension for another job.
Work authorization for intern workers	Gives the holder the right to be employed in Romania for an internship, with the goal of getting a professional qualification.
Work authorization for athletes	Gives professional athletes the right to be employed by just one Romanian employer, whose main object of activity is sporting events, for a period of 12 months at the most, with the possibility of extension over new periods of time of up to 12 months.
Nominal work	Gives the holder the right to carry out seasonal activities, if he/she has previously carried out activities

¹⁴ Art. 6 letter B of GEO no. 56/2007.

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authorization	based on a work authorization for seasonal workers, at the same employer in Romania and observed the obligation to leave Romania when the previous individual employment contract expired, as provided by law.
Work authorization for cross border workers	Gives the holder the right to be employed on an individual employment contract for a period of time of up to 12 months, with the possibility of extension for periods of up to 12 months, by just one natural or legal person in Romania or by a branch/representative office of a legal person based abroad, if they return every day or at least once a week to the cross-border area of a state that has common border with Romania, where they are domiciled and whose citizens they are (eg. professional drivers)
Work authorization for highly skilled workers	Gives the holder the right to be employed, based on a valid employment contact, concluded for a period of at least a year, by a natural or legal person in Romania, for a job that entails high skills ¹⁵ .

When the work authorization is issued, **the employer must pay:**

- **the equivalent in RON of 200 Euro** for permanent, posted, cross-border, nominal workers, interns and athletes;
- **the equivalent in RON of 50 Euros** ¹⁶ for students and seasonal workers;

IMPORTANT: A work authorization cannot be granted to those foreigners who in the past 2 years have had the right of residence for commercial activities and have not observed the business plan stipulated

¹⁵ In keeping with art. 4 of Law no. 157/2011, a high skilled job is the job of a person who, in getting a paid, real and effective work, for the benefit or under the coordination of another person is paid and has the necessary competences, proved with high professional qualifications

¹⁶ These amounts were valid when the guide was published. Please check if they are still valid.

by the legislation regarding foreigners involved in economic activities in Romania¹⁷.

You can find details regarding the application for a work authorization, application analysis and issuance in EGO no. 56/2007. For further details go to the ORI web page:

<http://ori.mai.gov.ro/detalii/pagina/ro/Munca/73>. For each type of authorization there is a list of needed documents.

The application for a work authorization is analyzed and solved by the Romanian Immigration Office within 30 days since it was filed and registered. If additional verifications are needed to make sure all conditions are met, the deadline can be extended by up to 15 days. The application filed by a holder of **EU Blue Card** obtained in another Member State shall be solved within 15 days¹⁸.

IMPORTANT: the EU Blue Card is the residence permit for work, which gives the holder the right to reside and work on Romanian soil as an employee, in a skilled job. To get a work permit for highly skilled employers, the employer will have to provide a minimum monthly/annual salary at least 4 times the national gross average salary and will have to include in the application file the diplomas/certificates, recognized by the Romanian state, which prove the worker's skills and qualification.

A work permit can be cancelled by the ORI within 5 working days since:

- the employer's application is filed, as a result of the cancellation of the industrial relation between employer and employee, at the request of the first, or if the individual employment contract is terminated based on both parties' agreement, at the request of the employer or of the foreigner, at the end of the period for which the latter was posted in Romania.

¹⁷ Art. 43 paragraph 2, letter a) of GEO no. 194/2002, republished with the subsequent amendments

¹⁸ Art. 15 of GEO no. 56/2007 regarding the employment and posting of foreigners to Romania;

- the request of the foreigner, who decides to terminate the industrial relation;
- the notification of the competent authorities, in keeping with the legislation in force, if the foreigner was declared undesirable, was annulled or revoked the right of residence in Romania or if he/she no longer fulfils the conditions of employment;
- the employer does not pick up the work authorization from the ORI within 30 days since the application was solved;

According to GO 56/2007, the annulled work authorization shall remain at the Romanian Immigration Office, accompanied by an application for annulment and the documents attesting the termination of industrial relations.

The Office must be informed in case a work authorization is lost, within 3 days since the loss. The same deadline must be observed to notify the Office about a residence permit, granted on the basis of that authorization, having **been deteriorated or destroyed**.

If the foreigner's industrial relations cease before the period the work authorization was issued for expires, then he/she can get employed by another employer only if he/she gets a new work authorization. The application for a new work authorization must be filed by the new employer within 60 days since the cessation of the industrial relation was registered¹⁹. In this case, although the employer changes, the foreign citizen will be able to get a new work authorization, without having to leave the country.

If the employment contract you concluded with your employer is terminated and you cannot find a new job within 60 days, the work authorization gets cancelled, just like your right of residence. Therefore, you will have to leave Romania and get a new visa.

A long term residence visa for employment can be obtained within 30 days since the work authorization is issued, being granted by Romania's embassies and consulates. The long term residence visa can be issued, upon request, for a period of 90 days, for one or several trips, for the following purposes:

¹⁹ Idem.

- employment - if you are about to enter Romania for employment, based on an individual employment contract (symbol D/AM);
- economic activities - if you are about to carry out economic activities independently or part of some family associations (symbol D/AE);
- professional activities - if you have the right to individually carry out professions in Romania, under some special laws (symbol D/AP);
- commercial activities - if you are or you are about to become shareholders or associates with leadership and management responsibilities in company in Romania (symbol D/AC);

IMPORTANT: The visa fee is 120 Euros and has to be paid in the state you apply in, at the Romanian diplomatic mission that issues the visa.

This type of visa allows you, once you've entered Romania, to apply for an extension of the temporary residence right and get a residency permit. The list of documents necessary to get a temporary residence permit is posted at the local offices of the RIO in the county you live in or at:

<http://ori.mai.gov.ro/detalii/pagina/ro/Munca/73><http://ori.mai.gov.ro/detalii/pagina/ro/Munca/73>.

If you were granted or extended the right of residence in Romania, the Romanian Immigration Office will issue:

- a) a temporary residence permit for employment, for economic, professional or commercial activities, corresponding to the purpose for which you got the long term residence visa;
- b) the EU Blue Card for the holder of a valid work authorization for highly skilled employment, if granted, or, if applicable, you were extended the right of temporary residency and the right to work.

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IMPORTANT: In keeping with the legislation in force²⁰, any foreign citizen, while in Romania, must declare, at the ORI unit that granted them the right of residence, the following:

- a) any change in their personal situation, especially change of citizenship, solemnization, dissolution or annulment of marriage, child birth, the death of a family member in Romania;
- b) any modification related to its employment;
- c) any extension of validity or modification of the border crossing document;

The foreigner who changes domicile or residency must go to the Romanian Immigration Office unit at local level, to be registered and get the necessary annotations in their identification documents, within **15 days** since the change occurs.

If these requirements are not observed, the Romanian Immigration Office has the right to sanction the foreign citizen with a fine ranging from 100 to 500 RON, because this is regarded as contravention.

Posting

You got the status of **posted worker** ²¹ when you are a skilled foreign citizen, employed by a legal person based abroad and you carry out activities in Romania in the following situations:

- you are posted in Romania, under a contract concluded between the foreign company where you are employed (that decides the posting) and another companies operating in Romania²²;
- you are posted to a unit in Romania or the branch of a group of companies in Romania.

This doesn't mean you are not employed by a company in Romania, but your employment contract is concluded abroad, with a foreign company that runs activities based on a service provision contract with a company

²⁰ Art. 13, of EO no. 194/2002 on the status of foreigners in Romania;

²¹ Art. 2, letter g) of GEO no. 56/2007 on employment and the posting of foreign to Romania.

²² Art. 21 of GEO no. 194/2002 on the status of foreigners in Romania, republished with the subsequent amendments.

in Romania.

- The work authorization for posted workers can be obtained by:
- employer, legal person in Romania;
- a representative office or branch of a legal entity based abroad.

The work authorization for posted workers gives you the right to work for a period of maximum one year, within minimum 5 years, based on the posting decision issued by a foreign legal person employer, for an employer in Romania or a branch / representative office in Romania of a legal person based abroad. The right of residence can be extended for the period stipulated in the posting decision, but for no more than one year in an interval of 5 years²³. If there are international agreements, conventions or understandings that Romania is a party to, the period during which the posted worker works in Romania can be extended, under the conditions and circumstance expressly stipulated by them²⁴.

For posted workers to carry out their activities in Romania, they need a **long-term residency visa for posting**²⁵, identified by D/DT. For more details access: <http://ori.mai.gov.ro/detalii/pagina/ro/Munca/73>, where you will find a list of documents needed for this type of visa. The visa is obtained based on a work authorisation for posted workers, previously obtained by the company from which the workers are posted in Romania.

A long term residence visa for posting is granted to foreigners, upon request, for a period of 90 days, with one or several trips. The visa application must be accompanied by the following documents:

- a copy of the work authorisation issued by the RIO;
- proof of means of subsistence;
- health insurance, etc.

²³ Item 83 of Law no. 157/2011 amending and completing laws regarding the staufs of foreigners in /romania (modification of art. 56 paragraph 5 of GEO 194/2004).

²⁴ Art. 6 letter b) of GEO no. 56/2007.

²⁵ Art. 24, letter. d¹, GEO 194/2004 regarding the status of foreigners in Romania.

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For further details, approach the local units of the RIO.

Based on this visa, the Romanian Immigration Office will issue the **residence permit** based on an application filed within at least 30 days before the visa expires.

The work authorisation shall be cancelled by ORI within 5 working days since the employer's or foreigner's request, following the termination of the period for which he/she was posted in Romania.

You can find more details about posting in Romania in GEO no. 56/2007, Law no. 157/2011 and on the RIO's webpage <http://ori.mai.gov.ro/detalii/pagina/ro/Munca/73>

Carrying out professional activities

For professional activities you can be issued, upon request, a long term residence visa for 90 days, with one or several trips included - if you have the right to individually carry out a profession in Romania, based on special laws. You must fulfill the following conditions:

- you must prove you meet the legal conditions regulation the respective profession;
- you must prove that in the country of origin you carry out a profession that is similar to the one you intend to carry out in Romania.
- you must prove you have a medical insurance covering the entire period in which the visa is valid;
- you must produce a criminal record or a document that has the same legal status;

The long term residence visa for professional activities carries the symbol **D/AP**. The visa fee, when the guide was published, was 120 Euro. The fee is paid in the country where you file your application. For details see:

<http://ori.mai.gov.ro/detalii/pagina/ro/Activitatiprofesionale/72>

IMPORTANT: If you want to carry out a certain profession in Romania, you must start by checking whether the respective trade is

regulated by a special law¹. See the list of special laws at: [http://ori.mai.gov.ro/api/media/userfiles/Lista legi nonUE.pdf](http://ori.mai.gov.ro/api/media/userfiles/Lista_legi_nonUE.pdf).

For instance, the conditions in which architects who are third country nationals can get the right of signature in Romania and get registered in the National Board of Architects are set only through conventions concluded by the Romanian state with those states, in conditions of reciprocity. The professions of physician, dentist, and pharmacist are carried out in Romania by natural persons who have an official title of qualification in medicine/dentistry/pharmacy who are:

- husband to a Romanian citizen, as well as the lineal descendants and ascendants that a Romanian citizen provides for, irrespective of the citizenship of the first;
- beneficiaries of a status of long term resident (domicile) granted by one of the member states of the EU/EEA/Swiss Confederation;
- family members of a EU/EEA/Swiss Confederation citizen;

Moreover, some professions are only carried out in Romania by people who are members of the Professionals' Order in that field, based on the certificate of membership that certifies the holder's right to carry out that profession. Carrying out other professions, such as authorized translator, legal councillor or psychologist is limited strictly to the EU/EEA citizens.

The right to accede to a profession that is regulated, or carry it out in Romania, cannot be banned if the applicant proves they carried out the profession in question for 2 years, uninterruptedly, in the past 10 years, prior to carrying it out in a European state where that profession is not regulated, if they hold one or several titles of professional qualification granted by a competent authority in a member state, which certifies the holder was trained and is qualified to carry out that profession.²⁶

²⁶ This right applies in the conditions stipulated by EC Directive 2005/36/ of the European Parliament regarding the recognition of professional qualifications .

In order to see which are the conditions in which you can carry out professional activities in Romania, you need to check these laws and the procedures under which diplomas and qualifications can be recognised. For further details see the National Centre for Diploma Recognition and Equivalency (<http://www.cnred.edu.ro/>) and the National Union of Liberal Professions in Romania (<http://www.uplr.ro/principale.html>).

Carrying out economic and commercial activities

Upon request, you can be issued a long term residency visa for 90 days, with one or several entries, for you to:

- carry out economic activities - if you are to carry out economic activities independently or part of some family associations;
- carry out commercial activities - if you are or are about to become a shareholder or associate with leadership and management responsibilities in a company/business in Romania.

A long term residency visa for economic activities has the symbol **D/AE**, and the one for commercial activities has the symbol **D/AC**.

In order to get a visa for economic activities, a foreigner must fulfil the following conditions²⁷:

- to provide evidence of them having fulfilled the conditions regarding the certification of professional training, as stipulated by the law on natural persons organizing and carrying out economic activities;
- to have a medical insurance that covers the period of validity of the visa;
- to provide the criminal record or other document that has the same legal status;

²⁷ Art. 41 of GEO no. 194/2004 regarding the status of foreigners in Romania.

For details regarding visa and residence permit granting see: <http://ori.mai.gov.ro/detalii/pagina/ro/Activitati-comerciale/71>. In keeping with the Romanian legislation, you must observe the purpose for which you were granted the right of residence. This means that, if you have a work authorisation, you cannot apply for a right of residency for economic activities and the other way round.

5.3. Labour conditions in Romania

According to the law, based on a work authorization, you can be hired on an individual employment contract or you can be posted in Romania.

The individual employment contract

The Romanian *Labour Code* contains regulations about all industrial relations, the control of regulation enforcement in the field of industrial relations and labour jurisdiction²⁸. The provisions included in the Labour Code also apply to the foreign citizens or stateless people who are employed on an individual employment contract and work for a Romanian employer on Romanian soil.

The rights and obligations regarding the industrial relations between employer and employee are set, through negotiations, in the collective and individual employment contracts. In Romania, a person is allowed to work starting with the **age of 16**, and those who are 15 can work with the parents' approval.

The individual employment contract is concluded based on the agreement of both parties (employer and employee), in writing, in Romanian. The obligation to draw up the individual employment contract in writing is that of the employer, prior to the start of the industrial relations.

According to the law, for the employment contract to be valid, it has to be drawn up in writing. Also, it has to be registered in the employees' registry, which is communicated to the Territorial Labour Inspectorate (ITM). The employer has the obligation to provide you with a copy of the employment contract.

²⁸ Art. 1 of Law no. 40/2011 amending and completing Law 53/2003 - Labour Code;

Prior to signing the contract, you must carefully read the clauses it contains. The individual employment contract must be concluded in two copies, one for you and one for the employer. Before concluding or amending the individual employment contract, the employer must inform²⁹ you about the main clauses that they intend to include in the contract or to modify.

The work authorization is valid for the entire duration of the individual employment contract, when industrial relations continue in the same position and with the same employer.

According to the individual employment contract framework form³⁰, the contract must include the following elements³¹: the parties to the contract (employer and employee), job, position/occupation, length of contract, length of work, length of the annual holiday, salary, the normal length of work in hours/day and hours/week, the collective employment contract that regulates the work conditions, the length of the trial period (maximum 90 days for execution positions and 120 for leadership/management positions), special clauses (regarding professional training, confidentiality, non-competitiveness, mobility, etc.), general rights and obligations of the parties.

In the appendices to this Guide you will find the main elements of an individual employment contract.

²⁹ According to art. 19 of the Labour Code: If the employer fails to fulfil the obligation to inform the employer/employee to be, the latter has the right to inform the competent court within 30 days since information should have taken place, and to ask for damages corresponding to the prejudice it suffered.

³⁰ Order of the Ministry of Labour, Family and Social Protection no. 1616/2011 regarding the modification and completion of the framework - model of the individual employment contract, stipulated in appendix to the Order of the Minister of Labour and Social Solidarity no. 64/2003.

³¹ According to art. 17, paragraph 4 of the Labour Code: the elements of the information that the employer must provide regarding the main clauses of the labour code must be included in the individual employment contract.

An individual employment contract's clause cannot contain provisions that run counter to the law or rights that are under the minimum level set by law or by collective employment contracts. Employees cannot give up the rights they are entitled to by law. Any clause that stipulates that employees give up their rights or agree for their rights to be limited shall be null and void.

If you are an employee in Romania, basically **you are entitled to:** salary for the work done, daily and weekly rest, annual holiday, equal opportunities and treatment, dignity at work, safety and security at work, access to professional training, information and consultation, protection in case of lay off, collective and individual bargaining, participation in collective actions, the right to set up or join a trade union, other laws provided by law or by the applicable collective employment contracts.

A person can be employed only based on a medical certificate, which certifies the fact that the holder is fit to carry out that work. Otherwise, the contract is null.

According to the Labour Code, employees **have the following obligations:** to meet the set workload or, if applicable, to fulfil the responsibilities they have according to the job description, to observe work discipline, to observe the provisions included in the internal rules and regulations, in the collective and individual employment contracts, loyalty to the employer in carrying out job related activities, to observe the work safety and security measures, to observe the labour secret, other obligations provided by law or the applicable collective employment contracts.

Relating to the workers' rights, the Labour Code also stipulates **the employer's obligations:** to inform the employees about the work conditions and the elements regarding industrial relations, to always ensure the necessary work conditions, to grant employees all the rights stipulated by law and the individual and collective employment contracts, to regularly inform the employees about the economic and financial situation of the company, except for secret information, which could harm the activity of the company. The periodicity of information is established through negotiation and is set in the applicable collective

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employment contract. Other obligations: to consult the trade union or employees' representatives about decisions that may affect the workers' rights and interests, to pay all contributions and taxes resulting from the contracts concluded with the employees, to release, upon request and free of charge, all the documents attesting the applicant's status of employee, to ensure the confidentiality of personal data.

Posting

Posting is an order by which an employee must temporarily change their work place, to another employer, to carry out work for the benefit of the employer. This can be done for a period of maximum one year, based on the individual employment contract you concluded and the posting document.

Unlike posting abroad, which is done based on the work authorisation for the purpose of posting, this type of posting is about **a temporary change of the work place, from one Romanian employer to another.**

Salary

For the work done based on the individual employment contract, each employee has the right to a salary in money. Any discrimination based on gender, sexual orientation, genetic traits, age, nationality, ethnicity, religion, political options, social origin, disability, family situation or responsibility, trade union membership or activity is forbidden when establishing and granting a salary.

The salary includes the base salary, indemnities, bonuses and other additional amounts, and it has to be paid before any other payment that the employer has to make. An employer cannot negotiate and establish, under the individual employment contract, base salaries that are lower than the minimum salary guaranteed at national level.

The salary stipulated in the individual employment contract is most of the times **the gross salary**, which is the employment or the base salary. At the end of a period of work, **you will get the net salary**, which is the amount of money that the employee gets *after the subtraction of* social insurance contributions, salary tax, etc. *which are obligations*

stipulated by law. Usually, the employer tells you the net salary before you get employed, but it is better to check whether the amount you expect to get in cash or in your bank account is the same with the one you were told about. Besides the salary, you can get an individual food allowance, in the form of **meal tickets**³², fully paid by the employer.

IMPORTANT: If you have an employment contract, you do not have to personally pay for health insurance; the employer must pay the necessary contribution to the health insurance house. Proof of health insurance is any certificate of employment issued by the employer, certifying that contributions to the public health insurance system are paid.

Working time and resting time

For the full time employees, the normal working time is 8 hours a day, which means 40 hours per week. The legal maximum cannot exceed 48 hours per week, including overtime³³. People under 18 are only allowed to work 6 hours per day/30 hours per week.

For certain sectors of activity, units or professions, a daily working time shorter or longer than 8 hours can be established through collective or individual bargaining and also by means of specific legislation. If the full working time is 12 hours, there has to follow a 24 hour rest.

Work done outside the normal working time is overtime. Overtime is only allowed with the employee's approval, except for cases of force majeure or urgent works for the prevention of accidents or for removing the consequences of an accident.

Supplementary work shall be compensated by free hours paid within 60 calendar days since the work is done.

³² Meal tickets give the holder the right to buy foodstuff of the value written on the ticket. In keeping with the current legislation in force, they can be considered deductible expense or non-taxable income for the employer.

³³ By exception, the length of the working time, which includes overtime, can be extended beyond 48 hours a week, provided the average of working hours, calculated over a reference period of 4 calendar months, does not exceed 48 hours per week.

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Work carried out between 10 pm – 6 pm is night work. Night-shift employees benefit from³⁴:

- a) either a one hour shorter time as to the normal working time, for the days on which they carry out at least 3 hours of night work, on the same salary;
- b) or a bonus accounting for 25% of the base salary, if the night work lasts at least 3 hours;

Legal holidays are free of work: January 1st and 2nd, the first and the second day of Easter; May 1st, the first and second day of the Pentecost; the Assumption day, December 1st, the first and the second day of Christmas, 2 days for each of the 3 annual religious celebrations, declared as such by religious denominations other than the Christian ones, for those who belong to these denominations.

You benefit from the right guaranteed for all employees to an annual paid holiday of minimum 20 working days; this right cannot be limited or annulled under a contract clause.

Workload

Workloads are established by the employer, in keeping with the legislation in force. If there are no such laws, workloads are established by employers with the approval of trade unions or employee representatives.

If you believe that your workload is too big, you can discuss this with the trade union or you can approach the Territorial Labour Inspectorate (ITM) or the Labour Inspection (IM). <http://www.inspectmun.ro/>.

Work Health and Safety

According to the Labour Code, the employer has the obligation to:

- insure all employees for work accidents and occupational diseases;

³⁴ Art. 126 of the Labour Code

- periodically organise employee training on work health and safety;

If you are employed on an individual employment contract by a company in Romania, you automatically benefit from a work accidents and occupational diseases insurance, through the Occupational Health Service³⁵. You are entitled to this type of benefit and insurance starting the date on which the employment contract was concluded, until the contract expires. In case of occupational diseases, the right to insurance benefits and services is maintained after the industrial relations end or the individual insurance contract expires.

Work accident - it's a violent damage or harm to the body, as well as the occupational acute intoxication, which happen during work or as a result of carrying out professional duties and which results in temporary work incapacity of at least 3 calendar days, invalidity or death. Also, a work accident is the accident that occurs during and along the normal route from the workplace to work and the other way round, as well as the accident caused by activities that are not related to work, but occur at the employer's headquarters during the working time and it cannot be blamed exclusively on the injured.

In keeping with Law no. 319/2006 on work health and security, **occupational diseases** are those ailments that appear as a result of carrying out a trade or profession, caused by damaging physical, chemical or biologic factors specific to the work place, as well as oversteering various body parts or systems during work. According to the law, impairments suffered by pupils and students during practical training are also occupational diseases.

If an event (work accident) occurs, the Labour Inspection or the Territorial Inspectorate shall submit a copy of the original file compiled as a result of the investigation carried out by the Labour Inspection to the

³⁵ Art. 189 of the Labour Code presents the main responsibilities of the occupational physician: a) to prevent work accidents and occupational diseases; b) to effectively supervise hygiene and working conditions; c) to ensure the employees' medical check-ups, both upon employment and during the entire validity of the individual employment contract.

diplomatic mission or consulate of the country of origin of the injured person.

The employer must provide the necessary conditions for each worker to get enough and proper training on work health and safety, especially in the form of information and work instructions, specific to their job and workplace:

- upon employment;
- when changing the workplace or in case of transfer;
- when introducing a new equipment or the existing equipment is modified;
- when carrying out special works;

People insured for work accidents and occupational diseases are entitled to the following benefits and services:

- medical rehabilitation and recovery of work capacity;
- professional rehabilitation and retraining;
- indemnity for temporary work incapacity;
- indemnity for temporary transfer to another workplace and indemnity for shorter working time;
- reimbursements;

The employer must declare all work accidents and occupational hazards to the ITM, and, in certain situations, also to the insurance house and the criminal investigation bodies. Declaring the accident cannot have negative repercussions on the injured person. Failure to declare the work accident can deprive the injured of the right to get proper medical care and the subsequent rights and benefits.

You can find more details about work health and safety at the ITM, which has offices in the county capital cities, at the Labour Inspection or in Law no. 319/2006 on work health and safety.

5.4. Other contractual forms (besides the individual employment contract)

As a citizen of a third country you can carry out other activities which, although will not be carried out as industrial relations, can result in additions to your income. You can carry out an activity by ceding

royalties and related rights, under Law no. 8/1996 on royalties and additional rights, with the subsequent amendments and completion³⁶, or you can carry out activities based on a service provision contract. Currently, there are ongoing discussions regarding the legality of civil conventions and, instead of them, individual employment contracts for part-time work are recommended. If you contribute to an intellectual work in Romania, you can be paid based on a special contract, mentioned above - **royalties' assignment agreement**.

(!) No other type of contract allows you to extend a visa/residence permit for work, because it cannot replace an individual employment contract, which guarantees payment of medical and social benefits.

Carrying out occasional activities as daily workers

The recent national legislation³⁷ regarding occasional work carried out by daily workers regulate the relations between people fit to work who carry out unskilled, occasional work, and various legal persons, called beneficiaries. Natural persons, Romanian or foreign citizens, are allowed to carry out occasional work, as provided by law. The fields in which occasional activities can be carried out are: agriculture, hunting and fishing, bee-keeping, animal farming, entertainment, cinematographic and audio-visual productions, advertising, cultural activities, handling of merchandise/freight, cleaning and maintenance.

A work contract must be concluded between the daily worker and the beneficiary, and the duration of the occasional activities carried out for the same company cannot exceed 90 days per year. The one who hires daily workers must inform the Daily Workers Registration Office, pay 16% income tax on the gross salary, provide training and information regarding the activities daily workers are about to perform and ensure proper work and safety equipment.

³⁶ According to the law, original works in the literary, artistic or scientific field are protected by royalties, no matter the way they were created and irrespective of their value and destination.

³⁷ Law no. 52/2011 regarding occasional activities carried out by daily workers.

For the activities they carry out, daily workers are entitled to a remuneration of minimum 2 RON/hour and maximum 10 RON/hour³⁸, which is paid at the end of each day of work, before the workers sign in the Daily Workers Registry.

The activity carried out does not render the daily worker the quality of insured of the public pensions system, or of the social security system for unemployment and health-care. If daily workers want to have these benefits, they can pay the contributions to those funds individually.

5.5. Illegal work

Carrying out work without an individual employment contract and without observing the related clauses in the mandatory legislation is illegal work, which has lots of disadvantages for workers.

Upon employment, to make sure you have an individual employment contract, drawn up in keeping with the legal provisions in force, make sure that:

- the contract contains the clauses you agreed upon together with the employer;
- the two copies are signed by you, the employer, have the company seal and the registration number as put in the employers' general registry;
- you get a copy, in the original;

The contract, once signed, can only be amended/ modified with your approval. A contract that you signed, but is not signed and sealed by the employer, has no legal value

Illegal work, also known as black market work, poses a lot of risks: the employer may pay you very small wages, way below the minimum legal value and the level corresponding to your skills and workload; there is no set pay day; there is no set work schedule, in keeping with the legal provisions in force; there is no clearly established workload; you do not have work and protection equipment; you have no right to a holiday; you cannot get any unemployment benefits; you

³⁸ Provision in force on the day when the guide was published.

cannot get invalidity pension in case of work accidents; you do not get unemployment benefits; you do not get free hospitalization when you need it; you do not get subsidized medicine, as the employer has not contributed to the social security funds, etc.; Moreover, as you do not have a legal employment contract, you may be denied the extension of the right of residence in Romania, except for the situation in which you have another right of residence, other than for work or posting.

A toll-free phone line was activated in 2011, for notifications regarding illegal work. You have access to this line by calling the green number **0800868622**, only in the landline telephony networks.

5.6. Settling conflicts related to rights and duties deriving from individual employment contracts

Ask for clarifications from your employer, in case you think you are not granted one or several rights guaranteed by the labour legislation. It is possible that the employer does not know you have been deprived of some rights. Asking for clarifications may lead to solving potential labour conflicts.

Ask for the support of the trade union in the company in relation to your rights at the workplace and the options you have to protect them.

Notify the Territorial Labour Inspectorate or the Labour Inspection in case of violation of the legal provisions regarding industrial relations (illegal work, unpaid or excessive work, failure to observe the rights regarding legal holidays and weekly rest, a different salary than the one stipulated in the employment contract, illegal clauses in the contract, etc.)

Notify the court in your area of residence to settle work conflicts³⁹ over the conclusion, implementation, modification, suspension and termination of individual/collective employment contracts, etc.

³⁹ The cases involving labour conflicts are settled as urgent matters.

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If your rights that result from an employment contract are violated, it's good to resort to a legal advisor or solicitor as soon as possible, because you can sue the employer only within a certain period of time. Also, you can resort to the trade union to get advice about the way in which you can best protect your rights.

The timeframes within which you can refer the case to court are: 30 calendar days since the employer's unilateral decision regarding the conclusion, implementation, modification, suspension or termination of the individual employment contract; 30 calendar days since the day when the disciplinary sanction is communicated; 3 years since the day on which the action occurred, if the object of the individual work conflict is the non-payment of owed salary or damages to the employee, as well as in case of patrimonial liability; during the entire existence of the contract, if the notification of nullity is requested for an individual/collective employment contract or some of its clauses; within 6 months since the date on which the action occurred, in case the collective employment contract (or some of its clauses) is (are) not executed/implemented.

In all situations, other than those mentioned above, the deadline is 3 years since the right becomes valid.

The body competent to settle work conflicts is the court in the area of residence/domicile of the one that files the complaint.

The labour code also establishes other rules in case of work conflicts:

- cases regarding work conflicts are exempt from stamp duty and judicial stamp and shall be tried urgently;
- trial dates cannot exceed 15 days;

These provisions are valid only in the case of employment contracts concluded in Romania. If you are posted from a third country, the labour conflict will be settled in keeping with the Romanian legislation only if your employment contract clearly stipulates that.

Ask for the support of the Ombudsman. Any natural person, irrespective of citizenship, age, gender, ethnicity, religion or political

beliefs, whose citizen rights and freedoms have been violated by local public authorities can resort to the Ombudsman for support.

The Ombudsman covers the following fields of activity:

- human rights, gender equality and equal opportunities, religious denominations and national minorities;
- child's rights, family/youth/pensioners rights, the rights of the disabled;
- army, justice, police, penitentiaries;
- property, work, social security, taxes and fees;

You can approach the Ombudsman ⁴⁰ for problems relating to actions by the local public authorities that violated your rights and freedoms as a natural person. The claim addressed to the Ombudsman is exempt from stamp duty. Anonymous claims are not registered. The Ombudsman must inform the claimant the way in which their claim was settled, which can be made public, through the media, with the consent of the claimant and by observing all regulations regarding classified information and documents.

For more details see: http://www.avp.ro/

5.7. Employment agencies

There are many ways in which a company in Romania can recruit workforce from abroad. In most cases, it will resort to another specialized recruitment agency in Romania or in your country, which will do whatever is necessary to identify the individuals that are the best for the available jobs. If you want to work in Romania, when you contact an agency you should check:

- if the agency is legally registered or authorized to carry out such activities;
- if you were presented both versions of the employment contract (in your language and in Romanian) and if their content is identical. You must not forget that in Romania there is a standard

⁴⁰ The institution has 14 operational territorial offices, organised in the area of jurisdiction of the courts of appeal, offices that have the same attributions as the Ombudsman.

employment contract form, approved by the government (in the appendix to this guide you will find the essential elements of an individual employment contract); in Romania, employment contracts must be concluded in Romanian.

- The contract must be drawn up in writing, must be signed by you and by the company that hires you. One copy of the contract, signed by both parties, in Romanian and in your mother tongue, must be handed over to you, personally. Once the terms of the contract agreed and confirmed in writing, they cannot be changed without your approval;
- if you understand the contract and other documents that you are supposed to sign;
- which are the legal provisions regarding the number of work hours per day and per week, payment of overtime, of holidays and medical leaves of absence;
- Which is the net salary, in what currency it was established and at what exchange rate (in Romania, salaries are only paid in RON;)
- Who pays for transport, accommodation and meals, which are the housing conditions, if you benefit from medical insurance and in what conditions. You must know, for example, that, in case you are hospitalized, unless you have a medical insurance that covers these costs, expenses in Romania can be much higher than in your home country;
- If you have enough information about employment in Romania, that is if foreign workers are allowed to occupy the job/profession you are interested in and which are the conditions in which you can access the labour market, if you need a work permit before starting work, who is supposed to get this authorization, various costs;
- **If you have been returned your passport and you got the residence permit and the work permit (which must stay with you). Nobody else has the right to keep or retain these documents!**

You must not forget that, usually, the contract you sign with an employment agency is a civil contract and not an employment contract. Under this contract, the company that recruits you commits itself to

finding you a job abroad, in exchange for a fee. Conflicts over this type of contract can only be settled in court. The civil contract signed with the recruiting agency must be accompanied by the employment contract with the company that employs you in Romania. The exception is the situation in which the company that recruited you employs you and posts you to Romania.

If you are employed in Romania, the individual employment contract must be concluded in Romanian. You must make sure you have correctly understood its provisions! If you are posted, the contract is concluded in the language agreed together with your employer.

acestua! You should not accept just a verbal translation of the document. You should ask for a legal translation of the contract and keep the copy of this translation with you.

5.8. Trafficking in human beings

Human trafficking is a violation of human rights, which harms the dignity and integrity of a human being. It is defined as “recruiting, transporting, transferring, sheltering or receiving people, through threats or use of violence or other forms of coercion, through kidnapping, fraud, abuse of authority or of other state of vulnerability or by offering or accepting payment or advantages in exchange for a person's consent with the goal of exploiting that person.”

Trafficking in migrants means facilitating, with the aim of getting a direct or indirect material or other types of benefits, the illegal entry of a person from another party-state, that the person is not a citizen or permanent resident of.

Human trafficking⁴¹ entails the exploitation of another person, for various purposes, among which work exploitation, sexual exploitation, organ harvesting, etc.

⁴¹ Law no. 678 of 2001 regarding the prevention and combatting of trafficking in human beings, updated, provides, starting with Section I, the crimes related to human trafficking. Those who are harmed by the crimes referred to in the law, as well as other victims of

Romania facilitates the return of foreign citizens, victims of human trafficking, to their country of origin, with no unjustifiable delay, and ensure their safe transportation up to the border of the country, unless provided otherwise in bilateral agreements. The foreigners who are victims of human trafficking can be accommodated in special centres, without them having to be taken in public custody. To this end, the management of these centres set special areas, separated from those foreigners who have been taken in public custody. The foreigners who are victims of human trafficking are informed, in a language they can understand, about the legal and administrative procedures applied in their case, and may benefit from psychological counselling, medical and social assistance, as well as medicine and food, just like the victims who are Romanian citizens.⁴²

The foreigners who are very likely to be victims of human trafficking benefit from **a period of recovery and reflection of up to 90 days**, for them to get better, get out of the perpetrators' influence and make an informed decision about cooperation with the competent authorities. During this time, the Romanian Immigration Office, at the court's or prosecutor's request, **grants them tolerance for residence on Romanian soil, so they can get a temporary residence permit**. The underage foreigners who accompany the victims or who are victims themselves, fall under the provisions regarding the status of foreigners in Romania.

For further details approach the National Agency against Trafficking in Persons (ANTIP): <http://anip.mai.gov.ro/en> or the NGOs that work with victims of trafficking.

5.9. Social Security

In the public system, social security benefits are incomes that replace, partially or fully, the salary, due to: old age, invalidity, accident, disease, unemployment, maternity, death, etc.; these are **insured risks**.

these crimes, are granted special protection and physical, psychological, medical, legal and social support.

⁴² Art. 37 of Law no. 678/2001.

As provided by law, the employer must calculate and pay, on a monthly basis, the social security contributions they owe to the state-owned social security budgets, together with the individual contributions retained from the insured.

Social security contributions are established every year, through the social security budget. For the year 2012, **employers'** rates were established as follows:

Type of benefit	Contribution for 2012
Pensions and other social security benefits	<ul style="list-style-type: none"> • normal working conditions - 20.8% • different working conditions - 25.8% • special working conditions - 30.8%
Work accidents and occupational diseases	0.15 – 0.85%
Health	5.2 %
Leaves of absence and health-care insurance	0.85%
Unemployment	0.5%
Guarantee fund for payment of salary debts	0.25%

The individual social security contributions paid by **employees** who have incomes based on an individual employment contract are:

Type of benefits	Contribution for 2012
Pensions and other social security rights	10.5%
Health	5.5%
Unemployment	0.5%

The calculation baseline for social security contributions paid by employees is the monthly gross salary.

For any person employed on an individual employment contract, the payment of these contributions is compulsory for employers. Posted individuals do not pay social security in Romania that is why it is recommended that posted workers conclude individual health insurances, in keeping with the Romanian legislation, to benefit from medical care in Romania while working as posted workers in this country.

Pensions and other social security rights

If you have a permanent or temporary residence permit that is not conditioned on carrying out certain activities in Romania (e.g. Romanian citizens' family members) and you meet the legal requirements, you can benefit from all the rights guaranteed by the Romanian social security law. Generally speaking, these conditions are about the minimum rate of contribution to the public pension fund and other social security rights, as well as the standard age at which one is entitled to get a pension.

The up to date contributions to the public pension fund are taken into consideration when establishing the social security rights, as well as the insurance periods covered or recognized in other countries, in conditions regulated by international legal tools that Romania has adopted and/or EU regulations.

There are five types of pensions in Romania: age pension (the standard retirement age in 65 for men and 63 for women), early retirement pension, partial early retirement pension, invalidity pension and survivor's pension⁴³.

Social security rights in the public system in Romania, and the related benefits, can be transferred to the countries where the insured have their domicile or residence, in the conditions regulated by international agreements or conventions that Romania is a party to. Besides pensions, there are also social security benefits for spa treatment, holiday tickets for the insured, death aid, when the insured, the pensioner

⁴³ Art. 51 of Law no. 263/2010 regarding the unitary system of public pensions;

or a member of their family dies ⁴⁴, to which you have access as provided by law.

For further details see the web page of the National Pensions House:
<http://www.cnpas.org/portal/mediatype/html/language/ro/user/anon/page/default.psml?language=en> and Law no. 263/2010 on the unitary public pension system.

Unemployment benefits

The foreign citizens or stateless individuals who, while residing in Romania, are employed or generate incomes, as provided by law, can be insured in the unemployment security system⁴⁵.

To get unemployment benefits you must fulfil the following conditions:

- to have contributed at least 12 months in the past 24 months prior to the date on which the application for unemployment benefits was registered;
- to generate no incomes or to have incomes from authorized activities that are lower than the social security indicator⁴⁶ in force;
- you do not meet the retirement conditions;
- you are registered with the employment agencies in the area where you reside, if your latest job was in that town or city or you got income there;

The rights you benefit from in the unemployment social security system in Romania can be transferred to the countries in which the insured are domiciled, under the conditions stipulated in the international conventions and agreements that Romania is a party to⁴⁷.

⁴⁴ Art. 121 of Law no. 263/2010 regarding the unitary system of public pensions;

⁴⁵ Art. 16, letter e) of Law no. 76/2002 regarding the system of unemployment security system and boosting employment;

⁴⁶ When the guide was published, the indicator was 500 RON.

⁴⁷ Unemployment benefits can be paid in other EU member countries, in keeping with the EU provisions regarding social security benefits for employees, independent workers

IMPORTANT: People who, on the date on which they ask for the right to get unemployment benefits, refuse a job that fits their training or education, or refuse to participate in occupation stimulation and professional training services offered by employment agencies, do not get unemployment benefits.

Unemployment benefit is granted to unemployed people, for periods of 6 to 12 months, depending on how long they contributed to the unemployment fund (1-10 years). The amount received as unemployment aid varies depending on the length of the contribution period and starts from 75% of the value of the basic social security indicator in force.

You can find more about unemployment benefits on the web page of the National Employment Agency www.anofm.ro or in the specific legislation: Law no. 76/2002 regarding social security for unemployment and stimulation of employment. For details about private providers of professional training, see the web pages of the county employment agencies and CNFPA www.cnfpa.ro.

and their family members, who travel inside the EU, as well as the measures adopted for the implementation of these EU regulations.

STARTING A BUSINESS IN ROMANIA

If you are a third country national and you want to start a business in Romania, you can do that in two situations:

- When you are about to get a right of residence in Romania (for the purpose of carrying out commercial activities);
- When you have a right of temporary or permanent residence in Romania.

When you are to get a right of residence in Romania for the purpose of carrying out economic activities

If you are a foreign citizen, you can get a right of residence in Romania for economic activities, by observing the legislation in force.

In order to get a visa for commercial activities, you must get the approval of the Romanian Centre for the Promotion of Trade and Foreign Investment. The approval is also necessary when you are a shareholder or associate with leadership or management responsibilities in a company, a Romanian legal entity, that is about to make an investment.

The Romanian Centre for the Promotion of Trade and Foreign Investment will give you the approval ⁴⁸ only if:

- You present a business plan that includes data about: ID of the company, its field of activity, object and value of the investment, the estimated number of new jobs and the stages in their creation, the stages of the investment process and the related amounts of money, location of investment, duration and return of the investment, financial projections spanning at least 3 years;
- You provide evidence, by means of a bank statement issued by a bank in Romania on your name, that you have the necessary funds to carry out your activity, amounting to at least 100,000 Euros for the foreigners who are associates in a limited company and at least 150,000 for the foreigners who are shareholders in a joint-stock company.

⁴⁸ Art. 43 of GEO no. 194/2004 regarding the status of foreigners in Romania.

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- Within 12 months since getting the residence permit, you will make an investment according to the business plan you presented, bringing an equity or technology contribution of at least 100,000 Euros for a limited company, and at least 150,000 Euros for a joint-stock company;
- Within 12 months since getting the residence permit, the activity entailed by that investment will create at least 10 new jobs for a limited company and 15 for a joint-stock company;

The approval of the Romanian Centre for the Promotion of Trade and Foreign Investment is **valid 6 months** since it was issued and it is aimed at proving the fulfilment of the technical requirements for the investment that is to be made and implemented by the foreign citizen.

If you observe all these conditions you can get from the Romanian Immigration Office the residence permit that allows you to carry out commercial activities, therefore to do business in Romania.

When you have a right of residence in Romania

The foreign citizens who have a right of residence in Romania may start a business, by setting up a company. Companies based in Romania are Romanian legal entities.

The law⁴⁹ provides for several types of companies: a) unlimited company; b) limited partnership; c) partnership limited by shares; e) limited liability company;

Of them, the most common is the limited liability company - SRL, as it is the only one that can be set up by just one person⁵⁰ - **sole partner**. The maximum number of associates in such a company is 50. In order to set up a SRL, the registered capital must stand at minimum 200 RON.

A natural or legal person can only be a sole partner in a SRL. A limited liability company cannot have another SRL, made up of just one person, as sole partner.

⁴⁹ Art. 2 of Law 31/1990 regarding businesses, revised;

⁵⁰ Art. 5, paragraph 2 of Law 31/1990: a limited company can also be established through the will of just one person.

To set up a company you have to take the following steps:

- to reserve the name of the company, at the Trade Registry's National Register or its county offices⁵¹;
- to draw up two documents: **the articles of incorporation** and **the status**. These documents must include: the company's identification data (address, name, contact information), number of associates, the conditions in which the company exists, the contribution of each associate, the way in which profit and loss are distributed, etc. One important element is the **scope of activity**. It includes the field of activity, the main activity (object of activity) and secondary activities. These activities have a CAEN code⁵² (one for the main activity and more for the secondary ones);
- to get evidence regarding the control (of the registered capital). The value of the registered capital varies, depending on the type of company you want to set up. For a SRL (with limited liability), the capital is minimum 200 RON, for a joint-stock company or a partnership limited by shares, it cannot be lower than 90,000 RON. You can make this proof by presenting a bank statement, issued right after opening the company's account;
- getting a fiscal record for the sole partner or for associates. The Public Finance Administration in the sector/county you reside issues these records. To get this document you have to personally - or through power of attorney - submit the following documents: an application form, a copy of the rap sheet⁵³ and a fee that you can pay at the public finance administration headquarters. If it's an emergency, you are issued the fiscal record right away;
- proof of having a space for the registered office. This can be either a lease contract, registered at the Tax Office in the area the rented place

⁵¹ The Trade Register is organised into two levels: the local level, represented by 42 territorial offices, subordinated to the National Office of the Trade Register, which operate with every court. The national level is represented by the National Office of the Trade Register, subordinated to the Ministry of Justice.

⁵² CAEN is the acronym used for the national statistical classification of economic activities in Romania. For instance, intercity passenger transportation on the railway has the code 491.

⁵³ Criminal records are issued by the police precincts in the area your domicile/residency is.

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is, or a sale contract. Also, you can use a sub-letting contract, a bailment contract, etc. To that you must add the approval of the tenants' association - if the case may be, the neighbours' approval - if the case may be;

The above mentioned documents, together with copies of associates' IDs/passports, the associates' approval, specimen signatures, proof of paid fees must be submitted to the Single Office within the Trade Registry.

If you do not have enough time to get these documents, you can resort to a specialist. Such services are provided in exchange for a fee, ranging from 200 to 1000 RON⁵⁴.

Currently, the National Registry of the Trade Register provides certain on-line services, such as: application for the registration of a company, checking the availability of the name of the company, etc.

For more details see:

<https://portal.onrc.ro/ONRCPortalWeb/ONRCPortal.portal>.

Available means of information for the National Registry of the Trade Register:

- fax (+4021) 316 08 29
- e-mail: **onrc@onrc.ro**
- Online, through the RECOM service:
<http://recom.onrc.ro>.

After submitting the documents you will get a certificate that will include a single registration code (CUI). Based on this certificate you can start your business. Carrying out any trading activity in Romania is taxed and you will have to pay taxes for the entire duration of your activity, according to the profit you are going to make.

⁵⁴ The values of the fees are the result of an internet search among several providers of such services.

Another, simpler way of starting up a business is to get registered as an authorized self-employed person (in Romanian PFA). The law says ⁵⁵ that a self-employed person is a person that can carry out any economic activity allowed by law, using mainly their own workforce. For you to be allowed to be a PFA you need to get a fiscal registration code from the Tax Office and to get registered with the Trade Register. For more details see: [**http://www.onrc.ro/romana/formalitati_pf.php**](http://www.onrc.ro/romana/formalitati_pf.php).

The profit tax is 16% in Romania. The calculated tax must be declared and paid every quarter by the 25th of the next month. According to the fiscal code⁵⁶, in Romania the standard VAT rate is 24% and it is applied to the tax base for taxable operations that are not tax exempt or are not subject to lower taxes.

⁵⁵ Emergency Ordinance no. 44/2008 regarding economic activities carried out by authorised natural persons, individual enterprises and family companies;

⁵⁶ When the guide was published.

EDUCATION AND CULTURE

7.1. Education

In keeping with the current legislation in force⁵⁷, the Romanian state *provides the necessary conditions for the integration of the foreigners who have been granted the right of residence in Romania into the country's economic, social and cultural life, as well as the right of access to the education system in this country.* This obligation is stipulated in the Romanian Constitution: "The right to education is provided by the compulsory general education, high-school and vocational education, higher education, as well as other forms of instruction and improvement", and access to culture is guaranteed⁵⁸.

Education is provided in the Romanian language, in the languages of the Romanian national minorities and in internationally spoken languages. The Constitution of Romania makes no distinction between people by citizenship, as it only stipulates that the right to education is guaranteed.

The Romanian Education System

In keeping with the Education Law⁵⁹, in Romania, the general compulsory education is of 10 years, and it includes primary and secondary education. High-school education will become compulsory by 2020 at the latest. The obligation to attend the 10 grade compulsory education, full-time classes, ceases at the age of 18.

The education system by levels and schools with classes in Romanian

- The **pre-university** education systems include the following levels:
 - **early education** (0-6) years, comprising pre-preschool education (0-3) and pre-school education (3-6), which

⁵⁷Art. 79 of Emergency Ordinance no. 194/2002 on the status of foreigners in România.

⁵⁸Art. 32 and 33 of the Constitution of Romania, 2003, Ștefan Publishing House, Bucharest, 2010.

⁵⁹The National Education Law, no. 1/2011

- includes the small group, the middle group and the big group.
- **Primary education**, which includes the preparatory grade⁶⁰ (also known as grade zero) and grades I to IV;
 - **Secondary Education**, which includes:
 - Lower secondary education: grades 5th to 9th
 - Upper secondary education : grades 10th to 12th / 13th, with the following specialisations: theoretical, vocational and technological
 - **Vocational Education**, lasting between 6 months and 2 years;
 - **Undergraduate tertiary education**, which includes post-high school education;
- The national **higher** education system has three levels of university studies:
- Undergraduate studies
 - Masters studies
 - Doctoral studies

The Ministry of Education, Research, Youth and Sport, in cooperation with the local public administration authorities, through school inspectorates, can organise educational programs of the „second chance” type, **with a view to promoting secondary education for people up to 4 years older than the age corresponding to that grade and who, for various reasons, could not graduate from secondary education.**

The state can provide basic funding for all pre-school pupils and all pupils in the primary, secondary and high-school education system, **state-owned, private or confessional (licensed)**, as well as students from the state special high-school education system. This basic funding is provided based on a special methodology developed by the Ministry of Education, Research, Youth and Sport.

⁶⁰ According to art.29, paragraph 2 of Law 1.2011: children who have turned 6 before the school year starts can be enrolled in the prep class. At the parents' request, children who turn 6 till the end of the calendar year can also be enrolled, if they are properly developed from a psycho-somatic point of view.

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Romania has adopted the **Bologna system** for the harmonisation of education systems with the aim of creating a European Higher Education Area. To this end, Romania has introduced a number of provisions, such as those regarding:

- the 3 year undergraduate education
- the European Credit Transfer System, the recognition of diplomas obtained in any EU countries by all the other countries

Also, Romania takes part in the international exchange student system, through programs such as Erasmus, Copernicus, Monet, etc.

The academic year usually starts on the first working day of the month of October and it has two semesters⁶¹.

Level	Type of school	Grades	Organi- sation	Structure	Duration in years
<u>Early education</u>	Pre-preschool		Nurserie, kindergart ens, day care centres	Approx.: 15 September – 15 June	0-3
	Preschool		Normal, extended and weekly program		3-6

⁶¹ Usually, a semester consists in 14 weeks of didactic activities followed by at least 3 weeks of examinations. The structure of the academic year is to be approved by the Academic Senate.

Information Guide for Third – country Nationals

<u>Primary Education</u>	Primary school ⁶²	I-IV	Day classes – usually in the morning After-school program ⁶³		4
<u>Secondary Education</u>	Lower secondary school (gymnasium)	V-IX	Full time learning		5
	High school	X-XII/XIII	Full time learning / part time learning		3-4
<u>Vocational Education</u>		6 months–2 years	Full time learning		6 months-2 years
<u>Tertiary Education</u>	Post-secondary school	1-3 years		Aprox: 1 Oct. – 20 June	1-3 years
<u>Higher</u>	Undergraduate courses	3-6 years	Full time learning /part time learning /distance learning	Aprox: 1 Oct. – 20 June. - two semesters	3-6 years (depending on the field of study)

⁶² Primary school also includes prep school.

⁶³ In keeping with art.58 of Law 1/2011, educational and leisure activities are provided in partnership with local public authorities and parents' associations, aimed at strengthening acquired competence and accelerating learning; remedial learning activities are also provided.

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<u>Education</u>	Post-graduate masters program	1-2 years	Full time learning /part time learning	ending in an examination session and holiday - ends in a final examination : BA thesis, doctoral thesis
	Post-graduate doctoral program	3 years	Full time learning	

Level	GRADING SYSTEM
<u>Primary Education</u>	<u>Grades:</u> <i>Very Good</i> - Excellent (FB) <i>Good</i> - good (B) <i>Satisfactory</i> - satisfactory (S) <i>Insufficient</i> – failed exam (I)
<u>Secondary, vocational, tertiary and higher education</u>	<u>1 to 10 marking system</u> - 10 is the best mark and 1 is the lowest - 5 is the passing mark - The lowest average to pass a high school graduation examination is 6

See: <http://www.edu.ro/index.php/articles/c21> for further details on the primary and secondary education,
<http://www.edu.ro/index.php/articles/c22> for details regarding the higher education system,
<http://www.ond.vlaanderen.be/hogeronderwijs/bologna/> for the Bologna system and

http://ec.europa.eu/education/lifelong-learning-policy/doc48_en.htm
for the European Credit Transfer System.

7.3. Enrolment into the Romanian education system

The education system in Romania **guarantees the right of foreign minors of equal access to** all levels and types of education in Romania, as well as the right of life-long learning, without any type of discrimination⁶⁴.

In the compulsory education system, foreign students benefit from school education in the same conditions provided for the Romanian citizens, and in the upper secondary education, students from third countries have to pay tuition fees, as provided by Law no. 1/2010⁶⁵. The current fee for the upper secondary education is 180 Euros/month.

I. As regards enrolment in pre-university education in Romania, pupils who are citizens of countries that are not members of the EU, the EEA or the Swiss Confederations, if one of the parents or legal guardians is in one of the following situations: is repatriated; is, by marriage, domiciled in Romania; has a residence permit in Romania; carries out legal activities on Romania soil; is enrolled in the public/private higher education system⁶⁶. Upon request, pupils/students may benefit from preparatory classes of Romania, organised at the level of School Inspectorates, for an entire school year. The files must be submitted to the Ministry of Education, Research, Youth and Sports - the General Directorate for International and European Relations, in keeping with the line methodology.

For further details see:

http://www.edu.ro/index.php/met_rep_reg_ins_etc/c914/.

⁶⁴ Art. 2, paragraph 4 of Education Law no. 1/2011

⁶⁵ Art. 20 and 21 of the methodology for the enrolment of third country nationals in the state-owned and private education systems in Romania, in the 2011-2012 school/academic year.

⁶⁶ Art. 10 of the same Methodology

II. Foreigners who are citizens of countries that are not members of the EU, EEA or the Swiss Confederation can be enrolled in the higher and postgraduate education system if they meet one of the following requirements:

- **They have Romanian diplomas and certificates** or documents attesting the applicant studied at a higher education institution/school in Romania for at least four consecutive years.
- **They speak Romanian and pass a Romanian language test**, following an evaluation carried out by a specialised committee, made up of members of the Romanian Department of the licensed higher education institution that the applicant wants to enrol into. If that institution does not have a specialised department, examination can be carried out by a similar committee with another higher education institution. Following this examination, a certificate of linguistic proficiency will be issued.
- **After finishing the prep year**, during which they acquire the necessary knowledge of Romanian, as well as specific knowledge related to the future specialisation (anatomy, physics, chemistry, technical design, medicine, etc.). The length of the prep year for undergraduate studies is **1 school/academic year**, and for master's, doctoral and resident studies **at least 6 months**.

High-school graduates that have a high-school graduation diploma or an equivalent diploma can be enrolled in the first cycle of higher education studies.

The enrolment procedure:

- A. Send the application file to the education institution of choice (all documents in the file must be translated and legalised). There are cases when you may be asked to personally submit the file, so you will be able to come to Romania based on a short stay visa (e.g. tourist), because the education institution cannot issue a document to prove that you will come in person to file the application).

- B. You will get a letter of acceptance or rejection. You don't have to take an entrance examination to get enrolled; you may only need to take some skill tests;

If you were accepted to study in Romania, you have to submit a file to the MERYS, which must contain the following documents:

- the application for an acceptance letter, filled in completely, in two copies;
- the high-school graduation diploma (or its equivalent) - copies and legalized translations;
- school records - copies and legalised translations - for the studies carried out and the school curricula⁶⁷, for those applicants who request equivalency for their studies;
- a certificate issued by the line authorities⁶⁸ to confirm that the documents presented allow the holder, in the country where they were issued, access to studies of the level of those requested in Romania;
- birth certificate - copy and legalised translation;
- passport copy;
- medical certificate (in a world language), attesting that the person who is about to enrol does not suffer from any catching disease or other diseases incompatible with the future profession;

If you came to Romania based on a short term residency visa obtained prior to getting the acceptance letter from the education institution you are interested in, you have to go back to your home country to ask for a long term residence visa for studies, issued by the Romanian Embassy or Consulate, this being the only way in which you can get a residence permit for studies.

⁶⁷ The curriculum is a written presentation of the objectives and chapters of each subject matter taught in an education institutions (dex-on-line).

⁶⁸ A line authority is the authority that has jurisdiction over one problem and has the competence to solve it (dex on line)

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In keeping with Law no.1/2010 approving GO no. 22/2009⁶⁹ the following minimum fees are set, *fees that must be paid in advance for 9 months (for full-time classes) and 3 months in advance (for distance learning)*, university senates being those that will establish the final fees:

Field of study	Higher education, BA studies, MA studies, internship (Euro/month)	Postgraduate studies, doctoral studies (Euro/month)
Technical studies, agronomy, sciences, mathematics, applied mathematics, sports	270	290
Architecture	350	370
Sociology, humanities, psychology, economy	220	240
Medicine	320	340
Music and arts	420	440
Music, theatre	750	770
Film	950	970

Registration takes place at the end of August or during the course, in which case the classes missed will have to be recovered. Registration can be done at the School Inspectorate or the ORI, and courses will be held in specially designated education institutions.

The admission methodology, the list of higher education departments that organise preparatory Romanian language classes, as well as the list of universities with courses in foreign languages (a document available in English and French) can be found on:

http://www.edu.ro/index.php/met_rep_reg_ins_etc/c914/.

The costs for this prep year differ from one department to another, as they are established by the university senates.

⁶⁹ Law no. 1/2010 for the approval of GO no. 22/2009 establishing the minimum quantum of school tuition/fees, for the citizens that study on their own in Romania, from countries that are non members of the EU/EEA/Swiss Confederation, version consolidated on 14 January 2010.

7.4. Scholarships

Foreign citizens can be accepted by an education institution in Romania also based on a scholarship granted either by the Romanian state alone, or on the basis of bilateral agreements, from grants offered by other states or international organisations⁷⁰.

Each accredited higher education institution, which has students from third countries registered as students on fee ⁷¹ (except for students from the Republic of Moldova, foreign students of Romanian origin and Romanian citizens domiciled abroad) shall submit to the General Directorate for International and European Relations of the Ministry of Education, Research, Youth and Sports a maximum of 6 candidacy files⁷², accompanied by an official note signed by the rector of the education institution and a centralizer including a classification of the candidates.

The documents that the file must contain, the applicable conditions and procedure are all included in the *Methodology for the enrolment of foreign citizens from third countries in the state and private licensed education in Romania, in the school/academic year 2011-2012*, Section nr. 8 (also translated into English and French), which can be downloaded from: http://www.edu.ro/index.php/met_rep_reg_ins_etc/c914/.

7.5. Education institutions with classes in foreign languages

In certain cities, there are education institutions that have classes in foreign languages. They can be state-owned or private, and the fees

⁷⁰ In keeping with the methodology approved by the Ministry of Education, the contest for scholarships is held as provided by GD no. 288/1993, republished regarding the enrolment into the Romanian education system of citizens from other countries;

⁷¹ In keeping with Law 1/2010 approving GO 22/2009 establishing the minimum quantum of education tuition/fees, in hard currency, for the citizens that study on their own in Romania, from countries that are not members of the EU/EEA/Swiss Confederation;

⁷² Section VIII of the Methodology for the enrolment of third country nationals into the Romanian education system in the school/academic year 2011 – 2012.

are set individually by each of these institutions. In Bucharest, for instance, public education institutions that teach only classes in foreign languages are: the Goethe German College (in German) and the Ady Endre High School (in Hungarian).

Also, for higher education studies you can enrol in one of the universities that have classes in foreign languages (English, French, German); you can find the list on:

http://www.edu.ro/index.php/met_rep_reg_ins_etc/c914/.

For the education programs with teaching in foreign languages⁷³, a language test is organized. Those who come from countries where the official language is the one in which classes are taught are exempt from this test, but they have to prove they took classes in that language by providing school documents⁷⁴.

7.6. Private and confessional education

In Romania private and confessional education is allowed, in keeping with the non-profit principle, in the pre-university education system, at all levels and in all forms, in keeping with the legislation in force. The authorization for temporary functioning, accreditation and regular assessment of private and confessional education institutions are the responsibility of the **Romanian Agency for Quality Assurance in Pre-university Education**. These accredited institutions are supported by the state⁷⁵, which ensures basic funding for all pupils in the pre-school, primary, secondary, vocational and high-school system, state-owned, private or confessional, as well as for all the pupils in the state-owned post-high school education system⁷⁶. In keeping with art. 6 of Law 1/2011, only diplomas recognized by the Romanian state are valid in Romania, and education institutions that are not accredited cannot issue valid diploma.

⁷³ Stipulated in APPENDIX 2 of the same methodology.

⁷⁴ Art. 9 of the same methodology.

⁷⁵ Art. 60 of Education Law 1/2011.

⁷⁶ Art 101 of Education Law 1/2011.

7.7. Foreign students coming and residing in Romania

After you have received the letter of acceptance from the respective education institution in Romania, you will have to go to the Romanian Embassy or Consulate in your country, to file the documents needed for you to be issued a long term residence visa for studies. The fee that you must pay is 120 Euros and is valid for 90 days, with one or several entries. Foreign students on scholarship do not have to prove they've paid the fees or that they have the necessary means of subsistence in order to get a visa. Romanian born students do not have to prove they have the proper means of subsistence.

For further details see the webpage of the Romanian Immigration Office:

<http://ori.mai.gov.ro/detalii/pagina/ro/Studii/74>.

Once in Romania, you will have to submit to the Romanian Immigration Office the file needed to get a one-year residence permit for studies. The permit can be renewed annually, at least 30 days before the date on which the previous one expires. The extension can only be done after all documents requested by the ORI are submitted.

The foreigner who was granted (or extended) the residence permit for studies in Romania, may change the field of study or professional specialty, in keeping with the legislation in force, provided the total length of stay established for the initial studies is not exceeded. If, by changing the field of study or specialisation, the total length of residence established for the initial studies is extended, a new long term visa for studies is needed⁷⁷.

The foreigners who were granted the right of residence for studies may work, based on a work authorisation, to ensure themselves more income, but only part time (maximum 4 hours per day), in keeping with the legal provisions in force.

The list of documents needed to get a long term residence visa for studies and the residence permit for studies can be found on:

<http://ori.mai.gov.ro/detalii/pagina/ro/Studii/74>

⁷⁷ Art. 59 of EO no. 194/2002 regarding the status of foreigners in Romania.

7.8. Accommodation in student hostels

While studying in Romania, upon request and if available, you can be offered accommodation in one of the student hostels. For that, you need to file an application with the secretary office of the university, or to tick this option in the application form for enrolment.

7.9. Diploma recognition and equivalency

If you want to continue your studies or to get employed in Romania, the diplomas you got abroad must be recognized and equivalated. To start this procedure, an education institution accredited in that country must have issued diplomas.

For your high-school graduation diploma and any other college or post-graduate diplomas to be recognized you must file an application, accompanied by evidence, to the National Centre for Diploma Recognition and Equivalency (CNRED)⁷⁸ – an institution established within the Ministry of Education, Research, Youth and Sports. The file must be submitted to the Ministry's Registration Office or via the post to the same office. For further details see the web page of the National Centre for Diploma Recognition and Equivalency.

Recognizing a diploma means accepting it (or other similar document) as being authentic. The assessment criteria for diploma recognition are: the type of the education program, the number of transferable credits, content, training, field, specialization, professional training, as compared to the Romanian education system, with a view to establishing the level they correspond to in the Romanian education system.

Equivalency is an evaluation of the curriculum covered until the diploma was issued and of its compatibility with the Romanian education system. If the diploma is equivalated, the centre will issue a certificate that grants you equal rights to those who've studied in Romania.

⁷⁸ When this guide was developed, CNRED was in full process of reorganisation; this means that the name of the institution, its web site and work procedure may change.

Full and partial education diplomas and certificates are automatically recognized if they have been issued by education institutions accredited in the EU and the EEA; education diplomas and certificates obtained in a third country are recognized only if the structure of the education system in that country is similar to the one in Romania, and there is an agreement between the two countries, under which they mutually recognize their diplomas. Otherwise, compensating measures will be taken (tests, equivalency examinations, internships, etc.) Automatic recognition is a simplified procedure. The files of those who benefit from automatic recognition are not subject to the regular analysis.⁷⁹ If there are big differences between your studies and those that are usual in Romania, than the Centre will decide you should either take equivalency examinations, study or be an intern in a certain institution, for a set period of time.

7.10. Continuation of studies in Romania

If you apply for continuation of primary or secondary education (grades I-XII, XIII), the application must be submitted to the School Inspectorate the school you are interested in belongs to. Then, the application will be sent to the National Centre for Diploma Recognition and Equivalency. (<http://www.cnred.edu.ro/#echivalare-perioade-studii-preuniversitare>). The Centre is the institution that will analyze the applications.

For graduate and post graduate studies, the application will be analyzed by a commission made up of specialists from the Centre for Diploma Recognition and Equivalency. In this analysis, the centre checks whether the studies carried out by the applicant are similar to those in Romania, with regard to:

- the level of the higher education institution where the applicant studied;
- the diploma level;

⁷⁹ „A little guide regarding the recognition of diplomas and professional qualifications for the people that benefit from a form of protection", a material developed under the project *Integrated assistance and training services for people that have a form of protection in Romania*, (ERF/09.01/03.01), run by Oana-Adriana Iacob and Gina Mocanu, ADIS Association.

- the number of years of study/number of credits;
- curriculum / volume of work;
- professional qualification (addition to the diploma) for the professions regulated in Romania.

Education documents are not recognized if they are not legalized.

For further information about the procedures in force, see the web page of the National Centre for Diploma Recognition and Equivalency
www.cnred.edu.ro.

7.11. Culture

The culture of a people is the sum of its spiritual values (including beliefs, attitudes, daily behaviours) and material values, the products and results of that people's work and thinking, specific institutions, specialists in the field and personalities that contributed to the development of national culture.

7.12. Several Romanian cultural landmarks

Historical Monuments :

- Medieval fortified towns - Sighișoara, Făgăraș, Neamț, Poienari, Râșnov etc.
- Monasteries - cultural sites that have both cultural and historical value – Voroneț, Sucevița, Putna, Cozia, Cernica etc.
- Palace - Cotroceni Palace (Bucharest), Brukenthal Palace (Sibiu), the Palace of Culture (Iasi).
- the Black Church in Brasov - 600 years old, built in the gothic style;

Monuments in Romania that are on the UNESCO heritage list (*The World Heritage List*)

- the Danube Delta
- 16th century churches in Northern Moldavia
- Horezu Monastery
- Villages with fortified churches in Transylvania
- Dacian fortress in the Orastie Mountains
- The historical centre of the medieval fortress of Sighisoara
- Wooden churches in Maramures

Buildings and monuments in Bucharest, the capital city of Romania:

- the Triumphant Arch
- the Romanian Athenaeum
- the Palace of Parliament
- the Romanian Peasant's Museum
- the Village Museum
- the Antipa Museum

Nature monuments:

- the Danube Delta - a nature reserve, part of the UNESCO world heritage list since 1991;
- national and nature parks - Retezat, Apuseni, Piatra Craiului, Gradistea, Vanatori Neamt, etc.;
- nature reserves - „Valea zimbriilor”, the bazalt columns of Piatra Cioplita, Brasov County, etc.
- the Red Lake and the Saint Ana Lake (Harghita County);
- the Muddy Volcanoes (Buzau County) - natural formations created by a gaseous mass on clay

Romania has all the forms of relief: mountains, plateaus, hills, fields, meadows, a delta and it is crossed by the River Danube, which forms the southern border of the country. Romania has an opening to the Black Sea stretching across 244 km. The climate is temperate - continental, with Mediterranean influences.

Romanian Cultural Personalities:

Poets:

- **Mihai Eminescu**, dubbed the *the morning star of Romanian poetry*. Some of his best known poems are: „*the Morning Star - Luceafărul*”, „*the Third Letter - Scrisoarea a III-a*”, „*Oh, Please Stay! - O, rămâi*”, „*Good Bye - Adio*”, „*Angel and Daemon - Înger și demon*”.
- **Vasile Alecsandri** went down in the history of Romanian literature as the maker of Romanian theatre; poet and founder of the Romanian Academy;

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- **George Coșbuc** - a Romanian poet from Transylvania, author „*El Zorab*”, „*Mother - Mama*”, „*Zamfira's Wedding - Nunta Zamfirei*”, „*Fulger's Death - Moartea lui Fulger*”, „*Winter on the Road - Iarna pe uliță*”.
- **Tudor Arghezi**, known for his contribution to the development of Romanian poetry
- **George Bacovia**, the most important Romanian symbolist poet;
- **Lucian Blaga** wrote poems such as: “*I do not break the world's corolla of wonders - Eu nu strivesc corola de minuni a lumii*”, „*Will you cry, or will you laugh? - Vei plânge mult ori vei zâmbi?*” or „*The Light - Lumina*”.

Writers:

- **Ion Creangă**
- **Ion Luca Caragiale**
- **Mircea Eliade**
- **Marin Preda**

Painters:

- **Nicolae Grigorescu** is one of the founders of Romanian modern painters; some of his remarkable masterpieces are: "*Ox Cart*", "*Gypsy Girl*", "*Fisherwoman from Grandville*"
- **Theodor Aman**
- **Ștefan Luchian**

Sculptors:

- **Constantin Brâncuși**, seen as the greatest Romanian sculptor, is the author of famous masterpieces, such as: "*The Kiss Gate*", "*the Table of Silence*" and "*the Infinite Column (the Endless Column)*" in Targu Jiu.
- **Dimitrie Paciurea**

Musicians (classical music):

- **George Enescu** - composer, violonist, pianist, director and professor. The most important Romanian musician.

- **Ciprian Porumbescu** - composer

Romanian sports personalities:

- **Nadia Comăneci** - gymnast
- **Gheorghe Hagi** - football (soccer) player
- **Ilie Năstase** - tennis player

Did you know that ...?

- the town of Sibiu was a European Capital of Culture in 2007, alongside Luxembourg;
- if you visit the town of Târgu Jiu, you can admire the compound sculpted by Constantin Brâncuși, which includes "the Endless Column", "the Table of Silence" and "the Kiss Gate"
- On Easter, Romanians knock red eggs;
- Doina (a Romanian traditional elegiac song) and the Morris Dance are included in the UNESCO heritage list;
- Romania has 41 counties, plus Bucharest;
- The history of the Romanian people goes back 2000-2500 years.

7.13. Art, Culture, Media, Entertainment

Those who are interested have permanent access to a wide variety of cultural products and events. In Bucharest, but also in the other towns and cities of Romania, there are museums, libraries, book stores, cinema halls, clubs and press outlets. There are always theatre, opera, operetta, ballet and contemporary dance performances, concerts,

Publications in other languages :

- *Hakses* (Constantza) - Turkish and Romanian
- *Jewish Reality* (Bucharest)
- *Nas Holos. Ukrainski Visnek și the Ukrainian Messenger* (Bucharest) - Ukrainian
- *Dawn* (Bucharest) and *Kitej Grad* (Iași) - Russian
- *Nasa reci* and *Knijeni jivot* (Timișoara) - Serbian

exhibitions, sport events, fairs, 'city days'. To learn about all that, look for the local editions of free guides or access the dedicated websites.

Cultural institutes and centres of some foreign countries, together with their embassies or consulates in Romania, run various programs for both their citizens and for any interested person. Their purpose is to promote their cultural specificity, but also to promote a proper understanding of cultural differences and cultural exchanges. For instance, they organize film screenings, debates, cultural evenings, traditional tasting sessions, shows featuring foreign guests and other types of events.

In Romania there are publications and TV / radio programs in Romanian, but also stations and publications in foreign languages or bilingual. Some of them are: Bucharest Hebdo, Nine O'clock, Bucharest Night Life, Arab News Agency, Radio France International, Deutsche Welle, Radio Islam etc. We also recommend Radio Romania International, a station of the public radio, which broadcasts in 17 languages, including Romanian.

Romanian Cuisine

Romanian cuisine includes lots of specific customs, traditions and dishes. It has been influenced by the Balkan, Turkish, Hungarian and German cuisine. Romanians like to eat vegetable, meat and dairy products.

- The main meals of the day are breakfast, lunch and dinner.
- Any of them can start with 'Enjoy!' (in Romanian "Poftă bună!")
- Some typically Romanian dishes: *mămăliga* (corn flour polenta), *cozonacul* (traditional Romanian cake, usually made at Easter and Christmas), *sarmale* (minced meat rolled in cabbage leaves), *ciorba* (sour soup), *tochitura* (traditional stew), etc.
- Romania is one of the 15 world producers of wine.

Romanians appreciate international cuisine too. Therefore, in any city you can find restaurants that serve food other than Romanian.

Traditions and Celebrations

Romanian customs and traditions go back to ancient times. Folk traditions (dances, songs, costumes) differ from one region to another. Maramuresh, Tzara Motzilor, Mehedintzi and Harghita are some of the best known folk areas. There are also some differences with regard to customs related to certain events such as birth, baptism, marriage or burial.

The main religious celebrations in Romania are linked to Christians events, such as Christmas or Easter, when people offer gifts and eat Romanian traditional food. These days are non-working days, being part of the category of legal feasts and celebrations, alongside December 1st, May 1st, the New Year and the 2 days granted to those who belong to other religious denominations.

It is important to remember that these traditions, customs and celebrations are not compulsory. Each person is free to relate to them in their own way.

HEALTH-CARE AND SOCIAL SERVICES

8.1. Health-care services

Since the moment you get the first residence permit, for all the periods in which you have a right of residence in Romania, you must pay the compulsory health insurance. The insurance must be paid monthly, and its value depends on your taxable incomes.

When you want to legalise your stay in Romania for the first time, the Romanian Immigration Office will ask for proof of health insurance coverage. Usually, the **National Insurance House** asks for an optional insurance, since you do not have an ID issued by Romanian authorities. In this case, the regulations stipulated for optional⁸⁰ health insurance apply, which refer to the following categories of people:

- a) members of diplomatic missions accredited in Romania;
- b) foreign citizens and stateless persons who are temporarily in the country, without applying for a long term residence visa;
- c) Romanian citizens domiciled abroad, who are temporarily in the country.

The insured are all Romanian citizens who have a domicile in the country, as well as the foreign citizens and the stateless people who have applied for and obtained an extension of their short term or long term residence visa and can prove they've paid their contributions to the insurance fund, as provided by law⁸¹.

You are automatically insured and therefore you don't have to pay health insurance if you are in one of the following situations:

- You have an employment contract in Romania or you are working based on another type of contractual agreement, under which your contributions to the health insurance house are paid every month. You can prove you are insured through an employment certificate issued by your employer or by the person you have a contractual

⁸⁰ Art. 214, paragraph 2 of Law no. 95/2006 on the health-care reform.

⁸¹ Law no. 95/2006 on the health-care reform.

agreement with, saying that your contributions to the health fund are paid on a monthly basis;

- Your husband/wife works on an employment contract or is insured in other way (has another contractual agreement or pays medical insurance individually). In this situation you are co-insured and benefit from the same rights as the insured. You can prove you are co-insured with a certificate from your wife/husband's job stating you are co-insured⁸² or a certificate issued by the health insurance house;
- you are under 18;
- you are under 26 and you are pupil/student/doctoral student or apprentice;
- you are a pensioner;
- you are disabled and you don't have incomes from work, pension or social security;
- you are pregnant or you have just given birth, you have no incomes or your incomes are below the national minimum gross income;
- you are on leave of absence and you get an allowance for a disabled child, aged 3-7;
- you are in prison or in temporary custody, if you have no incomes;
- you get unemployment benefits;
- you get social security under Law no.416/2001;

You are insured during the periods in which you are in a public custody centre, until you leave the country or you get another right of residence in Romania.

If you are in neither of the situations listed above and you have no incomes, you will have to pay **a compulsory health insurance as a person that has no incomes**. In this case, your contribution would be 5.5% of the national minimum salary. It varies depending on the taxable

⁸² The certificate is drawn up following the model established under Order 903/November 2007 amending and completing the methodological norms for the drawing up of substantiating documents.

incomes you've had in the past 5 years and on the latest period in which you paid insurance and it has to be paid as follows:

- for the last 6 months, if you had no taxable incomes in the past 5 years;
- for the entire period in the past 5 years in which you had no insurance, if during this interval there were periods in which you had taxable incomes and periods in which you had no incomes;

To pay your contribution to the insurance fund as a person with no incomes, if you do not have a company based in Romania, you will have to produce the following documents:

- a copy of **the identification document** issued by ORI (residence permit);
- **a certificate of good standing** from the National Office of the Trade Register, attesting you've got no company set up in Romania. This certificate is issued for free, within two working days;
- **a tax certificate** from the tax office, attesting that in the past 5 years you've generated no taxable incomes in Romania. This certificate is issued for free, within maximum 30 days;

Some insurance houses (e.g. CASMB) will also ask for a **statement authenticated by a notary public**, which must contain the following details:

- the periods in the last 5 years in which you had a right of residence in Romania;
- if, in the past 5 years, you've had incomes obtained abroad and taxed in Romania;
- if, in the past 5 years, you've had any incomes in Romania;

If you have a company/firm or you are self-employed (PFA) you will have to pay your contributions to the health insurance fund yourself. They are calculated depending on the incomes made and other variables; that is why, to have them calculated, you have to resort to the Health Insurance House you collaborate with or to a specialised accountant.

If you have a company or have incomes from leasing the right of use of real estate or from other sources that entail taxation of incomes in

Romania, you will have to resort to the Health Insurance House to calculate your contribution.

For more details about legislation applicable to you as foreign citizen, you can access the web page of the National Health Insurance House: <http://www.cnas.ro/intrebari-frecvente/ce-trebuie-sa-faca-un-cetatean-strain->.

IMPORTANT: If you do not pay the compulsory contribution you may benefit from medical services **only in case of emergency and certain diseases such as:** diseases that entail isolation and treatment, obligatory hospitalisation for psychiatric patients in the situations stipulated by law, for those people who have a referral for hospitalization from the doctor, etc.

To pay your health contributions, you may choose the health insurance house you will collaborate with. According to the current legislation in force, there are three health insurance houses in Romania, and you may choose any one of them:

- the National Health Insurance House;
- the Health Insurance House of the Defence, Public Order, National Security and Judicial Authority (C.A.S.A.O.P.S.N.A.J.);
- the Health Insurance House of the Ministry of Transport, Constructions and Tourism.

8.2. The rights and obligations of the insured

1. The rights of the insured

If you are insured in keeping with the Romanian law, you have the following **rights**:

- to be included on the list of a family doctor, whom you can choose from the list of family doctors that collaborate with the insurance house where you pay your contributions. The family doctor;
- to benefit from certain medical services, medicine, medical supplies and devises, offered for free or partially subsidized, based on your status of insured;

- to benefit from preventive medical assistance or assistance in checking your health status;
- to benefit from health emergency services;
- to benefit from some dental emergency services;
- to benefit from physical therapy and recovery/rehabilitation treatment;
- to benefit from health care at home;
- to benefit, at least once a year, from information provided by the health insurance house about: the services you may benefit from, the level of your personal contribution and the means by which you can pay your contributions, as well as about your rights and obligations as an insured;

IMPORTANT: If your child, under 3 years old, needs to be admitted to hospital, you are allowed to be with him/her, without having to pay. Also, you may stay in the hospital if you accompany a person that has a serious disability and the doctor decides your presence is necessary.

You have the right of preserving the confidentiality of personal data, as well as of the diagnosis and prescribed treatment. Also, you have the right to get concrete and detailed information to better understand your condition and the medical recommendations that are made for you.

2. The obligations of the insured

As an insured person, you must observe the following:

- you get registered on the list of a family doctor and to announce the doctor whenever there are changes in your health;
- to announce, within 15 days, the family doctor and the health insurance house about changing your ID data (name, citizenship) or the category you belong to (for instance if you get employed, you must provide a certificate issued by the employer or evidence of your being insured);
- to go to the prophylactic and regular visits established under the framework contract⁸³;

⁸³ For information regarding this obligation you can resort to your family physician or the health house where you pay your health insurance contribution.

- to observe the treatment and recommendations made by the family doctor or by the specialist;
- to show the providers of medical services (family doctor, hospital, etc.) the documents that prove you are insured;

If you have a health insurance in Romania and you are abroad, you have the right to free medical care, if you are on soil of one of the countries that Romania has concluded international documents with (e.g. Bulgaria), which have provisions regarding health-care. In this case you may benefit from medical care on the soil of these countries, as provided by those international documents.⁸⁴

If you have a health insurance in Romania and you go to an EU country, you may ask for a European health insurance card, which is issued by the Health Insurance House you collaborate with; this document is valid 6 months. To get this card, you must file an application, a copy of your ID (residence permit) and proof of your being insured in the past 5 years. This card covers your basic medical needs while abroad, but does not cover the costs for those who travel abroad to get medical treatment there.

For more details see: http://www.casmb.ro/card_european.php

It is good to know that, once returned to Romania, the Insurance House will reimburse the medical expenses you made abroad, within the limits approved for similar medical services in Romania. These expenses can only be reimbursed when the medical service provided in an EU member country, and paid by the insured, is part of the basic package in the social security system in Romania.⁸⁵

Documents needed to prove you are an insured person

Both the Romanian Immigration Office, and family doctors usually accept as proof that you have a health insurance a copy of the receipt you got when you paid the health insurance or an employment

⁸⁴ Art. 236 of Law 95/2006.

⁸⁵ Art. 8 paragraphs 5 și 6 of the Methodological norm of July 17th 2009 regarding the reimbursement and recovery of expenses on medical care provided on the basis of the international documents that Romania is a party to, approved under Order of CNAS no. 729/2009.

certificate (for those who are employed on an individual employment contract and the co-insured). If you are asked to provide an insurance certificate, you can get it from the health insurance house. The documents you need in order to be issued this certificate differ from one situation to another, and that is why you have to approach the health insurance house where you pay your contributions.

The documents you need to get on a family doctor's list

For you to get enlisted with a family doctor, you must present the following documents, depending on the situation you are in:

1. For adults:

- an ID (residence permit or residence card);
- proof of insurance - employment certificate or pension certificate receipt for payment of the contribution to the health fund or the unemployment card;
- proof of withdrawal from the previous family doctor (for those who have been on another family doctor's list);
- for those who retired because of illness, copies after the first and last retirement order must be provided;

2. For pupils and students under 26:

- copy of the ID that certifies residence in Romania or the birth certificate;
- copy of the grade record for the current school year or the student certificate;

For minors who are neither pupils, nor students:

- Copy of the birth certificate;
- Copy of the vaccination record;

8.3. Social security services

The national social security system is the aggregation of institutions and measures by means of which the state, the local community and civil society intervene to prevent, confine or remove the temporary or permanent effects of some situations that may lead to a person, family, group or community being marginalized or excluded from society.

According to Social protection law no. 292/2001, foreigners and stateless persons who have their domicile or residency in Romania are entitled to social assistance, as provided by Romanian legislation, EU regulations and the agreements and treaties that Romania is party to.

The social security system includes the social benefits systems and the social services system.

Beneficiaries of social services are:

- individuals and families in difficult situations (individuals and families without incomes or with low incomes);
- the elderly;
- the disabled;
- homeless people;
- victims of human trafficking;
- people who are deprived from freedom and people in social need;

The social services system includes: assistance and support for ensuring a person's basic needs, personal care, recovery/rehabilitation services, social insertion/reinsertion services, etc.

Social benefits can be divided into several categories, depending on their purpose or destination, and may consist in:

- social aid, emergency aid for situations created by natural disasters, fires, accidents, etc.;
- social scholarships and financial support to facilitate access to education;
- help in kind, food and materials;
- allowance for children; allowances for children temporarily or permanently deprived of parental care; allowances for child raising; benefits for the disabled; etc.

For further details see:

<http://www.mmuncii.ro/ro/domenii/politici-familiale-incluziune-si-asistentia-sociala-146-view.html> or get information from the General Social Security Directorate that exist in every county.

FAMILY AND EQUAL OPPORTUNITIES

9.1. Family

A family is a group of people related by blood, marriage or adoption. According to the Romanian law, a family is established by means of "a freely consented marriage between two people and it entails equality and the parents' right and duty to ensure the raising, education and training of children."

An individual's right to intimate, family and private life is acknowledged and protected by the Romanian Constitution ⁸⁶ and other domestic laws, also in keeping with the principles stipulated in the Human Rights Convention ⁸⁷.

- Engagement in Romania is seen as a mutual promise to get married ⁸⁸, but engagement does not condition marriage;
- In Romania, bigamy is forbidden (a person that is already married cannot get married again). Also, marriage between relatives p to the 4th remove is forbidden;
- The Romanian state forbids and does not recognize the marriage between people of the same gender, even if the marriage was concluded abroad.

⁸⁶ The Romanian Constitution stipulates in art. 26: "Public authorities shall respect and protect intimate, family and private life". Also, art.48 regarding family stipulates that: (2) the conditions in which a marriage is concluded, dissolved or declared nul are established by law. Religious marriage can only be celebrated after the civil one. (3) Children born out of wedlock have the same rights as those whose parents are married.

⁸⁷ In the European Convention on Human Rights, provides a right to respect for family and private life, stipulating that: (1) Everyone has the right to respect for his private and family life, his home and his correspondence.

(2) There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

⁸⁸ Art. 266-270 of the Civil Code, which came into force on October 1st 2011.

9.2. Getting married in Romania - conditions stipulated in the national legislation

In Romania, a marriage is officialised by the registrar at the headquarters of the local public vital statistics service (office of vital records with the city/town hall) or by the registrar of the mayor's office that has jurisdiction over the area where one of the spouse's residence/domicile is. People can also get married outside the public service's office or the mayor's office, with the approval of the mayor.

If both future spouses are foreign citizens or Romanian citizen domiciled abroad, the application for marriage can be filled in at the mayor's office of the town/city they are temporarily in.

People who want to get married must be of the legal age, also known as the *matrimonial age* - **which is 18**. If there are serious grounds, a minor aged 16 may get married by observing the legal provisions applicable, whether it's a man or a woman.

To prove they are of the right age, the future spouses must present valid IDs: passport, identity card/residence permit and birth certificate. Marriage can be officially concluded only after 10 days since the application was submitted to the Office of vital records of the Mayor's office.

The documents two foreign citizens or a foreign citizen and a Romanian citizen need to provide in order to get married must be submitted in the original and in the copy. These documents are:

- application for marriage - a standardized form, from the office of vital records, which is filled in when submitting the other documents;
- the passport with a valid visa on it or the residence permit for the foreign citizen(s);
- the birth certificate (translated and officially certified by a notary public in Romania);
- a certificate of celibacy (confirming that the person in case is not already married) issued by the authorities of the home country or the embassy/consulate of that country and/or a statement made before the notary public in which the person who makes the statement states he/she is not married. If that person has been

married before, it must present the divorce certificate or the death certificate of the former husband/wife.

- a medical certificate (valid for 14 days since it was issued and mentioning the bearer is medically able to get married);
- a statutory declaration (affidavit), made before a notary, which includes the name, surname, date and place of birth, the parents' name and surname;
- a statutory declaration, authenticated by a notary public, saying that the future spouse is not married and meets the main requirements imposed by the national law on marriage in Romania;
- citizens of the states with which Romania has concluded treaties/conventions/agreements on legal assistance in civil matters or family law, as well as citizen of the countries that do not have diplomatic missions in Romania must prove they meet the legal requirements in force in their country to get married on the basis of documents issued by competent authorities in the home country;
- the minute drawn up together with the authorized interpreter, if the marriage is between people who cannot speak Romanian or who are deaf and dumb;
- the approval of the Ministry of National Defence, of the Interior Ministry, the Justice Ministry or the heads of the state services specializing in defence and natural security, in the case of military who get married to a stateless person or a person that does not have Romanian citizenship exclusively.

It's possible to be accepted just one statutory declaration, which includes the two notary declarations mentioned above. For that, we recommend you check with the Vital Records Office with the mayor's office in the area or sector your or your spouse's domicile is the list of documents you must provide.

For further details see: <u>http://dgepmb.ro/acte-necesare-incheierii-casatoriei/35</u>

On the day of your marriage you must be accompanied by two witnesses, with their IDs on them, and for the foreign citizens who cannot speak or understand Romanian, an authorised interpreter is required (a minute will be drawn up and it will be annexed to the file).

In keeping with art.50 of Law no. 119/1996: *Marriage is officiated in Romanian, by the registrar, in a proper room, and the future spouses must be dressed up, in keeping with the solemn nature of the ceremony. Upon request, the ceremony can be officiated in the mother tongue of those who are to get married, if the registrar can speak that language.*

For foreign citizens, the birth certificates in the original, the documents attesting that a previous marriage was dissolved, their certified translations must contain the Hague Convention apostille or must be over-legalised.

ATTENTION: If the issuant country is a signatory to the Hague Convention, the documents issued and presented for marriage must contain the apostille in keeping with the Convention. If the document was issued in a country with which Romania has concluded bilateral treaties and conventions that stipulate an exemption from apostillation and overlegalization, then the document is exempt from these requirements.

For details about apostillation and the list of the countries signatory to the Hague Convention see:

<http://www.mae.ro/node/1455> or <http://www.apostile.ro/>.

The documents issued by countries that have not signed either the Hague Convention, or any bilateral treaty with Romania will have to be over-legalized (the document is over-legalized, endorsed by Romania's diplomatic mission in that country or by the diplomatic mission of the country of origin in Romania and then finally over-legalised by the Romanian Ministry of Foreign Affairs).

We recommend that, before getting married in Romania, you check first with your embassy or consulate which are your obligations in relation to that.

According to the law⁸⁹ the foreign citizens who are on sufferance, asylum seekers who've lost their identity and the foreigners who've received a return order, are not allowed to get married in Romania.

9.3. Equal opportunities

In a broad sense, equal opportunities is about ensuring the full participation of each and every person in the social and economic life, irrespective of ethnicity, gender, religion, age, disability or sexual orientation, in an attempt to totally eliminate discrimination of women on the labour market, in the social, economic, cultural and political life.

In a family, the man and the woman have equal rights while married, and spouses must both agree to get married. A person cannot be forced to get married if he/she doesn't want to.

The relationship between spouses, as members of the same family, are based on equality, affection, tolerance and mutual respect, and they together agree upon all matters that concern their marriage.

ATTENTION: a spouse has no right to censure the other spouse's correspondence, social relations or choice of profession, and the spouses' personal rights and duties are mutual.

According to the Romanian legislation, the future spouses can choose for their assets to be common or not, and they have the right to be independent with regard to their goods and assets⁹⁰. Also, both spouses have the right to be informed about their goods, incomes and debts. They

⁸⁹ Art. 42, paragraph 9 of the Implementation of Section 2 through the methodology regarding the unitary application of provisions regarding the marital status of 26/01/2011 (Law 119/1996). The following documents are not valid in case you want to get married in Romania: a) a temporary ID, for asylum seekers, which has 'undeclared identity' written on it; b) the document attesting you are on sufferance; c) the decision for return.

⁹⁰ Art. 317 of the Civil Code (1) If the law doesn't provide otherwise, each spouse may conclude any legal document with the other or with their parties; 2) Each spouse may have bank deposits and carry out operations related to that without the approval of the other spouse.

can decide on major things, starting with the surname ⁹¹ and ending with the status of goods and assets during marriage.

Women have the right to work, to hold the same offices as men, can carry out the same economic or political activities and can play the same roles in family and society. Although there are still many preconceived ideas, women can now get involved in social-economic activities, and a big number of women run companies, education institutions or public authorities; also, women can work in every field and can be independent from an economic point of view, being entitled to salaries equal to those of men.

As for children, the spouses have equal rights and obligations, which, according to the law, must all be exercised in the best interest of the children. Each child has the fundamental right to live with his/her parents, and the main responsibility for raising the children and ensuring their development is that of the parents.

All children are guaranteed access to education, and parents are those who have the duty to send them to school and to make sure they go to classes. Children are free to express their own ideas and opinions and to have their own religious beliefs. However, parents or those who have children in care are responsible for the correct education, attitudes and beliefs of their children. National legislation also provides for children's free access to medical care, the right to be protected against any form of negligence, violence or abuse, as well as the right to be protected against any form of exploitation.

9.4. Marriage of convenience

A marriage of convenience is concluded with the only purpose of eluding the conditions foreigners must fulfil in order to be able to enter and reside in Romania.

If after getting married you file an application for a right of residence (or extension of an existing one) based on your new status, a verification procedure will start, conducted by the Romanian Immigration Office. You may be asked to provide evidence of the

⁹¹ Art. 282 of the Civil Code stipulates: "the future spouses may agree to keep their surnames, to take the surname of any of them or to both have both surnames. Also, a spouse may keep the surname before the marriage, and the other to take both surnames".

connection between the spouses, home visits, one or several interviews with both spouses, etc.

According to the legislation regarding the status of foreigners in Romania, the elements on the basis of which it can be decided that a marriage is of convenience are:

- the lack of matrimonial cohabitation;
- spouses never met before getting married;
- spouses cannot speak a language they can both understand;
- lack of effective contributions to marriage related obligations;
- there is evidence that one of the spouses has concluded a marriage of convenience before;
- spouses lack consistency when talking about personal information, the circumstances in which they met and relevant information;
- marriage was conditioned on money, except for the money received as dowry⁹².

An interviewing officer from the Romanian Immigration Office is the one that checks all these situations and elements, and, according to the law, these elements can result from:

- information obtained during the separate interviews with the spouses;
- written papers;
- declarations by people in question or other people;
- controls at the spouses' home or other additional verifications;

If the conclusion is that it's a marriage of convenience, the extension of the right of temporary residence in Romania is denied, and the foreigner is issued a return order. Within 30 days, the foreign citizen must leave the country. The decision can be contested within 10 days since foreigner is informed about the decision, at the Bucharest Court of Appeal, if the decision was issued by the ORI, or at the Court of Appeal that has jurisdiction over the area where the unit that issued the return order is located.

⁹² Art. 63, paragraph 2 of EGO no. 194/2002 regarding foreigners' status in Romania

9.5. Dissolution of marriage (divorce)

A marriage can only be broken up through a divorce. A divorce may occur:

- based on the mutual agreement of the spouses (collaborative), at the request of both spouses or of one of them, with the agreement of the other;
- when, for good reasons, the relation between spouses is seriously damaged and a continuation of marriage is no longer possible;
- at the request of one of the spouses, after a real separation that lasted at least 2 years;
- at the request of the spouse whose health makes the continuation of marriage impossible;

The collaborative divorce can be declared both in court and using an administrative channel, by the registrar, when there are no children, or by the notary public, even if there are minor children, provided the spouses have agreed upon all the issues resulting from the divorce: surname after the divorce, both parents having the care of the child, education, who provides for the child, where the child shall live after the divorce.

The application for divorce shall be filed by both spouses, or, in exceptional situations, through a proxy, and a 30 day waiting period is granted.

The fault divorce is declared by the court, which will establish the details regarding the family name, the sharing of the common goods, the parent the child is going to live with, etc. The divorce is valid starting the date when the final court decision is issued.

9.6. Birth

In keeping with the legislation in force, any child born on Romanian soil must be declared and registered in the local public vital

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record or, if the case may be, by the registrar of the town/city hall that has jurisdiction over the area where the child was born.⁹³

A new born must be registered within 15 days (children born alive) or 3 days (if still born).

When the birth declaration is given after the 15 days (or 3), before the child turns one, the birth certificate is issued with the approval of the mayor or of the head of the diplomatic mission/consular office.

When a child is declared after he/she turns one, the birth certificate is issued based on a final and irrevocable court decision, which must contain all the necessary information.

A new born must be declared in order to be issued a birth certificate, based on the parents' verbal declaration. If, for various reasons, the parents do not declare the child, the doctor, people attending the birth, the medical staff in the unit where the child was born or any other person who knows about the child being born shall declare the child.

The following documents are needed for a birth certificate to be issued:

- a medical certificate stating the child was born;
- mother's ID/residence permit/residence card;
- mother's marriage certificate or birth certificate if the mother is divorced or unmarried;
- the ID Of the one who declares the child - if the child's parents are not married;
- a statement establishing the name of the child - if the parents have different surnames;
- the marriage certificate of the child's parents and its legalised translation, if the parents are married. The certificate and its translated copy must be notarised.

Very important: along with the birth certificate, a personal numerical code (CNP) is assigned to the child who is a Romanian citizen.

⁹³ Art. 17 of Law no. 119/1996 regarding vital records, republished.

If the parents do not have the same surname or there is a incongruity between the child name on the medical certificate stating the birth and the one declared verbally, the birth certificate is drawn up based on a written statement, signed by both parents, stipulating the child's name and surname.

The birth can be registered by anybody, based on an ID, but the birth certificate can only be picked up by one of the parents.

9.7. Children whose one or both parents are foreign citizen

For children to be Romanian citizen, at the request or with the approval of both parents, they have to fall under one of these categories:

- they were born on Romanian soil, even if only one of the parents is a Romanian citizen;
- they were born abroad and both parents, or just one of them, have Romanian citizenship;
- they are foreign citizens and have been adopted by Romanian citizen⁹⁴;
- they get Romanian citizenship automatically if they are under 18 when one or both parents get Romanian citizenship.

The child found on Romanian territory is a Romanian citizen if neither of the parents is known.⁹⁵

If just one of the parents has Romanian citizenship, then the parents will decide together which will be the child's citizenship. If the parents do not reach an agreement, the court in the city in which the minor's domicile is registered will decide, based on the principle of observing the best interests of the child. For a child who is 14 his/her consent is necessary.

⁹⁴ Art. 6 of Law 21/1991 on Romanian citizenship stipulates: a foreign child or a child that has no citizenship gets Romanian citizenship through adoption, if the adopters are Romanian citizen. If the adopted person is above 18, his/her consent is needed.

⁹⁵ Art. 4 of Law 21/1991 on Romanian citizenship.

9.8. Decease

According to the law, a death occurring on Romanian soil shall be registered by the local authorities. The local population vital statistics service or the registrar of the town hall that the area where the death occurred belongs to, are in charge of drawing up the death certificate. The death certificate must be filled in according to the statement made by a family member of the deceased or, if there is no such person, the physician or any other member of the medical staff of the unit where the person died, or any other person aware of the death ⁹⁶.

To register a death you need the following documents:

- the medical certificate attesting the death, which is a standard form that must include a registration number, a date, signature and seal of the physician that declared the person dead, the seal of the medical, which must also include the cause of death, written in capital letters, with no abbreviations;
- the ID of the deceased;
- the birth certificate and the marriage certificate of the deceased;
- the military book or the drafting certificate of the deceased (if necessary);

The death must be registered within 3 days since the day it occurred. This time frame includes both the day when the death occurred and the day when the statement is given. In the case of a foreign citizen's death, the passport, the ID, the permanent or temporary residence permit shall be submitted by the registrar of the unit where the death is registered, to the territorial office of the Romanian Immigration Office, together with a copy of the death certificate. If these documents are not submitted, the registrar will send to the Romanian Immigration Office an official copy of the death certificate, together with the statement of the one that reported the death.

The consulate of the country the deceased is a citizen of may:

- Provide information regarding the procedures that must be followed in case of death, together with the contact data of the funeral home;
- Issue a mortuary passport needed to carry the dead body abroad;

⁹⁶ Art. 35 of Law 119/1996 regarding vital statistics.

In case you need clarifications about the civil status of the deceased (marriage, birth, divorce, death), please resort to the register office of the municipality. Also, you must inform ORI about any change in your civil status.

HOUSING

In Romania, there is no special legislation to stipulate the decent housing conditions for foreign citizens. They need to find a place to live themselves, in keeping with the budget and possibilities available to them.

If you are looking for a home to rent or buy in Romania, there are several sources of information you can use, such as:

- Local newspapers;
- Real estate agencies;
- Bills posted in public;
- Bills posted in hypermarkets;

If you have problems finding a home or paying the rent, you can resort to the communities of foreigners in Romania, as well as services provided by various NGOs⁹⁷ that provide assistance to foreign citizens.

10.1. Renting a home

- ☑ The simplest way to get a place to live in is by renting it.
- ☑ Rent varies depending on the size of the place, its location and equipment (furniture, home appliances, etc.). As a rule it's cheaper to live in an apartment with several other people, rather than rent a studio just for yourself.
- ☑ Usually, the rent does not include utilities (or maintenance; heat, gas, water, waste, elevator, etc.), which have to be paid separately by the tenant, to the Tenants' Association in that building. There are cases when utilities are included or are paid separately by the owner. We recommend you check this with the owner of the place you want to rent.
- ☑ Most owners do not want to conclude a **renting agreement** with their tenants, to avoid the payment of taxes (16% of the value of the rent, as stipulated in the contract). However, for you to be able to get or extend your residence documents, you will have to legally prove the existence of a place to live (you must prove you own a place or have the

⁹⁷ At the end of this guide there is a list of these organisations in the main cities in Romania.

legal right to stay in a place), by means of a contract. In this case, the contract must be registered with the ANAF by the owner/landlord.

Even if you have or don't have a renting agreement, we recommend that, when you pay the rent, you make sure you get a receipt from the owner, which both you and the owner sign, this being proof of the fact that you paid that amount of money.

(!) In any of these situations, we suggest you conclude a written contract with the owner of the place you are going to live in.

☒ **The deposit (guarantee)** is an amount of money that most owners request and retain as payment for the last month, or to give it back to the tenant when the tenant leaves the place, if the place was not damaged at all. Some owners do not wish to return the amount, and in this case you can sue the owner if you can prove you have actually paid (e.g. this deposit must be mentioned in the renting agreement).

10.2. Living in a place based on a bailment contract or a free tenancy agreement

☒ Other means by which you can get a place to live in are the bailment contract and the free tenancy agreement, under which a landlord provides tenancy for free. A **bailment contract** is a contract between two parties (bailer, the owner of the house and bailee, the one who is going to use the house), under which one of the parties provides the other party with temporary free tenancy in a home/house/apartment/living facility. This contract contains provisions about the length of the contract, the obligations of the person that will use the house/apartment/etc. as well as provisions regarding the termination of the contract. Usually, the bailment contract is concluded between the parties, without having to legalise it with a notary public. The contract has to be registered with the Fiscal Authority.

(!) In case you want to change or extend your residence documents, the Romanian Immigration Office will ask you to provide a copy of the bailment contract, authenticated by the notary public. In order to authenticate it, you will have to go to the notary office together with the owner, who will show the ID and the property deeds.

☑ **The free tenancy agreement** is drawn up by the landlord and has to be authenticated by a notary public. For that, the owner will have to go to the notary public, with the property deeds and the IDs, of both himself/herself and the tenant. This contract must include the latest domicile of the person taken in tenancy, and the purpose for which this agreement is concluded (e.g. to change IDs).

10.3. Buying a real estate property

☑ As foreign citizen who has the right of residence in Romania, you have the right to buy real estate (houses, apartments, offices, etc.), in the same conditions as the Romanian citizen. In order to buy such a property, you can resort to a real estate agency or you can solve the formalities directly with the one who sells (natural or legal person), at a notary public;

☑ As a foreign citizen you do not have the right to buy land, except for the situation in which your country of origin and Romania have signed an international treaty, based on reciprocity (in keeping with Law 312/2005). To find out if you have the right to buy land in Romania, it is recommended you go to the consulate of your country of origin or to a notary office.

10.4. Registration of utilities

☑ When you move to an apartment or house that you own, you will have to change the contracts with the providers of utilities (gas, water, electricity, etc.) or to notify the building manager to change the name on the maintenance list.

If you own a building/house you must pay the annual insurance. This is calculated by the National Fiscal Administration Authority, depending on the size of the house, its geographic location and facilities.

Electricity, landline phone, cable TV and internet have to be paid separately, directly to the providers of these utilities, by post or bank. Payment of utilities are calculated based on consumption (if it registered, like electricity, water, or gas), the number of rooms (if the

house get heating from specialised companies), the service provided (in the case of cable TV or the Internet), etc.;

10.5. Obligatory Home Insurance

Starting 2011, insuring a home/house has been compulsory, thus preventing the material damage that can be caused by fire, flooding and earthquakes. The compulsory insurance varies between 10-20 Euros per year and can be paid online or at the head offices of some institutions and companies. For further details go to:

<https://asigurareaobligatoriealocuintelor.ro/>

☒ If you want, you can also conclude an optional insurance, which is more expensive, but which will protect against more risks (e.g. robbery);

TRANSPORTATION

Foreign citizens who have a right of residence in Romania have the right to travel freely all across Romania, using the existing transportation network: village/national/European roads and highways, railways - national coverage, airlines, navigable waters, subway lines (only in Bucharest).

- **The Road Infrastructure (roads, highways)** cover the entire territory of the country. The speed limits applicable depending on the type of road are: highways - 130 km/h, European roads - 100 km/h, national roads - 90 km/h and local or village roads - 50 km/h. You can find a list of national roads, European roads and highways at: http://ro.wikipedia.org/wiki/Categorie:Drumuri_na%C8%9Bionale_din_Rom%C3%A2nia

- **The railway network** has national coverage. To see the connections for a certain route you can access: <http://www.cfrcalatori.ro/> or you can resort to the RRC agencies in the city in which you live or the offices that are in stations. Train tickets can be bought both online, from the RRC agencies or from the very station you use.

- **Airports** are located near the big cities in Romania, most of them operating both domestic and international flights. You can find a list of airports in Romania at: <http://www.airportaar.ro/>

11.1. Local Transportation

- Local transportation in most cities in Romania is ensured by a network made up of **buses, trolleybuses, micro-buses and trams**. Depending on the size of the city, the network can be complex (e.g. Bucharest, where there is also a **subway**) or less complex (e.g. Deva, where there are only buses and micro-buses). Bucharest (the capital) has the most complex local transportation system, being the only city in the country that has subway and express lines (making the connection between the city and the airport).

- **The public transportation fees** are established by the transport authorities or by the private companies that provide transportation services at local level (e.g. in Bucharest, on May 1st 2012, the price of a bus/trolley/tram ticket was 1.3 RON, and a monthly subscription for all lines was 50RON; a subway card for two trips was 4 RON, and an express card for 2 trips was 7 RON);

- Some means of public transport provide **special equipment for the disabled**. In order to get on you need to ask the driver to bring down the mobile platform.

- Tickets, cards or subscriptions can be bought from the ticket stands near the stops. The ticket becomes valid only if it is validated. Validation is compulsory and it's done by introducing the ticket into the validation machine inside that mean of transport or by touching the card against the machines. The ticket, once validated, must be kept for the entire duration of the trip. In Bucharest, the value of the tickets can be paid using a bank card - VISA or MASTERCARD - at all online selling points.

- **Taxis** charge various fees, that is why it's better to resort to known companies or companies that display their fees on cars. Fees may vary during the night or for trips outside the city. It's important to make sure the driver knows the address you need to go to and that, at the end of the trip, you get a receipt.

Airports are usually located outside the city, but in most cases there are no special fees for the trips to/from the airport. It is recommended, though, that you make sure the taxis you take from outside the airport have reasonable fees (the fee must be displayed on the door of the car) or to resort to the information offices inside the airport, which can call a taxi for you.

For instance, if you get to Bucharest at the Henri Coanda Airport (Otopeni), it is recommended you take a taxi from the Departures terminal. Many of the taxis that have a license are not allowed to wait for clients in front of the Arrivals terminal that is why they are parked in front of Departures.

11.2. Intercity transportation

Transportation between various cities in Romania is ensured by means of:

- buses and micro-buses provided by various public or private companies: <http://www.autogari.ro/>
- trains operated mainly by the Romanian Railway Company or other private railway companies, which operate on shorter distances. For further information please resort to information centres that are in railway stations or check <http://infofer.ro/>
- planes that ensure regular flights between various cities; they are operated by TAROM, but also by other companies that operate international flights with stop-overs in various Romanian cities.

11.3. Driving license

For you to be allowed to drive a vehicle in Romania you must be at least 18 years old and have a valid driving license, corresponding to the type of vehicle you drive.

If you do not have a driving license issued in another country and you want to get one in Romania, you must have a right of residence in Romania (residence permit, residence card) and to have lived in the country for at least 185 calendar days (6 months) ⁹⁸, before getting registered for an examination. Later, you will have to go through the following stages:

- to get enlisted at a driving school in the city you live in and to attended the necessary theory (24 hours) and practical classes (30 hours).
- once you have completed the course, you must register for an examination, which consists of a knowledge test on the computer (for a simulation access <http://simulare.examenauto.net/>) and a practical one. The knowledge test can be taken, upon request, in a

⁹⁸ Article 23 (1 and 2) of GEO no. 195/2002 regarding public road traffic

world language, but the practical examination will be run in Romanian.

A driving license is valid for 10 years, after which it can be extended without having to take another exam.

If you have a valid driving license issued in a state signatory to the Road Traffic Convention (Vienna 1968), you can exchange it for a Romanian one, without having to take any examination.

The list of countries signatory to the document includes: South Africa, Albania, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Belarus, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Cote d'Ivoire, Croatia, Cuba, Denmark, Estonia, Macedonia, Russia, Finland, France, Georgia, Germany, Greece, Guyana, Hungary, Iran, Israel, Italy, Kazakhstan, Kuwait, Latvia, Liberia, Lithuania, Luxemburg, Morocco, Monaco, Mongolia, Nigeria, Norway, Uzbekistan, Pakistan, Philippines, Poland, the Central-African Republic, the Republic of San Marino, Senegal, Serbia, Seychelles, Slovakia, Slovenia, Sweden, Switzerland, Tajikistan, Tunisia, Turkmenistan, Ukraine, Uruguay, Zimbabwe, and it can be found in Order no. 1480/2006 regarding the exchange of foreign driving licenses with similar Romanian documents, issued by the Administration and Interior Ministry ⁹⁹.

If you want to exchange your driving license you need to go to the Driving Licenses and Vehicle Registration Service of the Prefect's Office in the city where your domicile is, as registered on your residence permit.

The list of documents you need to provide in order to have your driving license exchanged is stipulated in Art.6 of Order no.1480/2006¹⁰⁰ regarding the exchange of foreign driving documents with similar Romanian documents, as mentioned above. The Romanian driving license is issued within 30 days since you submit the application file, and in the meantime you will be able to drive using a temporary permit.

⁹⁹ <http://legestart.ro/Ordinul-1480-2006-preschimbarea-permiselor-conducere-straine-documente-similare-romanesti-%28MjEyNTg5%29.htm>

¹⁰⁰ <http://infolege.ro/ordinul-14802006-privind-preschimbarea-permiselor-de-conducere-straine-cu-documente-similare-romanesti/>

If you have a driving license issued by a state that has not signed the Road Traffic Convention and is not a member of the European Union, you may drive in Romania only based on the driving license issued in that country, accompanied by an international driving license.

It is possible that, in order to be able to validate the authenticity of the residence permits obtained in a third country, you will be asked to present some additional documents (such as a certificate issued by a consular office). For that reason, we recommend you find more from the Driving License and Vehicle Registration Service in the county of residence.

FINANCES

12.1. The national currency

The national currency of Romania is the Romanian RON, which is subdivided into 100 bani.¹⁰¹

The National Bank of Romania (Central Bank) is the financial institution that has the role of maintaining financial stability. The currency exchange policy is one of the Central Bank's responsibilities, the exchange rate set by the Central Bank being the reference rate for many financial institutions or in financial-banking operations.

There is an exchange rate set by commercial banks, and exchange offices have their own rates, which they set based on certain criteria, having the right to ask for commissions.

More about exchange rates on: <http://www.bnr.ro/Exchange-rates-1224.aspx>.

12.2. Bank Accounts

If you want to make payments, cash or transfer money to and from abroad, you can open your own bank account. You can open a simple account with all banks and also savings and debit accounts with most banks. You will be asked to provide a number of documents, among which proof of your identity: passport and/or residence permit.

Opening a bank account, its management and carrying out financial operations usually entails certain costs (account administration commission, transaction commissions), which can vary from bank to bank and in keeping with the nature of the financial service provided. The main criteria used in selecting a bank are conditions, the number and distribution of branches, international coverage, the offer of products and services. More and more banking services can be used via the internet or phone (internet banking or mobile banking): one can open a deposit

¹⁰¹ On July 1st 2005, a monetary reform was implemented in Romania, and the old Leu (ROL) became the new Leu (RON), 100,000 ROL becoming 1 RON.

account, make transfers, exchange currency, pay bills, check the account, fund a card, etc.

You can find the list of commercial banks accredited by the National Bank of Romania and their contact data on:

<http://www.bnro.ro/Banci-comerciale-1333.aspx>.

12.3. Money transfers to and from abroad

You can send money to Romania, from Romania abroad or you can get money from abroad using the banking services offered by commercial banks. Upon request, banks can provide a list of the countries you can send money to, as well as information about commissions charged in each country and the sent amount. In order to make a transfer you must show an ID: passport and/or residence permit. The Romanian Post also provides money transfer services in Romania, from Romania abroad and the other way round.

For more details see:

<http://www.posta-romana.ro/services/personal#transfer-de-bani> 7.

Another money transfer method is by using rapid international money transfer services, such as: Money Gram, Western Union, RIA¹⁰². These services are available at the banks displaying the logos of those companies. The commission is paid by sender and varies depending on the amount sent.

12.4. Credits

A credit is money loaned by a banking institution based on a contract. It is very important that, before contracting a credit, you get all possible information about costs and conditions, such as: maximum length of accreditation, types of interests, the minimum income to apply the types of income that are taken into account, conditions about the residence period in Romania, length of job, other guarantees, etc. For details you can resort to any bank, access banks' websites or by phoning

¹⁰² For these services, there is no need for an account to be set beforehand, and money is sent or received in cash by observing the currency regulations in force.

their PR offices.

Moreover, you will see that many banks grant loans only to Romanian citizens or, in some cases, to foreigners that have permanent residence.

12.5. The Romanian Post

Post offices sell stamps, phone cards and provide payment facilities for utilities (electricity, gas, phone, etc.) or money transfer inside and outside Romania.

For further details access: http://www.posta-romana.ro/?lang=en_US or on the public relations phone INFOPOST: **021/9393111** (all mobile and landline telephony networks) or **021/9393** (Vodafone) – useful post-related information.

12.6. Taxes and fees

If you are self-employed and you are registered as an authorized natural person (PFA) or have registered a family association, you must also get registered with the Public Finance Administration¹⁰³ to get a fiscal identity code and for you income tax to be calculated. You can choose the office you get registered at depending on your domicile or the place where you carry out your activity.

When this guide was published, the income tax in Romania was 16% and the standard rate of the VAT was 24%.

Benefits, allowances and other forms of special support, for mothers, child raising, care for ill children, etc. are not taxable¹⁰⁴.

Also, there are local taxes and fees (such as on buildings, land, means of transport, certificates, licenses and authorizations, etc.), profit

¹⁰³ The fiscal identity code is also known as fiscal code, which must not be mistaken for the law that bears the same name. The fiscal identity code has maximum 10 digits (only numbers).

¹⁰⁴ Art. 42 of GD 50/2012 - amending and adding to the methodological norms for the application of the fiscal code.

Welcome to Romania

taxes, special taxes on vehicles, excises – on tobacco, alcohol, fuels, coffee, etc.) and others.

If you are an employee, your employers must retain the income tax, on a monthly basis, from your salary and turn it over to the state budget (fiscal authority).

GET INVOLVED IN YOUR COMMUNITY!

13.1. Participation in the political life, in volunteer work and the associative life

According to the Romanian Constitution, as a foreign citizen you benefit from all the fundamental rights, except for the political ones. Not benefiting from political rights means that you do not have the right to elect (to vote) or to be elected, to set up political parties and to hold public offices.

If you wish to make use of your right to free association, you can set up an NGO, become an associate or member of an association, set up a foundation or carry out volunteer work.

The NGO sector covers an important number of fields, from art, culture and sports to child protection, education, job creation, housing, human rights, social care and many more. Although all of them have in common the fact that they were set up to carry out non-profit activities, these organizations focus on providing support to vulnerable people, developing feelings of solidarity and mutual help, supporting the initiation, change and implementation of public policies or promote the interests of their members.

NGOs are set up in keeping with the law¹⁰⁵ and are registered in the Foundations and Associations Registry of the courts of 1st instance their offices are registered with¹⁰⁶. An association can be set up by minimum 3 natural or legal persons, Romanian or foreign, and a foundation can include minimum one person. Associations and foundations have access to private and public resources, can conclude partnerships with other similar organisations or public authorities and, although they are non-profit organisations, can carry out economic

¹⁰⁵ The setting up and functioning of associations and foundations are regulated by 26/2000 on associations and foundations, with the subsequent modifications and additions. There are also other laws that contain additional provisions, such as GO 75/2001 regarding fiscal records, Volunteer Law 195/2001, Law no. 656/2002 for the prevention and sanctioning of money laundering, Law 677/2001 for the protection of people with regard to the processing of personal data and the free circulation of such data, etc.

¹⁰⁶ <http://www.just.ro/MeniuStanga/PersonnelInformation/tabid/91/Default.aspx>.

activities, of secondary rank, to obtain additional income, to be used for reaching the goal they were set up for.

If you want to promote your rights, provide community services, get involved in lobbying campaigns or if you just want to meet people who have interests, hobbies or concerns similar to yours, an association can be the solution. Also, you can get involved in volunteer work.

According to the law, **volunteer work** is the public work carried out by a person, called volunteer, its activities being aimed at generating significant change in the community and solving local issues. You, through volunteer work, can help render communication between the host society and the community you belong more effective, and strengthen social relations. Also, you can help develop an active dialogue between Romanian society and your community, with the aim of creating a multi-cultural society, open and friendly.

13.2. NGOs specialising in providing assistance and integration support to foreigners in Romania

In Romania there are NGOs that work for the benefit of foreign citizens, but also foreigners' associations, which are cultural, professional, business, human rights organisations. You can resort to them if you have a problem or if you want to help them in their activities.

Romanian National Council for Refugees

Bucharest, 42 Mântuleasa Street, 3rd floor, apt. 10, sect. 2, România

Tel/ fax: 021312.62.10;
031405.02.75.

E-mail: office@cnrr.ro, www.cnrr.ro

The Association for Organization Development – SAH ROM

Bucharest, Calea Moșilor 284, bl. 22A, entrance 2, 8th floor, apt. 47, sector 2,

Jesuit Service for Refugees – Romania

Contact: Pedro Arrupe Centre, Bucharest, 54 Mr. Ilie Oprea Street, sector 4, code 041378
Tel: 021332.24.57,

031102.14.32, 037.293.63.46
Tel/Fax: 021.332.53.61

E-mail: romania@jrs.net,
jrsromania@gmail.com
www.jrseurope.org

Tel/fax.: 021.210.71.60,
e-mail: adosahrom@starnets.ro,
www.adosahrom.ro

Centre for Civic Resources

Constanta, 18 George Enescu Street,
1st floor
tel.: 0742 738 836,
e-mail: office@resursecivice.ro
www.resursecivice.ro

Association for Alternative Dispute Resolution

Suceava, 48 Universităţii Street,
Room 6, tel.: 0745 469 459,
e-mail: adramediere@gmail.com,
www.adramediere.ro

APEL Service Association

Bucharest, 73 Regina Elisabeta
Boulevard, entrance 1, 1st floor,
apt.2, intercom 02, postal code
050016, Sector 5
Tel: 021.311.61.42
Fax: 021.311.61.43
Email: office.b@apelngo.ro

Timisoara, Bd-ul B.P. Haşdeu, Nr.11,
Ap. 1, Cod Postal 300016, Timiş
county,
Tel/Fax: 0256.498.869
Email: office.tm@apelngo.ro
www.apelngo.ro

Timisoara Intercultural Institute

Timişoara, Bd. 16 Decembrie
1989 no. 8, 300173, România
Tel/fax: 0256 498457,
0256 203942
E-mail: iit@intercultural.ro
www.intercultural.ro şi
www.migrant.ro

Save the Children România (SCR)

General secretariat: Bucharest, 3
Ştefan Furtună Entrance, sector
1, România
Tel.: 021 316 61 76,
Fax: 021 312 44 86
e-mail: rosc@salvaticopiii.ro
www.salvaticopiii.ro

Medical Centre for the Rehabilitation of Torture Victims

Bucharest, 70 Unirii Boulevard,
Block J5, sector 3, code 030836
Tel: 021321 22 21,
Fax: 021 327 54 74
E-mail: icar@icarfoundation.ro
www.icarfoundation.ro

Young Generation

Timişoara, 8 Molidului Street,
RO 300244,
Tel. 0256 282 320
Fax. 0256 215 659
www.generatietanara.ro

**Romanian Forum for
Refugees and Migrants
(ARCA)**

Bucharest, 23 Austrului Street,
Apt. 1, sector 2
Tel.: 021 252 7357,
Fax: 021 252 0815
E-mail: office@arca.org.ro
www.arca.org.ro

13.3. NGOs

UNICEF Romania

Chancellery: Bucharest, the UN
House, 48A Primăverii Boulevard,
sector 1, 011975
Tel. 021 201.7872 - 76 – Telephone
operator
Fax: 021 317.52.55
Email: bucharest@unicef.org
<http://www.unicef.org/romania/ro/>

Romanian Red Cross

Bucharest, 29 Biserica Amzei
Street, sector 1,
Office: Iulia Sandu
Tel.: 021 317 60 06
E-mail: iulia.sandu@crucearosie.ro
<http://www.crucearosie.ro/>

**High UN Commissariat for
Refugees**

Bucharest, 48° Primăverii
Boulevard, sector 1, cod 011975,
Romania
Tel. mass- media: 021.201.78.77,
Library: 021.201.78.78,
Administrative Office:
021.201.78.79
Fax: 021 201 78 80
E-mail: unic.romania@unic.org
[http://www.unhcr-
centraleurope.org/ro/index.html](http://www.unhcr-centraleurope.org/ro/index.html)

**International Migration
Organisation**

Chancellery: Bucharest, 89 Dacia
Boulevard, Sector 2, code 020052
Phone: 021 211 45 65, 211 56 57
Fax: 021 211 44 54
E-mail: iombucarest@iom.int
www.iom.int, www.iom.ro

13.4. Public institutions and authorities, inspectorates / agencies / county directorates

Local authorities are responsible for the development of a certain region and for providing assistance to the people who live in that region (county/town/village).

You can find information about regional authorities and their contact data on the national public administration portal **www.administratie.ro**.

Also here you can find *the main sites of the central and local public administration, detailed and updated information (links to governmental agencies, institutions and local leading bodies, legislative information, on-line forms, information fro people who reside outside Romania, etc.)*

Administration and Interior Ministry

Bucharest, Piața Revoluției no.1 A, sect. 1

Ministry's central operator.:

021 303.70.80

Public relations: 021 314.10.50

E-mail: petitii@mai.gov.ro

www.mai.gov.ro

Romanian Immigration Office Asylum and Integration Department

Bucharest, 24 A Tudor Gociu street, sector 4

Tel: 021 4501134

Fax: 021 4501729

E-mail: ori.dai@mai.gov.ro

Directorate of Migration

Bucharest, 23 Nicolae Iorga Street, sector 1

Telephone/ Fax 021212 80 07

Foreign Affairs Ministry

Bucharest, 31 Aleea Alexandru, Sector 1, code 011822

Tel: 021 319.21.08 or 319.21.25

Fax: 021 319.68.62

E-mail: opinia_ta@mae.ro

www.mae.ro

Consular Department

Bucharest, 24 Aleea Alexandru, sector 1

Secretariat: 021.319.68.70

Fax: 021.319.68.69

E-mail: drco@mae.ro

National Visa Centre – for the foreign citizens who wish to travel to Romania

Secretariat: 021.232.55.07

Fax: 021.232.55.78

E-mail: cnv@mae.ro

Third-country Nationals' Office

Bucharest, 3-5 Eforie Street, sector 5,
Phone: 021 310 13 24
Fax: 021 311 18 27
<http://ori.mai.gov.ro/>

List of territorial offices and contact addresses are displayed when clicking on the county you reside in
http://ori.mai.gov.ro/formatiuni_teritoriale/index/ro

National Citizenship Authority

Bucharest, 3 Smârdan Street, code 030071 (public access is allowed via Blănari Street, across the street from the Sf. Nicolae Șelari Church).
Tel: 021.201.93.55
Fax: 021.315.35.43
Email: cetatenie@just.ro
<http://cetatenie.just.ro>

Ministry of Labour, Family and Social Protection

Bucharest, 2-4 Dem. I. Dobrescu Street, sector 1
Phone: 021.313.62.67, 021.315.85.56
E-mail: relatiicupublicul@mmuncii.ro
www.mmuncii.ro

Labour Inspection

Bucharest, 14 Matei Voievod Street, Sector 2 Tel. 021/302.70.30
www.inspectiamuncii.ro

National Pensions and other Social

130

Ministry of Education, Research and Innovation

28-30 Gen. Berthelot, Sector 1, 010168, Bucharest
Central operator: 4056200;
4056300
www.edu.ro

International Students Directorate

Tel. / Fax: 021 405 63 56
0744 301 008

National Centre for Diploma Recognition and Equivalency

Bucharest, 12 Spiru Haret Street, Sector 1, code 010176
Secretariat: (+4) 021 405 63 22
Fax: (+4) 021 313 10 13
www.cnred.edu.ro

Health Ministry

Bucharest, 1-3 Cristian Popișteanu, entrance
Phone : 021 3072500, 021 3072600
Fax: 021 3072 675
Registration Office: 0213072535
dirrp@ms.ro
www.ms.gov.ro

Ministry of Public Finance

Bucharest, 17 Apolodor Street, sector 5, cod 050741
Telephone: 0213199759, 0212261110, 0212261000
Fax: 021 3122509
publicinfo@mfinante.ro

Security Rights House

Bucharest, 8 Latina Street, Sector 2
Phone: 021 3169111; 08 00 826 727
petitii.sesizari@cnpas.org
www.cnpas.org
General registration office: tel. 021 3162894

General Directorate for Child Protection

Bucharest, 7 G-ral Gheorghe Magheru Boulevard,
Sector 1, Postal Code 010322
Tel: 021 3153633, 021 3153630,
021 3100789, 021 3100790
Fax: 021 3127474
E-mail: office@anpfdc.ro

National Employment Agency

Bucharest, 20-22 Avalanșei Street,
sector 4, code 040305
Tel: 021 3039831
Fax: 021 3039838
E-mail: mass.media@anofm.ro
www.anofm.ro

National Agency against Human Trafficking (ANITP)

Bucharest, 20 Ion Câmpineanu Street,
5th floor, Sector 1, Romania
Phone: 021 311 89 82, 021 313 31 00
Fax: 021 319 01 83
E-mail: anitp@mai.gov.ro
<http://anitp.mai.gov.ro>

www.mfinante.ro

National Agency for Fiscal Administration (ANAF)

Bucharest, 17 Apolodor Street,
sector 5 Phone /Fax: 021 3199759;
021 3199776; 021 3199768
www.anaf.mfinante.ro

National Council for Fight against Discrimination

Bucharest, Piata Valter Mărcineanu no 1-3, sector 1, cod 010155 Telefon:
021 312.65.78; 021 312.65.79
Fax: 021 312.65.85
Email: support@cncd.org.ro
www.cncd.org.ro

High Court of Cassation and Justice

Bucharest, 25 Batiștei Street, sector 2, postal code 020934
Tel: 021 310.39.08,
021 310.39.09,
021 310.39.12
E-mail: relatii publice@scj.ro
www.scj.ro

Ombudsman

Bucharest, 3 Eugeniu Carada Street, sector 3,
Tel: 021 312.94.62,
021 312.71.01
Fax: 021 312.49.21
E-mail: avp@avp.ro
Web: www.avp.ro

13.5 Trade Unions and Employers' Associations

Trade Unions are established based on the right of freedom of association, with the aim of defending the rights stipulated in the national legislation, in collective and individual employment contracts and agreements, as well as in the international treaties and conventions Romania is a party to, for the promotion of professional interests. Also, trade unions use their power of organisation to plead for social policies and legislation that favour their members or workers in general.

Trade unions must have at least 15 members from the same company and may gather into sectoral federations and confederations. Trade organisations are independent from public authorities, political parties and employers' associations.

The EU Charter of Fundamental Rights, adopted in Nisse in December 2000, now the 2nd part of the Treaty establishing a constitution for Europe, includes a number of fundamental trade union rights, such as freedom of association (art. 12) and collective bargaining rights, as well as the right to carry out a collective action (art.28).

Foreign citizens who have the right to work in Romania, irrespective of the type of residence document they've got, may be members of a trade union.

Employers' associations are employers' organisations, independent from public authorities, political parties and trade unions and are organised by sectors of activity, at national and territorial level. In Romania, trade unions and employers' associations are organised in keeping with the Law no.62/2011 on social dialogue.

Social dialogue, as it is defined by the International Labour Organisation, includes all types of negotiations, consultations or just exchanges of information between the government, employers and worker representatives, on topics of common interest in the field of economic and social policy. It can exist as a tripartite process, in which case the government is an official part to the social dialogue or can consist in bilateral relations, involving only employers' organisations and trade unions, with or without the direct involvement of the

government. Social dialogue can take place at national, regional or company level, and can be inter-professional, sectoral or a combination of the two. Social dialogue is regarded as a major factor contributing to social-economic progress, essential for the promotion of decent work and curbing poverty.

If you need support to defend your rights in the relation with the employer, you can resort to the trade union in the company you work for.

Trade Unions can organize themselves into federations, by sector of activity, and the latter into trade union confederations that bring together federations from several sectors of the national economy. For instance, construction workers are affiliated to the General Federation of Trade Unions – Familia (www.fgs.ro). On these confederations' web pages you can find the list of members from each sector.

The National Confederation of Free Trade Unions in Romania– Frăția (C.N.S.L.R.- Frăția)

Bucharest, 1-3 Cristian Popishteanu Street, Sector 1, postal code 010024

Tel: 021 315 73 00

Fax: 021 312 62 06

E-mail: secretariatgeneral@cnslr-fratia.ro, www.cnslr-fratia.ro

“Cartel Alfa” National Trade Union Confederation (CNS Cartel ALFA)

Bucharest, 202^A Splaiul Independentei, 2nd floor, Sector 6, postal code: 060022

Tel: 021 317 1040; 021 317 1041; 021 317 1045

Fax: 021 312 3481

E-mail: alfa@cartel-alfa.ro, www.cartel-alfa.ro

National Trade Union Block (BNS)

Bucharest, 11A Turturelelor Street, Sector 3, Phoenicia Business Centre, 3rd floor, **Phone/fax:** 021-316.27.98; 021-316.27.99 021-316.28.01

E-mail: bns@bns.ro, www.bns.ro

www.imigrantinromania.ro

13.6. Professional Associations

In Romania, certain professions are regulated by law, being conditioned on certain conditions (such as a certain number of years of study or citizenship) and on getting a liberal professions licence.

Professionals working in the regulated fields are organised into professional associations, under special laws, which grant or suspend liberal professions licences, approve and monitor the way in which the codes of conduct associated to those professions are observed, establish single occupation registries of liberal professions in Romania, etc.

Examples of such organisations: the College of Psychologists and Romania, the Order of Biochemists, Biologists and Chemists in the Romanian Health – Care system, the Order of Medical Nurses and Midwives in Romania, the Order of Dental Technicians, the Mediation council, the Architects' Order, the Expert and Licensed Accountants' Corp, etc.

The list of regulated professions is in Appendix 2 to Law no.200/2004 on the recognition of diplomas and professional qualifications for the regulated professions in Romania.

APPENDIX

14.1. Appendices 1 – Useful information

Internet search engines are a useful instrument to identify useful information:

Several search engines:

- **www.google.ro** - Search engine in Romanian, Hungarian, English, French, etc.;
- **www.dreptonline.ro** - legal portal
- **www.paginiaurii.ro, www.paginialbe.ro, www.yellowpages.ro** - containing company contact data, depending on the field of activity, company name or location;

Web sites where you can find words and phrases in Romanian:

- www.linguanaut.com
- <http://www.happychild.org.uk/free-way/romanian/>

Online course of Romanian:

- <http://www.vorbitiromaneste.ro/>
- <http://www.dprp.gov.ro/elearning/>

City maps

<http://harta.orasultau.ro/>

Sites on which you can look for a job

www.myjob.ro,
www.ejobs.ro,
www.bestjobs.ro,
www.findjob.ro,
www.ljob.ro,
www.bursamuncii.ro
www.job-studenti.ro,
www.romjob.ro,
www.jobber.ro

THE CONSTITUTION OF ROMANIA:

Romanian Constitution in French:

<http://www.cdep.ro/pls/dic/site.page?id=372>

Romanian Constitution in English:

<http://www.cdep.ro/pls/dic/site.page?id=371>

Romanian Constitution in Romanian:

<http://www.cdep.ro/pls/dic/site.page?id=339>

LABOUR CODE:

Labour Code in Romanian: <http://codul-muncii.webox.ro/>

Useful phone numbers

Single emergency number - 112
- emergency calls about fires, accidents, medical emergencies, disasters and other events; it takes emergency calls in one world language.

Road traffic police squad - 9544

Consumers' protection -
0800.080.999

Child helpline - 116 111

Social assistance—
021.314.23.15

Various information - 1951

Romania's telephone code

If you phone from abroad, dial the country code 0040 or +40 followed by the prefix of the county you call, without the zero, and the phone number.

Example:

0040 21 32....(for a landline phone number in Bucharest)

00407... (for a mobile phone number)

14.2. Appendix 2 – The compulsory elements of an individual employment contract

The individual employment agreement concluded between an employer and an employee shall include several compulsory elements, as described in the framework model below. As a result of negotiations between the parties, the agreement may include specific clauses, as provided by law.

- A. Parties to the contract (the employer, natural or legal person, and the employee)
- B. Object of the contract
- C. Duration of the contract
- D. Workplace (definite or indefinite, ofmonths)
- E. Type of work (trade/position, with the corresponding OCR code)
- F. Job responsibilities (as described in the job description document, as well as criteria of professional assessment/appraisal, which become appendixes 1 and 2 to the individual employment contract)
- G. Labour conditions (*normal/special*, in keeping with Law no.263/2010 on the unitary system of public pensions, with the subsequent amendments and additions, or *hard, dangerous or damaging*), in keeping with Law no.31/1991 regarding the setting of less than 8 working hours for the employees that work in special, damaging, hard or dangerous)
- H. Work length (full time or part time);
- I. Vacation / holiday (in working days, depending on the work length – full time or part time, additional leave);
- J. Salary (base gross salary in lei, benefits, indemnities and other supplementary benefits in money or in kind, etc.)
- K. Specific rights relating to work health and safety (individual protection equipment, individual work equipment,
- L. Other clauses (trial period, pre-notice period, etc.)
- M. General rights and obligations of the parties
- N. Final provisions
- O. Conflicts over concluding, implementing, amending, suspending and terminating the individual employment agreement.

Signature of both parties

14.3. Appendix 3 - LEGISLATION

- Labour Code – Law no.40/2011
- Civil Code – Law 287 /2009 on the Civil Code, republished under Law no.71/2011
- GEO no.194/2002 on the status of foreigners in Romania, updated under Law no.157/2011
- GEO no.56/2007 on employment and posting foreigners to Romania, updated under Law no.157/2011
- GO no.44/2004 on the social integration of foreigners that have obtained a form of protection or a right of residence in Romania, as well as of the citizens of the EU and EEA
- Government Decision no.572/2008 on the setting up of the Steering Committee for the implementation of the National Strategy on Immigration
- Law no.108/1999 for the setting up and organisation of Labour Inspection, with the subsequent amendments and additions.
- Law 263 /2003 on the single public pension scheme, with the subsequent amendments and additions.
- Law no.416/2001 on the minimum guaranteed income with the subsequent amendments and additions;
- Law no.319/2006 on work health and safety, with the subsequent amendments and additions;
- Law no. 346/2002 on labour accidents and occupational hazard insurance, with the subsequent amendments and additions;
- Law no.95/2006 on health care reform, with the subsequent amendments and additions;
- Law no.76/2002 on unemployment insurance and boosting employment, with the subsequent amendments and additions;
- Law no.292/2011 on social security
- EGU no.44/2008 regarding economic activities carried out by authorised natural persons, individual and family companies, with the subsequent amendments and additions;
- Law no.200/2004 regarding recognition of diplomas and professional qualifications for the professions regulated in Romania, with the subsequent amendments and additions;

- Law no.61/1993 on state allowance for children, with the subsequent amendments and additions;
- Law no.31/1990 on commercial companies, revised;
- Law no.296/2002 on providing medical care for foreign citizens in Romania, based on the mutual international accords, agreements, conventions and protocols Romania is a party to, with the subsequent amendments and additions;
- Law no.678/2001 on preventing and combating human trafficking, with the subsequent amendments and additions;
- Law no.10/2010 for the ratification of the agreement between the Romanian Government and the Government of the Republic of Moldova, on small scale cross-border trading, signed in Bucharest on November 13th, 2009;
- Directive 2005/36/EC of the European Parliament and Council regarding the recognition of professional qualifications;
- Order of the Ministry of Labour, Family and Social Protection no.1616/2011 regarding the modification and completion of the framework-model of the individual employment contract, provided for in appendix to the Order of the Labour and Social Solidarity Minister, no.64/2003;
- Methodology regarding the admission of third country students to the Romanian public and private education system, in the 2011-2012 school/academic year.

14.4. Appendix 4 – Common words and phrases in Romanian

GREETING	NUMBERS
<ul style="list-style-type: none"> - Hello!/ Hi! - Salut. / Bună. - How are you? - Ce mai faci? Ce mai faceți? - What is your name? - Cum te cheamă? - My name is _____. - Numele meu este _____. - Please - Te rog / Vă rog - Thank you - Mulțumesc - Yes / No - Da. / Nu. – - Sorry - Scuză-mă / Scuze. - See you/ Bye - La revedere - I don't speak Romanian - Nu vorbesc românește. – - Vorbiți româna? - Do you speak Romanian? - Good morning / Good evening - Bună dimineața. / Bună seara. - Good night - Noapte bună. - I don't understand - Nu înțeleg. - I want to talk to the embassy/ consulate - Vreau să vorbesc cu ambasada/consulatul - I need a doctor. - Am nevoie de un doctor. - May I use your phone? - Pot să folosesc telefonul tău / dvs.? - I need help. - Am nevoie de ajutor. - It's an emergency. - Este o urgență. 	<ul style="list-style-type: none"> 1 one - unu 2 two - doi 3 three - trei 4 four - patru 5 five - cinci 6 six - șase 7 seven - șapte 8 eight - opt 9 nine - nouă 10 ten - zece 100 one hundred - o sută 1000 one thousand - o mie 10.000 ten thousand - zece mii 100.000 one hundred thousand - o sută de mii 1.000.000 one million - un milion

MONTHS OF THE YEAR	DAYS
January - Ianuarie	Today - astăzi - today
February - Februarie	Yesterday - ieri - yesterday
March - Martie	The day before yesterday - alaltăieri
April - Aprilie	Tomorrow - mâine
May - Mai	The day after tomorrow -
June - Iunie	poimâine
July - Iulie	This week - săptămâna aceasta
August - August	Next week săptămâna următoare/ viitoare -
September - Septembrie	Monday - Luni - Monday
October - Octombrie	Tuesday - Marți - Tuesday
November - Noiembrie	Wednesday - Miercuri
December - Decembrie	Thursday - Joi
	Friday - Vineri
	Saturday - Sâmbătă
	Sunday – Duminică

General Program:
“Solidarity and Management of Migration Flows”
European Fund for the Integration of Third-Country Nationals
the annual program 2010

Project:
„Facilitating the integration of third-country nationals
into Romanian society”
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