

DECISION
No 1.483
of 9 September 2004 (*updated*)

on the approval of The Methodological Norms enforcing the Government Ordinance No 44/2004 on the Social Integration of Aliens who were granted a form of protection or a residence permit in Romania, as well as of citizens of European Union Member States and of the European Economic Area**) (updated until June 12, 2007*)

Issuing body: **THE GOVERNMENT**

----- *) The initial text was published in the Official Gazette No 863 of September 22, 2004. This is the form updated by S.C. "Centrul Teritorial de Calcul Electronic" S.A. as of June 12, 2007, as amended and supplemented through: DECISION No 948 of August 18, 2005; DECISION No 543 of June 6, 2007.

**) The title of the decision was amended through item 1 of art. I of the DECISION No 543 of June 6, 2007, published in the OFFICIAL GAZETTE No 396 of June 12, 2007.

Pursuant to art. 108 of the Constitution of Romania, republished, and to art. 45 of the Government Ordinance No 44/2004 on the social integration of foreigners who acquired a form of protection in Romania, approved as amended through the Law No 185/2004, as subsequently amended,

the Government of Romania hereby adopts this decision.

SOLE ARTICLE

The Methodological Norms enforcing the Government Ordinance No 44/2004 on the Social Integration of Aliens who were granted a form of protection or a residence permit in Romania, as well as of citizens of European Union Member States and of the European Economic Area, published in the Official Gazette of Romania, Part I, No 93 of January 31, 2004, approved as amended through Law No 185/2004, as amended and supplemented, stipulated in the annex that is an integral part hereof, are hereby approved.

The Sole Article was amended through item 2 of art. I of DECISION No 543 of June 6, 2007, published in the OFFICIAL GAZETTE No 396 of June 12, 2007.

PRIME MINISTER
ADRIAN NASTASE

Countersigned:

State Minister,
Ministry of Administration and Interior,
Marian Florian Saniuta

Delegated Minister
for public administration,
Gheorghe Emacu

Ministry of Education and Research,
Alexandru Athanasiu

Minister of Labour,
Social Solidarity and Family,
Dan Mircea Popescu

Minister of Health,
Ovidiu Brinzan

for the Minister of Public Finance,
Maria Manolescu,
State Secretary

Bucharest, September 9, 2004.
No 1.483.

ANNEX

Methodological Norms

for the enforcement of Government Ordinance No 44/2004 on the
Social Integration of Aliens Who Were Granted a Form of Protection
or a residence permit in Romania, as well as of citizens of
European Union Member States and of the European Economic Area

The title of the methodological norms has been modified by
point 3 of Art. I of Decision No 543 of 6 June 2007, published
in the Official Gazette No 396 of 12 June 2007.

CHAPTER I

General Provisions

Art. 1

The access of aliens who have been granted a form of
protection in Romania to social welfare and their participation
in the integration programme shall be ensured according to the
provisions of the Government Ordinance No 102/2000 *) on the
status and regime of refugees in Romania, with subsequent
amendments and additions, as well as of the Government Ordinance

[No 44/2004](#) on social integration of aliens who have been granted a form of protection in Romania, hereinafter called "Ordinance", and of the present methodological norms respectively.

*) [The Government Ordinance No 102/2000](#) has been republished in the OFFICIAL GAZZETTE No 1.136 of 1 December 2004. [The Government Ordinance No 102/2000](#) republished has been abolished by [Art. 152\(2\) of Law No 122 of 4 May 2006](#), published in the Official Gazette No 428 of 18 May 2006.

Art. 2

- (1) By access according to legal provisions for Romanian citizens, in the sense of Art. 4-9 of the present Ordinance, it is to be understood that aliens who have acquired a form of protection in Romania benefit from social rights, while meeting the legal conditions applicable to Romanian citizens and on the basis of the identification document issued by the National Office for Refugees, as well as of other documents issued by authorities from the countries of origin, and in case these are not available, on the basis of relevant documents issued by competent Romanian authorities.
- (2) The National Office for Refugees, the Ministry of Labour, Social Solidarity and Family, the Ministry of Education and Research, the Ministry of Health, the National Authority for People with Disabilities, the National Authority for Child Protection and Adoption, as well as other institutions with responsibilities in the field set up, under legal conditions, a list of necessary documents to ensure the access of aliens who have been granted a form of protection in Romania to social welfare, under consideration of the specific situation of aliens who have been granted a form of protection in Romania.

Cap. II

Access to social rights

Section 1

Access to employment and to housing

Art. 3

Aliens who have been granted a form of protection are registered as employment seekers at the local employment agency or its local office where the alien has its registered residence.

Art.4

By adapting the services offered by the National Agency for Employment of Labour Force to the specific needs of the beneficiaries of integration programmes, in the sense of Article 5 of the Ordinance, the following is understood:

- a) use of interpretation and consulting services in activities geared towards raising the chances of employment on the

labour market of aliens who take part in the integration programme, including translation of learning materials used in vocational qualification

- b) organization, by the regional employment agencies as well as that of the City of Bucharest of special vocational qualification programmes for aliens who have been granted a form of protection in Romania
- c) implication of the National Employment Agency in facilitating the relation between the aliens who take part in the integration programme and potential employers

ART. 5

Special housing facilities are ensured to aliens who have been granted a form of protection in Romania by competent authorities of local public administration, considering eligibility criteria valid for Romanian citizens.

Section 2

Access to the education system. Access to specific activities of cultural integration, counselling and learning the Romanian language

ART. 6

The free courses offered to the aliens who have been granted a form of protection in Romania for initiation in the Romanian language for minors, as well as for learning the Romanian language for adults, shall be organized by the regional School Inspectorates including that of Bucharest city, following methodologies approved by the Ministry of Education, Research and Youth.

Art. 6 has been modified by point 4 of [Art. I of the Decision No 543 of 6 June 2007](#), published in the Official Gazette No 396 of 12 June 2007.

Art. 7

- (1) The applications for taking part in the courses mentioned under Art. 6 shall be submitted by interested persons to the regional school inspectorates as well as that of Bucharest city.
- (2) The regional school inspectorates as well as that of Bucharest city ensure the enrolment of applicants in the courses and notify them about the educational unit where the courses shall be organized.

Art. 8

- (1) In areas where the National Office for Refugees or its territorial structures do not have local offices, the necessary premises for organization of free Romanian language courses for adults as provided under Art. 6 shall be offered by the regional school inspectorates

Art. 8(1) has been modified by point 5 of [Art. I of Decision No 543 of 6 June 2007](#), published in the Official Gazette No 396 of 12 June 2007

- (2) Equipment of the premises provided by paragraph (1), including consumable materials necessary for course organization, shall be ensured, according to the norms established by common order of the Minister of Administration and Interior and the Minister of Education and Research, by the institution which has provided the premises.
- (3) The textbooks necessary for delivery of the courses mentioned under Art. 6 shall be provided by the Ministry of Education, Research and Youth, through the regional school inspectorates as well as that of Bucharest city.

Art. 8(3) of art. 8 has been modified by point 5 of [Art. I of the Decision No 543 of 6 June 2007](#), published in the Official Gazette No 396 of 12 June 2007.

[Art. 9](#)

Any adult person who takes part in the integration programme may benefit twice weeks from two sessions of cultural integration with duration of two hours each, in conformity with the individual learning schedule.

[Art. 10](#)

The National Office for Refugees may close partnership agreements as well as service contracts for services included in the integration programme, with other public institutions or non-governmental organizations.

[CHAPTER III](#)

Protocol of participation in the integration programme, accommodation and financial support

SECTION 1

Request to take part in the integration programme, evaluation of individual needs and closing the protocol of participation in the integration programme

[Art. 11](#)

- (1) Applications to take part in the integration programme shall be submitted in person by the applicants to the National Office for Refugees.
- (2) In case of children aged under 16, the request for taking part in the integration programme shall be submitted by their legal representatives.
- (3) The template of the request to take part in the integration programme, as well as that for the protocol mentioned under Art. 15 of the Ordinance shall be approved by the Head of the National Office for Refugees.
- (4) The decision of admission of the applicant to the integration programme shall be made by the National Refugee Office, within 5 working days from registration of the application, if the applicant meets the requirements provided by Article 16 of the Ordinance.

Art. 12

- (1) The interview for the purpose of evaluation of individual needs in order to establish the type of assistance or of necessary activities to ensure social integration shall take place within a maximum of 30 days from the date of submission of the application for enrolment in the integration programme.
- (2) The protocol foreseen under Art. 15 of the Ordinance shall be closed within a maximum of 30 days from the date of the interview.
- (3) Should the person who applies for enrolment into the integration programme refuse to sign the protocol within the time limit foreseen under paragraph (2), it shall be assumed that he or she decided to quit the programme.
- (4) Assessment of individual needs shall be made in close connection with the assessment of the applicant's family needs.

Art.13

- (1) The decision on the request for extension of the duration of implementation of the individual plan shall be made by the National Office for Refugees as a result of a reevaluation of the needs of the person who applies for counselling, cultural integration and learning the Romanian language.
- (2) On deciding on the extension of the implementation of the individual plan consideration will be given to the activity carried out by the applicant within the integration programme, frequency of attendance, efforts made by the participant, including endeavours to find suitable employment, as well as to the behaviour both during training and with regard to activities geared towards facilitating the integration, as well as generally in society.

Section 2

Right to housing

Art. 14

- (1) Simultaneously to the request to be enrolled in the integration programme, the alien who has been granted a form of protection in Romania and who does not dispose of means for subsistence, may submit a request to be accommodated in one of the centres under the administration of the National Office for Refugees.
- (2) Requests for accommodation submitted under the provisions of Art. 21 of the Ordinance shall be resolved on the basis of a social enquiry to be carried out by designated officers of the National Office for Refugees.
- (3) In case of families, the request for housing shall be submitted by one family member.
- (4) The social enquiry mentioned under paragraph (2) shall highlight with priority following aspects:
 - (a) means of subsistence available from the moment of granting the form of protection and during the period of determining the refugee status;
 - (b) endeavours made by the applicant for finding appropriate

- employment; (c) social behaviour within the accommodation centre, should the applicant have benefited from accommodation, as well as generally in society;
- (d) other information on the financial situation of the applicant and of his family.
- (5) The time limit foreseen by Art. 21(2) of the Ordinance elapses from the moment the social enquiry has been finalized.

Art. 15

- (1) Up to the finalization of the social enquiry, based on a sworn statement on the financial means at their disposal, the aliens who have been granted a form of protection in Romania and who request accommodation for the duration of the integration programme, may be accommodated from the moment of submission of the request to enrol in the integration programme, within the limit of places available. For this purpose, a rental contract shall be concluded between the National Office for Refugees and the applicant to establish the rights and obligations of the parties, within the limits of the law.
- (2) Should the social enquiry prove that aliens who have been granted a form of protection in Romania and have requested accommodation during the enrolment in the integration programme, dispose of sufficient means for subsistence, the National Refugee Office shall cancel the rental contract mentioned under paragraph (1).
- (3) The provisions of Art. 1 shall benefit the aliens who have been granted a form of protection in Romania after the moment the Ordinance has entered into force, as well as the aliens who, at the date the Ordinance entered into force, already enjoyed the right to be accommodated in one of the centres under administration of the National Office for Refugees.
- (4) Accommodation in the centres administered by the National Office for Refugees shall be made on the basis of a rent to be established by Order of the Minister of Administration and Interior, calculated on the basis of the rent determined at local level for housing in the property of the state or of local administration, by adding additional expenses for maintenance.

Art. 16

Authorities of local public administration may offer housing premises as mentioned by Art. 21(3) of the Ordinance based on payment of a rent established at local level for housing in the property of the state or of local administration bodies.

Art. 16¹

- (1) In order to benefit from renting housing premises as mentioned by Art. 21(5) of the Ordinance, aliens who have been granted a form of protection in Romania shall simultaneously meet following requirements:
- a) they should have finalized the integration programme;
 - b) they should dispose of sufficient financial means to be able to cover the rent established by law for housing in state property or administration, as well as maintenance expenses

(2) The renting of housing facilities provided by Art. 21(5) of the Ordinance shall be carried out by concluding a contract, within legal conditions, subsequent to a social enquiry to be carried out by officers of the National Office for Refugees.

(3) The rental contract mentioned under paragraph (2) shall be concluded for duration of 12 months and may be subsequently extended for periods of 12 months by the National Office for Refugees, upon request, following a re-evaluation of the tenant's situation.

(4) Should the tenant fail to cover the costs additional to the rent, namely for utilities and maintenance, for a period of 3 months, the rental contract shall be terminated judicially, the tenant being obliged to immediately leave the premises, and the necessary amounts for covering outstanding payments shall be covered out of the budget of the Ministry of Interior and Administration Reform, within the limit of allocated funds, to be subsequently charged to the person under reference.

(5) In case of housing facilities mentioned under Art. 21(5) of the Ordinance, following expenses shall be covered from the budget of the Ministry of Interior and Administration Reform, based on actual costs incurred, within the limit of funds allocated for this purpose from the state budget:

- (a) amounts necessary to cover the portion from the expenditures for repairs and maintenance as planned by the Association of Landlords of the building under reference;
- (b) amounts to cover insurance against any kind of damages, including third party insurance;
- (c) amounts necessary to cover expenditures incurred during periods when housing premises are empty;
- (d) amounts necessary for cleaning the housing units on transfer to another tenant, but not more than twice a year;
- (e) amounts necessary for the contribution to the revolving fund

(6) The goods and facilities provided for the housing units mentioned by Art. 21(5) of the Ordinance shall be defined by Order of the Minister of the Interior and Administration Reform.

Art. 16¹ has been included by point 6 of [art. I of DECISION No 543 of 6 June 2007](#), published in the Official Gazette No 396 of 12 June 2007.

SECTION 3 Financial aid

Art. 17

Granting of reimbursable support shall be performed according to the procedure provided by the Methodological Norms on the application of [Government Ordinance No 102/2000](#)*) on the status and regime of refugees in Romania, approved by [Government Decision No 622/2001](#).

*) [Government Ordinance No 102/2000](#) has been republished in the Official Gazette No 1.136 of 1 December 2004. [Government Ordinance](#)

No 102/2000 has been abolished by [Art. 152\(2\) of Law No 122 of 4 May 2006](#), published in the Official Gazette No 428 of 18 May 2006.

Art. 18

- (1) Financial aid mentioned by Art. 22(4) of the Ordinance shall be granted to aliens who take part in the integration programme and who do not have own financial means, only during the first two months from the date of being granted a form of protection.
- (2) By financial aid to an equal amount with that granted to applicants for refugee status it is meant the support mentioned by [Art. 13\(2\) of Government Ordinance No 102/2000](#) *), with subsequent amendments and updates.

*) [Government Ordinance No 102/2000](#) has been republished in the Official Gazette No 1136 of 1 December 2004. Government Ordinance No 102/2000 has been cancelled by Art. 152(2) of Law No 122 of 4 May 2006, published in the Official Gazette No 428 of 18 May 2006.

CHAPTER IV

The role of state institutions and local public administration bodies and inter-institutional cooperation for the purpose of integration of aliens who have been granted a form of protection in Romania

SECTION I

Role of the National Office for Refugees and inter-institutional cooperation in the field of integration of aliens who have been granted a form of protection in Romania

Art. 19

- (1) In fulfilling its role as a coordinator of the activities of all other state institutions, authorities of local public administration and non-governmental organizations involved in the integration process of aliens who have been granted a form of protection in Romania, the National Office for Refugees shall:
 - (a) ensure communication between all such institutions, especially with regard to aliens who take part in the integration programme;
 - (b) centrally administers information and statistical data transmitted quarterly or as often as necessary by all institutions involved in the integration of aliens who have been granted a form of protection.
- (2) Through monitoring of individual cases by the National Office for Refugees it is meant to follow-up and support the integration process into the Romanian society of aliens who have been granted a form of protection in Romania, on individual and family level, both during the implementation of the integration programme, as well as after their integration within a local community.
- (3) The National Office for Refugees issues and presents to the Government, through the Ministry of Administration and Interior, a yearly report on the situation of aliens who have been granted a form of protection in Romania and makes proposals on policy enhancement with regard to their integration into society.

Art. 20

The drafting of the individual plan of employment identification mentioned in art. 25 of the ordinance shall be performed by the local employment agencies, with the cooperation of the person appointed by the National Office for Refugees.

ART. 21

Local employment agencies shall inform both the beneficiary of the integration programme, and the National Office for Refugees on the employment alternatives made available to the same.

ART. 22

The National Office for Refugees shall inform the local public administration authorities towards which the aliens were referenced on such persons, including on their rights and obligations on the territory of Romania.

ART. 23

The local councils shall inform, upon request, the National Office for Refugees, on the possibility of aliens who were granted a form of protection in Romania to obtain a dwelling, and on the average rent level in the respective community.

ART. 24

(1) In order to fulfil the obligation stipulated in art. 30 of the ordinance, local public administration authorities shall appoint a civil servant to monitor the alien's integration in the respective community and facilitate the latter's access to social security rights.

(2) The civil servant in paragraph (1) shall collaborate with the National Office for Refugees for the draw up of the support plan dedicated to aliens who acquired a form of protection in Romania and set their residence in the respective community.

ART. 25

The suspension of the support granted by the National Office for Refugees for integration purposes, according to art. 27(2) of the Ordinance, shall be construed as the termination of the provision of services in the individual plans, including of the accommodation stipulated in art. 21 of the ordinance, and of the rent subsidy stipulated in art. 29(3) of the ordinance.

SECTION 2

Dwelling lease subsidies

ART. 26

(1) The provisions in art. 29(3) apply to aliens who completed the integration programme and observe the decision of the National Office for Refugees concerning the local community where they are to obtain a workplace and residence.

(2) In order to benefit from the provisions in art. 29(3) of the ordinance, the alien shall submit a written application with the National Office for Refugees.

ART. 27

(1) The application stipulated in art. 26 shall be accompanied by the lease agreement registered with the local public tax administration, as well as by a certificate issued by the competent local tax administration body, stipulating that the applicant did not refuse a social residence without proper grounds.

(2) The decision on the application stipulated on art. 26 shall rest with the National Office for Refugees based on the documents in paragraph (1), the amount of the subsidy amounting to no more than 50% of the lease value.

Art. 27(2) was amended through the sole article of the DECISION No 948 of August 18, 2005, published in the OFFICIAL GAZETTE No 774 of August 25, 2005.

CHAPTER V

Assistance for Special Cases

SECTION 1

Assessment, accommodation, and inclusion in the integration programme

ART. 28

The National Office for Refugees shall inform the competent institutions on the existence of the special cases they are to take over for assistance purposes.

ART. 29

(1) The National Office for Refugees, along with the competent institutions, shall assess the situation of the persons falling under the special cases category and shall set whether they require specialized assistance.

(2) The specialized assistance provided in special cases by the competent bodies in the field means the assistance provided by personnel trained within centres especially set up for such cases.

(3) Special cases requiring the specialized assistance of competent bodies shall be taken over by the same immediately after the assessment stipulated in paragraph (1).

ART. 30

(1) Up to the clarification of the situation of special cases, through the assessment in art. 29(1), the persons falling under the category of special cases shall benefit from accommodation in the centres managed by the National Office for Refugees, subject to availability terms.

(2) Pursuant to art. 34(2) of the ordinance, the disabled who can care for themselves, persons who reached the retirement age and do not benefit from retirement benefits, and the victims of tortures can benefit from accommodation in one of the centres of the National Office for Refugees, if they are not accompanied by at least one adult family member able to provide care, as well as single-parent families, with minor children.

ART. 31

The special cases stipulated in art. 33(2) of the ordinance are included in the integration programme and shall benefit, in parallel, from the services of the institutions holding duties in the field of special cases assistance.

ART. 32

(1) Special cases can be accommodated, free of charge, in the National Office for Refugees centres, pursuant to the provisions in art. 34(2) of the ordinance.

(2) The special cases that do not require special assistance and benefit from accommodation in the National Office for Refugees centres shall be assessed by the National Office for Refugees every six months, in order to decide whether the assistance thus granted requires extension.

CAP. V¹

Activities required to facilitate the social integration of aliens who were granted a residence permit in Romania, as well as of citizens of European Union Member States and of the European Economic Area

Cap. V¹ was inserted through item 7 of [art. I of the DECISION No 543 of June 6, 2007](#), published in the OFFICIAL GAZETTE No 396 of June 12, 2007.

ART. 35¹

(1) Romanian language classes stipulated in art. 35¹(1) of the ordinance shall be organized by the county and Bucharest City school inspectorates in collaboration with the territorial centres of the National Centre for Refugees and they address aliens who do not speak Romanian.

(2) The Romanian language classes registration applications stipulated in art. 35¹(1) of the ordinance, accompanied by a copy of the identification document, shall be submitted by interested parties with the county and Bucharest City school inspectorates or with the headquarters of the territorial centres of the National Office for Refugees, in which case they shall be sent to the school inspectorates in the beneficiaries' residence area within 5 days.

(3) The Romanian language classes stipulated in art. 35¹(1) of the ordinance shall be organized whenever required, subject to the observance of the minimum number of students per group, according to the methodology in art. 35²(2) of the ordinance.

(4) The registration terms, the duration of the classes, the minimum and maximum number of students per group, the linguistic skills assessment and certification methods, the additional training and the professors' payment terms, as well as the manuals draw up methods shall be set according to the methodology in art. 35²(2) of the ordinance.

(5) The manuals required for the language classes stipulated in art. 35¹(1) of the ordinance shall be purchased by the students upon the commencement of the classes, from the county and Bucharest City school inspectorates.

(6) The Ministry of Education, Research, and Youth, in collaboration with the National Office for Refugees shall yearly assess the

performance of the Romanian language classes stipulated in art. 35¹(1) of the ordinance and shall draw up quality enhancement proposals.

(7) The results of the assessment in paragraph (6) shall be included in the yearly report drawn up by the National Office for Refugees according to Art. 19(3).

(8) The equipment of the premises in art. 35²(3) of the ordinance is regulated through the joint order stipulated under art. 8(2).

Art. 35¹ was inserted through item 7 of art. I of the DECISION No 543 of June 6, 2007, published in the OFFICIAL GAZETTE No 396 of June 12, 2007.

ART. 35²

(1) The applications for the registration with the cultural accommodation sessions shall be submitted by the parties stipulated in art. 35¹(1) of the ordinance with the headquarters of the territorial centres of the National Office for Refugees.

(2) Within 7 days from the submission of the application, the personnel of the National Centre for Refugees shall assess, pursuant to an interview, the cultural accommodation needs of interested parties, and, shall, in joint agreement with the same, set an individual plan and a session schedule, which shall be signed by the beneficiary.

(3) The National Office for Refugees shall issue, upon request, a cultural accommodation sessions participation certificate.

Art. 35² was inserted through item 7 of art. I of the DECISION No 543 of June 6, 2007, published with the OFFICIAL GAZETTE No 396 of June 12, 2007.

ART. 35³

(1) The National Office for Refugees, in collaboration with the National Authority for Aliens, shall inform the parties stipulated in art. 35¹(1) of the ordinance on the possibility to attend Romanian language classes and cultural accommodation and counselling sessions.

(2) The National Office for Refugees can contact interpreters and experts for the proper performance of cultural orientation, information, and counselling classes, according to the provisions in art. 38 of the ordinance.

Art. 35³ was inserted by item 7 of art. I of the DECISION No 543 of June 6, 2007, published with the OFFICIAL GAZETTE No 396 of June 12, 2007.

SECTION 2

Social security for unaccompanied minors

ART. 33

(1) The National Office for Refugees shall inform the National Authority for Child Protection and Adoption on the existence of unaccompanied minors who were granted a form of protection in Romania.

(2) The National Authority for Child Protection and Adoption shall take the required measures to include unaccompanied minors who were

granted a form of protection in Romania in the child's protection system, within 15 days from the receipt of a notification to this end from the National Office for Refugees.

ART. 34

The adaptation of the services of the Authority for Child Protection and Adoption to the needs of unaccompanied minors who were granted a form of protection in Romania shall mean:

- a) special training of the personnel in the foster care centres;
- b) use of the interpreters' and experts' services in the activities carried out in the foster care centres;
- c) accommodation conditions adapted to the cultural specifics of unaccompanied minors who were granted a form of protection in Romania.

ART. 35

Unaccompanied minors who were granted a form of protection in Romania shall participate, in parallel with the activities carried out in the foster care centres, in the integration programme, according to an individual plan set by the National Office for Refugees in collaboration with the National Authority for Child Protection and Adoption.

CAP. VI

Final provisions

ART. 36

Aliens who on the enforcement date of the ordinance attend the special socio-professional integration programme, according to the provisions in the [Government Decision No 1.191/2001](#) on the approval of the Special Programme for the socio-professional integration of foreigners who were granted the refugee status in Romania, shall continue the integration programme according to the provisions herein.
