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## **G.O. no 26/2000 regarding the associations and foundations**

### **The NGO`s initiative of amending the legal framework**

#### ***Short history***

G.O. no 26/2000 regarding the associations and foundations was adopted in 2000 following the NGO`s initiative and represented a step forward considering the previous legal frame dating since 1921.

In 2003 the Romanian Government, without consulting the civil society, has amended the ordinance meaning that they introduced the necessity of initial advisory opinion from the resort ministry when building an association or a foundation. So, NGO`s have protested towards the adoption of the G.O. no 37/2003, the demands regarding the amendment of the legislative frame being victorious in 2005, after the parliamentary elections from November 2004.

#### ***Context***

The initiatives of the NGO`s have started in February 2005 by organizing a round table to which participated representatives of the Romanian Government, Parliament, diplomatic missions and also impotents leaders of NGO`s which brought on the public talking agenda the amendment of the legislation regarding the associations and foundations. The next period were organized numerous debates

both in the middle of the NGO`s and public central authorities (Ministry of Justice, Ministry of Culture, Department for Institutionalized Analysis from the Romanian Government) for the identification of changing proposals to correspond to the nowadays realities.

### ***Amendments***

The most important amendments adopted in July 2005 through Law no. 246/2005 following the NGO`s initiative related to:

- the elimination of the advisory act at building an association;
- making easier the procedure of building and changing an organization, an NGO, (minimum patrimony, the form of the statute and of the constitutive act or the changing process, if the case, the appointment of a censor);
- stating the statute of a branch and the clarifying of some aspects regarding the capacity exercise of branches;
- eliminating the provision referring to preferential access of public utility NGO`s to resources coming from local or central budgets;
- stating the destination of goods belonging to public utility NGO`s after being dissolved.