

Romania

Preserving individual debtor’s human dignity in distress

You are invited to fill in the tables below as follow:

- Incomes are monthly
- Figures are the latest available data from official sources. If necessary, indicate the year in brackets
- The amounts are in national currency

See below the data for France and Belgium by way of illustration

1. Monthly income

Adults	Single person	With 2 dependent children
Minimum wage for a full-time employee (if it exists): Name: Salariul Minim pe Economie	Gross 2019: 1) For an employee without higher education: 2080 LEI (442 €) 2) For an employee with higher education: 2350 LEI (500 €) 3) For an employee from construction business: 3000 LEI (638 €) – temporary measure of the Government Net 2019: 1) For an employee without higher education: 1263 LEI (268 €) 2) For an employee with higher education: 1413 LEI (300 €) 3) For an employee from construction business: 2362 LEI (502 €) – temporary measure of the Government	

Median income per capita	Gross December 2019: 4938 LEI (1050 €) Net December 2019: 2957 LEI (629 €)	
--------------------------	-------------------------------------------------------------------------------------------------------------------------	--

	Source: National Institute of Statistics	
--	------------------------------------------	--

Poverty threshold	25% of the population with less than 60% of the median income.	
Minimum solidarity allowance for an adult without income (Venitul minim garantat)	141 LEI (30 €)	442 LEI (94€)

Elderly people	Single person	Couple
Minimum pension for a former employee (full career) Name: Pensia minima garantata de stat	704 LEI (150 €)	
Average pension per capita (all types of pensions)	1235 LEI (262€) Source: National Institute of Statistics, September 2019	
Minimum solidarity allowance for elderly people with no or very limited pension	Don't know the data.	

Additional information:

2. Garnishment of funds in bank accounts

This concerns the seizure of funds directly from the bank account of the debtor, as a result of a court ruling or equivalent procedure.

Unseizable funds	We do not have a nominal limit in the legislation (single person)	
Unseizable income	Description	Designation
	<ol style="list-style-type: none"> 1. State allowance and children compensations 2. Allowances for the treatment of ill children 3. Maternity benefits 4. Death aids 5. State scholarships 6. Daily allowances 7. Allowances for persons with disabilities 8. Aids for temporary incapacity of working 9. The compensation granted to the employees in case of termination of the labour contract 10. State allowance for unemployed people 11. Other special allowances established by the law 	
Partly seizable income	<ol style="list-style-type: none"> 1. Net salary 2. Pension 3. Other periodic incomes <p>a) 1/2 of the income can be seized for the amounts due as maintenance obligation or state allowance for children</p> <p>b) 1/3 of the income can be seized for any other debt</p> <p>c) 1/2 of the income can be seized, if the debtor has more than one procedures</p>	
Income that can be fully seized		

Additional information:

I.

Exceptions regarding items 8,9,10 from the unseizable income: those incomes can be seized only for amounts due to maintenance obligation and compensation for the damages caused by death or body injury. The law sets the limit at 1/2 of this incomes.

II.

According to article 781 from the Code of Civil procedure, the bank does not have the option of garnishment in the following situations:

- a) amounts that are destined for a special condition stipulated by the law and on which the debtor is deprived of the right of disposition;
- b) amounts representing non-reimbursable credits or financing received from national and international institutions or organizations for the execution of some programs or projects;
- c) amounts related to the payment of the future wage rights, for a period of 3 months from the date of establishment the garnishment. When more than one garnishment is established on the same account, the term of 3 months in which payments related to the future wage rights can be made is calculated only once from the moment of the first garnishment.

III.

Regarding partly seizable income:

The income from employment or any other amounts that are paid periodically to the debtor and are intended to insure his means of subsistence, if they are smaller than the amount of the net minimum wage in the economy, can be traced only to the part that exceeds half of this amount.

3. Seizures on wages and from third parties

This concerns seizures made directly by the debtor's employer from their employee's wages, following a court ruling or equivalent procedure. The same type of seizure may be made with other third parties.

Unseizable amount	X (single person)			
Seizable amounts	Income range	Monthly income	Percentage portion that can be seized	Maximum amount that can be seized per month
(single person)	1			
	2			
	3			
	4			
	5			
	6			
	7			

Additional information:

The limits indicated in the previous section also apply within this section.

4. Additional rules for the protection of debtors

As part of an amicable debt mediation procedure or of a personal bankruptcy procedure, some additional protection rules exist in some countries, such as:

- The freezing of the recovery costs and default interest;
- The freezing of recovery procedures (made by registered mail or through a bailiff);
- The possibility for the debt advisor or the judge to lower or increase the protected amounts;
- The possibility of choosing other methods or calculation rules to determine the remaining income.

If similar rules exist in your country, it would be very useful to describe them.

Do you accept we include your name, or the name of your organisation, in the list of respondents that will be included in the final report?	YE	N
	S	O
	X	
Personal name	Dorinel Tănase – president of Credere Anca Spânu – vicepresident of Credere Ion Robu – vicepresident of Credere Beatrice Aldea – founding member of Credere	
Name of the organisation	Credere – consumers NGO	