

HelpAge International (HAI) has a vision of a world in which all older people fulfil their potential to lead dignified, healthy and secure lives.

HelpAge International is a global network striving for the rights of disadvantaged older people to economic and physical security; healthcare and social services; and support in their caregiving role across the generations.

Second Breath has the mission to improve the quality of life of older persons in Moldova by informing and advocating for their rights through creation of community public care services, as well as development of the palliative care for terminally ill persons, including older people.

HelpAge International has been working in Moldova since 2000, supporting local partners by building their capacities to further the cause of mainstreaming ageing at policy and practice levels. The ongoing project "Realising older people's rights in Moldova" is financed by Irish Aid and is implemented in the South and North of Moldova in partnership with Second Breath. The project aims to contribute to reducing older people's poverty through increased access to social services and entitlements in 10 target communities: Balti, Orhei, Trinca (Edinet), Carabetovca (Basarabasca), Manta (Cahul), Satul Nou (Cimislia), Comrat, Ialoveni, Lapusna (Hincesti), Cazangic (Leova).

The Practical guide „Protection of older people's rights in Moldova” is published as part of the project of HelpAge International „Realising older people's rights in Moldova”. The Guide includes useful information on social protection, social assistance, healthcare and legal protection of older people.

Protection of older people's rights in Moldova

Practical guide



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PROTECTION OF OLDER PEOPLE'S RIGHTS IN MOLDOVA

PRACTICAL GUIDE

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CHAPTER I: SOCIAL PROTECTION OF OLDER PEOPLE

Subchapter 1.1. Social Insurance of Older People

1.1.1. RIGHT TO SOCIAL INSURANCE PENSIONS AND SOCIAL BENEFITS

■ **Full old age pension** is assigned to people who have reached the standard retirement age and meet the legal provisions on employment record. Presently the retirement age is 57 years for women and 62 years for men, and this is the age limit. Only a new law can change the situation. Employment record is 30 years for both men and women.

■ **Partial old age pension** is assigned for a minimum of 15 years (previously it was 20 years of employment record). Thus, people who presently do not receive either full or partial pension can now be assigned a partial pension if they can confirm a minimum employment record of 15 years.

■ **State social benefit** is granted to people who have reached the standard retirement age but fail to meet the legal provisions on employment record.

1.1.2. PENSION RECALCULATION / INDEXATION AND PAYMENT

■ **Recalculation of old age pension for pensioners who continue working** is not stipulated by law at the moment. However, legislation on pensions is subject to a thorough revision under several aspects, including the right to recalculation of assigned pensions.

Recalculation of pensions assigned by 1 January 1999 is possible only in case of new reasons related to employment record or the amount of income for the period up till recalculation of pension.

Since 23 March 2007 the law stipulates the possibility to recalculate old age pensions, disability pensions and survivor pensions assigned after 1 January 1999 and before 23 March 2007, correspondingly. Recalculation allows the authorities to take into account a larger period for which the individual rate is calculated.

Individuals wishing for recalculation to be performed must present a certificate on insured income. In the absence of income-related documents, recalculation is performed for the previous period of activity or based on the employee's average salary, their specialty and qualification.

■ **Indexation of pensions is performed annually on April 1**, based on a rate calculated depending on the annual growth of consumer prices index and of average state salary for the previous year. The Government is empowered to determine the indexation rate.

■ **Old age pension is paid in full assigned amount**, including cases when

pensioners continue to work. Individuals fully supported by the state are entitled to receive pension equal to 25% of the full pension. Certain amounts can be deducted from pensions only in cases and in the order established by law.

A pensioner receiving inpatient treatment in healthcare institutions (hospital, clinic, rehabilitation centre etc.) is entitled to a full pension. In case of individuals placed in mental hospitals and people under home guardianship pension is fully paid to the guardian or tutor at their place of residence.

■ **Pensioner who has not collected (received) pension in time** has the right to collect the total amount of pension for a period of not more than 3 years preceding the application date. In case when the assigned pension was not paid (received) in time through the fault of the social insurance authority the indebtedness is paid to the pensioner in full amount for the entire period.

Pension amounts that were not paid due to the pensioner's death are paid to their surviving spouse, parents, children, and in their absence – to the person confirming that they have incurred expenses related to the death. The pension is paid for the period prior to death (retroactively) including the month of death, within a maximum period of 3 years since the pensioner's death.

■ **Pensions and benefits are paid monthly, in cash, for the current month, at the place of residence.** A pensioner can receive their pension:

- at the post office of the State Enterprise "Posta Moldovei" or
- at a financial institution (bank).

A pensioner wishing to receive pension at the bank must submit an application at the Territorial Office of Social Insurance and in this case they will be able to receive pension at the bank for a year. To continue receiving pension at the bank the pensioner must submit a new application. In case when the pensioner does not submit a new application pension will be further paid at the local post office.

Old people and those who are unable to receive pension at the post office on their own for reasons of health can receive pensions at home, with consent of the post office management.

Pension is paid:

- to the pensioner in person **or**
- to a person with a power of attorney from the pensioner **or**
- to the guardian or tutor with documents confirming their status.

■ **Power of attorney for the right to receive pension** can be issued only for a period of 6 consecutive months. Upon expiry of the period the pensioner can conclude a new power of attorney for the same period. The power of attorney must be attested according to legislation:

- by a notary **or**
- by responsible representatives of the local public authorities (council secretary) **or**

- by the management at the place of work, by the housing management body at the person's place of residence or by the management of the medical institution in which the person is placed.

■ **Pensioners who take up their residence in another rayon (municipality)** shall collect their pension at the new place of residence, starting with the month the pension was suspended at the previous place of residence. In this case be sure to address the Territorial Office of Social Insurance in time.

■ **Pensioners who take up their permanent residence abroad** (including on the territory of the CIS countries) can collect their pension for 6 months in advance. To be able to collect pension for 6 months in advance you must present the following documents to the Territorial Office of Social Insurance:

- application;
- passport with departure permit;
- certificate from the territorial office for documentation and registration of population on deregistration.

In case when a pensioner with permanent residence abroad has not obtained pension at the new place of residence and returned to the Republic of Moldova within a maximum period of 3 years, payment of pension is resumed including for the previous period, if the person presents documents to confirm that they have not received pension abroad.

1.1.3. DEDUCTIONS FROM PENSIONS. DISPUTE SETTLEMENT

■ **Deductions from pensions** are made in compliance with the Enforcement Code of RM 443/24.12.2004:

- a) court decisions and sentences;
- b) decisions on administrative infractions;
- c) other executive documents.

Pension amounts that were paid illegally due to abuse on the part of the pensioner must be fully returned to the National Payment Office. In case when the pensioner refuses to return illegally received amounts these amounts are collected through court.

■ **Disputes on pension assignment and payment** are settled in compliance with the current legislation. Thus, a pensioner who claims violation of one of their rights related to pension assignment or payment can appeal to the Territorial Office of Social Insurance in order to settle the dispute amicably. In case when the dispute cannot be settled amicably the pensioner can submit a written claim to which the Territorial Office of Social Insurance must reply within a maximum period of 30 days. In case when examination of the claim does not lead to dispute settlement the pensioner can submit a claim to court.

■ For any questions related to pension assignment, modification or payment contact the Territorial Office of Social Insurance at your place of residence. If you are not satisfied with the answer, contact the National Office of Social Insurance. For contact information (address and telephone) see Annex 1.

1.1.4. THE MAIN NORMATIVE ACTS ON SOCIAL INSURANCE

■ **Law on State Social Insurance System No. 489-XIV of 08.07.1999:** Stipulates organization and functioning principles for the public social insurance system, including budget creation and system management.

■ **Law on State Social Insurance Pensions No. 156-XIV of 14.10.98:** The main law on establishing and observing the right to social insurance pension.

■ **Law on State Social Benefits for Certain Categories of Citizens No. 499-XIV of 14.07.99:** Regulates conditions for assigning social allowances to certain categories of people, including older people, who do not receive social insurance pensions.

■ **Law on Non-State Pension Funds No. 329-XIV of 25.03.99:** Stipulates organization principles for the system of voluntary investments into future pension through deposits on account of the pension.

■ **Government Decision on approving the Regulations No. 929 of 15.08.2006 on the order of payment of pensions assigned within the state social insurance system and of state social benefits:** Main normative document that stipulates the rights and obligations of competent bodies and pension beneficiaries in payments on account of assigned pensions and allowances.

Subchapter 1.2. Social Assistance to Older People

The right to social assistance does not exempt any person from responsibility for themselves and for their own family.

(art. 8 of the Law on Social Assistance No.547/25.12.2003)

1.2.1. FORMS OF SOCIAL ASSISTANCE

Social assistance is granted in the form of:

- a) Cash (allowances, compensations, etc.) or non-cash benefits;
- b) Social services guaranteed by law and other normative acts;
- c) Indirect social assistance (discounts for goods and services);
- d) Social assistance granted by local public administration authorities;
- e) Social assistance granted by charitable non-governmental organizations, etc.

Social survey is a document that states the current financial and social situation of a person or a family applying for social assistance and contains data on the person or family members (age, occupation, income), on their dwelling and property, and on the difficulties they face.

Annex 2 presents the structure and functions of public social assistance authorities.

1.2.2. SYSTEM OF TARGETED COMPENSATIONS

Targeted compensation is money paid in place of the existing benefits related to payment for certain public utilities. Targeted compensations are established on payment for:

- a) Public utilities;
- b) Electricity;
- c) Natural gas used for heating;
- d) Liquefied gas in tanks for cooking;
- e) Coal and fire wood.

The following categories of people are entitled to targeted compensations:

- single pensioners;
- people with Group I and II disabilities, regardless of cause;
- people disabled from childhood;
- World War II participants and their spouses, depending on the case;
- people closely related to war participants and other categories of beneficiaries.

People fully supported by the state shall not benefit from targeted compensations.

One or more old age pensioners (spouses, brothers, sisters) who live in the same dwelling and do not have children or have minor children benefit from nominal compensations.

Territorial Office of Social Insurance establishes the amounts of compensations and is responsible for accuracy in compensation assignment and calculation.

Compensations are assigned based on application submitted by the beneficiary:

- in person, directly to the Territorial Office of Social Insurance **or**
- through the mayor's office. Documents submitted to the mayor's office for assignment of nominal compensations are checked, registered and passed by its representative to the Territorial Office of Social Insurance within 5 days.

The following documents are annexed to the application for compensation assignment:

- passport, ID card or birth certificate;
- certificate on heating method used in the dwelling (house) and all services used by the beneficiary, issued by the municipal housing management enterprise or the mayor's office, by cooperative building societies and tenant associations, by enterprises owners of housing stocks and living communities, by gas distribution and provision enterprises, territorial directorates for production of sewage facilities and other service providing enterprises;
- permit and certificate confirming beneficiary's registration and right to compensation;
- extract from personal account or house register, unconditionally issued by housing organizations or mayor's offices at the place of residence, by cooperative building societies and received private ownership on housing tenant associations, by enterprises owners of housing stocks and living communities.

Documents necessary for fixing compensations are issued for free regardless of the fact whether the person has payment debts for public utilities.

Targeted compensations are calculated according to established standards, in the amount of:

■ **50 percent:**

- for people with Group I and II disabilities; people with Group I and II childhood disabilities; World War II participants and people closely related to war participants, etc.;

■ **25 percent:**

- for people with Group II general or professional disabilities; people with Group III childhood disabilities; people with Group III permanent disabilities, etc.;
- for single pensioners.

Nominal compensations are assigned according to the following norms:

- a) **for electric power payment** – based on the cost average monthly consumption of 60 kWh per meter;
- b) **for electric power payment in houses provided with electric stoves** – based on the cost average monthly consumption of 100 kWh per meter;
- c) **for central heating or natural gas heating payment** – based on the cost of heating of 30 m² of the total surface per nominal compensation beneficiary, whoever owns the apartment (house), and in case of single pensioners this compensation is calculated based on the cost of heating of 30 m² of the total surface per family;
- d) **for purchasing coal and firewood**, annually – based on the Government approved limit level of prices, in the amount of 50% of the cost of one ton of coal and 1 m³ of wood. If family members include several compensa-

tion beneficiaries the compensation is offered to each beneficiary whoever owns the house.

The Government establishes specific amounts of targeted compensations based on current tariffs and prices for public utilities, electric power, coal and firewood, and adjusts (modifies) them according to changes of the said tariffs and prices.

Targeted compensations are paid for the previous month by "Banca de Economii" S.A.:

- **for coal, liquefied gas, wood** – in cash;
- **for heating and electric power, natural gas, hot water and other public utilities:**
 - a) immediately upon payment of public utilities at "Banca de Economii" S.A. without receipt issue or in cash upon presenting receipts confirming payment of public utilities for the period for which nominal compensations were assigned;
 - b) through clearing house check issue in cases when payment is made at other financial institutions and at "Posta Moldovei" State Enterprise.

Service payment receipt or compensations in cash are issued to:

- the person entitled to compensations **or**
- the person holder of power of attorney issued by compensation beneficiary and properly attested by a notary or the local council secretary (mayor's office secretary). The power of attorney is necessary only in cases when nominal compensations are paid in cash. Period of validity of the power of attorney should not exceed 6 months.

In cases when **the cost of actual service consumption is lower** than the amount of nominal compensations "Banca de Economii" S.A. will pay the rest of compensation to beneficiaries in cash.

In cases when **service providing enterprises do not supply heat energy and hot water within the heating season** nominal compensations for these services shall be paid to beneficiaries in cash, regardless of past debts, based on document confirming lack of services within the corresponding month.

Compensations are paid whether or not the beneficiary is the main apartment tenant or house owner. In cases when the beneficiary is not the house (apartment) owner, the house (apartment) owner is also included into prepared lists, with indication of their tax code or passport series and number.

In cases of changed place of residence nominal compensations at the new place of residence are assigned from the month following the one when nominal compensations at the old place of residence were cancelled, but no more than 6 months. Otherwise, nominal compensations are established from the month when all necessary documents have been presented. When applying for assignment of nominal compensations at the new pace of residence it is necessary to annex a certificate (issued by territorial social insurance authorities) indicating

the period for which nominal compensations were assigned at the previous place of residence.

1.2.3. FUNDS FOR POPULATION SOCIAL SUPPORT

The Republican Fund for Population Social Support was created to provide financial support to socially vulnerable pensioners (priority given to disabled, lonely and older people), other incapacitated people and families with children.

Local Funds for Population Social Support carry out their activity alongside the public administration authorities of the second-level administrative-territorial units and of Balti municipality. Local funds provide citizens in need with financial assistance at their place of residence.

Resources of the Republican Fund and local funds in the form of money or material goods are used to satisfy people's need for food, essential industrial supplies, medicine and protective orthopaedic devices, to pay for healthcare services, as well as to cover expenses of social canteens related to provision of their services. Financial assistance is distributed according to regulations approved by the Government.

The right to material assistance can also be obtained by other socially vulnerable people in cases of serious illness or in exceptional situations (natural disasters, accidents, armed conflicts, environmental disasters, fires, epidemics etc.) that they cannot overcome by themselves.

In order to obtain financial assistance a person applies not to the Territorial Office of Social Insurance, but to the executive administration of the population social support fund at their place of residence and presents supporting documents.

The Republican Fund for Population Social Support carries out its activity alongside the Ministry of Social Protection, Family and Child, National Bureau of Statistics, and state authorities of the second-level administrative-territorial units and of Balti municipality.

The Republican Fund for Population Social Support carries out its activity alongside the Ministry of Social Protection, Family and Child.

■ **Address:** 6th floor, 1 Vasile Alecsandri Street, Chisinau Municipality, MD-2009, Republic of Moldova. Tel.: (0 22) 28-61-92.

1.2.4. HUMANITARIAN AID

Humanitarian aid is provided to pensioners, disabled and ill persons, as well as to other beneficiaries in the form of goods, non-refundable financial assistance, donations, works and services provided by foreign donors, etc.

The following bodies manage and coordinate the receipt and distribution of humanitarian aid:

- a) Agency for Material Reserves, Public Procurement and Humanitarian Aid;
- b) Interdepartmental Humanitarian Aid Committee;
- c) Territorial humanitarian aid committees;
- d) Specialized committees.

Territorial humanitarian aid committees take stock of provided humanitarian aid and monitor their distribution and use, select humanitarian aid beneficiaries and present quarterly reports on distribution of received humanitarian aid. President of the territorial humanitarian aid committee is vice president of the local public authority.

1.2.5. SOCIAL ASSISTANCE CANTEENS

Social assistance canteens are founded by local public authorities and provide free services to socially vulnerable people.

Beneficiaries of services rendered by social assistance canteens are socially vulnerable people with a monthly income for the previous year of not less than **1** and not more than **2 minimum old age** pensions. They are:

- people who have reached retirement age:
 - without home;
 - without legal representatives;
 - without income or receiving low income;
- disabled;
- children younger than 18 from families considered socially vulnerable.

The right to services of social assistance canteens is granted by the Mayor's decision based on the following documents:

- standard application addressed to the mayor of the village (commune), town (municipality), or to Pretor (praetor) (within Chisinau municipality);
- copy of ID card (passport);
- copy of certificate on household composition issued by the mayor's office, or extract form the house register;
- copy of certificate of divorce;
- copy of the applicant's medical certificate confirming that they do not suffer from contagious diseases;
- other documents that confirm the applicant's socially vulnerable situation (certificate from the mayor's office confirming that the applicant does not own land or, if they do own land, it does not generate income due to natural disasters or for other serious reasons; etc.).

Social survey of the person applying for services provided by social assistance canteens is filled in by a representative of the mayor's office in cooperation with

specialists of social assistance and family protection departments (general directorates for social assistance) based on the application and submitted documents. Following the evaluation experts establish the applicant's right and period of using services of the social assistance canteen. The representative of the mayor's office informs each applicant of the results of social survey evaluation.

The right to services of social assistance canteens is awarded by the mayor's order based on the social survey. Lists of people who benefit from services of social assistance canteens are made up by territorial social assistance authorities in cooperation with representatives of veteran organizations and other community-based organizations approved by Mayor's offices.

Eligible people may benefit from services of social assistance canteens for a **maximum period of 30 days per quarter (120 days annually)**.

Services provided by social assistance canteens include:

- a) daily cooking and serving a meal per person (usually lunch);
- b) supplying at the canteen's premises, on a paying basis, basic food products at their purchase price;
- c) free food delivery to people's homes (for certain people);
- d) cooking and distributing food to mobile service centres.

The daily amount of food per person at the social assistance canteen is established by the local council together with management of the social assistance canteen.

1.2.6. RESIDENTIAL CARE FOR OLDER PEOPLE

Family care is considered more efficient.

Institutionalization is applied only in exceptional cases.

(art. 11 of the Law on Social Assistance No.547/25.12.2003)

Loss of rights to housing is, unfortunately, possible and can happen for several reasons, whether or not by fault of the older person. In such situations chances to obtain new accommodation are very small and depend mainly on the financial possibilities of the person left homeless. Certainly, the best solution is when the person is able to buy another dwelling or is accepted to live with relatives or friends. Unfortunately, priority-based provision of dwelling space to older people who have lost their homes is not guaranteed by law. In such situations an older people's home is the last solution for certain people left homeless.

Homes for older people is an option for older people left without home or who cannot continue living in their own home because their health condition does not allow them to take care of themselves.

Older people's Home is a social assistance institution for pensioners and disabled people. The Older people's Home carries out its activity based on Standard

Regulations approved by the government's Decision No. 1500/31.12.2004. The Older people's Home provides care, rehabilitation and medical and social assistance according to personal physical, clinical, social and spiritual needs of older people:

- accommodates older people;
- provides older people with clothing and footwear;
- provides food and medical treatment to older people according to current physiological and financial norms and their state of health;
- organizes care and healthcare services;
- provides older people with acoustic and optical aids, protective orthopaedic devices and wheelchairs;
- organizes leisure for older people;
- organizes and ensures performance of funerals of those who do not have relatives.

Beneficiaries of the home for older people can be citizens of the Republic of Moldova from among older and disabled people lacking family support who need assistance from the community and provision of medical and social care services at home or at the home for older people. The home for older people shall not accommodate people suffering from mental health, alcoholism, drug addiction, toxicomania, tuberculosis and other disorders that require treatment in specialized institutions.

Selection of people who need to be placed at the home for older people is done by territorial offices and departments for social assistance and family protection in cooperation with the social assistant from the mayor's office, family physician and local public authorities. First the social assistant familiarizes selected people with placement requirements for older people's home. Based on petitions from offices and departments for social assistance and family protection, selected people are distributed to institutions.

In order to be placed at the home for older people selected people must present the following documents at the given institution:

- application;
- petition by the territorial authority for social assistance and family protection;
- the person's identity document;
- medical record;
- medical consulting committee's conclusion;
- house register.

The older person concludes an agreement with the home for older people that stipulates the rights and obligations of the parties, namely:

- share of the person's own income (pension, allowance) given to the home for older people to cover the costs of staying at the home for older people;

- rights and obligations of the home for older people;
- rights and obligations of the person placed at the home for older people;

The older person's relatives who for some reason cannot provide them with the care they owe to their parents, brothers etc., can conclude a notary attested agreement with the home for older people through which they assume the responsibility to pay the monthly cost of keeping the person at the home for older people.

The person placed at the home for older people has the right to:

- deposit money and other goods at the bank;
- receive information on their state of health;
- terminate their stay at the home for older people.

Discharge from the home for older people is done through submission of a personal application or by director's order, at the suggestion of the home for older people management. In case of discharge from the home for older people the person is returned their identity document, documents confirming the period of their stay at the home for older people, house register and all property that was loaned to the home for older people. The discharged person is also given underwear, clothing, and footwear (if they have lived at the home for older people for at least one year).

In case of the person's death the home for older people is responsible for funeral organization.

1.2.7. FUNERAL GRANT OR ALLOWANCE

Funeral Grant is provided:

- *in case of an insured person's death* funeral grant is paid in the amount annually fixed by the Law on the state social insurance budget. In 2008 the allowance will be 800 lei in case of death of a pensioner of the public social assistance system, of an unemployed person, as well as a member of their family supported by them or a person with the total minimum employment record of 3 years.
- *in case of an uninsured person's death* funeral grant is paid in the amount of 600 lei on condition that none of their family members are entitled to a survivor pension from the public social assistance system for the deceased.

Funeral grant is paid to the person who has borne the funeral costs – family member, guardian, tutor or any other citizen who has born financial expenses. To obtain the allowance the said person addresses the Territorial Office of Social Insurance at the deceased person's place of residence with the following documents:

- the applicant’s identity document (original or copy) or some other document that replaces the identity document;
- death certificate (original and copy);
- documents that confirm the amount of funeral costs.

1.2.8. OTHER FORMS OF SOCIAL SUPPORT

Indexation of individual deposits with the „Banca de Economii” is performed in compliance with Government decisions that stipulate age categories of “Banca de Economii” depositors entitled to receive the indexation amount. In 2007 the right was awarded to people born before and in 1943.

Long-term preferential credits are given to students of state institutions of higher education if they are supported by old age pensioners. Credit terms are the following:

- students are aged 18 to 40;
- students are accepted into the higher education institution with a minimum average grade of 8 or who have finished the academic year with such a grade;
- students do not have academic debts;
- students do not have their own income;
- the student’s legal financial provider is a retirement pensioner.

Social grant is given to students at institutions of higher education, secondary specialized education, secondary professional education, and to postgraduate students, whose parents are both pensioners.

1.2.9. THE MAIN NORMATIVE ACTS ON SOCIAL ASSISTANCE

■ **Law on Social Assistance No.547-XV of 25.12.2003;**

■ **Law on Special Social Protection of Certain Categories of Population No.933-XIV of 14.04.2000;**

■ **Law on Republican and Local Funds for Population Support No. 827-XIV of 18.02.2000;**

■ **Law on Social Assistance Canteens No.81-XV of 28.02.2003;**

■ **Law on Humanitarian Aid Provided to the Republic of Moldova No.1491-XV of 28.11.2002;**

■ **Law on the Indexation of the Citizens’ Savings in the Savings Bank No.1530 of 12.12.2002;**

■ **Law on Additional Social Protection of Certain Categories of Population No.121-XV of 03.05.2001;**

■ **Government Decision on Targeted Compensations for Certain Categories of Population No.761 of 31.07.2000;**

■ **Government Decision on approving the Standard Regulations on Social Assistance Canteens No.1246 of 16.10.2003;**

Note: Presently, a new draft law on social assistance is being developed and presented to the Parliament. It stipulates reform of the social assistance system. At the first stage, targeted compensations shall be gradually annulled. Vulnerable families shall be provided with social assistance based on the assessment of the family's total monthly average income and need for social assistance.

Subchapter 1.3. Health Insurance of Pensioners

1.3.1. THE MANDATORY HEALTH INSURANCE PROGRAMME “UNIQUE”

The Government provides health insurance for unemployed pensioners, which means that older people benefit from free healthcare services within the limits of services guaranteed by the mandatory health insurance system.

The mandatory health insurance policy guarantees that the holder will benefit from health care services.

In cases when the insured person loses the insurance policy they must inform the Territorial Agency of the loss so that a new policy can be issued to them.

The Programme “Unique” is a complex document annually updated and approved by the Government. The Programme «Unique» stipulates the amount of healthcare assistance provided within the mandatory health insurance program.

Family physicians and medical institutions must follow the Program in providing healthcare services to insured people and can offer you competent advice taking into account each patient's individual needs. The Programme «Unique» includes:

- **list of diseases and disorders** that require medical assistance financed through the mandatory health insurance program;
- **types of healthcare services** in case of diseases and disorders included into the approved list (emergency assistance at the pre-hospital stage; primary assistance; specialized outpatient care; dentist services; high performance healthcare services; hospital care; healthcare at home);
- **volume and conditions** of providing healthcare services;
- **list of insurance-covered drugs** for outpatient treatment of insured people, as well as other aspects of insured healthcare services.

Healthcare services beyond the Programme «Unique» can be provided through optional health insurance or after direct payments to healthcare service provider.

The list of drugs covered by the mandatory health insurance funds is approved by the Ministry of Health and Social Protection together with the National Health Insurance Company.

Family doctors must prescribe insurance-covered drugs only from those in the list.

Pharmaceutical services providers who have concluded contracts with the National Health Insurance Company on the issue of drugs covered by the mandatory health insurance issue insurance-covered drugs to the insured. In order to receive insurance-covered drugs the patient or their representative must present:

- valid prescription issued in strict accordance with approved regulations;
- identity document;
- mandatory health insurance policy.

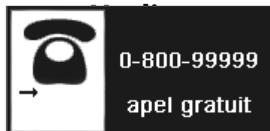
It is forbidden to replace the drug indicated in the prescription with another one. The patient or their legal representative signs the prescription form to confirm receipt of the insurance-covered drug. The patient pays part of the drug cost if necessary.

Annex 3 contains contact details of institutions within the system of health insurance management.

The Ministry of Health Hotline

0 800 71010

National Health Insurance Company



1.3.2. HEALTH REHABILITATION OF OLDER PEOPLE

There are certain benefits for older people related to illness prevention, health rehabilitation and rest covered by the state social insurance budget. Presently, purchase of sanatorium treatment vouchers with budget resources is available only to certain beneficiaries according to Veterans Law No. 190/08.05.2003:

- **every year** – disabled war veterans;
- **once in three years** – war veterans;
- **once in three years** – people with a minimum employment record of **30 years for women and 35 years for men**, if these people have been awarded orders and medals, hold honorary titles or decorations of the Republic of Moldova or the former USSR;

- **once in three years** – people with a minimum employment record of **35 years for women and 40 years for men**, whether or not they were awarded orders and medals.

These people receive free sanatorium treatment vouchers in the rehabilitation centres under the Ministry of Social Protection, Family and Children and other similar institutions.

Disabled war veterans can request cash compensation instead of treatment vouchers once in two years under conditions established by the Government.

Territorial Offices of Social Insurance issue treatment vouchers to eligible people, who need to submit the following documents in order to be registered:

- application;
- copy of passport (ID card);
- copy of work book;
- medical record of the standard form.

For proper use of the treatment voucher you should take into account the following:

- be sure to receive the sanatorium voucher form from your attending physician that should specify medical contraindications;
- be sure to use the voucher within the specified term;
- you cannot sell, exchange or pass the voucher to another person;
- treatment of two or more people by a single voucher is not accepted.

1.3.3. THE MAIN NORMATIVE DOCUMENTS ON HEALTH INSURANCE

- **Law on Protection of Health No.411-XIII of 28.03.95;**
- **Law on Mandatory Medical Insurance No.1585-XIII of 27.02.98;**
- **Law on Medicines No.1409-XIII of 17.12.97;**

CHAPTER II: LEGAL PROTECTION OF OLDER PEOPLE IN OTHER FIELDS

Subchapter 2.1. The Right of Older People to Work

Labour relations are regulated by the equality principle.

Any direct or indirect discrimination of an employee based on ...age, ...social origin,... handicap... is forbidden.

(art. 8 of the Labour Code of the Republic of Moldova 154/28.03.2003)

In the field of labour relations older people, like all other citizens of the Republic of Moldova, benefit from legal guarantees and liberties stipulated by the Constitution of the Republic of Moldova, Labour Code, and other national and international documents to which Moldova is a party.

Legal equality for all employees is a principle declared in legislation of the Republic of Moldova. Any discrimination based on criteria not related to the employee's professional qualities is forbidden.

According to these general principles we should remember the following:

- The employee's retirement age established by law (presently, 57 years for women and 62 years for men) does not constitute in itself a ground for that employee's dismissal.
- The employee who has reached retirement age has the right to resign. The resignation must be accepted by the employer on the day indicated by the employee.
- The employee's reaching the age of 65 years represents a ground for terminating the contract of employment with heads of state units.

Veterans of work – people who have been awarded orders and medals, or honorary titles of the Republic of Moldova or the former USSR, or departmental decorations, and have a minimum employment record of **30 years for women and 35 years for men** have a number of benefits. Thus, the Veterans Law No. 190/08.05.2003 stipulates among other things:

- tax allowances according to provisions of the Tax Code;
- preferential healthcare services;
- free sanatorium treatment vouchers once in three years to rehabilitation centres of the Ministry of Labour and Social Protection and to other similar institutions;
- free provision of prosthetics, crutches, orthopaedic shoes, wheelchairs and other, according to medical prescriptions;
- priority issue of drugs from sets of humanitarian aid;
- priority placement in institutions and home care services;
- priority provision of services in social institutions, public catering institutions, public household enterprises etc.;

- free visits to the National Museum of Fine Arts, National Museum of History, National Museum of Ethnography and Natural History, Museum of National Army;
- priority registration in housing associations, cooperatives for construction and maintenance of collective garages, of transport parking and technical service stations, in horticultural associations, in purchasing construction materials for individual dwellings and summer villas etc.

People who are not veterans of work but have a minimum employment record of 35 years for women and 40 years for men benefit from free sanatorium treatment vouchers once in three years to rehabilitation centres of the Ministry of Labour and Social Protection and to other similar institutions.

Working older people receive benefits for taking care of grandchildren:

- A grandparent can benefit from partially paid child care leave.
- A grandparent directly responsible for child care has the right to an additional unpaid child care leave if the child is aged 3 to 6, keeping the job (position). They can work part-time or at home.

At the same time, people who meet the retirement requirements do not benefit from guarantees stipulated for the unemployed and for professional integration:

- a person who has reached legally stipulated retirement age cannot have unemployed status and therefore is not entitled to receive unemployment benefit, professional integration or reintegration allowance;
- payment of unemployment benefit, professional integration or reintegration allowance stops on the day when the person starts to meet legal requirements for retirement.

People who consider that their right to work or an associated right is violated can address:

- The trade union;
- The rayon or town Territorial Labour Inspectorate at their place of work;
- The court.

Labour Inspectorate (central body): Labour Inspectorate is subordinate to the Ministry of Economy and Trade. The Labour Inspectorate performs state control of compliance with legislative documents and other normative acts in the field of labour law.

Address: Office 411, 17/2 Miron Costin Street, Chisinau Municipality

Contact telephones: reception – (0 22) 49-94-00; fax: (0 22) 49-94-01.

Besides working as employees older people have the right to carry out business activity as established by law:

- create a **business** with the statute of a legal person;
- become registered as an **individual entrepreneur**;
- acquire a **business license** in the order stipulated by law. Pensioners benefit

from a 20% reduction of the business license fee. The license is issued by:

- the territorial fiscal inspection within whose competence the applicant's place of residence is or the proposed activity shall take place;
- the mayor's office within whose area of administration the applicant wishes to carry out licensed activity.

■ **Labour Code of the Republic of Moldova 154/28.03.2003** is the main law that sets forth guarantees and privileges for older people in the field of labour.

Subchapter 2.2. Family Care for Older People

The legislation of the Republic of Moldova stipulates principles of solidarity and mutual support within a family. Thus, the legislative regulations on parental obligation to support their children are followed by reciprocal obligations to older people in need of financial support.

Spouses must ensure mutual financial support. In case where one of the spouses refuses to provide voluntary support or support based on a contract on payment of maintenance allowance, one spouse can file a complaint to court against the other spouse to request collection of the allowance if the spouse is incapacitated (has reached retirement age or has a Group I, II or III disability) and needs material assistance.

Maintenance allowance is paid to the incapacitated spouse only if the latter does not have their own sufficient income, and the other spouse is able to pay the allowance.

The right to receive maintenance allowance from a former spouse through court is also given to a former spouse who has become incapacitated within marriage or within a year after divorce and needs material assistance.

If spouses have been married for a minimum period of 15 years, the right to receive maintenance allowance from a former spouse through court is also given to a former spouse who has reached retirement age within a maximum period of 5 years from the moment of marriage dissolution and needs material assistance.

The court has the right to exempt one of the spouses (the former spouse) from the maintenance obligation or limit the obligation for a certain period.

Adult children able to work must maintain and care for their incapacitated parents who need material assistance. When such obligations are fulfilled in a natural manner, out of love and respect, it is not necessary to draw up any documents for this purpose. However, if an older person considers that their family does not offer them the necessary attention and material support, maintenance obligations can be established officially:

- Through contract on maintaining incapacitated parents, or
- Through decision of a court.

In case of serious disease or other circumstances the court can oblige adult children to help cover additional expenses necessary for the older person to overcome current difficulties.

A child can be exempted from the obligation to maintain their incapacitated parent if the court establishes that the parent has evaded fulfilling parental obligations towards the child.

Adult incapacitated sisters and brothers who need material support but cannot obtain it from their children or spouse (former spouse), or from parents, have the right to maintenance from their major able-bodied sisters and brothers who have enough resources.

Incapacitated grandparents in need of material support who cannot obtain it from their children or spouse (former spouse) are entitled to receive maintenance from their major able-bodied grandchildren who have sufficient financial resources.

Incapacitated stepparents in need of material support who cannot obtain it from their biological children or spouse (former spouse) are entitled to receive maintenance from their major able-bodied stepchildren who have sufficient financial resources. The court can exempt stepchildren from the obligation to maintain their stepparents if the latter have maintained and educated them for less than 5 years or have not fulfilled their obligations.

Contracts on payment of maintenance allowance can be concluded in writing and attested by notary. Failure to meet these requirements leads to contract nullity (cancellation). A contract on payment of maintenance allowance can be amended or terminated any moment by mutual agreement of the parties. Amendment must be attested by notary. Unilateral amendment of contract on payment of maintenance allowance or unilateral refusal to execute the contract is not allowed.

Disputes related to payment of maintenance allowance are settled by court.

■ **Family Code 1316/26.10.2000** is the main law that establishes obligations of family members to support and care for older people.

Subchapter 2.3. Guardianship and Tutorship over an Older Person

Old age brings daily changes of all kinds into an older person's life, and it is important that older people be conscious of the changes that arise and gradually adapt themselves to a different way of life. Old age in itself is not a reason to restrict a person's independence and freedom, from all points of view. This restriction can only be applied in cases and in the order stipulated by law, and only in the interests of the older person. In this respect we thought it appropriate

to present briefly certain legal provisions of guardianship and tutorship over an older person.

2.3.1. GUARDIANSHIP OVER AN OLDER PERSON

Only the court can declare an older person incapable if as a result of a mental disorder (mental disease or deficiency) the person cannot fully understand or cannot control their actions. Such person is subject to guardianship.

The legal process of declaring an older person incapable can be initiated at the request of family members, close relatives (parents, children, brothers, sisters, grandparents) or of the guardianship authorities, mental institution (psycho-neurological hospital), or the prosecutor.

A court decision through which a person is declared incapable serves as grounds for the guardianship authorities to assign a guardian for the person.

Guardianship means that the person declared incapable does not have the right to conclude (sign) legal documents (contracts and other documents) on their own. All these documents are concluded by the guardian instead of the incapable person.

Guardianship over a person is cancelled by a court decision. If causes that have led to an older person being declared incapable have disappeared, the court declares the older person capable.

Guardianship duties are fulfilled for free. The guardian has the right to ask for compensation for all expenses relating to fulfilment of guardianship duties.

2.3.2. LEGAL INCAPACITY OF AN OLDER PERSON

Only the court can declare legal incapacity of an older person if this person abuses alcohol or uses drugs or other psychotropic substances thus, worsening the financial situation of their family. Such person is subject to tutorship. In this case the person has the right to sign legal documents related to their property, receive and dispose of the salary, pension or other types of income only **with the tutor's consent**.

The legal process of restricting an older person's legal capacity can be initiated at the request of family members, the prosecutor or the guardianship authorities.

A court decision through which a person's legal capacity is limited serves as grounds for the guardianship authorities to assign a tutor for the person. The decision must mention the activities and legal documents in fulfilment of which the person's legal capacity is limited.

Tutorship is cancelled by a court decision if the causes that have led to a person's legal capacity being limited have disappeared.

Tutorship duties are fulfilled for free. The tutor has the right to ask for a compensation of all expenses relating to fulfilment of tutorship duties.

2.3.3. GUARDIANSHIP IN THE FORM OF PROTECTION

Guardianship in the form of protection is established over older people with full legal capacity whose health condition prevents them from exercising and protecting their rights and independently fulfilling their obligations.

The guardian (tutor) is assigned by the social assistance authority (guardianship authority) **with the older person's consent (if the latter's legal capacity has not been limited)**. **Guardianship in the form of custody is cancelled at the request of the older person** with legal capacity, and for other reasons stipulated by law.

The older person can issue a power of attorney/mandate that allows the guardian (tutor) to conclude legal documents and dispose of assets of the older person under guardianship in the form of custody.

2.3.4. GUARDIANSHIP AUTHORITIES

Guardianship authorities are represented by:

- a) Ministry of Social Protection, Family and Child – at the central level;
- b) Territorial directorates (departments) of social assistance – with regard to adult persons;
- c) Secretaries of local councils – in localities with no directorates (departments) of social assistance – with regard to adult persons.

Guardianship authorities supervise how the guardian (tutor) fulfils their duties.

Without prior permission of the guardianship authorities the guardian cannot conclude, and the tutor cannot allow the conclusion of legal documents that lead to reduction of property of the person placed under guardianship (tutorship):

- documents of alienation (including donation);
- documents of exchange or loan (rent);
- documents of free use or mortgage of property;
- legal documents through which the person under guardianship or tutorship gives up their rights;
- conventions on division of property or shares of property of the person under guardianship or tutorship, etc.

■ **Civil Code No.1107-XV of 06.06.2002** is the main law that in art.17-art.48 regulates the order of establishing and exercising guardianship and tutorship over adult persons, including older people.

Subchapter 2.4. The Right of an Older Person to a Dwelling

A permanent comfortable home is vital in any person's life. With older age this condition of human living becomes even more essential, and it is very important that every older person is aware of the risks that could lead to a loss of dwelling earned with a lifetime's labour, of actions to be undertaken to avoid such a situation, as well as solutions for critical situations when an older person does not have a place to live or cannot live alone anymore.

In this chapter we have considered it appropriate to approach the following main aspects:

- Obtaining the property right to a dwelling and land plot;
- Maintenance of the property right to a dwelling.

2.4.1. THE PROPERTY RIGHT TO ONE'S OWN DWELLING

Private ownership on dwellings and advantages of the housing property right are familiar to everyone. You may exchange a private (privatized) dwelling for another one; and in case the value of the dwelling you get for exchange is lower than the value of the dwelling you hand over, you may receive an extra sum of money for satisfying your needs. You may rent the whole dwelling or a part of it, and the money received will increase the budget for your current needs. You may sell a private dwelling if you do not need it, and the money received will help you to overcome difficulties of old age. Finally, you may give private dwelling to beloved members of your family or dispose of your private dwelling in any other way, at your discretion.

Certain older people still have no private ownership on their own apartments, either by their own mistake or following advice of misinformed people or ill-wishers. Although private ownership is not obligatory (the state does not oblige you to private ownership on your apartment), missing this opportunity, provided by law, limits the freedom of disposing of the long-awaited apartment. In particular, relatives of the older person cannot inherit a non-privatized dwelling. In certain cases relatives who had taken care of the older person could not inherit his/her apartment only because they have no private ownership on it.

Authorities provided with the right to private ownership on housing include:

- a) Councils of Chisinau and Balti municipalities;
- b) the authorized body of the Executive Committee of the administrative territorial unity Gagauzia – on the territory of Gagauzia;
- c) rayon councils – in other localities of the republic.

These competent institutions appoint special housing privatization committees that undertake to make the necessary decisions within the process of privatization. Private ownership on housing is performed on contractual basis and

is completed with registration of the private property right in the immovable assets register at the territorial Land Administration Office in the corresponding locality. Depending on the number of persons who have private ownership on the apartment, it may belong to a single person (sole proprietor) or to several people, each having a share (percent or part) in their common apartment.

However, there are cases when older people have concluded a privatization agreement and attested it at the notary's, but failed to register it at the territorial Land Administration Office. We would like to draw your attention to the fact that only registration with the Land Administration authorities provides an absolute property right, which offers proprietors all the advantages provided by the law. If you are unaware of the property rights to your dwelling, you may inquire at your local territorial Land Administration Office whether your property right is registered.

We would like to draw special attention to private ownership on apartments (housing) from cooperative blocks built on proper funds of older people. In many cases, these people (members of cooperatives) have paid their share (cost of apartment) in full, but failed to have private ownership on the apartment. Remember: the fact that you paid the total cost of apartment in time and according to the fixed price long ago does not mean that you automatically became owner of the apartment. In order to become a true owner in compliance with the law, you must request management of the cooperative to provide you with a document confirming full payment of the amount, register your property right to the apartment in the immovable assets register and get the document certifying your property right. Otherwise, your rights to the non-privatized apartment will be limited.

2.4.2. THE PROPERTY RIGHT TO A LAND PLOT

Private ownership on land gives older people an opportunity to obtain private ownership over land plots adjacent to their house (dwelling), as well as other plots and to dispose of this property according to law (demise, sale, etc.).

■ **Older people from villages (including villages in suburbs of municipalities) obtain private ownership over:**

- agricultural plots obtained within the process of privatization;
- land plots obtained with the status of land plots adjacent to the house – dwelling related sector;
- land plots obtained with the status of land plots adjacent to the house – kitchen gardens.

■ **Older people from towns obtain private ownership over:**

- land plot adjacent to the private dwelling;
- part of the land plot adjacent to the dwelling house with a number of private apartments proportionate to area of the private apartment;
- land plots obtained with the status of garden-plot.

The property right to a land plot obtained in ownership is confirmed by the document certifying property right issued by the local public authorities (Mayor's Office) and must be registered in the immovable assets register, according to which the owner obtains all rights to his/her land plot. The process of transferring plots (agricultural, adjacent to houses) to private ownership is organized and governed by the local public administration authorities (Mayor's Office), which must issue documents certifying property rights.

Private ownership for *garden plots* may be obtained through purchase by members of gardening associations. Persons who wish to purchase a land plot should hand in an application at the Mayor's Office of the locality where the gardening association is situated. If required, the application is supplemented with documents confirming membership of the corresponding association. The Mayor's Office examines applications and makes a decision referring to sale and purchase of the garden plot. In cases when the application for purchase is rejected, the person may appeal to court. In cases when the application is approved, an agreement of garden plot sale is concluded.

You may ask what the price is and how convenient it is to pay this price for the garden-plot. In order to decide, it is necessary to initiate the process and find out the price fixed for your garden-plot, after which you may decide whether you wish to purchase the plot. However, you should take into account that you will be able to demise, sale or exchange this plot only if you own it due to purchase. The market price for this plot might be several times bigger than the private ownership price. However, certain older people do not pay proper attention to their rights and obligations within the cooperative and miss their opportunity to legalize the private ownership on the plot. In this context, we will cite the following example.

Case study:

The X family, husband and wife, both older people, owned a garden plot in the suburbs of Chisinau municipality, and as a result of neglecting certain obligations related to the plot they used they were excluded from the association (cooperative). They brought an action requesting annulment of the decision of the general meeting on their exclusion from the cooperative and obtained justice in the very first instance. However, the cooperative appealed the court decision, and after the second hearing the older people's request was rejected and the decision on their exclusion from the cooperative remained in force. Thus, excluded from the cooperative, these people lost their private ownership right on the plot they had used for 10 years. They would not have lost the land if they had private ownership on it, and they could obtain a considerable amount of money if they decided to sell the land at the market price.

In view of the above, we recommend older people to show interest and concern in order to enjoy their right provided by the law to own land plots, and appeal to reliable and competent persons who will help to obtain and protect this right.

2.4.3. MAINTENANCE OF THE PROPERTY RIGHT TO A DWELLING

Many people, especially older ones, believe that a residence permit, that is registration of the place (address) of residence (domicile) in their passport or identity card provides a guarantee that the corresponding person shall under no circumstances be deprived of this right for the residence permit, as well as of the right to live in the corresponding dwelling. We would like to mention that a residence permit is especially important for participating in obtaining housing rights. In this context, we will cite an example.

Case study:

Mr. X., an older person, is the main tenant of a non-privatized apartment, where he resides together with his son and daughter-in-law. 10 years ago Mr. X., being seriously ill, left to live with other people in another apartment, where he was provided with the necessary care. His son and daughter-in-law applied to the court, by decision of which Mr. X lost his right to the dwelling where he resided on the grounds that he had been away from that dwelling for more than 6 months. Mr. X. appealed to the court and his right was restored by the court decision. Thus, if the given person had not won the lawsuit it would have been impossible for him to claim rights on housing due to the lack of a residence permit.

Despite the fact that a residence permit is of certain practical importance for maintaining property rights to a dwelling, from the legal point of view there is a great difference between the residence permit and the property right to a dwelling. In order to have full property rights to a dwelling, one must be the legal owner of the dwelling in which he/she resides. For a better understanding of this statement we shall cite a specific, real and very sad example of what happened to an old lady.

Case study:

Mrs. X. together with her husband obtained private ownership on the apartment they lived in. After her husband's death the woman remained alone. Her son, a businessman, borrowed a large amount of money that he could not pay back in time, so he asked his mother for help. The old lady, as any mother, could not leave her son in trouble and agreed to help him. They decided to sell the apartment and to return the money, and the buyer, who was a close relative of the family, promised he would not annul the lady's residence permit and would allow her to live in the apartment for the rest of her life. However, after a while, the new owner asked the lady to leave the apartment that now fully belonged to him. The lady's son had moved away by that time, and she addressed lawyers, prosecutors and judges. This process requires a lot of money and time and no one can guarantee that she will return to the home that she has given away by her own free will.

We believe that the number of such cases would be much smaller if older people, before signing certain documents, took elementary precautions and consulted

reliable sources about the essence and consequences of a legal document related to their dwelling they intended to sign. It is natural to trust your acquaintances, relatives and friends who give you a piece of advice, but it is also natural to consult a skilled lawyer who will provide you with complex information about advantages and risks of certain measures related to your dwelling.

In **subchapter 2.7**, you can learn about the most common legal documents and contracts concluded by older people to hand over their dwelling and other property to third persons.

■ **Law on Private Ownership on Housing Fund No.1324-XII of 10.03.93** is the main law that regulates the right and the procedure of receiving private ownership on apartment.

■ **Land Code No.828-XII of 25.12.91** is the main law that in art.11 establishes the right to private ownership on land plots adjacent to dwelling houses.

■ **Law on Normative Price of Land and Procedure of Sale and Purchase of Land No.1308-XIII of 25.07.97** is the main law that in art.7 stipulates the right and the procedure of obtaining the private ownership on garden plot.

Subchapter 2.5. Tax Liabilities of an Older Person

Tax liabilities of an older person: In principle, an older person may be an income tax payer like any other person, if during the year he/she receives income the amount of which is taxable in compliance with the law. For example, an older person may receive income from a business, from dwelling rent, salary, etc. In this context, we may only say that not all incomes of older people are included in gross profit on the basis of which income tax is rated. Thus, for example:

- Gross profit **does not include** pensions and other social assistance benefits and compensations.

Liabilities related to real estate tax: Older people are obliged to pay real estate tax. However, people of pension age, disabled people of Group I and II and other people are **exempt** from real estate tax on:

- land on which the housing is situated, on land plots adjacent to the house within the established limits, on buildings, constructions and apartments – within the cost of the immovable dwelling of up to 30 thousand MDL;
- on immovable designed for residence (apartments and private houses) in towns and municipalities, including from localities forming part thereof, except for villages (communities); **exemption** from real estate tax is provided within the limit of a certain amount that differs depending on the locality in which the immovable property is situated. Thus, for example, these amounts make up:
 - 380 000 MDL – in Chisinau municipality;

- 156 000 MDL – in Balti;
- 138 000 MDL – in Cahul;
- 122 000 MDL – in Comrat municipality;
- 53000 MDL – in Anenii Noi, etc.

Obligations of older people to pay the state social insurance contributions (social fund): This practice has changed several times, so that pensioners still ask whether they are obliged to pay compulsory state social insurance contributions. In this context, we will take into account the following:

- pensioners are not obliged to pay state social insurance contributions out of their money received as pensions established by the law on pensions in force, out of social insurance compensations, etc.
- pensioners who work at their own expense (individual entrepreneurs, founders of individual enterprises, lawyers or private notaries, etc.) are not obliged to pay the annual fee on individual insurance established for other people from the same category;
- pensioners who own agricultural land plots and process land individually are not obliged to pay the state social insurance contributions established for other people from the same category.

If you have questions about the way pensioners pay income tax, real estate tax or the state social insurance contributions, you should inquire at the territorial state fiscal inspectorate.

Subchapter 2.6. Succession to (Inheritance of) Property of an Older Person

What are small “secrets” of succession/inheritance and what should older people know about this issue? In different cases the individual interest of each person in this issue differs and depends on many circumstances. We shall cite only one real instance that demonstrates that older people need to be familiar with this issue.

Case study.

Mrs. X. had three daughters and she did her best to bring up and educate them. The youngest and the middle daughters used to live close to their mother, while the eldest daughter after having helped her mother bring up the two younger sisters moved away, but continued to support the family, including financially, especially since she had no children of her own. In 1993, after her husband's death, Mrs. X. thought it would be appropriate to make a testament in favour of her two youngest daughters, since the eldest one was doing well.

But the situation changed and the eldest daughter came back home after all. In about 10 years Mrs. X. fell ill suffering from a slight cerebral stroke. When she recovered a little the two youngest daughters asked their mother to donate 1/3

of the house to each of them, and Mrs. X. did as they asked. The eldest sister was not informed about this fact. Several months later after signing the donation agreements Mrs. X. had a second cerebral stroke and remained bedridden. When the doctors confirmed her unsteady condition the eldest daughter told the other two sisters that they should invite a notary, so that their mother could make a testament in equal favour of the three of them. However, this suggestion was not accepted by the youngest sisters.

Meanwhile, the lady's condition worsened and she was institutionalized again. The eldest sister invited a notary to the hospital where, in 2006, the ill woman made a testament naming her eldest daughter her only legal successor. Very soon Mrs. X. passed away. At the established time, the eldest sister received the inheritance certificate and found out that she inherited, in fact, 1/3 of the house, because the other two sisters had obtained their 1/3 each by donation.

Thus, it might seem that Mrs. X. did the right thing by all her three daughters. However, the two youngest sisters applied to court asking to annul the testament made in 2006 in the hospital. Thus, if the 2006 testament is annulled, the 1993 testament remains valid and the two youngest sisters will inherit the rest of the house, while their eldest sister will be left with nothing. If the 1993 testament had not existed and the 2006 testament was annulled, the part of the house left after the donation would have been equally divided among the three sisters by legal succession.

We cannot explain why Mrs. X had acted in this way. However, we consider that if she had known more about succession / inheritance and donation, the three sisters would not have beaten down the doors of the courts.

2.6.1. TESTAMENTARY SUCCESSION (INHERITANCE)

The present Civil Code provides **three forms of testament:**

- 1) **Holographic testament** is a document entirely written, dated and signed by the testator. This type of testament is new for the Republic of Moldova. It may be written by any person who can write without assistance of third persons, including witnesses; it ensures complete secrecy of the last will and may be easily annulled by destruction.
- 2) **Mystic testament** (secret) is a document entirely written, dated and signed by the testator, put in an envelope, sealed and presented to the notary. This type is new for the Republic of Moldova. It is rarely used in practice.
- 3) **Authentic testament** is a testament drawn up in an authentic form by the notary, secretary of the local council or another person authorized by law. This type of testament may be made by an illiterate person with the help of other people, such as the notary.

Notarized testaments are equal to **testaments attested** by:

- a) head physician, chief, their deputies on medical issues, doctor on duty in a hospital, another medical institution and sanatorium;
- b) chief or head physician of an home for older people for disabled people or invalids, in case the testator is undergoing medical treatment or resides in such an institution.

Natural portion is a compulsory part of a legacy provided by the law to certain persons, regardless of the testament content. Natural portion makes up at least **1/2** of the part an incapable person would have inherited in case of succession in compliance with the law. The right to reserve belongs to:

- **Incapacitated sons and daughters** of the deceased person, including adopted children.
- **Incapacitated husband/wife** of the deceased person, including pensioners.
- **Incapacitated parents (including adoptive parents)** of the deceased person, including pensioners.

Case study:

According to the testament **a certain person X** has the right to inherit property. The wife of the deceased person (pensioner) was not mentioned in the testament. In this case wife's rights are protected by the law. She will inherit at least 1/2 of the part that would belong to her in compliance with the law. In a case when wife is the only legal successor and there is no testament, she will have the right to inherit the whole property of the testator. By act of the law on **natural portion** the wife has the right to 1/2 of the legacy regardless provisions of the testament.

The testator may annul or change the testament at any time. In a case when a new testament is drawn up, the old one becomes invalid. The testament or its clauses may be annulled after the testator's death only by a court, at request of the legal successors and other interested persons who consider that the testament was drawn up illegally. **Civil action on invalidity of the testament or one of its clauses** may be brought within **one year** from the date of commencement of succession (date of testator's death).

2.6.2. LEGAL SUCCESSION (INHERITANCE)

Legal succession (inheritance) takes place when:

- the person who has left a legacy failed to draw up a testament;
- the existing testament covers only part of the whole heritable property, and in this case, the part uncovered by the testament will be inherited in compliance with the law;
- the existing testament was declared invalid by court decision;

- all successors mentioned in the testament refused the legacy, etc.

The law provides three “**classes**” or “**categories**” of successors:

■ **Successors of first category include husband/wife, parents and children of the deceased person**, including children who were born after commencement of succession. In a case when there are successors of first category, the whole property will be equally divided between these successors.

Attention! In a case when the deceased person’s child who has a right to succession is deceased by the moment of commencement of succession, the grandchildren of the deceased person will equally inherit the part that belongs to their deceased parent.

Case study: A person who had a son died on 31 December 2004. The son might have been a legal successor of first category, but he died on 1 December 2004. The deceased son had a child (testator’s grandson), who became legal successor instead of his father. If this grandson died between 1 December and 31 December 2004, the children of the deceased grandson (testator’s great-grandchildren) would have become legal successors.

A husband or wife may be deprived of the succession right by a court decision, if confirmed that, de facto, marriage with the testator had ended 3 years before commencement of succession and spouses had lived separately.

■ **Successors of second category include brothers, sisters, grandmothers and grandfathers of the deceased person** (both on mother’s and father’s line). Successors of this category receive access to legacy **only if there are no successors of first category** or, in a case when successors of first category either rejected the legacy or were deprived of their succession rights.

■ **Successors of third category include** collateral line relatives, that is, the testator’s aunts and uncles. Successors of this category receive access to the legacy **only if there are no successors of first or second category**, or if the successors of first and second category either refused the legacy or were deprived of their succession rights.

Succession (inheritance) is vacant, that is the legacy passes into the state ownership, when:

- a) there are neither successors by testament, nor legal successors, **or**
- b) none of the successors accept the legacy, **or**
- c) all successors are deprived of their succession right.

An inheritance certificate is issued to successors **after six months** from the day of commencement of succession. You should distinguish between certificate issue and acceptance, which shall be submitted **within 6 months** from commencement of succession. At the request of successors, the certificate may be issued by the notary before expiration of this term.

The term for inheritance certificate issue is not limited by the law.

■ **Civil Code No.1107-XV of 06.06.2002** is the main law that in art.1432-art.1575 regulates the rights and obligations of successors.

Subchapter 2.7. Conclusion of Civil Contracts Related to Property of an Older Person

Most frequently older people ask whether it is better to demise (leave) their house (apartment) and other property by testament or conclude a donation and other contracts during their life.

Our answer to this question will be as follows:

Each person, including an older person, who intends to take an important action related to his/her property earned during their whole life, should first get acquainted, at least in outline, with the several alternatives provided by the law; understand the peculiarities, advantages and disadvantages of each legal document, both from the transferor's and the recipient's points of view. Knowledge helps to make a rational decision, thus avoiding disputes and legal procedures.

Thus, in order to make a choice, an interested person should first consult several reliable sources about the contract (legal document) he/she intends to conclude. For a better understanding of the issue we shall provide brief characteristics of the most common contracts concluded by older people. Each type of contract is given a certain number of stars, showing which of the described contracts has, in our opinion, the biggest number of advantages from the point of view of older people's interests. However, this classification remains a relative one, since the best solution in a certain situation can be determined only personally.

CONTRACT FOR PROPERTY ALIENATION UNDER PERPETUAL MAINTENANCE

Based on this contract one party (the maintenance beneficiary) undertakes to give a movable or immovable asset to the other party (the recipient), **and the recipient undertakes to provide the maintenance beneficiary with in-kind support – housing, food, care and necessary assistance for life, as well as funeral.** A contract for property alienation under perpetual maintenance is concluded in writing. If the person transfers land plots, a house (apartment), etc. it is recommended to conclude a contract attested by a notary.

In a case when the recipient (the person who received the asset) fails to fulfil the obligation to provide maintenance, the person who transferred the asset (maintenance beneficiary) may request establishment of the obligation to provide maintenance in the form of periodical payments. The obligation to provide maintenance in the form of a sum of money may also be established by common consent of the parties. The obligations of the recipient (the person who received

the asset) may be established in compliance with the norms of rent described below.

The recipient (the person who received the asset) **cannot alienate the asset** during the transferor's life. If **a house (apartment)** was transferred, this restriction will be written in the immovable assets register. Pledge of the transferred asset is allowed only by consent of the transferor (maintenance beneficiary). **Upon death** of the transferor, the recipient (the person who received the asset) obtains all rights to the asset.

The transferor (maintenance beneficiary) **has the right to request termination of the contact** in case of non-fulfilment of contractual obligations by the recipient (the person who received the asset). In a case when the contract is terminated by the transferor (maintenance beneficiary), the latter has the right to request reimbursement of the transferred asset or the value thereof.

The recipient (the person who received the asset) **may request contract termination** in a case when contract obligations cannot be fulfilled due to certain circumstances that are beyond his will. **Upon death** of the recipient his/her rights and obligations pass to his successors. The value of the maintenance provided by the person who received the asset (recipient) should not be reimbursed.

RENT

This contract is based on the same principles as the contract for property alienation under perpetual maintenance. Rent is a contract on the basis of which one party (the tenant) undertakes to effect periodical payments, free of charge or onerously, to another party (the landlord). Rent may be paid either in money or in kind. Periodicity and terms of payments are determined by consent of the parties, taking into account the form of rent. Life annuity is paid in advance. Money-rent is paid in advance for 3 months unless otherwise provided by the contract. For other forms of rent the term of advance payment is determined depending on the nature and aim of the rent.

During the life of the tenant, the landlord cannot alienate, pledge or otherwise charge the assets transferred by the tenant without consent of the latter. Forced execution through charging these assets for other obligations of the landlord is prohibited. In a case when the tenant transferred an immovable asset, these restrictions are registered in the immovable assets register.

DONATION AGREEMENT

Under a donation agreement a person (the donor – the person who donated the asset) undertakes to donate his/her asset to another person (the donee – the

person who receives the asset) free of charge. If a person donates land plots, a house (apartment) etc. it is recommended to conclude a contract attested by a notary.

Donation of assets belonging to disabled people (incapacitated) **is prohibited**.

Donation in favour of owners, directors or employees of medical, educational, social assistance and other similar institutions from people who reside in these institutions, their spouses or relatives **is prohibited**.

Donation agreement may be concluded in many ways, depending on interests and understanding of the parties.

Promise of donation: Agreement may provide only a promise to donate an asset in future. This agreement must be attested by a notary. The donor (the person who transfers an asset) has the right refuse fulfilment of the promise to transfer an asset, if donation endangers his/her own adequate maintenance or fulfilment of his/her legal obligation to provide maintenance to other people. In this case, the donee (the person who receives the asset) cannot request reimbursement.

Conventional donation: Parties may agree that consequences of donation are conditioned on fulfilment of a task or achievement of an aim. Thus, the agreement may provide that the asset will pass into the donee's ownership only after fulfilment of a task requested by the donor. If the donee fails to fulfil the task, the donor may refuse (annul) the donation.

Donation agreement in the form of periodical payments: Donation agreement may provide the donee's obligation to provide material maintenance in the form of periodical payments to the donor. This obligation ceases upon the donor's death, unless otherwise provided for by the agreement.

!!! What do you have to know about termination (cancellation) of a donation agreement?

Annulment of donation or termination of a donation agreement is aimed at restitution of the donor's asset, if the latter requests reimbursement of the asset. However, if the donee refuses to return the asset, regress may be forced only by decision of a court that must decide whether there are legal grounds for honouring the donor's request.

Case study:

Mr. X., pensioner, concluded a donation agreement donating his only apartment to one of his grandchildren, but continued to live in the apartment because he did not have, in fact, anywhere else to go. After a while, Mr. X. realized that his grandson's attitude and behaviour differed from what he desired, so he demanded for the apartment to be returned. As his grandson refused to cancel the agreement, Mr. X. applied to the court asking to annul the donation. However, in the first instance the court rejected his request on lack of legal grounds. Mr. X. had to appeal to the Court of Appeal, which examined the case and accepted the

claim, ordering annulment of the donation. The grandson disagreed with the court decision and appealed to the Supreme Court of Justice.

We do not know how the story will end, but hope that Mr. X will return to his apartment. It was given so easily, but its restitution requires a great deal of walking, spending money and moral suffering. We should also take into account that restitution of the donated asset is not a simple formality. The law provides certain terms that empower the donor to request restitution of his asset. We should not forget that the donee might have sold the donation, and then restitution of the donated asset becomes extremely complicated. In this context, we shall briefly state certain legal norms regulating termination of a donation agreement.

■ **Cancellation of donation made during illness:** The person who concluded a donation agreement during an apparently terminal illness (believing themselves to be near death), may request termination of the agreement after his/her recovery.

■ **Cancellation of donation because of ingratitude:** A donation may be terminated (annulled) if the donee demonstrates base ingratitude toward the donor, that is, in a case when the donee demonstrates evident lack of gratitude for the offered donation:

- **attempts to take the donor's life** or the life of the donor's close relative;
- **commits** another illegal action towards the donor or the donor's close relative;
- **in a case when** the donee groundlessly refuses to provide adequate maintenance.

Cancellation of donation may take place only within one year after the moment the donor is acquainted with the ground for cancellation. Cancellation of donation cannot be initiated towards successors of the donee. Neither can successors of the donor initiate cancellation of donation (with several exceptions).

■ **Termination (cancellation) of a donor agreement in case of indigence:** If after donation the donor is unable to ensure adequate maintenance and fulfil his/her legal obligations to provide maintenance to third persons any more, the donor may request the donee to return the donated assets, still in his/her ownership. Request for restitution is inadmissible when the donor intentionally or through his/her fault provokes the state of indigence.

POWER OF ATTORNEY

Power of attorney is a written authorization given by one person (the represented person) to another (the representative) so that the latter might be able to sign certain documents, receive money and/or documents instead of the repre-

sented person, as well as perform other actions on behalf of and in the interests of the represented person. In particular, powers of attorney may be issued for:

- **Power of attorney for concluding (signing) any legal documents** (contracts) instead of the person who issues power of attorney. Such power of attorney provides the representative with almost unlimited powers. Therefore, the person who issues such a power of attorney should be familiar with the significance and consequences of signing such a document.
- **Power of attorney for concluding (signing) certain legal documents** (contracts) instead of the person who issues power of attorney. This power of attorney provides strictly limited powers and cannot be used by the representative for other purposes. For example, if you want another person to sign a purchase agreement instead of you, you should request this very authorisation to be reflected in your power of attorney as precisely as possible.
- **Power of attorney for collection of pension, effecting payments, etc.** The representative of the person who issues such a power of attorney shall be entitled to perform only those actions mentioned therein.
- **Power of attorney for representing in a court.** This power of attorney must describe powers in compliance with special requirements determined in Art.81 of the Code of Civil Procedure.

Power of attorney is valid within 3 years. For certain powers of attorney the law may provide a shorter period of validity. If the period of validity is not indicated in the power of attorney, it is valid within one year after its issuance. For example, a power of attorney for collecting pension may be issued for 6 months. After expiration of this period, other powers of attorney may be issued for the same period.

The person who issues a power of attorney may annul it at any moment.

Any contrary clause is invalid. The person who issues a power of attorney undertakes to inform about its annulment and termination the person to whom he/she issued the power of attorney, as well as other people who the representative intended to contract with (postal office at which pension is collected, Territorial Office of Social Insurance, etc.).

The person to whom a power of attorney is issued may refuse it at any moment. Any contrary clause is invalid.

!!!Take certain precautions related to the power of attorney you sign:

- Be attentive when reading the power of attorney you are going to sign or listen to the notary (secretary of the local council) who reads it. Be sure to request explanation if you have questions.
- Issue only powers of attorney for well-determined purposes – avoid general statements. In particular, make sure the power of attorney does not include

the authorization to sign legal documents (contracts), in a case when you do not intend to authorise your representative to perform such actions on your behalf.

- Make sure that the power of attorney does not authorize your representative to issue powers of attorney to other people (power of substitution), if you do not intend to provide this right.
- Be sure to annul the power of attorney in a case when you mistrust the person to whom you issued it.

■ **Civil Code No.1107-XV of 06.06.2002** is the main law that regulates the conclusion of legal documents (contracts, powers of attorney).

Subchapter 2.8. Older People's Rights within the System of Justice

This subchapter briefly presents older people's rights connected with their relations with public administration authorities, protection of their rights in court, notary services, etc.

Pensioners have the right to use old passports (1974 standard): These documents are valid for pensioners for an unlimited period, provided that these passports contain records as follows:

- record about citizenship of the Republic of Moldova and
- the state identification number of an individual (IDNP).

Notary fees for pensioners are reduced:

- *Fee for issuing inheritance certificates* is reduced by 50% if:
 - a) successor is a pensioner or a person with Group I or II disability;
 - b) the older person inherits the dwelling where he/she had lived at least one year before the death of the person who left the legacy, and continues residing there.
- *Fee is not collected for attesting the power of attorney for collecting pension, compensations, allowances, alimony, as well as for receiving indexations of the citizens' deposits with „Banca de Economii”.*

Public authorities, institutions and organisations undertake to grant preliminary petitions and claims of older people with a view to protecting their legal rights and interests:

■ *Petition* means any claim, complaint, proposal, notice addressed to the relevant authorities.

See Annex 4 for a model of a petition (claim). A petition (claim) is made in writing:

- By post. In this case we recommend you to send your petition by registered mail with confirmation of receipt. You should keep a copy of the sent peti-

tion and post office receipts (confirmation of receipt).

- By presenting your petition at the office (secretariat) of the institution. Present two copies of the petition and ask to write the date and registration number on your copy of the petition.

Petitions are addressed to authorities or officials whose terms of reference cover the granting these petitions. If the petition is covered by terms of reference of another authority, it is forwarded to this authority within 3 business days from registration of the petition, the petitioner being informed about it.

Petitions are examined by the corresponding authorities within **30 days**, and the ones requiring additional examination are examined without delay or within **15 days** from registration. In special cases the period of examination may be prolonged by the head of the corresponding authority for one month at the most, the petitioner being informed about it.

The petitioner is informed about the result of the examination in writing or orally, as agreed with him. Petitioners, who consider their rights infringed and disagree with the response of authority or official that examined the petition, are entitled, within **30 days**:

■ to put in *a preliminary claim* to higher authorities in compliance with legal procedure **or**

■ directly address to the administrative court in cases expressly provided by the law and in cases when the person's right is considered infringed because of failure to allow a claim within legal term or because of rejecting preliminary claim for acknowledgement of the required right.

A preliminary claim is put in within **30 days** from the day when the person learnt about the administrative act that infringed his/her rights.

A preliminary claim is examined by the issuing or superior body within **30 days** after registration, the decision being communicated to the petitioner at once, unless otherwise provided by the law. If the petitioner disagrees with the decision about the preliminary claim, he/she may appeal to court within **30 days**, unless otherwise provided by the law.

Older people enjoy some preferences within civil lawsuits:

- the right to choose a court authorized to examine cases related to restoration of the pension right;
- the right to request exemption from the state tax, etc.;
- the right of a witness to be heard at the indicated place of his/her location, in a case when he/she cannot be present in court due to health condition or old age;
- pensioners and disabled people with Group I, II and III disabilities may request reduction of fees for legal expertise, as well as scientific and technical ascertainment, necessary in civil lawsuits.

Older people face difficulties in drawing up a claim, representation in court sessions, obtaining legal advice, etc. in civil lawsuits, as well as in their relations with public authorities. This problem will be partially resolved by the implementation of the new Law No.198/26.07.2007 on state-guaranteed legal assistance. Until then, older people who must appeal to public authorities or court to protect their rights, but cannot afford themselves to consult a lawyer, might appeal to certain public institutions that are authorized and obliged to provide the necessary assistance by law.

- A **parliamentary lawyer** examines claims of citizens related to infringement of constitutional rights and freedoms, and has the right to recommend public authorities to take measures to restore the petitioner's rights, as well as to bring an action to protect interests of a petitioner whose rights were infringed. **Annex 5** presents information on the Centre for Human Rights.
- A **prosecutor** has the right to bring an action based on a written claim of an interested person if this person cannot apply to the court in person due to health condition or old age, as well in order to protect their rights.

**NATIONAL OFFICE OF SOCIAL INSURANCE.
TERRITORIAL OFFICES OF SOCIAL INSURANCE
HTTP://WWW.CNAS.MD/MD/CONTACT.HTM**

<i>Institution / Locality</i>	<i>Address</i>	<i>Telephone</i>
National Office of Social Insurance (NOSF) Consultation hours: 9:30-12:00; 13:00-16:00	Central Office 3 Gheorghe Tudor Str., Chisinau http://www.cnas.md/md/contact.htm e-mail: info@cnas.md	Hotline: 0 (22) 28-61-15 Reception desk: 0 (22) 72-57-97; Fax. 73-51-81
Chisinau municipality Botanica Sector	47 Titulescu Str., MD-2032	0 (22) 53-20-83
Chisinau municipality Buiucani sector	5 Alba Iulia Str., MD-2050	0 (22) 71-66-04
Chisinau municipality Centru sector	29 M. Eminescu Str., MD- 2012	0(22) 22-35-88; 0(22) 22-64-60
Chisinau municipality Ciocana sector	12a M. Manole Str., MD-2044	0 (22) 40-72-20; 0 (22) 40-72-23
Chisinau municipality Riscani sector	22/1 Renasterii Str., MD-2005	0 (22) 22-35-38; 0 (22) 22-22-17.
Rayons and towns		
Anenii Noi	4 31 August Str., 6500	Tel. 0(265)2-46-46 ; 0(265)2-31-92 ; Fax. 0(265)2-46-46
Balti	47 31 August Str., 3100	Tel. 0(231)2-25-48 ; 0(231)2-90-52 ; Fax. 0(231)2-25-48
Basarabasca	4 C Marcs Str., 6701	Tel. 0(297)2-17-55 ; 0(27)2-14-13 ; Fax. 0(297)2-17-55

<i>Institution / Locality</i>	<i>Address</i>	<i>Telephone</i>
Briceni	3 Independentei Str., 4700	Tel. 0(247)2-35-36 ; 0(247)2-28-42 Fax. 0(247)2-35-36
Cahul	3209, Republicii Ave., 6	Tel. 0(299)3-28-58 ; 0(299)2-28-42 Fax. 0(299)3-28-58
Calarasi	19 M. Eminescu Str., 4400	Tel. 0(244)2-37-24 ; 0(244)2-28-42 Fax. 0(244)2-37-24
Cantemir	2 Trandafirilor Str., 7301	Tel. 0(273)2-25-69 ; 0(273)2-32-16 Fax. 0(273)2-25-69
Causeni	9 A Mateevici Str., 4300	Tel. 0(243)2-20-71 ; 0(243)2-29-62 Fax. 0(243)2-20-71
Ceadir-Lunga	91 Lenin Str., 6101	Tel. 0(291)2-09-80 ; 0(291)2-29-62 Fax. 0(291)2-09-80
Cimisia	7 Sfinta Maria Str., 4100	Tel. 0(241)2-27-39 ; 0(241)2-28-97 Fax. 0(241)2-27-39
Comrat	177/2 Lenin. Str., 3805	Tel. 0(298)2-25-48; 0(298)2-28-97 Fax. 0(298)2-25-48
Criuleni	6101 Lenin Str., 91	Tel. 0(248)2-17-23 ; 0(248)2-15-94 Fax. 0(248)2-17-23
Donduseni	12 Comarov Str., 5100	Tel. 0(251)2-26-60; 0(251)2-28-97 Fax. 0(251)2-26-60
Drochia	15 Independentei Ave., 5202	Tel. 0(252)2-69-39 ; 0(252)2-69-40 Fax. 0(252)2-69-39

<i>Institution / Locality</i>	<i>Address</i>	<i>Telephone</i>
Dubasari	70 Renasterii Str., 4571	Tel. 0(248)5-24-84
Edinet	101 Independentei Str., 4601	Tel. 0(246)2-58-95 ; 0(246)2-26-86 Fax. 0(246)2-24-84
Falesti	9 M. Eminescu Str., 5902	Tel. 0(259)2-27-68 ; 0(259)2-25-75 Fax. 0(259)2-27-68
Floresti	2 Victoriei Str., 5000	Tel. 0(250)2-42-03 ; 0(250)2-42-03 Fax. 0(250)2-42-03
Glodeni	26 Stefan cel Mare Str., 4900	Tel. 0(249)2-25-48 ; 0(249)2-56-29 Fax. 0(249)2-25-48
Hincesti	123 M. Hincu Str., 3400	Tel/fax 0(269)2-58-01
Ialoveni		
Leova	35 Unirii Str., 6300	Tel/fax 0(263)2-32-73
Nisporeni	10 Chisinaului Str., 6401	Tel. /fax 0(264)2-37-98
Ocnita	47 Independentei Str., 7101	Tel. 0(271)2-13-89 Fax. 0(271)2-25-48
Orhei	36 Vasile Lupu Str., 3505	Tel. 0(235)2-25-48 Fax. 0(235)2-37-57
Rezina	1 27 August Str., 5400	Tel. / fax 0(254)2-29-91
Riscani	16 31 August Str., 5600	Tel. 0(256)2-39-69 Fax. 0(256)2-25-48
Singerei	11 Testimiteanu Str., 6200	Tel. 0(262)2-20-44 Fax. 0(262)2-25-48
Soldanesti	5 31 August Str., 2770	Tel. 0(272)2-38-93 Fax. 0(272)2-38-92
Soroca	20 Stefan cel Mare Str., 3000	Tel. 0(230)3-01-84 Fax. 0(230)3-01-64

<i>Institution / Locality</i>	<i>Address</i>	<i>Telephone</i>
Stefan Voda	31 Stefan cel Mare Str., 4201	Tel. 0(242)2-25-79 Fax. 0(242)2-35-02
Straseni	31 M. Eminescu Str., 3701	Tel. 0(237)2-20-39 Fax. 0(237)2-27-25
Taraclia	46 Sovetscaia Str., 7400	Tel. 0(294)2-30-54 Fax. 0(294)2-30-28
Telenesti	87 Renasterii Str., 5801	Tel. 0(258)2-50-13 Fax. 0(258)2-49-71
Ungheni	8 V.Lupu Str., 3600	Tel. 0(236)2-26-83 Fax. 0(236)2-69-92
Vulcanesti	103 Lenin Str., 5300	Tel. 0(293)2-32-87 Fax. 0(293)2-25-48

**PUBLIC SOCIAL PROTECTION AND ASSISTANCE AUTHORITIES
CENTRAL LEVEL**

MINISTRY OF SOCIAL PROTECTION, FAMILY AND CHILD

Ministry of Social Protection, Family and Child

<http://www.mpsfc.gov.md/md/prezentare/>

1 Vasile Alecsandri Str., Chisinau, MD-2009

tel.:(+0) 22 737572; 280792; fax:(+0) 22 737572

e-mail: secretariat@mpsfc.gov.md

Reception hours:

Minister – each second and fourth day of each calendar month,
from 14.00 to 19.00

Deputy Minister – each first and third day of each calendar month,
from 14.00 to 19.00

Deputy Minister – each second and fourth day of each calendar month,
from 14.00 to 19.00

TERRITORIAL LEVEL

**Municipal directorates of social assistance and rayonal departments of social assistance
and family protection, consisting of rayonal (municipal) councils**

LOCAL LEVEL

Local public administration authorities

organize provision of social assistance:

- analyze social problems, initiate examination and analysis of social situation on the subordinate territory, and basing on the received results and actual financial possibilities adopt and develop local strategies for supporting vulnerable persons and families, approve social assistance programs and control their realization, provide human, material and financial resources, necessary for resolution of urgent social problems;
- may establish, independently or in collaboration with representatives of the civil society, institutions and services specialized in social assistance;
- local council designates one social assistant or more by Mayor's Office.

HEALTH INSURANCE ADMINISTRATION SYSTEM

Ministry of Health of Republic of Moldova

2 Vasile Alecsandri Str., Chisinau, 2009

telephone/fax

+ 0 22 729907

+ 0 22 729838

+ 0 22 738781

GREEN LINE – Ministry of Health: **0 800 71010**

Individuals and legal persons may address their questions to the ministry

Secretariat: tel: 729838; fax: 738781; cancelaria@mednet.md

NATIONAL HEALTH INSURANCE COMPANY

12 Renasterii Ave., Chisinau municipality, MD 2005

e-mail:info@cnam.md;

Reception desk, tel.: 22 31 66 fax: 22 61 84

TERRITORIAL HEALTH INSURANCE AGENCIES

■ **CHISINAU TERRITORIAL AGENCY**

18 Vasile Lupu Str., Chisinau Municipality, MD-2019,

e-mail: atchisin@mtc.md,

General data Tel.: 59-37-91 FAX:59-37-26

■ **HINCESTI TERRITORIAL AGENCY**

238 Mihalcea Hincu Str., Hincesti town

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Director

269-22552

Deputy Director

269-22828

Coordinating specialist, representative in Cimisia rayon

241-22435

Coordinating specialist, representative in Leova rayon

263-22962

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Coordinating specialist, representative in Basarabasca rayon
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■ **ORHEI TERRITORIAL AGENCY**

81 Negruzzi Str., Orhei town, MD 3401; e-mail:atorhei@mail.ru
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Director
235-20768
Coordinating specialist, representative in Rezina rayon
254-23050
Coordinating specialist, representative in Soldanesti rayon
272-24181
Coordinating specialist, representative in Telenesti rayon
258-22840

■ **UNGHENI TERRITORIAL AGENCY**

17 Nationala Str., Ungheni town, MD 3600;
e-mail: atungheni@mail.ru
FAX:236-22758
Director
236-23948
Coordinating specialist, representative in Nisporeni rayon
264-22744
Coordinating specialist, representative in Calarasi rayon
244-20351

■ **BALTI TERRITORIAL AGENCY**

5A Nicolae Str., Balti municipality; MD 3100,
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Director
231-62816
Deputy Director
231-62899
Coordinating specialist, representative in Singerei rayon
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Coordinating specialist, representative in Glodeni rayon
249-22057 fax:249-22057
Coordinating specialist, representative in Falesti rayon
259-22058 fax:259-22058
Coordinating specialist, representative in Riscani rayon
256-23105 fax:256-22348

■ **SOROCA TERRITORIAL AGENCY**

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FAX:230-26418

Director

230-26418

Deputy Director

230-30244

Coordinating specialist, representative in Floresti rayon
250-22777

Coordinating specialist, representative in Drochia rayon

■ **CAUSENI TERRITORIAL AGENCY**

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Director

243-26503

Deputy Director

243-26122

Coordinating specialist, representative in Stefan Voda rayon
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■ **CAHUL TERRITORIAL AGENCY**

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Director

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■ **EDINET TERRITORIAL AGENCY**

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Director

271-22203

Coordinating specialist, representative in Donduseni rayon

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Coordinating specialist, representative in Edinet rayon

246-25087

Coordinating specialist, representative in Briceni rayon

247-23622

■ **COMRAT TERRITORIAL AGENCY**

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Director

298-26997

Coordinating specialist, representative in Ceadir-Lunga rayon

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Coordinating specialist, representative in Vulcanesti rayon

293-24750

■ **TARACLIA TERRITORIAL AGENCY**

5a Cotovschi Str., Taraclia town, MD 7400;
E-mail:attaraclia@mail.ru,

FAX:294-24142

Director

294-24142

ANNEX 4

Model of claim

Primaria of Mereseni village, Cahul rayon

Petitioner: Ciobanu Dumitru,
Mereseni village, Cahul rayon

CLAIM

for issue of a document certifying ownership of a 0.21 ha land plot adjacent to the house on 45 Rosiori Str.

The land plot adjacent to the house on 45 Rosiori Str. was given to my family in compliance with Art.82 of the Land Code of MSSR, in wording of the Law No.514-XII of 20.02.1991.

In compliance with Art.11 of the Land Fund, I request:

To issue the document certifying ownership of a 0.21 ha land plot adjacent to the house on 45 Rosiori Str. under the name of Ciobanu Dumitru.

Petitioner,

Ciobanu Dumitru

_____ 2008

**CENTRE FOR HUMAN RIGHTS IN MOLDOVA (CHRM)
HTTP://WWW.OMBUDSMAN.MD**

Contact data of CHRM

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