



The World Bank
INTERNATIONAL FINANCE CORPORATION
INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT U.S.A.
INTERNATIONAL DEVELOPMENT ASSOCIATION

2121 Pennsylvania Ave. N.W. Phone: (202) 458-2919
Washington, D.C. 20433 Fax: (202) 473 5758
E-mail: EGasolramos@ifc.org

Survey on Transparency in Romania

Definitions of common terms used in this questionnaire:

- *MPs*: members of the lower house/chamber of the national/federal parliament.
- *Financial disclosure laws*: laws that require MPs to disclose their assets and liabilities.
- *Business activities' disclosure laws*: laws that require MPs to disclose secondary employment and business activities in the private sector, such as membership in a company's board of directors, or being an officer or advisor in a company.
- *Family members' individual interests*: Business activities and assets and liabilities owned separately by the MP's family, such as non-marital assets. We only consider assets and interests owned independently by an MP's family member, assets jointly owned are not considered.
- *Post-tenure agreements*: employment agreements and/or business transactions that an MP enters into after completing his parliamentary term, such as an agreement to work for a certain company after completing their parliamentary term.



[Romania]
Lower House of Parliament – [Chamber of Deputies]

PART 1: DISCLOSURE REQUIREMENTS

If your country requires Members of Parliament (MPs) in the lower house to disclose their financial and/or business interests, please use the blank disclosure form to supplement the law when completing this section.

Disclosure requirement and frequency	TA 2009	Contributor
1. Are MPs required to disclose during their mandate their:		
Financial assets and liabilities?	Yes	[]
Business activities (secondary employment, positions in private firms)?	Yes	[]
2. When are MPs required to submit a disclosure form?		
Upon taking and leaving office	Yes	[]
Upon taking office	No	[]
Annually	Yes	[]
Once every X years (please specify how often)	No	[]
3. Are MPs required to disclose <u>changes</u> in financial assets or business activities prior to disclosure deadline (e.g., within 4 weeks of any change)?	No	[]
Applicable law(s) and comments: Standing Orders of the Chamber of Deputies, approved by the Decision of the Chamber of Deputies No.8/1994, art. 202, 203 Law 115/1996 on declaring and control of the wealth of the dignitaries, magistrates, civil servants and of certain persons with management positions, 16th October 1996, art. 3 and 6 (<i>note that arts. 1, 2, 3(2), 4, 5, 6 (3,4) of this law are repealed by Law 144/2007</i>). Law 144/2007 regarding the establishment, organization and operation of the National Integrity Agency, Art. 39 (3) and 42 Law 78/2000 on Preventing, Discovering and Sanctioning of Corruption Acts, Art. 1,3,4 Law 96/2006, on the Status of Deputies and Senators, 21st April 2006, art. 19 Law 251/2004, regarding certain measures with respect to the receipt of goods during the exercise of protocol actions during the exercise of one's functions, 16th June 2004, art.1, 2 Law 161/2003 for ensuring the transparency of some public dignitaries, functions and in the business environment, preventing and sanctioning corruption, 21 st April 2003, art. 111 Law 158/2005, adopting the Governmental Urgency Ordinance no. 14, 3rd March 2005, 25th May 2005 Urgency Ordinance no. 14, 3rd March 2005		
The law(s) identified above is (are) the applicable one(s):		[]
<i>If NO, please cite the applicable law(s):</i> []		
Contributor's Comments: []		

1.1. DISCLOSURE OF ASSETS & LIABILITIES



Report of Assets and Liabilities	TA2009	Your answer
4. Are MPs required to disclose the following assets and liabilities:		
Personal residence	Yes /1	[]
<i>Details: Disclosure of exact location vs. monetary value</i>		
○ Value <i>and</i> exact location of the property	Yes	[]
○ Exact location	No	[]
○ Total value without the exact location	No	[]
○ Not specified	No	[]
Non-financial, non-movable assets (e.g., other real estate)	Yes	[]
<i>Details: Disclosure of exact location vs. monetary value</i>		
○ Value <i>and</i> exact location of the property	Yes	[]
○ Exact location	No	[]
○ Total value without the exact location	No	[]
○ Not specified	No	[]
Non-financial, movable assets (e.g., jewelry, vehicles)	Yes	[]
<i>Details: Disclosure of description vs. monetary value</i>		
○ Value <i>and</i> description of the asset	Yes	[]
○ Description of the asset	No	[]
○ Total value without descriptions	No	[]
○ Not specified	No	[]
Stock holdings and other securities	Yes	[]
<i>Details: Disclosure of name vs. monetary value</i>		
○ Value of stock <i>and</i> name of company in which they hold stocks	Yes	[]
○ Name of company in which they hold stock	No	[]
○ Total value of stock, without the name of the company	No	[]
○ Not specified	No	[]
<i>Details: Disclosure of all vs. certain types of stocks</i>		
○ All stock ownership	No	[]
○ Stock ownership in certain types of companies (e.g., in specific industries, in companies where the state is a partial owner)	No	[]
○ Stock above a certain threshold	Yes	[]
▪ Please specify the threshold	5,000 euros	[]
Interest-bearing financial investments (e.g., bonds, savings accounts)	Yes	[]
○ Value of investment <i>and</i> name of company in which investment is held	Yes	[]
○ Name of company in which investment is held	No	[]
○ Total value of investment, without the name of the company	No	[]
○ Not specified	No	[]
Liabilities (e.g., loans, credits, mortgages)	Yes	[]
○ Name of lender <i>and</i> value of liability	Yes	[]
○ Name of lender only	No	[]
○ Total value of liability, without the name of the lender	No	[]
○ Not specified	No	[]
Applicable law(s) and comments:		
Law 115/1996 on declaring and control of the wealth of the dignitaries, magistrates, civil servants and of certain persons with management positions, 16th October 1996, art.3		
Law 158/2005, adopting the Governmental Urgency Ordinance no. 14, 3rd March 2005, 25th		



May 2005 Urgency Ordinance no. 14, 3rd March 2005	
/1 No specific personal residence disclosure requirement; all real estate	
The law(s) identified above is (are) the applicable one(s):	[]
<i>If NO, please cite the applicable law(s):</i> []	
Contributor's Comments: []	

1.2. DISCLOSURE OF BUSINESS ACTIVITIES

In the questions below, please answer “yes” only if there is an *explicit* requirement to disclose specific items.

Report of income, secondary employment, and business activities	TA 2009	Contributor
5. Are MPs required to disclose the <u>value</u> of their current income?	Yes	[]
6. Are MPs required to disclose <u>all</u> sources of income?	Yes	[]
○ Only some categories of income (i.e. paid secondary employment)	No	
7. Are MPs required to disclose <u>unpaid</u> secondary employment?	No	[]
8. Are MPs required to disclose if they hold the following positions in publicly traded or privately owned companies:		
Membership in boards of directors ?	Yes	[]
○ All types of board membership	No	[]
○ In certain types of companies (e.g., in specific industries)	Yes/1	[]
○ Only if the position is paid	No	[]
Positions as officers (e.g., CEO, CFO)?	Yes	[]
○ All types of companies	No	[]
○ In certain types of companies (e.g., in specific industries)	Yes/1	[]
○ Only if the position is paid	No	[]
Positions as advisors (e.g., financial, legal, auditor)?	No	[]
○ All types of advisory work	No	[]
○ In certain types of companies (e.g., in specific industries)	No	[]
○ Only if the position is paid	No	[]

Applicable law(s) and comments:

Law 161/2003 for ensuring the transparency of some public dignitaries, functions and in the business environment, preventing and sanctioning corruption, 21st April 2003, art. 111

Law 96/2006, on the Status of Deputies and Senators, 21st April 2006, art. 19

Urgency Ordinance no. 14, 3rd March 2005, which applies to several civil servants including MPs, extends the scope of disclosure to disclosure of membership in boards or management positions. However, MPs are restricted from being in boards or management positions. (Constitution, art. 71; Law 96/2006, on the Status of Deputies and Senator. art. 7, 14, 18; Law 161/2003, art. 82(1), (2))

1/ Exceptionally, the Permanent Bureau of the Chamber of Deputies or Senate, upon proposal of



the Government and with the approval of the Legal Commissions, may approve the participation of the deputy or senator as a representative of the state at the General Assembly of Shareholders or as a member in the Board of Administration of the state-owned autonomous companies, national companies or corporations, public institutions or corporations, including banks or other credit institutions, insurance and financial companies, as a strategic measure or if a public interest requires it. (Law 161/2003, art. 82(2))

The law(s) identified above is (are) the applicable one(s):

[]

If NO, please cite the applicable law(s): []

Contributor's Comments:

[]

1.3. EXPENSES DISCLOSURE

Report on Expenses Disclosure	TA2009	Your answer
8i. Are MPs required to disclose any kind of expenses?	No	[]
Applicable law(s) and comments:		
The law(s) identified above is (are) the applicable one(s):		[]
If NO, please cite the applicable law(s): []		
Contributor's Comments:		
[]		

1.4. FAMILY MEMBERS' DISCLOSURE

Report of family members' interests	TA 2009	Contributor
9. Are MPs required to disclose their family members' <u>independently owned</u> interests (as opposed to joint assets or interests)?	Yes	[]
10. Which family members are covered by the disclosure requirement?		
○ Spouse	Yes	[]
○ Dependent children	Yes	[]
○ Other, please specify	No	[]
11. Are family members required to complete the same disclosure form as MPs?	No	[]
Applicable law(s) and comments:		
Law 115/1996 on declaring and control of the wealth of the dignitaries, magistrates, civil servants and of certain persons with management positions, 16th October 1996, art.3		
Law 158/2005, adopting the Governmental Urgency Ordinance no. 14, 3rd March 2005, 25th May 2005		
The MP has to declare only the independently earned income of his/her spouse. MPs are obliged to disclose dependent children's incomes only when such incomes are salaries, awards, gambling prizes or result from sources other than independent activities, investments, pensions or agricultural activities. There		



is no requirement for the MP to disclose the spouse's and children's independent property.

MPs do not have to disclose the business interests of their family members.

The law(s) identified above is (are) the applicable one(s):

[]

If NO, please cite the applicable law(s): []

Contributor's Comments:

[]

What did you use to complete the sections above?	TA 2009	Contributor
Blank disclosure form	Yes	[]
Laws	Yes	[]
<p>Applicable law(s) and comments:</p> <p>Standing Orders of the Chamber of Deputies, approved by the Decision of the Chamber of Deputies No.8/1994</p> <p>Law 115/1996 on declaring and control of the wealth of the dignitaries, magistrates, civil servants and of certain persons with management positions, 16th October 1996</p> <p>Law 78/2000 on Preventing, Discovering and Sanctioning of Corruption Acts</p> <p>Law 96/2006, on the Status of Deputies and Senators, 21st April 2006</p> <p>Law 251/2004, regarding certain measures with respect to the receipt of goods during the exercise of protocol actions during the exercise of one's functions, 16th June 2004</p> <p>Law 161/2003 for ensuring the transparency of some public dignitaries, functions and in the business environment, preventing and sanctioning corruption, 21st April 2003</p> <p>Law 158/2005, adopting the Governmental Urgency Ordinance no. 14, 3rd March 2005, 25th May 2005</p> <p>Urgency Ordinance no. 14, 3rd March 2005</p> <p>Law 144/2007 regarding the establishment, organization and operation of the National Integrity Agency, Art. 39 (3) and 42</p> <p>Blank Property Disclosure Form</p> <p>Blank Interests Form</p>		
<p>Comments:</p> <p>[]</p>		

1.5. PUBLIC AVAILABILITY OF MPS' DISCLOSURE FORMS

Public Availability of MPs' Disclosure Forms	TA 2009	Contributor
12. <u>By law</u> , are filled out disclosure forms accessible by the public?	Yes	[]
13. <u>In practice</u> , does the public have access to the filled out disclosure forms?	Yes	[]
At a registrar where the public can request forms in person	No	[]
On the internet	Yes	[]



○ Please specify the address	http://www.cd.ep.ro/pls/dic/site.page?id=406&par1=ai&par2=2004	[]
Disclosures can be obtained from other sources	No	[]
○ Please specify the source	No	[]
14. Are filled out disclosure forms only available to the public under certain conditions?	No	[]
With the express consent of the MP	No	[]
Other	No	[]
○ Please specify	No	[]
15. Does the <u>law</u> specify that only a summary of the disclosure is accessible by the public?	No	[]
16. <u>In practice</u>, does the public have access to the entire disclosure, as opposed to a summary?	Yes	[]
Applicable law(s) and comments: Law 144/2007 regarding the establishment, organization and operation of the National Integrity Agency, Art. 10 (e) Both the asset disclosures and the business interests disclosures are public and available on the internet in the above website.		
The law(s) identified above is (are) the applicable one(s):		[]
<i>If NO, please cite the applicable law(s): []</i>		
Contributor's Comments: []		

PART 2: RESTRICTIONS ON DOING BUSINESS IN THE PRIVATE SECTOR

In some countries, disclosure of business interests is not required, but there are restrictions on doing business in the private sector. Such provisions may be found in the constitution, election laws, standing orders of the parliament, anticorruption laws, conflict of interest or incompatibility laws, and ethics laws among others. Please consider all of the above sources of law to answer the questions.

Restrictions on business activities	TA 2009	Contributor
17. During tenure, are MPs prohibited from all <u>paid</u> employment?	No	[]
18. During tenure, are MPs prohibited from the following activities in the private sector:		
Owning stock of private companies?	No	[]
○ Do MPs have to place their stockholding into a trust fund for the duration of their term in office	No	[]
○ Are MPs restricted from owning certain types of stocks (e.g., in certain industries)	No	[]
○ Are MPs restricted from owning stocks above a certain threshold	No	[]
▪ Please specify threshold	No	[]
Being members of boards of directors in publicly traded or privately-owned companies?	Yes	[]
○ In <i>all</i> types of publicly traded or privately owned company	Yes	[]



○ In certain types of companies (e.g., in specific industries)	No	[]
○ Are there restrictions on being a member of boards of directors only if the position is paid	No	[]
Being officers (CEO, CFO) in publicly traded or privately owned companies?	Yes	[]
○ In <i>all</i> types of publicly traded or privately owned company	Yes	[]
○ In certain types of companies (e.g., in specific industries)	No	[]
○ Are there restrictions on being an officer only if the position is paid	No	[]
Being an advisor to publicly traded or privately owned companies (e.g., financial, legal, auditor)?	No	[]
○ In <i>all</i> types of publicly traded or privately owned company	No	[]
○ In certain types of companies (e.g., in specific industries)	No	[]
○ Are there restrictions on being an advisor only if the position is paid	No	[]
19. Are there other restrictions on activities in the private sector?	Yes/1	[]
20. Can restrictions on business activities in the private sector be lifted by a third party, such as the Speaker of the Parliament or the Comptroller?	Yes/2	[]
<p>Applicable law(s) and comments:</p> <p>Constitution, 8th December 1991, latest amendment 29th October 2003, art. 71</p> <p>Law 96/2006, on the Status of Deputies and Senators, 21st April 2006. art. 7, 14, 18</p> <p>Law 161/2003 for ensuring the transparency of some public dignitaries, functions and in the business environment, preventing and sanctioning corruption, 21st April 2003, art. 82(1), (2) (on exemption from restrictions on work in the private sector)</p> <p>1/ MPs cannot act as a member of a lobby group or as merchants.</p> <p>2/ Exceptionally, the Permanent Bureau of the Chamber of Deputies or Senate, upon proposal of the Government and with the approval of the Legal Commissions, may approve the participation of the deputy or senator as a representative of the state at the General Assembly of Shareholders or as a member in the Board of Administration of the state-owned autonomous companies, national companies or corporations, public institutions or corporations, including banks or other credit institutions, insurance and financial companies, as a strategic measure or if a public interest requires it.</p> <p>3/ MPs who practice law are not allowed to plead in front of district courts and tribunals or to provide legal assistance in front of prosecuting offices afferent to such courts. As well, they cannot assist/represent in (i) penal cases related to corruption, money laundry, drug trafficking, human trafficking, crimes against state, justice, peace and humanity and other such crimes and (ii) civil/commercial cases against the state, public authorities/institutions or state-owned companies.</p>		
The law(s) identified above is (are) the applicable one(s):		[]
<i>If NO, please cite the applicable law(s):</i> []		
Contributor's Comments:		
[]		

PART 3: DOING BUSINESS WITH THE GOVERNMENT



Provisions regulating doing business with the government may be found in the constitution, standing orders of the parliament, or public procurement laws. Please consider all these laws when answering this section.

Doing business with the government	TA2009	Your answer
21. Are MPs required to disclose doing business with the government?		
Are MPs required to disclose signing contracts with the government (e.g., through participation in privatizations, state- led auctions, contract provisions)?	No	[]
○ Contracts in which they participate <u>directly</u> by themselves	No	[]
○ <u>indirectly</u> through third parties related to them or where they are involved	No	[]
○ With <u>all</u> government agencies	No	[]
○ Only with <u>certain</u> agencies (e.g., only if the contract is with parliament) or under certain conditions	No	[]
22. Are MPs prohibited from doing business with the government?		
Are MPs restricted from signing contracts with the government (e.g., through participation in privatizations, state-led auctions or where an MP provides services or goods to the government directly or via third parties)?	No	[]
○ With <i>all</i> government agencies	No	[]
○ Only with certain agencies (e.g., if the contract is with parliament) or under certain conditions	No	[]
23. Can restrictions on business relations with the government be lifted by a third party, such as the Speaker of the Parliament or the Comptroller?		
No		
<p>Applicable law(s) and comments:</p> <p>Standing Orders of the Chamber of Deputies, approved by the Decision of the Chamber of Deputies No.8/1994</p> <p>Law 115/1996 on declaring and control of the wealth of the dignitaries, magistrates, civil servants and of certain persons with management positions, 16th October 1996</p> <p>Law 78/2000 on Preventing, Discovering and Sanctioning of Corruption Acts</p> <p>Law 96/2006, on the Status of Deputies and Senators, 21st April 2006</p> <p>Law 251/2004, regarding certain measures with respect to the receipt of goods during the exercise of protocol actions during the exercise of one's functions, 16th June 2004</p> <p>Law 161/2003 for ensuring the transparency of some public dignitaries, functions and in the business environment, preventing and sanctioning corruption, 21st April 2003</p> <p>Law 158/2005, adopting the Governmental Urgency Ordinance no. 14, 3rd March 2005, 25th May 2005</p> <p>Law 144/2007 regarding the establishment, organization and operation of the National Integrity Agency</p> <p>Urgency Ordinance no. 14, 3rd March 2005</p> <p>The laws listed above do not include clauses on doing business with the government.</p>		
Your Comments / Any missing laws?:		
[]		

**PART 4: OTHER RESTRICTIONS AND DISCLOSURE REQUIREMENTS**

Restrictions on holding two public offices	TA 2009	Contributor
24. Do MPs face restrictions on holding another public office during tenure (e.g., being a mayor or a judge at the same time as being an MP)?	Yes	[]
Applicable law(s) and comments: Constitution, 8th December 1991, latest amendment 29th October 2003, art. 71 Standing Orders of the Chamber of Deputies, approved by the Decision of the Chamber of Deputies No.8/1994, art. 196-198., 200-204 Law 68/1992 on the Election to the Chamber of Deputies and the Senate, 8th July 1992, art. 34(3) Law 96/2006, on the Status of Deputies and Senators, 21st April 2006. art. 7, 14, 18 Law 161/2003 for ensuring the transparency of some public dignitaries, functions and in the business environment, preventing and sanctioning corruption, 21st April 2003, art. 68 -71, 80-81, 83		
The law(s) identified above is (are) the applicable one(s):		[]
<i>If NO, please cite the applicable law(s): []</i>		
Contributor's Comments: []		
Voting Rules	TA 2009	Contributor
25. Disclosure on voting – Do MPs have to disclose the existence of a personal interest before voting in Parliament?	No	[]
○ Upon disclosing the existence of a personal interest, are MPs allowed to vote?	No	[]
26. Restrictions on voting –Does the law prohibit the MP from voting in Parliament on matters in which he has a personal interest, without <i>explicitly</i> requiring the MP to disclose that interest?	No	[]
Applicable law(s) and comments: Standing Orders of the Chamber of Deputies, approved by the Decision of the Chamber of Deputies No.8/1994 Law 96/2006, on the Status of Deputies and Senators, 21st April 2006 No conflict of interest disclosure is required and no restrictions are imposed during voting by virtue of these laws.		
The law(s) identified above is (are) the applicable one(s):		[]
<i>If NO, please cite the applicable law(s): []</i>		
Contributor's Comments: []		
Post-tenure Rules	TA 2009	Contributor
27. Disclosure of post-tenure agreements – Are MPs required to disclose post-tenure agreements (e.g., employment agreements and/or business transactions that they will enter after completing their parliamentary term)?	No	[]
28. Restrictions on post-tenure agreements – Are MPs restricted from working in certain positions for a given period of time following the end of their term in office?	No	[]

**Applicable law(s) and comments:**

Standing Orders of the Chamber of Deputies, approved by the Decision of the Chamber of Deputies No.8/1994

Law 78/2000 on Preventing, Discovering and Sanctioning of Corruption Acts

Law 96/2006, on the Status of Deputies and Senators, 21st April 2006

Law 161/2003 for ensuring the transparency of some public dignitaries, functions and in the business environment, preventing and sanctioning corruption, 21st April 2003

Law 158/2005, adopting the Governmental Urgency Ordinance no. 14, 3rd March 2005, 25th May 2005

Law 144/2007 regarding the establishment, organization and operation of the National Integrity Agency

No rules on post-tenure agreements in these laws.

The law(s) identified above is (are) the applicable one(s):

[]

If NO, please cite the applicable law(s): []

Contributor's Comments:

[]

Rules on Gifts	TA 2009	Contributor
29. Disclosure on receiving gifts		
○ Are MPs required to disclose gifts they receive?	Yes	[]
○ Is this disclosure public?	Yes	[]
○ Are MPs required to disclose gifts above a certain value?	Yes	[]
▪ Please specify the value in local currency	EUR 200 - 300 /1	[]
30. Restrictions on receiving gifts		
○ Are MPs restricted from receiving gifts?	Yes	[]
○ Do MPs have to pay for gifts in order to keep them?	Yes	[]
○ Can MPs receive gifts up to a certain value?	No	[]
▪ Please specify the value in local currency	200 euros	[]

Applicable law(s) and comments:

Law 115/1996 on declaring and control of the wealth of the dignitaries, magistrates, civil servants and of certain persons with management positions, 16th October 1996, art. 6 (2)

Law 78/2000 on Preventing, Discovering and Sanctioning of Corruption Acts, Art. 4

Law 251/2004, regarding certain measures with respect to the receipt of goods during the exercise of protocol actions during the exercise of one's functions, 16th June 2004, art. 2(4)

Financial Disclosure Form, Part VI

MPs have to disclose the gifts that they receive in their annual forms as well as within 30 days from their receipt.

1/ There is a discrepancy between the law and the information required to be disclosed in the form. Law 251/2004 states that all gifts exceeding 200 euros have to be disclosed. MPs can keep gifts whose value exceeds 200 euros only if they pay for them their market value. The blank disclosure form requires the disclosure of all gifts whose value exceeds 300 euros, which equals the average monthly income in Romania.



The law(s) identified above is (are) the applicable one(s):			[]
<i>If NO, please cite the applicable law(s): []</i>			
Contributor's Comments: []			
Rules on Travel	TA2009	Your answer	
31. Are MPs required to disclose their sponsored travel?	No	[]	
<i>Details: Disclosure of identity of sponsor vs. monetary value</i>			
o Value and identity of the sponsor	No	[]	
o Identity of the sponsor	No	[]	
o Total value without identity of the sponsor	No	[]	
o Not specified	No	[]	
32. Is this disclosure publicly available?	No	[]	
Applicable law(s) and comments: Please note this section was only filled according to the Blank Disclosure Form.			
Your Comments / Any missing laws?: []			

PART 5: DISCLOSURE REGISTRAR

This section requests information about the government agency which maintains the completed financial and business interest disclosure forms. The registrar may also check the completeness of the disclosure forms. The registrar may also publish the data on how many MPs complied/failed to comply with their obligation to disclose ("compliance data"). Note that the public availability of compliance data is different from the public availability of the actual disclosures, which is addressed in another section. This section inquires about the profile and activities of the registrar.

Existence and profile of registrar	TA 2009	Contributor
31i. Is there an agency in charge of maintaining the completed disclosure forms for MPs?	Yes	[]
Does the registrar check the forms for completion?	Yes /1	[]
What forms does the registrar keep?		
o Financial assets and liabilities	Yes	[]
o Business activities (secondary employment, positions in private firms)	Yes	[]
32i. In addition to maintaining disclosures of MPs, does the registrar maintain the disclosure forms of:		
Ministers?	No	[]
Judges?	No	[]
Civil servants?	No	[]
33. Profile of registrar		
	TA 2009	Contributor
Name	Chamber of Deputies	[]



Contact information	Palatul Parlamentului Str. Izvor 2-4, Sector 5 050563 BUCHAREST Tel.: (4021) 402 14 44 Fax: (4021) 402 21 49 E-mail: georgeta.ionescu@cdep.ro secretar.general@cdep.ro Telex: 11893 or 11801 PCAMD R	[]
Website	http://www.cdep.ro	[]

Applicable law(s) and comments:

Standing Orders of the Chamber of Deputies, approved by the Decision of the Chamber of Deputies No.8/1994, art. 202, 203

Law 96/2006, on the Status of Deputies and Senators, 21st April 2006, Art. 19

Law 144/2007 regarding the establishment, organization and operation of the National Integrity Agency, Art. 9(2, b) and Art. 10 (d) and 11

As per art. 9 of the Law 144/2007, the disclosure forms of the MPs shall be submitted to the person nominated by the General Secretary of the Chamber. The same person insures the publication and the maintenance of the financial and interest disclosure forms on the institution's website within 30 days as of their receipt. Disclosure forms shall be available on the Chamber's website for a 5-year period and afterwards they shall be archived. The person appointed to receive the disclosure forms shall send certified copies thereto to the National Integrity Agency, within 10 days as of receipt.

(Cf. Art. 40 (4) - declarations by candidates submitted before elections are posted at the National Integrity Agency website).

Additionally, the persons in charge with implementing the legal provisions related to financial and private interests statements for the deputies are <names see in Contributor's survey> appointed through the Order of the Chamber's General Secretary dated 08.11.2007.

1/ As per art. 11 of Law 144/2007, if the person appointed to receive disclosure forms notices deficiencies in filling in the forms within 10 days from submission, it shall recommend the MP to rectify the statements within a 20-day term. The rectified statements shall be sent also to the National Integrity Agency.

The law(s) identified above is (are) the applicable one(s):

[]

If NO, please cite the applicable law(s): []

Contributor's Comments:

[]

Activities of the registrar	TA 2009	Contributor
34. By law, does the registrar have to publish data on whether MPs complied/failed to comply with their obligation to disclose?	Yes	[]
Applicable law(s) and comments: Law 144/2007 regarding the establishment, organization and operation of the National Integrity		



Agency, Art. 10 (g)

The person appointed to receive the disclosure forms shall publish the name and position of the MPs who failed to comply with their obligation to disclose within 15 days since the submission term elapsed. The data shall be published on the Chamber's website and also communicated to the National Integrity Agency.

Contributor's Comments:

[]

35. In practice, are compliance data available?

Yes

[]

What types of compliance data are available?

☐ General statistics (compliance rates or percentages)

No

[]

☐ Publication of names of MPs who complied/did not comply

Yes /1

[]

With what frequency are compliance data reports published?

☐ On a regular basis (please specify how often)

Yes

[]

☐ Other (please specify)

No

[]

What is the source of compliance data?

☐ Government website (please specify)

Yes

[]

☐ Other (please specify)

No

[]

36. Are there penalties for failure to submit completed disclosure forms?

Yes /2

[]

☐ Please specify what kind of penalties

Fine ranging from 100 to 500 RON, the ex officio commencement of the audit procedure, termination of mandate

[]

Applicable law(s) and comments:

1/ Law 144/2007 regarding the establishment, organization and operation of the National Integrity Agency, Art. 10 (g) – publication of names of those who failed to comply.

Declarations of those who complied are publicly available.

2/ Law 144/2007 regarding the establishment, organization and operation of the National Integrity Agency, Art. 52 (fine)

Law 78/2000 on Preventing, Discovering and Sanctioning of Corruption Acts, Art. 3(2) specifies that the non-submission of financial declaration forms starts the ex-officio checking of the forms.

Law 96/2006, on the Status of Deputies and Senators, 21st April 2006, art. 4, 7 (3): If a situation of incompatibility arises during the MP's mandate, it has to be declared to the Chamber of Deputies' Permanent Bureau within 15 days of its occurrence. If the situation of incompatibility is not declared and it persists, then the MP's mandate will be terminated.



The law(s) identified above is (are) the applicable one(s):	[]
<i>If NO, please cite the applicable law(s): []</i>	
Contributor's Comments: []	

PART 6: DATA INTEGRITY BODY

This section asks you to provide information about whether the content of the filled out disclosure forms is routinely verified.

Existence and functions of a data integrity body/agency	TA 2009	Contributor
37. Is there a body/agency that is mandated by law to <u>routinely</u> check the content of the disclosure forms?	Yes	[]
Does the body/agency check the content of the forms:		
o of all MPs?	No /1	[]
o of a random sample of MPs?	No /1	[]
o each submission period to verify that all information is accurate (e.g., by verifying the content against other records such as tax records, bank statements)?	No	[]
o by comparing the content of the forms upon taking and leaving office to discover irregular increases?	Yes	[]
o to ensure that MPs activities are not incompatible with their mandate?	Yes	[]
38. Does the body/agency check the content of the forms if there is a complaint?	Yes /2	[]
<p>Applicable law(s) and comments:</p> <p>1/ Law 144/2007, Art. 2, 13 (1, a), 43 – ex officio inspection; As the Agency is not operational yet (June 2008), it cannot be confirmed whether such control would be performed with regard to all MPs or to a random sample of MPs.</p> <p>2/ Art. 3, 4, 8 – inspection upon complaint. Note that the law guarantees that inspection upon request cannot go beyond the scope of the request (Art. 8 (1)).</p> <p>Notes: Law 144/2007 on the establishment, organization and operation of the National Integrity Agency repealed the relevant provisions of Law 115/1996. The National Integrity Agency is due to become operational in the end of 2008.</p>		
The law(s) identified above is (are) the applicable one(s):	[]	
<i>If NO, please cite the applicable law(s): []</i>		
Contributor's Comments: []		
39. Details about the data integrity body		
	TA 2009	Contributor
Name	The National Integrity Agency	[]
Contact information	Not yet operational	[]



Website	http://www.just.ro/Sections/Agen%C5%A3iaNa%C5%A3ional%C4%83deIntegritate/ANIHome/tabid/476/Default.aspx	[]
40. What forms does the body check?		
Financial assets and liabilities forms	Yes	[]
Business activities forms (secondary employment, positions in private firms)	Yes	[]
41. Does the agency check the disclosure forms of other government officials:	Yes	[]
Ministers?	Yes	[]
Judges?	Yes	[]
Civil servants?	Yes	[]
Applicable law(s) and comments: Law 144/2007 regarding the establishment, organization and operation of the National Integrity Agency		
The law(s) identified above is (are) the applicable one(s):		[]
<i>If NO, please cite the applicable law(s): []</i>		
Contributor's Comments: []		

Activities of the data integrity body/agency	TA 2009	Contributor
42. By law, is the body required to publish the results of checking the content of the forms?	Yes	[]
Applicable law(s) and comments: Law 144/2007 regarding the establishment, organization and operation of the National Integrity Agency, Art. 13 (1, h) and 48 (1) As per art. 13 (1) let. h) of Law 144/2007, the National Integrity Agency drafts studies and annual statistics regarding the financial and business disclosure forms as well as on their audit. Art. 48 (1) - final statements if illicit enrichment or conflict of interest is established are published on the website of the National Integrity Agency.		
The law(s) identified above is (are) the applicable one(s):		[]
<i>If NO, please cite the applicable law(s): []</i>		
Contributor's Comments: []		
43. In practice, are results of the integrity body's activities in relation to checking the content of disclosure forms available?	No	[]
o General statistics are published (e.g., the content of 10% the disclosure forms was checked)	No	[]
o Other (please specify)	No	[]
How often are content checking results published?		
o On a regular basis (please specify how often)	No	[]
o Other (please specify)	No	[]



Where are content checking results published?		
o Government website (please specify)	No	[]
o Other (please specify)	No	[]
44. Are there penalties for submitting false information in the disclosures?		
o Please specify what kind of penalties	Yes, imprisonment or fine/l	[]
Applicable law(s) and comments: The National Integrity Agency is not yet operational. /1 Law 144/2007 regarding the establishment, organization and operation of the National Integrity Agency, Art. 50 and 51 (referring to Criminal Code) Criminal Code, Art. 292 (information from contributor)		
The law(s) identified above is (are) the applicable one(s):		[]
If NO, please cite the applicable law(s): []		
Contributor's Comments: []		

PART 7: SALARY DATA

Please provide the base salary for MPs in your country		
Amount [6,629 - 8,357 /1]		
Currency[RON]		
Per (month/year) [month]		
Applicable law(s) and comments: Law 154/1998 on establishing the base salary system for budgetary field and the emoluments of persons holding public dignity offices, as further amended and supplemented 1/ As per the amendments brought through Government Emergency Ordinance 10/2008, the amounts above are valid as of April 2008 and will increase this year as follows:		
Position	April 2008	October 2008
Chairman of Senate/Chamber of Deputies	8,357	8,817
Vice-Presidents	7,698	8,122
Secretaries and quaestors	7,244	7,643
Chairmen of the permanent commissions	7,244	7,643
Leaders of the parliamentary groups	7,244	7,643
Vice-Presidents of the permanent commissions	6,794	7,168
Secretaries of the permanent commissions	6,710	7,080
MPs	6,629	6,994
The law(s) identified above is (are) the applicable one(s):		[]
If NO, please cite the applicable law(s): []		
Contributor's Comments: []		



**PART 8: REFORMS**

Reforms in laws on financial disclosure or business activities		
	Yes	No
Are you aware of any changes that occurred between January 2003 and now to the laws and regulations that will affect answers to this survey?	<input type="checkbox"/>	<input type="checkbox"/>
If your answer is Yes , please briefly describe: 1) the goal of the reform [] 2) its major characteristics [] 3) the date the reform came into force []		
Are you aware of any changes expected by June 1, 2008 to the laws and regulations that will affect answers to this survey?	<input type="checkbox"/>	<input type="checkbox"/>
If your answer is Yes , please briefly describe: 1) the goal of the reform [] 2) its major characteristics [] 3) the date the reform will come into force []		

Thank you for confirming the responses in this questionnaire!

We appreciate your contribution to the Transparency and Accountability project.

Please return the completed survey to:

Elena Gasol Ramos
EGasolramos@ifc.org
 Phone: 1 202 458 2919

or

Larisa Smirnova
lsmirnova@worldbank.org
 Phone: 1 202 473 0845