



EUROPEAN INSTITUTE OF ROMANIA

STATUTE

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CHAPTER I – NAME, LEGAL STATUS, HEAD OFFICE, DURATION

Article 1

The European Institute of Romania is a public institution with legal personality, established under the Government Ordinance no 15/1998 as subsequently amended and completed, approved by the Law no. 133/2009).

Article 2

The name “European Institute of Romania” and the logo together with the address of the registered office, the bank account and the tax identification number are included in all the documents and acts issued by it.

Article 3

The European Institute of Romania functions under the authority of the Government, as provided in the GO no 15/1998, as subsequently amended and completed and it is coordinated by the Department for European Affairs, according to article 8(2) of the Government Emergency Ordinance no 24/2007 on establishing certain measures of reorganisation within central public administration, as subsequently amended and completed.

Article 4

The head office of the European Institute of Romania is located in Bucharest, Regina Elisabeta Boulevard 7-9, Sector 3. The premises are provided rent-free by Regia Autonomă “Administrația Patrimoniului Protocolului de Stat”.

Article 5

(1) The European Institute of Romania shall develop its activity for an unlimited period of time.

(2) The European Institute of Romania shall cease its activity according to the legal provisions.

CHAPTER II – OBJECTIVES AND FINANCING SOURCES

Article 6

The main objectives of activity of the European Institute of Romania are:

- a) supporting the substantiation and implementation of policies of the Government of Romania in the field of European affairs;
- b) increasing the level of knowledge and skills of the civil servants and of other socio-professional categories in the field of European Affairs;
- c) improving the access to Community law, to the case-law of the European Court of Human Rights and to the Romanian law relevant for the field of European Affairs, as well as their understanding and implementation;
- d) contributing to the development of the European spirit and values.

Article 7

(1) In order to achieve the objectives referred to in the previous article, the European Institute of Romania:

- a) accomplishes research and development activities, by drawing-up studies, analyses and points of view regarding the activities in the field of European affairs, including those

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necessary for substantiating Romania's stances within the European Union, the measures necessary for accomplishing its obligations arising from the statute of Member State and the representation of its interests before the Community institutions;

- b) accomplishes short-term and long-term professional training activities and programmes in the field of European affairs, including programmes aimed to prepare the participants in the competitions and selection processes organised by the European Union's institutions, designed for civil servants and other employees of the central and local administration, as well as for other interested socio-professional categories;
- c) ensures translation into the Romanian language and linguistic and legal revision of the Community *acquis* adopted up to Romania's accession to the European Union and of the case-law of the European Court of Human Rights, as well as translation into other official languages of the European Union of Romanian legal texts, through terminological harmonisation and coordination of the translations made at national level;
- d) accomplishes public communication activities in the field of European affairs, by organizing public conferences, seminars, round tables, debates and other communication activities and products, for the purpose of promoting the European values and spirit at the level of the public administration, of the academic environment, of the business environment and of the public opinion;
- e) accomplishes and publishes the "Romanian Journal of European Affairs" periodical and other publications in its field of activity;
- f) accomplishes other types of translations than those provided for in point (c), educational or information works and materials in its field of activity.

(2) In order to accomplish the duties set out in paragraph (1), the European Institute of Romania can establish, under the law, partnerships, cooperation agreements and contracts with other public or private institutions and/or with local or foreign specialists.

Article 8

In order to accomplish the objectives set out in the legal functioning framework, the institute has the following financing sources:

- a) *State budget subsidies;*
- b) *Own resources;*
- c) *Donations;*
- d) *Sponsorships.*

a) State budget subsidies

State subsidies are allotted through the budget of the Department for European Affairs, which is the secondary authorising officer.

b) Own resources

European Institute of Romania's own resources are generated from studies, analyses and programmes carried out based on research agreements, from fees paid for participating in training activities, from the publications sold, from organising communication or professional training sessions, conferences and scientific events, from providing services of translation, terminological coordination and harmonisation and other similar activities, accomplished on a contractual basis or in public-private partnership or in partnership with other public institutions; its own resources also include non-refundable financing and are used by the institute, according to the law.

c) Donations

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Donations can be amounts of money, goods, royalties, shares, securities and other deliverables, if unencumbered.

Donations can be conditional upon the achievement of a purpose, if this is in accordance with the objectives of the European Institute of Romania.

European Institute of Romania may refuse, by decision of the Administrative Board, any donation made under unacceptable terms or which infringes the provisions of this statute. For the conditional donations or for the donations with a purpose specified in the deed of donation, the donor shall be able to know how the donation was used, the institute providing a report for this purpose.

d) Sponsorships

European Institute of Romania can accept and use sponsorships according to the law.

CHAPTER III – MANAGEMENT, ORGANISATION AND FUNCTIONING

Section I – Decisional and advisory structures

Article 9

Decisional and advisory structures of the European Institute of Romania are:

- a) Administrative Board;*
- b) Director General;*
- c) Scientific Advisory Board.*

a) Administrative Board (AB)

Article 10

(1) The Administrative Board consists of nine members appointed according to the provisions of the Article 8 of the GO no. 15/1998 as subsequently amended and completed.

(2) The President of the Administrative Board and other four members are appointed by the Prime Minister on proposal of the Department for European Affairs.

(3) The Commission for European Affairs of the Romanian Parliament, the Romanian Academy, the employers' and trade union organisations which are representative at national level shall each designate one member in the Administrative Board of the European Institute of Romania.

Article 11

(1) The nationally representative employers' and trade union organisations are those which accomplish the conditions provided in the Law no. 130/1996 on the collective labour contract, republished, as subsequently completed.

(2) In the case of the members appointed by the employers' or trade union organisations, the appointment shall be made by consensus by the employers' organisations and, respectively, by the trade union organisations which are nationally representative.

Article 12

(1) The membership in the Administrative Board can be lost in the following cases:

- a) death;
- b) resignation;
- c) removal from office.

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(2) The members of the Board are removed from office by the authorities who appointed them.

(3) The authority who appointed the member of the Administrative Board to be found in one of the cases mentioned above shall designate a new member as soon as possible, with a term of office lasting until the end of the initial term.

Article 13

Administrative Board has the following duties:

- a) to approve the strategy and projects of the European Institute of Romania;
- b) to appoint and remove from office the Director General of the European Institute of Romania;
- c) to debate the annual programme, to be submitted for approval to the Department for European Affairs;
- d) to debate the annual report of the European Institute of Romania and submit it for approval to the Department for European Affairs;
- e) to debate the annual revenue and expenditure budget draft to be submitted for approval to the Department for European Affairs, as well as the previous year budget implementation;
- f) to approve the report of the Director General regarding the discharge for the analysed period;
- g) to approve the organisational structure, the Statute and the Organisation and Functioning Regulation of the European Institute of Romania;
- h) to endorse the collaboration with national and international organisations, as well as the affiliation to international organisations.

Article 14

The term of office of the Administrative Board members is of four years.

Article 15

The Administrative Board shall meet in quarterly ordinary meetings. The meetings shall be convened by the Director General at the request of the President or one third of its members. The meetings shall be convened at least 72 hours before the date of the reunion and must include the location, date and hour of the meeting as well as the agenda.

Article 16

As regards the extraordinary meetings, they can be convened with a 24 hour notice.

Article 17

(1) The meetings of the Administrative Board are considered legally convened, for the first call, in the presence of two thirds of the appointed members.

(2) Decisions of the Administrative Board are adopted by the vote of at least two thirds of its members.

(3) If, when the meeting was first convened, the quorum referred to in paragraph 1 was not present, the meeting shall be convened again, not exceeding one month from the previous meeting. In this case, the meeting of the Administrative Board shall be considered legally convened, regardless of the number of the members present.

Article 18

For the activity accomplished, the members of the Administrative Board shall receive a meeting allowance of 10% of the basic monthly salary of the Director General.

Article 19

(1) Duties of the President of the Administrative Board are the following:

- a) to chair the Administrative Board meetings;
- b) to issue the Administrative Board decisions;
- c) to represent the Administrative Board in its relations with the authorities or the public or private Romanian or foreign institutions.

(2) If unable to perform his function, the President may grant a general or limited power of attorney, for a certain period of time, to a member of the Administrative Board.

Article 20

The secretariat of the meetings of the Administrative Board of the European Institute of Romania is provided by the Public Relations and Protocol Department, through the the Director General' Assistant.

b) Director General (DG)

Article 21

Director General ensures the executive management of the European Institute of Romania.

Article 22

(1) Director General is appointed by the Administrative Board for a term of office of five years, on proposal of its President.

(2) The term of office of the Director General can be renewed.

Article 23

(1) The term of office of the Director General ceases:

- a) at the end of the term of office;
- b) by resignation of the Director General, with a prior notice of at least 30 days;
- c) by removal from office by the Administrative Board;
- d) by mutual agreement;
- e) by death;
- f) by the dissolution of the European Institute of Romania;
- g) by any other methods allowed or expressly provided by the law.

(2) The term of office of the Director General of the European Institute of Romania can be terminated for failure to accomplish the undertaken responsibilities, by reasoned decision of the Administrative Board.

(3) If the position of Director General remains vacant, the Administrative Board shall designate an Acting Director General as soon as possible until the appointment through competition of a new Director General.

Article 24

If unable to perform his function, due to objective reasons, the Director General shall delegate his duties to a director from the European Institute of Romania until the causes which lead to the impossibility to accomplish his work obligations cease.

Article 25

Director General has the following duties:

- a) to represent the European Institute of Romania in its relations with third parties;
- b) to conclude legal acts in the name and on behalf of the European Institute of Romania;

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- c) to ensure the management and administration, as provided for in the law, of the integrity of the assets of the European Institute of Romania;
- d) to follow the implementation of the plan and objectives set forth in the contract of mandate concluded between the Director General and the European Institute of Romania;
- e) to draw up and apply strategies and specific policies able to ensure the efficient development of the current and future activity of the European Institute of Romania;
- f) to act in order to comply with the provisions of the annual revenues and incomes budget of the European Institute of Romania, initiating efficient programmes and measures for a good management, as provided for by the legal regulations in force;
- g) to commit and use the funds within the limits of the approved budget appropriations, based on good financial management;
- h) to comply with the duties provided for in the public finances legislation for authorising officers;
- i) to present to the Administrative Board, according to the legal provisions, the economic and financial situation of the European Institute of Romania, the method of accomplishing the activity plan, as well as the way the objectives set forth in the contract of mandate concluded between the Director General and the European Institute of Romania are accomplished;
- j) to apply the management rules, the Organisation and Functioning Regulation and the unitary administrative procedures;
- k) to select, to employ/appoint, to promote, to sanction and to dismiss/relieve of their position the personnel of the European Institute of Romania, in compliance with the legal provisions;
- l) to establish and to monitor the accomplishment of the work duties, in each department, by the personnel employed, according to the Organisation and Functioning Regulation of the European Institute of Romania, as well as of the individual professional obligations of the specialised personnel;
- m) to establish and to order the application of measures for ensuring the security of the employees of the European Institute of Romania during the development of their specific activities;
- n) to issue orders of a mandatory nature for the personnel of the European Institute of Romania, subject to their legality;
- o) to exercise control over the way the work assignments and objectives are accomplished by the personnel employed;
- p) to appoint and revoke the members of the Scientific Advisory Board as provided for in this statute;
- q) to coordinate and to monitor the activity of the Scientific Advisory Board;
- r) to inform the Administrative Board as regards the activity of the Scientific Advisory Board;
- s) to participate in the Administrative Board meetings, without having the right to vote.
- t) to draw up reports regarding the activity developed and the financial situations to be presented to the Administrative Board;
- u) any other duties established by the Administrative Board and which are necessary for the executive management of the European Institute of Romania.
- v) other duties attached to their competence by the normative acts into force.

c) Scientific Advisory Board (SAB)

Article 26

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(1) Scientific Advisory Board is a collective body consisting of maximum nine members, appointed by the Director General for a period of five years after previously consulting the Administrative Board.

(2) Director General can award the title of member of honour of the Scientific Advisory Board.

(3) Members of the Board are public personalities with a vast professional training and experience in the fields they represent.

Article 27

Scientific Advisory Board is chaired by the Director General of the European Institute of Romania.

Article 28

(1) President of Honour of the Scientific Advisory Board is elected by the Members of the Board at the proposal of the Director General, from among the trusted personalities from the academic field.

(2) The President of Honour does not have to be Member of the Scientific Advisory Board.

(3) The President of Honour attends the meetings of the Board, no remuneration being paid for his activity.

Article 29

(1) The term of office of the members of the Scientific Advisory Board ceases:

- a) at the end of the term of office;
- b) by resignation, with a prior notice of at least 30 days;
- c) by removal from office by the Director General;
- d) by mutual agreement;
- e) by death or impossibility to accomplish duties;
- f) in any other situations provided by law;

(2) The members of the Scientific Advisory Board may be removed from office by reasoned decision of the Director General:

- in case of failure to accomplish the obligations undertaken by accepting the mandate;
- as a result of committing actions which can damage the image of the European Institute of Romania.

(3) In the previously mentioned cases, the Director General shall designate a new member of the Scientific Advisory Board, with a term of office lasting until the end of the initial term.

Article 30

(1) Scientific Advisory Board analyses together with the directions/specialised units the aspects related to the developing the scientific activities of the European Institute of Romania:

- a) the long and medium term strategy and the annual programme of the European Institute of Romania;
- b) the selection criteria with a view to outsourcing some specialised services;
- c) it evaluates the existing projects from a scientific point of view and suggests improvement measures;
- d) it evaluates from a scientific point of view projects to be developed;
- e) the compliance with the ethic rules by the specialised personnel involved in developing the activities of the European Institute of Romania;
- f) the scientific position of the products of the European Institute of Romania.

(2) The Director General can entrust to any member of the Scientific Advisory Board other attributions according to their expertise, for the purpose of accomplishing the scientific objectives of the European Institute of Romania.

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(3) The members of the Scientific Advisory Board attend the activities developed by the European Institute of Romania, at the request of the Director General.

(4) The debates and the recommendations are recorded in minutes assumed by all the members of the Scientific Advisory Board present at the meeting.

(5) In accomplishing its duties, the Scientific Advisory Board expresses recommendations.

Article 31

The secretariat of the meetings of the Scientific Advisory Board of the European Institute of Romania is provided by the Public Relations and Protocol Department, through the Director General' s Assistant.

Article 32

Members of the Scientific Advisory Board sign a declaration of honour with regard to the conflict of interests between them and the author of the products of the European Institute of Romania which are entrusted to them for evaluation.

Article 33

(1) Scientific Advisory Board shall meet on a quarterly basis, being convened by the Director General or at the request of two thirds of the Scientific Advisory Board members.

(2) The meetings shall be convened with at least 72 hour notice, stating the date, hour, place and agenda.

(3) The extraordinary meetings shall be convened with a 24 hour notice.

Article 34

(1) For the activity accomplished, the members of the Scientific Advisory Board are remunerated on a quarterly basis with an allowance equivalent to the monthly basic salary of a director of the European Institute of Romania.

(2) The activity of the members of honour of the Scientific Advisory Board is developed without any payment.

Section II – Internal organisation

Article 35

In order to accomplish its aim and objectives, the European Institute of Romania employs specialised personnel, organised in directions, units and departments.

Article 36

The organisational structure of the European Institute of Romania is approved by the decision of the Administrative Board.

Article 37

The organisation and functioning regulation shall include provisions regarding the duties of the European Institute of Romania, the organisational structure, the organisation chart, the duties and responsibilities of the directions/units/departments.

Article 38

The internal rules of procedure shall include provisions regarding the duties of the personnel, organisation of working time, the flow of documents, misconducts and disciplinary actions.

Article 39

(1) The property of the European Institute of Romania is made of movable goods and monetary assets.

(2) If the European Institute of Romania is dissolved, its property shall be transferred to another public institution, according to legal provisions.

Article 40

The European Institute of Romania's financial management is ensured by the Financial and Accounting Department.

Article 41

The internal control which includes all the forms of control exerted at the European Institute of Romania is accomplished:

(1) by the Internal Public Audit Department, by objectively analysing the activities of the European Institute of Romania for the purpose of undertaking an independent evaluation of both the accomplishment of the objectives of the European Institute of Romania and of the way the internal control is deployed.

(2) by the employees of the European Institute of Romania:

- a) by creating specific procedures at the level of each direction/unit/department;
- b) through the information system (IT system, internal communication methods, internal and external flow of documents etc.);
- c) the internal organisation described in the formal documents (Statute, organisation chart, Organisation and Functioning Regulation, Internal Regulation, job descriptions);
- d) under the form of self-control/chain control/partnership control/hierarchical control/managerial control.

CHAPTER IV – FINAL PROVISIONS

Article 42

The European institute of Romania has as distinguishing sign a logo which shall be applied on all its documents.



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Article 43

The provisions of this Statute are completed by the provisions of the legislation in force, by the provisions of the Organisation and Functioning Regulation, of the Rules of Procedure as well as by the provisions of the internal procedures approved by the Director General.

Article 44

The provisions of the Statute can be amended by the Administrative Board, on proposal of the Director General and/or of the President of the Administrative Board.

Article 45

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This Statute shall enter into force on the date of the approval by the Administrative Board of the European Institute of Romania, by decision signed by the President of the Administrative Board.