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*Mission permanente de la Roumanie  
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La Mission Permanente de la Roumanie auprès de l'Office des Nations Unies et des autres Organisations Internationales à Genève présente ses compliments à l'Office du Haut Commissariat aux Droits de l'Homme des Nations Unies à Genève, et a l'honneur de présenter ci-joint, la réponse des autorités roumaines compétentes au questionnaire relatif à la protection sociale des personnes âgées, suite à la lettre du 20 novembre 2009 de l'Experte indépendante sur la question des droits de l'homme et l'extrême pauvreté.

La Mission Permanente de la Roumanie auprès de l'Office des Nations Unies et des autres Organisations Internationales à Genève saisit cette occasion pour renouveler à l'Office du Haut Commissariat aux Droits de l'Homme des Nations Unies à Genève l'assurance de sa très haute considération.

Genève, le 21 janvier 2010



Experte indépendante sur la question des droits de l'homme et l'extrême pauvreté  
Office du Haut Commissariat aux Droits de l'Homme des Nations Unies à Genève  
Genève

OHCHR REGISTRY

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Recipients : SPD

## Questionnaire on the social protection of the elderly

### (i) The legal and institutional framework

Please indicate the legal framework which sets up and governs this programme

- (a) Please indicate what is the mandatory minimum age and if this depends on the nature of the potential beneficiaries' activity (e.g. formal or informal work).
- (b) Please indicate if there are restrictions, particularly on the minimum contribution stage for receiving the benefits.
- (c) Please indicate if the programme is contributive or non-contributive.

The public pension system is organized and operates on the following basic principles:

- a) the principle of uniqueness, according to which the state is organizing and guaranteeing the public system based on the same law norms;
- b) principle of equity, insuring to all the participants to the public system, payers and beneficiaries, a non-discriminatory treatment regarding the rights and liabilities provided by the law;
- c) principle of social solidarity, according to which the participants to the public system assume mutually liabilities and benefit of rights for the prevention, limitation or the removal of the social risks provided by the law;
- d) principle of liability, according to which the natural and legal persons are, according to the law, liable to participate to the public system, the social security rights being performed correlatively with the fulfilment of the liabilities;
- e) principle of contribution, according to which the social security funds are constituted based on the contributions due by the natural and legal persons, who participate in the public system, the social security rights being due under paid-up social security contributions;
- f) principle of distribution, based on which the performed funds are redistributed for the payment of the liabilities belonging to the public system, according to the law;
- g) principle of autonomy, based on the self-management of the public system, in the terms set by law.

The National House of Pensions and Other Social Insurance Rights (NHPSI) is an autonomous public institution, which administrates both the public system of pensions and the system of work accidents and professional diseases. Under the subordination of the NHPSI, there are incorporated county pension houses in each municipality – county residence, as well as the House of Pensions of Bucharest Municipality.

The social insurance right is guaranteed by the state and is performed, according to the terms set by **Law no. 19/2000 on the public system of pension and other social insurance rights** with the subsequent modifications and completions, through the public system of pensions and other social insurance rights.

According to Law no. 19/2000, in the public system the natural persons are insured and they are called insured persons. The insured persons may be Romanian citizens, citizens of other states or stateless persons, for the period in which they have, according to the law, the domicile or residence in Romania. The insured persons are liable to pay social security contributions and have the right to benefit from the social security performances, according to the same act.



The pension for age limit is granted to the insured persons fulfilling, cumulatively, at the date of retirement, the conditions for the standard retirement age and the minimal contribution period performed in public system.

The standard retirement age is 60 years for women and 65 years for men. Reaching of the standard retirement age shall be achieved in 13 years from the date of coming into force of Law 19/2000, i.e. starting from April 1<sup>st</sup> 2001, through the increase of the retirement ages, starting from 57 years for women and 62 years for men.

The minimal subscription stage both for women and men is of 15 years. The increase of the minimal subscription stage from 10 years to 15 years shall be performed within 13 years from the date of coming into force of this law.

The complete subscription stage is 30 years for women and 35 years for men. Reaching of the complete subscription stage shall be performed within 13 years from the date of coming into force of this law, through constant increment, starting from 25 years for women and 30 years for men.

The insured persons having fulfilled the complete subscription stage and who have carried out their activity in total or in part under special work conditions have the right to the age-limit pension, with the decrease of the standard pension ages.

The insured persons having exceeded the complete period of contribution with at least 10 years may request the early retirement, with at least 5 years before the standard retirement ages.

The insured persons having fulfilled the complete contribution period, as well as those having exceeded the contribution period with up to 10 years, may request partial early retirement with the decrease of the standard retirement ages with maximum 5 years.

The persons being entitled to invalidity pension are the insured persons having lost totally or at least half of their work capacity, due, in principle, to:

- a) work accidents, according to the law;
- b) professional diseases and tuberculosis;
- c) ordinary diseases and accidents related to the work.

The children and the surviving spouse have the right to survivor pension if the deceased was a retired or fulfilled the conditions for qualifying for pension.

The public system functions on the basis of the principle of contribution, according to which the social security funds are constituted, based on the contributions due by the natural and legal persons participating to the public system, the social security rights being due under paid-up social security contributions.

The granting of the pension rights in the public pension system in Romania does not depend on the nature of the professions of the potential beneficiaries.

Within the public pension system, we note the assimilation of the contribution period and of the non-contribution periods, in which the insured person:

- a) has benefited from social security rights, except for those who benefited from old age pension, partial early retirement and survivor's pension.
- b) has attended the day-time courses of the academic education, organized according to the law, on the normal duration of the respective courses, on the condition of graduation;
- c) has performed the military service on term or military service with reduced term, on the legally established period, has been registered, mobilized or under captivity.

The insured persons, who had graduated several high-education institutions, benefit from the assimilation,



as contribution period, of a single period of study, upon their choice.

Furthermore, starting with the entry into force of the provisions of **Emergency Ordinance no. 6 of 18th of February 2009 on the establishment of the minimum guaranteed social pension**, Romanian authorities introduced the minimum guaranteed social pension. The setting up of this right represents a measure for improving the living standards of pensioners, in order to avoid social exclusion of part of the pensioners from the public pension system that represents a disadvantaged category of population in the context of the current economic crisis.

The Government Emergency Ordinance no. 6 of 18th of February 2009 on the establishment of the minimum guaranteed social pension was approved by **Law no. 196 of 29th of May 2009**, this law being adopted by the Romanian Parliament, based on Art. 75 and Art. 76 para. (1) of the Romanian Constitution, republished.

As regards the minimum age, there are no specific age restrictions for granting the minimum guaranteed social pension. The category of beneficiaries covered by this law is represented by pensioners in the public pension system, residing in Romania, regardless of the application date for pension, if the amount of their pension due or in payment is below the ceiling of the minimum guaranteed social pension. The beneficiaries of the minimum guaranteed social pension must meet the following criteria:

- to be pensioners in the public pension system;
- residence in Romania;
- regardless of the application date for pension, if the amount of their pension due or in payment is below the ceiling of the minimum guaranteed social pension.

For pensioners who receive survivor's pension, the minimum guaranteed social pension is granted to each survivor separately.

The minimum guaranteed social pension represents the difference between the ceiling of the minimum guaranteed social pension and the amount of the pension due or in payment in the public pension system.

When pensioners are entitled cumulatively to one or more pension rights in the public pension system, as well as pension from non-integrated systems, benefits instituted and paid by the public pension system under special laws, when granting the minimum guaranteed social pension, the aggregated amount of all such income is taken into consideration. Thus, the minimum guaranteed social pension is granted only when the cumulated income of the beneficiary is situated under the ceiling of the minimum guaranteed social pension.

With respect to the nature of the minimum guaranteed social pension, this is not an independent right, but an enhancement of the basic pension right in the public pension system. Thus, the beneficiaries of this right are the pensioners in the public pension system, residing in Romania, with pensions below the amount of the minimum guaranteed social pension.

The public pension system is based on the principle of contributiveness, according to which the social insurance funds are constituted from the contributions owed by the natural and legal persons, participants in the public system, while the social insurance benefits become payable based on the social insurance contributions paid.

The minimum guaranteed social pension represents the difference between the ceiling set by law (300 RON starting from 1<sup>st</sup> of April 2009 and 350 RON starting with the 1<sup>st</sup> of October 2009) and the amount of the pension due or in payment in the public pension system. This difference is supported from the state budget, through the budget of the Ministry of Labour, Family and Social Protection.

In 2006 **Law no. 47/2006 on social assistance** was adopted. According to this law, social assistance comprises social benefits and social services.



In Romania, the social assistance system is a non-contributive system.

Social benefits are financial transfers and include: family benefits, social assistance benefits, indemnities and facilities. The family benefits are granted to the family in case of birth, for the education of the children and for carrying and raising the child. The social assistance benefits are granted to the persons or families in difficulty and who have insufficient incomes for their minimum needs. These are means-tested benefits, based on the evaluation of family's incomes with specific instruments. The indemnities and the facilities are granted in order to favor the social inclusion of persons and to assure them an autonomous life. The State also grants some indemnities in case of calamities for those persons who are confronting with some situations as natural catastrophes, recognized by law. These benefits are granted taking into account the family context, the income of the person or of the family who demands the benefit, the conditions of living and the medical state of the persons. These benefits are granted by the central or local public authorities, in accordance with the Romanian legislation. The benefits are paid in cash or in kind, from the state budget or as the case requires, from local budget, and the granting procedures are stipulated by special law.

**In 2000 the legislation regarding the social assistance measures for elderly people was adopted,** focusing in particular on personal care services provided for dependent old persons.

According to the law, elderly in need are entitled to receive a wide range of social services such as counselling, advocacy, accompaniment services, food delivered by social canteens, meals on wheels services, aid for small home repairs and care services to accomplish daily activities in order to keep them independent as long as possible.

Types of services and institutions are very diverse: domiciliary care, day care centres, rehabilitation centers, memory centres for those affected by dementia, respite centres, palliative care centres, hostels and centres for assistance and care ( similar to nursing homes), socio-medical units.

According to the regulations in force, the elderly persons are assessed based on the provisions of the National Grid of needs' evaluation, a standard instrument for assessing the level of dependency (ADL and IADL evaluation).

The local public authorities have the responsibility of managing and financing social services for elderly. They can deliver social services by themselves or can collaborate with NGOs. During the last decade, mixt arrangements were encouraged, based on public private partnerships.

The NGOs are the main formal providers of domiciliary care and the promoters of innovative projects within communities.

Care and assistance of old persons are still remaining under the responsibility of the family; the law stipulates that the family caregiver can benefit by part time arrangements if she/he is employed by the local authorities.

The old person assisted in institutions pay a contribution, which cannot be higher than 60% of his/her total income. The difference is supported by the family or by the local public authority, if the beneficiary has no relatives. The contribution of the recipient represents about 1/3 from the total cost of residential care, the rest being supported from the local budget.

The legislation allows private initiatives on social services market and some projects have already been



finalized, particularly in areas of residential care.

The needs assessment procedures, the responsibility of case managers in organising the individual care plans, the categories of professionals, the eligibility criteria for recipients, the financing rules are regulated by law.

The specific legislation concerning social services system was developed by the Ministry of Labour, Family and Social Protection. Thus, **Law no.17/2000 regarding social assistance for elderly persons** was adopted, which stipulates that the family members who are taking care of their dependent old relatives are entitled to benefit by part time arrangements if the local authorities employ them as formal care givers. For the elderly with severe disabilities, a member of the family has priority to be employed as personal assistant (personal caregiver) by the local authorities. The disabled person can choose an indemnity instead of a personal assistant.

By **Law 16/2000, the National Council of Elderly Persons (NCEP)** was set up as an autonomous and consultative organism, having, as main objective, the institutionalization of social dialogue between public authorities and elderly persons. This organization receives funds from the state, through the budget of the Ministry of Labour, Family and Equal Opportunities, in order to support part of the administrative costs and wages of the council employees and the indemnities of the permanent commission members.

According to **Law no.16/2000**, the main tasks of the NCEP are:

- to support the governmental institutions to implement the recommendations of the UN Assembly on Ageing;
- to monitor the application of the legislation and to inform the authorities about the identified disorders;
- to develop, in partnership with competent institutions, studies and sociological analysis;
- to strengthen the associative movement of the elderly and their active participation in social life.

The NCEP includes 8 national organizations of elderly persons, it has a central body with a permanent commission and territorial structures organized at county level. The NCEP has representation in the administrative boards of different agencies or authorities, such as the National Health Insurance House or the National House of Pensions and other Social Insurance Rights. With the financial support of the state, the NCEP also contributes to the implementation of programs for poor and dependent elderly, provides counselling services and financial or in kind aids. The NCEP is working closely with the Ministry of Labour, Family and Social Protection through monthly meetings with the state secretaries responsible for pension and social assistance policies.

In 2004, the **Consultative Committees for Civil Dialogue regarding the elderly problems** were created by law (**Government Decision no. 499**). These committees are organized in each county and their activities are closely related to the Prefect Institution. Annually, the counties' committees send to the Ministry of Labour, Family and Social Protection reports concerning their activities at local level. The main objective of these committees is to draw the public attention to the specific problems of the elderly persons and to find the best solutions for solving them.

In Romania, unfortunately, the perception remains that the old age means frail and dependent persons, with physical and mental illness, less productive and less flexible. In this respect, there are very few media



campaigns regarding the promotion of a better image of old generation. The national and local Radio and TV networks are more interested in hosting periodically debates focused on the problems of pension and health care systems or on solving individual cases of neglected or abused old persons.

In the social services field, the activity was focused on the establishing of a more flexible evaluation mechanism for the fulfillment of the social services quality by the provider. Thus, the following normative acts were elaborated and approved:

- In 2003, the Government Ordinance no. 68 on social services, modified by the Ordinance Government no. 86/2004;

- In 2005, Government Decision no. 1826 to approve the National Strategy for the development of social assistance system for elderly persons - 2005-2008, based on the objectives of the International Plan on Ageing.

The general objectives of the strategy are the following: promoting a coherent, coordinated and integrated social assistance system for elderly, combating the risk of social exclusion and improving the quality of life, promoting the elderly participation to social life, developing the network of long-term care services, providing facilities and support for informal cares, encouraging studies and research concerning ageing and encouraging elderly volunteers and promoting the image of elderly.

- Order no. 383/2005 for the approval of general quality standards on social services and a fulfillment evaluation modality by the provider;

- Explication guide for social services providers which have the role of facilitating the understanding of the new standards and the clarification of some certain aspects related to the fulfillment by the provider in the accreditation process;

- Order no. 71/2005 on the approval of the contract model for providing social services, signed by the social assistance public services and social services providers;

- Order no. 73/2005 on the approval of the contract model for providing social services, signed by the social services providers, accredited in accordance with law, with the social services beneficiaries;

- Government Decision no. 539/09.06.2005 to approve the Nomenclature and the social assistance institutions and the informative staff structure, the framework Rule on organizing and functioning of the social assistance institutions as well as the Methodological Norms for the implementation of the provisions of Government Ordinance no. 68/2003 on social services.

- In 2005, Government Decision no. 1175 to approve the National Strategy for the protection, integration and social inclusion of people with disabilities, 2006-2013;

- In 2006, the first programs of national interest addressing to the needs of elderly and financially sustained from the state budget;

- In 2006, the Law no. 448 concerning the protection and promotion of disabled persons' rights;

- Beginning with 2005, the NGOs specialized in domiciliary or residential care for elderly are recognized as a priority for the state program of subsidising the non profit organizations;

- the legislation concerning the social assistance for elderly (Law no. 17/2000) is expected to be



modified by a new law regarding the protection of the elderly persons' rights; the new regulation is structured on strategic areas: development and diversifying social benefits and social services, promoting active and healthy life, ensuring housing, enhancing participation, improving long term care, preventing neglect and abuse.

### **The social benefits and social services for elderly persons**

#### **A. Benefits for elderly persons**

- ▶ minimum income guaranteed
  - criteria: single person income: 125 RON (29 Euro)
- ▶ financial aid for dwelling (to cover the costs of heating during winter time) – average amount: 68 RON (15 Euro).
- ▶ financial aid for difficult situations, based on social assessment of the needs, approved by Governmental Decisions;
- ▶ financial aid for emergency situations (natural disasters, floods, etc) based on social assessment of the needs, approved by Governmental Decisions;
- ▶ financial aid for burial: 1,702 RON (395 Euro) for pensioners; 851 RON (198 Euro) for family members of pensioners.
- ▶ personal budget for disabled elderly persons ( according to the handicap level): maximum 91 RON (21 Euro), minimum 33.5 RON (8 Euro).
- ▶ allowances for disabled elderly persons ( according to the handicap level): maximum 202 RON (47 Euro), minimum 166 RON (38 Euro).
- ▶ indemnity for care services (for first degree level of handicap only): 461 RON (107 Euro).
- ▶ financial aid for domestic expenditures provided to war veterans and their widows: 111 RON (25 Euro).
- ▶ financial aid for elderly persons, politically persecuted: maximum 200 RON (46 Euro), minimum 100 RON (23 Euro).

#### **B. Facilities for pensioners**

- ▶ free access to public transport, in urban areas;
- ▶ discount for inter-urban travels tickets;
- ▶ seven inter-urban travels free tickets/year;
- ▶ access to special food stores;
- ▶ discount for tv, radio, cable subscription;
- ▶ free access to social canteens.

#### **c. Social services**

- ▶ domiciliary care services;
- ▶ residential care services;
  - Hostels



- Nursing homes
  - Respite centres
  - Socio-medical units (health units for chronically ill persons with social problems)
- ▶ advocacy services;
  - ▶ social canteens;
  - ▶ meals on wheels services;

#### **Health care facilities for elderly persons**

- ▶ free accessibility to health care services for pensioners with an average pension under 1,000 RON (232 Euro);

- beginning with 2007, for the abovementioned pensioners, the contribution for health insurance is supported from the budget of the social insurance system.

- ▶ free access to health system for the elderly with low income, war veterans or war invalids, who suffered due to political or ethnic reasons, disabled elderly persons;

- the contribution for health insurance is supported from the state budget and social insurance system.

- ▶ access to subsidized medicine;

- the costs of medicine drugs are covered from the health insurance fund in different percentages: 50%, 80% and 100%;

- the list of medicine with subsidized costs is annually approved by the minister of health;

- ▶ access of chronically ill persons with social problems to health care delivered by hospitals;

- socio-medical units for poor and chronically ill persons, providing health care services after the hospitalization in a unit for acute diseases;

- ▶ access to domiciliary health care at the discharge of the patient from acute hospitals;

- services are delivered by non profit organizations.

- ▶ access to palliative care

- services are subsidized from the health insurance fund.

#### **Social programmes**

The following programs are developed in order to ensure a decent life for all the persons:

##### **1. Social aid:**

In July 2001, the Romanian Parliament adopted Law 416/2001 concerning the setting up of the minimum income guaranteed, in order to improve the situation for the people affected by the transition process to the market economy. This law stipulates granting of social benefits for the families and persons without income or with small incomes, in situations and in periods in which they cannot assure by their own efforts the minimum life conditions.

In July 2009, Governmental Emergency Ordinance nr. 57 was adopted, to modify Law 416/2001 on



the minimum income guaranteed. The Emergency Ordinance stipulates the following:

Family type	The minimum income guaranteed levels by Law 416/2001 (RON)
	- 2009 -
single person	125 (approx. €30);
families of 2	225 (approx. €52);
families of 3	313 (approx. €75);
families of 4	390 (approx. €90);
families of 5	462 (approx. €107);
for each additional person exceeding the number of 5, who is a family member.	31 (approx. €7);

- ✓ the necessary funds for the payment of the social aid are sustained from the local budgets, namely from amounts recouped from some revenues of the state budget. It results that the major contribution of state budget to the payment of social aid needs to be emphasized.

Law 416/2001 on the minimum income guarantee stipulates the following:

- ✓ Minimum Income Guaranteed is ensured by the local councils by granting a **social aid allowance**, which represents the difference between the MIG levels that are stipulated by law in accordance with family structure and the monthly net income of the eligible family, or single person families and single persons with monthly net incomes under the level of MIG have the right to a social aid for family increased with 15% as long as at least one of the family members demonstrates to hold an labor agreement or a civil agreement or provides services in order to obtain some income.
- ✓ one of the elderly persons of a family, able to work, which receives the minimum income guaranteed, shall carry out community actions or other works for local benefit, which mayors assign to them, not exceeding the regular work schedule, on a monthly basis, and respecting the labor security and hygienic norms. If they refuse, the right of social aid allowance will be suspended;
- ✓ if the person nominated to carry out community actions or other works for local benefit has temporary work incapacity, the obligation to provide community working hours can be transferred to other persons in the family receiving social aid, by the agreement of the mayor.
- ✓ the number of hours is calculated taking into account the amount of social aid for a family or for a single person and with a tariff adequate to the amount of the minimum gross wage compared with average monthly period of the work time.
- ✓ the persons able to work, who do not obtain incomes from salaries or from other activities, are taken into account when the number of the family members is established for the calculation of the income level per family, only if they prove to be in the evidence of the County Agencies for Employment



and if they did not refuse a job or the participation to the employment stimulation services or professional training services offered by these institutions.

There are no statistical data referring to the elderly persons.

## 2. Financial benefits for house heating

There are means-tested benefits granted according to the Government Emergency Ordinance no. 5/2003 for granting house heating benefits and some financial facilities for the payment of thermal energy, with modifications and completions.

In October 2009, the Government Emergency Ordinance no. 106/2009 to modify the Government Emergency Ordinance no. 5/2003 was adopted and on November 20, 2009 Law no. 358 on approving the Government Emergency Ordinance no. 106/2009 was adopted.

The abovementioned benefits go to the families and the single persons who use thermal energy in centralized system for house heating and for the preparation of warm water, the persons who use natural gases for house heating, the persons who use woods, coal and oil gases for house heating.

The families and single persons with low incomes, who use **thermal energy** in centralized system for house heating, have the right to a monthly aid for house heating. The benefit is a fix amount established by offsetting of the value of thermal energy invoice with a percentage between 100% and 10%, depending on the average level of monthly net income per family member.

Offsetting of the value of thermal energy invoice -percentage-	Monthly net income per family member
90%	Up to 155 RON
80%	Between 155,1 and 210 RON
70%	Between 210,1 and 260 RON
60%	Between 260,1 and 310 RON
50%	Between 310,1 and 355 RON
40%	Between 355,1 and 425 RON
30%	Between 425,1 and 480 RON
20%	Between 480,1 and 540 RON
10%	Between 540,1 and 615 RON

The families and single persons with low incomes, who use **natural gases** for house heating or **woods, coal and oil gases**, have the right to a monthly aid for house heating and the amount is established taking into account the monthly net income per family member.

Monthly net	Amount of the benefit
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income per family member	- RON -	
	Natural gases	Woods, coals and oil gases
Up to 155 RON	262	54
Between 155,1 and 210 RON	162	48
Between 210,1 and 260 RON	137	44
Between 260,1 and 310 RON	112	39
Between 310,1 and 355 RON	87	34
Between 355,1 and 425 RON	62	30
Between 425,1 RON and 480 RON	44	26
Between 480,1 RON and 540 RON	31	20
Between 540,1 RON and 615 RON	19	16

For single persons or entitled to minimum the monthly aid for house heating is of 58 RON.

family, who are income guaranteed,

It is a means tested benefit granted according to the Government Emergency Ordinance no. 5/2003 for granting house heating benefits and some financial facilities for the payment of thermal energy. This aid goes to the families and the single persons who use thermal energy in centralized system for house heating and for the preparation of warm water, the persons who use natural gases for house heating, the persons who use woods, coal and oil gases for house heating.

There are no statistical data referring to the elderly persons.

### 3. The financial aids:

These are means tested benefits granted according to Government Emergency Ordinance no.118/1999 for the setting up of the National Fund for Solidarity with modifications and completions. These financial aids are granted to families and persons who are into extreme difficulty because of their medical state or some other causes.

There are no statistical data referring to the elderly persons.

### 4. Emergency aids:

According to Law no. 416/2001 regarding the minimum income guaranteed, with modifications and



completions, the families and persons who are in necessity situations because of natural calamities, fires, work accidents and other particular situations have the rights to these aids.

There are no statistical data referring to the elderly persons.

**5. Granting of some subsidies to the Romanian non-governmental organizations, which set up and administrate social assistance units:**

In accordance with Law no.34/1998, the Romanian non-governmental organizations, which set up and administrate social assistance units, can receive subsidies from the state budget or, from the local budget, which will be used only for social assistance services granted to persons who are eligible.

Regarding the subsidies on 2009 for social assistance units, which granted social services for elderly persons, the approved amounts allocated from the state budget are:

- 118 social assistance units of a total number of 325 (about 36,3%), from which:
  - o 27 residential centers granting social services for 1,082 persons, in amount of 2,898,794 RON;
  - o 16 day centers granting social services for 872 persons, in amount of 660,950 RON;
  - o 72 home care units granting social services for 6038 persons, in amount of 5,105,748 RON;
  - o 3 canteens granting social services for 130 persons, in amount of 81,600 RON.

**2. In case this programme functions in the absence of a specific legal framework, please indicate the legal acts or administrative regulations, as well as any other relevant documents, which lay at the basis of its existence.**

The measure was stipulated in the Government Programme for 2009-2012 and transposed into the national legislation.

**3. Please describe the institutional framework which regulates the implementation of the programme.**

(a) Please indicate what authorities or governmental structures, particularly at federal, national/county, municipal or local level, were involved in the designing, implementation and control of the programme.

(b) Were the non-governmental organizations involved in the elaboration of the legal framework, the implementation or control of the programme? If so, please describe their role.

The right to social insurance is guaranteed by the state and is implemented under the terms of Law no. 19/2000 on the public system of pension and other social security rights, with the subsequent modifications and completions, through the public system of pensions and other social security rights.

The National House of Pensions and other Social Insurance Rights was created in 2000, by Law 19/2000.

The National House of Pensions and Other Social Insurance Rights (NHPSI) is a public independent institution of national interest, of the central public administration, with juridical function, which administrates both the public system of pensions and other social insurance rights, and the social insurance system for work accidents and professional diseases, under the authority of the Ministry of Labour, Family and Social Protection.

Under the subordination of the NHPSI, county pension houses in each municipality – county residence are



incorporated, as well as the House of Pensions of Bucharest Municipality.

NHPSI may incorporate local houses of pensions, according to the number, complexity and structure of the insurants, operating under the management and the control of the County house of pensions and, respectively, of the House of Pensions of Bucharest Municipality.

NHPSI headquarters are located in Bucharest.

NHPSI has in its subordination the National Institute of Medical Expertise and Recovering of Work Capacity, a public institution with juridical personality and scientific autonomy.

NHPSI ensures the coordination and controls the activity of the territorial houses of pensions, for a unitary application of the appropriate law in the specific activity domain and a full accomplishment of the tasks and attributions regarding them.

The Bucharest and the local pension houses are public services with legal personality.

In order to implement the provisions of this law, NHPSI has the following attributions:

- a) guides and controls the implementation of the legal provisions by the local pension houses, guides and checks natural and legal persons who get rights and obligations that derive from this law;
- b) provides the data needed for implementing and establishing the state social security budget;
- c) presents to the government and social partners reports regarding the management of the state social security budget;
- d) publishes its biannual activity report;
- e) takes lawful measures for the efficient development and administration of the public system patrimony and for insuring its integrity;
- f) takes lawful measures for protecting the social security funds;
- g) ensures the national record-keeping of all public system tax-payers;
- h) ensures the national record-keeping of the social security rights and obligations, based on the personal social security code;
- i) certifies the annual tax-rate and points for each insured person;
- j) controls the medical expertise and recovery of work ability;
- k) applies the provisions of international social security conventions to which Romania is party to;
- l) develops relationships with similar social security institutions, based on conventions concluded by the Romanian state;
- m) organizes the selection, training and professional improvement of its staff;
- n) ensures the implementation, extention, maintenance and protection of the automatic calculation and record-keeping systems;
- o) ensures legal representation in court for the legal disputes where it is involved, following the implementation of Law 19/2000;
- p) fulfils any other prerogatives established by legal provisions.

Moreover, according to the provisions of the **Emergency Ordinance no. 6** from the 18th of February 2009 on the establishment of the **guaranteed minimum social pension**, the rights granted by way of minimum guaranteed social pension are calculated and paid by the National House of Pensions and Other Social Insurance Rights, through the Territorial Pension Houses, and are registered separately on the



pension coupon.

Social insurance systems not integrated in the public pension system will provide the National House of Pensions and Other Social Rights all the necessary information required to implement the provisions of the Emergency Ordinance on the establishment of the minimum guaranteed social pension. The procedure, types of information, deadlines and the concrete methods of communication will be established by protocol between the National House of Pensions and Other Social Insurance Rights and each of the social insurance systems not integrated in the public pension system.

The Ministry of Labour, Family and Social Protection elaborated the Emergency Ordinance no. 6/2009 on the establishment of the minimum guaranteed social pension, taking into consideration several factors:

- the main objectives set within the Government Programme for 2009-2012 to reduce poverty and improve the living standard of population,
- the level of certain pensions in the public pension system, which is below the income level to allow beneficiaries a decent living,
- preventing the social exclusion of part of the pensioners in the public pension system that represent a disadvantaged category of population in the context of the current economic crisis and ensuring a minimum subsistence income, taking into account the social situation in Romania.

Thus, under Art. 115 para. (4) of the Romanian Constitution, republished, the Romanian Government adopted the Emergency Ordinance no. 6 of 18<sup>th</sup> February 2009 establishing the guaranteed minimum social pension, which was subject to parliamentary debate and approved by **Law no. 196 of 29<sup>th</sup> of May 2009** on approving the Government Emergency Ordinance no. 6/2009 on the establishment of guaranteed minimum social pension. The governmental decision was subject to consultation with social partners.

Ministry of Labour, Family and Social Protection is the authority also responsible for the elaboration of the social policies **in the fields of social assistance, social inclusion and also for the family policies**. MoLFPS elaborates the policy in the field of social assistance for the vulnerable groups such as elderly persons. The social services are granted by the social providers. The social providers have to be accredited so that they can offer social services to the vulnerable groups, such as elderly persons. There are more types of social providers: public social providers, private social providers and public-private social providers.

The Romanian NGOs are particularly interested in care services provision. Therefore, the NGOs play an essential role in supporting the family members to accomplish their obligations as basic caregivers.

The non-governmental organizations are involved in the elaboration of normative acts. In the field of social services for elderly persons, NGOs play a very important role as social providers.

The legislation in the field of social services is defining the obligation of services providers to involve the users in all stages of services' planning and delivery.

The NGOs develop their own rules in order to facilitate the users' involvement in services provision, this topic being defined as one of the quality standards.

In 2000, the National Council of Elderly Persons (NCEP) was set up as an autonomous and consultative organism, having, as main objective, the institutionalization of social dialogue between public authorities and elderly persons. According to the law, the main task of the NCEP is to support the governmental institutions to implement the recommendations of the UN Assembly on Ageing.

#### (ii) The programme's cost and coverage

4. Please indicate the number of beneficiaries (e.g. per year). As far as possible, please indicate their profile (gender, age, ethnic origin etc.)



By the end of November 2009, the public pension system had the following figures:

Categories of pensioners	Pensioners no.
1. TOTAL, of which:	4,753,990
1.1 Old-age pensions	3,142,996
of which women	1,596,517
1.2 Early retirement	9,239
of which women	5,816
1.3 Partial early retirement	115,150
of which women	71,781
1.4 Invalidity pensions	908,416
of which women	436,579
1.5 Survivor pensions	576,525

The ceiling under which the **minimum guaranteed social pension** is granted has the amount of:

300 RON – from the 1st of April 2009

350 RON – from the 1st of October 2009

Depending on this ceiling, the number of beneficiaries of the minimum guaranteed social pension is:

Year (2009)	Beneficiaries		
	Total	Pensioners in the public pension system	Pensioners from agriculture
April	434,867	276,519	158,348
May	432,507	275,804	156,703
June	428,406	273,128	155,278
July	430,000	276,105	153,895
August	430,908	278,247	152,661
September	430,698	279,275	151,423
October	652,862	409,113	243,749
November	653,587	411,443	242,144

5. What are the geographical areas covered by the programme (at national, regional and local level) ?

The Law no. 19/2000 covers the state social security system for the whole country.

The minimum guaranteed social pension is granted to pensioners in the public pension system, residing in Romania.

6. What is the annual budget of the programme ? What percentage does it represent from the



## GDP ?

For 2009, the state social insurance budget for the public pension system was established at 40.130 million RON for incomes and at 39.909 million RON for expenditures, with an over plus of 221 million RON. The social insurances budget for work injuries and professional diseases was established at 294 million RON for incomes and 54 million RON for expenditures, with an over plus of 240 million RON.

The annual budget (2009) for the minimum guaranteed social pension is 354.6 million RON, representing 0.07% of GDP estimated for 2009 (497.3 billion RON).

**7. What are the main costs entailed by the various implementation stages of the programme ? What are the main financial sources? Was the programme financed from national, regional or local resources? Does it depend on external resources ?**

The state social security budget includes the public system's incomes and expenditures.

The Government is elaborating, on an annual basis, at the NHPSI's proposal, the draft state social security budget, submitted for the approval to the Parliament.

The income of the state social security originates from social security contributions, interests, increments for the delayed payment of the contributions, amounts allocated from the state budget for balancing the state social insurance budget (which are approved by the annual budget law), as well as from other incomes.

The annual surpluses of the state social security budget can be used in the following year, according to the destinations approved by the law, after the return of transfers received from the state budget.

The gross average salary is the one used at the substantiation of the state social security budget and approved by the law on the state social security budget.

The Programme on the **minimum guaranteed social pension** started on the 1st of April 2009, the amounts supported from the state budget being the following:

- April - September: 32,8 million RON (monthly average)
- October: 58,2 million RON
- November: 58,2 million RON

For the development of **social services** in Romania, the main financing sources are: the state budget for the development of national concern programmes and the local budget.

It is also possible to use money from the European Social Fund.

**8. What is the approximate number of potential beneficiaries who do not benefit from benefits? Have there been conducted studies in order to evaluate the reasons for this deficit in coverage? As far as possible, please indicate their profile (gender, age, ethnic origin etc.).**

In the Romanian **public pension system**, the persons who do not fulfil the criteria provided by Law 19/2000 cannot have access to pension benefits.

As concerns the **minimum guaranteed social pension**, there are also people left outside the programme's coverage.

There are no statistical data on elderly persons in relation to **social benefits**. There are statistical data on the total number of beneficiaries, but not specific for the elderly. The data refer to the social benefits (there are statistical data on each type of social benefits) and also to the number of the beneficiaries of social services.

The MoLFSP elaborates its own statistics bulletin providing data referring to the pension system, labour



market and employment, social benefits and social services.

The minister of labour, family and social protection is the chairman of the National Commission for Population and Development (NCPD), set up in 2005. The NCPD is entitled to develop a methodology of collecting data and to elaborate studies and analysis regarding the demographic evolution.

Health public policies are the responsibility of the Ministry of Health (MH) and of the National House for Health Insurances.

The National Institute of Statistics and the National Commission of Prognosis are the main important bodies for providing data related to economic and demographic trends.

In 2007, the National Observatory for Professional Education and Long Life Learning was created.

**9. What is the approximate amount of the benefits in relation with the medium wage and the minimum wage? How are the benefits calculated?**

Starting with November 2009, the medium public pension in Romania was 733 RON and the medium gross wage for 2009 was 1,693 RON.

Beginning with the date of the application for pension, the pension amount is determined by multiplying the annual average score attained by the insurant during the contribution period by the value of a single pension point.

The annual average score attained by the insurant during the contribution period is determined by dividing the number of points resulted from adding the annual scores attained by the insurant in the contribution period by the number of years, consistent with the complete contribution period.

There are deemed contribution periods, the periods in which the persons have paid-up social security contributions within the public system in Romania, as well as in other countries, in the terms set by the international agreements or conventions to which Romania is party to.

Within the public system, on the territory of Romania, the contributions and the social security performances are paid in RON.

For the wage rights or for the security incomes set in the foreign currency of other countries, the contributions are paid in RON, at the exchange rate communicated by the National Bank of Romania from the date established for the payment of these rights.

The social security contribution levels are differentiated according to the normal, distinct or special work conditions.

The social security contribution levels are approved on an annual basis by the law on the state social security budget.

The monthly calculation basis of the social security individual contribution in case of the insured persons is, according to each case, represented by:

- a) the monthly gross income;
- b) the secured monthly income registered in the statement or in the social security agreement;
- c) the minimal gross basic salary guaranteed in payment, in case of the health social security compensations, corresponding to the number of work days from the medical holiday, except for work accident or occupational disease;

The monthly calculation of the social security individual contribution for the Romanian staff dispatched in permanent mission abroad by legal persons from Romania, is the gross salary in RON, corresponding to the position in which the respective person is registered in the country, including the increments and other



additional sums granted according to the law.

For 2009, the annuity for social insurances contributions is established as follows:

- a) 31.3% for normal working conditions, due by employers and employees, from which 10,5% due by employees and 20.8% due by employers;
- b) 36.3% for unusual working conditions, due by employers and employees, from which 10,5% due by employees and 25.8% due by employers;
- c) 41.3% for special working conditions, due by employers and employees, from which 10,5% due by employees and 30.8% due by employers.

In 2009, the ceiling of the minimum guaranteed social pension was 300 RON as of the 1st of April 2009 (17.7% of the gross average wage) and 350 RON as of the 1st of October 2009 (20.6% of the gross average wage).

The minimum guaranteed social pension represents the difference between the ceiling of the minimum guaranteed social pension and the pension amount due or in payment in the public pension system.

### (iii) Implementation procedures

#### 10. What are the procedures used for the transfer of benefits to the beneficiaries ?

The pension is awarded upon the entitled person's request, upon the request of the person's representative appointed by beneficiaries with a special mandate, of their custodian or trustee.

In Romania, the payment of the pension is made on a monthly basis.

The pension is paid in person to the entitled one, to the representative appointed by beneficiaries by a special mandate or to their legal representative, in accordance with the option, by *postal money order*, *current account* or *credit card account*, according to the terms negotiated in the conventions between NHPSI and the National Company "Romanian Post Office" S.A. and banks, respectively.

The social security rights within the public system in Romania may be transferred to the countries where the insured persons established their domicile or residence, under the terms specified by international agreements and conventions where Romania is party to.

NHPSI has concluded a payment convention with Citibank Romania SA (in April 2008).

Starting with August 2008, the pensions and other social insurance rights of the public system beneficiaries living abroad are transferred into a bank account opened by them at a bank on the territory of their residential state or usual living place, depending on the situation.

Export instructions:

- defining the convention's beneficiaries;
- the modalities by which a public pension system beneficiary confirms the necessary banking details for making the banking transfer abroad;
- The use of the life certificate as an instrument of administrative verification both in the case of the new beneficiaries of the public system, and for the beneficiaries already receiving payment.

The provisions of Law no. 19/2000 on the public pension system and other social insurance rights on the granting, suspension, termination, resumption of payment of pensions are applied accordingly to the minimum guaranteed social pension.

The social benefits can be received in cash or in kind.



**11. What are the implementation procedures for informing the potential beneficiaries on the benefits? What information is delivered to them in more than one language?**

All the beneficiaries of the Romanian public pension system are informed about their rights by NHPSI through press articles, website ([www.cnpas.org](http://www.cnpas.org)), TV programmes and information provided by the Romanian Embassies and Consulates and, recently, through the on-line magazine posted on the website of NHPSI:

(<http://www.cnpas.org/content/cnpas/others/presedinte%20cnpas/NEWSLETTER/21.12.2009/INFO-PENSIinr.1-2009.pdf>).

The provisions of Law no. 19/2000 on the public pension system and other social insurance rights on the granting, suspension, termination, resumption of payment of pensions are applied accordingly to the minimum guaranteed social pension.

For pensioners who already receive their pension on the 1st of April 2009, the minimum guaranteed social pension is granted according to a centralized system and to the existing national records. In case of new entries to a type of pension in the public pension system, the amount of the minimum guaranteed social pension is not registered on the retirement decision.

On the retirement decision, only the pension rights established in the public pension system are registered, the difference representing the minimum guaranteed social pension being registered separately on the pension coupon.

The Territorial Pension Houses keep record of the amounts paid as minimum guaranteed social pension, by registering them in the beneficiary's records of entitlements. The registration of the amounts is performed according to the information provided by the National House of Pensions and Other Social Insurance Rights.

The Territorial Pension Houses check, both monthly and at every change in the amount of pension/rights under special laws, the terms provided by Emergency Ordinance no. 6/2009 on the establishment of the minimum guaranteed social pension.

In the field of social assistance, there are also media campaigns, talk-shows and other modalities to inform the beneficiaries at the national and local level.

**12. Are there other services (social assistance, subsidies etc.) to which beneficiaries are entitled instead of the financial benefits? If so, please indicate.**

The persons who benefit from a pension in the public system in Romania may also benefit, according to each case, from a minimum social guaranteed pension, based on the Government Emergency Ordinance no. 6/2009 regarding the establishment of the minimum social pension guaranteed.

The persons that benefit from a pension from the public system in Romania, residents in Romania, benefit from a minimum social guaranteed pension, regardless of the first day of pension, if the pension amount level, due or in payment, is under the level of the minimum social guaranteed pension.

**13. Do beneficiaries have specific access to other public services, particularly health care ?**

Regarding the year 2009, persons that benefited from a pension from the public system in Romania could also benefit from:

- death benefit;
- free travel tickets;



- medical treatment;
- treatment tickets subsidized by state.

In 2006 **Law no. 95/2006** on the reform of health care system was approved. As a general rule, the pensioners and the old people beneficiaries of minimum income guaranteed are entitled to receive health care without any personal contribution; their contribution is supported from the social pension insurance fund or from the state budget; the costs of the medicine drugs for elderly are subsidized, according to a list annually approved by the minister of public health.

The main national priorities related to the ageing process are:

- Consolidate the public pension system and improve the life quality of elderly by introducing new pensions' funds, managed by private entities;
- Set up a network of care services for elderly, delivered at home and in residential institutions;
- Diversify the social assistance benefits for elderly;
- Facilitate the access of elderly persons to health care services, especially in rural areas;
- Develop preventive health programmes and improve the quality of health services;
- Support the participation of elderly persons in all economic, social, political, cultural aspects of the society.
- Adapt the labour market to the ageing of workforce.

#### **(iv) Control mechanisms and complaint procedure**

**14. Please describe the control procedures used in order to check the implementation of the programme and indicate what are the bodies in charge with this surveillance.**

The National House of Pensions and other Social Insurance Rights controls the way the legal provisions are applied by the Territorial Pension Houses, guides and checks the natural and legal persons with rights and obligations deriving from the law. Also, according to the law, the tasks of the National House of Pensions and other Social Insurance Rights are subject to the control of the Ministry of Labour, Family and Social Protection.

The public institution, which has as the main attribution to control social services, is Labour Inspection.

**15. Do the programme dispose of mechanisms or complaint procedures? If so, please name and describe them.**

The National House of Pensions and other Social Insurance Rights controls, including as a result of the petitions submitted by beneficiaries, the application of the law by the Territorial Pension Houses.

In the field of social assistance, the procedures are stipulated in the provisions of Law no. 47/2006 on the social assistance system.

**16. The lawsuits they have been filed against the programme or those responsible for its implementation? If so, please indicate the circumstances of those lawsuits and the basis of related complaints.**

NHPSI takes lawful measures for the efficient development and administration of the public system patrimony and for ensuring its integrity, takes lawful measures for protecting the social security funds, controls the activities of medical expertise and recovery of work ability, and ensures the legal



representation in legal courts for the legal disputes where it is involved.

NHPSI ensures the coordination, control, activity guidance of the territorial houses of pensions, for a unitary application of the appropriate law in the specific field of activity and a full accomplishment of the tasks and attributions regarding them.

NHPSI verifies the unitary application of the legislation in its area of competence.

The performance of the NHPSI legal attributions is controlled by the Ministry of Labour, Family and Social Protection.

The social security jurisdiction is established by courts and appeal tribunals.

Upon the entry into force of Law 19/2000, social security agencies or specialized social security complexes were created in all courts and appeal tribunals, as specified by Law no. 92/1992 for the organization of the judiciary, republished, with subsequent modifications.

The courts will settle on the first hearing the conflicts regarding:

- a) the method for calculation and submission of social security contribution;
- b) the method to establish delay fees;
- c) registering, record-keeping and certifying the contributions to social security;
- d) the retirement decisions;
- e) the unjustified denial of solving a request regarding social security rights;
- f) the way of establishing pensions, allowances and other social security rights;
- g) the complaints against contravention decisions issued as specified by this law;
- h) appeals against forceful execution, ordered based on this law;
- i) other social security rights and obligations, based on this law.

The judicial petitions against NHPSI or the territorial pension houses will be formulated to the court from the claimant's area of domicile. The other petitions will be addressed to the court from the area of domicile or headquarters of the accused.

The appeal against the decisions of the court may be addressed to the competent appeal court.

The decisions of courts and appeal courts, not challenged within the legal deadline, are final and definitive.

The acceptance or the rejection of the retirement application is made by a decision emitted by the territorial office of pension within 45 days from the date the application has been delivered.

The decision made by the territorial office of pension will contain the reasons de facto and de jure on the basis of which the application is accepted or rejected.

The decision made by the territorial office of pension will be transmitted in writing to the person applying for pension, within 5 days from its emission.

The decision issued by the territorial office of pension can be contested at the law court in the range of which the insurant's domicile is located, within 45 days from the transmission.

The decision issued by the territorial office of pension that is not contested in due time is definitive.

Judicial petitions addressed to any institutions or courts, as well as all procedure acts regarding litigations, having as object the social security obligations, are exempted from any stamp fee.

In the field of **social assistance**, the judicial complaints can be addressed against the program or the responsible persons who implements the program.

**(v) Studies and assessments of the social benefits**

**17. Please indicate all the studies related to the programme, particularly those concerning the needs**



**which stood at the basis of the programme design.**

As a measure to reduce poverty and improve the living standard of population, the Government Programme for 2009-2012 stipulates, in Chapter 8 "Social Security", "the introduction of minimum guaranteed social pension in order to complete the pension of pensioners with the difference of up to 350 RON monthly, the amount being financed from the State budget".

The necessity to regulate the minimum guaranteed social pension was a result of the existence of some pensions in the public pension system whose level is below the income level which ensures beneficiaries a decent standard of living.

Thus, the development of the proper legal framework for granting this type of pension was required, in order to improve the social protection system in line with the national priorities, and encourage the solidarity with the most vulnerable.

The drafting, in emergency regime, of the Ordinance on the establishment of the minimum guaranteed social pension was determined by the special category of persons covered by this measure, consisting of beneficiaries of the public pension system, whose pensions are below the minimum limit beyond which social exclusion and poverty may occur.

The socio-economic impact of this measure was elaborated, by analyzing the number of people who will benefit from this right. Also, the Ministry of Labor, Family and Social Protection together with the Finance Ministry have worked out the financial impact on the consolidated budget, both on short term, for the current year and on long term (5 years).

**18. Please indicate all the studies related to the programme, particularly those reports on impact study, conducted after the programme implementation.**

Each year, NHPSI issues statistics and reports on its activity and the number and categories of pensioners who benefited from a **State pension**. These statistics are partially published on the institution website ([www.cnpas.org](http://www.cnpas.org)).

The Ministry of Labor, Family and Social Protection monitors the implementation of the program on the **minimum guaranteed social pension** through the analysis of regular reports submitted by the National House of Pensions and other Social Insurance Rights.

The relevant data in the field of **social assistance** are gathered at national level by the National Institute of Statistics, the National Commission of Prognosis, Quality Life Institute, Statistics Bulletin of the Ministry of Labour, Family and Social Protection and from sectorial reports such as Social Inclusion National Report, National Action Plan for Employment, Progress Reports on the Governmental Program 2005-2008, National Development Plan 2006-2013, National Strategy of Reforms.

Other information concerning socio-economic and health situation of the elderly are collected by the National Council of Elderly Persons, the Romanian European Institute, National Institute of Geriatrics and Gerontology.

Over the last decade, the voices of the elderly became more and more powerful. According to the law, the representatives of the elderly' national organizations are directly involved not only in national debates regarding the public policies, but also in designing new legislation and regulations. At the same time, there is a permanent cooperation and communication between policy makers and elderly people such as monthly meetings between the state secretaries of the Ministry of Labour, Family and Social Protection and the National Council of Elderly Persons or, at the local level, between public authorities and elderly' organizations.

In order to strengthen the cooperation with elderly people, the Ministry of Labour, Family and Social



Protection developed national programmes in partnership with international bodies or Romanian NGOs. One of the most appreciated programs, financially supported by the Department for International Development of Great Britain (2002-2004), facilitated the organization of regional seminars, meetings and working groups with the participation of elderly persons, care services managers, professionals and informal carers, representatives of central and local authorities, NGOs and experts from universities. The programme strongly contributed to the establishment of the Action Plan's goals of the Romanian Social Assistance Strategy for the elderly people. In 2006, debates were initiated concerning the pension reforms and the new legislation addressed to the protection of elderly rights.

**(vi) Other social benefits that elderly can benefit from.**

It is worth mentioning that, besides the benefits mentioned at question no. 8, the following benefits can also be granted:

- heating allowance from state budget;
- war survivors, war widows and war invalids (Law 44/1994):
  - Train travel tickets (12/year);
  - Exception for local tax & fee payment;
  - Exception for 1 telephone line fee;
  - Free travelling with local buses, trams & subway;
  - Medical assistance in state institutions etc.
- Persons persecuted for ethnical reasons (Law 105/1999):
  - Medical assistance in state institutions;
  - Free travelling with local buses, trams & subway;
  - Train travel tickets (6/year);
  - 1 ticket/year for balneary treatment;
  - Exception for TV & Radio fee etc.
- Persons persecuted by political reasons (Decree-Law 118/1990):
  - Exception for local tax & fee payment;
  - Medical assistance in state institutions;
  - Free travelling with local buses, trams & subway;
  - 1 ticket/year for balneary treatment;
  - Train travel tickets;
  - Exception for TV & Radio fee etc.

Moreover, there are **social benefits** provided by the local authorities and paid from the local budgets. These kinds of benefits are not monitored by the Ministry of Labour, Family and Social Protection, as they depend on the local authorities, and therefore are monitored by the local authorities only.