



October 29-November 02, 2007

**725/26.10.2007**

*Decision No. XXX of October 09, 2007 issued by The High Court of Cassation and Justice*

The High Court of Cassation and Justice admitted the plea of nullity for the preservation of the law filed by the Public Prosecutor's Office attached to the High Court of Cassation and Justice and decided that the competent court to solve the motion for revision is the court that solved the case in first instance, even if at the moment when the writ of summons was filed, such instance wasn't competent anymore to judge the case merits, due to the amendments made to the criminal procedure law.

**Enters into force:  
26.10.2007**

**Special points of interest:**

- INDUSTRIAL DESIGN/ MODEL PROTECTION
- BROKERAGE INTERMEDIARY ACTIVITIES
- VAT DEDUCTING
- PRIVATE PENSIONS MARKETING
- NATIONAL AGENCY FOR SOCIAL CONTRIBUTIONS
- NATIONAL SQUAD FOR ENVIRONMENT

**729/26.10.2007**

*Law No. 280/2007 regarding the amendment and supplementing of Law No. 129/1992 on industrial design and model protection.*

The title of the law is modified as follows: "**Law on design and model protection**"; Are defined the following terms: "author", "registration certificate", "design or model", "European design or model", "insignificant details", "registration", "product", "complex product". "applicant", "owner"

**Enters into force:  
25.11.2008**

**734/30.10.2007**

*Order no. 12/2007 issued by Insurance Supervisory Commission regarding the amendment and supplementing of the directives regarding the Register of insurance and/or reinsurance intermediary persons approved by the Order of the chairman of the Insurance Supervisory Commission No. 10/2007.*

It is decided the intermediary activities performed by insurance and/or reinsurance brokers, through own personnel or brokerage assistants, may be performed only at the following locations: i) main headquarters or secondary headquarters of the insurance and/or reinsurance brokers or, as the case may be, of the brokerage assistants, legal persons; ii) main or secondary headquarters of the insured persons or of the potentially insured legal persons; iii) the domicile or as the case may be, the residence of the insured or potentially insured natural persons; iv) the domicile or the residence of the brokerage assistants, natural persons; v) main or secondary headquarters of the insurers.

**Enters into force:  
30.10.2007**

**732/30.10.2007**

*Decision No. V of January 15, 2007 issued by The High Court of Cassation and Justice*

The High Court of Cassation and Justice admitted the plea of nullity for the preservation of the law filed by the Public Prosecutor's Office attached to the High Court of Cassation and Justice and decided that the VAT cannot be deducted and that the base of calculation for the tax on profit cannot be diminished if the documents in proof do not provide or do not offer all the information provided by the legal provisions in force at the date when the operation of deducting the VAT is concluded.

**Enters into force:  
30.10.2007**

**732/30.10.2007**

*GEO No. 117/2007 on the amendment of art. 35 al. 19 of Law No. 32/2000 regarding the activity of insurance and supervising of insurance.*

It is decided that by way of exception from the provisions of art. 39 al. 5, lit. d of Law 32/2000, the insurance and/or reinsurance brokers may perform marketing activities for the private pension fund and/or for the pension prospect diagram with the observance of the legal provisions in force

**Enters into force:  
30.10.2007**

**733/30.10.2007**

*Decision No. XI of February 5, 2007 issued by the High Court of Cassation and Justice*

The High Court of Cassation and Justice admitted the plea of nullity for the preservation of the law filed by the Public Prosecutor's Office attached to the High Court of Cassation and Justice and decided, with regard to Law no. 18/1991 on lands, that may benefit of the reinstatement of the period for the acceptance of the inheritance, only the heirs that haven't accepted the inheritance within the period provided by art. 700 of the Romanian Civil Code, except for those that have renounced to the inheritance.

Enters into force:  
30.10.2007

**733/30.10.2007**

*Decision no. XIII of February 5, 2007 issued by the High Court of Cassation and Justice*

The High Court of Cassation and Justice admitted the plea of nullity for the preservation of the law filed by the Public Prosecutor's Office attached to the High Court of Cassation and Justice and decided with regard to the provisions of Romanian Code of Civil Procedure, that, the minute drafted after the closure of the debates must stipulate that the decision was pronounced in public meeting. The non-observance of this rule leads to the nullity of the decision.

Enters into force:  
30.10.2007

**737/31.10.2007**

*GEO No. 116/2007 on the organization and functioning of the National Agency for Social Conscriptons*

The agency is organized as a technical division of the central public administration, subordinated to the Ministry for Labor, Family and Uniformity of Chances and its purpose is the management of all social contributions regarding the national system of social assistance to the state budget in a unitary payment system.

Enters into force:  
31.10.2007

**738/31.10.2007**

*GEO No. 119/2007 regarding the measurements for controlling the delaying in complying with the payment obligations arising from commercial agreements*

The following terms are defined: "commercial agreement", "contracting authority", "delay of payment" and "enforceable title". The ordinance applies to the receivables that are uncontested, liquid and enforceable, representing payment obligations arising from commercial agreements. By way of exemption, this rule does not apply to the receivables registered with the statement of affairs within the insolvency procedure and to the agreements concluded between traders and customers. There are stipulated provisions regarding the interest applicable to the payment obligations arising from commercial agreements and procedural rules.

Enters into force:  
31.10.2007

**743/01.11.2007**

*GR no. 1224/2007 regarding the organizing and functioning of the National Squad for Environment*

The National Squad for Environment is a public institution for inspection and control, subordinated to the central public authority for environment protection. The attributions of the National Squad for Environment are stipulated. On the date when GR No. 1224/2007 enters into force the RG no. 440/2005 regarding the reorganizing and functioning of the National Squad for Environment is repealed.

Enters into force:  
01.11.2007

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