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PRESS RELEASE

The Public Information and Press Relations Bureau within the Prosecutor's Office attached to the High Court of Cassation and Justice is authorized to bring to public knowledge the following:

In the context of the adoption by the Romanian Senate of the bill no. L812/21.12.2010, initiated by the Romanian Government at no.E272/8.12.2011, currently under debate in the Chamber of Deputies (Chamber to decide) no. PL-x 84/2011, for the approval of the Government Emergency Ordinance no. 113/2010, the Prosecutor's Office attached to the High Court of Cassation and Justice has expressed its views in relation to this legislative initiative that is expected to reschedule the payment of some amounts provided in the writs of execution with the subject of granting wage rights to the staff from the public sector, by reference to the fact that, in the law adjournment of the enforcement in the current legislative framework, against the Public Ministry, it has already started the enforcement concerning 73 court orders that represent writs of execution.

In the event of perpetuation of these legislative solutions, it is possible that the exception becomes a rule that will be used by all creditors, which will prevent the exercise of court attributions established by constitutional law.

In the introduction, it was mentioned that the trials of which resulted the writs of execution were generated by the existence of special bills adopted for the remuneration of different professional categories by which there were recognized supplementary rights of wages, like growths, increases, bonuses in consideration of the particularity of the developed activity, of the conditions of acceptance in the domain, of the incompatibility and interdictions to which the hired persons were subject during the job performance.

Also, it was shown that, only in 2009, there were reestablished the basis of the wages for different professional categories from the budget system by training a unitary system of wage through legislation, of the staff paid out of public funds.

In this concern, there was highlighted the fact that, the budget impact retained by the initiator of the bill for the approval of the Government Emergency Ordinance no. 113/2010, is indisputable, but, the sequence of regulatory laws resulted in rescheduling repeatedly the payment of the amounts provided in the writs of execution and the perpetuation of these legislative solutions which place for discussions the compliance with the right of a fair trial and of the ownership right, as these fundamentals have been developed in the jurisprudence of the European Court Of Human Rights and in the Constitutional Court of Romania.