

Advocate of the people

LAW
on the organization and functioning
of the Advocate of the People Institution

REGULATIONS
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CHAPTER I General provisions

Art. 1. – (1) The Advocate of the People Institution is aimed at the defence of the citizens' rights and freedoms in their relations with public authorities.

(2) The Advocate of the People Institution's head office is in Bucharest.

Art. 2. – (1) In the course of his activities, the advocate of the people shall be independent of any public authority.

(2) In the exercise of his powers, the advocate of the people shall be no substitute for other public authorities.

(3) The advocate of the people may not be subjected to any imperative or representative mandate. No one shall be able to compel the advocate of the people to obey any instructions or orders.

Art. 3. – (1) All activities carried out by the advocate of the people, by his deputies and the staff employed under his authority are of a public nature.

(2) At the request of a person whose rights and freedoms have been aggrieved or for founded reasons, the advocate of the people may decide that his activities remain confidential.

Art. 4. – Public authorities must communicate or, as the case may be, make available to the advocate of the people, under the terms of the law, any information, documents or papers they have in their possession as may be linked with the complaints lodged with the advocate of the people, while giving him support for the exercise of his powers.

Art. 5. – (1) The advocate of the people shall submit reports on the activities carried out by the Advocate of the People Institution to both Chambers of Parliament in a joint session,

*The Law No. 35 of 13 March 1997, the Law on the organization and functioning of the Advocate of the People Institution, was published in "Monitorul Oficial" (Official Gazette of Romania), Part I, No. 48 of 20 March 1997.

once a year or whenever they have so requested. Such reports may also contain recommendations for changes in legislation or other steps to be taken in order to defend civic rights and freedoms.

(2) An annual report covers the activity of this Institution of one calendar year and must be forwarded to Parliament before the 1st of February of the following year, with a view to being taken under debate in a joint session of both Chambers. Annual reports shall be publicized.

CHAPTER II

The advocate of the people appointment and end of office

Art. 6. – (1) The advocate of the people is appointed by the Senate for a four-year term of office and is eligible for re-appointment only once.

(2) Any Romanian citizen who has the same qualifications as are required by a justice of the Constitutional Court is qualified for appointment as advocate of the people.

Art. 7. – (1) Candidates shall be nominated by the Senate Standing Bureau, on recommendations put forward by the party groups in both Chambers of Parliament.

(2) Candidates must submit to the Senate Committee on Legal Affairs, Appointments, Discipline, Immunities and Validations all documents certifying that they are qualified, as required under the Constitution and this law, in order to fill the position of advocate of the people. Candidates shall be heard before the same Committee. The Senate will decide on this hearing in a plenary session. The candidates will attend the debate.

(3) The advocate of the people shall be appointed by a majority vote of the Senate. Whether candidates have failed to get a majority on the first ballot, new rounds will be organized in which only the two candidates obtaining the greatest number of votes in the previous one take part.

Art. 8. – (1) The advocate of the people shall take office on the day of his appointment by the Senate and his term of office lasts until the new advocate of the people has been installed.

(2) Before entering the exercise of his powers, the advocate of the people shall take the following oath before the presidents of both Chambers of Parliament:

“I solemnly swear to abide by the Constitution and the laws of this Country, and to defend the citizens’ rights and freedoms by discharging my powers as advocate of the people in all good faith and impartiality. So help me God!”

(3) The oath may be also taken without swearing by a religious formula.

(4) If the advocate of the people refuses to take the oath, this shall preclude him from entering office and opens the procedure for a new appointment.

Art. 9. – (1) The advocate of the people ceases to hold office before the expiry of his term in cases of resignation, removal, incompatibility with other public or private offices, disability to discharge powers for more than ninety (90) days which is certified by a specialized medical examination, or death.

(2) Removal from office of the advocate of the people, as a result of infringements upon the Constitution and the laws, shall be decided by a majority vote of the Senate on the proposal of the Senate Standing Bureau, based on the report prepared by the Committee on Legal Affairs, Appointments, Discipline, Immunities and Validations.

(3) A vacancy of office through resignation, incompatibility, disability to discharge office, or death must be certified by the Senate Standing Bureau within ten (10) days since the occurrence of that event.

CHAPTER III

The advocate of the people deputies

Art. 10. – (1) The advocate of the people is assisted by two deputies who coordinate the exercise of powers within the Advocate of the People Institution in their respective areas of responsibility, in conformity with the Regulations on the Organization and Functioning of the Advocate of the People Institution.

(2) In the event of a temporary disability of the advocate of the people to exercise his powers, his deputies will take them over in order of precedence as set by the advocate of the people.

Art. 11. – (1) The advocate of the people shall appoint his deputies for the duration of his term of office, after taking

the opinion of the Senate Committee on Legal Affairs, Appointments, Discipline, Immunities and Validations.

(2) The appointment of the deputies to the advocate of the people shall be published in the Official Gazette of Romania.

Art. 12. – Provisions under Article 8 shall apply accordingly, except that the deputies are sworn in before a vice-president of the Chamber of Deputies and a vice-president of the Senate.

CHAPTER IV

The advocate of the people powers

Art. 13. – The advocate of the people shall have the following powers:

a) to coordinate the activity of the Advocate of the People Institution;

b) to take up and distribute applications filed by persons who have been aggrieved by public administration authorities through violations of their civic rights and freedoms, and to decide on such applications;

c) to follow up the legal solution of applications received and to request the public administration authorities or civil servants concerned to put an end to the respective violation of civic rights and freedoms, to reinstate the petitioner in his/her rights and to redress the damages thus caused;

d) to represent the Advocate of the People Institution before the Chamber of Deputies, the Senate, and other public authorities as well as in his relations with any natural or juristic persons;

e) to decide on staff employment to the Advocate of the People Institution and to exercise disciplinary powers over this staff;

f) to be the principal authorizer for payment and receipt of public moneys;

g) to perform any other functions as may be established under the law or the Regulations on the Organization and Functioning of the Advocate of the People Institution.

Art. 14. – (1) The advocate of the people shall exercise powers on his own initiative (*ex officio*) or upon the request of the wronged persons as provided under Article 13 (b).

(2) Applications can be filed by any natural person, irrespective of his/her citizenship, age, sex, political affiliation, or religious belief.

Art. 15. – (1) Any applications lodged with the advocate of the people must be done in writing and contain indications of the full name and domicile of the person who has been aggrieved in his/her civic rights and freedoms, of the specific rights and freedoms thus violated, as well as of the administrative authority or civil servant concerned. The petitioner must also prove that the public administration has delayed or refused action to legally resolve his/her request.

(2) Anonymous complaints or those directed against violations of civic rights, concerning events which are more than one year old than the date when the person concerned has had knowledge of the facts upon which such complaint is grounded shall not be taken into consideration.

(3) The advocate of the people can reject, on a motivated basis, those applications which are patently unfounded or he may seek supplementary information for the examination and solution of the applications.

(4) Any applications dealing with acts issued by the Chamber of Deputies, the Senate, or the Parliament, acts and actions of deputies and senators, the President of Romania, the Government, as well as of the Constitutional Court, the president of the Legislative Council, and the judicial authority cannot be subjected to the Advocate of the People Institution, therefore must be rejected without indicating a reason.

Art. 16. – Applications filed with the advocate of the people shall be exempted from stamp duty.

Art. 17. – (1) The administration of penitentiaries, reformatory and re-socialization establishments, as well as the Public Ministry and the police bodies must allow, with no restriction whatsoever, any one who serves imprisonment or is, as the case may be, under arrest or kept in detention, to approach the advocate of the people in any possible way in connection with a violation of his/her rights and freedoms, with the exception of the legal restraints applicable.

(2) The same obligation falls to the commanders of military units with respect to persons who serve their compulsory military service or an alternative service for utilitarian

purposes, about violations of their rights and freedoms, with the exception of the legal restraints applicable.

Art. 18. – In case the advocate of the people finds that the solution of an application lodged with him is under the Public Ministry jurisdiction, or is on the cause list of a court of law, or deals with some miscarriage of justice, he will refer that matter to the General Prosecutor or to the Superior Council of the Magistracy, in accordance with their respective jurisdiction, and must be duly informed by the latter of the conclusions reached and measures taken in that case.

Art. 19. – (1) The advocate of the people shall have access to any documents which are classified secret and held by public authorities, as far as he deems it necessary in order to resolve complaints lodged to him.

(2) The advocate of the people must not disclose or make public any of the secret information and documents he has had access to. He shall continue to be bound by such obligation even after he ceased activity as the advocate of the people, and this also extends to his deputies as well as the staff in his service, subject to criminal liability as provided by the penal law.

Art. 20. – (1) In the exercise of his powers, the advocate of the people issues recommendations that cannot be subjected to either parliamentary control or appeal in court.

(2) By his recommendations, the advocate of the people notifies the public administration authorities of their illegal administrative acts or actions. Silence of the public administration agencies and belated issuance of acts shall be classed as administrative acts.

Art. 21. – (1) The advocate of the people has the right to make inquiries of his own, to request the public administration authorities to submit to him any information or documents as may be required for the conduct of inquiries, to take hearings and depositions from the heads of the public administration authorities or from any civil servant who can give useful information for the solution of the application.

(2) Provisions under para. (1) shall apply to public administration authorities, public institutions, as well as any public service placed under the power of the public administration authorities.

Art. 22. – (1) In the case the advocate of the people finds, as a result of his work of examination, that the aggrieved person's complaint is founded, he shall notify, in writing, the public administration authority which has violated the petitioner's rights with the request to reform or revoke its own administrative act, to redress the damage thus caused and to reinstate that person to his/her former state.

(2) The public authorities concerned shall immediately take all necessary steps to remove the illegality thus found, to redress damages and to remove the reasons that caused or furthered a violation of the aggrieved person's rights, while duly informing the advocate of the people thereof.

Art. 23. – (1) In case a public administration authority or civil servant has failed to remove that illegality within thirty days of the notification, the advocate of the people shall address himself to the public administration authority which is hierarchically superior, and the latter must inform him of the measures taken, within forty-five days.

(2) Whether the public authority or civil servant concerned belongs to local public administration, the advocate of the people shall address himself to the county prefect. A new deadline of forty-five days will run as of the date of sending in a request with the prefect's office.

Art. 24. – (1) The advocate of the people is entitled to notify the Government of any illegal administrative act or action which comes from central public administration and the prefects.

(2) Whether the Government has failed to take measures within twenty days in connection with illegal administrative acts or actions which are indicated by the advocate of the people, such failure shall be communicated to Parliament.

Art. 25. – (1) The advocate of the people shall inform the petitioner about the results of his/her application lodged with him. The advocate of the people may also publicize these results through the media, if the person(s) concerned have given consent, while observing provisions under Article 19 on secret information and documents.

(2) Whether, during the course of his inquiries, the advocate of the people finds gaps in legislation or serious cases of corruption or violations of the Country's laws, he will submit a report on his findings to the presidents of the two

Chambers of Parliament or, as the case may be, to the prime minister.

Art. 26. – Provisions of the present law shall also apply to administrative acts issued by the self-managed public companies.

CHAPTER V

Responsibility, incompatibilities and immunities

Art. 27. – The advocate of the people and his deputies shall not be legally answerable for any opinions or acts during the discharge of the powers laid down by the present law, if they are done while observing the law.

Art. 28. – (1) During the exercise of office, the advocate of the people and his deputies may not be kept in, searched, arrested or arraigned for criminal offences or misdemeanours unless approved by the Senate.

(2) In cases of *flagrante delicto* committed by the advocate of the people or his deputies, the minister of justice shall immediately inform the president of the Senate of the offender's being kept in or arrested, but the Senate must then approve or invalidate this measure. A decision giving approval to his arrest and arraignment must be adopted by a majority vote of the Senate.

(3) Whether the advocate of the people or either of his deputies is arrested or arraigned for a criminal offence, the Senate will decide by a vote on having him suspended from office until the court decision remains final.

Art. 29. – (1) For the duration of their term of office, the advocate of the people and his deputies may not be members of any political party, nor may they hold any other public or private office.

(2) Incompatibilities provided under para. (1) shall also apply to specialist desk officers employed, with the exception of academic posts in a higher education institute.

CHAPTER VI

The departments of the Advocate of the People Institution

Art. 30. – The organizational structure of the departments of the Advocate of the People Institution and the number of employed staff shall be approved by the Senate Standing

Bureau, as it may be required for the discharge of powers and duties and within limits of the budget approved.

Art. 31. – The posts of specialist desk officers shall be filled by competitive examination, under the terms of the law. Examination is organized by the Appointments and Disciplinary Commission which is composed of three counsellors designated by the advocate of the people.

Art. 32. – Any violation of this law or of the Regulations on the Organization and Functioning of the Advocate of the People Institution shall entail criminal, disciplinary, or administrative liability, as the case may be. Disciplinary actions are those provided by the law for civil servants.

CHAPTER VII

Transitory and final provisions

Art. 33. – (1) All expenses and costs incurred by the operation of the Advocate of the People Institution shall be financed from the State budget.

(2) For the year 1997, the financing required for the operation of the Advocate of the People Institution shall be allocated by the Government, from the Budgetary Reserve Fund which is at its disposal.

(3) The position of advocate of the people is classed as that of a minister, a deputy's as that of a secretary of state, while management and specialist execution offices as those in the Senate apparatus.

Art. 34. – Until establishment of the Appointments and Disciplinary Commission of the Advocate of the People Institution, its powers shall be exercised by the advocate of the people, together with his deputies.

Art. 35. – If the person elected to the office of advocate of the people is a magistrate, his post must be reserved.

Art. 36. – The Regulations on the Organization and Functioning of the Advocate of the People Institution shall be adopted by the Senate Standing Bureau, on the proposal of the advocate of the people, within sixty days since his appointment.

REGULATIONS

on the organization and functioning of the Advocate of the People Institution*

CHAPTER I General provisions

Art. 1. – The Advocate of the People Institution, further to be called *the institution*, shall be organized and function in keeping with the provisions under the Law No. 35/1997 and under the present organizing and functioning regulations, further to be called *the regulations*.

Art. 2. – On the grounds of the provisions under the Law No. 35/1997, the present regulations shall establish the organizational structure, the unfolding proceedings of the institution's activities, the status and powers of the specialist and administrative staff from the general departments of the institution as well as the disciplinary responsibility in case of infringements.

Art. 3. – The organization and structure of the institution shall ensure the realization of its competences, according to the provisions under the Law No. 35/1997.

Art. 4. – With a view to the carrying out of his powers, the advocate of the people may address himself to the public authorities, requesting information, documents, or deeds in connection with the complaints received from people wronged in their rights and freedoms by authorities of the public administration.

The public authorities informed shall be under an obligation to communicate or keep at the disposal of the institution the information and documents solicited, under the terms established by law, lending it the necessary support.

*The Regulations on the organization and functioning of the Advocate of the People Institution were published in the "Monitorul Oficial" (Official Gazette of Romania), Part I, No. 347/9 December 1997.

CHAPTER II Organization of the institution

Art. 5. – The institution shall be formed of specialist departments and a secretariat-general.

In the structure of the institution shall also be included a Directorate for relations with the State's institutions, with the civil society, and for foreign relations as well as a Press and protocol bureau.

Art. 6. – The organizational structure of the institution, and the nomenclature of functions are provided in the appendices 1 and 2, which form an integrant part of the present regulations.

The staffing schedules and the standing orders shall be approved by the advocate of the people.

CHAPTER III Management of the institution

Section 1 *The advocate of the people*

Art. 7. – In the exercise of his power provided under the law, the advocate of the people shall:

a) ensure the coordination and management of the whole activity of the institution;

b) receive and distribute to the specialist departments the applications made by people addressing him with regard to the violation of their rights or freedoms by public authorities, and decide on these applications on the basis of a report drawn up by the head of the department to whom the application had been distributed;

c) follow up the adequate execution of the proceedings, and dispose inquiries and hearings to be held, or solicit information he may deem necessary;

d) in the situations in which there should be found an infringement of the civic rights and freedoms, request the public authority or civil servant in question to take measures for the redress of the illegalities, making up for the damages and reinstatement of the wronged person in its rights, according to the law;

e) follow up the lawful solving of the petitions, on the basis of his recommendations, and, in case of their non-observance, inform the hierarchical superior public administration authority, respectively the prefect, the Government, or Parliament, according to the competences established by law;

f) inform the applicant of the results of his application;

g) represent the institution before the Chamber of Deputies, the Senate and other public authorities, in relations with juristic or natural persons as well as in international relations;

h) present to Parliament, annually or at the request of the two Chambers of Parliament, the report on the activity of the institution, which shall include the advocate of the people's findings with regard to the investigations undertaken, a description of the principal problems linked to the cases of non-observance of the rights and freedoms of the persons having addressed him, the statistical situation of the applications received, admitted, in process of examination, and solved, frequent situations of violation of the civic rights and freedoms by illegal administrative acts, as well as a report with regard to the other activities of the institution; likewise, the report may contain recommendations with regard to the improvement or modification of the legislation as well as any other measures necessary for the protection of the fundamental human rights and freedoms;

i) present to the chairmen of the two Chambers of Parliament, or to the prime minister, as the case may be, reports on gaps in the legislation, or on severe cases of corruption, or on non-observance of the country's laws, found on the occasion of the investigations carried out;

j) sign reports, recommendations, and other deeds of the institution that may be issued only with his agreement;

k) approve the appointment, promotion, and discharge from office of the staff; grant gradations, merit salaries, and other rights, according to legal provisions;

l) exercise disciplinary authority over the staff, under the terms provided by law and the present regulations;

m) approve programmes for carrying out the annual rest holidays;

n) exercise the powers of the principal person entitled to make payments from the budget;

o) exercise any other powers that devolve upon him according to the law.

In the exercise of the powers mentioned under letters b), c), d), e), and f) of the preceding paragraph, the advocate of the people shall be assisted by his deputies, according to the fields of activity under their authority.

Art. 8. – Within the framework of the institution there shall function an advisory college composed of the advocate of the people, his deputies and counsellors, the secretary-general, and the heads of the specialist departments.

The advisory college shall be convened by the advocate of the people.

Art. 9. – In the exercise of the powers linked to the institution's internal activity the advocate of the people shall issue orders, instructions, methodological rules, and regulations.

Section 2

Deputies of the advocate of the people

Art. 10. – The advocate of the people shall appoint two deputies, over the duration of his mandate, with the advice of the Senate's Committee on legal matters, appointments, discipline, immunities, and validations.

Art. 11. – As being his powers, the deputy of the advocate of the people shall:

a) coordinate and supervise the activity in the specialist departments under his authority, by fields of activity, according to the provisions of the law, and of the present regulations, and taking into account the dispositions of the advocate of the people;

b) take measures for the fulfilment of the dispositions received from the advocate of the people;

c) operatively inform the advocate of the people on the progress of the proceedings, pointing out the more important aspects from the activity of the specialist departments coordinated by him;

d) establish the powers of the staff from the specialist departments under his authority, and carry out the redistribution of certain tasks and attributions of the staff,

according to the needs of these departments, with a view to the realization of a balanced apportioning of the volume of work;

e) check and express his agreement on the papers, and final form of the draft reports to be presented to the advocate of people for adoption;

f) draw up a report with regard to the activity of the specialist departments under his authority, at the end of each year, or at the request of the advocate of the people pointing out the significant aspects linked to the social processes that make necessary a modification of the legislation, or measures of another kind to be taken for the protection of the civil rights and freedoms;

g) draw up the programme for the reception of applications and for audiences, according to weekly or fortnightly planning, approved by the advocate of the people;

h) solve any other problems in connection with the unfolding in good conditions of the activity of the specialist departments under his authority;

i) carry out any other service attributions established by the advocate of the people.

Art. 12. – In case the advocate of the people should temporarily be unable to perform his office, the deputies shall fulfil his attributions in the order established by him.

Section 3

Counsellors of the advocate of the people

Art. 13. – As part of their powers, the counsellors of the advocate of the people shall:

a) examine and propose solutions in problems with regard to the organization and functioning of the institution, of all compartments inclusive;

b) carry out or participate in the carrying out of studies, valuations, synthesis papers linked to the specific character of the institution's activity, independently or within the framework of teams of the institution, or such that are organized by other public authorities or non-governmental organizations;

c) follow up and coordinate the activity of drawing up at the established terms of the recommendations and reports to be presented for adopting to the advocate of the people;

d) ensure the information of the advocate of the people on the possibilities of solving the problems raised by the people received in audience or by applications addressed to the institution, in collaboration with the specialist departments and other compartments of the institution, as the case may be;

e) inform operatively and participate in the activity of drawing up replies to the questions and problems raised by and in the mass media with regard to the activity of the institution;

f) fulfil any other attributions linked to the specific character of the institution, at the request of the advocate of the people.

CHAPTER IV

General departments of the institution

Section 1

Specialist departments

Art. 14. – The specialist departments of the institution shall be the following:

– The department for problems concerning the protection of the child, woman, and family;

– The department for problems of work and the social protection of work;

– The department for problems regarding the minorities, cults, and mass media;

– The department for problems with regard to education, health, and culture;

– The department for problems with regard to local authorities;

– The department for problems with regard to law and order, military and special services, and institutions of reeducation and penitentiaries;

– The department for problems with regard to the protection of the private property and the environment, town planning, and town and country planning;

– The department for problems with regard to the protection of the consumer and tax payer.

Each specialist department shall be conducted by a head of department.

To the structure of the specialist department shall belong counsellors, experts, consultants and referees.

Art. 15. – Depending on the weight and volume of the works, at his deputies' proposal, forwarded on the basis of reports drawn up by the heads of the specialist departments, the advocate of the people may adapt their structure in keeping with the requirements of the current activities.

Art. 16. – The head of the specialist department shall have the powers to:

a) ensure the effective management of the department, and guide the activity deployed within the framework of the department, following up the fulfilment of the attributions by the staff from its composition, according to the job description card and dispositions of the advocate of the people's deputy under whose authority he or she operates;

b) distribute the papers to be solved to the staff from the framework of the department and establish the person responsible for the work to be carried out;

c) draw up accounts and draft reports that shall be subjected to the verification and approval of the advocate of the people's deputy;

d) present proposals for the settlement of certain social relations on the basis of the data resulting from complaints and audiences;

e) elaborate the job description card for the staff in subordination, which he or she shall subject for approval to the deputy of the advocate of the people;

f) fulfil any other attributions established by the advocate of the people or his deputy.

Section 2

The Secretariat-general

Art. 17. – The Secretariat-general shall have in its structure the Directorate of public relations and informatics, the Economic directorate, and the Organizing, human resources, and contentious matters service.

The Secretariat-general shall ensure organizational, informational, and material conditions for the adequate unfolding of the institution's activity.

Art. 18. – The Secretariat-general shall be conducted by a secretary-general who shall have the powers to:

a) coordinate the public relations, registry, archive, secretariat, informatics, documentation, and library activity as well as the administrative, technical, financial-and-accounting, transport, and provisioning activity with a view to ensuring material conditions for an efficient activity of the institution;

b) organize the activity of the directorates and departments under his coordination, and approve their programme of activity;

c) organize the management of the institution's assets, and take measure for ensuring their integrity;

d) organize the maintenance and endowment activity, and establish measures for the watch and use of the institution's premises and its goods and chattels, through the competent departments;

e) follow up the mode of execution of the contracts for ensuring the utilities (water, heating, electric power, telephone etc.);

f) dispose measures for the carrying out of an annual inventory of all goods and chattels from the institutions's property and present a report on this inventory to the advocate of the people;

g) be responsible for the observance of the legal provisions regarding the utilization of the funds included in the revenue and expenses budget of the institution, and the drawing up of the annual draft budget;

h) be responsible for the organization and realization of the institution's general informational system;

i) dispose measures that have to be taken regarding the circulation and transfer of goods and chattels;

j) organize the activity along the line of fire prevention and extinction as well as the labour protection activity;

k) take the necessary measure for ensuring order and discipline within the framework of the directorates and departments he or she coordinates;

l) sign the identity cards and badges of the staff, prepared by the Organizing, human resources, and contentious matters service;

m) discharge any other service attributions established by the advocate of the people.

Art. 19. – The secretary-general shall be appointed to and discharged from office by the advocate of the people.

Art. 20. – The Directorate of public relations and informatics shall have in its structure the following services:

– The public relations, registry, archives, and secretariat service;

– The informatics, documentation and library service.

Art. 21. – The public relations, registry, archives, and secretariat service shall ensure the registration, primary records, and circulation of applications addressed to the advocate of the people, the make-up of deeds, documents, and papers of the institution, archives, and despatch activity, the realization of the auxiliary services required for the solution of the applications addressed to the advocate of the people.

To this end it shall have the tasks to:

a) receive and register applications addressed to the advocate of the people;

b) keep a record of the people presenting themselves for an audience;

c) prepare files and individual cards with a record number of each application, transmitting them to the specialist departments;

d) prepare the correspondence for despatch to the competent bodies and to the petitioners;

e) receive and register replies from the public authorities and transmit them to the specialist departments;

f) give information to the petitioners in connection with the solving stage of their applications;

g) draw up the statistical situation of the applications and audiences as well as of their solving stage;

h) carry out the secretarial, make-up and typing work, according to instructions received;

i) prepare and keep the registers necessary for the institution's activity;

j) carry out registrations in the archives and archivistics works, ensuring the preservation and consultation of the files by the staff of the institution;

k) ensure the posting or transport of the correspondence, as the case may be;

l) keep account of postage stamps;

m) carry out any other service tasks established by hierarchical superiors.

Art. 22. – The informatics, documentation, and library service shall follow up the realization and processing of the documentary fund necessary for the institution's activity, the drawing up of studies and reports at the request of the advocate of the people, his deputies and counsellors, of the specialist department heads, the operative informing and records, as well.

To this end it shall have the tasks to:

a) carry out studies, syntheses, and reports disposed by the advocate of the people, his deputies and counsellors, draw up documentations, statements, and other materials necessary for the institution's activity;

b) ensure the operative informing and records, provide primary data and statistical accounts necessary to the functioning of the informational system, participate in the drawing up of the foreign correspondence as well as of documentation, deeds, or other materials elaborated within the framework of the Directorate for relations with state institutions, the civil society, and foreign relations;

c) project and implement the informational system required for the functioning of the institution;

d) carry out the management, processing, and records of the library, work out its card index, and inform the staff of the institution on the specialist works received, and on the current legislation.

The studies, syntheses, statistical accounts, and reports elaborated by the staff of the service shall be drawn up together with the counsellors of the advocate of the people, and with the heads of the specialist departments.

Art. 23. – The Economic directorate, through the financial-and-accounting and preventive inspection service, and through the supply, transport and administrative service shall ensure the elaboration, substantiation, and execution of the revenue and expenses budget of the institution, and of the other financial-and-accounting works, the exercise by the advocate of the people of his powers as principal person entitled to authorize expenses from the budget as well as the administration of goods and chattels from the property of the institution, investment activity, provisioning with materials, transport, and the achievement of other administrative services necessary for the functioning of the institution.

Art. 24. – The organizing, human resources, and contentious matters service shall carry out works with regard to the hiring and pay of the staff, drawing up and issue of the identity cards and badges, recording and completion of the workman's passes, record of disciplinary sanctions, cessation of labour relations and other specific works, according to the legal provisions in force.

Likewise, according to the law, this service shall provide the legal aid of the institution as well as its representation in courts of law and before other jurisdictional bodies.

Art. 25. – The secretary-general shall approve the job description card drawn up by the compartment heads in his subordination.

Section 3

***Directorate for relations with the State's institutions,
with the civil society, and foreign relations.***

The press and protocol bureau

Art. 26. – The Directorate for relations with the State's institutions, with the civil society, and for foreign relations shall be conducted by a director, and it shall ensure:

a) the achievement of direct and permanent contacts with the State institutions, and a continuous informational exchange, regarding the realization of the institution's competencies, according to the law;

b) the achievement of permanent informational contacts and exchanges with non-government organizations, promoting the values of the civil society, especially with organizations acting in the field of the defence of the fundamental human rights and freedoms;

c) the information and presentation in the easiest form of access to the public, of the provisions under the Law No. 35/1997 and of the present regulations;

d) the participation of the advocate of the people or of his representatives in various conferences, symposia, seminars in which social problems of interest for the institution's specific activity are brought under debate;

e) the organization of similar events to which representatives of the civil society be invited;

f) the carrying out of business devolving upon the institution within the framework of international relations;

g) the translation, make-up, and despatch of the correspondence to foreign countries.

Art. 27. – The press and protocol bureau shall have the powers to:

a) monitor the written and audiovisual press with special reference to the competences of the institution, and spread the press review, for the advocate of the people and his deputies and counsellors;

b) carry out thematic syntheses, directly or in collaboration with the specialist departments and with the counsellors of the advocate of the people;

c) draw up and spread official reports regarding the institution's activity, under the direct guidance of the advocate of the people;

d) draft replies to press articles referring to the institution;

e) organize contacts of the advocate of the people with representatives of the written press and of the radio and television broadcasting institutions;

f) ensure the connection with management of the press agencies and editorial offices with a view to the realization of a permanent communication of a kind to give satisfaction to the particular publishing interest of a certain mass information institution;

g) obtain passports and visas as well as ensure the protocol for travels abroad;

h) receive and accompany foreign delegations within the framework of the foreign relations programme approved by the advocate of the people;

i) receive guests from the country at the seat of the institution.

Art. 28. – The powers of the staff of the directorate shall be established through the job description card drawn up by the director and approved by the advocate of the people.

CHAPTER V
Functioning of the institution

Section 1
Procedural provisions

Art. 29. – The reception of applications and audiences programme shall be ensured by the advocate of the people, by his deputies and counsellors as well as by the heads of the specialist departments.

Art. 30. – Applications addressed to the advocate of the people shall be formulated in writing, with observance of the provisions under the law.

For well-founded reasons, at the petitioner's solicitation, he or she may be allowed to present his demand by word of mouth, which shall be recorded by the counsellor on duty.

Art. 31. – The advocate of the people may take notice *ex officio* when he finds out in any way whatsoever that civic rights or freedoms shall have been violated by an authority of the public administration.

The *ex officio* proceedings shall cease at the solicitation of the person aggrieved in his or her rights and freedoms.

Art. 32. – The application addressed shall be signed by the petitioner and shall include:

- a) the name and address of the person aggrieved in his or her rights and freedoms;
- b) the rights and freedoms violated;
- c) the administrative authority or public servant in question;
- d) a description of the deeds incriminated;
- e) proof of the delay or refusal of the public administration to solve the petition, according to the law, within the term provided;
- f) the compulsory mention that the application forms or not the object of a cause on the list of a court of justice, or has formed the object of legal proceedings;
- g) the public authorities that had previously been informed;
- h) any other deeds in support of the application.

Applications are made in the petitioner's own name, and shall be handed in personally or through representatives empowered according to the law.

Art. 33. – In the situation in which the application is incomplete or should present vagueness, the petitioner shall be granted the possibility to complete or remake it.

Art. 34. – On receiving the application, together with the whole accompanying documentation, the advocate of the people may dispose the hearing of the person aggrieved in his or her rights and freedoms, according to the programme of audiences.

For well – founded reasons, *ex officio* or at the petitioner's solicitation, the advocate of the people may dispose that his proceedings should have a confidential character.

Art. 35. – The distribution of the work with a view to the examination of the facts informed and of the legal grounds sustaining it shall be made on the basis of a resolution of the advocate of the people or of his authorized agents, indicating the specialist department competent to solve the paper as well as the term established for this.

Art. 36. – Before taking a decision on the way in which the application shall be solved, the advocate of the people may dispose preliminary investigations to be carried out. To this end, he may address himself to the bodies of the public authority, through the specialist departments, for obtaining the necessary information and documents.

In cases in which an expert's report should be necessary for the establishment and clearing up of certain facts on which the solution of the application depends, and this report cannot be ensured by the specialist staff of the institution, the advocate of the people may dispose the hiring of an external collaborator on the basis of a civil convention.

Art. 37. – In the case in which the advocate of the people shall find that the Public Ministry should be competent for solving the application, or if the cause is on the list of a court of justice, or its object is a miscarriage of justice, he shall inform the competent authorities, according to the law, and these shall be under an obligation to communicate the conclusions reached and the measures taken.

Art. 38. – In the case in which the object of an application enters into the field of activity of two specialist depart-

ments, only a single department shall be designated responsible with the solving of the work, while establishing at the same time the obligation of the other department to collaborate.

Art. 39. – Teh titular of the work, responsible with the examination of the application and of the attending documents may solicit the supply of explanations and additional data with regard to the contents of the file.

On the basis of the works carried out, the titular shall draw up the report containing the conclusions of the examination which shall be forwarded to the advocate of the people, signed by the head of the specialist department and of the coordinating deputy.

Art. 40. – When from the examination of the application and of the appended documentation there should result the necessity for an institution's own inquiry, the advocate of the people shall decide accordingly.

The decision shall include:

- a) an abstract of the application and the indication of the public authority in question;
- b) the deeds and documents that are to be subject to the inquiry;
- c) the persons designated by him to carry out the inquiry.

To this end, the advocate of the people or his commissioners shall have the right to hear and take declarations from the leaders of the public administration authorities, from any civil servant, or from any other person provided under the law, who can give information necessary for solving the application, according to the legal provisions.

Art. 41. – The advocate of the people may discontinue the institution's own inquiry whenever he shall find that the application shall have been solved amicably, or that its grounds have ceased to exist.

Discontinuation of the inquiry puts an end to the course of the application.

Cessation of the proceedings shall be made known to the petitioner.

Art. 42. – After the finalization of the work and drawing up of the report containing the findings and recommendations with regard to the measures to be taken with a view to the removal of the illegality committed, the mending of

the damages caused, and the restoration of the aggrieved person in his or her rights, communications shall be made according to the law, both to the petitioner and to the public administration authority in question.

When, on the grounds of the documentation received together with the application, the titular of the work should find that the facts exposed are obvious and proved, he may decide the drawing up of the report without any other verifications.

Art. 43. – The advocate of the people may reject obviously groundless applications, showing cause of the judgment.

Applications which do not form the object of the institution's activity shall be rejected without motivation.

Art. 44. – The advocate of the people or his representative may exercise their powers outside the premisses of the institution, too.

To this end, the advocate of the people or his representative may enter the premisses of any public authority, on the grounds of his service identity card and official badge, with the agreement of the management of the institution in question, and in case of obstruction he may solicit assistance from the Public Ministry.

In the fulfilment of his powers, the advocate of the people or his authorized agent shall have access to any information, documents, or deeds held by public authorities in connection with the applications filed by people aggrieved in their rights and freedoms, and to the extent to which he may consider necessary for solving them, being under an obligation to observe the secret of such information, as the case may be.

Non-observance of the obligations provided under paragraphs 1 to 3 shall involve the responsibility provided under the Law Nor. 35/1997 Art. 32.

Art. 45. – The advocate of the people or his authorized agent may carry out inspections within the precincts of prisons or other places of imprisonment, re-education and social rehabilitation, of military units as well as other units where people are subject to rules restricting the freedom of circulation.

The advocate of the people or his authorized agent shall have the right to carry on private discussions with anyone of the people in the situations mentioned under para. 1.

Inspections shall be carried out with the previous agreement of the unit's administrative management or of the hierarchical superior body.

Provisions under Art. 44 para. 2 of the present regulations shall be applicable.

Section 2

Registers of the institution

Art. 46. – The registers of the institution shall be the following:

- a) The general register for incoming and outgoing correspondence;
- b) The general register for files, in which applications received shall be recorded and given a number;
- c) The register of recommendations in which the advocate of the people's recommendations that are sent to the public authorities shall be recorded and given a number;
- d) The register of orders issued by the advocate of the people, in which these shall be recorded and given a number, in chronological order;
- e) The special register for secret and confidential correspondence, in which documents having this character shall be recorded;
- f) The register of the archives.

Art. 47. – The general register for files shall include the following headings:

- a) number of the file;
- b) name of the petitioner;
- c) reception date of the application;
- d) object of the application;
- e) specialist department to which the application was distributed and name of the work's titular;
- f) despatch date of the recommendation, respectively of the information of the competent authority;
- g) date of communication to the petitioner of the results of the application.

Under the same file number shall be recorded all documents subsequently deposited or the correspondence in connection with the respective application.

The headings of the registers mentioned under Art. 46 letters a), c), d), and e) shall be made depending on the nature of the works recorded at the proposal of the secretary-general and shall be approved by the advocate of the people.

The register of the archives shall record the date of reception into the archives, the nature of the works, the number of pages, the compartment handing over and the signatures of handing over and reception.

Art. 48. – A copy the recommendations recorded in the register provided under Art. 46 letter c) shall be filed in numerical order, in a special file, to be kept in the archives.

Art. 49. – For a record of the works received and achieved in the specialist departments there shall be set up a register of the files examined in the department, which shall include the following headings:

- a) the mentions under Art. 47 letters a) to d);
- b) date of reception of the work in the department;
- c) finalization term of the work;
- d) name of the titular of the work;
- e) public authority or public servant in question;
- f) date of presentation of the draft report in final form.

The specialist departments in collaboration with the Public relations and informatics directorate shall draw up the alphabetical list in which shall be entered the names of the petitioners, and shall keep a record of the terms when replies should be received from the authorities informed, with regard to the legal solution of the applications handed in to them.

Art. 50. – The registers shall be numbered and sealed, and at the end of each year official closing reports shall be drawn up, countersigned by the secretary-general.

Records from registers may also be achieved on magnetic support.

Section 3

Files of applications

Art. 51. – Files containing the applications addressed by people aggrieved in their rights and freedoms may be consulted by interested persons, with the approval of the head

of the compartment where the file can be found, except situations in which, by decision of the advocate of the people these should be subject to the rules of confidential works.

On the cover of each file shall be mentioned: the name of the institution, the number given to the file, and other identification data of the application, its confidential character, if such be the case, as well as the kind and date of the works carried out.

The removal of files from the premisses of the institution shall be prohibited, except cases in which the advocate of the people or his authorized agent shall go to carry out an inquiry, or other situations which makes this necessary.

Art. 52. – Documents entering into the composition of the file shall be numbered, sewn, and stamped before handing them over to the archives.

Files shall be kept in the archives in their numerical order.

Art. 53. – To the archives shall also be handed over other works of the institution, which shall be kept according to the law.

CHAPTER VI Staff of the institution

Section 1 Conditions of appointment to office

Art. 54. – The counsellors and heads of the specialist departments shall be appointed to and discharged from office by the advocate of the people.

Art. 55. – The appointment of the heads of the specialist departments conditions shall be those provided for the office of parliamentary counsellor, under the Law No. 53/1991, with subsequent modifications.

Art. 56. – The appointment of experts and consultants conditions shall be the following:

- a) to have Romanian citizenship, and the domicile in the country;
- b) to be a graduate with a bachelor's degree from a faculty;
- c) to have unfolded a valuable professional activity;
- d) to have a good moral reputation.

In addition to the conditions provided under letters a) to d) of the preceding paragraph, a length of service time in the speciality of at least five years shall be required for the office of expert, and of three years for that of consultant. In motivated situations, at the proposal of the Commission for appointments and discipline provided under Art. 34 of the Law No. 35/1997, the advocate of the people may reduce down to three years the length of service time for an expert, and may appoint to the office of consultant young faculty graduates with a bachelor's degree, without fulfilling the condition of length of service time.

Art. 57. – Appointment conditions in execution specialist functions – other than those of counsellor, expert, and consultant – as well as in execution functions shall be those applicable to the similar staff from the Senate's services.

Art. 58. – Functions from the services of the institution provided under articles 56 and 57 shall be filled by competitive examination, under the terms established by law.

The competitive examination shall be organized by the Commission for appointments and discipline, formed of three counsellors designated by the advocate of the people, one of whom shall be from the specialist department to whose structure the vacant post belongs. For execution functions, in the competitive examination shall also participate the director, respectively the head of the compartment to whose structure the vacant post belongs.

The secretarial works of the Commission for appointments and discipline shall be dealt with by the Organization, human resources, and contentious matters service.

Art. 59. – The commission for appointments and discipline shall ensure the posting of the announcement of the competitive examination at the seat of the institution and/or its publication in a daily newspaper at least 15 days before the competition is to be held. The announcement shall mention the date at which the competition will be held, the vacant post, the conditions of participation as well as the subjects of the competition.

Candidates shall present a *curriculum vitae* and a copy from their certificate of studies.

Art. 60. – The themes of the competition shall be elaborated by the Commission for appointments and discipline

on the basis of the proposals of the head of the specialist department, respectively of the director of the directorate to whose structure the vacant post belongs indicating at the same time the documentation sources that may be used by the candidates.

Art. 61. – The competitive examination shall consist in a written test, an oral examination, and a practical test, as the case may be.

Art. 62. – The written test and the oral examination shall be marked from 1 to 10 by each member of the Commission for appointments and discipline. The qualifying mark will be that resulted from the average of the marks at each test.

In order to be declared admitted, the candidates shall have to obtain at least the mark 7 at each test.

Art. 63. – The result of the competitive examination and the order of classification of the candidates shall be recorded by the Commission for appointments and discipline, in an official report to be forwarded for approval to the advocate of the people, attended by adequate proposal.

Art. 64. – The Commission for appointments and discipline may ask the candidates for additional data with reference to the professional activity unfolded, consisting as a rule of scientific papers or other specialist works in the field.

Art. 65. – On the basis of the proposal of the Commission for appointments and discipline, and of the other documents relating to the competitive examination, the advocate of the people shall issue the order of appointment to office.

Art. 66. – Candidates approved to enter upon office shall be under an obligation to report to the office within not more than 15 days after having been apprised. In case of failure to report to the post within the term established, the post shall be declared vacant, and the next person declared to have passed the examination shall be informed of the possibility to fill the respective post.

Art. 67. – In case that not more than one candidate reported for the competitive examination, the post shall be filled on the basis of an examination organized under the terms of articles 58 to 66.

Art. 68. – The staff of the institution shall have to fulfil their duties conscientiously and with professionalism, observing their service obligations exactly.

Art. 69. – The staff from the services of the institution may be advanced in rank or promoted on the professional scale as well as in vacant higher functions on the basis of the results of the performed activity, and of the proven aptitudes, confirmed by the hierarchical chiefs.

In case it shall be considered that the function provided under para. (1) cannot be filled by advancement, the advocate of the people may dispose the organization of a competitive examination, under the terms established by articles 58 to 67.

Section 2

Remuneration and rest holidays

Art. 70. – The remuneration of the staff of the institution shall be made according to the staffing schedule, under the terms established by Laws No. 40/1991 and No. 53/1991, republished, with subsequent modifications as well as according to assimilations made in keeping with the provisions of Art. 53 para. (3) under Law No. 35/1997.

Art. 71. – Rules regarding the length of rest holidays, the amount of the holiday pay due, the programming, the carrying out, breaking up, and postponement of the rest holiday as well as the compensation in money of the holiday not carried out shall be established according to the legal provisions with regard to rest holidays and other holidays of employees, by order of the advocate of the people.

Art. 72. – In order to establish the length of the rest holiday for employees with specialist execution and management functions, the criteria applicable to functions from the Senate's services with which they are assimilated, according to the law, shall be had in view correspondingly.

Section 3

Disciplinary responsibility

Art. 73. – Violation of the provisions under the Law No. 35/1997, of the present regulations, and of service duties shall involve the responsibility of the culprits and the application of disciplinary sanctions.

Art. 74. – In case of commitment of infractions of discipline, the employee shall be investigated by the Commission

for appointments and discipline, on being informed by the secretary-general, respectively by the head of the specialist department.

The Commission for appointments and discipline shall examine the evidence put forward and proceed to the hearing of the person in question.

The conclusions of the Commission for appointments and discipline shall be written in a report and forwarded to the advocate of the people, together with the sanctioning proposal.

Art. 75. — The disciplinary sanctions to be applied to persons guilty of infractions of discipline shall be the following:

- a) warning;
- b) reduction of wages and management indemnification by ten to fifteen-per-cent over a duration of not more than three months;
- c) demoting from office or class within the framework of the same profession for a duration of not more than three months;
- d) dismissal from function.

Dismissal from function shall be applied in the case of the commitment of a severe infraction or repeated violation of service obligations.

Art. 76. — Application of sanctions, depending on the gravity of the infractions committed, shall be made by the advocate of the people under the terms established by law and the present regulations.

CHAPTER VII

External collaborators

Art. 77. — For the execution of works of a particular complexity or in connection with the carrying out institution's own investigations, the advocate of the people may make use of the services of specialists as external collaborators.

External collaborators shall benefit by the corresponding rights of the external collaborators of the Senate's machinery, according to the law.

Art. 78. — The hiring of external collaborators, the periods of collaboration, the time of work or works carried out, responsibilities, due rights and payment modality shall be established by civil conventions for services rendered, registered with the Labour exchange offices.

The approval of the external collaborators, and the establishment of their remuneration rights shall be made by order of the advocate of the people, at the proposal of the heads of the specialist departments, respectively of the directors.

Art. 79. — Over the period of fulfilment of their attributions, the external collaborators shall be subject to the duties of the staff of the institution with regard to the preservation of the confidentiality of the works, observance of the working programme and of the other rules of internal discipline.

The external collaborators will be issued identity cards for access to the premisses, which shall be returned on cessation of the quality of external collaborator.

Art. 80. — From among personalities of high prestige and with a rich professional activity, the advocate of the people may appoint temporary counsellors, used as scientific consultants, under the terms established by articles 77 to 79.

CHAPTER VIII

The revenue and expenses budget

Art. 81. — The revenue and expenses budget of the institution shall be an integrant part of the state budget, according to the law.

Art. 82. — By the revenue and expenses budget shall be ensured the necessary funds for the unfolding under good conditions of the institution's activity, being determined the covering resources by classes of expenses.

Art. 83. — The draft of the revenue and expenses budget shall be drawn up with the advice of the Ministry of Finance.

Art. 84. — The norms of expenses for protocol, travel, endowment with motor cars, and monthly fuel consumption shall be established by order of the advocate of the people, according to the law.

CHAPTER IX

Final provisions

Art. 85. — The working programme of the institution shall be established by the advocate of the peoples in correlation with the programme of the public authorities.

Art. 86. — For access into the premisses of the public authorities, the advocate of the people and his empowered agents shall wear an official badge on which the person's photograph shall be applied and his or her identification data inscribed.

The pattern of this badge and the issue proceedings shall be approved by the advocate of the people.

The issue of badges shall be made by the Organizing, human resources, and contentious matters service, which shall also keep a record of the badges issued.

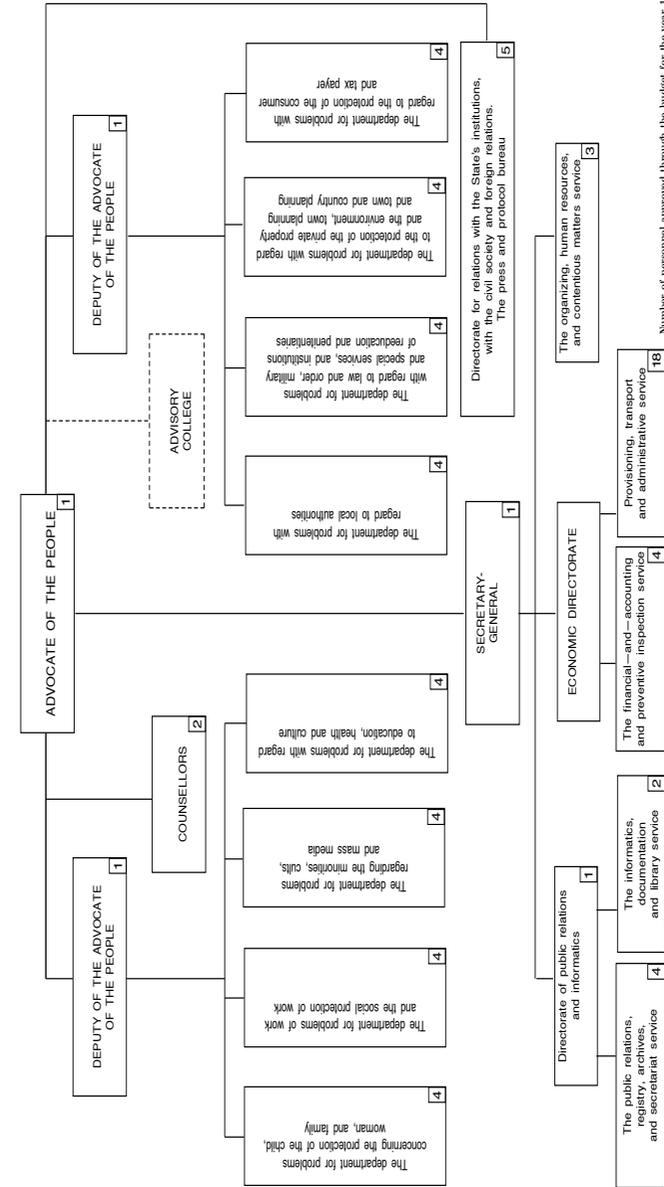
Art. 87. — The advocate of the people shall periodically inform public opinion on the main aspects of his activity, through the agency of the mass media, under the terms established by law.

Art. 88. — The present regulations shall be published in the "Monitorul Oficial" (Official Gazette of Romania), Part I, after its approval by the Senate's Standing Bureau.*

* The Standing Bureau of the Senate has approved the Regulations on the organization and functioning of the Advocate of the People Institution in the sitting of October 29, 1997.

APPENDIX No. 1

ORGANIZATIONAL STRUCTURE
of the Advocate of the People Institution



Number of personnel approved through the budget for the year 1997: 75

**NOMENCLATURE OF FUNCTIONS
in the Advocate of the People Institution**

1. Advocate of the people (minister)	Legal basis of remuneration
2. Deputy of the advocate of the people (state secretary)	— Law No. 40/1991 (Appendix No. 2 position 3)
3. Secretary-general (basic function assimilated to that of deputy secretary-general of the Senate)	— Law No. 40/1991 (Appendix No. 2 position 4)
4. Head of department	— Law No. 53/1991 (Appendix No. 2 position 2)
5. Director (basic function assimilated to that of parliamentary expert with management indemnification)	— Law No. 53/1991 (Appendix No. 2 position 3)
6. Head of a service (basic function assimilated to that of expert rank I A with management indemnification)	— Law No. 53/1991 (Appendix No. 2 position 2, and Appendix No. 4 position 1)
7. Counsellor (assimilated to parliamentary counsellor)	— Law No. 40/1991 (Appendix No. 8 point 1 letter A position 1)
8. Expert (assimilated to parliamentary expert)	— Law No. 53/1991 (Appendix No. 3 position 1)
9. Expert rank 1 A	— Law No. 53/1991 (Appendix No. 3 position 2)
10. Consultant (assimilated to parliamentary consultant)	— Law No. 40/1991 (Appendix No. 8 point 1 letter A position 1)
11. Principal secretary (S)	— Law No. 53/1991 (Appendix No. 3 position 3)
12. Engineer, economist, sociologist	— Law No. 53/1991 (Appendix No. 2 position 5)
13. Librarian (S)	— Law No. 40/1991 (Appendix No. 8 point II letter A position 1)
14. Specialist referee (S)	— Government decision No. 281/1991 (Appendix No. 5 point II position 13)
15. Referee (M)	— Law No. 40/1991 (Appendix No. 8 point I letter A position 4)
16. Principal secretary (M)	— Law No. 40/1991 (Appendix No. 8 point II letter A position 7)
17. Cabinet secretary (M)	— Law No. 53/1991 (Appendix No. 3 position 8)
18. Technician, expert in the science of commodities	— Law No. 53/1991 (Appendix No. 3 position 9)
19. Secretary-typist (shorthand typist)	— Law No. 40/1991 (Appendix No. 8 point II letter A position 5)
20. Archivist	— Law No. 40/1991 (Appendix No. 8 point II letter A position 17)
21. Storekeeper	— Law No. 40/1991 (Appendix No. 8 point II letter A position 24)
22. Messenger	— Law No. 40/1991 (Appendix No. 8 point II letter A position 21)
23. Barkeeper	— Law No. 40/1991 (Appendix No. 8 point II letter A position 28)
24. Chauffeur	— Law No. 40/1991 (Appendix No. 8 point II letter A position 28)
25. Workman (plumber, electrician, locksmith, mechanic, joiner)	— Law No. 40/1991 (Appendix No. 8 point II letter A position 30)

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