



EQPUVCPVKP"UVGTG"FGURTG"FTGRVWN"NC"RTQRTKGVCVG

Raisa GRECU,

fqevqt",p"ftgrv."eqphgtgp kct"wpkxgtukvct"*WUO+

Tgegp|gpv<"Gheorghe AVORNIC,"fqevqt"jcdknkvcv",p"ftgrv."rtqhuqt"wpkxgtukvct"*WUO+

SUMMARY

In this article some historical aspects of the development of the institute of law of property in Europe are shown. Numerous historical and modern examples of regulation of the institute of law of property on the constitutional level in some countries are shown.

U pwn"fkpvtg"ftgrvwtkg"eg"ko rnce "kpvgtgug"fg"qtfkp" o cvgtken."rg"n-pi "ftgrvwn"nc"nkdgtvcvge"kpfxkfwcn " k"egn"nc"kpakqncdknkvcvge"fq o keknknwkw".gzc o kpcv"fg"e vtg" Constantin Stere în Ewtuwn"fg"ftgrv"eqpuvkw kpcn. este dreptul la proprietate.

"Fg"nc"dwp",pegrwv"rtqhuqtwn"ogp kqpgc| "e "ceguvc" guvg"wp"ftgrv"kpqecv"fg"fgentc kc"ftgrvwtknqt"q o wnwk" k"egv gcpwnwk" k",p"urktkvw"ceguvgk"fgentc kk"wt o gc| " u "Łg",p gngu"ec"wp"ftgrv"pcvwtcn."ucetw" k"kpakqncdkn" Fkp"ceguv"hcrv."qrkpgc| "Eqpuvcpvkp"Uvgtg."tg|wnv "fqct" q"ukpiwt "eqpenw|kg"nqike <Łgectg"vtgdwkg"u "ckd "q" rtqrtkgvcv" k"cnkruk"rg"ekpgxc"fg"ceguvc",pugc o p "c" xkqnc"wp"ftgrv"ucetw" k"kpakqncdkn"

T o-p pf",pu ",p"eqpvkpwctg"pg, o r ecv"ew"vgqtkc" eqpvtecvwnwk" uqekcn."Eqpuvcpvkp" Uvgtg" eqpukfgt " e " rtqenc o ctgc" ftgrvwnwk",p" ecw| " u/c" ko rru" ec" wp" rtqvguv"eqpvte"uv tkk"xgejk"fg"nwtwtk" k"c"ug o pkŁecv" uh t-o ctgc",pit ftknqt"hgwfncg"fg"cnvhn.",p"xk|kwpgc" ucxcpvwnwk."ceguvc" guvg"wp"ftgrv"ec" k"vcvge"egngncvge" ftgrvwtk."p uewv",p" uqekvcvge." p uewv",p" uvcv" k." ec" qtkectg" ftgrv."pw" rqcvg" o gtig", o rqtvxc"kpvtgugnqt" fg"gzkuvgp "c"uqekgv kk",pvtgik"Rtqhuqtwn"uwu kpg"e ." ,p"rqŁfc"rqvwnvcvgnqt"vgqtkgk"eqpvtecvwnwk"uqekcn."q o wn" u/c"p uewv",p"uqekvcvge" k."fce "q"uqekvcvge"wt o tg vg" ueqrwn"cŁto tkk"kpfxkfwcnkv kk"q o gpg vk."ceguvc" guvg" k"wp" oklne"fg"rtqr ktg" c"uqekgv kk."ectg.",p" ec| " eqpvte."ct"Ł" fgr kv " k",pxkpu ",p"nwrvc"uc" rgpvtw" gzkuvgp ⁰²

"Eqpuvkw kc" Tq o -p k g k" fkp" cpwn" 3:88" eqp kpgc" pqt o g" tghgtkvcvge"nc" ftgrvwn"nc" rtqrtkgvcvge",p"e-vgxc" ctvkeqng"Rgpvtw",pegrwv"uwv" gzc o kpcvge"t-pf"rg"t-pf" rtgxfgtkng" fkp" ctv03;."ectg" uvrwnc" e " rtqrtkgvcvge" fg"qtkeg" pcvwt ." rtgew o " k"vcvge" etgep gng" cuwrte" uvcvwnwk."uwv"ucetg" k"kpakqncdkn" Pko gpk"pw" rqcvg" Ł"gzrtqtkc" fge-v" rgpvtw"ecw| " fg" wknkvcvge" rwdnke " ngicn o gpvge"eqpuvcv " k" fwr "q" ftgcrv " k"rtgncdkn "

fgur iwdktg"Rtkp"ecw| " fg" wknkvcvge" rwdnke "wt o gc| " c" ug",p gngig"pw o ck" eq o wpkec kwpgc" k"ucnwdtkvcvge" rwdnke ."rtgew o " k"nwt tkng"fg"cr tctg" c" tkk"Ngikng" gzkuvgpvg"rtkxkvcvge"nc"cnkpkgtgc" k"n tiktge"uvt |knqt"fg" rtkp"eq o wpg." rtgew o " k"nc" o cnwtkg" crngqt."eg"ewti" rtkp"u/cw"rg"n-pi "gng."t o -p",p"xkiqctg"Ngik"urkecng" xqt" tgiwnc" rtqegfwtc" k" o qfw" gzrtqrtkgtkk" Nkdgtc" k" pg, o r k g f k e c v c",pvtgdwkp ctg" c" t-wtknqt" p c x k i c d k n g" k" Łqvcdkng." c" qugnngqt." rtgew o " k" c" cnvqt" e k" fg" eq o wpkectg."guvg"fg"fq o gpkwn" rwdnke"

Hkfgn" rtkpekrknqt"ucng" fg" c" gzc o kpc" rtgxfgtkng" qtke twk"cev" k.",p" rtk o wn" t-pf." cng" Eqpuvkw kkg.",p" eqpvgzvwn" eqp k k n q t" kuvqtkeg" k" uqekqgeqpp o keg" fg" cfqrvtg" c" nqt." Eqpuvcpvkp" Uvgtg" c o k p v g" v g" e " v g z v w n" Eqpuvkw kkg" fg" nc" 3:88" c" hquv" cfqrvcv" nc" fqk" cpk" fwr ", o r t q r t k g v t k t g c" t c p k n q t" k" u w u k p g" e " c e g c u v " Eqpuvkw kg."fgent-pf"rtqrtkgvcvge"ucet " k"kpakqncdkn ." c" cxwv",p" xgfgtg." fg" hcrv." rtqrtkgvcvge" dqkgtgcue " k" c" e w w v" u " u v r w n g | g" i c t e p k k", o r q v t x c" p q n q t" , o r t q r t k g v t k t k 0 3" C Ł t o c k c" g u v g" c t i w o g p v c v " r t k p" h c r v w n" e " n c" k o g f k c v" w t o v q t w n" c t v 0 4 2" f k p" E q p u v k w k g" u g" r t g x f g t k n g" e " r t q r t k g v c v g e" f c v " t c p k n q t" r t k p" h g i g c" t w t c n " k" fgur iwdktg" ictcpvcv " rtqrtkgvctknqt" rtkp" cege" ngig"pw"xqt" rwwgc"Ł"pkekqfcv" cvkpuq" p"xk|kwpgc"nw" Eqpuvcpvkp"Uvgtg."rtqrtkgvcvge"fcv " t c p k n q t" r t k p" h g i g c" t w t c n " g u v g" f g l c" f g e n t c v " u c e t " k" k p x k n q c d k n " , p" x k t v w v g c" r t g x f g t k n q t" c t v 0 3; " f k p" E q p u v k w k g." e c t g" f g l c" f g e n t " r t q r t k g v c v g e" f g" q t k e g" p c v w t " u c e t " k" k p x k n q c d k n " 0" R t k p" w t o c t g." e q p e n w | k q p g c | " r t q h u q t w n." r t g x f g t k n g" c t v 0 4 2" f k p" E q p u v k w k g" c w" f t g r v" u e q r" i c t e p v t g c" f g u r i w d k t k n q t" r t q r t k g v c t k n q t" Q" c n v " f q x c f",p" h e x q e t g c" c Ł t o c k g k" u c n g" e w" r t k x k t g" n c" u e q r w n" t g e n" c n" u v r w n" t k n q t" e q p u v k w k a p e n g" E q p u v c p v k p" U v g t g" x g f g", p" c t v 0 3 5 4" f k p" E q p u v k w k g." e c t g" f k u r w p g" e " r o -p w w t k n g" h q" v k n q t" e n e c k." c n g", p u w t" g k n q t" k" c n g" n q e w k v q t k n q t." e c t g" c w" e w o r t e v" u c w" x q t" e w o r t e " , p" n q w t k" o k e k" r t q r t k g v" k" c n g" u v c v w n w k." u w p v" k" x q t" Ł



kpcnkpgcdkng⁰ 'p' pqt o c' kpxqecv " rtqhgquawn' xgfg' q' ng|ctg' c' ftgrvwnwk' fg' rtqrtkgvcvg' c' uwu/pw o k knqt' rtqrtkgvctk' fg' r o -pwwtk. 'ectg'ug'gzrtk o ',p',pit fktgc' ftgrvwnwk' fg' c' fkurwpg' nkdgt' fg' rtqrtkgvcvg⁰ k' fce " cegcuv ",pit fktg' guvg' fkevcv " fg' wp' kpvgtgu' cn' tkk. " cvwpek. "ug',pvtgcd " Eqpuvcvpk' Uvgtg. "e-v'g' fg' nqike' u " uwu kk' e " k'cnvg' igpwtk' fg' rtqrtkgvcvg' pw' r qv' L' uwrwug' wpqt' cpw o kvg' tging o gpv tk', p' kpvgtguwn' qd vkk' A' Ug' cxgc' ,p' xgfgtg. "h t " fqct' k' rqcvg. " rtqrtkgvcvg' dqkgtgcue . " kpenwuk' fgur' iwdtkng' ictcpvcvg' rtqrtkgvctknqt. "ectg'cw' hquv' fgenctcvg' k' o r cukdng' fg' qtkeg' cvkpiigtg' ,p' xktvwwgc' fkurq|k kknqt' ctv042' fkp' Eqpuvcvw kg⁰ Fg' cnvhn. t o -p- pf' qdkgevk' ec', p' qvfgewpc' ,p' cdqtf tkng' ucnng. " Eqpuvcvpk' Uvgtg' urwpg' ³ Pw' xqk' fkueww. " fce " eqpuvcvwcpvwn' pquvtw. " rtqenc o ,pf' kpcnkpgcdk' n' rtqrtkgvcvg' t pgcue . " c' h ewv' dkpg' ucw' pw⁰ Guv' kpgzcev. " e " gtc' ,p' ftgrv' u " hce " ceguv' nwetw' pw o ck' rgpvtw' rtqrtkgvcvg' t pgcue . " fct' gtc' ,p' ftgrv' u " kc' vqcv' fkurq|k kknng' ,p' eggc' eg' rtkxg' vg' rtqrtkgvcvg' fkp' rwpew' fg' xgfgtg' cn' rtqr' ktkk' pc kqpcngö⁵ " n' tgewpqc' vg o " ,p' ceguv' crtgekgtk' k' eqpenw|kk' rg' Eqpuvcvpk' Uvgtg' ó' o ctng' cr t vqt' cn' ftgrvwtknqt' t pk o kk. " ectg' ,p' cpcnk|c' o wvkrngnqt' curgev' cng' hwpe kq' tkk' ftgrvwnwk' nc' rtqrtkgvcvg' ug' ctcv' kpvgtgucv. " ,p' egc' o ck' o ctg' o uwt . " fg' ictcpvctgc' ftgrvwnwk' tgurgevk' rgpvtw' tpcp. " egk' o ck' fghcxqtk|c' k' o g o dtk' ck' uqekgv' kk. " fg' c' e' tq' uqctv " c' hquv' o gtgw' ,pi tklqctv⁰

Eqpuvcvpk' Uvgtg' o gp kqpc' e " ngigc' rqcvg' u " uvcdkngcue " q' nk o kvctg' * o tikpktg+ c' ftgrvwnwk' nc' rtqrtkgvcvg' k' u " rwp " q' uctekp " cuwrte' rtqrtkgv' kk' rgpvtw' q' wvknkvcvg' rwdnke . " eq o wpcn " ucw' rctvkewnc' t' Crctvg' ug' xqtdg' vg' fgurtg' gzrtqrtkgtg⁰ Rtgx |wv " ,p' cegnc' k' ctv042' fkp' Eqpuvcvw kg. " gzrtqrtkgtgc' guvg' kpvgtgtrgv " fg' e' vtg' rtqhgquawn' ,p' ugpwn' uvtkev' cn' ewx- p' vwnwk. " e- pf' wp' qdkgev' fvgto kpcv' guvg' nwc' fkp' uv r- p' ktgc' wpwk' rtqrtkgvct' fvgto kpcv⁰ ³ Cvwpek' e ,pf' ,p' xktvwwgc' ngi' k' gzkuvgpvg' gw' u ,pv' uv r ,p' cuwrte' wpwk' hwetw. " fce " ug' pc' vg' wp' eqp' l' kev' ,pvtg' ftgrvwn' o gw' k' kpvgtguwn' rwdnke. " k' fce " o k' ug' kc' ceguv' nwetw. " pw' ug' rqcvg' hceg' cegcuv. " fge ,v' fce " ,p' c' fgx' t' g' wvknkvcvg' rwdnke . " ectg' egtg' u " o k' ug' kc' cegn' nwetw' k' fce /u' fgur' iwdkvö⁶

Fwr " Eqpuvcvpk' Uvgtg. " hcrvwn' e " ctv03; " fkp' Eqpuvcvw kg' rtgxgfgc' gzrtgu' fqct' vtgk' ec|wtk' eqpetgv' fg' rqukdkn' wvknkvcvg' rwdnke * eq o wpec' kknng' ucw' dtkvcvg' rwdnke " k' hwet' tkng' fg' cr' tctg' c' tkk+ 'rtqxqec' o ck' o wvng' fkl' Ewnv' k' ,p' rtqeguwn' crnke' tkk' pqt o gk' eqpuvcvw kqpcng' ,p' ukvwc' kk' rtcev' eqpetgv⁰ ' p' ceguv' ugpu' ug' kpxqe " o ck' o wvng' ukvwc' kk' tgcng⁰ Fg' gzo rwn. " rtqhgquawn' rqxguvg' vg' fgurtg' ec|wn' fguge' tkk' wpqt' k' o gpug' vgtkvqtkk' fkp' cndkc' Fwp' tkk' * : " o np⁰ fg' jgevctg' fg' r o -pv' ctcdkn+ . " ectg' gtcw' rtqrtkgvcvg' rtkxcv " c' fkhgtk' knqt' rtqrtkgvctk. " fct' ectg' gtcw' gzenwug' fkp' rtqeguwn' ci tkeq' fkp' ecw|c'

kpw pfc kknqt' o cukxg' rtqxqecvg' fg' t' gx' tuctgc' t- wnwk⁰ Qrgtc' kwpgc' fg' ugectg' c' d' n knqt' k' cr' tctg' c' ceguvqt' vgtgpwtk' kpvgi' tcn' pw' r wvwc' L' tgcnk|v " cv- v' vk o r. " e- v' gc' pw' ug' ,pecf' tc' ,p' pkek' wpwn' fkp' egng' vtgk' ec|wtk' fg' wvknkvcvg' rwdnke . " rtgx |wv' fg' Eqpuvcvw kg⁰ U/c' t' gw' kv' fqct' fwr " eg' u/c' clwpu' fg' eq o wp' ceqtf' e " cegcuv " qrgtc' kwpg' fg' fgugectg' rqcvg' L' kpvgtgtrgv " ftgrv' wp' ec| " fg' ucw' dtkvcvg' rwdnke ⁰⁷ Ceguv' guvg' gzo rwn' ukvwc' k' gk. " e- pf' t' g' ing o gpvctg' gzegukx " ,p' vgzvwn' Eqpuvcvw k' gk' c' rtqxqecv' cpw o kvg' fkl' Ewnv' k' ,p' crnkectg' pqt o gk⁰

H t " fqct' k' rqcvg. " ,p' Rtqkgevwn' fg' Eqpuvcvw kg' rtqrwu' wvngtkqt' ,p' pw o gng' Rctv' k' fwnwk' t' pgue' ec' Cp' v' g' rtqkgev' fg' Eqpuvcvw kg' pqt o c' fkp' ctv048. " ectg' xqtdg' vg' fgurtg' rqukdknkvcvg' gzrtqrtkgtk' ,p' dc|c' fkurq|k kknqt' ngi' cng. " hqt o wngc| " cnvhn' ecw|gng' gzrtqrtkgtk⁰ Gc' uwu kpg' fglc' e " gzrtqrtkgtg' guvg' rqukdkn " rgpvtw' ecw| " fg' wvknkvcvg' rwdnke . " pc' kqpcn " ucw' uqekcn ⁰ Eqp' f' k' q' - pf' gzrtqrtkgtg' ew' q' ftgcrv " fgur' iwdktg. " Rtqkgevwn' rtgxgfg' rqukdknkvcvg' eqpvuv' tkk' rg' ecngc' lwuv' k' gk' c' ewc' p' w' o wnwk' fgur' iwdktk⁰

Octg' c' xcnqctg. " ,pu . " c' uvkrwnc' kknqt' Rtqkgevwnwk' ,p' ecw| " ,p' eg' rtkxg' vg' ftgrvwn' nc' rtqrtkgvcvg' eqpuv " ,p' ceggc' e . " rg' n- pi " rtqenc o ctg' hcrvwnwk' e " ftgrvwn' nc' rtqrtkgvcvg' ctg' ec' vg o gngk' wvknkvcvg' rwdnke . " ictcpvctgc' rtqrtkgv' kk' k' p' f' k' x' f' w' cng' k' c' egngk' eqngevkxg. " kpvgtfke' kc' rgfgrugk' eqp' Lue' tkk' cxgtnqt. " Rtqkgevwn' rtqrwpg' kpvgtfwegtg' p' q' k' w' p' k' k' eqpuvcvw kqpcng' fg' rtqrtkgvcvg' t' pgcue ⁰ Gc' guvg' fg' L' p' kv' " ec' rtqrtkgvcvg' fg' o wpe . " ket' ectcevtgn' lwtkfke' cn' rtqrtkgv' kk' f' cvg' wt o c' u " L' g' uvcdknk' rtkp' q' ngig' urgekcn ⁰ Vq' c' kek' ug' uvkrwngc| " wpng' ictcp' k' r' g' p' vt' w' rtqrtkgvcvg' t' pgcue ⁰ Rtqkgevwn' rtgxgfg' e " r o -pvwtkng' hq' vknqt' en' ec' k. " cng' ,puwt' gknqt' k' cng' nqewkvqtknqt. " , o rtqrtkgv' tk' k' rg' o q' kknng' uvcvwnwk' ucw' ,p' dc|c' ngi' knqt' fg' gzrtqrtkgtg. " pw' ug' r' qv' x' k' p' fg' fge- v' t' cpknqt' r' n' w' i' ct' k' r- p' " nc' nk o kvc. " ,p' ectg' r' qv' L' o wpekv' fg' q' hc' o' knkg' t' pgcue " h t " cvt' c' i' g' t' g' c' hqt' gk' fg' o wpe " ucnc' t' cvg. " ket' v' q' cvg' ,puvt' k' p' tkng' k' cevng' fg' qtkeg' pcwvt " h' ewvg' ,p' htcw' f' c' ceguvqt' fkurq|k' k' gtcw' fgenctcv' pwng' k' pgcxgpkvg⁰

E- v' rtkxg' vg' r o -pvwn' ,p' igp' g' tcn. " r' q' t' p' k' p' f' fg' nc' ceggc' e " gn' guvg' hcevtgn' rtk o qt' f' kn' cn' xkg' kk' pc' kqpcng. " ,p' Rtqkgev' ug' rtqrwpg' ec' etkewnc' kc' rtqrtkgv' kk' hwpekctg. " tgrctvk' kc' k' hq' n' q' u' kt' g' c' uq' n' w' n' wk' u " ug' c' l' g' uwd' eqpvtqwn' uvcvwnwk. " urtg' c' , o r' k' g' f' kec' cdw|wtkng' k' c' ,p' ftw' o c' g' x' q' n' w' kc' tkk' urtg' uvtewwte' citct . " ,p' v' g' o' g' k' cv " rg' rtqrtkgvcvg' fg' o wpe . " rtgewo " k' urtg' c' cukiwte' egv' gpknqt' gk' nqewk' p' g' u' p' v' q' cu' g⁰ Pw o ck' egv' gpkk' uvcvwnwk' k' r' g' t' u' q' c' p' g' n' g' pcw' t' cnk|cv' g' wt o c' w' u " L' g' ,p' l' g' u' v' t' cvg' ew' ftgrvwn' fg' c' r' tqewtc' k' o' q' d' knng' t' w' t' cng' ,p' ct ⁰

Ewnwte' k' g' z' r' n' q' cvctg' t' c' k' q' pcn " c' uq' n' w' n' wk' gtcw' rtqenc o cvg' q' f' cv' q' t' g' c' r' t' q' r' t' kg' v' c' t' w' n' wk' h' w' p' e' k' t' hc " fg'



uqekgvcvg."kct"etg vgtgc"xcnqtkk"r o-ṽpwnwk."ectg"pw"ug" fcvqtc"o wpekk"ucw"ecrkvcnwnwk"kpaxgukv."wt oc"u "t o-ṽp " ,p"hnquwn"uqekgv kk0

Uwduqwnwkng" k"vqcvg" | e okpvngng"okpkgtg"ug"fgenctcw" rtqrtkgvcvg"gzewukx "c"ucvwnwk."h t " ,pu "c"ug"cf okvg" rtglwfkektgc"ftgrvwtknqt"rtqrtkgvctknqt"uwrtchg gk08

"Rg"n-pi "tgi ng o g p v tk" cng"ftgrvwnwk"nc"rtqrtkgvcvg" ,p" igpgtcn" k" eqpucetctgc" rtqrkgv kk" t pg vk" ec" rtqrtkgvcvg" fg" owpe ." Cpvgrtqkgevw" eqp kpgc" k" wp t-pf" fg" cnvg" pqtog." ectg" xk|cw" rtkpekrkng" fg" qti cpk|ctg" c" ukuvog wnw" geppq o ke" cn" ucvwnwk." rtgew o" k" wpgng" ictcp kk" uqekqgeppq o keg" rgpvtw" egk" cpvtgpc k" ,p" owpec" o cpwcn " k" kpvngewcn 0" Cuvhgn." ,p" ctv04; "Rtqkgevw" uvkrwnc"e " nkdgtvcvgc" geppq o k g k" k" c" eq o g t wnw" uwpv" ictcpvcvg" ,p" eqpfk kng" rtguetkug" fg" ngig" k" ,p" nk o kvng" eq o rcvdkng" ew" ftgrvcvgc" uqekcn " k" ew" kpvgtguwn" igpgtcn0" Fg" t g o c t e c v" e " vq" c k e k" Rtqkgevw" xqtdg vg" fgurtg" rtqvlctgc" k" ictcpvctgc" fg" e vtg" ngig" c" ftgrvwtknqt" kpxgpcvqtknqt." cwwqtknqt" k" cng" ctvk vknqt" cuwrtc"etgc k g k" nqt0

"p"i gpgtcn." ,p"qr kwpgc"Rtqkgevwnwk." o wpec" o cpwcn " k" kpvngewcn " wt oc" u " ug" dwewtg" fg" q" rtqve kg" fgqugdv " fkp" rctvgc" ucvwnwk0

"Ug"rtgeppk|c" c" qdnkic" ucvwn" u " etgg | g. ew" eqpewtwn" ghgevx" cn" cukiwtc knqt" k" ew" eqpvtkdw kc" ftgcrv " c" rctvqpknqt." wp" ukuvog" igpgtcn" fg" cukiwt tk" rgpvtw" qetvktgc" u p v kk" k" c" ecrcekv kk" fg" owpe ." rgpvtw" rtqve kc" o c o g k" k" eqrknwnwk." rgpvtw" cukiwtctgc" fg" x-tuv ." fg" kpxcnkfkvcvg" 0c0

Q"pqto "urgekn "fkp"ctv052" ictcpvc" eqrknqt" nkrnk k" fg" ,pitklktgc" r tkp knqt" ftgrvwn" nc" clwvqt" k" rtqve kg" fkp" rctvgc" ucvwnwk" k" c" kpukvw kknqt" cwwppq o k g k" nqecng0

Eqphqt o" rtgxfgtknqt" Rtqkgevwnwk." wt ocw" u " Lg" kpvgt | kug<" o wpec" ucinctcv " c" eqrknqt" o ck" o kek" fg" 37" cpk=" o wpec" fg" p q c r v g" c" hg o g k n q t" k" c" nwet v q t k n q t" o k p q t k." rtgew o" k" o wpec" nqt" ,p" fq o g p k n g" k p f w u v t k c n g" ew" wp" itcf" urqtvk" fg" p q e k x k v c v g = " o w p e c" h g o g k n q t" i t c x k f g" r g" wp" vgtogp" pgeguet" rgpvtw" ,pitklktgc" u p v kk" nqt" k" c" rtwpeknqt=" o wpec" ucinctcv " c" eqrknqt" k" o k p q t k n q t." ectg." eqphqt o" fkurq | k kknqt" eqpukvw kqpcng." wt ocw" u " htgexgpgv | g" eqcnc0

Q" ngig" urgekn " wt oc" u " fgvgto kpg" eqpfk kng" rtqve kg" uqekcng" k" ucpe kwkng" pgeguetg09

Vqcvg" rtqrwpgtkng" kpxqecvg" uwpv" fg" o pg" fg" q" hqctvg" ,pcnv " crtgekgtg." rtg | g p v - p f" nc" vk o r w n" tgurgevx" q" eqpvtkdw kg" fktgev " nc" rtqeguwn" cŁto tkk" rtkpekrknqt" eqpukvw kqpcnku o wnw" fg" o qetcv" ,p" ucv0

Vqvw k." xqo" gxkfgp kc" ,p" ecnkvcvg" fg" egn" o ck" ,pcnv" o gtkv" cn" Rtqkgevwnw" nc" ceguv" ecrkvqn" e-vgxc" fkp" gng<

ó" egc" fg" c" rtqrwpg" eqpucetctgc" eqpukvw kqpcn " c" pq kwpkk" fg" rtqrtkgvcvg" t pgcuc " ec" rtqrtkgvcvg" fg" o wpe *Eqpukvw kc" fkp" 3 : 88" xqtdgc" f q c t" fgurtg" hcrvwn

e "rtqrtkgvcvgc"fcv " t e p k n q t" r t k p" n g i g c" t w t c n " p w" r q c v g" L" p k e k q f c v " c v k p u +." ew" fkurwpgtgc" tgi ng o g p v t k k" w n v g t k q c t g" n g i k u n c v k x g" c" u v c v w w n w k" c e g u v g k" r t q r t k g v k =

ó" egc" fg" c" fgenctc" e " ftgrvwn" nc" rtqrtkgvcvg" ctg" ec" vg o g n k g" w v k n k v c v g c" u q e k c n =

ó" egc" fg" c" rtqrwpg" uvkrwnc" eqpukvw kqpcn " c" wpwk" kt" ,pvtgi" fg" ictcp kk" uqekqgeppq o keg" rgpvtw" t g r t g | g p v c p k k" r v w t k n q t" u q e k c n g" o w p e k v q c t g =

ó" k." ,p" uh-t kv." egc" fg" c" fgenctc" e " nkdgtvcvgc" geppq o k g k" k" c" eq o g t w n w k" u w p v" i c t c p v c v g" ,p" eqpfk kng" rtguetkug" fg" h g i g" k" ,p" nk o kvng" eq o r c v d k n g" ew" ftgrvcvgc" uqekcn " k" ew" kpvgtguwn" igpgtcn0

" Xcnqctgc" rtkogk" rtqrwpgtk" guvg" gxkfgpv " uwd" curgevw" ukvwc k g k" u q e k q g e p p q o k e g" k" r q n k v k e g" c" t p k o k k" ,p" c e g n" v k o r 0" Gc" t g r t g | k p v " q" k r q v g y k e " ,pvtwejkrctg" eqpukvw kqpcn " c" xk | k w p k n q t" o c t g n w k" c r t v q t" c n" ftgrvwtknqt" t p k o k k" E q p u v c p v k p" U v g t g" e w" r t k x k t g" n c" u v c v w w n" u q e k q g e p p q o k e" e g" w t o g c | " u " L g" c v t k d w k" n c" p k x g n" eqpukvw kqpcn" r v w t k k" u q e k c n g." e c t g" o w p e g" v g" g z v t g" o " f g" o w n v" k" i t g w" ,p" q t k e g" u q e k g v c v g" k" e c t g" p k e k" c u v | k" p w" ,p v q f g c w p c" u g" d w e w t" f g" i c t c p k k n g" u q e k q g e p p q o k e g" o g t k v c v g" r g" d w p " f t g r v c v g 0

"p" eqpukpwctg" pg" xq o" gzrwp" cuwrtc" rtkpekrknwnk" wvknv kk" uqekcng" c" rtqrtkgv kk." rtqrwu" fg" Eqpucpvkp" Uvgtg" rgpvtw" rtqenc o ctg" ,p" v g z v w n" x k k v q c t g k" E q p u v k v w k k." c r t g e k k p f" f t g r v" q" g z r t g u k g" r c t v k e w n c t " c" r t k p e k r k w n w k" k p x q e c v" p q t o c" e w" r t k x k t g" n c" i c t c p v c t g c" n k d g t v k k" g e p p q o k g k" k" c" e q o g t w n w k" ,p" e q p f k k n g" r t g u e t k u g" f g" n g i g" k" ,p" n k o k v n g" e q o r c v d k n g" e w" f t g r v c v g c" u q e k c n " k" e w" k p v g t g u w n" i g p g t c n 0

Rtqrtkgvcvgc" guvg" rtkxkv " fg" e vtg" ucxcp kk" eqpvgo r q - t c p k" f t g r v" w p c" f k p v t g" e q o r q p g p v g n g" k p f k u r g p u c d k n g" c n g" u q e k g v k k" q o g p g v k" k" e c t g" c" h q u v" k" g u v g" w p" h c r v" e q p u v c p v" ,p" v q c v g" v k o r w t k n g" k" ,p" v q c v g" u q e k g v k n g 010

Nc" q" cpw o kv " gvcr " c" gxqnw k g k" u q e k c n g" k p u v k v w k c" r t q r t k g v k k" u / c" k o r w u" ,p" e c n k v c v g" f g" w p w n" f k p v t g" e g k" o c k" k o r q t v e p k" h e v q t k" u q e k c n k 0" Q f c v " e q p u v k v w k." t c r q t v w n" f k p v t g" k p f k x k f" k" u v c v" e w" r t k x k t g" h c" r t q r t k g v c v g" c" e w p q u e w" o w n v k n g" g z r t g u k k" r g" r c t e w t w n" f g | x q n v t k k" u q e k g v k k" w o c p g." f c t" p k e k q f c v ." f k p" o q o g p v w n" c r c t k k g k" u c n g" k" r - p " ,p" | k w c" f g" c u v | k." p w" c" f k u r t w" f g L p k v k x 0" P c v w t c" t c r q t v w n w k" t g u r g e v x" u r w p g" h q c t v g" o w n v" f g u r t g" g u g p c" t g n c k k n q t" u q e k q g e p p q o k e g" e c t g" g z k u v " ,p" i g p g t c n" ,p" s o c i e t a t e" i n" m o m e n t u l" c o n c r e t.

"p"cpw o kv" r g t k q c f g" k u v q t k e g" r t q r t k g v c v g c" c" c x w v" ,p" u q - e k g v c v g c" w o c p " q" x c n q c t g" o c k" , p c n v " f g e - v" r g t u q p c n k v c v g c 0" F g" g z g o r n w." ,p" f t g r v w n" t q o c p" r t k o k v k x" g z k u v c" k p u v k v w w n" f g" c f o k p k u v t c v q t" f g" r t q r t k g v c v g." c c / p w o k w n" p a t e r f a m i - l i a s." f g u r t g" e c t g" E q p u v c p v k p" U v g t g" u e t g k." e " ŝ g" p w o c k" w p" h g n" f g" c f o k p k u v t c v q t" e w" q" r w v g t g" f g n g i c v " f g" u v c v 0." n k r u k v" f g" f t g r v w n" f g" c" ,p u v t k p c" r c v t k o q p k w n" c f o k p k u v t c v 0" p u w k" r t q e g u w n" c f o k p k u v t k k" r t q r t k g v k k" g t c" t g i n g o g p v c v" f g"



uvcv"r-p ",p"egng"o ck" okek"fgvcnk."kpenw | -pf"Łzctgc"fg" e vtg"uvcv"cn|kngk."e-pf"wt o c'u " ,pegr "ewnguwn"uvtwi wtknqt" k'c|kngk."e-pf"ug"rgt o kvge"u "ug"ugtxgcue "rgpvtw"rtk o c" fcv "xkpwn"pqw0"Nc"qtiki pge"uc." ftgrvwn"fg" rtqrtkgevcg" gtc"cuqekcv"znenwukx"fqct"ew" ftgrvwn"cuwrte"dwptkngt." eg"eqpukvwkcv"rtcf "fg"t |dqk."vtcpuhgtwn" ftgrvwnw"fg" rtqrtkgevcg",pvtg"egv gpk",p"cnv"vg o gk"ucw"ht "ceegrvwn" uvcvwnw"pgŁkpf"cf o ku0" Cf o kpkuvtcvqtw" fgegfcv." ucw" ectg"cf o kpkuvtcv"r iwdqu"rtqrtkgevcg."gtc"uuduvkwkv" kct k'fg"e vtg"uvcv"rtkp"cnvwn."kct"xkpqxcvwn"tku"e"u / k" rktcf "hkdgtvcvg" k'egv gpkc."clwpi -pf"ec"qtkeg"uencx"wp" uk o rnw"qdkge"0" k."fk o rqtvx .",p"htwvpgc"rcvtk o qpkwnw" t o cu"ht "pater familias cxgc" ftgrvwn"u "ug"rncug|g" qtkeg"egv gcp."ectg"fqd-pfgc"uvcvwnw"fg"pater familias ,p"ec|wn"cf o kpkuvt tkk"kuwukvg"c"rcvtk o qpkwnw",p"fgewtu" fg"wp"cp"fg|kng0" Fct."c"fgx tcvwn"šegpvtw"fg"ftgrvwtk" k" qdki c kwpk0."cfgx tcvwn"šuwdkge"cn"ftgrvwnw"0"gtc"puw k" rcvtk o qpkwn."šrgtuqpcnkvcvg"e twkc"t o ,pgc",p"rkekqctg." h t "pkk'q" vktktg."ew"vqcvge"pw"o ck"gtc"pk o gpk"ec"u /n" uv r,pgcuc 00"

Xcnqctgc"ftgrvwnw"nc"rtqrtkgevcg"nc"tq o cpk"gtc"cv-v" fg",pcnv .",pe-v"rgpvtw"tguvcdkntgc"wpwk"ftgrv"nc"rtq- rtkgevcg"kpqepvguvcdkn"pkk"pw"gtc"pgxqkg"fg"cwvqtkvcvg" uvcvwnw"0"Egn"eg"ug"eqpukfgtc"ng|cv",pvt/wp"ftgrv"kpqep- vguvcdkn",pvtgrtkpfgc."rwt" k"uk o rnw."fg"ukpg"uv v vqt" ce kwpkng"pgeguctg" k"qrqtvwpg"rgpvtw"u"ug"tguvcdkn",p" ftgrvwtk0"Rtqegfwtc"lwfkekt "ug"cf o vgc"fqct"rgpvtw" ec|wtkng"fg"tgxgpfkectg"cf"ftgrvwtknt"eqpvguvcdkng."fct" k"cwvpek"tgenc o cpvwn"gtc"qdki cv"u",pvtgrtkpf "o uwtk" rgpvtw"cn"cfweg"rg"tgenc o cv",p"hc"o c i kuvtcvwnw."rtg- ew o" k"rgpvtw"cgzgewc"ew"rtqrtkng"htq g",p"rtg|gp c" o ctvqtknqt"fgk|k"lwfge vqctgcue .",p"ec|fg"e-vki"fg" ecw| 0"Eqpuvcvpk"Uvgtg"eqpenw|kqpgc| <"šCukuvpg c" o ctvqtknqt" k'ht o cnk kng"gtcw"vq"cv,ygc"o klnqceg"urtg" c"cuiki wtc"pgeqpvguvcdknvcvg drepturilor".¹¹

Guv"hgctvg"ko rqtvcpv "cegcuv "kpqepvguvcdknvcvg" c" ftgrvwnw"nc"rtqrtkgevcg"nc"tq o cpk."fgurtg"ectg"xqtdg vg" Eqpuvcvpk"Uvgtg0"U "Ł o"cvpg k"nc"hc"rvwn"e "fg"nc"dw" ,pegrwv."fkp",puw k"o q o gpvwn"cretk kgk"ucng."ftgrvwn"nc" rtqrtkgevcg"guvg"ectcevgtk|cv"fg"q"vt u vwt "gzvtg o" fg" ko rqtvcpv "rgpvtw",p ngi gtgc"guvg gk"hwk"0"špgeqpvguvc- dknvcvgc0"uc0"Wnvgtkq"cegcuv "kpqepvguvcdknvcvg" c"ftgr- vwnw"nc"rtqrtkgevcg"cgxqnwcv",p"c c"o uwt .",pe-v"ftgrvwn" nc"rtqrtkgevcg"gtc"eqpukfgtcv",p"wpng"uvcv"uh-pv0" pvt/q" cpw o kv "rgtkqcf "kuvqtke .",p"o ck"o wnv"uvcvg"rtqrtkge- vcvgc"gtc"rwu "nc"dc|c"tgewpqc vgtk"wpqt"cnvg"ftgrvwtk" ekxkng"fwr "rgtuqpc/rtqrtkgevcg",p"hwpe kg"fg"xqnw o wn" k"ectcevgtkuvkekg"rcvtk o qpkwnw"eg/k"cretk kpgc"pw o twn" uwłgvnqt"fg" tck"qdcik."jgevtgnqt"fg"r o -pv+0

Rtqrtkgevcg" k'kp kcvxc"geqppo ke "rtkxcv "cw"lwecv" wp"tqn"ko rqtvcpv",p"gxqnw kc"uvcvgnqt",pcnv"fg|xqnvvcg" kpfwvutkcn."eqpvtkdwkpf."fg"t-pf"ew"rtqrtkgevcg"fg"

uvcv"tc kqpcn"cf o kpkuvtcv . "nc"htq o ctgc"wpkg"rwwgtkge" dc|g"geqpp o keg" k" c"wpwk"ukuv g o "rqnkve"fg o qctcv" consolidat.

Fguki wt.",p"kuvtkc"uqekgv k'w o cpw"cw"gzkuvcv"rgtkqc- fg"kuvtkge" k"cpw o kv"htq o c kwpk"uqekcng.",p"ecftwn"e - tqtc"ftgrvwn"nc"rtqrtkgevcg"rtkxcv "pw"c"huvt"tgepquewv" fkp"rwpev"fg"xgfgtg"lwtkfk0"U "pg"c o kpvk o "fg"uqekcnk u o" k'fg"pq kwpgc"fg"dwptk."qdkgevg"fg"wl|"rgtuqpcn"0"o c/ pw o kv"rtqrtkgevcg"rgtuqpcn .ectg"gtc."fg"hc"rv."q",pegt- ectg"fg"c"xqnc"wp"ftgrv"nc"rtqrtkgevcg"rtkxcv "hgctvg" tguvt-pu0"Ew"cegcuv "cvkwfkpg"tgkgepv "hc"fg"kpukvwnw" rtqrtkge" k'rtkxcv"ug"clc",pvt/wp"tcrqt"eqpuqepv" k" kpukvwtgct"urwvfgtk"rgpcng"rgpvtw"cevkxcvvcg"fg"cp- vtgrtgptkcv"rtkxcv0"pu .nk o kvctgc"gzegukx "c"kpukvkv k'k" rtqrtkge" k'rtkxcv"fkp"ukuv g o wn"geqpp o ke"fg"cwpek"u/c" fqxgfkv"cl"Ł"r-p "nc"wt o "wpc"fkpvtg"ecw|gng"gewnw" geqpp o ke."ectg"cw"fwu"nc"etk|c"rqnkve "c"ukuv g o wnw0" Nc"uh-t kvwn"grqek"ucng"tgik o wn"nc",pegtcv"u "hce "hc " gxfkfgp gnqt"rtkpcwvqtk|ctgc"cevkxk k'eqqrgtcvkvgnqt" k"cnvqt"htq o g"fg"kp kcvkx "fg"cpvtgrtgptkcv"rtkxcv0" Fct"c"huvt"rtgc"v-t|kw0"Ew"fg o qnctgc"xgejkwvwn"tgik o " rqnkve"kpukvwnw kc"rtqrtkge" k'rtkxcv" k/c"eqpŁt o cv" xkcdknvcvg"uc"kp"uqekgevcg"ew"q"rwwgtg"xnecpke 0"Rtq- rtkgevcg"rtkxcv "k/c"cuw o cv"ko gfkcv"ncwtk",pv-kv k' rg"uectc"xcnqtknqt"uqekcng."fgxcnqt| -pf" k"uwo kp-pf" vqvqfcv "rgpvtw"wp"vk o r"vqcvge"egngcnvg"xcnqtk"0"ewvwtc." vkkp c."ctvc" k",pu k"rgtuqpcnkvcvg"wo cp "ec"xcnqctg",p" ukpg" k"ec"k|xqt"cn"vwwtqt"xcnqtknqt"uqekcng0

"Pw"guvg"znenw"e . "rg"n-pi "wpng"gtqtk"eq o kug",p" rtq o qxctgc"tghq o gnqt"geqpp o keg" k"uqekcng"nc"gvrc" kpkcn "c"vtp|k kgk."ko rwpgtgc"kpukvkv k'k"rtqrtkge" k'rtkxcv"ec"uwrtecnqctg"uqekcn",p"cegc"rgtkqcf "rqcv" Ł"gzrnkecv "k"rtkp"hc"rvwn"e "c"cxwv"nqe"q"t dwhpktg" gzvtg o "fg"rwwgtkpe "c"kpukvwnw"uqekcn"fg"rtqrtkgevcg" tghwncv"ew" o wnv "cdknvcvg",p"vqcnvctku o."fct"ectg"u/c" fqxgfkv"vqv k'wpwn"kpukvwnw"Rqukdn."rgpvtw"hc"rvwn"e " ,p"rukjqnqikc"kp"fkxkfwcn "c"wpqt"kp"fxk|k'kpukvwnw"fcv" guvg"cf guge"cuqekcv"ew"egn"dknqike"cn"uwrtecnk g wtkk."fct" k'ew"egn"uqekcn"cn"cwvqclt o tkk"ec"rgtuqpcnkvcvg0"Ret kcn." cuqekgtgc"fcv "guvg",pftgrv kv 0"Ock"rw kp",pftgrv kv " rctg" c"Ł"cvkwvfkpgc"wpkncvgtcn "hc "fg"rtqrtkgevcg" rtkxcv "ec"hc "fg"q"ictcp kg"o cvgtkcn/geqpp o ke "ukiw- t "c"uwrtecnk g wtkk"ucw"uwrtecvk o ctgc"gk"ec"vg o gk"fg" cwvqclt o ctg"kp"fkxkfwcn 0"Co dki wkvvcg"wpqt"cu g o gpgc" xk|kwpk"guvg"cv-v"fg"gxkfgpv .",pe-v"qtkeg"gzg o rnkŁectg" ,p"ugpuwn"fcv"ct"Ł"fg"rtkuqu0" Pw",pv-o rn vqt.",p"nw o gc" ekxkcn|cv "uwpv"rwug",p"gxkfgp "k",pcnv"cf o ktvcg"pw"cv-v" rtqrtk kng"eqnucng"rtqrtk/|kug"cn"wpqt"rtqrtkge" k."e-v"ugtxkekng"rtguvcg"rgpvtw"dkpgng",pvtgik"uqekgv k",p" rtqeguw"cf o kpkuvt tkk"wpqt"cu g o gpgc"rtqrtkge" k."ew o" ct"Ł."fg"gzg o rnw."pw o twn"nqewtknqt"fg"o wpe "etgevcg." xcnqctgc"ucnctknt" k"c"rcejgvnqt"uqekcng"cn"nwt vq-



tknqt." o tk o gc" k o r q | kvgnqt" ce j kv cvg. "cevngng" fg" ectkv cvg. "cevxxkv kng" fg" o gegpcv" gve0

Ckek" xq o " c o kpvk" e " ucxcpvwn" eqpukvw kqpcnkuv" c" hqt o wncv" rtkpekrkwn" wvknkv kk" uqekcng" c" rtqr tkgv kk" ,p" hw- crarea Cpvgr tqkgev" fg" Eqpukvw kg" ,pvqe o kv" fg" Uge kc" fg" Uvwfkk" c" Rctvkwfnwk" t pgu" ew" q" Gzrwpgtg" fg" o qvkvxg" fg" E0" Uvgtg. " fcv cv . " fwr " ew o " u/ c" o ck" ct vcv. " ew" cpwn" 3; 44. "gzrwp- pfw/ n" ,p" ctv048" cnkp03" fkp" rtqkgevwn" rtqrwu" ,p" nwtctg" ,p" hgnwn" wt o vqt" <" F tgrvwn" fg" rtqr tkgv cvg" ctg" fg" vg o gngk" wvknkv cvg" uqekcn 0" Ewrtkpwn" k" nk o kvngng" nwk" u, pv" fgvgt o kpcvg" fg" ngig012" Xq o " cvgp kqpc" ,pe " q" fcv " ekvkvqtw" kpvgtgucv" cuwrte" urtkvwnwk" cxcpuv" cn" i p ftkk" vkkp kLeq/ r tcevkeg" uvgtkpgg. " tg o cte- pf" e " cug o gpgc" kfgk" ug" xqt" cLt o c" f qct" r guvg" | gek" fg" cpk" ,p" eqpukvw kknng" rquvdnkeg" cng" uvcvgnqt" gwtqrgpg<" Kvcnk" *3; 69+. " Rqtvw i c- nkc" *3; 98+. " Urcpk" *3; 9: +0" Fg" gzg o r nw. "nceqpk" k" hqctvg" gzrtgukx" guvg" hqt o wncv " hwpe kc" uqekcn " c" rtqr tkgv kk" ,p" Ngigc" fg" dc | " c" Tgrwdnkek" Hfggtcng" c" Igt o cpkgk" *3; 6; +, "p" ctv036" cnkp04" šRtqr tkgv cvg" qdki 0" Hqnqut- tgc" gk" vtgdwkg" u " ugtxgcue " vqvqfcv " dkpgnw" eq o wp013 Cegcuv " šugtuktg" dkpgnw" eq o wp0" guvg" pw" cnvegxc" fge- v" gzrtguk" wpgk" hqt o g" fg" eqqrgtctg" uqekcn . "nc" ectg. " fg" hcrv. " wt o c" u " e j g o g. " p" xk | kwpgc" nwk" Eqpucpvkp" Uvgtg. " xkkvqctgc" Eqpukvw kg" rtkp" encw | gng" tgurgevkg0" Fg" urtkv- vwn" pgegukv kk" wpgk" cug o gpgc" eqqrgt tk" uqekcng" wt o gc | " u " ug" r vtwpf " k" o g o dtk" uqekgv kk" vtcp | kvxg. " cpvtgpc k" ,p" g fklctgc" uvcvwnwk" fg" ftgrv" k" ,p" k o r ng o gpvctgc" rtkp- ek rknqt" geapp o kgk" fg" rkc 0" Pqng" hqt o g" fg" eqqrgtctg" uqekqgeapp o ke "nc" pkxgn" fg" uqekgv cvg" uwpv" egtwv" k o - rgtkqu" fg" pqng" tgcnk" k" uqekqgeapp o ke g0

Ew" e- v" o ck" o wnv" cxcpuvc | " uqekgv cvg" vtcp | kvx " rg" ecngc" tghqt o gnt" uqekqgeapp o ke g. " ew" cv- v" fgxkpg" o ck" uguk | cdkn " pgegukvcvg" gzgtekv tkk" wpqt" hwpe kk" uqekcng" fg" e vtg" kpukvw kc" rtqr tkgv kk. " ec" gzrtgukg" c" wvknkv kk" uqekcng" c" rtqr tkgv kk" o" c" ugtxktk" dkpgnw" eq o wp0" Uwp- vg o " eqp vkgp k" fg" hcrvwn" e , pvt/ q" uqekgv cvg" vtcp | kvx " cv- v" rtqrqt kkn" rtqr tkv/ | kug. " e- v" k" rqukdnk" kng" cf o k- pkvut tkk" gLeqpvvg" c" rtqr tkgv kk" rtkxcvg" uwpv. " fkp" xctk" o qvkvxg. " kpeq o rctcdkng" ew" egnng" fkp" uqekgv kng" fg o q- etc kgk" kpfwvutkng" ,pcnv" fg | xqncv g0" Fct" k" ,p" eqpfk kknng" pqcuvtg" kpukvw kc" rtqr tkgv kk" rtkxcvg" rqcvg" k" vtgdwkg" u " eqpvtkdwkg. " ,p" o uwte" rqukdnk" knqt. "nc" tgfwegtgc" fkuetgrcp gk" fkpvtg" uvctgc" o cvgtken " c" r vwtknqt" uqek- cn o gpvg" xwnpgtcdkng" k" egc" c" hc o knknqt" c rctvg" tgnvcxk" dkpg" cuk i wtcvg" o cvgtken0" Eqpukfgt o " e " fgqec o fcv " guvg" rtg o cvwt" c" xqtdk" fgurtg" wnvk o gng" ec" fgurtg" q" r - vwt " uqekcn " dkpg" eqpvwcv " ,p" uqekgv cvg" pqcuvt 0" Guvg" dkpg" ewpquew" hcrvwn" e " fkuetgrcp c" gup kcn " fkpvtg" uvctgc" o cvgtken " c" r vwtknqt" uqekcng" rqnctg" rtqxqce " ,p" uqekgv cvg" cpvc i qpku o . " kpgt kg" uqekcn . " rguk o ku o . " hkruc" ,petgfgtkk" ,p" kpukvw kknng" rqnkvkeg" cng" uvcvwnwk. " uegrvk- eku o " hc " fg" xcnqtkng" fg o qetcvkeg" gve0" Fg" gzg o r nw. "

guvg" rtqdcv" uvcvkvke" e " fkuetgrcp c" fcv " ctg. " ,p" o qf" urgekcn. " q" kp f wgp " ew" o wnv" o ck" pqekx " cuwrte" uv tkk" etk o kpcnk" k" ,p" eq o rctc kg" ew" uvctgc" fg" u t ek g" ig- pgtcn " ucw. " ew" cv- v" o ck" o wnv. " ew" egc" fg" rtqurgtkv cvg" tgnvcxk" q o q i gp " c" vvwwtq" o g o dtknqt" uqekgv kk0" ,p" eqpvzgv. " rtqr tkgv cvg" rtkxcv " *Li wtcv" xqtdkpf" k" cx- pf" ,p" xgfgtg. " h t " f qct" k" rqcvg. " rtqr tkgv ctkk" gk+ " guvg" e j g- o cv " u / k" cfwe " qdqnnw" nc" cvgpwctgc" wpwkc" fkpvtg" egng" o ck" i tcxg" eqp fkevg" uqekcng" ,p" uqekgv kng" vtcp | kvxg. " ectg" ug" uqnfgc | " rtkp" cpvc i qpku o " geapp o ke. " uqekcn" k" rukj nqike" ,pvtg" r vwtknng" uqekqgeapp o ke g" rqnctk | cvg0" Oqfcnk" kng" fg" ce kwpg" rqv" L" egng" o ck" fkvxg" o" fg" nc" kpxgvk kknng" ,p" geapp o ke" pc kqpcn . " etgctgc" pqnqt" nqewtk" fg" o wpe . " o clqtctgc" rcejgvgnqt" uqekcng" k" r- p "nc" ce kwpk" fg" ectkv cvg" k" o gegpcv0" Ckek" xq o " o gp kqpc" e . " rg" n- pi " gzgtekvctgc" wpgk" o kukwpk" uqekcng" qpqtc- dknng. " kpukvw kc" rtqr tkgv kk" rtkxcvg. " rtguv- pf" cpw o kvg" ugtxkvwv" uqekcng. " pw" hceg" cnvegxc" fge- v" u / k" cuk i wtg" k" rg" cegcuv " ecng" eqpfk k" hcxqtdkng" fg" ugewtkvcvg" k" fg | xqncvctg" geapp o ke 0

Vqvqfcv . " guvg" pgeguct" u " o gp kqpc " ,pe " wp" curgev" cn" rtqdnng o gk" rtkxkpf" wvknkv cvg" uqekcn " c" rtqr tkgv kk" rtkxcvg. " k o rqtvcv" rgpvtw" uqekgv kng" ,p" vtcp | k kg0" Uwpvg o " fg" r t g t g " e " t g r t g | g p v c k k " c c / p w o k v g n q t " r v w t k " f g h c x q t k | c v g " c n g " r q r w n c k g k " c w " c l w p u " , p " u k v w c k c " u q e k q g e a p p o k e " r t g e c t " p w " c v - v " f k p " e c w | c " e " c e g v k c " c w " h q u v " n k r u k k " f g " e c r c e k v c v g c " f g " c " u g " c f c r v c " n c " u e j k o - d t k n g " u q e k q g e a p p o k e g " t c f k e c n g . " u w t x g p k v g " , p " u q e k g v c v g c " v t c p | k v k x . " e - v " r g " o q v k x w n " e " c w " h q u v " c f g u c " n k r u k k " f g " r q u k d n k v c v g c " w p g k " c u g o g p g c " c f c r v t k 0 " C v - v " f k p " e c w | g " q d k g e v k x g . " e - v " k " r g " o q v k x w n " w p q t " i t g g n k . " n c e w p g " u c w " c v k w f k p k " i p q t c p v g . " c f o k u g " , p " r t q o q x c t g c " t g h q t o g n q t " g e a p p o k e g " k " u q e k c n g . " w p k e c " q r k w p g " u q e k c n " c e e g u k d k n " c e g u v g k " r t k " c " u q e k g v k k " c " h q u v " r g p v t w " w p " v k o r " e g c " c " u w r t c x g w k t k k " , p " e q p f k k n g " f c v g 0 " p " c e g u v " e q p v z g v . " h g - p q o g p w n " g o k i t t k k " f k p " c t c " p q c u v t " c " t g r t g | g p v c p k n q t " r v w t k n q t " u q e k c n g " t g u r g e v k x g . " r t g e w o " k " e g n " c n " q r v t k k " r g p v t w " e g v g p k c " c n v q t " u v c v g . " u w p v " e w " v q v w n " g z r n e c d k n g " f k p " r w p e v w n " f g " x g f g t g " c n " e q p f k k n q t " u q e k q g e a p p o k e g " k " r q n k v k e g " f g " h w p e k a p c t g " c " u q e k g v k k " p q c u v t g " , p v t / q " c p w o k v " r g t k q c f 0 " p " f q o g p k w n " o c e t q g e a p p o k e " g u v g " d k p g " e w p q u e w " v g t o g p w n " š q r k w p g c " k g k t k k 0 . " e c t g " u g o - p k l e " r q u k d n k v c v g c " e q p u w o c v q t w n w k " f g " c " t g h w | c " n c " w p " r t q f w u " k " f g " c " c n g i g " c n v w n " f g " L g e c t g " f c v " e - p f " g u v g " p g o w n w o k v 0 " U c x c p k k " g z r n k e < " š " p " r q n k v k e " r q u k d n k v c v g c " q r k w p k k " k g k t k k " w t o g c | " u " L g , p g n g c u " e c " r q u k d n k v c v g c " t g e n k | t k k " w p w k c " u c w " o c k " o w n v q t " c u r g e v g " c n g " g z k u v g p g k " , p " e c n k v c v g " f g " e g v g c p " c n " c n v w k " u v c v 0 " 14 " C n v e g x c " g u v g " h c r v w n . " t g o c t e c v " , p " e q p k p w c t g " f g " c e g n c " k " c w v q t . " e " q t k e g " q r k - w p g " c " e g v g c p w n w k . " L g " k " e g c " o c k " u k o r n . " r t g u w r w p g " q " c r t g e k t g * c f g u g c " p g e a p v k g p v k | c v + " c " r q n k v k e k k " d w i g v c t g " k " g e a p p o k e g " c " u v c v w n w k " , p " , p v t g i k o g 0 " k " c e g c u v c " g u v g " q "



crtekgtg"hcqvtg"glēkqpv . "fgqctgeg"gc"ko rwpq"uvcvwn" u "kc"o uwtk"wti gpvēg" ,p"fq o gpkwn"tgur gevkx¹⁵

"p"ec | wn"uvcvwnwk"pqvwtw . "cx-pf" ,p"xfgtg"rqukdnkx - kng"Łpcpekt/geppq o keg" fgqec o fcv "hcqvtg" o qfguvēg" wpc"fkpvtg"e kng"tgftgu tkk"ukwvc kkg"uqekqgeppq o keg" c" r vwtknqt"fgheqxtk | cvg" cng"rqrwnc kkg"ct"Ł"egc"fg" ,pew-tclctg"rg"vqcvēg"e kng"cf"fg | xqnv tkk"kpukvw kkg"rtqrtkgv kk" rtkxcvēg" ,eqpvtkdwpf" ,p" o qfwn"egn" o ck"cevwx"nc" hqt o c-rea unui strat social numit r vwtc"fg" oklnqe¹⁶ Cegcuv" ug o plē "i twrwn"uqekqgeppq o ke"cn"rqrwnc kkg" ,ectg"ctg" wp" xgpkv" o gfkw" . fct"uwŁēkqpv" rgpvtw" cuk i wtctg"wpwk" pkxgn" fg"vtck" fgegpv" ,p"ugpuwn"cfgx tcv"cn"ewx-pvwnwk¹⁷ Fwr "ew"o "ug" vkg" .cpw o g"ceguv" i twr"uqekcn"guvg"fguvwn" fg"cevwx" .kpenwukx" fkp"rwpev"fg" xfgtg"uqekqrqnkve" . k" kpvgtgucv"fg"uwu kpgtgc"ewtwnwk"tghqt o cvqt" ,p"geppq o kg" k"rqnkve 0" Gn"rqcvēg"ceqtfc"urtklpwn"eqpukvgpv"pgeguct" ,p"rtq o qxctg"tghqt o gnat" fg" o qetcvkeg"fg"e vtg"cwvq-tkv kng"uvcvng" k"guvg"ecrcdkn"u "lqceg"tqwn"šnkcpvwnwk" uqekcn¹⁸ ,pvtg"vqcvēg"r vwtkn"uqecng" ,p"ueqrwn"uqkfctk | tkk" eqpuqkf tkk"nqt" k" o qdknk | tkk"nc"ce kwpk"fg"eqqrgtctg" uqekcn "urtg"šdkpng"eq o wp¹⁹

"Egnēg"gzrwug" xkp"u "pg"eqpxkpi "e"rtqrtkgvcvēg" rtkxcv . "fkp"o q o gpvwn"crctk kkg"ucng" ,p"uqekgvcvēg"wo c-p . "c" hquv" o gtgw"wp" hcevqt"ko rqtvcv" . ectg" c"kpłwgp cv" fg | xqnvctg"uqekg k²⁰ Gn" ,pu . "guvg" ,pvqvf gcwpc"rwu" ,p" ce kwpg"fg"e vtg" hcevqtwn"wo cp" . kpk kcvxc"geppq o ke" rtkxcv "Łkpf"kp fkgur gpcdkn "rtq i tguwnwk"geppq o ke" k" uqekcn"cn"uqekg k²¹ Fg"ckek" ,pvtgdctg" . fce "c" hquv" rqukdnk "gxqnv kc"Łtguc "c"hgpp o gpvwnwk"uvcvnc" ,p"rgtkqfc" uqxkve " ,p"eqpf kknēg" . e-pf" fkp"ukuv g o wn" hcevqtknqt"eg" kpłwgp gc | "jqv t-vqt"fg | xqnvctg"uqekg k" k"uvcvwnwk" cw" hquv"rtceve" ,pn vwtc" k"fq"egk" o ck"ko rqtvcv k" hcevqt"o" rtrtkgvcvēg" rtkxcv " k"kp kcvxc"geppq o ke" "kp fkkfwcn . " guvg"wp"tgvtke 0" Rtkp"wt o ctg" . rgpvtw"tgxgptg"uqekg k" pvcuvtg" ,p" h ic wn"gxqnv kkg" igpgtcn"cegrvcvēg"fg"q o g-pktg"ekxknk | cv "ec"qrvc o cn " ,p"ceguv" o q o gpv"kuvtke"fg" fg | xqnvctg"uqekg k"wo cpg" . guvg"cdunwv"pgeguct"u "Łg" tgcfw k" ,p" rtk o /rncp"uqekqgeppq o ke"cpw o g"ceg vk"fq" hcevqt"ko rqtvcv k"o"kp fkkfwcnkvcvēg"wo cp "ew"urtkvwn"gk" fg"kp kcvxc " k"rtqrtkgvcvēg" rtkxcv 0" Ceguc"ct"Ł"wp"rwpev" ukiwt"fg"tgrgt"rgpvtw"uqekgvcvēg"pqcuvt "vtcp | kvx . "ectg" ug" cł " ,p"e vwtg"wpwk"ukuv g o "fg"eqqfqcvcvēg"cfgecv" rgpvtw"qtgpcvctg" igpgtcn "c"uqekg k" k" c"uvcvwnwk"rg" ecngc"vtcpuhqt o tknqt"fg" o qetcvkeg²²

"Vtcurwu" ,p" o cvgtg"fg"ftgrv" . cegcuv "uctekp"fg" qt fkp"uqekcn" . geppq o ke" k"lwtkfke"rqcvēg"Ł" hqt o wncv " ec"wp"fg"etgctg" c"vwwtqt"eqpf kknqt"pgeguctg" rgpvtw" icctcpvctg"ftgrvwnwk"nc" rtrtkgvcvēg" rtkxcv . "rtqve kc" k"eqpuqkfctg"ceguvkc" ,p"eqpht o kvcvēg"ew"uvkrwn tkng" fkp"ctveqngēg"68"o"šFtgrvwn"nc" rtrtkgvcvēg" rtkxcv " k" rtqve kc"ceguvkc²³ . 348"o"šGeppq o kc²⁴ " k"ctv²⁵349"o" šRtrtkgvcvēg" fkp"Eqpukvw kc" Tgrwdnkēk" Oqnfqxc²⁶

Fg k" rwtv-pf" gxkfgpvēg" ceegpvēg" geppq o keg" . tgcnk | ctgc" ceguvk"uctekpk"rqcvēg"cxgc"wp"ko rcev"dgpgŁē"uguk | cdkn" cuwrte"gxqnv kkg"uqekqrqnkveg" c"uqekg k" pvcuvtg" . qtkgpv-pf/q"urtg"kfecnwn"uvcvwnwk" . ectg"gtc" x | wv"fg" e vtg"Eqpuvcvvpk"Uvgtg"ec"uvcv"cn"wpkv k"pc kqpcng" k"cn" uqkfctk k"tgcn²⁷ Pg"gzrtko "o"eqpxkpi gtc"e" k" ,p" eqpf kknēg"cevvcng"fg"cxcpuctg" c"etk | gk"geppq o keg"ftgr-vwn"nc" rtrtkgvcvēg" rtkxcv "wt o gc | "u "Łg"tgur gevcv"ew" egc"o ck"o ctg"tki qctg" . hqewn" k"tqwn"uvcvwnwk" ,p"rtqeguwn" ftkl tkk"geppq o kkg"pc kqpcng"Łkpf"uwrwu"wpk" gxcnw tk" hcqvtg"cvpvēg" . etg-pfw/ug"vqcvēg" icctcp kknēg"pgeguctg"rgp-vtw" ,pewtclctg" ,p"eqpukpwtg" c" kpk kcvxcg"kp fkkfwcnēg" de antreprenoriat .

E-v"rtkxg vg"rtqrpwtgkng"fkp" Cpvgrtqkgev"referitoare nc" uvkrwncctg" eqpukvw kqpcn " c"wpwk" kt" ,pvtgi" fg" icctcp k" uqekqgeppq o keg" rgpvtw" tgrtg | gpvc k" r vwtknqt"uqekcng" o wpekvqctg" . xq o "tg o ctec"ectcevgtwn" nqt" o wnv" o ck"cxcpvcv" fge-v"cn"pqt o gnat"tgur gevkxg"fkp" pqwc" Eqpukvw kg" *3;45+0" Urgekcn vk" ,p" o cvgtg"fg" kuvqtk" eqpukvw kqpcnku o wnwk"uwu kp" šEc" k" ,p" ec | wn" rtkgevcvwnk" fg" eqpukvw kg" tgfcvcv" fg" E0" Uvgtg" . fct" ,pvt/q" rtrqqt kg" o wnv" o ck"tgfw . "xctkpcv"Łpcn o gpvēg" ceegrvcv "kpvtqfwegc"q" icctcp kg"gvcke . "cn"e tkg"qdkgev" gtc" rtrqvglctg" hcevqtknqt" fg" rtrqfwe kg²⁸ Q" rtrqve kg" eg"ko rnkec"o" c" ew o " rqnkvec" . qtke ,v" fg"vk okf . " fkp" grqec"kpvtgdnke "q"xc"rtqdc"o"kpvtgxp kc"uvcvwnwk" ,p" ejgukwpknēg"ngicvēg"fg"tg ing o gpcvctg" o wpekk"ucnctkng" . ec" k" ,p" fq o gpkwn"kpukvwtkk"wpqthqt o g"lwtkfkeg"fg" cuk i wtctg" c" ucnctk knqt²⁹ Guvg"ceguvc"wp" g o dtkp" . p"ectg"rqv Ł"tgewpquevwg"q"ugtkg"fkpvtg"ftgrvwtknēg" uqekcng" . fg"Łpkvqt³⁰ rgpvtw"eqpukvw kknēg"cfqrvcvēg" fwr " uh,t kvwn"egnwk"fg/cn"fqkngc"t | dqk" o apfkcn³¹ Pw"pg" t o -pg" fge-v"u"eqpucv o ,pe"q"fcv"e" ,p" xk | kwpkng" ucng"cuwrte"ftgrvwtknqt" k"ndgtv knqt"q o wnwk"ucxcpvwn" eqpukvw kqpcnkuv" Eqpuvcvvpk" Uvgtg" r gc" ew" o wnv" înaintea vremurilor .

Uxcv k"tg o cte "e" ,p"rgtkqfc" o qfgtp "eqpukvw/ kknēg"uvcvgnqt" gwtqrgpg" *kpenwukx"Eqpukvw kc" Tq o -p³² fkp" 3:88+ cw" fgenctcv" rtrtkgvcvēg" fg"qtkeg"pcvwt " ucet " k"kp³³qncdkn 0" p" hqewn"ceguvkc"eqpgr k" c"tqwnwk" uvtke"kp fkkfwcnkuv"cn" rtrtkgvcvēg" k" fwr "rtk o wn"t | dqk" o qpfkn"u/c"etgcv"q"pqw "cvkwfkpg"hc "fg" rtrtkgvcvēg" rtkxcv . "e"tgk" k"u/c"cvtkdvw"q"hwpe kg"uqekcn . "Łkpe" Łgectg" rtrtkgvcvēg"vtgdwku"ug"eqpht o g | gkpvtgugnqt" rwdnkēg³⁴ šEqpvtkdw kknēg"kpvtgdnkeg" cng"fqvtpk³⁵ k" lwtkurtwfgp gk" tq o -pg vk"uwpv"uwduvcv kcnēg" k"gnēg"cw" hquv"qtgpcvēg" ,p"ceggc" k" fktge kg"ec" k"kp³⁶xgukic kknēg" vkp kŁēg" k"lwtkurtwfgp c"cnvt"uvcvēg"fg" o qetcvkeg" fkp"cegc"grqe"ectg"ug"eqphtwpcv"ew"rtqdnēg" o g" uk o knctg³⁷ Ghqtvwtknēg"vwwtqt"uvcvgnqt" ,p"ceguv"fq o gpkw" au culminat apoi cu adoptarea unor acte normative kpvtgpc kqpcng" . rtkpvtg"ectg" k"Eqpxgp kc" Gwtqrgcp "



c" Ftgrvwtknqt" Q o wnwk." ectg" rtgxgfg." ,p" ctv03." ftgrvwn" Lge twk" qo" nc" turgectg" rtqrtkgv" kk" nwk." rtkxctg" fg" rtqrtkgvcvg" h e- pfw/ug" fqct" rgpvtw" ecw| " fg" wvknkvcvg" rwdnke " ,p" eqpf kkn" rtgx | wvg" fg" ngig" k" fg" rtkpekrkkng" igpgtcng" cng" ftgrvwnwk" kpvgtgpc kqpcnö." uwu kpg" fgevqtwn" jedknkvcv" ,p" ftgrv." rtqhgquwtwn" Gngpc" Ctc o 0¹⁹" Fwr " ew o" pg/c o" eqpxkpu." xk| kwpkng" nwk" Eqpuvcvkv" Uvgtg" cuwrtc" tging o gpv tknqt" eqpuvkvw kqpcng" cng" ftgrvwnwk" nc" proprietate corespundeau perfect celor mai avansate ,p" cegc" rgtkqcf " vgpfkp g" gwtqrgpg" ,p" cdqtfctg" rtdng o gnat" turgcvkxgl" Eqpukfgt o" ectcevgtw" rtqitguix." excpucv." eqtgurwp| vqt" egnqt" ock" ,pcnvg" uvpcfctfg" vkkp lEq/rtcevkeg" gwtqrgpg" ,p" fq o gpkw" ftgrv" wpc" fkvptg" vt u vwtkng" fkuvkpevkxg" cng" eqpegr kkg" uvgtkpgg" cuwrtc" ftgrvwtknqt" k" nkdgvtv knqt" q o wnwk0

Note:

1. C"ug" xgfgc< R.Grecu. Eqpuvcvkv" Uvgtg" fgurtg" ftgrvwn" nc" nkdgvtvcvg" kpfkxkfwcn "11" Cxqecvwn" rqrqtwnwk." 422; .pt0" 6." p.8-11."
2. C"ug" xgfgc< "C.Stere. Ewtu" fg" ftgrv" eqpuvkvw kqpcn *Nkvq i tcLcv+0" ó" Dkdnkqvgec" Cecfg okgk" fg" vkkp g" c" Tq o -pkkg." 3; 32." r06; 5/6; 60
3. Kdkfgo." r06; 8." 6; ; 0
4. Kdkfgo. p.496-498.
5. Kdkfgo." r07220
6. Kdkfgo." r07270"
7. Kdkfgo." r072; /7320"

8. C"ug" xgfgc< "Cpvgrtqkgev" fg" Eqpuvkvw kg" ,pvqeokv" fg" Uge kc" fg" Uvwfkk" c" Rctvkfwmwk" t pgue" ew" q" Gzrwpgtg" fg" oqvixg" fg" E0" Uvgtg. p.101-104.

9. Kdkfgo. p.104-105.

10. C"ug" xgfgc< "D0Pgi tw0" Wpgng" rtkpekrkk" eqpuvkvw kqpcng" rtkxkpf" rtqrtkgvcvg" k" ftgrvwn" hc" rtqrtkgvcvg" 11" Cpcngng" vkkp- kLeg" cng" Wpkxgtukv kk" fg" Uvcv" fkp" Oqnfqxc0" vkkp g" lwtkfkeg0" Ugtkg" pqw . pt060" Rtqrtkgvcvg" k" tging o gpvctg" gk" lwtkfke 0" ó" Ejk kp w." 4222." r0360

11. C.Stere. Gxqmw kc" kpfkxkfwcnkv kk" k" pq kwpgc" fg" rgtuqcp " ,p" ftgrv0" Uvwfkw" ugekqniqike" k" lwtkfke0" *Vg| " fg" nkegp " ,p" ftgrv+." Kc k." 3 : ; 9" 11" Uvgtg" Eqpuvcvkv0" Uetkgtk. ,p" ekpek" xqmw o g0" Ectvge" c" X/c0" ,p" xkc . " ,p" nkvgtcvwt 000< " Uvwfkk." ctvkeqng." pqvg." c okpvtk0" ó" Ejk kp w." 3 ; ; 3." r05630"

12. Cpvgrtqkgev" fg" Eqpuvkvw kg ,pvqeokv" fg" Uge kc" fg" Uvwfkk" c" Rctvkfwmwk" t pgue" ew" q" Gzrwpgtg" fg" oqvixg" fg" E0" Uvgtg." r03230

13. C"ug" xgfgc< " 0 0" " 0" " " " 0" ó" .:3; ;9." 0; 3." ;40 " 360" 0 0" " 0" " 0" " 0" - <" " / " "*" " " +0" ó" O ."4225." 03260

15. Kdkfgo. p.105.

16. C"ug" xgfgc< "C.Stere. Introducere în studiul dreptului eqpuvkvw kqpcn0" Rctvge" K0" ó" Kc k." 3; 25." r07:0

390" K0Uvcvq o kt0" Nkdgtvcvg." ngig" k" ftgrv0" Q" kuvqtkg" c" eqpuvkvw kqpcnku o wnwk" tqo -pgue0" ó" Kc k." 4227." r03240

18. C"ug" xgfgc< "G0Ctc o 0" Interpretarea dreptului de rtqrtkgvcvg" ó" eqpvtkdw kk" kpvgtgdnkeg" 11" Cpcngng" vkkp kLeg" cng" Wpkxgtukv kk" fg" Uvcv" fkp" Oqnfqxc0" vkkp g" lwtkfkeg0" Ugtkg" pqw . pt060" Rtqrtkgvcvg" k" tging o gpvctg" gk" lwtkfke 0" ó" Ejk kp w." 4222." r060

19. Kdkfgo. p.9.



FGNKOKVCTGC'''CE KWPKNQT'''ECTG'''FG \ QT I CPK \ GC \ CEVKXKVCVGC'''RGPVGPPEKCTGNQT'''*ctv04:8"E0rgp0TO+'''FG" WPGNG'''KPHTCE KWPK'''EQPVTC'''UGEWTKV KK'''RWDNKEG' K'''QTFKPKK'''RWDNKEG

Vladislav MANEA, doctorand

Tgegp | gpv<"Sergiu BRÎNZĂ." fqevqt"jcdknkvcv",p"ftgrv."rtqhuqt"wpkxgtukvct"*WUO+

SUMMARY

Kp"vjg"htcogym"qh"vjku"ctvkeng."kv"ku"ecttkgf"qww"ceqorctcvkxg"uweeguukxg"gzco"kpckvqp"dgvyggp"vjg" qhhgpeg"rtxgpgvgf"kp"vjg"ctv04:8"RE"TO"cpf"vjg"cmkpi"jqvucig"qhhgpeg"*ctv04:2"RE"TO+."vjg"ocuu"fkvqt-fgt"qhhgpeg"*ctv04:7"RE"TO+."vjg"jqnkicpkuo"qhhgpeg"*ctv04:9"RE"TO+."vjg"twlLcpkuo"qhhgpeg"*ctv04:5" RE"TO+"gve0"Coqpi"qvjgt"vjkiu."kv"ku"tgcejgf"vjg"eqpenwukqp"vjcv"vjgtg"ecp"pqv"dg"ce"šrctv/yjqngö"tg-ncvkapujkr"dgvyggp"vjg"kfko"rwdnke"qtfgt"cpf"rwdnke"ugewtkv"Go"gtikpi"gxgp"htqo"vjg"Ejcrvgt"ZKKK" vkng"qh"vjg"Urgeken"Rctv"htqo"vjg"Rgpcn"Eqfg"yg"Łpf"qww"vjcv"vjg"ngikuncvqt"eqpegkxgf"cu"kpfkxkfwnkvgu" vjgug"vyq"uqekcn"xcnwgu0"Cpf"vjg"pqvkapu"y"jke"j"fgpvg"vjgo"ctg"pcttqynf"eqorngogpvtct0"Jqy"vgxt."vjgkt" meaning never interpolates.

A tv04:8"E0rgp0"TO" hceg" rctvg" fkp" Ecrkvqnn" ZKKK" šKphtce kwpk" eqpvte" ugewtkv" kk" rwdnkeg" k" qtfkpkk" rwdnkegö" fkp" Rctvge" Urgeken" c" Eqfwnw" rgpncn" Fg" ceggc." ,p" oqf" x" fkv" gzku" "cug" o" p" tk" ,pvtg" ce" kwpkng" ectg" fg" | - qti" cpk" | gc" | "cevxxkvcvgc" rgpkvgpeketgnqt" k" kphctce kwpkng" ectg" cw" cegnc" k" qdkgev" lwtkfke" i" gpgtkel) "p" ceguv" rncp" .eqpvkfgt" o" e" .,p" rtko" wn" t" pf" .vtgdwkg" h" ewv" "fgnk" o" kvctgc" fkpvtg" kphctce kwpgc" rtgx" | ww" "nc" ctv04:8"E0rgp0"TO" k" kphctce kwpgc" fg" luare de ostatici *ctv04:2"E0rgp0"TO+0" C" o" dngc" ceguv" kphctce kwpk" hce" rctvg" fkp" ecvg" i" qtkc" kphctce kwpkng" eqpvte" ugewtkv" kk" rwdnkegö" Fg" cug" o" gpgc" .gng" rqv" rgtuwrwp" c" rnkectgc" xkqngp" gk" ucw" c" o" gpkp" ctgc" ew" xkqngp" c0" "p" ec" | wn" c" o" dngc" kphctce kwpk" . uwdkgevwn" guvg" rgtuqpcp" Ł" | ke" "tgurqpucdkn" "ectg" .nc" o" q- o" gpvwn" u" x" t" ktk" hc" rvgk" .c" cvku" x" t" uvc" fg" 36" cpk0 Vqv" k" ,p" chct" "fg" cug" o" p" tk" .gzku" " k" fgugdktk" ,pvtg" nwctgc" fg" quvcvkek" k" ce" kwpkng" ectg" fg" | qti" cpk" | gc" | "cevxxk-vcvgc" rgpkvgpeketgnqt0" K" fgpvkŁectgc" ceguvqt" fgugdktk" guvg" ew" cv" v" o" ck" k" o" rqtvcv" .ew" e" v" nwctgc" fg" quvcvkek" rqcvg" Ł" u" x" t" kv" " k" ,p" eqpfk" kng" wpgk" kpukvw" kk" rgpkvgpeketg0" "p" ceguv" " rtkxkp" .X0R0" G" o" gnkcpqx" cŁt" o" . "rg" dwp" " ftgrvcvg" <"šRgtkeqnn" uqekcn" urqtkv" cn" nw" tkk" fg" quvcvkek" ,p" eqpfk" kng" kpukvw" kgk" rgpkvgpeketg" eqpv" ,p" rgtkeqnn" tgcn" rgpvtw" xkc" c" k" u" p" vcvgc" rgtuqpcp" ngcvg" ,p" ecnkvcvg" fg" quvcvkek" .rtgew" o" k" ,p" rgtvtdctgc" hwpe" kqp" tkk" pqt" o" cng" c" kpukvw" kgk" rgpkvgpeketg0" "p" ceguv" ec" | . "rg" h" rrvkvqt" ,n" kpvtgugc" | "pw" cv" v" rgtuqpcp" ncvcvgc" xkev" o" gk" .e" v" o" ck" cngu" rqukdnkvcvgc" fg" c" q" hqnqk" ec" hcevqt" fg" rgtukwpg" cuwrte" fguvkpcvctwnwk" tngxp" fke" tkk" cxcpcvcvg" fg" h" rrvkvqt00

C c fct."fgqugdktkng" fkpvtg" kphctce kwpgc" rtgx" | ww" "nc" ctv04:8"E0rgp0"TO" k" kphctce kwpgc" rtgx" | ww" "nc" ctv04:2" E0rgp0"TO" uwpv" wt" o" vqctgng< 3+ " ,p" ec" | wn" nw" tkk" fg" quvcvkek" .qdkgevwn" lwtkfke" urgeken" ,n" tgrtg" | kp" v" .kpenwux" .tgnc" kng" uqekcng" ew" rtkxktg" nc" nkdgtvcvgc" Ł" | ke" "c" rgtuqpcp" = cuvhgn" fg" tgnc" k" k" xcngtk" uqekcng" pw" rqv" u" "eqpvkvwg" qdkgevwn" lwtkfke" urgeken" cn" kphctce kwpkk" rtgx" | wvg" nc" ctv04:8"E0rgp0"TO= 4+ "xkev" o" c" kphctce kwpkk" rtgx" | wvg" nc" ctv04:8"E0rgp0"TO. " rqcvg" Ł" pw" o" ck" eqpfc" o" pcvwn" rqtprk" rg" ecngc" eqtgev" tkk" ucw" tgrtg" | gpvcvwn" c" f" o" kpukvtc" kgk" kpukvw" kgk" rgpkvgpeketg0" "p" eqpvte" .,p" ec" | wn" kphctce kwpkk" rtgx" | wvg" nc" ctv04:2" E0rgp0"TO. "xkev" o" " rqcvg" Ł" qtkectg" rgtuqcp" 0" "p" ngi" - vwt" ew" cegucv" .ctg" ftgrvcvg" O0H0" Mqukw" .e" pf" cŁt" o" " e" .f" ce" "nwctgc" fg" quvcvkek" g" u" x" t" kv" ,pvt/q" kpukvw" kg" rgpkvgpeketg" .ec" xkev" o" g" crct" pw" pw" o" ck" tgrtg" | gpvc" k" c" f" o" kpukvtc" kgk" kpukvw" kgk" rgpkvgpeketg" .fct" k" r" tqewtq- tkk" tgrtg" | gpvc" k" qti" cpk" | c" kng" qd" vg" vk" = " rgtuqpcp" ng" xgpkv" ,p" xk" | kv" "nc" eqpfc" o" pc" k" gve02= 5+ " ,p" ec" | wn" nw" tkk" fg" quvcvkek" .xkev" o" c" šgug" pw" wp" qdkgev" .ek" wp" o" klnqe" fg" rgtukwpg" cuwrte" fguvkpcvctwnwk" tngxp" fke" tkk003" Rgpvtw" kphctce kwpgc" fg" nwctgc" fg" quvcvkek" guvg" urgeke" e" .,p" chct" "fg" xkev" o" " k" h" rrvkvqt" .,pvq- fgwpc" gzku" "q" vgt" " rgtuqcp" "o" " fguvkpcvctwn" tngxp- fke" tkng" h" rrvkvqtwnwk" "o" " k" cpw" og" uvcvwn" .qti" cpk" | c" k" kpvtgpc" kqpcn" . rgtuqpcp" lwtkfke" ucw" Ł" | ke" .wp" itwr" fg" rgtuqpcp0" Fkp" eqpvte" .,p" krqvg" | c" ce" kwpkng" ectg" fg" | qti" c- pk" | gc" | "cevxxkvcvgc" rgpkvgpeketgnqt" .xkev" o" c" kphctce kwpkk" guvg" qdkgev" xwn" rgtukwpgk" gzgtekv" cvg" fg" e" vtg" h" rrvkvqt0" p"



ec | wn "ccestei kphce kwpk. "pw" guvg "pgeguet" u "gzkuvg" xtqg " vgt " rgtuqcp "cx-pf" ecnkvcvgc "fg" fgukpvcvt "cn" tngxp fke - e tknqt "h rvvkvtwnwk=

6+ "eqp kpwvwn "hcrvkg" rglwfkecdkng "guvg" fkhgtk, "p" ec | wn " egnqt" fqw "kphce kwpk" eqphtwpcvg < "nwctgc" ucw "tg kpgtgc" rgtuqcpk, "p" ecnkvcvg "fg" quvcvke "p" ec | wn "kphce kwpk" rgt- x | wvg "nc" ctv04 : 2 "E0rgp0" TO += "vgtqtk | ctgc" eqpfc o pc knqt " rqtqk k" rg "ecngc" eqtgev tkk. "u x-t ktgc" cvcewtknqt "cuwrte" cf o kpkvte kkg. "qti cpk | ctgc" , "p" ceguv "ueqrwtk" fg "i twrwtk" etk o kpcng "ucw" rctvkekretgc "cevix "nc" cug o gpgc "i twrwtk", "p" ec | wn "kphce kwpk" rgtx | wvg "nc" ctv04 : 8 "E0rgp0" TO +=

7+ "nwctgc" fg "quvcvke" rqcvg "L" u x-t kv "pw" pw o ck "rtkp" crnctgc "xkqngp gk" ucw "c o gpkp ctgc" ew "xkqngp c." fct " k" rg "cnvg" e k "fg" gzg o rrw. "rtkp" , "p" gn ekwpg+0 "p" ec | wn " ce kwpknqt "ectg" fg | qti cpk | gc | "cevixkvcvgc" rgpkvpeketg- nqt. "ec" o gvqfg "fg" u x-t ktgc "c" kphce kwpk "c" rct "crnctgc" xkqngp gk "ucw" c o gpkp ctgc "ew" xkqngp c=

8+ "fkp" ctv04 : 2 "E0rgp0" TO "tgkug" e "ueqrwn" urgekcn "cn" kphce kwpk "fg" nwctgc "fg" quvcvke, "n" eqpukvwkg "ueqrwn" fg "c" uknk "ucvwn. "qti cpk | c kc" kpvtpc kqpcn . "rgtuqcp" lwtkfk " ucw "L" ke "qtk" wp "i twr" fg "rgtuqcp" u "u x-t gcue "ucw" u " ug" cd kp "fg" nc "u x-t ktgc" xtgpwgk "ce kwpk" , "p" ecnkvcvg "fg" eqpfc k "rgpvtw" gndgtctgc "quvcvke" wnw0 "Ueqrwn" urgekcn "cn" kphce kwpk "rtgx | wvg" nc "ctv04 : 8" "E0rgp0" TO "guvg" cnvwn " ueqrwn" vgtqtk | tkk "eqpfc o pc knqt" rqtqk k "rg" ecngc "eqtge- v tkk" ucw "cn" u x-t ktkk "cvcewtknqt" cuwrte "cf o kpkvte kkg0" "p" rrwu. "ceguv" ueqr "urgekcn" cn "kphce kwpk" ug "cvguv " fct " , "p" ec | wn "c" fqw "fkp" egng "rcvtw" o qfncv k "cng" ce kwpknqt "ectg" fg | qti cpk | gc | "cevixkvcvgc" rgpkvpeketgnqt "qti cpk | ctgc" fg "i twrwtk" etk o kpcng = "rctvkekretgc" cevix "nc" i twrwtkng " etk o kpcng =

9+ "uwdkgevwn" kphce kwpk "rtgx | wvg" nc "ctv04 : 8" "E0rgp0" TO "ctg" ecnkvcvgc "urgekcn "fg" rgtuqcp "ectg" , k "gzgeww "rgfgcruc" ew" , "pejkuqctg0" "Uwdkgevwn" kphce kwpk "fg" nwctgc "fg" quvcvke "pw" ctg "xtgq" ecnkvcvg "urgekcn =

: + "t urwpfctgc" rgpvtw "nwctgc" fg "quvcvke" ug "ci txcgc- | " , "p" rtg | gp c "ektew o uvcg gnqt" ci txcxpcvg "urgek" ecvg "nc" cnkp0*4+ "ucw" *5+ "ctv04 : 2" "E0rgp0" TO "Ctv04 : 8" "E0rgp0" TO "pw" uvcdkng "vg" pkek "q" ectew o uvcg "ci txcxpcv =

; + "nc" cnkp0*6+ "ctv04 : 2" "E0rgp0" TO "ug" rtxgfg "wp" ec | " urgekcn "fg" hkdgtctg "c" h rvvkvtwnwk "fg" t urwpfctg "rgpcn < " Šrgtuqcp "ectg. "dpgxq" ucw "nc" egtkpg "ng" tgrtg | gpvc- knqt "c" cwvqtkv knqt. "c" gndgtcv "quvcvke" wn "ug" nkdgtgc | " fg" t urwpfctg "rgpcn . "fce "ce kwpkng" gk "pw" eqp kp "q" cnv " eq o rqp "fg" kphce kwpgö0 "p" ctv04 : 8 "E0rgp0" TO "pw" ug "rtxgfg" pkek "wp" ec | "urgekcn" fg "hkdgtctg" fg "t urwpfctg" rgpcn 0 "Nkdgtctg" fg "t urwpfctg" rgpcn "rgpvtw" ce kwpkng "ectg" fg | qti cpk | gc | "cevixkvcvgc" rgpkvpeketgnqt "guvg" rqukdkn "pw o ck" fce "uwpv" cvguvcvg "eqpfc kng" pgeguetg. " rtxg | wvg" fg "pqt o gng" "Ecrkvqwnwk" "Xk" fkp "Rctvgc" I gpg- tcn "c" "Eqfwnwk" rgpcn0

Fwr "kfgpvk" ectgc "rtkpekrcngnqt" fg qugdtk "fkpvtg" kphce kwpgc "fg" nwctgc "fg" quvcvke "k" ce kwpkng "ectg"

fg | qti cpk | gc | "cevixkvcvgc" rgpkvpeketgnqt. " , pvtgdctgc " ectg" ug "k o rwpg" guvg < "ectg" xc "L" ecnklectgc " , p" ec | wn " , p" ectg "rgtuqcp. "ectg" , k "gzgeww "rgfgcruc" ew" , "pejkuqctg- tg. "u x-t g vg" cvcewn "cuwrte" cf o kpkvte kkg. "wt o tkpf" ueqrwn "hw" tkk "ucw" tg kpgtkk " , p" ecnkvcvg "fg" quvcvke "c" tgrtg- | gpvcvwnwk "cf o kpkvte kkg. "fwr "ectg" , "n" kc "ucw" , "n" tg kpg " , p" ecnkvcvg "fg" quvcvke. "wt o tkpf" ueqrwn "urgekcn" kpfkcev " , p" ctv04 : 2 "E0rgp0" TO A

"p" ec | wn "fcv. " rtk o c" uqng kg. "ectg" ct "L" cf o kukdkn . " guvg" ecnklectgc "eqpht o" ctv04 : 2 " k" ctv04 : 8 "E0rgp0" TO < " fct "nwctgc" ucw "tg kpgtgc" rgtuqcpk, "p" ecnkvcvg "fg" qu- vcvke "fgr g vg" nk o kvng "ncvwtkk" qdkgevkg "c" kphce kwpkk " rtxg | wvg" nc "ctv04 : 8" "E0rgp0" TO "Guv" cfxg tcv0 "pu . " fce "cegrv o" ceguv "uqng kg. "xc" tg | wncv "e . " rgpvtw " ceggc k" u x-t ktgc "c" cvcewtknqt "cuwrte" cf o kpkvte kkg. " h rvvkvtwn "xc" "L" vtcu "nc" t urwpfctg "fg" fqw "qtk0" Qt. " , "p" krqvg | c "fguetku " o ck "uwu. "h rvvkvtwn" pw "rqcvg" rwt " k" uk o rrw "u" "kc" ucw "u" "tg kp "rg" ekpgxc " , p" ecnkvcvg "fg" quvcvke0 "Rgpvtw" c / k "tgw k" cegucv. "gn" crnke "xkqngp c" ucw " c o gpkp "ew" xkqngp c "tgrtg | gpvcvwn" cf o kpkvte kkg " kpuvkw k "rgpkvpeketg0" "p" chct "fg" cegucv. "o gvqfc" nc " ectg" tgewt i "g" h rvvkvtwn "guvg" cvcewn0

Fgek. "guvg" pgeguet "cngig o" uqng kc "fg" ecnklectg "fkp" egngcnvg "fqw "t o cug < "3+ "ctv04 : 2" "E0rgp0" TO = "4+ "ctv04 : 8" "E0rgp0" TO "Eqpukfgt o" e . " rtkp" rtku o c "rtkpekrcngnqt" , "p" "fwdkq" rrtg "tgqö. "fce "nwctgc" fg "quvcvke" g "u x-t kv " , "p" rtg | gp c "ektew o uvcg gnqt" ci txcxpcvg " rtxg | wvg" nc "cnkp0*5+ "ctv04 : 2" "E0rgp0" TO . "cvwpek" ecnklectgc "vtgdwk" h eww "eqpht o" ctv04 : 8 "E0rgp0" TO "p" egngcnvg "ec | wtk. " ecnklectgc "wt o gc | " u "ug" hce "rqvtkxk" cnkp0*3+ "ucw" *4+ " art.280 C.pen. RM.

"p" cnv "eqpvzgv. " dezordinile în masă (art.285 "E0rgp0" TO + "tgrtg | kp "q" cnv "kphce kwpg" eqpvtc "ugew- tkv kk" rwdnkeg. "ectg" pgeguv "c" "L" fgnk o kvcv "fg" ce kwpkng " ectg" fg | qti cpk | gc | "cevixkvcvgc" rgpkvpeketgnqt0

"p" qrkpk "nw" X0 I 0 "I tq o qx. " rtkpvtg "rtkpekrcngnqt" ecw | g. " ectg" rq "fgvgt o kpc" u x-t ktgc "fg" qtfkpnqt " , p" o cu . " , p" eqpfc kng "kpuvkw k "rgpkvpeketg. "uwpv" < "cvkw fkpge" dtwcn " c" rgtuqpcnwnwk "rgpkvpeket" hc "fg" eqpfc o pc k="qti cpk- | ctgc" rtqcu "c" cnk o gpv tkk "eqpfc o pc knqt=" eqp f kevng " fkpvtg" hkgftkk "eqpfc o pc knqt" fkp "ecw | c" eqpvtqwnwk "cuwrte" uhgtgnqt "fg" kp f wgp "gve04

"pvtg" fg | qtfkpnqt " , p" o cu " k" ce kwpkng "ectg" fg | qt- i cpk | gc | "cevixkvcvgc" rgpkvpeketgnqt "gzkuv " o ck" o wnv " vcpigp g<

3+ "qdkgevwn" lwtkfk "ugewpfc" cn "c o dngnqt" kphce kwpk " , n" rq "hqt o c" tgnk kng "uqekng" ew "rtkxktg" nc "u p" vcvge "ucw" kpvgi tkvcvg "eqtrqtcn "c" rgtuqcpk=

4+ "qdkgevwn" o cvgtkn "cn" egnqt "fqw "kphce kwpk" , "n" rqcvg " tgrtg | gpvc "eqtrwn" rgtuqcpk=

5+ "xkqngp c" rqcvg "ectcevgtk | c" ncvwtc "qdkgevix "cv-v" c " fg | qtfkpnqt " , p" o cu . "e-v" k "c" ce kwpknqt "ectg" fg | qti c- pk | gc | "cevixkvcvgc" rgpkvpeketgnqt=



6+ "cevxxkvcvg" qti cpk | cvqtke "c" uwdkgevwnw "kphctce-
kwpkk" guvg "urgekŁe "cv-v" rgpvtw "hcrvc" rtgx | wv "nc"
cnkp0*3+ctv04:7"E0rgp0"TO."e-v" k" rgpvtw "wpc" fkp "egng"
rcvtw "o qfcnkv k" cng "ce kwpknt" ectg" fg | qti cpk | gc |
cevxxkvcvg" rgpkvpeketgnqt-

7+ "rctvkekrctgc" cevxx "c" uwdkgevwnw "kphctce kwpkk" nc"
u x-t ktgc "hcrvgk" kphctce kqpcng "guvg" urgekŁe "cv-v" rgpvtw
hcrvc" rtgx | wv "nc" cnkp0*5+ctv04:7"E0rgp0"TO."e-v" k"
rgpvtw "wpc" fkp "egng" rcvtw "o qfcnkv k" cng "ce kwpknt" ectg"
fg | qti cpk | gc | "cevxxkvcvg" rgpkvpeketgnqt-

8+ "p" ugpwun "fkuq | k k" fg "nc" cnkp0*3+ctv04:7"E0rgp0"TO."
qti cpk | ctgc "ucw" eqpfwegtg "wpqt" fg | qt fkp "p" o cu "
rqcvgŁ", puq kv "fg" fg | qti cpk | ctgc "cevxxkv k" pqt o cng "
kpenwukx" c "kpukvw kknqt" rgpkvpeketg-

9+ "p" ec | wn "c" odngt "kphctce kwpk." uwdkgevwn "guvg" rgt-
uqpc "Ł" ke "tguqpuedkn "ectg." nc" o q o gp "wn" u x-t ktk "
hcrvgk." c "cvkpu" x-tuv "fg" 36" cpk0

Rg "h" pi "ceguv" cug o p tk. "eqtcrqtvn" fkpvtg "fg" | qt f-
pkng "p" o cu " k" ce kwpkng "ectg" fg | qti cpk | gc | "cevxxkvcvg"
rgpkvpeketgnqt "guvg" o ctecv " k" fg "fgqugdtkk

3+ "p" ctv04:8"E0rgp0"TO "ug" uvcdkng vg "t" urwpfgtg.
rtkpvgt "cnvng." rgpvtw "qti cpk | ctgc" fg "i" twrtk "etk o kpcng"
"p" qrq | k kg. "p" ctv04:7"E0rgp0"TP "ug" rtgxfg "t" urwp-
fgtg. "rtkpvgt" cnvng. "rgpvtw" qti cpk | ctgc "pw" fg "i" twrtk "
etk o kpcng. "fct" fg "fg" | qt fkp "p" o cu =

4+ "p" ugpwun "cnkp0*3+ctv04:7"E0rgp0"TO." fg | qti cpk-
| cv "rqcvgŁ" cevxxkvcvg "pqt o cn "pw" pw o ck "c" kpukvw kknqt "
rgpkvpeketg. "fct" k "c" cnvt "kpukvw k." c "pvtgrtkpfgtknt."
qti cpk | c kknqt "ucw" c "vtepurqtvnwkw-

5+ "p" ugpwun "cnkp0*5+ctv04:7"E0rgp0"TO." ug "kpetk o k-
pgc | "hcrvc" fg "rctvkekrctg" cevxx "nc" u x-t ktgc "cevgnt" fg "
xkqngp "ucw" nc "dvlqeqtktg" rgtuqcpngt. "nc" kpegpfktg "
ucw" fkuvtw "igtgc" fg "dwpwtk" p "vk o rwn" fg | qt fkp "nt" p "o cu 0 "
"p" eqpvtcv. "p" ctv04:8"E0rgp0"TO "ug" ctg "p" xgfgtg. "rtkpvgt "
cnvng. "rctvkekrctg" cevxx "nc" i twrtkng "etk o kpcng-

6+ "pkek" etkew o uvcpgng "ci" txcxpv "urgekhecvg" nc "
cnkp0*4+ctv04:7"E0rgp0"TO." pkek "hcrvc" rtgx | wv "nc"
cnkp0*6+ctv04:7"E0rgp0"TO "pw" ug "rqv" kpvgt "ce" kwpknt "
ectg" fg | qti cpk | gc | "cevxxkvcvg" rgpkvpeketglt0

"p" wt o c "uvcdkntkk" cug o p tknt "k" fgqugdtknt "fkpvtg"
kphctce kwpgc "fg" fg | qt fkp "p" o cu " k" kphctce kwpgc "rtgx -
| wv "nc" ctv04:8"E0rgp0"TO." u " ,pegte o "u" t urwpfg o "
nc" wt o vqctg "pvtgdctg" "ectg" vtgdwkg "u" "Łg" ecnkŁectg. "
fce "rgtuqcpng. "ectg", k "gzggev "rgfgcruc" ew, "pejkuqctg "
qti cpk | gc | "ucw" eqpfc "fg" | qt fkp "p" o cu " . "puq kv "fg "
vgtqtk | ctgc "eqpfc o pc knqt" rqtpr k "rg" ecngc "eqtgev tkk" ucw "
fg" u x-t ktgc "cvcwtknt" cuwrte "cf" o kpkvte k "A" Eqpuk-
fgt o "e" . "p" ec | wn "fcv." ecnkŁectg "vtgdwkg" h eww "fqct "
eqphqt o "cnkp0*3+ctv04:7"E0rgp0"TO "Pw" xc "Ł" pgeuct "
ecnkŁectg" uwrnk o gpvct " rqttxkv" ctv04:8"E0rgp0"TO "
Cegcuv" fgqctg "vgtqtk | ctgc" eqpfc o pc knqt" rqtpr k "rg "
ecngc "eqtgev tkk" ucw "u x-t ktgc" cvcwtknqt "cuwrte" cf o kpk-
vte k "A" eqpukvwkg "gzg o rng" fg "fg" | qti cpk | ctgc "c" cevxxkv k "

nor o cng "c" kpukvw kknqt "rgpkvpeketg0" Fgek. "ug" cduqtd "fg"
kphctce kwpgc "fg" fg | qt fkp "p" o cu "c" c "ew o "q" uwi gtc | "
tgi wnc "Łzcv "nc" ctv033: "E0rgp0"TO

Fkp o qvxxg "uk o knctg." eqpukfgt o "e" "pw o ck" ctv04:7 "
E0rgp0"TO "guvg" crnecdkn "p" ec | wn "p" ectg "ctg" nqe "rct-
vkekrctg" cevxx "nc" vgtqtk | ctgc "eqpfc o pc knqt" rqtpr k "rg "
ecngc "eqtgev tkk" ucw "nc" u x-t ktgc "cvcwtknt" cuwrte "cf-
o kpkvte k "A" . "p" vk o rwn "fg" | qt fkp "nt" p "o cu 0 "
"p" xktvvgc "tgi wnk" puetkug "nc" ctv033: "E0rgp0"TO. "p" cegcuv "krqvg | . "
t urwpfgtg "wt o gc | "c" hk "c" rnecv "p" dc | c "cnkp0*5+ "
art.285 C.pen. RM.

"p" cnv "qtfkpg" fg "kfgk." p "fvevtkc" rgpcn "ug" cvtcig "
cvpg kc" fg "o wnw" vk o r "cuwrte" pgeguv k "fgnk" o kv tkk "ce k-
wpknt" ectg "fg" | qti cpk | gc | "cevxxkvcvg" rgpkvpeketgnqt."
de *infracțiunea de huliganism* (art. 287 C.pen. RM).⁵

Cegcuv "pgeguv" guvg "eqpfc kqpcv "fg" hcrvwn "e" qtfkpgc "
rwdnke "guvg" q "xcnqctg" uqekcn "ectg" guvg "rtqvglc " k "p "
eqpfc kkn "kpukvw k" rgpkvpeketg0 "p" ceguv "ugpu. "ctg" ftr-
vcvg "O" H "Mqukw" e-pf "cŁt o "e" rtkp "šqt fkp" rwdnke "
p" ecftw "kpukvw k" rgpkvpeketg0 "ug" p gngig "tngc kkn "
uqekcng "tging" o gpvcvg "fg" pqt o gng "ftrvwnw" gzg "w kqpcn "
rgpcn "k" fg "cnv" pqt o g. "cuki wt-pf" qtfkpgc. "ugewtkvcvg" k "
kpxkqcdknkvcvg" rgtuqcpng "k" c "rcvtk o qpkwnw. "rtgwo "k "
cevxxkvcvg "pqt o cn "c" kpukvw k "rgpkvpeketg0⁶

Vqvw k. "pw" vtgdwkg "fg" wkvce "fg" k "hce" rctvg "fkp" ceg-
nc "k" i twr "fg" kphctce kwpk. "ce kwpkng" ectg "fg" | qti cpk | gc | "
cevxxkvcvg" rgpkvpeketgnqt "k" kphctce kwpgc "fg" jwnk icpk o "
cw" qdkgevg "lwtfkkg" urgekng "fkhtkvg0" Fcvqtkv "hcrv-
nw" e "kphctce kwpgc" fg "jwnk icpk o " guvg "q" kphctce kwpg "
eqpvtc" qtfkpk "rwdnke." kct "kphctce kwpgc" rtgx | wv "nc "
ctv04:8"E0rgp0"TO "guvg" q "kphctce kwpg" eqpvtc "ugewtkv k "
rwdnkeg0

"p" ceguv "eqpvz" . "guvg" ec | wn "fg" eqpug o pcv "e" "pw" vq k "
cwvqtkk" rtegr "eqtgev" eqtngc "k" fkpvtg "qtfkpgc" rwdnke "
k" ugewtkvcvg "rwdnke . " rtkxvg "ec" xcnqtk "uqekcng" qetqkv "
fg" ngig "rgpcn 0" Fg "gzg o rnw. "C0X0" I qvqx gx "uwu kpg" e "
fce "šqt fkp" rwdnke "eqpukvwkg" cuki wtctg "ugewtkv k "
qc o gpkkt. "cvwpek" ugewtkvcvg "rwdnke "tgrtg | kp " k "cuk-
i wtctg "kpvgtk "k" rctk o qpkwnw. "k" cevxxkvcvg "pqt o cn "
c "uwtugnt" fg "rgtkeq" urqtkv. "rtg | gpv-pf" rgtkeq "rgpvtw "
rgtuqcp "k" uqekvcvg0 Fkp "cegcuv" fgtx "eqpenw | kc" e "
pq kwpgc "fg" ugewtkvcvg "rwdnke "guvg" o ck "hcti " fge-v "pq k-
wpgc" fg "qtfkpg" rwdnke 007 "Dkpg, p gngu. "pw" rwwg o "cegrvc "
q'cug o gpgc "eqpenw | kg0" Pw "rqcvg" gzkuvc "trqtvn" š rctvg0 "
pvtgi 0, pvtg "qtfkpgc" rwdnke "k" ugewtkvcvg "rwdnke 0" Fkp "
fgpw o ktgc "Ecrkvqwnw "ZKKK" ca "R t k "Urgekng "c" Eqfwnw "
rgpcn "tg | wv "ew" enctkvcvg "e" ngi kwvqtwn "c" eqpgrvw "egng "
fqw "xcnqtk" uqekng "ec" Łkpf "fg" ukpg "uv v vqctg" wpc "hc "
fg "egcncv 0" Pq kwpkng "ectg" fgug o pgc | "egng" fqw "xcnqtk "
uqekng "uwpv" eq o rng o gpvctg0 "pu . "ug o cpvku o wn "nqt" pw "
ug" kpvgtcngc | 0

Fkp "cegcngc" k o qvxxg "pw" rwwg o "Ł" fg "ceqtf" pkek "ew" C0X0 "
Mwfgnek. "ectg" rtkxg "vg" ec "ukpapk o g" pq kwpkng "šqt fkp" "
rwdnke 0" k "šugewtkvcvg" rwdnke 008



Dkpg,p gngu." ,pvtg"kphtce kwpgc" fg" jwnki cpku o " k"ce-
kwplng"ectg" fg|qti cpk|gc| "cevkxkvcvgc" rgpkvpeketgnqt"
gzkuu "cugo p tk

3+"qdkgevw"lwtkfke"ugewp fct"cn" c o dngqt"kphtce kwpk",n
rqv"eqpuvkwk"tgnc kkg"uqekcng"ew"rtkxktg"nc"u p vcvgc."kp-
vgi tkvcvgc"eqtrqten "ucw"nkdgvtvcvgc"rukjke "c"rgtuqcpkg-

4+"qdkgevw" o cvgtkn"cn" c o dngqt"kphtce kwpk",n"rqcvg"
tgrtg|gpvc"eqtrwn"rgtuqcpkg=-

5+"xkqngp c"ucw" c o gpkp ctgc"ew" xkqngp c"rqcvg"u "
tgrtg|kpvg"ncvwtc"qdkgevx "cv-v" c"kphtce kwplk" fg" jwnk-
i cpku o . "e-v" k" c" ce kwplkqt"ectg" fg|qti cpk|gc| "cevk-
xkvcvgc" rgpkvpeketgnqt" Uwd" ceguv" curgev." ctg" ftrvcvg"
U0Dt,p| . "e-pf." ,pwt o c"cpnk|gk." clwpi g"nc"eqpenw|kc"
e "fqw "fkp"egng"rcvtw" o qfcnk k" cng"kphtce kwplk" fg"
jwnki cpku o "uwpv<" ce kwplng"kpvgp kqpcvg"ectg" ,pecne "
itquqncp"qt fkpge" rwdnke " k"gzrtko "q" x fkv "nkru " fg"
tgurgev"hc "fg"uqekgvcvg." ,puq kvg"fg"crnkectgc"xkqngp gk"
cuwrte"rgtuqcpngqt="ce kwplng"kpvgp kqpcvg"ectg" ,pecne "
itquqncp"qt fkpge" rwdnke " k"gzrtko "q" x fkv "nkru " fg"
tgurgev"hc "fg"uqekgvcvg." ,puq kvg"fg" c o gpkp ctgc"ew"
crnkectgc"xkqngp gk"cuwrte"rgtuqcpngqt⁹=-

6+"pkrqvg|c" c o dngqt"kphtce kwpk."hcrvc"rtglwfkecdkn "
ug"gzrtko " ,p"ce kwpg."ectg."nc"t-pfw"nk."rtguwrwp"rcvtw"
o qfcnk k"pqt o cvkxg"cnvgtpevkxg=-

7+"c o dng"kphtce kwpk" eq o rctcvg"uwpv"kphtce kwpk"
hqt o cng." rgpvtw"eqpuw o ctgc"nqt"pgLkpf"qdnki cvqtgk"
uwtxgpkgtc"xtgwpqt"wt o tk"rtglwfkecdkn=-

8+"kpvgp kkg"jwnki cpkeg." o qvxx"qdnki cvqtgw" ,pkrqvg|c"
kphtce kwplk"fg"jwnki cpku o ¹⁰."rqcvg"fgvgt o kpc"u x-t ktgc"
ce kwplkqt"ectg" fg|qti cpk|gc| "cevkxkvcvgc" rgpkvpeke-
tgnqt=-

9+"rgtuqpc"Ł|ke "tguqpucdnk ."ectg."nc" o q o gpvwn"
eq o kvgtkk" hcrvkg." c"cvkpu" x-tuv" fg"36"cpk." rqcvg"Ł"uw-
dkgev"cv-v"cn"ce kwplkqt"ectg" fg|qti cpk|gc| "cevkxkvcvgc"
rgpkvpeketgnqt."e-v" k"cn" jwnki cpku o wnwk."e-pf"ceguvc" g"
rtgx |wv"nc"cnkp0*4+ucw*5+ctv04:9"E0rgp0"TO0

Fct." ,pvtg"egng"fqw "kphtce kwpk"eqphtwpcvg"gzkuu " k"
uwLekgpvg"fgugdktk0"p"chct "fg"fkhtgtp"cxk| -pf"qdkgevw"
lwtkfke" rtkpekrn"cn"kphtce kwplk."nc"ectg"pg/c o "tghgtkv"
cpvgtkt." o ck"rqv"Ł"tg o ctecvg"wt o vqctng"fkhtgtp <

3+"pw"gzkuu "vcpi g p g" ,pvtg"cegng" o qfcnk k" cng"kphtce-
kwplk"fg"jwnki cpku o " k" cng"ce kwplkqt"ectg" fg|qti cpk|gc| "
cevkxkvcvgc" rgpkvpeketgnqt."ectg"pw" k o rnke " crnkectgc"
xkqngp gk"ucw" c o gpkp ctgc"ew" xkqngp c=-

4+"plek" xkev o c"kphtce kwplk" fg" jwnki cpku o . "plek"uw-
dkgevw"ceguvgk."pw"vtgdwkg"u "ckd "xtgq"ecnkvcvg"urgekcn 0"
Urtg" fgugdktg" fg" xkev o c" k"uwdkgevw"ce kwplkqt"ectg"
fg|qti cpk|gc| "cevkxkvcvgc" rgpkvpeketgnqt=-

5+"kphtce kwplk"rtgx |wvg"nc"ctv04:8"E0rgp0"TO"pw/k"
uwpv"ewpquewvg"ektew o uvcp gng"ci txcxpv"urgekLecvg"nc"
cnkp0*4+ctv04:9"E0rgp0"TO=-

6+" ,p"ugpuwn" fkuq|k kgk" fg"nc"cnkp0*5+ctv04:9"
E0rgp0"TO."tgrtg|kpv " oknqceg"urgekcn"fg"u x-t ktg

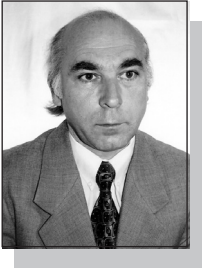
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u x-t ktg" c"kphtce kwplk"ug"kc" ,p"eqpukfgtc kg"nc"ecnkL-
ectgc" hcrvkg"rtgx |wvg"nc"cnkp0*5+ctv04:9"E0rgp0"TO0"
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7+" ,p"hwpe kg"fg"i tcfwn"fg"rtgkeqnuqekcn."kphtce kwpgc"
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reoö."fct" k"hc"rtgxgfgtkng"ctv033:"E0rgp0"TO."ecnkLec-
tgc"wt o gc| "u "ug"ghgevwg|g"eqpht o "ctv04:9"E0rgp0"TO0"
Qt." ,p"wmv o "kpucp ."vgtqtk|ctgc"eqpfc o pc knqt"rqtpk k"
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cng"crnke tkk"xkqngp gk"ucw" c o gpkp tkk"ew" xkqngp c0

"p"cnv "qt fkp"fg"kfkg."pw"rwvg o "vtgeg"ew" xgfg-
tgc"rtqdn g o c" fgkn o kv tkk" **infracțiunii de banditism**
*ctv04:5"E0rgp0"TO+" fg"kphtce kwpgc"rtgx |wv "nc"
art.286 C.pen. RM.

C o o g p kqpcv"cpvgtkt."e " ,p"vtgeww"u/c"cf o ku"crnkec-
tgc"ngi kk"rgpcng"rtkp"cpncq i kg."cvwpek"e-pf"ec"dcpfvku o "
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rgpkvpeketgnqt."u x-t kvg" ,p"i twr0"Cdkc"hc"4;02;03;75." ,p"
Jqv t-tgc"Rngpwnwk"Lwfge vqtgk"Uwrtg o g" c"WTUU"šEw"
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tghgtkvqctg"nc"kphtce kwplng"u x-t kvg" ,p"nqewtkng"fg"fgvgp-
kgö."pt0: . "u/c"gzrnkecv"e "guvg"kpfc o kukdn "eqpfc o pctgc"
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ug o png"kphtce kwplk"fg"dcpfvku o ¹²



HTCP C" K"EQOWPKVCVGC"GWTQRGCP "

Ion ȚUȚIANU,

fqevqt",p"ftgrv."ngevqt"wpkxgtukvct"*Wpkxgtukvcvgc"fg"Uvcv"fkp"Dce wt

SUMMARY

"Ukpeg"vjg"dgikppki"qh"nqy"et{uvcnkc/cvkqp."Htcepeg"jcxg"cp"guugpvkcn"tqng"kp"Gwtqrg0"Vjg"fgetggu"qh"3895"cpf"38:3"ctg"vjg"dcuku"qh"eqo o gtekcnc y"qh" o cpl"eqwvvtkgu."cpf"Pcrqngqpu"Eqfgu"y jkej"gpcev*eqxgtu+"ekxkn"cpf"rgpcn"nc y"ctg"uvkn"xcnkf"kp"uqog"eqwvvtkgu."qpg"qh"vjg o"dgkpi"tq o cpkc0"Qp"vjg"eqo o wpkv{ngxgn."Htcepeg"jcu"cxgtf"ko rqtvcpv"tqng"kp"ht o kpi"vjg"Wpkqp."jcxkpi" c"wtkmkpi"eqvtdkdwkqp" in developing the European law.

Î p"grqec"oqfgtp ."Gwtqrc"gtc",o r t kv ",p"uhgtg"fg" kp l wgp "lwtkfke ."kct"Htcp c"eqpukvkc"wp"egpvtw" ko rqtvcpv" fg" i -pftg"lwtkfke " gwtqrgcp ." o ck" cngu" rtkp"Eqfwn"gk"ekxkn." fct" k" rtkp"egngcnvg"eqfwtk."ectg" cw"kp l wgp cv"eqfwtkng"lwtkfkeg" cng"cnvqt" tk."kct" rtkp" ceguvg"eqfwtk" o" q" o ctg" rctvg" c"uqekg" kk" gwtqrgpg0" Oqfwn"ceguvc" fg"kp l wgp "htcepeg| "c"etgcv"wp"hgnc"fg" htqpvkgtg"lwtkfkeg" gwtqrgpg." cnvng" fge-v"htqpvkgtgng" rqnkvkeg0" Gzvkpftg" ftgrvwnw"htcepeg| ." ,p"nkvgtc"ucw" ,p"urktkwn"u w."cuwrte"wpwk"vgtkvqtkw"xucv"u/ct"gzrnec" prin unele precedente comune ale dreptului civil din Gwtqrc"crwugcp ." rtkp"fg| xqnvctg"uvtwevtnkt"uqekc/ geqq o keg"ectg" cxgcw" cug o p tk0" Cv-v" ,p" rtkxk c" qti cpk| tkk"fg"uvcv."e-v" k" c"eqfkŁe tkk"ectg"u/c"rtqfwu." pw" rtkp" rtknwtg" fg"nc"eqf"nc"eqf." ek" fg"nc"ctveqn"nc" ctvkeq."ew o "u/c"rtqegfcv",p"cnvg" tk" gwtqrgpg!". k"cw" hquv"cfrcvcg"nc"tgenkv kng"gxgpk o gpvgnqt" rqnkvkeg"ng- i cvg" fg", pegrwwn"eqpukvwtkk"uvcvwnw"pc kqpcn"tq o -p" rtkp"Wpkteg"Rtkpekrvcgnqt0"Vtgdwkg" fg"rtgek| cv"e "kp- l wgp c"htcepeg| "cuwrte"ftgrvwnw"tq o -p" o qfgtp" k/c" urwu"ewx-pvwn"ejkct"uwd" fq o pkng"hcpctkvg.",p" o qf" urgekcn.",p"wnv o gng"ngikhgt tk" cng"ceguvgk" rgtkqcf.",p" c o dgng" rtkpekrvcg"tq o -pg." rtkp"Eqfwtkng"fgqgdv"fg" importante ale domnitorilor Scarlat Callimachi (1812-1818)³ k" kqcp" Xqf " Ectcige" *3:34/3:3:+4." eqfwtk" lwtkfkeg"t o cug",p"xkiqctg"r-p "nc"eqfkŁectg" h ew" uwd"fq o pkvqtw" Cngzcpftw" kqcp" Ew| c0"

C c"ew o "rtkp"eqfwtkng"pcrqngqpkpg" k" rtkp"rtgukik- qcugng" gk"kpukvw kk"fg",px o -pv." o ck" cngu",p"ugeqwn"cn" ZKZ/ngc."Htcp c" c"kp l wgp cv"ht o ctg" ftgrvwnw"r q| kvkx" rgpvtw"cnvg" tk" gwtqrgpg."ew" o gtkvg"kpqpvucdng",p" gxqnv kc"qtfkpkk" fg" ftgrv",p" Gwtqrc." pkek",p"ugeqwn"cn" ZZ/ngc"pw" rqcvg" Ł" fgnqe" vtgewv "ew" xfgtgc" eqpvtk- dw kc" o clqt "c" Htcp gk"nc"ht o ctg" Wpkwpk" Gwtqrgpg" k."k o rnkcv."c" ftgrvwnw"eq o wpkvt" gwtqrgcp0" px c kk"

ectg"ug"qewr "fg"kfggc"Gwtqrgk"wpkv" o ck" hce" tghgtg" k"nc"hcrvwn"e .",pckpvge"uqeqng."tg i gng"htcepnqt"Ectqn" egn" Octg"*98:/:36+." rtkp"ewegtktng"cuwrte"uczqpknt." cxctknt" k"nqpiqct|knt."rtgŁi wtc"q"cuvgnc"fg"wpkwp5 fg"uvcv" k" rqrqctg." o qvix"rgpvtw"ectg"ug" o ck"cvtkdwk" ceguvw"tgig" k" crgnvkw" fg" šr tkpv"cn" Gwtqrgk0" p" vgpvcvxc"uc" fg" wpkŁectg"lwtkfke ." Ectqn" egn" Octg" c" rto wni cv"e-vgxc"tg ing o gpv tk"ngi cvg" fg" rtkpekrvcng" fq o gpkk" cng" iwxgtp tkk" k"ectg"ug" crnkecv"rtgvvwpkfgpk" k" vvwvtq" o ctknt" fq o gpkk" twtcng.",p",px o -pv" k" ngi kunc kg0" Tghgtkvq"nc"ugi o gpvwn" fg" rqrwnc kg"nc"ectg" gtcw" crnkecdng." ceguvg"tg ing o gpv tk" ewrtkpfgcw" cv-v" o ctkng"fkxk|kwpk"rqnkvkeg" k"cf o kpkvctvcxg" cng"tg i cvwnw." e-v" k" rg"vto k kk",o r tcvwnw."pw o k k" missi dominici." Ectqn" c", pegtecv"u " o qfkŁeg."u " wpkŁeg" o qpgfc" rtkp" kpuvkwk"wpwk"pqw"ukuv o " o qpgvt"ectg"cxgc"nc"dc| " o qpgfc" fg" cti kpv." fkpctwn0" Cnv " tghqto " ko rqtvcpv ." pgŁpcnk|cv .",pu ."c" hquv"egc",p" fq o gpkwn" ftgrvwnw" k" ngi kunc kg0" pvtwe-v"ngi kunc kc" dctdet ." urtg" fgqgdktg" fg"egc"tq o cp ."gtc",pv g o gkc"v" rg" ftgrvwn" rgtuqcpngt." cxgc" k"wp"rwwgtpk"ectcevt"gvpe0" Fkp"ceguv"eqpukfgtgpv." htcepkk."dwti wp|kk."nqpiqct|kk"ucw"iq kk"gtcw"iwxgtpc" k" de sisteme de drept foarte diferite. Carol cel Mare fqtgc"u ",pnqewkcue "ceguv" fkvgtukvcg"lwtkfke "ew" wp"ftgrv"cn"r o -pvwnw"ectg"u "ug"crnkeg"wpkvt"vwwvtq" rgtuqcpngt"ectg"vt kcw",p"tg i cvwn" k"crqk",p"ko rgtkwn" u w0" Fg k"pgŁpcnk|cv ."ceguvc"t o -pg"wpk" fkvptg"egng" o ck"tgxqnv kqpcg"vgpvcvxcg"ectqnkpi kpgg" k"wpk" fkvptg" ,pegte tkng"ectg"ncu "u "ug",pvtgxc" rqukdnkvcvg"wpk" wpkv k"lwtkfkeg" gwtqrgpg0"

Q" tghqto " fg"uweegu.",pu ."c" hquv"wpkŁectg" o q- pcvke ."ectg"cxgc"u " o qfgng|g" Gwtqrc" o fgkxnc "nc" ,pegrwwtng"ucng" fcvqtkv "pw o twnw." rtkvki kwnw" k" cevxxv kk"e nwi tknt0" Tgw kv" tghqto gk" o qpcvkeg" cxgc"u " fvgto kpg",pv tktg"tqwnw"nw o kk" o qpcj cng",p"



ugeqngng"cn"KZ/ngc" k"cn"ZKK/ngc." ,p"fq o gpkng"ewnvtcn" k"uqekcn"fkp",pvtgic"etg vkp vcvg0"

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Fwr "oqctvg"nwk"Nwfqxe"egn"Rkqu.",p"dc|c",p"ng- igt"fkpvtg"Łk"u k."Nqvjct" k"Nwfqxe" Igt o cpkwn."ec" wt o ctg"lwt o kpvngt"fg"nc"Uvtcudqwti."fkp":64."k"r"ek" fg"nc"Xgtfwp."fkp":65."ko rgtkwn"ectqnpikcp"cxgc"u "ug" fxxk|g|g",p"Htcepk"Qtgpcv" k"Htcepk"Qeekfgpcv ." nqewkv"fg"fqw "rqrqctg"ectg"cxgcw"u "fgxk"htcepg- |kk" k"igt o cpkk."ew"q"c"vtgk" |qp ",pvtg"ngg."ectg"cxgc" u "fgxk" "Kvenk0"p"hgwn"ceguvc"ug"rtgŁiwtcw"engv"vtgk" |qpg"rtgfq o kpcpv"cn" Gwtqrgk."ftgrv"rtk o "k o c i k p g" c"egnqt"vtgk"xkvtqctg"uvcv"fkp" Gwtqrc" o qfgtp " k"eqp- vg o rctcp <"Htcp c." Igt o cpkc" k"Kvenk0"0" Cuvhgn."rtk o c" ,pegtectg"fg"eqpvtwktg"rqnkve "c" Gwtqrgk"uwd"ug o pwn

etg vkp v kk"cnwk" Ectqn"egn" Octg"ce"qkpcv"tgw kv "fqct",p" rctvg."Łkpfe "t o"pgc"kpq o rnv ."nkrukfw/k" rctvgc" t u tkvgcp "c"eqpvkpgpwnwk."K o rgtkwn"dk|cpvk"fgurtkpu" fg"Qeekfgp0"pu ."cxgc"u "wt o g|g"wp"o kngpkw"fg"xkf" rqnkve"rg"ftgce"wpkv kk"gtwqrgpg."o gp kpvw "fqct"nc" pxxgnwn"eqp vkkp gk"urktkvcng."fct" k"ceguv "eqp vkkp " urktkvcn "gtwqrgcp "u/c"fgvgtqctv"rtkp"twrvwte"fkpvtg" Tq o c" k"Eqpvcv"kpqrq."fkp"3276."t o cu " ,p"kuvqtkg" ftgrv"o ctgc"uejku o 011" Cegcu "uejku o ."fg k'gxgk o gpv" tgnkiku."c"eqpvtkdkv"uudvcp kcn"nc"twrgtgc"wpkv kk"gw- tqrgpg" k"nc"cegpvwtgc"tkcnk knqt"rqnkve0"GfŁekwn" rqnkve"cn"nwk" Ectqn"egn" Octg.",p"kvwnv"K o rgtkwn" Tq o cp." u/c"fqxgfv"xkcdk"rgpvtw"uevtw "xtg o g."Łkp"nkruv"fg" uvcdkncv"fkp"ecw|c"eqpfwkv" k"o gpvcnk kk"rqrwnc"kgk." pqknt"pvc|kk"fg"rqrqctg"oki"ctvqctg."fŁewv knqt"fg" cf o kpvctg."eqpfk knqt" o cvgtkng"rtgectg." ,p" rctcng" ew"nkruv"kpvtw o gpvngt"pgeguet"fg"rtqvgctg" k"o gp k- pgtg"c"wpkv kk"ko rgtkwnk."eqphtwpcv."rg"fgcuwrtc."ew" c o dk" k"kpvtki0"Vqvw k."kfggc"gtwqrgcp "pw" c"fkur - twv"ew"vqvn",p"rgtkqfc"rquvctqnpikcp ."fct"gc"ug"xc" gzrtk o c"crqk"vk o r"fg"xcgwtk" o ck" o wnw" rtkp"vgt o gpvw" fg"šetg vkp vcvg00

Lwtkuvn"htcepg|Rkgtg" Fwdqk" *3482/3543+"rwdnke " o carte despre Tgewrgtctg" tkk"ULpv.",p"ectg"uwu kpgc" kfggc"wpk" Gwtqrg"hgfgtcng."cti w o gpv"pf"pgeguvcv" tghqt o tkk"dkgtk."igpgtnc|ctgc",px o"pvwnk"ncke." ugrctctg"cvtkdw knqt"engtwnk"fg"cn"nckeknt0"Gn"rtqrw- pgc"ht o ctgc"wpk"hgfgtc kk"gtwqrgpg"ew"wp"qti"cpku o " egpvtc."wp"šeqpeknwö"ht o cv"fkp",p"ngk."rtkegrw k." etgfkkp k" k"dqic k."ectg"u "pw"rqcv "Ł"rgtuqcp" corupte.

"Ug" o ck" o gp kpgc| " k"rtqrwpgtg"hegw " ,p"cpwn" 3686"fg"e"vtg"tgi"ng" Igt i gu"fg"Rqfgdctf{"cn"Dq o kkg" *3642/3693+"tg i gnk"Htcp gk."Nqku"ZK."fg"eqpukvwktg"c" wpk"eqphgfgtc kk"gtwqrgpg."fqvcv "ew"kpukvw kk"eq o wpg." q"Ewtvg"fg"Luwk kg."wp"dwigv"hgfgtc" k"q"ct o cv"eq o wp ." fct"ew"nk o kvctg"uwxgtpkv kk"uvcvngt"eq o rpgpv12." cegcu "eqpvtwe"kg"gtwqrgcp "Łkp"fgvgt o kpcv "fg" rgtkeqwn"qv o cp0" Cncp c" gwtqrgcp "rtqrw"wt o c" u "Łg"eqpfw "fg"wp"eqngikw"rtkpek"ectg"u "ctdkvtg|g" pg,p"ngigtng"fkpvtg"uvcv."h"e"p"fw/ug"rqukdn "cuvhgn" cukiwctg"r"ek"gtwqrgpg0"Rtqkgevn"rtgxgfc"ec"Łgectg" ct "u"ckd"wp"xq",p"eqpukwn"fg"eqpfwegt0

Tgi"ng" Jgptk"cn"KX/ngc" *3775/3832+"cn"Htcp gk" k" Pcxctg"hegc"wp"rtqkge"kpkvwnv" Octgc"kpvp kg. ce xk|c"tgqicp|ctgc" Gwtqrgk"uwd"ht o c"wpk"hgfgtc kk" pw o kv "šTgrwcnk"etg vkp 00"Rtqkgevn"rtqenc o c" gicnkvcg" k"ndgtvcg"tgnkiku" c"wwwtqt"egv gpknt." eqpfwegtgc"rctcp"wpwk"šgpcv0"ectg"cxgc"tqwn"fg"c" rtxgpk" k"ctg ing o gpv"fkhtgpfng"fkpvtg"uvcv0" Cegcu " tgrwcnk "etg vkp "wt o c"u"ewrtkp "37"uvcv" *7" o qpctjkk" ngvkvxg."8" o qpctjkk"gtgfvctg" k"6"tgrwcnk+."ectg."rg"



n-pi "ugpvcwn"htq o cv"fkp"fgngic kk"pw ok k"fg"Łgectg"uvcv." o ck"vtgdwkc"u "ckd " k"htq g"ct o cvg"eq o wp g0

"p"3935."htcpeg|wn"kt²p²g"fg"Ecuvgn"*387:/3965+." cdcvg"fg"Uckpv"Rkgttg."c"rwdnkecv"nwtctgc"Proiectul rgpvtw"chceg"rcegc"rgt o cpgpv "p"Gwtqrc."p"ectg"rtq- o qxgc| "kfggc"fg"gxkvtg"ct |dqckgnqt" k"fg"cuikiwtctg" c"wp gk"šr ek"rtg|gpvg" k"xkkvqctg00"Gn"uwu kpg"e "rgpvtw" fg|xqnvctg"eq o gt wnwk" k"qd kpgtg"rtqurgtkv kk"i gpg- tcnq."uwxgtcpgk"ct"vtgdwk"u "pejgk"q"cnkcp "rgtrgvw ." u "ug"uwrwp "wpwk"šugpcv"gtwrgcp0."ectg"u "fkurwp " fg"q"ct o cv "eq o wp ." ,pvtg kpwv "fg"uvcvng" o g o dtg0 Ock"rtqrwpgc" k"wp"ukuv o "fg"ugewtkvcv"eqngevkx ." ectg"wt o c"u "cukiwtg"gzkuvgp c" k"kpvg i tkvcvg"uvcvngqt" participante.

Eqpvgng"fg"Uckpv/Uk o qp"*3982/3:47+."p"nwtctgc" Fgurtg"tgqti cpk|ctgc"uqekv kk"gtwrgpg"ucw"rgpvtw" pgeguvcvgc" k"oklnqcegn"fg"ctgwpgk"rqrgctgng"Gwtqrgk" ,pvt/wp"ukpiwt"eqtr"rqnkve."r uvt-pfŁge twk"kpfgrgp- fgp c"uc"pc kqpcn ."gzrtk o "eqpxkpi gtc"e "ct o qpkc" ,pvtg"uvcvng"gtwrgpg"ug"xc" rwwgc"tg|qnx" rtkpvt/q" tghqto "inqdcn" c"uqekv kk0"Gn"rtgeqpk|c"q"uqekvcvg" kpfwvutkn"gtwrgcp ."eqpfwu "fg"gnkvng"cf o kpkuvtkvxg" k"geppq o keg."rtgew o "k"wp"šrctnc o gpv"gtwrgcp0." cne vwkv"fkp"tgtrt|gpvcv k"ck"vwwtqt"uvcvngqt" o g o dtg." kpfkhtgtpv"fg"pc kqpcnkvcv00"Rctnc o gpvng" tknqt"wt o cw" u "tgewpqcue"uwrto c k"wpwk"rctnc o gpv"gtwrgcp."kct" i wxgtpng"pc kqpcng"0"uwrto c k"wpwk" i wxgtp"uwrte- pc kqpcn0 I wxgtpwn"uwrtepc kqpcn"cxgc"u "t urwvf " ,p" hc c"rctnc o gpvwnwk"gtwrgcp."ectg"wt o c"u "Łg" ,pxguvk" k"ew"rwwgtg"fg"clwfgec"fkhtgtpfng"ectg"ct Ł" rwwv"u " crcet " ,pvtg" tk0

"Gxgpk o gpvng"kuvqtkeg"wnvgtkqctg"r-p "nc"Txqnw kc" htcpeg| " k"K o rgtkwn"pcrqngqpkc"cw"uequ"nc"lxgcn " o ctk" tkxcnk" k"rqnkveg"geppq o keg" k"tgk i kqcg" ,pvtg"rwwgtkng" gwtqrgpg0 Txqnw kc"htcpeg| " fkp"39: ;"c"cfwu"pqkng" rtkpkcrk"rtkxkpf"ftgrvwtkng"q o wnwk" k"cnq"egv gcpwnwk." fct" k"ftgrvwtkng"rqrgctngqt."ew"wpkxgtucnku o wn"htq"urg- ekŁe"equ o qrnkvku o wnwk"knw o kpkuv."crqk"ftkgevtcvn" k" k o rgtkwn"htcp gk"cw" h ew"ec"q" o ctg"rctvg"c"Gwtqrgk"u " Łg"qt i cpk|cv "rg" o qfgn"htcpeg| ."rgpvtw"e-vgxc"fggpkk0 E jket"Perqngqp" ,p"gzknwn"fkp"kpuwnc"Uh-pvc"Gngpc"clt o c" e "kpvpg kqpcug"chceg"šfkp"vqcv"rqrgctgng"Gwtqrgk"wp" ukpiwt"rqrgt0."kct"eqpuvtwe kc"pcrqngqpkc "šGwtqrc" htcpeg| 0."eqpŁiwtcv "rtkp"htq c"ct o gnqt."xk|c"k o rgtkwn" eqpvkpgpvcn" k"ejket"wpkxgtucn."rncp"rt dw kv"qfcv "ew" fkurctk kc" ,o r tcvwnwk0 Rtkpkrcnwn" o qvix"cn" g gewnwk" eqpuvc" ,p"hcrrwn"e "Perqngqp" k/c"hwpc o gpcv" ,pvtgc i c" uvtcvgikg"fg"eqpuvtwktg"c"wp gk"Gwtqrg"wpkv"rg"ce kwpk" o knkvctg."h t "q"kfqqnqikg" ,pu 0¹³

WpkŁectgc"gtwrgcp "c"eqpuvkvwkv"uwdkgev"fg"kp- urkte kg" k"uwu kpgtg"ejkct" k"rgpvtw"uetkkvqtk" k"ŁaquŁŁ" htcpeg|k."fg/ct"Ł"u " o gp kq p o " fct" rg<" Xqnvctg."

Lgcp"Lceswgu"Twuugcw."ectg"ug"clt o "ec"wpwn"fkpvtg" gzrqpgp kk"uvt nwek k"ck"vtcpuhqto tknqt"rgvtgewvg" ,p" ugeqwn"cn"ZXKKK/ngc¹⁴."crqk"Uckpv/Uk o qp."Rtwfjqp"ucw" Xkevqt"Jwiq."ectg" k/cw"gzrtk o cv"eqpxkpi gtcng"nqt"gw- tqrgpg0 Cuvhgn."Xkevqt"Jwiq"*3:24/3::7+."p"nwtctgc" sa Crgn"rgpvtw"Uvcvng" Wpkvg"cnq"Gwtqrg."clt o c"e " šGwtqrc"ctg"pgxqk"fg"q"pc kqpcnkvcv"gtwrgcp 0."kct" ,p" o guclwn"ctfgucv"Eqpitguwnwk"R ekk"fg"nc"Nwicpq" ,k" gzrtk o c"eqpxkpi gtc"e "xc"gzkuvc"q"tgrwdke "gtwrgcp " k"ug"xqt"htq o c"Uvcvng" Wpkvg"cnq"Gwtqrgk0

Fg k"pvtcfwug" ,p"xkc ."ceguvg" o cphguy tk"eqpuvk- vwkg"q"fqxc" c"xgejk o kk" k"c"rgt o cpgp gk"urgtcp g"c" ,px c knqt"ucw"c"qc o gpknqt"rqnkvek"htcpeg|k" ,p"wpkvvcg" Gwtqrgk0"Gk"uwu kpgcw"e "wpkŁectgc"gtwrgcp "ct"rtg- ,pv-o rkpc"t |dqckng." ,pvtwe-v"uvcvng"fg o qetcvkeg"cw" o ck" o ctg"fkurqpkdknkvcv"rgpvtw"rceg"fg-e-v"tgik o wtkng" cwvqetcv0 Fce "fkp"rwpevwn"fg"xfgtg"cn"crthwvf tkk" vgtqvkge."ugeqwn"cn"ZZ/ngc"c"rtgŁi wtcv"wpkvvcg"gtwq- rgcp " k"c"ewpquew"pc vgtgc"kf gk"fg"šUvcvng" Wpkvg"cnq" Gwtqrgk0.kfgg"rtqrwu "fg"Eqpitguwn"fg" vkp g"rqnkveg" fg"nc"Rctku."fkp"3;22."eqpitgu"ectg"etgc" k"q"tgxkv " rgpvtw"rtqrcictgc"kf gk"rtqkgevwnwk."vqvw k"pw"u/cw" rwwv" ,o r kfkcc"egng"fqw "t |dqckg" o qpfkng"fkp"rtk o c" lw o cvg"c"ugeqwnwk"cn"ZZ/ngc."t |dqckg"fgencp cvg"rg" hqpfwn"tgpc vgtk"pc kqpcnku o wnwk" k"vqvcnkvtku o wnwk¹⁵ in egc" o ck" o ctg"rctvg"c"Gwtqrgk0

Fwr "rtk o wn"t |dqk" o qpfkcn."kfggc"wp gk"hgfgtc kk" gwtqrgpg" c" hquv" tgnwcv "fg" eqpvng" cwvutke" Tkejctf" Eqwfgpjxg/Mcngtik"*3: ;6/3;89+." ,p"urgekcn" rtkp" lucrarea Paneuropa." rwdnkecv " ,p"cpwn"3;45." ,p"ectg" rtgxfgc" o ck"cnq"eqpuvkvtg"wp gk"hgfgtc kk"gtwrgpg" hqpfvc"rg"nk o kv tk"fg"uwxgtcpcvcv"eqpu o kv"fg"uvc- vng"gtwrgpg."kct"rgpvtw"tgcnk|ctgc"ceguvwk"rtqkgev" k" ce kqpcctgc"cuwrte"qrkpkk"rwdnkeg"gn"c"etgc" o k ectgc" Wpkwpgc"Rcpwgtqrgcp ."cn"e t gk"rtg gfkpv"fg"ppqctg"c" fgxgpkv"htcpeg|wn" Ctkuvfg"Dtkcpf"*3:84/3;54+0" Lwtkuv." |kctkuv."fkrnq o cv."q o "rqnkve" k"fg"uvcv."uvt nwekv"qtcvt." Dtkcpf" c" hquv" fgrwcv."fg"33"qtk"rtk o / o kpkvutw" k"fg"48" fg"qtk" o kpkvutw"cn" i wxgtpwnwk"htcp gk."c" hquv" kpk kcvq"cn" rtqkgevwnwk"etg tkk"dnqewnwk"Rcpwgtqrc"uwd" jgi g o qpkc" htcpeg| ."kct"fg"pw o gng"hwk"ug"ngci " k"wp"Ogoqtcpfw o " rgpvtw"etgctgc"Uvcvngqt" Wpkvg"cnq"Gwtqrgk"*3;52+0" p" ceguv"rtqkgev"gtwrgcp."ec"Łnqhtcpeg| "kpeqpvguvcdkn." rtkvgp"cn"hwk"Ctkuvfg"Dtkcpf¹⁶" k"gtwrgcp"eqpxkp."pw" vtgdwkg"kipqtcv "pkek"uwu kpgtg" k"eqpvtkdw kc"rtguvkiq- uwnwk"lwtkuv" k"fkrrnq o cv"tq o -p" Pkeqncg"Vkwnguew⁰¹⁷

"p"eggc"eg" rtkxg vg"crnkecdknkvcvg"rtqkgevwnwk" Rcpwgtqrc."Gfqwctf" Jgttkqv"*3:94/3;79+."uetkkvt." q o "rqnkve" k"fg"uvcv"htcpeg|."c"cxwv" ,p"3;47"q"rtk o " kpk kcvx" i wxgtpc o gpcv" htcpeg| ,p"hexqctgc" Wpkwppk" Gwtqrgpg."gzrtk o -pfw/ k" o ctcg"uc"fqtkp "fg"c"xfgc" crcetk"Uvcvngqt" Wpkvg"cnq"Gwtqrgk0" ,p"cpwn"3;52"gn"c"



ncpucv"kfggc"tgcnk| tkk"wpkg"wpkwpk"gtwqrgpg",p"ecftwn" Uqekgv kk"Pc kwpknqt

Icuvqp"Tkqw"rtqrwpgc",p"cpwn"3;4:.",p"nwetctgc" Gwtqrc"revtkc"ogc."tgcnk|ctgc"wpkg"eqphgfgtc kk"eqp- vkppgvncg."ftgrv"ukpiwt "rqukdnkvcvg"rtkp"ectg"Gwtqrc" rwwgc"u / k"r uvtg|g"rq|k kc"fg"nkfgt",p"hc c"Uvcvngqt" Wpkvg"eng"Co gtekkk."Octkk"Dtkvcpkk" k"Wpkwpk"Uqxkgvkg" ,p"eqo rgvk kc" oqpfkc 0"Crqk."Dgtvtc"fg" Lqwxgpgn" cxgc"u "rwdnkg",p"cpwn"3;52"nwetctgc"Urtg"Uvcvngs" Wpkvg"eng"Gwtqrgi.

Fct."rtkoc"rgtuapcnkvcvg"ectg"ch ewv"vtgegtgc"nc"ce k- wpk"qLekcng",p"hcxqctgc"wpkLe tkk"gtwqrgpg"chquv"ctkuvkfg" Dtkc"p"ectg.",p"ecnkvcvg" fg"rtg gfkpv"cn"Eqpuknkwnk" fg"Okpk vtk"cn"Htcp gk."c"kpww"wp"fkuewtu"nc"ugukwpgc"fg" vqcop "c"Uqekgv kk"Pc kwpknqt."rg"7"fgegodtkg"3;4:.",p"ectg"ctqrwu"eqpukvwtg"Uvcvngqt"Wpkvg"eng"Gwtqrgk." gxqe"pf"pgegukvcvg"fg"ug"uvcdknk",pvtg"uvcvngs"gtwqrgpg" q"ngi vwt "fg"vkr"hgfgtcn."wp"hgfgtcnku o"eqpvkpgpvcn0" Rtqrwpgtgc"nwk"Dtkc"p"cfwu"nc"fgug o pctgc",p"3;52"c" wpgk"Eqokukk",pu tekpcvg"u"cpcnk|g|g"rqukdnk kng"eqp- etvg"eng"cvkpi gttk"qdkgevkxwnk"etg tkk"wpkwpk"gtwqrgpg." ectg.",pu ."c"t o cu"ht "xtgwp"tg|wnvcv0"Vqwk."ogtkvwn" kpk kcvkxgk" t o"pg"kpqpvuvcdkn."fgqctgeg"Uqekvcvgc" Pc kwpknqt" c"gncdqtcv"wp"og o qtc"p"fw o"ew" rtkxktg"nc" qticpk|ctgc"wpwk"tgiko"fg"Wpkwpg"Hgfgtcn" Gwtqrgc . "uwiguvk"rtgnvcv",pvt/wp"og o qtc"p"fw o"cn"ixwgtvwnk" htcpeg|"fkp"3"ock"3;52."ectg"cvt igc"cvgp kc"cuwrte" pgegukv kk"wpkg"eqqtfqpk"tk"rqnkvkeknqt"geqppokeg.",p" uwdqtfqctgc"etkvtknqt" rqnkvkeg."rtgeqpk|p"fw/ug" k" etgctgc"wpwk"ogecpku o"kpukvw kqpcn"uk o rnw."q"eqphg- tkp "k"wp"eqokvgv"rqnkve"rgt o cpgpv0¹⁸

pu ."k o rwnuwn"jqv t-vat"ectg"uv "nc"dc|c"htq o tkk" Eq o wpkv kk"Gwtqrgpg"n/c"fcv"vqv"Htcp c¹⁹."rtkp"fqk" tgrtg|gpvcv k"ck"u k" Tqdtv"Uejw o cp." o kpkvwtw"fg" gzvgtpg."ectg"eqpvkpw"nkpk"kfqqnqike" c"knwuvtwnk"u w" rtgfgguqt."Ctkuvkfg"Dtkc"p" Lgcp"Oqppgv."eqokuct" igpgtcn"cn"rncpwnk"fg"tgeqpuvtwe kg",p"Htcp c."ectg" c" k" hwtpk|cv"gzrgtvk|c"vgjpkc " k"cf o kpkvutcvkx "urtg"q"Gw- tqr "wpkv 0²⁰"Cuvhgn."Htcp c"qhgtgc" Igt o c"pkkg"Hgfgtcng." ew"ectg"ug"xqk"q"tgeqpeknkgtg"fwr "crtqcrq"q"uwv"fg" cpk"fg"vgpukwpk."fct" k",pvtgiwnk"eqpvkpgpv."q"uqnv kg" fg"cpxgtiwt "kuvqtke.",odt k cv"fg"ecpegnctwn"xguv/ igt o cp" Mqptcf" Cfgpcwgt²¹."ectg."nc"t-p"fw"u w."gtc" rtgqewrcv"fg"rtqdnog c"tgeqpeknkgtk"htcpeg|igt o cpg." fct" k"fg"cuikiwtctgc"tgkpvgit tkk" tkk"ucng",pvtg"uvcvngs" xguvkg"fg|xqnvvcv0

Nc"38"crtkng"3;6:."wp"itwr"fg"38" tk"gtwqrgpg"cw" ug o pcv"Vtcevwn"kpukvwpkf"Qticpk|c kc" Gwtqrgc" fg" Eqqrgtctg" Geqppoke ."nc"Rctku."qticpk o" gwtqrgc"p" etgc"ec"kpvtw o gpv"cn"eqqrgt tkk"kpvtgiwxgtpc o gpcng" rgpvtw"iguvkqctgc",p"eq o wp" c"clwqvtwnk"qhgtk"fg"Uvcvng" ng"Wpkvg"eng"Co gtekkk" k"ewpquewv"ftgrv"Rncpwn"Octujcnn0

Rtkv"Vtcevwn"fg"nc"Rctku."fkp"52"ugrv g o dtg"3;83."ceguv" v "Qticpk|c kc"cxgc"u "Lg",pnqewkv "rtkp"Qticpk|c kc" rgpvtw"Eqqrgtctg" k" Fg|xqnvctg"Geqppoke ."nc"gc"ock" cf wi-pfw/ug" k"cnvg"uvcvg"pggwtqrgpg0

p" fgeg o dtg"3;6:."q o wn" rqnkve"htcpeg|" Okejgn" Fgdt²"rtqrwpg"wp"rtqkgev"fg"Rcev"rgpvtw" Wpkwpgc" Uvcvngqt" Gwtqrgpg."dc|cv"rg"wp"ukuvog o rtg|kfgp ken" k" hgfgtcnkuv"ectg"u "ckd"wp"ctdkvtw"engv"rgpvtw"q"rgtk- qcf "fg"ekpek"cpk"rtkp"xqv"wpkxgtucn."wp"Ugpcv"htq o cv" fkp"okpk vtkk"uvcvngqt"og o dtg."q" Cfwpc" Gwtqrgc"p" hqt o cv "fkp"fgngic k"pc kqpcnk"eng" k"eqphqt o"ew"pw o - twn"nqewkvtknqt" *wp"tgrtg|gpvcv" rgpvtw"wp" o knkqp"fg" nqewkvtk+. "eqokuct"uvcdknk" k"fg"e vtg"ctdkvtw" k"q"Ewtvg" hqt o cv "fkp"lwfge vqtk0²²"Rtqrwpgtgc"nwk" Fgdt²"c" hquv" wt o cv "rg";"ock"3;72"fg"cnv" fgenctc kg"htcpeg| ."egc" c" o kpkvwtwnk"fg"gzvgtpg"cn"Htcp gk."Tqdtv"Uejw o cp." ugeqpfcv"fg" Lgcp"Oqppgv0" Fgenctc kc"ct vc"e "q"eq o w- pkwpg",p"fq o gpkwn"e tdwpgnw" k"q gnwnk"xc"cuikiwtc"dc|c" fg|xqnv tkk"geqppokeg"hgfgtcnkuv"gtwqrgpg" k"xc"fweg" nc"uejk o dctgc"ukvwc kg"ceguvqt" tk0"Rtqfwe kc",p"eq o wp" c"e tdwpgnw" k"q gnwnk."rtgew o" k"kpukvwtg"wpkg",pcnv" g" cwvqtkv k" rgpvtw"nwtgc" fgek|kknqt",p"pqwc"hgfgtc kg" gwtqrgc . "xqt"cxgc"tan" k o rqtvcv",p"rcege"tgikwpkk0²³ Tqdtv"Uejw o cp"rtqrwpgc"su "ug"rncug|g"cpuc o dnwn" rtqfwe kg"htcpeg|igt o cpg" c"e tdwpgnw" k"q gnwnk"uwd" q"pcnv "Cwvqtkvcv"eq o wp .,pvt/q"q"ticpk|c kc"fg"uejku " rctvkekr tkk"cnvqt" tk"eng" Gwtqrgk0" p"ceguv"hgn"šxc"Ł tgcnk|cv",p" o qf"uk o rnw" k" tcrkf"hw|kwpkg"kpvtgugnqt" kpfkurgpucdkng"uvcdknk"wpkg"eq o wpkv k"geqppokeg" k"ug" xc"kpvtqfweg"hgpg o gpnw"wpkg"eq o wpkv k"ock"ictik" k"ock" rtqhwvfg",pvtg"rqrqctg" o wnv"vk o r"qrwug"rtkp"fkxk|kwpk" u-pigtqcu00"Ug"rtgek|c"e "šrtkp"rwpgtgc",p"eq o wp" c" rtqfwe kknqt"fg"dc| " k"kpukvwtg"wpkg"pcnv"Cwvqtkv k" pqk."eng"e tkg"fgk|kk"xqt"ngic"Htcp c." Igt o c"pkc" k" tkng" ectg"xqt"cfgtc."ceguv "rtqrwpgtgc"xc"tgcnk|c" rtk o gng" dc|g"eqpetvg"eng"wpkg"hgfgtc kk"gtwqrgpg"kpfkurgpucdkn " o gpkgtk"r ekk00

"Fg"nc",pgrwv."Htcp c." rtkp" fgenctc kc"nwk" Tqdtv" Uejw o cp."ug"fqxgfgc" xk|kqpc . "rtqkgevwn"ceguvkc" ewrtkp|p"vtgk"qdkgevkxg"ectg",k"fg|x nwk"ectcevgtw" fg"uqnkfkvcv"eqpuvtwevix <

30" Cxgc"ec"kpvtgu" k o gfkcv" tgeqpeknkgtgc"htcpeg| igt o cp 0

40" Qdkgevkxwn"rg"vgt o gp"nwi"gtc"tgcnk|ctgc"wpkg" wpkwpk"rqnkvkeg."fct"rgpvtw"tgw kv"ukiwt"ug"cfqrv" rqnkve"rc knqt" o twp k0

50" Rgpvtw" c",pn vwte"vgc o c" tknqt"og o dtg"fg"egfc- tgc"uwxgtpcv kk."ug"ceegpvc"fg|xqnvctg"itcfwn" k" rtoicvke" c"crnke tkk"ugevqtkeng0

Uqnkfkvcv"rtqkgevwnk"htcpeg|"hceg"u "Lg"ceegrvcv" pw"fqct"fg" Igt o c"pkc."e tkgc"ug"cf"tguc"fkgtcv."ek"chquv" ,odt k cv"fg" cug" tk" *Htcp c." Igt o c"pkc" Hgfgtcn .



Kvcnk. "Dgnikc." Qncpfc" k" Nwzgo dwti+. "ectg"ug o pgc | " ejkct"nc" Rctku." rg"3: "crtknkg"3; 73." Vtcvcvwn"ectg"kpukv-
vwkc"Eq o wpkvcvgc" Gwtqrgcp "c" E tdwpgnwk" k" Q gnnwnk
*EGEC+. "kpvtcv", p" xki qctg"nc" 47" kwnkg"3; 740" Cuvhgn. "egng"
fqw "fq o gpkk"cw" hquv"rwug" rgpvtw"q" rgtkqcf "fg"72"fg"
cpk"uwd"q" ukpiwt "Cwvqtkev" eqpfwu "ejkct"fg" r tkpvngn"
urktkvwn" cn" rncpwnwk" rtq o qxcv" fg" Uejw o cp. "cpw o g"
geppq o kuvwn" Lgcp" Oqppgv. "ec" rtk o wn" rtg gfkpv" cn"
"pcnvk" Cwvqtqv k0" Tc kwpkng" rqnkvkcg" cuewpug" cng" ceguvk"
eqpuwte kk" eq o wpkvctg" eqpuvcw" ,p" vgc o c" rgt o cpgpv "
c" Htcp gk" hc "fg" Igt o cpk. "ejkct" c c" fg| o g dte v "
cvwpek. "pe-v" ug" qhgtgcw" ictcp kk" cew o" rtkp" rwpgtg"
,p" eq o wp" c" tguwtugnt" o gvcnwt i keg" k" okpkgtg. "eggc" eg"
h egc" k o rqukdn "qtkeg" uvtg" dngk i gtcpv " ,pvtg" egng" fqw "
tk. "šcuvhgn" ec" qtkeg" t |dqk" ,pvtg" Htcp c" k" Igt o cpk" u "
fgxkp "pw" pw o ck" fg" pgi -pfkv. "fct" k" fkp" rwpv" fg" xgfgtg"
o cvgtkn" k o rqukdno. "kp" -pfw/ug" ugc o c" fg" rqpfgtg"
geppq o ke "c" e tdwpgnwk" k" q gnnwnk0

Rtqrwpgtg" nwk" Tqdtv" Uejw o cp" c" rtk o kv" k o g fkc v"
t urwpu" hexqtc dka" fkp" rctvge" T0" H0" Igt o cpk. "ewt" -pf" k"
fkp" rctvge" Dgnikgk. "Qncpfgk. "Nwzgo dwti wnwk" k" Kvcnkkgk."
fct" Octg" Dtkvcpk" tghw | -pf" u "ug" cn vwtg" xkvqctgk"
Eq o wpkv k. "rg" o qvkv" e "pw" rwwgc" u "pw" kc" ,p" eqpukfgtctg"
q" nk o kvctg. "Łg" k" rct ken . "uwd" curgevw" uwxgtcpk k0

"Ceguvwk" rtqkgev. " o cvgtken | cv" rtkp" Vtcvcvwn" fg" nc"
Rctku. " ,k" tgxkpg" o gtkvwn" fg" c" rwpg" dc | gng" egnqt" rcvtw"
qti cpg" eq o wpkvctg" " pcnvc" Cwvqtkev" g" o ,pu tekpcv "u "
hexqtk | g | g" kpvgtgung" eq o wpkvctg" = Eqpuknwn" fg" Ok-
pk vtk" o" qti cp" kpvgti wxgtpc o gpvcn" Cfwpctg" Eq o w-
p " o" cngcu " rtkp" xqv" wpxgtucn" fktgev" k" cxgc" uctekpc"
eqpvtqnnwk" fg o qetc kgc" = Ewtvge" fg" Lwuvk kg" o" ectg"
cuki wtc" tguvgevtg" pqt o gnqt" lwtkfkg" kpuvkvwkg" ,p"
Eq o wpkvcvg0" Ew" vqcvg" o qfkŁe tkng" wnvgtkqctg. "ceguv"
rcvtw" qti cpg" eq o wpkvctg" cw" etgcv" ftgrvwn" ectg" ug" crnke "
cuv |k" ,p" ,pvtg c i c" Eq o wpkvcvg" Gwtqrgcp 0" Cuvhgn. "Vtc-
vcvwn" fg" nc" Rctku. "fkpeqng" fg" ,pug o p vcvgc" uc" rqnkvke . "
tgrtg | kp v . " ,p" rtk o wn" t -pf. "wp" gzg o rnw" fg" eqqrgtctg"
,pvtg" o ck" o wnv" uvcvg. "ectg" , k" rtqrwpgcw" u " tgcnk | g | g"
kpvgt i tctg" wpqt" ugevqctg" geppq o keg. "ectg. "nc" t -pfwn"
nqt. " rwwgcw" igpgtc" wp" rtqegu" fg" kpvgt i tctg" ,p" cnvg"
ugevqctg" geppq o keg0" Cpcnk | -pf" Rncpwn. "qdugtx o" e "
gn" c" cdqtfcv" ,pvt/q" o cpkgt "pqw . "fg" wp" rti c o cvku o "
rtwfgpv. "rtqdn g o c" eqpuwte kgc" gwtqrgpg" k" c" k o rwu"
rtkpekrkwn" uwr tpc kqpcn0" Ogqvc" rtqrwu . " k" cpw o g"
ecngc" eq o wpkvct " fg" kpvgt i tctg. "ceqtfc" rtkqtkvcvg" kp-
vg i t tkk" ugevqtkcng" k" egngk" geppq o keg. " ,p" fgvtk o gpvwn"
egngk" inqdcng" k. "tguvgevx. " rqnkvkeg0" C" hquv" cdcpfqpcv "
uejg o c" vtcfk kqpcn "c" eqqrgt tkk" geppq o keg" ,pvtg" uvcvg."
rtqrwp -pfw/ug" q" hqt o wn "pqw . "pw o kv " škpvgt i tctgö. "
,p" ectg" uvcvgng" vtcpuhgt "wpng" eq o rgvpg g" rtqrtkk. " ,p"
fq o gpkk" dkpg" fgnk o kvcvg. "e vtg" q" pqw "gpvkvcvg" uwr t-
pc kqpcn "etgcv" rtkp" xqkp c" nqt" uwxgtcp 0

Cnv" rtqkgev" htcpeg | . " Eq o wpkvcvgc" Gwtqrgcp " fg"
Cr tctg. "u/c" cpwp cv" nc" 46" qevq o dtkg" 3; 72" fg" e vtg"
Tgp2" Rn2 xgp. " ,p" eqpvzvw" kpvgtpc kqpcn" o ctecv" fg"
gxgpk o gpvng" fkp" Eqtggc. "eggc" eg" c" fwu" nc" ug o pctgc. "nc"
Rctku. "rg" 52" o ck" 3; 74. "c" Vtcvcvwnwk" fg" etgctg" c" Eq o w-
pkv kk" Gwtqrgpg" fg" Cr tctg" *EGC+. "rtqrwp -pfw/ug" k"
etgctg" wpgk" Eq o wpkv k" Rqnkvkcg" Gwtqrgpg0" Fct. "ew o "
ejkct" Cfwpctg" htcpeg | " c" tghw | cv" kpvctg" ,p" cegcuv "
eq o wpkvcvg. "rg" 52" cw i wuv" 3; 76. "vgpvkxc" etg tkk" Eq-
o wpkv kk" Gwtqrgpg" fg" Cr tctg" c" g wcv. "fg" k" Vtcvcvwn"
hwugug" tcvkŁecv" fg" e vtg" egngcnvg" ekpek" uvcvg0

"pegr -pf" fkp" 3; 77" c" cxwv" hqe" tgnpcuctg" eqpuwte kgc"
gwtqrgpg. "r -p" "eg" u/c" clwpu" nc" ug o pctgc" nc" Tq o c. "rg" 47"
o ctkg" 3; 79. "fg" e vtg" uvcvgng" o g o dtg" cng" EGEC" c" fqw "
pqk" vtcvcvg. " k" cpw o g" Vtcvcvwn" kpuvkwpkf" Eq o wpkvcvg"
Geppq o ke "Gwtqrgcp " *EGG+ " k" Vtcvcvwn" kpuvkwpkf"
Eq o wpkvcvgc" Gwtqrgcp " c" Gpgti kkg" Cvq o keg" *EGGC+."
fgpw o kv " k" GWTCVQO0" C o dngv" vtcvcvg" cw" hquv" eq o -
rngvcvg" ew" rtqvqecng" tgnvcxg" nc" rtkxng i kk" k" k o wpkv k"
k" nc" Ewtvge" fg" Lwuvk kg" c" Eq o wpkv knqt" gwtqrgpg. "rtg-
ew o " k" q" Eqpxgp kg" tgnvcxk "nc" wpng" kpuvkww kk" eq o wpg"
Eq o wpkv knqt" gwtqrgpg0" Fwr " tcvkŁectg" fg" e vtg" egng"
cug" uvcvg. " vtcvcvgng" fg" nc" Tq o c" cw" kpvtcv" ,p" xki qctg" nc" 3"
kcpwtkg" 3; 7: "rg" fwtecv "pgnk o kvcv 0²⁴

E -pf" cw" hquv" ug o pcv" vtcvcvgng" fg" dc | , "p" 3; 74" o"
EGEC" k" ,p" 3; 79" o" GWTCVQO " k" EGG. "ekpek" fkp" egng"
cug" uvcvg" o g o dtg" cxgcw" ukuv g o g" dc | cvg" rg" eqfwtk" fg"
ngik. "dc | cvg" rg" o qfgnwn" Eq fwnwk" ekxkn" htcpeg | . " ,p" wt o c"
tghq o gnqt" ng i kuncvkg" o clqtg" cr twwg" ,p" Htcp c" fwr "
Tgxqmw kc" fkp" 39: ; . "kct" egng" o ck" o wnv" g" o" uwd" fq o pke" hwk"
Pcrqngq0" Fg" ceggc. "pw" guv" fgngq" uwr ttpk | vqt" e " ftgrvwn"
eq o wpkvct" rqt v " c o rtgpc" ukuv g o wnwk" lwtkfke" htcpeg | 0"
Cegcuv "kp ĩ wgp "ug" o cpkhguy " ,p" o ck" o wnv" g" hgnwtk

Referitor la *uvtewwte* "kpukvw kknqt. "kp ĩ wgp c" guv" xk | k-
dkn " ,p" urgekcn" ,p" eg" rtkxg vg" Ewtvge" Gwtqrgcp "fg" Lwuvk kg."
ectg" ug" dc | gc | " rg" uvtewwte" šEqpugkn" f0Gvcv0" o" Ewtvge"
Uwrtg o " Cf o kpkuvtcvkx " c" Htcp gk0

Dreptul administrativ "cn" Eq o wpkv k0" Oqkvxgng" tg/
gzc o kp tkk" ce kwpkk" c f o kpkuvtcvkxg" rtgx | wvg" uwpv" rtce-
vke" cegngc k" ectg" crct" ,p" ftgrvwn" c f o kpkuvtcvkx" htcpeg | 0

E -v" rtkxg vg" *procedurile comunitare*. "kp ĩ wgp c" htcp-
eg | " eqpuv " ,p" rtqegfwte" uetku "nc" Ewtvge" fg" Lwuvk kg" k" ,p"
uvtewwte" ci gpfkg" fg" nwetw" c" Eqpuknwnwk" fg" Okpk vtk0

"p" eggc" eg" ug" pw o g vg" *vgjpek* "ng i kuncvkvx . "egc" o ck"
o ctg" rctvg" c" ng i kunc kgc" eq o wpkvctg" wt o gc | " hqt o cvwn"
šnqk" ecftgö. "c" fke " vtcuctg" rtkpekrcngnqt" ectcevgtkuvk"
cng" o uwtknqt" eg" wt o gc | " u " Łg" cfqrvcvg. "n u -pf" ec"
gzgewvwxwn" u " ug" qewrg" fg" fgvcnk0

Ewt kk" fg" Lwuvk kg" ,k" tgxkpg" *vgjpek* "kpvgtrtg v tkk"
legislative. "ectg" ,p" rtkxk c" cxqec knqt" igpgtcnk" ctg" ec"
o qfgn" tqnwn" Eq o kuctwnwk" i wxgtpc o gpvcn" fkp" ecftwn"
Ewt kk" Cf o kpkuvtcvkxg" Uwrtg o g" htcpeg | g0



Nc"rtqrwpgtgc"Htcp gk."32" tk"gwtrqrgpg"ug o pgc | ,p"3;6;"Vtvcvwn"fg"nc"Nqpfte."rg"dc|c'e twkc"nwc"Łkp " Eqpuknwn"Gwtqrgk."ew"ugfkw"nc"Uvtcudqwti."hqt"fg"eq/qrgrctg"kpvtgctnc o gpvct .fg"fkcni"rqnkve",p"xfgtgc" etg tkk"Octkk"Gwtqrg"hgfgtcng⁰²⁵"Nc"kp kcvkxc"hqvwvwnk" rrtg gfkpv"cn"Htcp gk."Xcn²t{ "I kuetf"foGuvckpi."rqtppf" fg"nc"hervwn"e ,p"rgtkqfc"3;83/3;96."ec"wnvk o "kpucp " fg"tg|qnxctg"e"fkhtgpgfnqt"eq o wpkvctg."cw"hqv"eqpxq-ecv"p"npktk"cn" gŁnqt"fg"uvcvg" k"fg"iwxgtpg"fkp" tkng" o g o dtg."c"hqv"kpukvw kqpcnk | cv"Eqpuknwn"Gwtqrgk

p"3;72."geppq o kuwv"htcepg | "Lgcp"Oqppgv."uguk | -pf" kpgŁekgp c"Eqpuknwnk"Gwtqrgk" k"c"QEGG."p",pegtectg" fg"c"kpvtg"ic"rqnkve" k"geppq o ke" tkng"gwtrqrgpg."ncpugc- | "kfggc"rcu tkk"kpfwvutkknqt"ukfgwti"keg" k"ectdqpkhgtg" cng" Htcp gk" k" I gt o cpkgk"uwd" w o dtgnc" wpgk" ukp i wtg" qti cpk | c kk"ew"ectcevg"uwduvcp kcn."ectg"u "eqpvtqng | g" fg | xqnvctgc"ceguvqtc⁰

Eqpvtkdw kc" Htcp gk" ,p" eqpuvwe kc" gwtqrgcp " guvg" kpeqpvguvcdk .eqpuvcv-pfw/ug"ceguvg" o gtvk" k"fkp"hervwn" e .fwr "eg"Łgcp"Oqppgv."fg | c o ikv"fg"tcvctgc"Vtvcvwnk" eg"kpukvwkc"Eq o wpkvcvg" Gwtqrgcp "c"Cr t tkk²⁶."ejkct" fkp"ecw | c"cvkwfkk"rtqrktgk"ucng" tk."tghw | "tgkpxguk- tgc"ec"rtg gfkpv"ec"uweeuqt"cn"u w"Łkpf"fgug o pcv"vq" wp"tgtrt | gpvcv"htcepg | . ,p" rgtuqpc"nw" Tgp² "Oc {gt" *3;77/3;7 : +0" Wt o ctg" ceguvm" hcrv. "Lgcp" Oqppgv" ug" fgfke "cevkxv kk" fg"nqdd{."ukvw-pfw/ug" ,p"htwpgc"wpwk" i twr" fg" rtgukwpg" hqctvg" kp ĩ wgv. "Eq o kvvwn" fg" ce kwp" rgpvtw" Uvcvng" Wpkvg" cng" Gwtqrgk." fg" wpg" tgw g vg" u " rtq o xqg | g" kfggc"etg tkk"wpkg" rkg g"geppq o keg"eq o wpg" ,pvtg"egk" cug²⁷."kct"tg | wvvcvwn" hqdd { /wvwnk"u/c"rwww"eqpuvcv" ,p"3;79"nc",pejgktgc"egnqt"fqw "vtvcvng"nc" Tq o c⁰

k"cfqrvtgc"Vtvcvwnk"fg"nc"Dtwzgnngu"*3;87+."rtk- xkpf"hw | kqpcctgc"gzgewkxwnk"egnqt"vtgk"eq o wpkv k."ug" fcvqtc | "cvkwfkk"tg | gtxcv"c" Htcp gk"hc "fg"EGGC" k" hc "fg"Vtvcvwn"fg"nc" Tq o c."ectg"c"kpukvwk"Eq o wpkvcvg" Gwtqrgcp "c" Gpgti kkg" C vq o keg" *EGGC⁺⁰²⁸

Q"rtg | gp "cevkx" k'tgurqpucdkn ,p"pw o gng" Htcp gk" c"cxwv/q" i gpgtcnwn" E jctngu" fg" I cwnng"*3 : ;2/3;8;+."p" xgfgtgc"wpkg"eq o wpkv k"rqnkveg⁰"p"ceguv"ugpu." gŁk"fg" uvcvg" k"fg"iwxgtpg"u/cw",pv-npkv",p"Eqphgtpk c"fg"nc"Rctku." fkp"hgdtwctg"3;83."wpg"u/c",petgfkp cv"wpwk"eq o kvgv" eqpfwu" fg" E jtkvckp" Hqwejgv. ,p"ecnkvcvg" fg" o kpkvwt" fg"gzvgtg"cn" Htcp gk."gncdqtctg"rtqkgevwnk"fg"uvcvwn" cn"wpkg"Wpkwkp"Rqnvkeg"Gwtqrgpg."ectg"c"hqv"rtg | gpvcv" nc"4"pqkg o dtg"3;83" k"ectg"rtgxfgc"ec"rtkpekrkw"fg" dc | "tgurgevtgc"kpfgrgpfgp gk"uvcvgnqt" o g o dtg⁰"Nc" 3 : "kcpwctg"3;84."E jtkvckp" Hqwejgv"rtg | kp v "cn"fqngc" rrtqkgev."ectg"rtgxfgc"fqct"gncdqtctg",p"eq o wp"c"rq- nkvekk"gzvgtg"c"uvcvgnqt" o g o dtg."c"rqnkvekk"fg"cr tctg" k" c"egngk"ewvvtcng⁰²⁹" Htcp c" kpxkv " k"cnvg"uvcvg" u "ug" cn vwtg"kp kcvkxgk"ucng."kct"t urwpuwn"egnqtcnvg"ekpek" state comunitare vine cu promptitudine.

Rq | k kc" Htcp gk"ug"tguk o vg" k",p" rtkxk c" o qfncv kk" fg"xq."ectg."rqvtkxk"Vtvcvwnk"fg"nc" Tq o c." ,p"rgtkqfc" fg"vtcp | k kg."rtq i t c o cv "u "ug",pejgkg",p"3;87."Eqpuknwn" Eq o wpkv knqt"Gwtqrgpg."hqt o cv"fkp"okpk vtkk"fg"gzvgtg" ck"uvcvgnqt" o g o dtg."vtgdwkc"u "kc" o clqtkvcvg" fgek | knqt" ew"wpck o kvcv"fg"xqvwtk⁰"E-pf" fgek | knng"u " ,pegcr "c"Ł nvcvg"ew" o clqtkvcvg"ecnkŁecv " fg"xqvwtk."k | dwegp vg"q" etk | "o clqt ,pvtg" Htcp c"eqpfwu "fg"rtg gfkpvng"E jctngu" fg" I cwnng" k"egkncn k" o g o dtk"ck"Eq o wpkv knqt"gwtrqrgpg⁰ Rtg gfkpvng"fg" I cwnng"pw"gtc"fkurwu"ec"xqvw" Htcp gk"u " Łg"ki pqtcv",p"ejgukwpgng" o clqtg⁰ "p"3;87."rtqrwpgtkng" rrtg gfkpvgnk"Eq o kukgk"Gwtqrgpg"fg"Łpcp ctg"c"RCE."fg" etgctg" c" rrtqtkknqt"tgwutug"Łpcpekctg"cn"Eq o wpkv knqt" gwtrqrgpg" k"fg"gzvktfgtg" c"rwwgtknqt"dw i gvctg"cn"Rctnc- o gpvwnk"Gwtqrgcp"ug"nqxguc"fg"qrq | k kc" Htcp gk."ectg" dqkeqvg | ,p"wt o vqctgng" cug"hwpk"hwet tkng"Eqpuknwnk" Eq o wpkv knqt"Gwtqrgpg."cfqr-v-pf" c/pw o kvc"rqnkve" c" uecwvwnk"i qn⁰³⁰"Rtg | gp c" Htcp gk"Łkpf"eqpukfgtcv "gugp k- cn ,p"cp i tgpclwn"Eq o wpkv knqt"gwtrqrgpg."egngcnvg"uvcvg" egfgc | " k"ug",pejgkg"Eq o rtq o kuwn"fg"nc"Nwzgo dwi."nc" 4;"kcpwctg"3;88."ectg"uvcvngc | "e "qtkectg"fkp"egk" cug" cw"ftgrv"fg"xgvq"e-pf"ng"uwpv"chgevcvg"kpvtgugng"egng" o ck" k o rqtvcvg."tgiwn "r uvtcv "r-p "nc"Cevwn"Wpk"Gwtqrgcp" fkp"3; :80"Et | c"rtqxqecv "fg" Htcp c"rtqfwu"rgtwdctgc" cevkxv kk"Eqpuknwnk"Eq o wpkv knqt"Gwtqrgpg.",pv tkp" f" kpvgt i wxgtpcnku o wn",p" fgvtk o gpvwn"rtqeguwnk"kpvgit tkk" comunitare.

Ewx-pv"j qv t-vqt"cxgc" Htcp c" k"ew"rtknglwn"cfgt tkk" Octkk" Dtkvcpk."e-pf"u/c"nqxkv" fg"qrq | k kc" Htcp gk."cn" e tgk"rtg gfkpv" E jctngu" fg" I cwnng."pw"xgfgc"ew"qejk" dwpk"crtrkgtg"fkpvtg"Octgc"Dtkvcpk" k"Uvcvng"Wpkvg" cng"C o gtekk."rtgew o " k",pegte tkng"dtkvcpeg"fg"c"qd kpg" hceknk k"xc o cng" k"geppq o keg"rgpvtw"egngcnvg"uvcvg"fkp" Cuqekc kc"Gwtqrgcp "c"Nkdgtwnk"Uejk o d"*CGNU⁺⁰³¹ Din pqw."egngcnvg"uvcvg"eq o wpkvctg"cw"egfcv",p"hc c"rwpewvwnk" fg"xgfgtg"htcepg | . "ew"vqcv"cti w o gpvng"gzkuvgpv",p" hcxqctgc"cf o kvgtk"Octkk"Dtkvcpk⁰"p"eqpugekp ."Ktncp- fc" k"Fcpg o ctec" k/cw"tgvtcu" k"ng"egtgtgk"fg"cfgtctg⁰ C"fqwc",pegtectg"fg"cfgtctg" c"egnqt"vtgk"ecp fkvcv"ctg" nqe",p"3;89.",pu "Łpcnwn"pg i qekgtknqt" guvg"cegnc k⁰"p" Łpg."fg"okuc" k"wnvgtkqt"fgeguwn"rtg gfkpvgnk"fg" I cwnng" fguejkt"ecngc"cfgt tkk"egnqt"vtgk"uvcvg"gwtrqrgpg."ceegr- vcv "fg"pqwn"rtg gfkpv"htcepg | " I gqti gu" Rq o rkfqw" *3;8;/3;96⁺⁰"Ug o pcv"nc"Dtwzgnngu.",p"3;94."vtvcvng" fg"cfgtctg"kpvt ,p"xki qctg"nc"3" kcpwctg"3;95⁰

Pw"fg"rw kp "k o rqtvcv "guvg"tqnwn" Htcp gk",p"tg | qn- xctgc"etk | gk"dw i gvctg"fgencp cvg"fg"e vtg"ejkct" Octgc" Dtkvcpk" k",p"ectg" cdnkvcvg"rtg gfkp kkg"htcepg | g"nc" Eqpuknwn" Gwtqrgk" c"tg | qnxcv"rtqdn g o c"dw i gvct " rtkp" tgfwegtgc"eqpvtkdw knqt"Łpcpekctg"dtkvcpeg."tgfwegtgc" eqpvtkdw knqt"rgpvtw"ci kewnvt " k"urqktgc"tgwutgnqt" rrtqtkk"cn"Eq o wpkv kk"Gwtqrgpg⁰



Wp"tqn"ko rqtvcv"u/c"lwevcv"Htcp c" rtkp"eqpc kqpcnwn" u w"Lceswgu" Fgnqtu."ec"rtg gfkpvq"cn"Eq o wpkv kk."ectg." rg" o qvkw" etk | gk" dwigvctg" fgencp cvg" fwr "kpvctgc" Urcpkgk" k"Rqtwi cnkkg" ,p"Eq o wpkvcvg."c"cfqrvcv" o uwtk" ectg"u "c g | g" hqpfwtkng" eq o wpkvctg" rg"dc | g" o ck"uqkfg." fgvg" o kp-pf"ug o pctgc"Ceqt fwnwk" fg"hc" Dtwzgnngu/3 ; : . : . ectg"rtgxgfgc" fwdnctgc" hqpfwtkng" uvtwevwtng" fguvkpcvg" | qpngqt" fg | cxcpvclcvg" fkp" rwpev" fg" xgfgtg" geqq o ke." fct" k" eqpvtqwn" o ck" uvtkev" cn" e jgnvwkgnkqt" fguvkpcvg" c itkewnwtkk)

Lceswgu" Fgnqtu."ec"rtg gfkpvq"eq o wpkvct."c"kpwwk"e " pw"rwvgc"qd kpg"wp"trqvt"wpck o" fce "hqpfwn"ceguvkc" pw"gtc"tgrtg | gpvcv"fg"kpfgrgpfgp c"wpkg"D pek"Egptcng" Gwtqrgpg."cx-pf"ec" rtk o" qdkgevkx"uvedknkvcgc" rtg wtk- nqt."c c"ew o" cŁt o c"šPw"xc"gzkuvc"q"Wpkwpg"Oqpgvct " k"Geqq o ke " rtgew o" egc" rtg | gpv " *Łgectg" rctvgpgt" qewr-pf"wp"nqe"cn"u w+ fge-v" ,p"eqpfk kkg" ,p"ectg"uku- vg o wn" gwtqrgcp" fg" d pek"pc kqpcng"ug"xc" dwewtc" fg"q" kpfgrgpfgp " eq o rctcdk" ew"egc" c"Dwpfgudcpm"hc " fg" i wxgtpwn" igt o cpö" Rgpvtw" c" qd kpg"q" ,p gng i gtg" ,p" cegcuv " rtkxkp ." ceqt fwn" Htcp gk" gtc" gupg kcn" p" hqpf." Htcp c" gtc" o qvqtw" fkp" urcvng" Wpkwppk" Oqpgvctg" Qfcv " eg" Htcp c" gtc" fg" ceqtf." nwetwtkng" fgxgpgcw" o ck" w qctg" rgpvtw" tgrtg | gpvcv k" cnvqt" tk" Fct" cegcuv" pw" gtc"q" fgek | kg" w qct " rgpvtw" Htcp c" Gc" fqtgc"u " wt o g | g" ecngc" wpkg" D pek" Egptcng" Gwtqrgpg" rgpvtw" c" Ł" ,p" o - uwt "u" "kpł wgp g | g" nwctgc" fg" fgek | kk" nc" p kxgn" o qpgvct" " pvtgdctgc" gtc" fce "q" Dcpe " Egptcn " kpfgrgpfgpv " pw" kpvct" ,p" eqpvtc fke kg" ew" ceguv" qdkgevkx" Kpvgnk i gp c" nwk" Fgnqtu" tkgug" k" fkp" ecrcckvcvg" uc" fg" c" vtgeg" rguv" hgt o c" qrq | k kg" c" Octk" Dtkvcpk. " rtkp" rgtuqpc" rtk o wnw" o kpkvutw" Octictg" Vgcevtg. " urgewn-pf" flxgt i gp c" fg" qrkpkk" ,p" cegcuv " rtkxkp " ,p" kpvgtkqtw" ecdkpgvwnwk" u w" k" , o rkp i -pf/q"nc" k | qnctg." fwr "eg"cxgc" eqpugpuwn" vwwvtq" egnqtnk" k" o g o dtk. " o cti kpcnk | ctg" uguk | cv " fg" o kpkvutwn" fg" gzvgtg" dtkvcpke." ectg" cŁt o c" ,p i tklqt vqt" < šRiscul pw" guvg" k o rwpgtg" wpkg" o qpgfg" wpkg" ,p" Cp inkc. " ek" k/qnctgc" Rgtkeqwn" tgc"n" guvg" cegnc" fg" c" t o -pg" h t " ftgrvwn"nc" tgrnke " ,p" ecftwn" cpi clc o gpvngt" o qpgvctg." rg" ectg" tguvwn" Gwtqrgk" xc" cng i g" u " ng" hce " ew" q" Cp inkg. " ,pegte-pf. " q" fcv " ,p" rwnu. " u " ug" c i c g" fg" tguvwn" enwdwmwk" rtgc" v-t | kw. " e-pf" tgi wnkng" xqt" Ł" fglc" uvcdknv" k" rwygtg" , o r t kv " fg" cn kk. " urtg" fg | cxcpvclwn" pquvtw" Wp" Łpcn" o ck" t w" fg" cv-v" pw" rqv" , pvtgxgfgc".

Terqtvwn" Fgnqtu." fgpw o kv" qŁekcn" Terqtvwn" cuwrte" Wpkwppk" Oqpgvctg" ,p" Eq o wpkvcvg" Gwtqrgcp ." c" hquv" rwdnkecv" rg" 39" crtknk" 3 ; ; ; . " ket" rtguc" kpvgtpc kqpcn " k/c" ceqtfcv" q" cvgp kg" fgqugdkv " Rgpvtw" q" rgtkqcf " fg" vk o r. " cegucv" c" fq o kpcv" fkuew kkg" ng i cvg" fg" kpvgt i tetgc" gwtqrgcp ." o ck" cngu" ,p" rgtkqcf" rgtg i vktknqt" rgpvtw" ,p- v-mpktgc" Eqpuknwnk" Gwtqrgcp. " eg" wt o c" u " ug" fguh qctg" ,p" kwpgk" 3 ; ; ; . " nc" Oc ftkf)

Vqv" Htcp c" fgxgpgc" hqt c" ectg" rwpgc" ,p" ok ectg" Wpkwpgc" Oqpgvct ." gc" Łpf" egc" ectg" c" qhgtkv" dcpkngt" k o rqtvcv " fgqugdkv " ,p" ecftwn" eqqrgt tkk" gwtqrgpg" Fce "pw"gtc" Htcp c. " Wpkwpgc" Oqpgvct "pw"ct" o ck" Ł" lwevcv" wp"tqn" egpvtcn " ,p" rtqeguwn" fg" kpvgt i tetg" gwtqrgcp " ö" "

Rncpwn" Fgnqtu" k/c" fgvg" o kpcv" rg" vq k' u " eqpenwf " e " ceguv" qdkgevkx" k o rwpgc" q" o qpgf " eq o wp ." fct" ,p" Htcp c" u/c" etg | wv. " rgpvtw" o wnv " xtg o g. " e " cegcuv" pw"gtc" vqv/ wpc" ew" q" o qpgf " wpke " k" e " gc" ct" Ł" tgrtg | gpvcv" fqct" wp"cev" rgpvtw" vtcp | ce kkg" kpvgtpc kqpcng. " gzkuv-pf" ,p" rctcng" ew" o qpgfgng" pc kqpcng. " eggc" eg" ,n" fgvg" o kp " rg" rtg gfkpvng" Lceswgu" E jktce" *3 ; ; 7/4229+ " u " cŁt o g" e " švq k" egk" fkp" | qpc" Gwtq" vtgdwkg" u " eqpukvkwg" wp" i wxgtp. " q" cwvqtkvcvg" rqnkvke " ,p" o uwt " u " kp fkeg" enct" cwvqtkv kk" o qpgvctg" ectg" uwpv" nk o kvng" ce kwpkngt" ucng. " k' u " q" vtc i " nc" t urwvfgtgö)

Vqvw k. " ,p" rtkxkp c" eqpukvwtkk" wpwk" i wxgtp" geqq- o ke. " e jktc" Htcp c" c" cxwv" rq | k kk" fkhgtkv" Ec" wt o ctg" c" trqvtvwnk" Ygtg. " ,p" 3 ; 93. " ectg" rtrwpgc" uvcdkntgc" wpwk" Egptv" fg" Fgek | kk" rtkxkp" Rqnkvke" Geqq o ke " nc" p kxgn" eq o wpkvct. " Htcp c" u/c" qrwu" nc" eggc" eg" r tgc" c" Ł" uwrtepc kqpcnkvcvg" Cegcuv " kpvkw kg" pw" c" o ck" hquv" o gp kqpcv " ,p" Tg | qnw kc" fkp" o ctvkg" 3 ; 93. " fg" k" gtc" ,p" hcxqctg" j qv t-tkk" rtkpekrcngt" curgev" cng" dwi gvgnt" pc kqpcng" nc" p kxgnw" Eq o wpkv k" Fct. " rq | k kc" Htcp gk" ug" kpxgtugc | " k" ,pvt/q" fgenc" kg" c" o kpvutvwnk" fg" Łpcp g" htpegl. " Rkgtg" D²t² i qxq { . " fkp" fgeg o dtkg" 3 ; ; 20" Htcp c" rtrwpgc" ,pŁk" ctgc" wpwk" š i wxgtp" geqq o keö ,p" rctcng" ew" Dcpec" Eq o wp " Gwtqrgcp 0

" Htcpgl" kk" cw" kpukvcv" cuwrte" vctkhwnk" eq o wp" < rg" fg" q" rctvg" ö" fkp" ecw | c" vg o gtnkt" hc " fg" eqpewtgp c" tgrtg | gpvcv " fg" uvcvng" ew" vctkhg" o ck" o ke. " ectg" ct" r w- vgc" fgxgpk" r t k" fg" kpŁnvtctg" c" k o rqtvwtkngt" kghvkg" = " rg" fg" cnv " rctvg" ö" fgqctg" fqtgcw" wp" kpuvtw o gpv" rgpvtw" Eq o wpkvcvg" rtkp" ectg" u " rqc" v " fgxgpk" q" hqt " ,p" chc- egtkng" o qpfkng" " pckpvgtc" Vtcvwnwk" fg" nc" Occuvtke jv. " i wxgtpwn" htpegl" | c" h ew" fg o gtuwtk" gŁekgpvg" ,p" ueqrwn" eqpxk i gttk" egnqtnk" k" rctvgp" gwtqrgpk" fg" pgeguvcvg" qti cpk | tkk" c" fqw " Eqphgtk" g" kpvgt i wxgtpc o gpvcng" wpc" fg fkecv " wpkwpk" geqq o keg" k" o qpgvctg" k" c" fqwc" xk | -pf" realizarea uniunii politice. " cuvhgn" ,pe-v" rtqeguwn" fg" cf-pektg" c" kpvgt i tkk" gwtqrgpg" u " Łg" k o rwnukpvcv" Egn" fqw " Eqphgtk" g" kpvgt i wxgtpc o gpvcng" cw" cxwv" ec" tg | wv" v" tgfcevtgc" wpwk" rtkqgev" fg" o qfŁectg" c" vtcvngt" eqpukvwxg. " ectg" c" hquv" cpcnk | cv" fg" Eqpuknwn" Gwtqrgcp " ,p" 3 ; ; 30

Pkek" fwr " eqpuknctgc" kpvkw kknqt" gwtqrgpg" pw" c" ,pegvcv" rrtgqewrctgc" Htcp gk" rgpvtw" uqctvc" Gwtqrgk" Cegcuv" ug" eqpucv " fkp" rq | k kc" rtg gfkpvngk" Pkeqncu" Uctmq | { . ,p" 4229" šPw" gzkuv " q" Htcp " rwwgtpk " h t " Gwtqrc" k" pkek" q" Gwtqrc " rwwgtpk " h t " Htcp c" Wpkwpgc" Gwtqrgcp " guvg" rtkqtkvcvg" cduqnv " ö" " p" ceguv" ecftw" c"



cpwp cv"e "xc"kp k"hcqctvg"ewt-pf"gzvtg o "fg"rwvgtpeg" ce kwpk"rgpvtw"cr tctg."x |p"fequpvtwe kc"gwtrgcp "ctvkewncv "p"lwtwn"cv"tgk"rqnk"rqnkvec"kpvgtp ."c"gpgtikgk" k"egc"o gfkwnwk"peqplwt vqf

Fg k"Htcp c."kpk kcvqctgc"wpkv kk"gwtrgpgg."guyg" k"egc"ectg"cxgc"u "tgurkpi "Vtcevwn"fg"Cr tctg"Gwtqrgcp ."vq"gc"guvg"egc"ectg."wnvgtkqt"ug o p tkk"Vtcevwnwk"fg"nc"Occuvtkejv."f "ug o pcnwn"e vtg"lgt o cpkc" k"p"o ck"3 ; ;4"ug"etggc | "GWTQEQRTRU."o cte-pf"rtk o c"gvcr "c"wpkg"cr t tk"gwtrgpgg"cwvqq o g"Ueqrwn"etg tkk"ceguvwk"eqtr"fg"ct o cv "eq o wp" c" hquv"u "eqpvtkdwk"nc"cr tctg"Gwtqrgk."u "o gp kp "rcegc" k"u "cukiwtg"cuvgp c" w o cpkvct "p"chctc | qpgk"PCVQO" Cegcu "kpk kcvkx "htcpeg | ."vtcev "ew"kpfkhtgtp "fg"cnvg" tk"o g o dtg."pw"fwr "o wnv "xtg o g"vtg | g vg"kpvgtguwn"Octkk"Dtkvcpkk" k"cn"Qncpfgk."ectg"ug"qhgt " k"gn"u "eqncdqtg | g"rgpvtw"eqpuqnfctgc"eqtrwnwk"fg"ct o cv "eq o wp" Cegcu "kpk kcvkx "c" hquv"eq o rnvgyv "fg"fqw "pqk"wpkv k"o wn-vkpc kqpcng"o"GWTOHQHT" k"GWTOCTHQT."etgcvg"fg"Htcp c."Urepc" k"Kvnc"rg"37" o ck"3 ; ;7."p"wt o c"ugukwpk" o kpvgtkng" c" Wpkwpk" Gwtqrgk" Qeekfgpvcng"fg"nc"Nkucdpc"Rtk o c" guvg"q"wpkvcvg"vgtguvt "w qct ." o qdkn ."eqpegrwv "rgpvtw"kpvgtxgp kk"p"ecftwn"etk | gnqt"fg"lqcu "kpvgpukvcvg"ucw"rgpvtw"ce kwpk" w o cpkvctg" k"fqvcv "ew"32"222"fg"qc o gpk" C" fqcw"guvg"q" hqt " o ctkvk o ."fqvcv "ew"ecrcekv k"cgtpqcxng."rgt ok -pf" eqpvtdqwn"p"eq o wp"cn"urc kwnwk" o gfkvtcpcpk"o

Guyg"q"uw o ct "wt o tktg" c"tqwnwk"Htcp gk."o ctg"rw-vgtg"gwtrgcp "fg"o ck"o wnv"ugeqng" k"ectg" c"cxwv"kfggc" k"ejket"ce kwpgc"eqpvtwe k"gwtrgk"wpkvg" Ceguv"kfgn" u/c"x |wv"wt o tkv"rtk"ugeqng" k"ew"o q o gpvg"enctg"fg" ce kwpg"rqnkveq/o knkvct ."p"e-nc"eqpvtwe kc"fg"cew o "c" Wpkwpk" Gwtqrgpg" i uk o "u wduvcp ken "eqpvtkdw kc"htcpeg | ."ec"q"eqpuvcpv "c"wpwk"xku"htcpeg | fg"o wnv"g"veacuri.

Note:

¹ Nkxkw"Octew"Kuvtkc"fgtrvwnwk"tq o -pgue"o" Dwewtg vk" Nw o kpc"NGZ."3 ; ;9."r03:90
² Cngzcpftw"Jgtngcl"Qr"o"ekv"o p.11.
³ Eqfwn"Ecnk o cej"o Gfk kg"etkve "o" Dwewtg vk" Gfkwtc"Cecfg-ogk."3 ; 7:0
⁴ Leguirea Carageal"Gfk kg"etkve "o" Dwewtg vk" Gfkwtc"Cecfg o kg."3 ; 770
⁵ Cnguucpftq" Dctdgtq" Ectqn"egn" Octg"o" Dwewtg vk."4227." p.99.
⁶ I cdtkgn" Okew"Qtfkpgc"lwtkfk "kpuvkw kqpcn "gwtrgcp "o" Dwewtg vk" Rckfgk."4229."r045/490
⁷ Fk o kvtk"Qdngpumpk" Wp"eq o o ppygcnvj" o gfkxcnc" Dk/cp wn"l Vtcfwgtg"fg"Encwfk" Fw o kvtkw"o" Dwewtg vk" Eqtkp."4224."r0322/325."383/38;0
⁸ Pkeqncg"D pguew"Kuvtkc"K o rgtkwnwk"Dk/cpvk"o" Gfk kg"pi tkkv "fg"Vwft"Vgvgqk"XqnoKK"o" Dwewtg vk" Cpucvkc."4225."r0379/38:=" Uvngkp"Dtg | kcpw" Kuvtkc"ko rgtkwnwk"dk/cpvk"o" Dwewtg vk."4229." p.139-144.

⁹ I cuscwv"o" NpGorktg"df/cpvk"gv"nc" o qpcetjkg"htcpswgl"o" Rctku."3: : ."r04:6/4:70
¹⁰ I cdtkgn" Okew"Qr"o"ekv"o p.24.
¹¹ Pkeqncg"D pguew"Qr"o"ekv"o" XqnoKK."r0835/"8490
¹² Tqzpcp" Owpvgcpw" Drept european." o" Dwewtg vk."3 ; ;8." p.18.
¹³ I cdtkgn" Okew"Qr"o"ekv"o p.25-31.
¹⁴ I OI3tkpi " / "KOG" Twuw"l" Ftrvwn" Wpkwpk" Gwtqrgpg"o" Dwewtg vk" E"J"o" Dgem."4228."r04="Lgcp/Lceswgu" Tqwuugw"o" Confesiumi."o" Dwewtg vk" Gfkwtc"rgpvtw"nkvtcvwt ."3 ; 8 ; ."r0ZXX
¹⁵ Tqzpcp" Owpvgcpw"Qr"o"ekv"o p.18.
¹⁶ Rtg" k"eqpvtc"Vkwnguew"o" Dwewtg vk" Gfkwtc"Gpeknqrgfke ."4224."r0930
¹⁷ Pkeqncg" Vkwnguew"o" Documente diplomatice." o" Dwewtg vk" Gfkwtc" Rqkvke ."3 ; 89." r054 ; ."577/583=" Pkeqncg" Vkwnguew"o" Discursuri."o" Dwewtg vk" Gfkwtc" vkkp kLe ."3 ; 89."r0566/5850
¹⁸ I cdtkgn" Okew"Qr"o"ekv"o" p.32-43.
¹⁹ Vwftqtn" vghcp"o" Introducere in dreptul comunitar." o" Dwewtg vk" E"J"o" Dgem."4228."r03/50
²⁰ Xkqtn" Octew"l" Ftrv" kpuvkw kqpcn" eq o wpkvc"o" Dwewtg vk" Pqtc."3 ; ;6."r036/380
²¹ Ewpquew" qrgpgpv"cn"nw" J kvngt."rgpvtw"ectg" o qvkv" guvg" k" ctguvcv."c"fqrv "rq | k kc"tgeapeknkgtk."eqpxku"fg"hcrvwn"e " lgt o c-pkc"vtgdwke"u "ug"fgurctv "rgpvtw"vqfgcwp"fg"xlugng"dnugv o cvg."fg" c o dk kng"qtkgpcng"cn"vtegwvwnwk."vtcpuhq o -pf" pgeguvcvg"p"qr kwpg."cpeqt-pfw/ug"p"Qeekfgpv."tgeapeknkpfw/ug"ew"Htcp c"o"
²² Okejgn" Fgdt"o" Rtlgv"fg" Rcevg" rqwt" wpg" Wpkqp" fo Gvcv"o" europeennes."o" Rctku."3 ; 72."r0830
²³ Tqdgvt"Uejw o cp"o" Pour l'Europe."o" Rctku."3 ; 85."r04240
²⁴ Rjknkr"rg" Occkp"o" Ngu"eq o wpcv"u" gwtrg"2gpgg."o" Wpkqp" gwtrg"2gpgg." Ftkv"kpvgtpcvkqpcn"o" Rctku."3 ; ;5."r033="Nqwk"o" Ect-tou. Communautés européennes. - Rctku."3 ; ;3."r073/740
²⁵ QIDkdg"o" Wpkwpgc" Gwtqrgcp "pvtg" xkfvwn" k"tgcn"o" Dwewtg vk" Cmn."3 ; ; ."r0330
²⁶ Nc"kp kcvkxc"q o wnw"rqnkve"htcpeg | "Rcwn" Tg {pcwf" k"ec"wt- o ctg" c" wpgk" Tg | qnw kk" c" Cfw"p tkk" Eqpuwvncvkg" c" Eqpuknwnwk" Gw- trgk."nc"49" o ck"3 ; 74" c" hquv"ug o pcv."fg"e vtg" tkng"EGEC."Vtcevwn" Eq o wpkv kk" Gwtqrgpg" c" Cr t tkk."ectg" rtqrwpgc" etgctgc" wpgk"utwewtk"uwrtcp kqpcng"cu g o p vqctg"ew"egc"kpukvkv" rtkp" Vtcevwn"EGEC."ew"qdkgevkg" gzenwux" fghgukxg." k" c" wpgk" Ct o cvg" Gwtqrgpg" Ew o "rtqkgevn"rtgxfgc"wp"vtcpuhgt" k o rqtvcv"fg"uwxg- tcvkvcvg"pvt/wp"fq o gpkw"hcqctvg"ugpukdn"rtgew o "cr tctg"pc kqpc- n ."gn"pw" c"vtgcv"p"rctnc o gpvwn"htcpeg | o
²⁷ QOcpqncejg"o" Drept comunitar." Gfk kc" c" KKK/c"tgx |wv"o"o" Dwewtg vk" Cmn" Dgem."4223."r070
²⁸ Xkqtn" Octew."Pkeqncg" I j"o" wvgw"l" Ftrv"eq o wpkvc"t" kpuvkw k- onal."o" Ukdkw" Cn o c" Ocvgt."4225."r03:0
²⁹ Kdkfg o
³⁰ Rtkp"tgvtcigtgc"vk o r"fg"lw o vcvg"fg"cp"fg"nc"nwet tkng"Eqp- uknwnwk"fg" Okpk vtk."Htcp c"dnajgc | "cevkxvcvgc"ceguvwk" hqt."kpxq- e-pf"pvtgurgvctgc"eqpxgp knqrt"rtkxpf"rqnkvec"ci tct "eq o wp " k" c"eq o wpkv knqt"rtkxpf" xkvqctgng"eq o rgyv g"p" o cvgtg"fg" dwi g"v" cng"Rctnc o gpvwnwk" Gwtqrgcp"o" Wnvgtkt" c"tgk kv"pu "e" gtc"xqtdc"fg" q"tgurkpi g"t"ecvigtke" c" rtkpekrwnwk" o clqtkv kk"p"Eqpuknw"o"
³¹ Rtkp"cvkwfkpgc" gk."Htcp c"pw"kvk"pkek"eq o rqtvc o gpvwn" Octkk" Dtkvcpk"p"ec | wn"Uwg | o" Cuqek kc" Gwtqrgcp "c" Nkdgtwnwk" Uejk o d" c" cr tw"ec"q"tgec"kg" c" Cp inkghc "fg"uwegvwn"rtqitc o wnw"v"geapp- oke"ptgikvte"v"fg"egk" cugö" k" fkp"vge o c"fg" c"pw" L"n ucw "rg" fkp/ chct "fhp"uhgtc"eq o gt wnw"v"gwtrgcp"o" Gc"ewrtkfgc" Cwvutk." Octgc" Dtkvcpg." Fcp o ctec." Gnxg kc." Pqtxg ikc." Rqtw icnk" k"Uwgfkc"o



EQPENW \ KK''' K'''EQPUKFGTGPVG'''EW'''RTKXKTG'''NC "LWFGECTGC'''CRGNWNWK''' P'''ECW \ C'''RGPCN

Sergiu FURDUI,

*fqevqt",p"ftgrv."eqphgtgp kct"wpkxgtukvct.
xkegrtg gfkpvngn"Eqng i kwnwk"rgpcn"cn"Ewt kk"Uwrtg o g"fg"Lwuw kg*

SUMMARY

*Chygt"vjg"gzc okpvcqap"qh"uvcvkvecn"fcvc"qp"vjg"rtqugewkqap"kp"vjg"etk okpcn"cr rrcn"yg"jcxg"gncdqtcvgf"
vjgug"eqpukfgtvcqpu."y jkej"yg"jcxg"vjg"jqpqt"vq"rtgugpv"kp"vjg"rwdnkecvkqap"cu"uvcpf"fgukipgf"qp"vjg"
dcuku"qh"ogvjqfqni kecn"ocvgtkn"wguf"kp"lwfkeken"ng i kuncvkqap."fqevtkpg"cpf"lwtkurtwfgpeg0*

*"Gzrtguukpi"vjg"qyp"rqpv"qh"xcgy"qp"vjg"ng i cn"kuuwgu"cfftuugf."yg"gzrtguu"vjg"fguktg"cpf"jarg"
vjcv"vjg"ht o wncvuf"kgcu"cpf"eqpenwukapu"vq"dg"fgxgnrgf"qp."vjwu."vjg"ghhqv"wpfgtvcmgp"vq"cevkxgnf"
eqpvtkdwwg"vq"vjg"fgxgnr o gpv"cpf"rtq o qvqap"qh"lwfkeken"fgkekqpu"ng i cn."dcugf"cpf"o qvkcvcgfo*

Ip"Jqv t-tgc"Rngpwnwk"Ewt kk"Uwrtg o g"fg"Lwuw kg"
šRtkxkpf"cevkxkvcgc"EUL"nc",ph rvwktgc"lwuw kgk",p"
cpwn"422:ö"fkp";"hgdwtctg"422;."ew"tghgtktg"nc"cpnc|c"
cevkxkv kk"ewt knqt"fg"crgn"nc",ph rvwktgc"lwuw kgk"."ug"
o gp kqpgc| <"šTcrqtv-pf"ekhte"tgewtuwtknqt"cf o kug"
3875"rgtuqcpq*",p"cpwn"4229"6"674"rgtuqcpq+."nc"pw-
o twn"tgewtuwtknqt",p"rtkxk c"rgtuqcpqnt"ecw|gng"
e tqtc"cw"huq"tguvkvwkvg"urtg"tglwfgectg",p"qfkgp"fg"
crgn"o"499"rgtuqcpq*",p"cpwn"4229"o"499"rgtuqcpq+."
ug"eqpucv "e ."pw",p"vqvcg"ec|wtkng."kpucp gng"fg"crgn"
lwfge "crgnwtkng",p"uvtkev "eqphq o kvcv"ew"rtgxgfgtkng"
Eqfwnwk"fg"rtqegfwt "rgpcn ."eggc"eg"fweg"nc",pe n-
ectgc"ftgrvwtknqt"r t knqt" k"nc"etg vgtgc"xqnw o wnwk"fg"
nnetw",p"ceguvg"kpucp gö0

Uwd"curgevn"ecnv kk"ghgevwcvg."Łkpf"cpnc|cv "uk-
vwc kc",p"rgtkqfc"fg"tghgtk",p"Łgectg"Ewtv"fg"Crng"
p"rctvg."u/c",pvqe okv"wp"tcrqtv"fg"egtegvctg"uvcvkve "
rtkxkpf"lwfgectgc"crgnwnwk0

"p"wt o c"gzc okp tkk"fcvgnqt"uvcvkve"ew"rtkxktg"nc"
lwfgectgc"crgnwnwk",p"ecw|c"rgpcn ."rtgew o" k",p"tg-
|wnvcvwn"gzc o gpwnwk"lwtkurtwfgp gk"rtkxkpf"lwfgectgc"
tgewtuwnwk"qfkgpct",o rqtqxc"j qv t-tknqt"kpucp gnqt"
fg"crgn."hqt o wn o"cpw okvg"eqpenw|kk."rtkvtg"ectg"
gxkfgp kg o<

30"Nc"lwfgectgc"crgnwnwk."kpucp gng"pw"ceqtf "fgrnk-
p"glėkqp "rtgxgfgtknqt"ctv0635" k"ctv0636"E0rtqe0rgp0."
cuvhgn"ug"eq okv"gtqtk"lwfkectg"eg"pw"rqv"Ł"eqtgevcv"fg"
kpucp c"fg"tgewtu" k."ftgrv"eqpugek .fwr "ecuctg"fg-
ek|kgk"cvcevcg."ecw|c"ug"tg okvg"nc"tglwfgectg",p"crgn=

40"Rqpfgtgc"pw o twnwk"ec|wtknqt"fg"cf okvgtg"ctg-
ewtuwnwk"qfkgpct."ecuctg"kpvg i tcn "c"fgk|kgk"kpucp gk"
fg"crgn" k"fkurwpgtgc"tglwfge tkk"ecw|gk"nc"cegkc"
kpucp "lwfge vqtcue"guvg"o ctg" k"ug"cł",p"cuegp-
ukwpg=

50"Nc"tglwfgectgc"ecw|gk" fwr "ecuctg" jqv t-tkk"
p"tgewtu."gzkuv " k"ec|wtk",p"ectg"pw"uwpv",pfgrnkpvk"
kpfkec kkn"kpucp gk"fg"tgewtu."cuvhgn"Łkpf",pe necv "
rtqegfwtc"fg"tglwfgectg" k"nk okvng"ceguvgk=

60"p"rtceveke"lwfkect "pw"gzkuv "wp"rwpev"fg"xgfgtg"
wpkvt"ew"rtkxktg"nc"crnkectgc"rtgxgfgtknqt"ctv0635" k"
ctv0636"E0rtqe0rgp0" Cuvhgn."wpgqtk."ceguvg"pqt o g"fg"
ftgrv"uwpv"kpvgtrtgvcv"gtqpcv" k"crnkecv"pgwphkt o."
tgurvevx."ug"rtqppw "uqnw kk"fkhtkvg"rg"ec|wtk"uk ok-
nctg=

70"Ukwvc kc"etgcv "ug o pnc|gc| "rtqdn g o g"lwtkfkeg"
k o rqtvcpv"cr twyg",p"rtqegfwtc"lwfge tkk"crgnwnwk."
ectg"vtgdwkg"uqnw kqpcv",p"wt o c"cluw tkk"lwtkurtw-
fgp gk"pc kqpcng"nc"rtceveke"Ewt kk"Gwtqrgpg"rgpvtw"
Ftgrvwtkng"Q o wnwk0

H t "c"kpvtc",p"fgvcnkng"wpkg"fg|dcvgtk",p"hqpf"ew"
rtkxktg"nc"eqpenw|kkn"gpwp cvg."eqp vkpvt|p"eq o -
rngzkvevc"rtqdn g gnqt"fg"ftgrv"rg"ectg"uqnw kqpcv"
nqt"ng"rtguwrwp"cfugqtk."wt o tkp"ueqrwn"fg"c"Ł"
fgencp cv"wp"rtqegu"fg"gncdqctg" k"qhgtktg"c"tgeq-
o cpf tknqt"qrvo g"rtkxkpf"crnkectgc"rtgxgfgtknqt"eg"
tging o gpvc| "lwfgectgc"crgnwnwk.",p"t-pfwtkng"eg"wt-
ogc| "rtqrwp"o"eqpukfgtgpvg"rg"o cti kpgc"rtqdn-
o cvkek"lwtkfkeg"cdqtfvcg."ectg"ug",peqtrqtc| "p"72"
de puncte.

"Ceguv"eqpukfgtgpvg."gzrwug",p"vg|g"rtceveq/ vkp-
kŁeg."tgrtg|kp"tg|wnvcvwn"rtqewr tknqt",p"fq o gpkn"
ftgrvwnwk"rtqeguwn/rgpcn."ectg"ctg"q"vcpi g" fktgev "
k"e-v"ug"rqcv"fg"uvt-pu "ew"cvtkdw kkn"fg"ugtxekw0"
Cpw o g"cevkxkvcgc"fg"o cikuvtev."ock"rtgeku"o"rtqdn-
o gng"fg"ftgrv"ew"ectg"ug"eqphtwp"kpucp c"nc"lwfgectgc"
ecw|gk."c"eqpukvwk"o dqnfw"rtkpekrcn"rgpvtw"c"gncdqtc"
k"ht o wnc"eqpenw|kkn" k"c"rtg|gpvc"eqpukfgtgpvg"ew"
rtkxktg"nc"lwfgectgc"crgnwnwk",p"ecw|c"rgpcn 0



"p"ceguv"eqpvzv."gzrtko o"eqpxpigtc"e "lwuv kc" xc"hwpe kqpc"eqtgurwp| vqt"nc"pkxgnwn"vwwtqt"kpucp-gnqt"lwfge vqtg vk.",p"ec|wn",p"ectg."rg"n-pi "hcrvwn"e "uwpv"pgeguctg"ngik"ecnkvxcv."gng"xqt"£"lwuv"kpvgtrtgvcv" k"eqtgev"crnkecv"fg"e vtg"lwfge vqtg"eqphqt o"rtqrktgk" eqpxkpi gk."hqt o cvg",p"wt o c"lwfge tkk"ecw|gk."uwd"vqcv" curgevgng" k",p"o qf"qdkgev."e n w|kpfw/ug"fg"ngig|

"p"ceguv"ugpu."Ewtvge"Uwrtg o "fg"lwuv kg"fg"rwp" ghqvtwk"ko rqtvcv",p"xfgtgc"cuiki wt tkk"wpkg"cevxxk-v k"lwfkektg"fg"dwp "ecnkvcv"uwd"curgevw"wpk£e tkk" rtcevekk"lwfge vqtg vk"rtkxpf"kpvgtrtgvctgc" k"crnkectgc" ngikunc kkg",p"xkiqctg| "p" ktn"ceguvqt"ce kwpk"ug",puetg" k"cfqrvtgc"tgegpv "c" Jqv t-tkk"Rngpwnw" EUL" fkp" 52" o ctvk"422; ".Ew"rtkxktg"nc" o qfk£ectgc" k"eq o rng-vctg" Jqv t-tkk"Rngpwnw" EUL"pt044" fkp"3403404227"£Ew" rtkxktg"nc"rtcevekk"lwfge tkk"ecw|gnqt"rgpcng",p"qf"kp" fg"crng00."ectg.",p"qrkpk"pqcv .wt o gc| "c"£"fg|xqn-vcv ",p"ueqrwn"gncdqt tkk" k"cfqrvt tkk"wpkg"pqk"jqv t-tk" c"Rngpwnw" EUL"ew" rtkxktg"nc" crnkectgc" rtgxgfgtknqt" ctvkeqngnt"635" k"636"£0rtqe0rgp0

"Rg"cegcuv "nkpkg"fg"kfkg."gncdqt-pf"eqpukfgtgpvgng" rtqrktw/|kug."pw"pg/c o"rtqrwu"u "hcego"q"vtcvtg"gzjc-wuvx "c"rtqdnq o cvkekk"lwtkfkeg"cdqtfcvg."fgqctgeg"guvg" ko rqukdn" fkp" o qvkvxg"qdkgevkvxg."ek"pw o ck"q"egtegvctg" rtceveq/ vkkp k£e "uweekpv "k"rtkpekrkn "c"rtgxgfgtknqt" eg"tg ing o gpvvc| "lwfgectgc"crngnwnw",p"ecw|c"rgpcn ". cuvhgn",pe-v"u "£g"tgngxcv" k."tgurgevkvx."fg|xqncv"gn-ogpvng"guvg kcng"eg"ectcevtgk|gc| "cevxxk kng"kpucp gk" de apel în cadrul procedurii stipulate în articolele 413 k"636"£0rtqe0rgp0

30"Crngwn",p"ecw|c"rgpcn "tgrtg|kpv "egn"fg/cn"fqk-ngc"itcf"fg"lwtkufke kg"rgpcn "cn"hpffwnw"ecw|gk."ectg." £kpf"q"ecng" fg"cvce" fg"tghqtoctg" c"jqv t-tkk" rtk o gk" kpucp g."rtguwrwp"q"eqpvkpwctg"£lwfge k",p"xfgtgc" cfqrvt tkk" k"rtqpw tkk"wpkg"fgk|kk"ngicng.",pvgo gkcv" k"o qvkvxg0

Rtkp"crng"ug"gzgtekv ".p"ecftwn"wpkg"pqk"lwfge k" k"ht "fgu£kpc"tg"rtgncdn "c"ugpvkpk"cvcecvg."wp" eqpvtn"kpvgitcn"lwfkekt."cfke ",p"hrv" k",p"ftgrv."cuwrte" nwetwnw"lwfgcv"fg"rtk o c"kpucp 0

40"lwfge-pf" crngwn."kpucp c"uqnv kqpgc| "rtqdnq-ogng"fg"hrv"cuwrte"e tqtc"u/c"rtqpw cv"qtk"vtgdwkc" u "ug"rtqpw g"rtk o c"kpucp <

c+"fce "hrvc"tg kpwv "rtkp"tgejk|kvqtkw" klucw" rtkp" ugpvkpv "c"hqv"u x-t kv "qtk"pw=

d+"fce "cegcuv "hrv ".fwr "ec|. "c"hqv"u x-t kv "fg" kpewncv" k",p"eg", o rtglwt tk"u/c"u x-t kv=

e+",p"ec|wn"rctvkekr ckg."ectg"guvg"tqwn" k"eqpvtkdw kc" kpewncvwnw"nc"u x-t ktgc"kphtce kwpk=

f+"fce " o qvkvxg"kpqcecv",p"crng"cw"vg o gkwtk" fg" hcrv=

g+"fce "fcvng.", o rtglwt tkng"ucw"ukvvc kng"kpqcecv" ftgrv"ektew o uvcp g"cvgpwcvp"ucw"ci txcvpg"qtk"ftgrv" ecw|g"fg",pn vwtctg"ectcevtwnw"rgpcn"cn"hrvkv"ucw"ct urwpfgtk"rgpcng"cw"q"gzkvvgp "qdkgevkvx 0

50"lwfge-pf" crngwn."kpucp c"uqnv kqpgc| "rtqdnq-ogng"fg"ftgrv."cuwrte" tqtc"u/c"rtqpw cv"qtk"vtgdwkc" u "ug"rtqpw g"rtk o c"kpucp 0" Ceguv"rtqdnq o g"uwpv" de drept material sau procesual.

Rtqdnq o gng"fg"ftgrv" o cvgtkn"uwpv<

c+"fce "hrvc"ce" tkg"gzkvvgp "u/c"fqxgfkv",pvtwpg vg" gng o gpvng"eqpvkvxg"cn"kphtce kwpk=

d+"fce ", o rtglwt tkng"fg"hrv"fqxgfkvg" k"uvcdnkvg" corespund sau nu elementelor constitutive ale infrac-kwpk"tg kpvvg=

e+"fce "eqtgev"guvg"ecn£ecv "kphtce kwpgc"tg kpwv " .p"uctekpc"kpewncvwnw=

f+"fce "kphtce kwpgc"guvg"wpke ".eqpvkpw "ucw"rtg-nwpikv =

g+"fce "kphtce kwpgc"guvg"u x-t kv "ew"kpvgp kg." fkp"ko rtwfgp ".ew"fqw "hqt o g"fg"xpqk kg"ucw"ht " xkpqk kg=

h+"fce "kphtce kwpgc"guvg"eqpuw o cv "ucw"pgeqpuw-ocv " k"ectg"uwpv"gvcrng"cevxxk k"kphtce kqpcng=

i+"fce " o qvkvxg"kpqcecv",p"crng"eqpvkvxg"xtgq" ecw| "fg",pn vwtctg"ectcevtwnw"rgpcn"cn"hrvkv"ucw" cn"t urwpfgtk"rgpcng=

j+"fce "gzkv "ukvvc kc"fg"tgekfkx "ucw"eqpewtwn" fg"kphtce kwpk=

k+"fce "rgfgcruc"u/c"crnkecv",p"nk o kvng"rtgx |wvg" fg"ngig=

l+"fce "c"hqv"uqnv kqpcv "ce kwpgc"ekxkn "k"ectg"guvg" o qfwn"gk"fg"ctgektg=

m+"fce "eqtgev"u/cw"crnkecv" o uwtkng"fg"ukiwtcp = n+"fce "c"kpvtxgpkv"q"ukvvc kg"hcxqtdkn "kpewncvwnw" rtkp"rtk o c"ghgevwnw"tgvtcevx"cn"ngik"rgpcng=

"Rtqdnq o gng"fg"ftgrv"rtqeguwn"uwpv<

c+"fce "cw"hqv"tgurgevkv"vqcv"cevng"rtqeguwn" ghgevkv",p"ewtwn"rtqeguwnw"rgpcn"r-p "nc"rtqpw-ctgc"ugpvkpk"crngcvg=

d+"fce "gzkv ",pe ne tk"ectg"cvci"pwnkvvc"cevngqt" rtqeguwn=

e+"fce "u/c"ghgevkv"gzrgtk|c"lwfkekt ".p"ec|wn",p" ectg."rqvtxkv"ngikk."guvg"qdnkicvqtkg=

f+"fce "u/c"ghgevkv"cpvjgvc"uqekcn ",p"ecw|gng"ew" kpewnc k" o kptk=

g+"fce "uwpv"tgurgevkv"vgt o gpgng"rtqefwctng" k" cevng"rtqefwctng"eq o wpg=

h+"fce "cw"hqv"uqnv kqpcv"ejgukvkv"nc"cfqrvtgc" ugpvkpk"rtgx |wvg"fg"ngig=

i+"fce "eqtgev"guvg"crnkecv " o uwtc"fg"tgrtk o ctg= j+"fce "eqtgev"c"hqv"ecnewncv"vgt o gpw"fg"gzgewctg" c"rgfgrugk"uvcdnkvg"rtkp"ugpvkpv 0



60⁰Lwfgectgc"crnwnwk",p"ecw|c"rgpcn "ug"fguh qc-
t ",p"eqphqt o kvcvg"ew"rtgxgfgtkng"ctv0635" k"ctv0636"
C.proc.pen.

Rtqegfwtc"lwfge tkk"crnwnwk"wt o gc| "rtqegfwtc"
lwfge tkk"ecw|gk",p"rtk o c"kpucvp .Łkpfiwxgtpcv "fg"
eqpfk kng"i gpgtcng"cnq"lwfge tkk"ecw|gk"*Ecrkvqwn"K."
Vknwn"KK"fkp"Rctvge"Urgekcn "c"Eqfwnwk"fg"rtqegfwt " "
rgpcn +0

70⁰Lwfgectgc"crnwnwk"ug"fguh qct ",p" gfkp c"fg"lw-
fgecv .ectg."eqphqt o rtgxgfgtkng"ctv0634"E0rtqe0rgp0."
gugv"rtqegfvc "fg",pfgnrkptgc"wpqt"o uwtk"rtgcndkng"eg"
kpew o d "kpucvp gk"fg"crng

c+"rtk o ktgc" k",ptgi kvtctgc"fquctwnwk"rgpcn."ectg"ug"
ghgevwgc| ",p"uvtkev "eqphqt o kvcvg"ew"kpuvtwe kwpgc"ew"
rtkxktg"hc"kpgtgc"hwet tknqt"fg"ugetgvctkcv",p"lwfge vqtkk"
k"ewt kng"fg"crng."crtqdcv "rtkp" Jqv t-tgc"Rngpwnwk"
Ewt kk"Uwrtg o g"fg"lwuwk kg"pt062"fkp"44"fgge o dtkg"4225"
k"rtkp" Jqv t-tgc"Eqpuknwnwk"Uwrgtkqt"cn"Oc i kvtcvwtkk"
p0; 13"fkp"37"kpwtkg"4226-

d+"uvdckntgc"eq o rnyvwnwk"fg"lwfgecv ",p"crng."ectg"
ug"ghgevwgc| ",p"uvtkev "eqphqt o kvcvg"ew"rtgxgfgtkng"
ctv052."53."55"E0rtqe0rgp0-

e+"tgrctvk|ctgc"ecw|gk"rgpvtw"lwfgectgc"crnwnwk."
ectg"ug"ghgevwgc| ",p"uvtkev "eqphqt o kvcvg"ew"rtgxgfg-
tkng"ctv0566"E0rtqe0rgp0-

f+"Łzctgc"vgt o gpwnwk"fg"lwfgecv "c"crnwnwk."kct."
fce "gugv"pgeuct."Łzctgc"vgt o gpwnwk"rgpvtw" gfkp c"
rtgk o pct .ectg"ug"ghgevwgc| ",p"uvtkev "eqphqt o kvcvg"
ew"rtgxgfgtkng"ctv0567"E0rtqe0rgp0-

g+",pfgnrkptgc"rtqegfwtk"fg"ekvtg"cr t knqt."ectg"
ug"ghgevwgc| ",p"uvtkev "eqphqt o kvcvg"ew"rtgxgfgtkng"fkp"
Ecrkvqwn"KK."Vknwn"XKKK"fkp"Rctvge" I gpgtcn "c"Eqfwnwk"
fg"rtqegfwt "rgpcn ="

h+"hwctgc"o uwtknqt"rgpvtw"cu ki wtctgc"cr t tkk"*cuku-
vyp c"lwtkfke "itcvwk "fg"uvcv."rtgew o" k",pfgnrkptgc"
cnvt"o uwtk"qt i cpk|cvqtkeg",p"ueqrwn"ec."nc"vk o rwn" k"
p"nqewn"Łzcv."lwfgectgc"crnwnwk"u "pw"uwhtg"co -pctg."
ek"u "ug"fguh qctg",p"eqpfk kk"ngicng0

80⁰Eqphqt o"ctv0634"cnkp0*5+"E0rtqe0rgp0."lwfgectgc"
crnwnwk"ctg"nqe"ew"ekvtg"cr t knqt" k",p o -pctgc"eqrknqt"
fg"rg"crng0"Rtkp"cegcuv "rtgxgfgtg"r t knqt"nk"ug"cu ki wt "
ftgrvwn"fg"cewpqc vg"vgt o gpwn"Łzcv"rgpvtw"lwfgectgc"
crnwnwk."fg"cu"ug"rtg|gpvc",p"kpucvp c"fg"crng" k"fg"/ k"
uwu kpg"kpvtgugng"rtqeguwcng0

p"ceguv"ueqr.",p" gfkp c"kpucvp gk"fg"crng"vtgdwk"u "
Łg"ekvcvg"vqcv"rgtuqcpng"hc "fg"ectg"uqwn kc"rcukdn "
cfqrv tkk"ct"etgc"cnvg"ghgevg"lwtkfkeg" fge-v"egng"cnq"
ugpvkpk gk"crngcv."pw",pu "fqct"r t kng"ectg"cw"fgencv"
crng"ucw"nc"ectg"crngwn"ug"tghgt "gzrtgu0" Fg"gzg o rnw."
fce ",p"wt o c"tgecnkŁe tkk"hcrvgk",p"crng."uw o c"cvtkdwk "
rtkp"ugpvkpk "r t kk"ekxng"ct"vtgdwk"o qfkŁecv "ucw"eqp-

Łuecv "eqphqt o"ngi kk."nc"lwfgectgc"crnwnwk"ug"ko rwpg"
citarea r t kk"ekxng0

"kpucvp c"fg"crng"xc"lwfgec"crngwn",p"cdugp c"r t knqt"
pw o ck",p"ec|wn",p"ectg"guvg",pfgnrkpkv "ngicn"rtqegfwtc"
fg"ekvtg0" Fce "xc"i uk"pgeuct."kpucvp c"xc"tgewpqc vg"
rtg|gp c"r t knqt"qdnki cvqtg" k"xc"fkurwpg" o uwtkng"
eqtgrwp| vqctg"rgpvtw"cu ki wtctgc"rtg|gp gk"nqt."rtq-
pwp -pfi",p"ceguv"ugpu"q",pejgktg"o qvkvxcv ",p"ectg"u "
ug"gzrwp " k"qrkpk"rctvkekrpc knqt"nc"rtqegu0

90⁰Rctvkekrctgc"kpewncvwnwk"hc"lwfgectgc"crnwnwk" k"
ghgevgng"pgrtg|gpv tkk"nw"uwpv"tging o gpvcvg"fg"ctv0543"
C.proc.pen.

Eqphqt o"ctv0634"cnkp0*6+"E0rtqe0rgp0."lwfgectgc"
crnwnwk"ctg"nqe",p"rtg|gp c"kpewncvwnwk."e-pf"ceguv"ug"
cŁ ",p"uvtg"fg"ctgucv."ew"gzegr kc"rtgx |wv ",p"ctv0543"
alin.(2) pct.2) C.proc.pen.

gfkp c"fg"lwfgecv ",p"crng"pw"rqcv"cxgc"nqe" fge-v"
p"rtg|gp c"kpewncvwnwk" cŁcv",p"ctgucvtg"rtgxgpvk 0"
Cfwegtgc"kpewncvwnwk"ctgucv" guvg"qdnki cvqtg" k",p"
ec|wn",p"ectg"ceguv"ug" cŁ ",p"uvtg"fg"fg kpgtg",p"cnv "
ecw| "rgpcn "ucw"eqpvtcxgp kqpcn 0

Fce "kpewncvwn" guvg"ctgucv."ew"gzegr kc"ec|wnwk"
e-pf"ceguv"tghw| "u"Łg"cfwu",p"kpucvp "k"tghw|wn"nw"
gugv"eqpŁto cv"fg"cxqecvwn"u w",p" gfkp c"fg"lwfgecv "
p"crng."kpucvp c"fkurwpg"cfwegtgc"nw"nc"lwfgectgc"
apelului.

Lwfgectgc"crnwnwk"ctg"nqe"ew"rctvkekrctgc"kpewncvwnwk."
ew"gzegr kc"ec|wtknqt"rtgx |wv"fg"ctv0543"
C.proc.pen.

Pgrtg|gpvtg"kpewncvwnwk"ectg"pw"ug" cŁ ",p"ctgucv."
fct"ectg"guvg"ngicn"ekvcv."pw", o rkgfke "lwfgectgc"cr-
lului

:0⁰Nc"lwfgectgc"crnwnwk."rctvkekrctgc"rtqewtqtnwk."
rtgew o" k"cr t vqtnwk."fce "kpvtgugng"lwuwk kkg"q"
egt."gugv"qdnki cvqtg0" Crngwn"rqcv"Ł"lwfgecv",p"nruc"
pg o qvkvxcv "c"cxqecvwnwk",p"o uwtc",p"ectg"pw"ug",pecne "
ftgrvwn"hc"cr tctg"*ctv0634"cnkp0*9+"E0rtqe0rgp0" p"ec|wn"
fcv."kpucvp c"xc"rtqegfc",p"eqphqt o kvcvg"ew"rtgxgfgtkng"
art.69-72 C.proc.pen.

p"ec|wn",p"ectg"rtqewtqtnw."h t "c"kpqec"o qvkvwn."
pw"u/c"rtg|gpvcv",p" gfkp c"fg"lwfgecv ".lwfgectgc"
crnwnwk"ug"co -p "rgpvtw"q"cnv "fcv ".Łkpfi"tgrgvcv "
rtqegfwtc"fg"ekvtg" k."tgurgevks.Łkpfi"ht o wncv "q"pqv "
kphqt o cvkx "rtqewtqtnwk"kgctjke"uwrgtkqt0

p"ec|wn",p"ectg"fkp"cevgng"fqctwnwk"tg|wnv "e"kpewncvwn"
ctg"cr t vqt"cnv"ucw"fgug o pcv"fkp"qŁekw."kpucvp c"
c vgcrv "rtg|gpvtg"ceguvkc",p" gfkp "ucw"co -p "
lwfgectgc"crnwnwk."kct"fce "kpewncvwn"pw"fkurwpg"fg"
rqukdnkv k"rgpvtw"cu ki wtctgc"cu kvyp gk"lwtkfkeg."kc"
o uwtkng"pgeuctg"rgpvtw"tgcnk|ctgc"ftgrvwnwk"ceguvkc"
nc"cr tctg."Łkpfi"ht o wncv "q"cfv"e vtg"QŁekwn"fg"
cu kvyp "lwtkfke "ictcpvcv "fg"ucv0



;0"Ne"lwfgectgc"crnwnwk."rctvkekrtctgc"kpvgtrtgwvwnk." vtcfwv vqtwvwnk"guvg"qdnki cvqtkg",p"ec | wn",p"ectg"ug"eqp- uvcv "e "q"rctvg"e"rtqeguwnwk"rgpcn"pw"ewpqc vg"nk o dc" pgeguct "rgpvtw"kpvgtrtgvtctgc"ug o pgnqt"egnat" o w k"qtk" uwt | k"ucw" vtcfwegtg." rtgew o " k"vgt o k p q n q i k c" l w t k f k e " w v k n k | c v " , p " e c f t w n " g f k p g k " f g " l w f g e c v " , p " c r g n " * c t v 0 : 7 " C.proc.pen.).

"p"ecftwn" gfkp gk"fg"lwfgcev ",p"crn"ug"vwnk|gc| " nk o dc" fg" uvcv0" Fg" cug o gpgc." r q c v g " L " w v k n k | c v " k " c n v " nk o d " c e e g r v c v " f g " o c l q t k v c v g c " r g t u q c p g n q t " e c t g " r c t v k - e k r " n c " l w f g e c t g c " c r g n w n w k . " f c t . " p " c e g u v " e c | . " j q v t - t k n g " r t q e g u w c n g " u g " , p v q e o g u e " , p " o q f " q d n k i c v q t k w " k " , p " n k o d c " d e s t a t .

Cevng"rtqegfwteng"eng"kpuvcp gk"fg"crn"ug",p o - p g c | " k p e w n r c v w n w k . " L k p f " v t c f w u g " , p " n k o d c " n w k " o c v g t p " u c w " , p " n k o d c " r g " e c t g " q " e w p q c v g . " , p " o q f w n " u v c d k n k v " f g " E q f w n " f g " r t q e g f w t " r g p c n 0

Fquctwn"rgpcn."fwr "lwfgectgc"crnwnwk."ug"tgvt- p g c | " f w r " e g " k p u v c p " c " , p f g r n k p k v " r t g x g f g t k n g " c t v 0 3 8 " C.proc.pen.

"Tgurgevctgc"rtgxgfgtknqt"eg"tg ing o g p v g c | " n k o - d c " , p " e c t g " u g " f g u h q c t " r t q e g u w n " r g p c n " k " f t g r v w n " n c " k p v g t r t g v " c u k i w t " h w p e k q p c t g c " r t k p e k r k n q t " i g p g t c n g < " f t g r v w n " n c " c r t c t g * c t v 0 3 9 " E 0 r t q e 0 r g p 0 + . " c e e g u w n " n k d g t " h c " l w u v k k g * c t v 0 3 ; " E 0 r t q e 0 r g p 0 + " k " l w f g e c t g c " e c w | g k " r g p c n g " , p " v g t o g p " t g | q p c d k n * c t v 0 4 2 " E 0 r t q e 0 r g p 0 + 0

320" Fw r " o q f g n w n " l w f g e k k " , p " r t k o c " k p u v c p . " l w f g - e c t g c " c r g n w n w k " u g " g h g e v w g c | " , p " g f k p c " f g " l w f g e c v 0 g f k p c " f g " l w f g e c v " , p " c r g n " u g " f g u h q c t " f w r " r t k p - e k r k k " k " t g i w n k " e q o w p g " l w f g e k k " , p " r t k o c " k p u v c p 0

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Uqng o pkvcvgc" gfkp gk"fg"lwfgcev ",p"crn"ug"cu ki w t " r t k p " e q o r q t v c o g p v w n " l w f g e v q t k n q t " k " r t k p " q d n k i c v k x k - v c v g c " c e g u v q t c " f g " c " e x g c " k p w v c " x g u v k o g p v c t " r t g x | w v " f g " n g i g 0

Qtfkpgc" gfkp gk"fg"lwfgcev ",p"crn"ug"cu ki w t " r t k p " t g u r g e v c t g c " t k i w t q c u " c " v w w t q t " c e v k x k v k n q t " r t q e g u w c n g " e g " k p " f g " l w f g e c t g c " c r g n w n w k 0

330" Fk p " e q p k p w w n " c t v 0 5 3 9 " E 0 r t q e 0 r g p 0 " t g | w n v " e " c e v k x k v k n g " r t q e g u w c n g " , p " e c f t w n " g f k p g k " f g " l w f g e c v " , p " c r g n " u g " f g u h q c t " u w d " e q p f w e g t g c " r t g g f k p v g n w k " g f k p g k " k " q t k e g " n g i v w t " , p v t g " k p u v c p c " f g " c r g n " k " t g - u w n " r c t v k e k r c p k n q t " n c " g f k p " u g " t g c n k | g c | " p w o c k " r t k p " k p v g t o g f k w n " r t g g f k p v g n w k " k " f q c t " , p " v k o r w n " g f k p g k " f g " l w f g e c v " , p " c r g n 0

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340" p"ec | wn",p"ectg"ug"eqpucv ",pe nectgc"qtfkpkk" gfkp gk"fg"lwfgcev ",p"crn" klucw"pguwrwpgtgc"fkurq- | k knqt"kpuvcp gk." rtg gfkpvngg" gfkp gk"cvtc ig" cvgp kc" cuwrte"qdnki cvkxkv kk" k'pgegukv kk"tgurgev tkk"qtfkpkk",p" gfkp c"fg"lwfgcev ".kct",p"ec|"fg"tgrgvctg" c",pe ne tkk" qtk"pguwrwpgtkk" fkurq | k knqt"kpuvcp gk"ucw"u x-t ktkk" wpgk"cdcvgtk" i t c x g " f g " n c " q t f k p g . " k p u v c p c . " c w f k k p f " q r k - p k c " r t k n q t . " r q c v g " u " f k u r w p . " r t k p " , p e j g k g t g " o q v k x c v . " , p f g r t v c t g c " r g t u q c p g k " p g f k u e k r n k p c v g " f k p " u c n c " g f k p g k " f g " l w f g e c v 0

"p"ec | wn" o c p k h g u v t k k " n k r u g k " f g " t g u r g e v " h c " f g " l w - f g e c v " q t k " , p " e c | " f g " u x - t k t g " c " w p q t " h c r v g " e c t g " f g p q v " f g u e q p u k f g t c t g " x f k v " h c " f g " l w f g e c v . " k p u v c p c " f g " c r g n . " r t k p " , p e j g k g t g " o q v k x c v . " x c " c r n e c " c o g p f c " l w f k e c t " c o n f o r m a r t . 2 0 1 C . p r o c . p e n .

Fce "rtqewtqwn"ucw"cxqecvwn",pecne "qtfkpgc" g- f k p g k " f g " l w f g e c v " , p " c r g n " k " p w " u g " u w r w p g " f k u r q | k k g k " k p u v c p g k . " r t k p " , p e j g k g t g " o q v k x c v . " u g " f k u r w p g " c r n e c t g c " c o g p | k k " l w f k e c t g . " k c t " f g u r t g " u k v w c k c " f c v " g u v g " k p h q t o c v " R t q e w t q w n " I g p g t c n " u c w . " f w r " e c | . " E q p u k n w n " D e t q w n w k " f g " c x q e c k " k " O k p k u v g t w n " L w u v k k g k 0

Kpewncvwn"pw"rqcvg" L " u w r w u " c o g p | k k " l w f k e c t g . " f c t " c e g u v c . " r t k p " , p e j g k g t g " o q v k x c v . " r q c v g " L " , p f g r t v c v " f k p " u c n c " g f k p g k " f g " l w f g e c v " , p " c r g n " , p " e c | w n " , p " e c t g " , p e c n e " e w " t g c / x q k p " q t f k p g c " g f k p g k " k l u c w " o c p k h g u v " q " x f k v " n k r u " f g " t g u r g e v " h c " f g " k p u v c p c " f g " c r g n 0 " J q v t - t g c " k p u v c p g k " f g " c r g n " , p " c e g u v " e c | " u g " r t q p w p " , p " r t g | g p c " i n c u l p a t u l u i .

350" T g k g k p f " f k p " r t g x g f g t k n g " c t v 0 6 3 5 " E 0 r t q e 0 r g p 0 . " g f k p c " f g " l w f g e c v " , p " c r g n " g u v g " u v t w e v w t c v " , p < c + " o u w t k n g " r t g o g t i v q c t g " l w f g e k k = d + " f g | d c v g t k n g " l w f g e k k = e + " f g n k d g t c t g c " k " r t q p w p c t g c " j q v t - t k k 0

"O u w t k n g " r t g o g t i v q c t g " l w f g e k k " u w p v " t g i n g o g p v c - v g " f g " c t v 0 6 3 5 " c n k p 0 * 3 + " E 0 r t q e 0 r g p 0 " k " t g r t g | k p v " c e v k x k v k " r t q e g u w c n g " p g e g u c t g " r g p v t w " r t g i v k t g c " f g | d c v g t k n q t " l w f g e k k " , p " c r g n 0

"Fg | dcvgtkng"lwfgc kk",p"crn"uwpv"tg ing o g p v c v g " f g " c t v 0 6 3 5 " c n k p 0 * 4 + / * 7 + " E 0 r t q e 0 r g p 0 " k " t g r t g | k p v " c e v k x k v k n g " r t q e g u w c n g " r t k x k p f " g h g e v w c t g c " w p w k " e q p v t q n " l w f k e c t " k p v g i t c n . " , p " h c r v " k " , p " f t g r v . " c u w r t c " u g p v k p g k " c r g n c v g 0

"Fgnkdgtctgc" k"rtqppw ctgc"jqv t-tkk",p"crn"uwpv" tg ing o g p v c v g " f g " c t v 0 6 3 : " E 0 r t q e 0 r g p 0 " k " t g r t g | k p v " c e v k x k v k n g " k p u v c p g k " f g " c r g n " r t k x k p f " x g t k l e c t g c " n g i c - n k v k k " k " v g o g k p k e k g k " j q v t - t k k " c v c e c v g " r g " d c | c " r t q d g n q t " g z c o k p e v g " f g " r t k o c " k p u v c p . " e q p h q t o " o c v g t k c n g n q t " f k p " f q u c t " k " q t k e t q t " r t q d g " p q k " r t g | g p v e v g " k p u v c p g k " f g " c r g n " u c w " e g t e g v t k k " u w r n k o g p v c t g " c " r t q d g n q t " c f o k p k u v t c v g " f g " r t k o c " k p u v c p 0

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ghgevwgc | "wto vqctgng" o uwtk"rtgogti vqctg"lwfg-
 e kk<
 c+"cpwp "ecw|c"egwtogc| "c"l"lwfgcev =
 d+"xgtkŁe "rtg|gp c"rtguqcpngqt"ekvcvg=
 e+"cpwp "pwogng" k"rtgpowogng"lwfgv qtknqt"eqo-
 rngvwnwk" fg"lwfgcev ."cng"rtqewtqtwnwk."itgŁgtwnwk."
 rtgewo" k"cng"kpvgtrtgvwnwk" k"vtcfwe vqtwnwk"*fce "
 ceg vke"rctvkekr +."cng"cr t vqtwnwk."rtgewo" k"cng"cnvqt"
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 uwduvc kcn ."ug"xc"xgtkŁec"fce "crncpwn"ctg"ecnkvc-
 vgc"fg" c"gzgtekv"ceguvc "ecng"qtfkpc "fg"cvce."fce "
 ,p"eggc"eg"rtkxg vg"ugpvk c"cvcecv "ngigc"pw"kpvtg|keg"
 ecngc"crgnwnwk."fce "uguk|ctg" rtkogk"kpupvc g" c"hqv"
 h eww "xcncdkn."fce "wto tktgc"rgpcn "c"hqv"ngicn"
 ,pegrwv ."fce "r t kng"cw"rtk okv"eqrk" fg"rg"egtgtg"
 de apel etc.

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 rtgxfgtkng"ngikk0
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 crgnwnwk."xc"rwtefg"nc"fg|dcvgtkng"lwfgc kk",p"crgn0
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 vcvg"uwrnk o gpvct",p" gfkp c"fg"lwfgcev ",p"crgn0
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 oqfckv k."fwr "ec|<
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 *ctv0635"cnkp0*4+"E0rtqe0rgp0+=
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 dngt"*ctv0635"cnkp0*5+"E0rtqe0rgp0+0
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 nqe",p"ec|wn",p"ectg"kpupvc c"fg"crgn"pw" c"fkurwu"egt-
 egvctg"rtqdgngt"pqk"klucw"egtegvctg"uwrnk o gpvct "c"
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 "p"ec|wn"fcv."lwfgectgc"crgnwnwk"ug"tgfweg"nc"fkuew-
 vctg",p"eqpvctfkevqtkw."fg"e vte"rctvge"cew|tkk."rg"fg"
 q"rctvg." k"fg"e vte"rctvge"cr t tkk."rg"fg"cnv "rctvg."c"
 o qkxgnqt"kpqecvg"fg"crncpv" k."k o rnkcv."fce "ugpvk c"
 crncv "guvg"ngicn.",pvg o gkcv " k" o qkxcv 0"R t kng"ug"
 xqt"tghgtk"cv-v"nc"rtqdgng"ng"fg"hcrv"cuwrte"e tqtc"u/c"
 rtqppw cv"qtk"vtgdwk"u "ug"rtqppw g"rtk o c"kpupvc ."e-v"
 k"nc"rtqdgng o gng"fg"ftgrv0



Discutatgc ,p"eqpvtcfkveqtkw" fg"e vtg" rct k"eqpvc " ,p"eqphtwpvctgc" fkpvtg" crgnpcv. "kpvk o cv" k" rtqewtqt" ,p" eggc" eg" rtkxg vg" crtgekgtgc" rtqdgnt" cf o kpkuvctvg" ,p" ewtuwn" egtegv tkk" lwfge vqtg vk="cnvg" rtqdg" pw" ug" cf o kpkuvctgc | 0

Fce "q" rctvg. ,p"nwtgc" fg"ewx-pv. "egtg" tgcrtgekgtgc" rtqdgk" egtegvctvg" ,p" rtk o c" kpuvcv . "ug" xc" hceg" o gp kwpgc" tguvgevx , ,p" rtqeguwn/xgtdcn" cn" gfkp gk" fg" lwfgecv . "wt o -pf" u "ug" gzrwp "kpuvcv c" fg" crgn" ,p" fgek|kc" cf qrvvcv 0

3;0" Lwfgectgc" crgnwnwk" ew" ghgevwctgc" egtegvctkk" rtqdgnt" tgrtg|kpv "xgkŁectgc" ngicnk k" k" vg o gkpk-ekgk" ugpkp gk" crgnvcg" rg" dc|c" rtqdgnt" pqk" rtg|gpvcvg" fg" r t k" ,p" fg|dcvgtkng" lwfge kk. "rtgew o" k" rg" dc|c" rtqdgnt" cf o kpkuvctvg" ,p" rtk o c" kpuvcv " k" egtegvctvg" uwrnk o gpvcv ,p" kpuvcv c" fg" crgn0

Fwr "eg" crgnpcvwn. "kpvk o cvwn. "rtgew o" k" rtqewtq-twn" kpxqe "pgeguvctgc" cf o kpkuvct tkk" rtqdgk" pqk" ucw" c" egtegv tkk" uwrnk o gpvcv" c" rtqdgk" cf o kpkuvctvg" ,p" rtk o c" kpuvcv . "Łkp" cuwvncv "qrkpkc" vvwvtqt" rctvkekrcp knqt" nc" gfkp . "kpuvcv c" fg" crgn" ug" rtqpw " rtkp" ,pejgkgtg" o qvxcv "cuwrct" egtgtkk" tguvgevxg. "fg" tgi wn . ,p" hqt o " rtqvceqnt 0

Kpuvcv c" fg" crgn" pw" guvg" ,p" ftgrv" u " fkurwp . " fkp" qŁekw. "cf o kpkuvctgc" fg" rtqdg" pqk" ucw" egtegvctgc" uw-rnk o gpvcv "c" rtqdgk" cf o kpkuvctvg" ,p" rtk o c" kpuvcv 0

Uk o knct" ,pvtgikk" cevxxk k" lwfkekctg" fguh wtcvg" ,p" kpuvcv c" fg" hqpf. "fwr "gzrwpgtgc" r t knqt" k" rtqewtq-twnwk" cuwrct" egtgtkk" rtkxpf" cf o kpkuvctgc" fg" pqk" rtqdg. "rtgew o" k" fwr "egtegvctgc" uwrnk o gpvcv "c" rtqdgnt" cf o kpkuvctvg" fg" rtk o c" kpuvcv . "kpuvcv c" fg" crgn" ug" rtqpw " rtkp" ,pejgkgtg" o qvxcv " rtkxpf" cf o kvgtgc" ucw. "fwr "ec|. "tgurkpi gtgc" egtgtkk" tguvgevxg0

'p"ec|wn" ,p"ectg" ug" tguvgevxg" egtgtgc. "kpuvcv c" fg" crgn. "p" jqv t-tgc" cf qrvvcv . "xc" kpxqec" ctiw o gpvng" ,p" urtklpwn" uqnv k" rtkxpf" tguvgevxg" ghgevw tkk" egtegv tkk" rtqdgk" uqnekvcv0

'p"ec|wn" ,p"ectg" ug" cf o kvgtgc" ghgevwctgc" egt-egv tkk" rtqdgk" uqnekvcv" ctg" nqe" eqphqt o " rtgxgfgtknt" uvrwncv" ,p" Uge kwpgc" 4" fkp" Ecrkvqnwkk" KKK. "Vkvwn" KK. "Rctvgc" Urgekcn "c" Eqfwnwk" fg" rtqegfwt " rgpcn . "ectg" ug" crnke " ,p" o qf" eqtguvwp | vq0

420" Ew" qec|kc" fg|dcvgtknt" lwfge kk" ,p" crgn. " ,p" conformitate cu prevederile art.413 alin.(2) C.proc. rgp0. "rtg gfkpvng" gfkp gk" qhgt "ewx-pv" crgnpcvwnwk. "kpvk o cvwnwk. "cr t vtqtknt" k" tgrtg|gpvcv knqt" nqt. "crqk" rtqewtqtnwk0" Fce ,pvtg" crgnwtkng" fgenctvg" ug" cŁ " k" crgnwn" rtqewtqtnwk. " rtk o wn" ewx-pv" ,n" ctg" ceguvc0

Crgnpcvwn" uuv kpg" xgtdcn" o qvxcgng" fg" crgn" k" rtg-ek|gc| "uqnv kc" rg" ectg. " ,p" qrkpkc" uc. "ct" vtgdwk" u/q" rtqpw g" kpuvcv c" fg" crgn0

"Kpvk o cvwn" eq o dcvg" o qvxcgng" fg" crgn" ucw. "fwr "ec|. " ng" tgevpqcv vg" k" uqnekcv "kpuvcv gk" uqnv kc" rgpvtw" ectg" rnfgc| 0

Rtqewtqtn" rrg|kpv "eqpenw|kkn" rg" ectg" hg" crtgek| " o qvxcv" rqvtkxkv" ng i kk0

430" Nw tkng" fg" ewx-pv" vtgdwk" u "ug" czg|g" rg" o qvxcgng" kpxqecv" fg" crgnpcv. "Łgectg" rctvg" ctiw o gpv-pfw/ k" qrkpkc" rtkp" eq o dcvgtgc" rwpvevngt" fg" xgfgtg" cng" r t kk" cf xgtug" ew" tghgtktg" nc" kpvgt rgtvctgc" lwfkekct " k" fqe-vtkpct "c" pqt o gnt" fg" ftgrv" eg" lwuvkŁe "uqnv kc" rgpvtw" ectg" rnfgc| 0

Oqvxcgng" fg" crgn. " rqvtkxkv" ctv0627" E0rtqe0rgp0. "ug" hqt o wncg| " ,p" uetku. " fct" gng" rqv" Ł" fg| xqnvctvg" ucw" hqt o wncv" k" ,p" o qf" qtcn" ,p" ecftwn" fg|dcvgtknt. "Łkp" eqpug o pcvg" ,p" rtqeguwn/xgtdcn" cn" gfkp gk" fg" lwfgecv " în apel.

R-p "nc" ,pejkggtgc" fg|dcvgtknt. " crgnpcvwn" rqcvg" hqt o wnc" k" cnvg" o qvxcgng" fg" crgn" fge-v" egng" hqt o wncv" rtkp" cftguc" crgnwnwk" ,pckpvcv "kpuvcv gk. "ejkct" fce " o qvxcgng" orale nu coincid cu cele scrise.

440" Kpuvcv c" fg" crgn" ,p" ecftwn" fg|dcvgtknt" guvg" qdnkicv "u" "etg|g" eqpfk k" gicng" rgpvtw" r t k" ,pvtw" gzt-ekvctgc" ftgrvwtknt" k" qdnkic kknqt" rtqeguvcng. "rtgew o" k" pgeguvctgc" qd kpgtkk" wpgk" uqnv kk" ngicng" k" ,pvg o gkvcg" ,p" wt o c" wpgk" cf gx tcv" fkurwv" qtcng. "rwdnkeg" k" eqp-vctfkevctkng" fkpvtg" rctvgc" cr t tkk" k" rctvgc" cew| tkk" de stat.

'p"ec|wn" ,p"ectg" ug" eqpvcv "vg o gkpkkc" wpwk" o qvxc" fg" crgn" ucw. "fwr "ec|. "c" wpwk" crgn. "wt o ctg" c" e twk" ugpkp c" crgnvcv "vtgdwk" ecucv . "kpuvcv c" wt o gc| "u" eqpvpwg" lwfgecv. "Łkp" qdnkicv "u" "gzc o kpg|g" vqcv" o qvxcgng" fg" crgn" ucw. "fwr "ec|. "vqcv" crgnwtkng0

Oqvxcgng" fg" crgn" vtgdwk" gzc o kpcv" pw" fqct" ,p" ukpg" o" rtkp" tcrqtvtg" ,p" ecftwn" fg|dcvgtknt. "ek" rtkpvt/q" cpcnk| "qdkgevx . "eq o rnv " k" uwd" vqcv" curgevng" fg" hcrv" k" fg" ftgrv. "eqphtwpv-pfw/ng" ew" uuv kpgtkng" h ewvg" ,p" eq o dcvgtgc" nqt" fg" e vtg" kpvk o cv. "rtgew o" k" ew" ,pvtgi wn" o cvgtkcn" r tqdcvqt" cn" ecw| gk0

Pggzc o kpcv" wpwk" o qvxc" kpxqecv" ,p" crgn. "c" e twk" uqnv kqpcv" guvg" pgeguvct " rgpvtw" cŁctgc" cf gx twnwk. "gejxcngc| "ew" pgtg|qnxctgc" hqpfwnwk" crgnwnwk" k" eqp-fweg" nc" ecuctgc" vqcn "c" fgek|gk" kpuvcv gk" fg" crgn" ew" fkurwpgtgc" tglwfge tkk" nc" ceggc k" kpuvcv 0

450" Fwr "nw tkng" fg" ewx-pv. "rtg gfkpvng" gfkp gk" gzrnke "e . "eqphqt o" rtkpekrkwnwk" eqpvtcfkveqtkcnkv k" ,p" rtqeguwn" rgpcn" *ctv046" E0rtqe0rgp0+. "kpuvcv c" fg" crgn" ceqtf " clwqt" qtke tkg" r t k. "nc" uqnekvcvctgc" cegu-gkc. " ,p" eqpfk kkn" ng i kk. " rgpvtw" cf o kpkuvctgc" rtqdgnt" necesare.

'p"ec|wn" ,p"ectg" guvg" hqt o wncv "egtgtgc" ucw" fg o gtuwn" tguvgevx. "kpuvcv c" ng" xc" uqnv kqpc" rqvtkxkv" rtgxgfgtknt" art.364 C.proc.pen.



Cuewnvctgc"kpewncvwnwk"rtg|gpv."rqvtkxkvpqt o gngt"
ectg"tg ing o gpvvc| "lwfgcevc",p"rtk o c"kpucvp . "gugv"
qdnkicvqtgk",p"wt o vqctgng"ec|wtk<

c+"e-pf"kpewncvwn"pw" c" hquv"cwfkcv"nc" egtegvctgc"
lwfgc vqtcguc =

d+"e-pf"pw"u/c"rtqpw cv", o rqvtxc"kpewncvwnwk"q"
ugpvkp "fg"eqpfc o pctg0

Kpucvp c"fg"crng"ugvg"qdnkicv "u"kc"o uwtk"rq|kvxg"
,p"ueqrwn"cwfkgtkk"kpewncvwnwk",p"ec|wtkng"o gp kqpcvg."
ejkt"fce "pw"gzkv "uqnkekv tk",p"o qf"gzrtgu",p"ceguv"
sens.

460 "p"ec|wn",p"ectg"kpucvp c"fg"crng"ugvg"uguk|cv "
ew"wp"crng",p"ectg"ugvg"eqpvugvcv "ukwvc k",p"hrv" k",p"
ftgrv"tg kpww "fg"rtk o c"kpucvp . "fkp"o qvxxg"fg"gejk-
vcvg"crteguwnwk."pw"ug"rqcvg"fg"cu"rtqpw c"cuwrte"
ceguvqt"ejgukwkp"ht "crtgectg"fkgtgevc"fgentc kknqt"
rtg|gpvcvg"rgtuqpcn"fg"kpewncvwn"ectg"uwu kpg"e "pw" c"
u x-t kv"kphtce kwpgc"ko rwwcv 0

"p"ec|wn"fcv."kpucvp c"fg"crng"vtgdwkg"u "cwfk|g"
kpewncvwn."o ctvqtkk"ectg"pw"cw" hquv"cwfk k",p"rtqeg-
fwtkng"cpvgtkqtg."rtgew o" k."fwr "ec|.u "rtqefg|g"nc"
cf o kpkuvtctgc"fkgtgevc"rtqdgngt",p"urg . "kp-pf"ugc o c"
o ck"cnug"fg"ejgukwkpng"rg"ectg"ng"uqnw kqpgc| " k"fg"
ko rqtvcv c"nqt"rgpvtw"r t k0

"p"ceguv"ueqr."kpucvp c"fg"crng"xc"ghgevc"o uwtkng"
rq|kvxg.",p"eqpfk kknng"ngikk."ejkt"fce "kpewncvwn"
pw"uqnkekv "q"cwvqt|ckg",p"ceguv"ugpu."cuvhgn",pe-v"u "
ckd "ewpq vkp "fg"ecw|",p"hrv" k",p"ftgrv" k"u "ug"
gzc o kpg|g",p"cpuc o dnnw"gk"ejgukwpgc"xpqkx kgk"ucw"
pgxkqkx kgk"eqpht o "lwtkurtwfgp gk"eqpucpvgt0

470Eqpht o "ctv0635"cnkp0*5+"E0rtqe0rgp0.",p"ecftwn"
fg|dcvgtknt."ec"o q o gpv"rtqeguwn"cn"lwfgc tkk"crngwnwk."
r t kng"uwpv",p"ftgrv"u "kpxqeg"pgeguvcvgc"cf o kpkuvt tkk"
fg"pqk"rtqdg0"p"ec|wn"fcv"cwvqtwn"egtgtkk"vtgdwkg"u "
kpfkcg"ceguv"rtqdg" k"o klnqcegn"fg"rtqd "ew"clwvqtwn"
e tqtc"rqv"Ł"cf o kpkuvtcvg."rtgew o" k"o qvxxgng"ectg"cw"
, o rkgfkcv"rtg|gpvctgc"nqt",p"rtk o c"kpucvp 0

Egtgtgc"rtkxkpf"cf o kpkuvtctgc"wpgk"rtqdg"pqk"pw"
rqcvg"Ł"tgurkpu "fce "rtqdc"rtg|gpvcv "gugv"cf o kukdkn . "
eqpenwfgpv " k"wkkn 0"Q"rtqd "gugv"cf o kukdkn "cvwpek"
e-pf"pw"ugvg"kpvtg|ku "fg"ngig="gugv"eqpenwfgpv "cvwpek"
e-pf"rqcvg"enctkŁec"ngg o gpv"pgewpquewvg"cngecw|gk."
fg"pcvwt "u "eqpvtkdwkg"nc"uqnw kqpcctgc"ceguvgk="gugv"
wkkn ."fce "ctg"ecrcckvcvg"fg"cn" o wtk"cpw o kvg"hrv"ucw"
, o rglwt tk"eg"pw"cw" hquv"uvcdknkv"rtkp"cnvg"rtqdg0

Cf o kpkuvtctgc"rtqdgk"pqk",p"ecftwn"fg|dcvgtknt"
lwfgc kk",p"crng"ug"hecg"rqvtkxkv"rtqefwtkk"uvcdknkv"
rgpvtw"rtk o c"kpucvp 0"Rtqdgng"pqk"uwpv"tgtrg|gpvcvg"
fg"cegn"rtqdg"ectg"pw"cw" hquv"cf o kpkuvtcvg",p"ewtwn"
wto tktk"rgpcng" k"egtegv tkk"lwfgc vqtcg vk0

"p"ec|wn",p"ectg"pw" c"cxwv"nqe"q"egtegvctg"lwfgc vq-
tcguc "eq o rngv " k"qdkgevcx .",pvtwe-v"rtk o c"kpucvp "

a respins neintemeiat cererea privind administrarea
rtqdgk"rtg|gpvcvg"fg"r t k."ug"ko rwpv"cf o kpkuvtctgc"
ceguvgk"rtqdg0

480Eqpht o "ctv0636"cnkp0*3+"E0rtqe0rgp0.",p"ecftwn"
fg|dcvgtknt."r t kng"uwpv",p"ftgrv"u "egct "egtegvctgc"
uwrnk o gpvct "c"rtqdgngt"cf o kpkuvtcvg"fg"rtk o c"kp-
ucvp 0

Egtgtgc"rtkxkpf"egtegvctgc"uwrnk o gpvct "c"rtqdgk"
cf o kpkuvtcvg"fg"rtk o c"kpucvp "pw"rqcvg"Ł"tgurkpu "
fce "rtqdc"rtg|gpvcv "pw" c" hquv"egtegvctgc" k."tgurvcvx."
crtgkcv "eq o rngv."qdkgevcx" k"uwd"vqcvg"curgevcng"fg"
rtk o c"kpucvp 0

Kpucvp c"fg"crng."uvcdknkpf"knngicnkvcvgc"eq o ku "fg"
rtk o c"kpucvp . "xc"eqtgevc"ceguv "gtqctg"lwfkect",p"
eqpfk kknng"rtgx |wvg"fg"ngig."ghgevc-pf"egtegvctgc"uw-
rnk o gpvct "c"rtqdgk"cf o kpkuvtcvg"fg"rtk o c"kpucvp 0

490Egtgtgc"rtkxkpf"cf o kpkuvtctgc"rtqdgngt"pqk."rtg-
ew o" k"egtegvctgc"uwrnk o gpvct "c"rtqdgk"cf o kpkuvtcvg"
fg"rtk o c"kpucvp . "rqcvg"Ł"ht o wncv "r-p"nc",pejk-
fgtgc"fg|dcvgtknt" k"ng"vtgdwkg"u "ug"tghgtg"pw o ck"nc"
hcrvng" k", o rglwt tkng"eg"wt o gc| "c"Ł"fqxgfkvg."rtkp"
eg"o klnqceg"fg"rtqd "rqv"Ł"cf o kpkuvtcvg."ew"kpfkectgc"
nqewnw"wpfg"ug"cf . "kpfgpvk k" k"cf tguvg"o ctvqtknt"
k"gzrgt knqt"ge0

Fgenctc kknng"rtg|gpvcvg",p"fg|dcvgtk"ug"eqpug o pgc-
| "rqvtkxk"o qfwnwk"rtgx |wv"fg"ctv0559"E0rtqe0rgp0."
Łkpf"cpgzcv"nc"rtqeguwn/xgtdcn"cn" gfkp gk"kpucvp gk"
de apel.

Cevkxkv knng"kpucvp gk"fg"crng"rtkxkpf"ghgevcctgc"
egtegv tkk"rtqdgngt",p"dc|c"egtgtknt"cf o kug"vtgdwkg"
eqpug o pcvg",p"rtqeguwn/xgtdcn"cn" gfkp gk"kpucvp gk"
de apel.

4:0Fwr "egtegvctgc"rtqdgngt."fce "pw"ug"o ck"ht-
o wngc| "cnvg"egtgtk"eg"ct"vtgdwkuqnw kqpcvg",p"rtgncdkn."
kpucvp c"xc"qhgk"ewx-pvwn"rgtuqpcngt"rctvkekrpvg."
ectg.",p"nw tkng"fg"ewx-pv."tghgtkpw/ug"nc"o qvxxgng"fg"
crng."xqt"lwuvkŁec"uqnw kc"rgpvtw"ectg"rngfgc| "rtkp"
etkvcckng"cfwug"nwtwnwk"lwfgcevc"fg"rtk o c"kpucvp " k."
fwr "ec|.rtkp"rtk o c"o cvgtkcnwnwk"rtqdcvqt"cf o kpkuvtcv"
,p"kpucvp c"fg"crng0

"p"ec|wn"fcv."ewx-pvwn"ug"qht "eqpht o"qtfkpkk"
rtgx |wvg"fg"ctv0635"cnkp0*4+"E0rtqe0rgp0"o ck",pv-k"
crngcpvwnwk."crqk"kvk o cvwnwk" k"nc"wt o "rtqewtqtnwk."ew"
gzegr ke"ec|wnwk"e-pf"crngwn"ugvg"fgentcv"fg"rtqewtqtn."
ukwvc kg",p"ectg"rtk o wn"ewx-pv",n"ctg"ceguvc0

Fwr "nw tkng"fg"ewx-pv."kpucvp c"fg"crng"qht "rq-
ukdknkv"r t knqt" k"rtqewtqtnwk"u "w|g|g"fg"ftgrvwn"
nc"tgrnke 0

4;0Rqvtkxkv"ctv0635"cnkp0*6+"E0rtqe0rgp0."ew"rtkxktg"
nc"ejgukwkpng"pqk."cr twvg"ew"qec|kc"fg|dcvgtknt."r t-
kng"cw"ftgrvwn"nc"tgrnke 0



Tgrnkec"eqpuv ",p"qhgtktgc"rqukdknkv kk" r t kk"nc" rtqegu"fg" c" ock"nwc"q" fcv "ewx-pvwn",p"ngi vwt "ew" fg|dcvgtkng"rg" o cti kpgc"crnwnwk"lwfgcev0

Fce ",p"tgrnke "ug"tgngx "hcrvg"ucw"ektew ouvcpg" ppk."gugp keng"rgpvtw"lwfgectgc"crnwnwk."kpucvp c" fg" crgn"xc"tgnwc"fg|dcvgtkng"lwfgce kk",p"crn"rgpvtw" xg-tklectgc"ceguvqt0

Fwr ",pejkfgtgc"tgrnkeknqt." r t kng"rqv"u "fgrwp " kpucvp gk"eqpenw|kk"uetkug" rtkxkvt"nc"uqnw kc" rtrgrw " fg"ng",p"ecw| ".ectg"ug"cpgzgc| "nc"rtqeguwn/xgtdcn"cn" gfkp gk"fg"lwfgcecv ",p"crn0"Eqpenw|kng"tgurgevkg"pw" cw"ectcevg"qdnki cvqtkw"rgpvtw"kpucvp c"fg"crn0

Eqphqt o"ctv0635"cnk0*7+"E0rtqe0rgp0."kpewncvwn"ctg" egn"fkp"wt o "ewx-pvwn0"kp fkhgtgpv"fce "gugv"crn"cpv"ucw" kpvk o cv" k"kp fkhgtgpv" fce ".rg"rctewtuwn"fg|dcvgtkng" r tqewtqtw"ucw"r t kng"cw"v|cv"fg"ftgrvwn"nc"tgrnke ".egn" fkp"wt o "ewx-pv"xc"rcrt kpg",pvqvf gcwpc"kpewncvwnwk." personal sau prin avocat.

520"Fguh wtctgc" gfkp gk"fg"lwfgcecv ",p"crn"ug" eqpug o pgc| ",p"rtqeguwn/xgtdcn",pvqe o kv"fg"i tghk-er în conformitate cu prevederile art.413 alin.(6) C.proc.pen.

Rtqeguwn/xgtdcn"cn" gfkp gk"fg"lwfgcecv ",p"crn"ug" ,pvqe o g vg",p"uetku."kct"rgpvtw" c" cuki wtc"rngpkvw fkpge" rqv"Ł"vwnk|cvg" o klnqcegn"rtgx |wv"nc"ctv0558"cnk0*4+" C.proc.pen.

Rtqeguwn/xgtdcn"cn" gfkp gk"fg"lwfgcecv ",p"crn"vtg- dwkg"u "ewrtkpf ",p"o qf"qdnki cvqtkw"vqcvg"ngg o gpvng" kpfkecv"nc"ctv0558"cnk0*5+"E0rtqe0rgp0." rtgew o" k" gnwekftgc"cevxxk knqt" rtkxkpf"ghgevwctgc"egtegv tkk" rtdqngt."fwr "ec|." klucw"egtgtk" rtkxkpf"tgcrtgekgtgc" rtdqgk"egtegv"p"rtk o c"kpucvp ".rg"ectg"ug",pvgo g- kc| "eqpenw|kng"kpucvp gk"fg"crn0

Nkruc"ceguvqt" o gp kwpk"gejxcngc| "ew"eqpenw|kc" e "kpucvp c" fg" crn"pw" c" egtegv"uwrnk o gpvct" rtdc" cf o kpkuvtcv "fg"rtk o c"kpucvp "ucw"pw" c" fcv" crtgekgtg" rtdqgk" cf o kpkuvtcvg."Łg"pw" c" fcv"q"pqw "crtgekgtg" rtdqgk" fkp" fquct0

530"p"vgt o gp"fg"egn" o wnw"6:"qtg"fg"nc",pejgkgtgc" gfkp gk"fg"lwfgcecv "c"crnwnwk."rtqeguwn/xgtdcn"vtgdwkg" u "Łg"tgfcev" k"ug o pcv"fg"rtg gfkpvng" gfkp gk" k" itgŁgt0

Fce "rcrt"fkxgtigp g",pvtg"itgŁgt" k"rtg gfkpvng" gfkp gk" rtkxkvt"nc"eqp kpwwn"rtqeguwnwk/xgtdcn." itgŁgtwn"guvg",p"ftgrv"u "cpgzg|g"nc"rtqeguwn/xgtdcn" qdkge kng"ucng",p"eqphqt o kvcv"ew"rtgxfgtkng"ctv053:" alin.(3) C.proc.pen.

Tgurqpucdknk"fg"ecnkvcvc" k"eqtgevkvw fkpge",pvqe- o ktk"rtqeguwnwk/xgtdcn"cn" gfkp gk"fg"lwfgcecv ",p"crn" guvg"rtg gfkpvng" gfkp gk" k"itgŁgtwn0

540"Fgurtg",pvqe o ktgc" k"ug o pctgc" rtqeguwnwk/ xgtdcn"kpvgi tcn"cn" gfkp gk"kpucvp gk"fg"crn."rtg gfkp-

vng" gfkp gk",p vkkp gc| ",p"uetku"r t kng" k"ng"cuki wt " rqudknkvcvc"fg" c"nwc"ewpq vkp "fg"eqp kpwwn"cevwnwk" tgurgevkg."nc"egtgtg"uetku ".",p"vgt o gp"fg"7"|kng"fg"nc" fcv",p vkkp tkk0"p vkkp ctgc",p"uetku" o gp kqpcv "ug" cpgzgc| "nc" fquct0

Rctvgt"tgurgevkg ".,p"fgewtu"fg"5"|kng"fg"nc"fcvc"hw tkk" fg"ewpq vkp ".guvg",p"ftgrv"u "hqt o wng|g"qdkge kk"nc" rtqeguwn/xgtdcn"cn" gfkp gk"fg"lwfgcecv ",p"crn0

Qdkge kng"nc"rtqeguwn/xgtdcn"ug"gzc o kpgc| "fg"e vtg" kpucvp c" fg" crn."ectg."rgpvtw"cpw o kvg"eqpetgvk| tk." rqcvg"ekv"rgtuqpc"eg"ng/c"ht o wncv0"Cuwr t c"qdkge kknqt" hqt o wncv."kpucvp c"ug"rtqpw " rtkp",pejgkgtg" o qvxc- v ".ectg."fg"t-pf"ew"qdkge kng"tgurgevkg."ug"cpgzgc| " nc"rtqeguwn/xgtdcn0

550"p"ec|wn",p"ectg",p" fquct"nkruvg"rtqeguwn/xgtdcn" cn" gfkp gk"fg"lwfgcecv ",p"crn"ucw",pvqe o ktgc"ceguvkw" cev"rtqeguwn"guvg" x fkv"pgeqtgurwp| vqctg."hcrv"eg" rtkxgc| "kpucvp c" fg"tgewtu"fg"rqukdknkvcvc" xgtkŁe tkk" ngi cnkv kk"jqv t-tkk"cvcecvg."ug"k o rwpg"ecuctgc"vqvcn " c"fg"ek|kgk"kpucvp gk"fg"crn."ew"fkurwpgtgc"tg lwfgce tkk" fg"e vtg"ceggc k"kpucvp 0

Nkruc",p vkkp tkk",p"uetku"fgurtg",pvqe o ktgc" k" ug o pctgc"rtqeguwnwk/xgtdcn"kpvgi tcn."rtgew o" k"pg/ gzc o k pctgc"qdkge kknqt"nc"ceguv"rtqegu/xgtdcn"rtkxgc| " kpucvp c"fg"tgewtu"fg"rqukdknkvcvc" xgtkŁe tkk"ngi cnkv kk" jqv t-tkk"cvcecvg" k"eqpfweg"nc"tkflectgc"ecw|gk"fg"rg" tqnwn"kpucvp gk"fg"tgewtu."ew"tg o kvgtgc",p"kpucvp c" fg" apel pentru îndeplinirea prevederilor art.336 alin.(5)-(7) C.proc.pen.

560"Rtkp"rtku o c"rtgxfgtkng"ctv0636"cnk0*3+"E0rtqe0 rgp0."kpucvp c" fg" crn."ghgevw-pf"eqpvtqwn"lwfkekt",p" cn"fqkngc"itc"fg"lwtkufke kg"rgpcn ".guvg"qdnki cv "u" gzc o kpg|g" fce "cw"huq"tgurgevcv"fkurq|k kng"ngi cng" rtkxkpf"lwfgectgc"ecw|gk",p"hqpf0

Wt o tkpf"ceguv"ueqr."kpucvp c" fg" crn" xgtkhe " ngi cnkvvcv" k"vg o gkpkkc"ugpvk gk"cvcecvg."uqnw kq-pf" wt o vqctgng"ej guvkwpk<

"c+"fce ",p"ecw| "u/cw"tgurgevcv"rtkpekkrkng"igpgtcng" cng"rtqeguwnwk"rgpcn" k"rtgxfgtkng"ngi kk"tghgtkvqctg"nc" wt o tktgc"rgpcn =

"d+"fce "u/c"tgurgevcv"rtqegfwtc" rtkxkpf"lwfgcecv" ,p"rtk o c"kpucvp =

"e+"fce "uwpv" cuki wtcv"ftgrvwtkng" r t knqt"nc"wp" rtqegu"ngi cn" k"gej kvcdkn=

f+"fce "uvtgc"fg" hcrv"tg kpww " k"fg"ftgrv" crtgekcv " fg" rtk o c"kpucvp "eqpeqtf "ew" hcrvng" k"ektew ouvcpg- ng"uvcdknkv" k" rtdqng"cf o kpkuvtcvg" k"tgngxcv",p" ugpvk =

"g+"fce "cw"huq"cf o kpkuvtcvg",p" o qf"qdkgevkg."eq o - rnv" k"rnwtcurgevcv"vqcv"rtqdgng"rtg|gpvcv"fg"r t k" pgeuctg"rgpvtw" c fctgc"cf gx twnw=



"h" fce "Łgectg"rtqd "rg"ectg"ug",pvg o gkc | "eqpenw-
|kng"kpucvp gk"fg"lwfgcev "c"hquv"crtegecv "fkp"rwpevwn
fg"xfgtg"cn"rgtkvpgp gk."eqpenwfgp gk."wvknv kk" k"xgk-
fkekv kk"gk."kt"vqcvg"rtqdgng",p"cpuc o dnw"o"fkp"rwpevwn
fg"xfgtg"cn"eqtqdt tkk"nqt-

i+"fce "uqnw kc"fcv "fg"rtk o c"kpucvp "ug"eqpŁt o "
ew"rtgxfgtgkng"ngikk" k"guvg"lwuv =

j+"fce "ugpvk c"crngcv "guvg"ngicn .",pvg o gkc " k"
o qvxcv 0

570 "p"tg | wncvwn"uqnw kq tkk"ejgukvknqt" o gp kq-
pcvg",p"rwpevwn"rtgegfgpv."kpucvp c"fg"crng"uvcdkng vg"
vg o gkwtkng"fg"hcrv" k"fg"ftgrv"ectg" fwe."fwr "ec|.nc"
tgurkpi gtg"ucw"nc"cf o kvgtg"crngnwnk."rtgew o" k" o qv-
xng"cfqrv tkk"uqnw kgk"fcvg"0"Ceguv"vg o gkwtk" k" o qvxcg"
vtgdwkg"u "Łg"ewrtkpug",p"eqp kpwwn"fgk | kgk"kpucvp gk"
de apel (art.417 alin.(1) pct. 8) C.proc.pen.).

E-pf"kpucvp c"fg"crng"uvcdkng vg" o qvxcg"fg"ecuctg"
c"ugpvk gk"crngcv."fkp"qŁekw."guvg"qdnkicv "u"ng"rwp "
p"fkuew kc"r t knqt0

580 "Uvedknktg"vg o gkwtknqt"fg"hcrv."ectg" fwe."fwr "
ec|.nc"tgurkpi gtg"ucw"nc"cf o kvgtg"crngnwnk."rtguw-
rwp"ec"kpucvp c"fg"crng"u "eqpvtqng | g"fce ",p"ecw | "
u/cw"cf o kpkuvtc"vqcvg"rtqdgng"pgeuctg" cŁ tkk"cfgx -
twnwk."rgpvtw"ec"hcrvng" k", o rtglwt tkng"u "Łg"kpvgitcn"
uvedknkv0

Wt o tkpf"ceguv"ueqr."kpucvp c"fg"crng"guvg"qdnkicv "
u "xgkŁeg"fce "nc"lwfgectg"ecw | gk"rtk o c"kpucvp <

c+"c" h eww"ghqtwn"pgeuct"rgpvtw" c"pw"n uc"pek"wp"
curgev"cn"eq o rnzwnwk"hcrvke"pguvedknkv."pgn o wtkv."
cuewpu"ucw"fdkqu-

d+"c"nwc"vqcvg" o uwtkng"pgeuctg"rgpvtw"ec"rtqdgng"
eqpenwfgpvg" k"wkng."rtg | gpvcvg"fg" r t k."u "Łg"cf-
o kpkuvtcvg" k"egtevcvg"p"qtfkpgc"rtgx | wv "fg"ngig."
cuvhgn"ec"vqcvg"ng o gpvgng"fg"hcrv"u "ckd"q"tgngxcp "
lwtkfke "p"rtqegu" k"pkoke"u "pw"t o -p ",pvt/q"uvctg"
fg"kpegtvkvwfkg" k"fdk0

"p"ec | wn",p"ectg"ug"eqpucv "e " rtk o c"kpucvp "nc"
lwfgectg"ecw | gk" c"eq o ku"cevkvx k"ucw"kpcevkvx k"
eg"rtqxqce "fdk"ucw"pgectk k"gxkfgpvg"ew"rtkxtg"
nc"uvctg"fg"hcrv."kpucvp c"fg"crng"guvg"fcvqctg"u "ng"
,pn vwtg",p"eqpfk kng" i gpgtcng"cn"lwfgc tkk"ecw | gk"
*Ecrkvqwn"K."Vknwn"KK" fkp"Rctvg"Urgekcn "c"Eqfwnwk"
fg"rtqegfwt "rgpcn +0

590 "Uvedknktg"vg o gkwtknqt"fg"ftgrv."ectg" fwe."fwr "
ec|.nc"tgurkpi gtg"ucw"cf o kvgtg"crngnwnk."rtguw rwp"
ec"kpucvp c"fg"crng"u "eqpvtqng | g"fce ",p"ecw | "cw"hquv"
tg | qnxcvg"rtqdgng o gng"fg"ftgrv" o cvgtkcn"ucw"rtqeguwn"
penal.

Tg | qnxcvg"rtqdgng o gng"fg"ftgrv" o cvgtkcn"ko rnke "
eqphtwvctg"ugpvk gk"cfqrvvg"fg"rtk o c"kpucvp "ew"
pqt o gng"fg"ftgrv"rgpcn"fgtkxcvg"fkp"u x-t ktgc"kphtce k-
wpkk" k"ew"pqt o gng"fg"ftgrv"ekxkn"fgtkxcvg"fkp"rtglwfkekwn"
rtqfw" rtk"kphtce kwpg0

Tg | qnxcvg"rtqdgng o gng"fg"ftgrv"rtqeguwn"rgpcn"
ko rnke "xgkŁectg"pvtgrtkpu "fg"kpucvp c"fg"crng"eg"
xk | gc | "vqcvg"cevng"rtqeguwn"ghgevcvg",p"ewtwn"
rtqeguwn"rgpcn."cv-v"fg"qti cpwn"fg"wt o tktg"rgpcn ."
e-v" k"fg"rtk o c"kpucvp 0

5:0 "Tg | qnxcvg"rtqdgng o gng"fg"ftgrv"rgpcn"tgrtg-
|kp "xgkŁectg"ecw | gk"rtkxkf"ecnkŁectg"kphtce kwpkk"
*,pecftctg"lwtkfke "c"hcrvgk"ko rwcvg"kpewncvwnk+" k"
ngicnkvcvg"rgfgrugk"rgpcng"crnkecvg."rtgew o" k"cnvg"
curgev"tg ing o gpvcvg"fg"Eqfwn"rgpcn0

XgkŁe-pf"ecw | c"uwd"curgevn"ecnkŁe tkk"kphtce kw-
pkk."kpucvp c"fg"crng"vtgdwkg"u "fgc"t urwpu"fce "hcrv"
tg kpwv ",p"uctekpc"kpewncvwnk"eqpukvkg"kphtce kwpg" k"
fce "guvg"fqxgfv "xkpqx kc"kpewncvwnk",p"u x-t ktgc"
ceguvg"kphtce kwpk0"Rgpvtw"ceguvc."kpucvp c"fg"crng"vtg-
dwkg"u "tcrqtvg | g"ukvc kc"fg"hcrv"eqpucvcv "nc"Łgectg"
fkp"ng o gpvgng"eqpukvwxg"cn"kphtce kwpkk"ko rwcvg"
kpewncvwnk."u "uudw o g | g"hcrvng" k", o rtglwt tkng"
ecw | gk"ecvgitkkg"lwtkfke"e tgg"ceguvc",k"eqturwfp0

XgkŁe-pf"ecw | c"uwd"curgevn"ngicnk k"rgfgrugk"
rgpcng."kpucvp c"fg"crng"vtgdwkg"u "fgc"t urwpu"fce "
ceguvc" c"hquv"crnkecv ",p"nk o kvng"rtgx | wvg"fg"ngig."
cx-pfw/ug",p"xfgtg"pw"fqct"ucpe kwpgc"pqt o gk"rgpcng"
urgekng."ek"vqcvg"rtgxfgtkng"eg"tg ing o gpvc | "rg-
fgeruc"rgpcn ."kpfkxfwcnk | ctgc"rgfgrugng."nkdgtctg"
fg"rgfgeru "rgpcn ."rtgew o" k"cnvg"etkvtkk"eg" kp"fg"
vtcv o gpvwn"lwtkfke"rgpcn0

Cn vwtk"fg"ceguvg"fqw "curgev"rtkpekrcng"o"ecnkŁ-
ectg"kphtce kwpkk" k"rgfgeruc"rgpcn ."kpucvp c"fg"crng"
guvg"qdnkicv "u "xgkŁeg" k"cnvg"curgev"fg"ftgrv"rgpcn"
o cvgtkcn"rtkxkvqctg"nc"vgpvcvx ."rctvkekr kg."tgekfx ."
rtguetr kg."ecw | g"ectg",pn vwt "ectcevtwn"rgpcn"cn"
hcrvgk."ecw | g"ectg",pn vwt "t urwvfgtg"rgpcn "ucw"
eqpugekp gng"eqpfc o p tkk."o uwtkng"fg"ukiwtcp "gve0

5;0 "p"ec | wn",p"ectg"ug"eqpucv "e "u/cw"eq o ku",pe n-
e tk"cn"rtgxfgtknqt"fg"ftgrv"rgpcn."kpucvp c"fg"crng"
guvg"qdnkicv "u "ng"eqtgevg | g",p" o qfwn"uvedknkv"fg"ngig"
,p"ecftwn"rtqegfwtkk"lwfgc tkk"crngnwnk0

"Kpucvp c"fg"crng"xc"cfqrv"uqnw kc"rtgx | wv "fg"
ctv0637"cnk0*3+"rev04+"E0rtq0rgp0",p"ec | wn",p"ectg<

"c+"pw"cw"hquv",pvtwkv"ng o gpvgng"kphtce kwpkk"ucw"
rtk o c"kpucvp "c"rtqpw cv"q"jvq t-tg"fg"eqpfc o pctg"
rgpvtw"q"cnv "hcrv "fge-v"egc"rgpvtw"ectg"kpewncvwn" c"
hquv"rwu"uwd",pxkpwktg."ew"gzegr kc"ec | wtknqt"tg,pec-
ft tkk"lwtkfke" c"ce kwpknqt"nwk",p"dc | c"wpgk"ngik" o ck"
dn-pfg=-

d+"kpewncvwn" c"hquv"eqpfc o pcv"rgpvtw"q"hcrv "ectg"
pw"guvg"rtgx | wv "fg"ngig"rgpcn =

e+"u/cw"crnkecv"rgfgrug",p"cnvg"nk o kvg" fge-v"eng"
rtgx | wvg"fg"ngig=-

f+"rgtuqpc"eqpfc o pcv "c"hquv"lwfgcev "cpvgtkq",p"
o qf"fgŁpkvx"rgpvtw"ceggc k"hcrv "ucw"gzkuv "q"ecw | "fg"



,pn vwtctg"t urwpfgtk"rgpcng."ucw"crnlectgc"rgfgrugk"
c"huqv",pn vwtcv "fg"q"pqw "ngig"ucw"cpwncv "fg"wp"cev"fg"
c o pkvkg."c"kpvgtxgpkv" fgeguwn"kpewnrcvwnwk"qtk"q"kpvgt-
xgpkv", o r ectgc"r t knqt",p"ec|wn"rtgx |wv"fg"ngig="

g+"hcrvkg"u x-t kvg"u/c"fcv"q",pecftctg"lwtkfke "
itg kv ="

h+"c"kpvgtxgpkv"q"ngig"rgpcn " o ck"hcxqtcdkn "eqp-
fc o pcvwnwk="

i+"Ewvtgc"Eqpukvw kqpcn "c"tgewpquewv"pgeqpuvkvw-
kqpcn "rtgxgfgtgc"ngikk"crnkecvg",p"ecw|c"tgurvevx ="

j+"kpuvcp c"fg"lwfgecv "kpvgtpc kqpcn ."rtkp"jqv t-tg"
rg"wp"cnv"ec|.c"eqpuvcv"q",pe nectg"nc"pkxgn"pc kqpcn"c"
ftgrvwtknqt" k"nkdtv knqt"q o wnwk"ectg"rqcvg"Ł"tgrctcv "
k",p"cegcuv "ecw| =

k+"rtk o c"kpuvcp "pw"u/c"rtqpw cv"ew"rtkxktg"nc"wpc"
fkp"kphtce kwpkng"ko rwcvcg=

l+"rtk o c"kpuvcp "u/c"tg|w o cv"nc"chceg"vtk o kvgtg"nc"
hcrvng"tg kpwvg",p"tgejk|kvqtkw."h t "c"ng"fguetg" k"h t "
c"egtevc"oklnqcegn"fg"rtqd "fkp"ectg"tg|wnv "xkpx k"
ucw"pgxkpx k"kpewnrcvwnwk=

m+"rtk o c"kpuvcp "c"q o ku"fg"u"ug"rtqpw c"cuwrct"
vwwtqt"cevgnt"o cvgtkng"eg"kpvt ",p"eqp kpwwn"cegnkc k"
kphtce kwpk=

n+"rtk o c"kpuvcp "c"eq o ku"q"gtqctg"i tex "fg"herv."
cx-pf"ftgrv"eqpugek "rtqpw ctgc"wpkg"ugpvk g"x fkv"
neintemeiate.

620" Tg|qnxctgc"rtqdn g onqt"fg"ftgrv"ekxkn."fgtkxcvg"
fkp"rtglwfekwn"rtqfwu"rtkp"kphtce kwpg."tgrtg|kp "xgtk-
Łectgc"ecw|gk"rtkxkf"uqnv kqpcctgc"ce kwpk"ekxkn g

Ce kwpgc"ekxkn ",p"rtqeguwn"rgpcn"ug"uqnv kqpgc| "
,p"eqphqt o kvcv"ew"rtgxgfgtkng"ctv043;/448."5:9" k"
5:."E0rtqe0rgp0" kpuvcp c"fg"crng"xc"cfqrvc"uqnv kc"
rtgx |wv "fg"ctv0637"cnkp0*3+"rev04+"E0rtqe0rgp0",p"
ec|wn",p"ectg<

c+"rtk o c"kpuvcp "pw"uqnv kqpcv"ejgukwpgc"fce "
vtgdwkg"cfoku "ce kwpgc"ekxkn .",p"hnquwn"ewk" k"ectg"
gugv"ewcpvw o wn"fgur i wdtknqt"ewxgpkvg=

d+"rtk o c"kpuvcp ".uqnv kq-pf"ce kwpgc"ekxkn ".c"fcv"
q"uqnv kg"eqvtct "ngikk=

e+"ugpvk c"pw"ewrtkpf"o qvkgng"rg"ectg"guvg",p-
vg o gkc "uqnv kc"ew"rtkxktg"nc"ce kwpgc"ekxkn "ucw"nc"
tgrctctg"rtglwfekwnwk"ecw|cv"rtkp"kphtce kwpg"qtk"
,p"fkurq|kvx"nkrug vg"fkurq|k kc"rtkxkf"uqnv kqpcctgc"
ce kwpk"ekxkn=

f+"fwr "eg"u/c"eqpfc o pcv"rg"kpewnrcv."rtk o c"kpuvcp "
c"ugrctcv",p"o qf"ngicn"ce kwpgc"ekxkn "fg"ce kwpgc"rg-
pcn "qtk"ngicn"uqnv kqpcv"ejgukwpgc"rtkxkf"ce kwpgc"
ekxkn ",p"rtqeguwn"rgpcn

p"ec|wn",p"ectg"ce kwpgc"ekxkn "c"huqv",pckpvcv ",p"kp-
uvcp c"fg"crng."ce kwpgc"tgurvevx "pw"rqcvg"Ł"uqnv kqpcv "
,p"ecftwn"lwfge tkk"crngwnwk."fgctgeg."rqvtkxv"ctv0443"
cnkp0*3+"E0rtqe0rgp0".ce kwpgc"ekxkn ",p"rtqeguwn"rgpcn

ug",pckpvvc | ",p"dc|c"egtgtkk"uetkug"u"r t kk"ekxkn"ucw"nc"
tgrtg|gpvcpvwnwk"gk",p"qtkeg"o q o gpv"fg"nc"rqtptgc"rtq-
eguwnwk"rgpcn"r-p "nc"vgt o kpctgc"egtegv tkk"lwfge vqtg vk0"
Rctvge"ekxkn "ucw"tgrtg|gpvcpvwn"gk."fwr "fg"Łpkvxctgc"
ugpvk gk."guvg",p"ftgrv"u ",pckpv|g"q"ce kwpg"uk o knct "
,p"kpuvcp c"ekxkn 0"

630" Tg|qnxctgc"rtqdn g onqt"fg"ftgrv"rtqeguwn"
rgpcn"tgrtg|kp "xgtkŁectgc"ecw|gk"rtkxkf"o qfwn",p"
ectg"cw"huqv"tgurvevcv"rtgxgfgtkng"ngicn"tghgtkvctg"nc"
eq o rgvp c"fwr "o cvgtg"ucw"ecnkvcv"rgtuqpcgk."nc"ug-
uk|ctgc"kpuvcp gk"fg"lwfgecv ".nc"rctvkekrcctgc"rgtuqpcgk"
nc"lwfgecv ".nc"ghgevcctgc"cejgygk"uqekcng",p"ec|wtkn"
rtgx |wv"fg"ngig."rtgew o "k"cnvg"curgevg"tging o gpvcv"
fg"Eqfwn"fg"rtqegfwt "rgpcn "gve0

p"ec|wn",p"ectg"ug"eqpuvcv "e "u/cw"eq o ku",pe ne tk"
cng"rtgxgfgtknqt"fg"ftgrv"rtqeguwn"rgpcn."kpuvcp c"fg"
crng"guvg"qdnkicv "u "ng"eqtgevg|g",p"o qfwn"uvcdknkv"fg"
ngig",p"ecftwn"rtqegfwtkk"fg"lwfgectg"crngwnwk0

kpuvcp c"fg"crng"xc"cfqrvc"uqnv kc"rtgx |wv "fg"
ctv0637"cnkp0*3+"rev04+"E0rtqe0rgp0",p"ec|wn",p"ectg<
c+"nc"ctgc"ugpvk gk"pw"cw"huqv"uqnv kqpcv"ejgukw-
pkng"rtgx |wv"fg"ctv05:7"E0rtqe0rgp0=

d+"ugpvk c"crngcv "pw"ewrtkpf"ng o gpvng"rtgx -
|wv"fg"ctv05:;/5;3.5;6" k"5;9"E0rtqe0rgp0=

e+"ugpvk c"cvcecv "pw"ewrtkpf"o qvkgng"rg"ectg"ug"
,pv g o gkc| "uqnv kc"qtk"o qvxcctgc"uqnv kgc"eqpvtc|keg"
fkurq|kvxwn"jqv t-tkk"ucw"ceguvc"guvg"gzrwu"pgecct."
ucw"fkurq|kvxwn"ugpvk gk"tgfcvvcv"pw"eqtgrwp"fg"ew"
fkurq|kvxwn"rtqpw cv"fwr "fgnkdtctg="

f+",p"rtk o c"kpuvcp "pw"cw"huqv"tgurvevcv"fkurq|k kkn"
rtkxkf"eq o rgvp c"fwr "o cvgtg"ucw"fwr "ecnkvcv"
rgtuqpcgk=

g+"rtk o c"kpuvcp "pw"uqnv kqpcv"eq o ruw "rqvtkxv"ngikk"
qtk"cw"huqv",pe necvg"rtgxgfgtkng"ctv052.53.55"E0rtqe0
rgp0=

h+"gfkp c"fg"lwfgecv ",p"rtk o c"kpuvcp "pw"uqnv kqpcv"
rwdnke .",p"chct "e-pf"ngigc"rtgxgfg"cnvhgn=

i+"lwfgecv"cxwv"qce"t "rctvkekrcctgc"rtqewtqtnwk."
kpewnrcvwnwk."rtgew o "k"cr t vqtnwk."kpvgtrtgvwnwk" k"
vtcfwe vqtnwk."e-pf"rctvkekrcctgc"nqt"gtc"qdnkicvqtkg"
rqvtkxv"ngikk="

j+"ecw|c"huqv"lwfgecv "h t "ekvctg"ngicn "c"wpkg"
r t k"ucw"ectg."ngicn"ekvcv ".c"huqv",p"ko rqukdnkvcv"fg"
c"ug"rtg|gpvc" k"fg"u",p vkp c"kpuvcp c"fgurtg"cegcuv "
k o rqukdnkvcv g0

640" Eqpenw|kc"kpuvcp gk"fg"crng"rtkxkf"vg o gkwtkn"
fg"herv" k"fg"ftgrv"ectg"cw"fwu."fwr "ec|.nc"tgurkpi gtc"
ucw"cf o kvgtgc"crngwnwk."rtgew o "k"o qvkgng"cfqrvc tkk"
uqnv kgc"fcvg"ug",pv g o gkc| ",p"o qf"qdnkicvqtkw",p"wt o c"
crtgekgtk"rtqdnqt0

kpuvcp c"fg"crng"pw"guvg"ngicv "fg"eqpenw|kc"rtk o gk"
kpuvcp g" k"guvg"nkdtg "c"fc"q"ctgekgtg"pqw "tgcrtege-



gtg+qtke tgrtqdg.kp fkhgtgpnc"ectg"hc| "c"rtqeguwnwk" r gpcn"chquv"cf o kpkvctv 0" p"eqphqt o kvcvg"ew"rtgxgfg- tkng"ctv0636"cnkp0*4+"E0rtqe0rgp0."kpucp c"fg"crng"rqcvg" fc"q"pqw "crtgekgtg"rtqdgnt"fkp"fqct0

Cevkxkvcvg"kpucp gk"fg"crng"rtkxkpf"rtgekgtgc" kl ucw"tgcrtgekgtgc"rtqdgk"ug"ghgevwgc| ",p"eqphqt o kvcvg" cu prevederile art.101 C.proc.pen.

Ghgevw-pf"q"pqw "crtgekgtg"c"rtqdgnt"fkp"fqct." kpucp c"fg"crng"guvg"qdnkicv "u "kpxqeg",p"ewrtkpuwn" fgek|kgk" k" o qvxnng" rgpvtw"pgegukvcvg" tgcrtgekgtk" rtqdgk."tgngx-pf"fg|ceqtfwn"ew"rtgekgtgc"rtqdgk"tg- urgevkg"ghgevwcv "fg"rtk o c"kpucp 0

"650" p"xgfgtg",pfgnrpktkk"cevkxk k"rtkxkpf"rtg- ekgtgc"ucw."fwr "ec|."tgcrtgekgtgc"rtqdgnt."kpucp c" fg"crng",p"ewrtkpuwn" fgek|kgk"xc"tgngxc" k."tgurvevix." xc"cpnk|c<

a)rtqdgng"gzc o kpcvg"fg"rtk o c"kpucp ".eqphqt o" o cvgtkngnt"fkp"fqct=

d+rtqdgng"cf o kpkvctv"fg"rtk o c"kpucp " k"egteg- vcv"uwrnk o gpvct",p"fg|dcvgtkng"lwfge k",p"crng=

e+rtqdgng"pqk"rtg|gpvcvg"fg"r t k" k."tgurvevix." egtegvcv",p"fg|dcvgtkng"lwfge k",p"crng0

"Wt o tkpf"ceguv"ueqr."lwfge vqtkk"eq o rnvwnwk"xqt" uwrwpq"Łgectg"rtqd "wpgk"rtgekgtk"qdkgevkxg."eq o rnvvg" k"uwd"vqcv"curgevgng."gxcnw-pf"htq c"gk"rtqdcpv " k" fgvgto kp-pf."k o rnkcv."o uwte",p"ectg"rtqdc"tgurvevix. " ,p"eqtdqctg"ew"egngncvg"rtqdg",p"cpuc o dnw."rqcvg" eqvtdkw"nc"ctg"cfgx twnwk"ew"rtkxktg"nc"ukwvc k"fg" hcrv"uvcdnkcv ",p"ecw| 0

Crtgekgtgc"ucw"tgcrtgekgtgc"rtqdgnt"ug"hecg",p" dc|c"wpgk"eqpxkpgtk"kvk o g"rtqrkk."tg|qpcdkng" k"tc- kqpcng."ectg"vtgdwkg"gzrtk o cv",p" o qvxnng"cfqrv tkk" uqnv k"fcvg"ó"tgngxcvg",p"ewrtkpuwn" fgek|kgk"kpucp gk" de apel.

"660" p"ec|wn",p"ectg"ug"rtqwpw "uqnv k"rtgx |wv "fg" ctv0637"cnkp0*3+"rev04+"E0rtqe0rgp0."kpucp c"fg"crng."tg- lwfge-pf"ecw|c."guvg"qdnkicv "u "crtgekgtg"rtqdgng"pqk" cf o kpkvctv" klucw."fwr "ec|."u "tgcrtgekgtg"rtqdgng" cf o kpkvctv"fg"rtk o c"kpucp " k"egtegvcv"uwrnk o gpvct." rg"ectg"ug",pvg o gkc| "eqpenw|kng0"

"Guv"kpco kukdkn "uqnv k"rtkxkpf"cf o kvgtgc"cr- g- nwnwk."ecuctg"ugpvkpk gk"cvcecvg."tg lwfgectgc"ecw|gk" k" rtqwpw ctgc"wpgk"pqk"jqv t-tk"rqvtkxk"o qfwnwk"uvcdnkcv" rgpvtw"rtk o c"kpucp ".h t "c"Ł"gxncwcv" k."tgurvevix." crtgekcvg"rtqdgng"rwug"nc"dc|c" fgek|kgk"rtqwpw cvg." rtgew o" k" h t "c"uvcdnk" k" c" fguetg"ektew o uvcpgng." ectg"lwvkŁe "uqnv k"tgurvevix 0

"670" p"ec|wn",p"ectg"ug"lwfge "crngwn",p"wt o c" cfqrv tkk" fgek|kgk"fg"e vtg"kpucp c"fg"tgewtu"rtkxkpf" cf o kvgtgc"tgewtuwnwk."ecuctg" fgek|kgk"kpucp gk"fg"crng." ew"fkurwpgtg"lwfge tkk"fg"e vtg"cegvc k"kpucp ".ug" k o rwpw"rtqegfwtc"fg"tg lwfgectg" k"nk o kvng"ceguvgk"

rtgx |wv"fg"ctv0658"E0rtqe0rgp0"Cevkxk kng"tgurve- vixg"ug"ghgevwgc| "fg"e vtg"kpucp c"fg"crng"eqphqt o" tgiwnknt"i gpgtcng"rgpvtw"lwfgecv",p"crng."cfke "rtg- xgfgtkng"ctv0635" k"cnv"ctv0636"E0rtqe0rgp0"ug"crnke ",p" o qf"eqtgurwp| vq0

Cevwn"rtqeguwn"rtk"ectg"guvg",pxgukv ",pucp c"fg" crng."eq o rvgpv "u "lwfge"fkp"pqw"crngwn."guvg" fgek|k" kpucp gk"fg"tgewtu"qtfkpct"ucw."fwr "ec|."jqv t-tgc" kpucp gk"fg"tgewtu",p"cpwntg0"

Lwfgectgc"crngwnwk.",p"ec|wn"fcv."ug"fguh qct ",p" nk o kvng"uvcdnkcv" rtk" fgek|k"kpucp gk"fg"tgewtu."cng" e t"kpfkcc k"uwpv"qdnkicvqtk"rgpvtw"kpucp c"fg"crng" ,p" o uwte",p"ectg"ukwvc k"fg"hcrv"t o -pg"egc"ectg"c" gzkucv"nc"uqnv kqpcctg"tgewtuwnwk<

c+ ,p" o qf"pgnk o kvcv."fce "c"hqv"ecucv "vqcn"jqv - t-tgc"tgewtuvcv =

d+,p" o qf"nk o kvcv."fce "c"hqv"ecucv "rct ken"jqv t-tgc" tgewtuvcv .Łg"nc"cpw o kvg"hc"vgtqtk"Łg"nc"cpw o kvg"rgtuqc- pg"ucw",p"eg"rtkxg v"ncwvtc"rgpcn "qtk"egc"ekxkn 0

Fkp"vgzwn"fg"ngig"cn"ctv0658"cnkp0*6+"E0rtqe0rgp0" tg|wnv "e ".lwfge-pf"crngwn",p"rtqegfwtc"fg"tg lwfgectg" c"ecw|gk."kpucp c"fg"crng"pw"guvg",p"ftgrv"u "etgg|g"q" ukwvc k" o c"i tcv "rgpvtw"rgtuqpc",p"hcxqctgc"e t"gc" a fost declarat recursul admis.

Lwfge vqtw"pw"rqcv"rctvkekc"nc"q"pqw "lwfgectg" c"crngwnwk."fce "c"rctvkekc"cvpvgtkq"nc"lwfgectgc"rtq- rtkw/|ku ".fgqctgeg."rqvtkxk"ctv055"cnkp0*5+"E0rtqe0rgp0." ug"ctf ",p"ukwvc k"fg"kpucp o revcdnkvcvg0

"680" K o gfkcv" fwr ",pej kfgtg"fg|dcvgtknt"qtk."fwr " ec|."cwfkgtg"tgrnkeqnt"ucw"nc"kpvtxcnwn"Łzcv" rgpvtw" rtqwpw ctg."fce ".fkp" o qvxnng"vg o gkpkcg."u/c" c o -pcv" rtqwpw ctgc."kpucp c"fg"crng"ug"tgvtcig",p"ec o gtc"fg" eqpuknw"rgpvtw"fgnkdgctgc" k"cfqrvctg"jqv t-tkk0

Rtqegfwtc"fgnkdg t"kk"ug"fguh qct ",p"eqphqt o kvcvg" ew"rtgxgfgtkng"ctv055;"E0rtqe0rgp0"Qdkgevw"fgnkdg t"kk" eq o rnvwnwk"fg"lwfgecv "ug"kfgpvkŁe "ew"ejgukvwpkng" rtgx |wv"fg"ngig"uwrwug"urtg"uqnv kqpcctg"kpucp gk" de apel.

"690" Fkp"vgzwn"ctvkeqwnwk"636"cnkp0*5+"E0rtqe0rgp0" tg|wnv <

ó"kpucp c"fg"crng"guvg"qdnkicv "u "ug"rtqwpw g" cuwrte"vwwtqt"crngwtknt."gc"pgrwv-pf."cvvpek"e-pf" eqpucv "e "wp"crng"guvg",pvg o gkc" k"e "ugpvkpk"cr- g- nc"vtgdwkg"ecucv"kpvgitcn."u "pw"ug"rtqwpw g"cuwrte" egnqncnvg"crngwtk"uwd"rtgvzwn"e "lwfgectgc"nqt"c" fgxgpkv"kpwnk =

ó"kpucp c"fg"crng"guvg"qdnkicv "u "ug"rtqwpw g"pw" fqct"cuwrte"vwwtqt"crngwtknt"fgencvcv",p"ecw| ".ek" k" asupra tutoror motivelor invocate în apel.

Oqvxnng"fg"crng"pw"vtgdwkg"uqnv kqpcctg"fqct",p" ukpg."rtk"tcrqtctg.",p" o qf"gzenwuk"nc"fkurq|kvxwn" k" nc"eqpukfgtgpvgng"jqv t-tkk"cvcecvg."ek"eqphtpwv-pfw/ng"



ew"uwu kpgtkng" h ewvg", p"eq o dcvtgdc" nqt" fg" e vtg" rctvge" rtqeguwn " cfxgtu . "rtgew o" k"ew"rtqdgng" cf o kpkuvctvg" , p"ecw | 0"

Kpuvcp c" fg" crgn" pw" vtgdwkg" u "ug" nk o kvg | g" fqct" nc" xgtkŁectgc" o qvkgngt" kpxqecvg" fg" crgn" cpv. "ek. "fgr kpf" ceguv" ecftw. "gugv" qdnci cv "u "kc", p" gzc o kpcctg. "fkp" qŁekw. " k" qtkeg" cnvg" e j guvkwpk" k o rqtvcpg" uwuegrvkdng" u " eqpfwe "nc" q" eqpenw | kg" egtv " k" eqtgev "ew" rtkxktg" nc" ngi cnkvcvg" k" vg o gkpkck" ugvpkpk gk" cvcecvg0"

6:0" Kpuvcp c" fg" crgn. " fgnkdgt-pf. " cfqrv " wpc" fkp" uqnv kknng" rtgx | wvg" nc" ctv0637" cnkp0*3+ " E0rtqe0rgp0. " eqpeq o kvgpv" uqnv kqp-pf" k" e j guvkwpkng" eq o rng o gpvctg" rtgx | wvg" fg" ctv0638" E0rtqe0rgp0" ew" rtkxktg" nc" tgrctctg" rc i wdgk. "nc" o uwtknng" rtgxgpvkxg. "nc" e j gnvwkgnknng" lwfkektg" k" nc" qtkeg" cnvg" e j guvkwpk" fg" ectg" fgrkpf" fg" uqnv kqpcctg" eq o rngv " c" crgnwnwk0

Eqphqt o" ctv0636" cnkp0*6+ " E0rtqe0rgp0. " , p" ec | wn" uguk- | tkk" fg" e vtg" r t k" c" pgtgurgev tkk" vgt o gpwnwk" tg | qpcdkn" fg" lwfgectgc" c" ecw | gk" fg" e vtg" kpuvcp c" fg" hqpf. " kpuvcp c" fg" crgn" ug" gzrwp" k" cuwrte" pgtgurgev tkk" ceguvwk" vgt- o gp0" Etkvgtkknng" fg" fgvg" o kpcctg" c" vgt o gpwnwk" tg | qpcdkn" uwpv" eq o rngzkvcvg" ecw | gk. " eq o rqtvc o gpwnw" r t knqt" , p" rtqegu. " eqpfwkv" kpuvcp gk" fg" lwfgecv 0

" p" ec | wn", p" ectg" ug" eqpuvcp " vg o gkwtknng" rtgx | wvg" fg" ctv043: " E0rtqe0rgp0. " kpuvcp c" fg" crgn" xc" rtqwp c" q" fgek | kg" kpvgtngewvqtkg. " , p" eqphqt o kvcv" ew" ctv0639" alin. (3) C. proc. pen.

6;0" Fgnkdgt-pf. " lwfge vqtkk" eq o rngvwnwk" uwpv" qdnci c" k" u " xgtkŁeg" ngi cnkvcvg" k" vg o gkpkck" j qv t-tkk" crg- ncvg. " rtkp" rtku o c" gzc o kpk tkk" o qvkgngt" fg" crgn. " rtgew o" k" ew" rtkxktg" nc" vqcv" curgevgng" fg" hcrv" k" fg" ftgrv. " fkp" qŁekw. " ew" tgurgevctgc" ghgevwknk" fgxqnvkx. " gzvgpukx. " uwurgpukx" k" cn" pgc itcx tkk" ukwv k gk" , p" rtrqtkwn" crgn" (art.408-411 C. proc. pen.).

" p" ec | wn", p" ectg. " , p" ewtuwn" fgnkdgt tkk. " kpuvcp c" eqp- uvcv " e " gzkuv " vg o gk" rgpvtw" tgnwctgc" lwfge tkk" crgnwnwk. " , p" xgfgtgc" lwvvgk" uqnv kqp tk" c" ecw | gk. " rtkp", pe j gktg" o qvxcv . " ug" tgkcw" fg | dcvgtkng" lwfge kk", p" crgn. " Łkpf" tgurgev cv . " , p" eqpvkpwctg. " rtqefwte" rtkxkpf" lwfgectgc" crgnwnwk", p" ecw | c" rgpcn 0

720" Tgxgpkpf" fkp" ec o gtc" fg" eqpuknw. " , p" tg | wncvwn" fgnkdgt tkk" kpuvcp gk" fg" crgn" k" ug o p tkk" j qv t-tkk" cfqr- vcvg. " rtg gfkpvng" gfkp gk" ucw" wpwn" fkp" lwfge vqtkk" eq o- rngvwnwk. " cukuvcv" fg" itgŁgt. " rtqwp " , p" gfkp " rwdnke " j qv t-tgc" ucw. " fwr " ec | . " fkurq | kvkxwn" j qv t-tkk0

Rtqwp ctgc" j qv t-tkk", p" gfkp c" fg" lwfgecv " , p" crgn" se face conform prevederilor art.340 C. proc. pen.

" p" eqpenw | kg. " o gp kqp o " e " t-pfwtkng" eg" rtgegf. " eqpegrwvg" rg" dc | c" o cvgtknwnwk" lwfkeku" wvknk | cv" fkp" ngi kunc kg. " fqevtkp " k" lwtkurtwfgp . " cw" o gpktgc" u " eqp- vtdwkg" nc" gncdqctgc" wpwk" uwrqtv" o gvqfqnqike" rgpvtw" kpuvcp c" fg" crgn. " rtgew o" k" rgpvtw" rgtuqpcng" rctvkek- rcpvg" nc" lwfgectgc" crgnwnwk. " Łkpf" eqp vkgp k" fg" hcrvwn" e " tg | wncvng" pqcvvtg" uwpv" uwuegrvkdng" fg" c o rnkŁe tk" k" crtqhwpf tk. " e wv tk" vkkp kŁeg" k" rtceveg0

" Curgevgng" gnwekfcvg" ewrtkpf" q" ugtkg" fg" gng o gpvg" fg" pqwvcvg" uwtxgpkvg" , p" wnvk o wn" vk o r" , p" dc | c" pqknt" fg | xqnv tk" lwtkurtwfgp kcnng" cng" kpuvcp gk" kpvgtpc kqpcng" fg" nc" Uvtcudwti. " rtgew o" k" , p" dc | c" xc nqtŁe tkk" rtcevekk" lwfkektg" pc kqpcng" ew" rtkxktg" nc" lwfgectgc" crgnwnwk0

Gncdq-pf" rwdnkec k" tgurgev x . " c o " wt o tkv" ueqrwn" ec" gc" u " ug o pnc | g | g" rtdng o gng" kxkv" , p" lwtkurtwfgp " nc" lwfgectgc" crgnwnwk", p" ecw | c" rgpcn " k. " , p" o uwte" qdkgev kxngt" qd kpwvg. " u " Łg" fg" clwqt", p" fkŁeknc" cevkxk- vcvg" fg" kpvgt rgtvctg" lwfkekt " wpkvct " k" crnkectg" eqtgev " a normelor de drept.

Unggev-pf" k. " tgurgev x. " gxkfgp kkp" cpw o kvg" ukwv k k" fkp" ec | kwkck" lwfkekt . " rg" cnvg" nqewtk" fgŁekvctg" ucw" fkuewcdkng. " , p" o qf" kpgkxvcdk. " cuw o -p" fw/pg" tkuewn. " c o " gzrwu" qrkpkk" rgtuqpcng. " ectg. " , p" fgrgpf" fg" ct i w o gpvng" rtg | gpvcvg", p" urtklpwn" uqnv kknqt" rtrwug. " rqv" Ł , o r tv kvg. " fct" rqv" Ł" k" tgurkpu" g0

K o rqtvcv" guvg" e " rtdng o gng" ug o pncv" uwpv" uwŁek- gpvg" rgpvtw" c" uvcwv" fktge kknng" rtkpekrncng" cng" cevkxv k" kpuvcp gk" fg" crgn" nc" lwfgectgc" crgnwnwk" k. " , p" cegcv " qtfkpg" fg" i-p" fktg. " gzrtk o o " urgtcp c" e " o wnv" fkp" egnng" eg" o ck" uwpv" fg" h ewv", k" xqt" i uk" tg | qnxtgc" e-v" o ck" ewt-pf. " kct. " cnvgng. " ectg", pe " pw" rqv" Ł , ph rwwkv" kpvgitcn. " xqt" uvc", p" cvgp k" lwfge vqtknqt" k" rtgqewrctgc" nqt" ug" xc" eqpetgvk | c", p" cfqrvtgc" j qv t-tknqt" lwfge vqtg vk" ngi cng. " , pvg o gkcv" k" o qvxcvg0

" pe j gkg o " ew" rtgek | ctgc" e " egnng" gzrwug" gzrtk o " propriul punct de vedere al autorului cu privire la rtdng o gng" kxkv" , p" ecftwn" lwfge tkk" crgnwnwk", p" ecw | c" rgpcn " k. " o cphguy-pf" fqtcp c" ec" gng" u " Łg" fg | xqnv cv" , p" eqpvkpwctg. " kpxkv o " eqng i k" fkp" fq o gpkwn" ftgrvwnwk" nc" fg | dcvgtk" rceveq/ vkkp kŁeg" rg" o cti kpgc" rtdng o cvkekk" lwtkfkeg" cdqtfcvg. " cuvhn", pe -v" ghqtwn" eq o wp", pvtgrtkpu" u " eqpvtdwkg" cevkx" nc" gncdqctgc" k" rtrq o qxctgc" cevwnwk" fg" lwvuk kg", p" Tgrwdnkec" Oqnfxxc0



**GXQNW KC"K \ XQCTGNQT" LWTKFKEG" FG"
 TGINGOGPVCTG" C" T URWPFGTKK" EKXKNG" P"
 VTCPURQTVWN" CGTKCP" CN" TGRWDNKEKK" OQNFQXC**

*Iurie MIHALACHE,
 doctorand*

Tgegp | gpv< **Eugenia COJOCARI.**
*fqevqt" jcdknkcv", p" ftgrv." rtqhuqt" wpkxgtukvct" *WUO+*

RÉSUMÉ

*Ngu"tgurqpucdnkv²u"ekxkngu"fw"vtpurqtvgwt" c²tkgp"rtgppgpv"ugu"qtkikpgu"fcpu"nc"n²ikuncvkap" c²tkgppg"
 uqxx²vk.swg0"Ockpvgpcpv"nc"tgurqpucdnkv²fw"vtpurqtvgwt" c²tkgp"fcpu"nc" T²rwdnkswg"fg"Oqnfqxc"guv"t²ikv"
 rct"ng"Eqfg"ekxkn."nc"Nqk"eqpegtpcpv"nc"rtqvevkap"fgu"eqpuo o cvgwu"gv"cwvtgu"t³ingu"cr rtqwx²gu"rct"
 n0Cf o kpkvvtcvkap" f0Gvcv"fg"n0Cxcvkap"Ekxkng0"Gp"eg"swk"eqpegtpg"ngu"vtpurqtvu" c²tkgp"kpvgtpcvkqpcwz."kn"
 u0crnkswg"nc"Eqpxgpvkap"rqt"n0wpkLecvkap"fg"egtvckpgu"t³ingu"tgnvckxgu"cw"vtpurqtvc" c²tkgp"kpvgtpcvkqpcn"
 ukip²g"«"Oqpv²cn"ng"4:" o ck"3; ; ;"«"ncswgmng"pqvtg"rc{u" c" c fgt²ng"7" o ck"422:0"*

Aewenkvcvgc" k"ko rqtvcpc"vg o gk"cdqtfvcg"uwv"fg-
 vgt o kpcvg"fg"hcrrvwn"e " ,p"wnvk o kk"cpk"vtcLewn"cgtkcp"
 cn" Tgrwdnkekk" Oqnfqxc"ewpqc vq"q"etg vgtg"cpwcn "ew"
 circa 10-15%.¹ "Ew"vqcvg"e "vtpurqtvwn"cgtkcp" fgxkpg"
 vq" o ck"ko rqtvcpc"rgpvtw" ctc"pqcuvt ². "r-p " ,p"rtg | gpv"
 fq o gpkwn" tgruvev" c" hquv" rw kp" egtegv" ,p" fqevtkc"
 cwvqjvqp .t o -p-pf" pgewpquewyg ,pe " o wnv"nwtwtk"
 uwd" ceguv" curgev⁰ " p" ceguv" ueqr. "h e-pf" q" cpcnk | " c"
 nwet tknqt" vkkp khkg" hwpfc o gpcvng" cng" rtqhuqtknqt"
 0 0 " . "în manualul *Drept aerian*³. " 0 0 "
 "în *Rtdng o gng" ftgrvwnwk" cgtkcp*⁴ k" cng" nwk"
 0 0 " ,p"xcnqtqcuvg"ucng"rwdnkec kk"ew"tghgtktg"
 nc" kuvqtkc" k" gxqnw kc" t urwvfgtkk" ekxkng" ,p" vtpurqtvwn"
 aerian⁵. "fgurtg"cxkc kc"ekxkn "c" Dcuuctcdgk"pw"ug"ewpqc vq"
 pk o ke0" Pg" okt " k"hcrrvwn"e . "egtegv-pf" ew"kpvgtgu" gxq-
 nw kc" k | xqctgnqt" lwtkfkeg"eg" tging o gpvcg | "vtpurqtvwn"
 cgtkcp" fkp" rgtkqfc" kpvgtdgkne . "gzrwug" fg" rtqhuqtwn"
 0 0 " ,p"vg | c" fg" fqevtcv⁶. pw" c" hquv" cdqtfvc"
 ecftwn" lwtkfke" cn" Dcuuctcdgk" k" cn" Tgrwdnkekk" Uqxkgvkeg"
 Uqekcnkuv" Oqnfqxpvg vk0" p"uejko d. "rtqdnng o c" ectg" pg"
 kpvgtgugc | "c" hquv" tgv kv" vtcvcv " fg" rtqhuqtwn" *P0Fkpguew*
 ,p"vg | c" fg" fqevtcv" uwu kpwv " ,p"cpwn" 3; 62. "ectg. "cpcnk-
 | -pf" t urwvfgtgc" ekxkn "c" e t w wnw" cgtkcp" ,p" vtpurqt-
 vwn" fg" o thwtk" k" rcuicgtk. "c" h ew" tghgtktg" k" nc" urc kwn"
 dcuuctcdgcp⁷ " p" cegn c k" vk o r. " 0 0 " cLto " e "
 fce " ,p" Oqnfqxc" fg" r-p "nc" t | dqk" cw" gzkucv" ectgxc"
 | dqwtk. "ng" , k" cxgcw" qtkikpgc" ,p" Twuk" ucw" Tq o -pkc"
 k" rg" vgtkvtkwn" Oqnfqxpvg" cxgcw" o ck" o wnv" wp" ectcevgt"
 urqtvx" ucw" gzrgtk o gpcv⁸

Vtdgwk" fg" o gp kqpcv" e " ,p" fqevtkc" pc kqpcn " fkp"
 wnw o kk" cpk" u/cw" gxkfgp kcv" ew" rwdnkec kk" ,p" fq o gpkw"
Q0Fkckewe. " X0Ngdggfx. " Q0Ekqdcpw. " Kw0Ugfng ejk" k
*F0Oci jgtguew*⁰ " U/cw" o ck" tg o ctecv" vcp i gp kcn" uwd"

acest aspect profesorul *I j0Ejkdc* e k" *C.Pascari* în
Eq o gpvc tkwn" Eqfwnwk" ekxkn" cn" Tgrwdnkekk" Oqnfqxc.
 rtgew o " k" *C0Dnq gpeq* în manualul *Drept civil. Partea*
Urgekcn 0" Ceguv" nwet tk" vkkp kLcg" cw" hquv" o kpw kqu"
 cpcnk | cvg" nc" gncdqctctgc" rtg | gpvwnwk" uvw fkw. " ,pu " o gp k-
 qp o e " o clqtkvcvgc" nqt" ug" tghgt "nc" vtpurqtvwn" cgtkcp"
 kpvgtpc kqpcn" k" rw kpg" egtegv tk" i uk o " czcvg" cuwrct"
 t urwvfgtkk" ekxkng" fkp" vtpurqtvwn" cgtkcp" cn" Tgrwdnkekk"
*Oqnfqxc*⁰ " Cuvhgn. " *Q0Ekqdcpw* în *Tgxkuc" Pc kqpcn " fg"*
Drept fguetk" xctkgy kng" eqpvtecvwnwk" kpvgtpc kqpcn" fg"
 cuk i wtctg" fg" cxkc kg. " *Kw0Ugfng ejk* " k" *F0Oci jgtguew*
 fguetkw. " ,p" ceggc k" rwdnkec kg. " curgevng" t urwvfgtkk"
 vtpurqtvcvqtwnwk" cgtkcp. " ,pu . " tggk kpf" fkp" rtgxgfgtkng"
 eqpxgp kknqt" kpvgtpc kqpcng" nc" ectg" uvcvwn" pqvutw" guvg"
 rctvg. " rtqhuqtwn" *X0Ngdggfx* " ug" tghgt "nc" tging o gpvcg"
 lwtkfke . " ,pejgkgtgc. " eqp kpwvwn" k" t urwvfgtgc" e t w-
 wnwk" ,p" eqpvtecvwn" fg" vtpurqtvcvqtwnwk" kpvgtpc kqpcn" fg"
 o thwtk⁹ " k" fct " *Q0Fkckewe* în revista *Ngige* " k" *Xkc c*
 hceg" q" ectcevgtk | ctg" c o rn " c" k | xqctgnqt" lwtkfkeg" cng"
 ftgrvwnwk" cgtkcp" fkp" Tgrwdnkec" Oqnfqxc⁰ " C o " o ck" eqp-
 uvcvce" " gzkuv " o wnv" g" ctvkeqng" nc" vg o c" fcv . " ,pu " gng" cw"
 hquv" rwdnkecvg" ,p" fkhgtkvg" | kctg" k" dtq wtk. " ec< " *Oqnfqxc*
Uqekcnkuv . " " " . " *Oqnfqxc* " *Uw-*
xgtcp " gve0" Urtg" tgi tgv. " gng" pw" cw" wp" ectcevgt" vkkp kLc."
 cx -pf" tqn" o ck" o wnv" kphqt o cvkx" k" t g lgev " uweekpv" wpng"
 gxgpk o gpvg" k o rqtvcpcv" cng" cxkc kgk" ekxkng" fkp" Oqnfqxc"
 nc" cegk" cpk0" " p" cegn c k" vk o r. " ew" qec | kc" uetgkktk" rtg | gpv-
 nwk" ctvkeqn. " cw" hquv" egtegv" cegvng" pqt o cvkxg" c fqrvcvg"
 fg" Uqxkgvwn" Uwr tgv o " cn" Tgrwdnkekk" Uqxkgvkeg" Uqekcnkuv"
 Oqnfqxpvg vk* ,p" eqpvkpwctg" 6" TUUO+ " k" ectg" ug" r u-
 vtgc | " ,p" ctjxkng" *Dkdnkqvgekk* " *Pc kqpcng* . " ,p" *dkdnkqvgec*
Cecfg o kkg" fg " vkkp g" k" ,p" egc" c" *Wpkxgtukv* kk" fg" *Uvcv" fkp*
*Oqnfqxc*⁰ " Cw" hquv" wvknk | cvg" k" kphqt o c kng" rtgnvcvg" fg" rg"



rqtvcnwtkng"qLekcng"cnG" Cf o kpkuvtc kkg"fg"Uvcv" c" Cxkc kkg" Ekxkng" fkp" Tgrwdnkec" Oqnfqxc" * p" eqpvkpwctg" o" CUCe" k" c" eqo rcpkgl" cgtkpgg" Ckt" Oqnfqxc.

Tgkg kpf" fkp" hcevtwn" kuvqtke." qpukfgt o" qrqtvpw" u" fgkno kv o" gxqnw ke" ngikunc kkg" ew" rtkxktg" hc" t urwpfgtgc" ekxkn " fkp" vtepurqtwn" cgtkcp" cn" Tgrwdnkekk" Oqnfqxc" ,p" fqw " o ctk" gvcrg." k" cpwo g" k" o" r" g" rgtkqcf" Tgrwdnkekk" Uqkxgkveg" Uqekcnkuvg" Oqnfqxcpgg vk." ege" fg/ c" KK/ c" , peg- r- p" f" fkp" o qo gpvwn" fgenct tkk" kpfgrgpfgp gk" Tgrwdnkekk" Oqnfqxc" r- p" , p" r" t" g" | gpv" p" cegnc k" vk o r. " c o" k" p" w" eqpv" fg" ukvwc ke" ngikunc kkg" ekxkng" fkp" rgtkqcf" 3; 3: / 3; 5; . crqk" fg" ngikunc ke" uqkxgkve " gzrtk o cv " rtkp" Eqfwn" ekxkn" cn" TUUO" fkp" 3; 86" k" fg" egng" 5" eqfwtk" cgtkpgg" fkp" 3; 57. 3; 84" k" 3; : 5" ectg" u/ cw" crnkecv" r" g" vgtkvqtwn" TUUO" 0"

K| xqctgng" lwtkfkg" fg" tging o gpvctg" c" t urwpfgtk" ekxkng" , p" rgtkqcf" TUU" Oqnfqxcpgg vk" 0" Nc" gncdqtctgc" studiului am evitat a cerceta perioada anilor 1918-3; 66. " r" g" o qvix" e . " fg" k" wpng" | dqtwtk" ug" ghgevw. " pw" rwwg o" , pe " xqtdk" fgurtg" q" d" | " pqt o cvkx " ew" rtkxktg" hc" t urwpfgtgc" ekxkn " , p" vtepurqtwn" cgtkcp" cn" Dcuctcdkkg. " fgqctgeg" pw" gtc" , pe " hqt o cv " cxkc ke" ekxkn " pc kqpcn 0" Gtc" r" t" g" | gpv " , p" urgeken" cxkc ke" o knkvct . " ew" cxkqcpg" fg" tgewpqc vgtg" k" dqo dctfc o gpv" eg" xgpgcw" fg" rguvg" Rtwv. " kct" rtk o gng" | dqtwtk" ekxkng" u/ ct" L" tgenk | cv" , p" cpwn" 3; 52. " pe ruta *Icnc k" o" Ejk kp* w" 0" Tgkg kpf" fkp" cegcu " ukvwc- kg. " p" Dcuctcdk" fg" r- p" " nc" 3; 5; " u/ c" crnkecv" ngikunc ke" Tq o - p" k" g" ew" rtkxktg" hc" t urwpfgtgc" ekxkn " c" e" t w" wnwk. " k" cpw o g" k" furq | k kng" Eqfwnwk" eqo gteken" tq o - p" k" cng" Ngikk" fg" qti cpk/ ctg" cgtqpcwvke " o knkvct . " ucpe kqpcv " fg" tging" Ectqn" K" rtkp" fgetgwn" tgin" fkp" 3; 350" Ock" crtgek o" hcrvwn" e " , p" rgtkqcf" kpvtdgnke " cxkc ke" tq- o - p" " c" ewpquewv" q" c o rn " fg" | xqnvctg. " Lkpf" fqvcv " , p" ege" o ck" o ctg" rctvg" ew" cxkqcpg" fg" hcdtkec kg" tq o - p" gcue . " kct" , p" 3; 58" c" hquv" etgcv" ejkct" k" wp" o kpkuvgt. " Okpkuvgtwn" Cgtwnwk" k" Octkpgk" 10

Fwr " eg" Dcuctcdk" c" hquv" cpgzcv " nc" WTUU. " u/ c" gzvkpu" crnkectgc" Eqfwnwk" cgtkcp" k" c" kpuvtwe kwkpnqt" uqkxgkveg" ew" rtkxktg" hc" | dqtwtkng" cgtkpgg" 0" p" c" c" o qf. " t urwpfgtgc" rgpvtw" fcwpgg" , p" vtepurqtwn" cgtkcp" cn" TUUO. " , pegr- p" f" ew" cpwn" 3; 5; . " ug" tgenk | c" fglc" , p" xkt- tutea Eqfwnwk" cgtkcp" cn" WTUU" fkp" 3; 57" 11" k" c" Regulilor fg" vtepurqtvtg" c" rcucigtknqt. " dciclnqt" k" o" thwtknqt" rg" nkpknng" cgtkpgg" cng" WTUU" fkp" 3; 66" 12" Fg" hcrv. " , p" cegc" rgtkqcf " i" tgc" fg" t | dqk. " fg" | qt fkpge" fqokpc" k" , p" cevkkvcvge" qti cpgnqt" lwfge vqtg vk. " , p" urgeken" nc" gzc o kpcctgc" nkvi kknqt" eg" kpgcw" fg" t urwpfgtgc" rgpvtw" r" t" g" | lwfkeknng" ecw | cvg" xkg k" k" u" p v k" rknq knqt. " fct" k" c" fcwpgnqt" r" tqxqecvg" vgt knqt" c" i c k" hc" r o - p" v" ec" wt o ctg" c" gznq | kknqt" k" c" e" fgtknqt" fkp" cgtqpcxg" 0" Fkp" ceguvg" eqp- ukfgtgpvg. " eqpuwv- p" f" ctjxkng" lwfge vqtg vk" fkp" cegng" vk o rwtk. " rtgew o " k" fkp" rgtkqfkec" cpknqt" 3; 63/ 3; 66. " pw" c o" i" ukv" ectgxc" kphqt o c k" ew" tghgtktg" hc" rtkekpk" ekxkng" în domeniul transportului aerian.

Gzrwp, pfw/ pg" qrkpkc. " eqpukfgt o" e " , pegrwvwn" tging o gpv tkk" cxkc kkg" ekxkng" , p" ctc" pqucvt " vtdgwk" eqpuk- fgtcv " | kw" fg" 3" ugrvg o dtkg" 3; 66. " e- p" f" c" cr tw" rtk o wn" cev" pqt o cvkx" o" Tgiwnc o gpvwn" ew" rtkxktg" hc" , p" Lkpc ctgc" , p" Oqnfqxc" c" cxkc kkg" ekxkng" rgpvtw" pgxkng" pqtqfwnwk" 13. " ejkct" nc" q" u" rv o - p " fwr " gnkdgctgc" tkk" pqucvt" fg" uwd" tgin o wn" hceukv" 0" Ew" cegcu " qec | kg" c" hquv" hqpfcv " k" c" f o kpkuvtc ke" cxkc kkg" o qnfqxcpgg vk" o " "

" " * +14. " dar care am estimat e . " urtg" tgitgv. " c" hquv" vtgewv " , p" uwdqtkfkgc" cxkc kkg" ekxkng" c" Wetckpgk" Ew" o wnv" gpv | kcu o " ug" uetke" rg" cwpek" e " vtepurqtwn" cgtkcp" , p" WTUU" guvg" , p" eqpvkpw " fg" | xqnv- re. 15" Gtc" rgtkqcf" hcxqctcdk " e- p" f" , p" TUUO" ug" ghgevw" k" egng" fkp- k" | dqtwtk" eg" qhgtgcw" ugtxkek" fg" vtepurqtwn" cn" rcucigtknqt. " o tLk. " r" tqfwugnqt" c" i tkeqng" k" r" q" vkg. " fg" nc" Ejk kp w" urtg" D n k. " Vktcurqn. " Dgpfgt. " Qtjgk. " Uqtqec. " rtgew o " k" hwet tk" c" i tgejk o keg" , p" vgtkvqtwn" kct" , p" crtknkg" 3; 67" c" hquv" kpuvkwk " rtk o c" twv " cgtkcp " tginvcv . " fkp" Ejk kp w" urtg" Oqueqxc. " o ck" crqk" cw" wt o cv" k" cnvgng" urtg" Uk o hgtqrqn. " Ngkpi tcf. " Uqek. " Okpgtckp- g" Xqf , " Mcupqct. " Jctmqx. " Xkpk c" 0c" 0"

Cxkqpw" kpvctug" fg/ c" dkpgngc" , p" xkc c" fg" vqcvg" | knng" c" pqtqfwnwk" uqkxgkve" 0" Etgucwug" xqnv o wn" hwet tknqt" ghge- vvcv" fg" cxkc kg" , p" c" i tkewnvwt . " uknxkewvwt . " igqngikg. " ngicvg" fg" egtgcv tk" uvkpk kLeg. " ugtxkekng" o gfkq/ ucpkvc- re. 16" Wp" rcu" eqpukfctcdk" c" hquv" h ewv" , p" cpwn" 3; 82. " e- p" f" , p" Ejk kp w" c" hquv" fcv" , p" gznqvcvctg" pqwn" cgtqrqt. " ectg" cxgc" ecrcekvcvge" fg" c" fgugt" cgtqpcxgng" ew" vwdqrtq- rwnuq" 0" Ec" wt o ctg" c" ceguvwk" hcrv. " ug" egtgcw" tging o gpv tk" o ck" c o r" ng" ew" rtkxktg" hc" t urwpfgtgc" ekxkn " , p" vtepurqt- vwn" cgtkcp" 0" Fg k" , p" cegc" rgtkqcf " gtc" , p" xkiqctg" Eqfwn" cgtkcp" cn" WTUU" fkp" 3; 57. " fg" o wnv" vk o r" ug" r" t" g" i" vgc" wp" cnv" eqf" cgtkcp" 0" Pqwn" Eqf" cgtkcp" cn" WTUU a intrat în xkiqctg" , p" cpwn" 3; 84" k" c" cxwv" q" crnkecdknkvcv" g" zvkpu " pe teritoriul statului nostru. 17

Cevwcnkvcvge" k" k o rqtvep c" ngi k" c" hquv" rg" ncti " crtgek- cv " nc" cegng" vk o rwtk" , p" o cpwng. " o qppq i tcl. " rwdnkec k" k" eqphgtk p g" vkkp kLeg. " fg" fqvctkpk" 0 0" 18. " 0 0" . " 0 0" . " 0 0" " Crtgek o " efortul profesorului 0 0" (de la Facultatea fg" Ftgrv" c" Wpkxgtukv k" fg" Uvcv" fkp" Oqnfqxc" fg" c" i uk" nqewn" pqknqt" tging o gpv tk" ekxkng" fkp" vtepurqtwn" cgtkcp" , p" ukuvg o wn" k | xqctgnqt" ftgrvwnwk" vtepurqtvtknqt" 0" Fqevtkpctwn" , pckpvge | " kfggc" wpgk" eqfkLc tk" c o r" ng. " k" cpw o g" Dc/ gng" ng ikunc kkg" vtepurqtvwvwnk" c" WTUU. " în ectg" wp" ecrkvqn" crctvg" u " Lg" fgfkecv" t urwpfgtk" ekxkng" c" transportatorului aerian. 19" p" cegnc k" vk o r. " pg" uwpv" vwkng" tghgtkpg ng" rg" ectg" ng" i uk o " nc" r" tqhguqt" 0 0" " k" 0 0" 0" F- p k" eq o gpvge | " tgin o wn" lwtkfke" cn" t urwpfgtk" kpvqtqfwu" rtkp" Eqfwn" cgtkcp" fkp" 3; 84. " crtg- ekkp" k" k o rcevwn" pqknqt" tging o gpv tk" cuwrtc" o qfwnwk" fg" uqnv kqpcctg" c" rtkekpnqt" fg" e vtg" lwfge vqtknng" fkp"



fkuvtwigtgc"dkngvwnwk"pkefgegew o "pw"rqcvge"eqpfk kqpc"tg-
hw |wn"wpkncvgtcn"fg"gzgewvctg"cdnkic kknqt"eqpvtcevweng"
fkp"rctvge"vtepurqtvcvtwnwk"Uwd"ceguv"curgev."fgevtpc"
k"lwtkurtwfpg c"cfwegcw"ock" o wnv"fqxg|k",p"rtkxk c"
eqpvtcfke kknqt"ectg"cr tgcw",pvtg"crnkectg" Tgiwnknqt"
k" c"rtgxgfgtknqt"Eqpxgp kgk"fg"nc"Xct qxkc"fkp"3;4;."
c"ftgvevxnqt"Eq o wpkv kk"gwtrqpgg" k" c"rtcevekk"lwfk-
ektg"kpvtgpc kqpcng",p"fq o gpkw0"

Fkpvtpg"pqxc kknq"Eqfwnwk."uwndkpkgo"e "fce "xgejgc"
ngig"fgentc"pwn "qtkeg",p ngigigtg"ectg"cxgc"ec"ueqr"
o qfkŁectg"eqpfk kknqt" t urwvfgtkk."cvwpek"pqwn"Eqf"
cfokvge",p ngigigtg"r t knqt",p"ugpuwn" o clqt tkk"ewcp-
vw o wnwkt" urwvfgtkk" k"fgentc"pwn "qtkeg"eqpxgp kg"rtk"
ectg"t urwvfgtgc"wtoc"u "Łg"oke qtcv (27)"C"huq"uvedcnk"
k"t urwvfgtgc"vtepurqtvcvtwnwk" rgpvtw",pv-t|kgtg",p"
rctxgptg"dciclwntk."pqt o "eg"pw"gzkuvc",p"xgejkw"
Eqf"cgtkcp0" Rtkpvtg"cnvng."ucpe kwpgc"gtc"ugxgt <
Cgtqtv"vtdgwk"u "rn vgcue "rcucigtwnwk"32"twdng"rgpvtw"
Łgectg"|"k"fg",pv-t|kgtg."fct"pw"o ck"o wnv"fg"52"fg"twdng0"
w"cegcuv "qec|kg." 0 0

în Comentariul

Eqfwnwk"ekxkn"cn"UUO"Oqnfqxp" vk"uwu kpg"e "cejkvctg"
rgpenk k"pw"gnkdgtc"vtepurqtvcvtwn"fg"t urwvfgtgc" k"
rgpvtw"egngcnvng"fcwpg"hgicv"fg",pv-t|kgtg²⁸."kct."rqvtxkv"
opinie profesorului QOEc . "š,p" c" o qf" r wvge"Ł"
uvk o wncv "cevkxkvcygc"vtepurqtvcvtwnwk"cgtkcp" k"eq o -
rgpucv"rg"fg"rnkp"ejgnvwnkng"cxwv"fg"rcucigt0²⁹"Uwd"
ceguv"curgev."eqpukfgt o"e "pqt o c"fcv "gtc"dkpaxgpkv " k"
eqpvtkdwc"nc"eqpuqkfctgc"fkuekrnkpgk" k" c"rwpevwnkv k0"
Tgw kv ",p"cegcuv "rtkxk "eqpukfgt o" k"rtgxgfgtgc"
fkp"Eqfwn"cgtkcp."rqvtxkv"e tgc"še t w wn"rqctv "
t urwvfgtgc"000" k"rgpvtw"fcwpgng"rtkekwkv"ec"wt o ctg"
c",pv-t|kgtk",p"vk o rwn"vtepurqtvcvtwnwk0."pqt o "ectg" c"huq"
crqk"rtgnwcv " k",p"Eqfwn"cgtkcp"fkp"3; :5."rg"e-pf",p"
Eqfwn"ekxkn"fkp"3;86"gc"pw"gzkuvc0"Rgpvtw"eq o rctc kg."
cf wi o"e "ngikunc kc"cgtkcp ",p"xkiqctg" c" Tgrwdnekk"
Oqnfqxc."fg"cnvng"ec" k"Eqfwn"ekxkn."Eqfwn"vtepurqtvcvtwnwk"
hgtqkct."Eqfwn"pcxkic kgk" o ctkvk o g"eq o gtekcng."Eqfwn"
vtepurqtvcvtwnwk"cwvq" k" Tgiwnkng" o gpvwn"vtepurqtvcvtwnwk"
cwvq"fg"e n vqt" k"dciclg."pw"rtgxgfg"ec"e t w wn"u "
rqctvg"q"ectgxc"t urwvfgtgc"rgpvtw"fcwpgng"ectg"uwv"
cfwug"ec"ghgev"cn",pv-t|kgtk0"Ev"cv-w"o ck"o wnv."ngikunc kc"
cgtkcp "pc kqpcn "pw"uvedcnk v"pkek"ucpe kwpk"urgekcn"
rgpvtw"Łgectg"qt "fg",pv-t|kgtg" k"ceguv"nwetw"guvg"x fkv"
p"fg|cxcpvclwn"eqpuw o cvqtknqt0"

qfwn"cn" tikv",p nguwv"rgtkqcfkg"fg"vk o r",p"ewtwn"
e tgc"vtepurqtvcvtwn"cgtkcp"guvg"t urwp| vqt"rgpvtw"
rtglwfkekwn"ecw|cv" xkg kk" k"u p v kk"rcucigtwnwk0"Rg-
tkqcf"fg"t urwvfgtgc"guvg"ewrtkpu ",pvtg" o q o gpvwn"
kpv t tkk"rcucigtwnwk"rg"rgtqpw"cgtaftq o wnwk",p"ueqrwn"
,odctc tkk" k"r-p"nc"o q o gpvwn"kg ktk"fg"rg"rgtqpw0"Rg"
e-pf."rqvtxkv"Eqfwnwk"cgtkcp"fkp"3;83."vtepurqtvcvtwn"
t urwvfgc"pw o ck"rgpvtw"ec|wn"e-pf"fcwpc"cxwug"nqe"nc"
dqfwn"cxkqpwvwnk"qt",p"vk o rwn"fgcgn tkk"ucw"cvgtk| tkk0

Q"rtgxgfgtgc"pqw "ug"tghgtgc"nc"tgenc o c kc"rtgc-
ncdn 0" Pqwn"Eqf" c"uvedcnk"qdnkicvkxkvcygc",pckpv tkk"
tgenc o c kgk"rtgcncdnkng",p"ec|fg"rktgfgtgc"o tŁk"ucw"c"
dciclwntk0"Eqfwn"cgtkcp"fkp"3;83"egtc"fg"nc"rcucigt"
u "Łg",pckpvcv "tgenc o c kg"pw o ck",p"ec|wn"fgvgtkqt tkk"
k",pv-t|kgtk."cuvhgn"e ",p"ukvvc kc"rktgfgtkk",pe te vwtk"
rcucigtwn"ug"rwvge"cfvguc"ftgve"ew"ce kwpg",p"lwfgecv 0"
Eqphqt o"r tgtknt"gzrwug",p"fqevtpc"cegnt"vk o rwtk."
nruc"tgenc o c kgk",pigtwpc" k"vgtikxgtuc"rtqeguwn"fg"
e wvctg" c",pe te vwtk"rktgfvvg."kct"ceguv"nwetw"gtc",p"
detrimentul clientelei.³⁰

Rg"n-pi "pgclwpuwtk."crtgekgo"dkpaxgpkv"hrvwn"e "
Eqfwn"cgtkcp"rtgxgfgc"uewktgc"e t w wnw"fg"t urwp-
fgtgc",p"ec|wn"e-pf"vctc" k"rnw o dwtkng"cw"huq",p"uvctg"
dwp *ctv0; ;+0"H e-pf"q"cpnk| "c"pqt o gnat"Eqfwnwk"ekxkn"
fkp"3;86" k" c" Tgiwnknqt"fkp"3; :7."c o"guvk o cv"e "pqt o c"
tgvgevx "gtc"wpkec"ectg"tg ing o gpv"uewktgc"vtepurqt-
vcvtwnwk"cgtkcp"fg"t urwvfgtgc"rgpvtw"cu g o gpgc"ukvvc k0"
Guv"ec|wn"u " o gp kq o " k"hrvwn"e "Eqfwn"rtgxgfgc"
t urwvfgtgc"e t w wnw"rgpvtw"rktgfgtgc."fgvgtkqtctgc"
k",pv-t|kgtgc"nc"vtepurqtvcvtgc"rq vgk"*ctv0324+."pqt o "
ectg"gtc"htq o wncv "tgw kv"fg"ngikwkvqtw"uqxgvke.",pu "
ectg."urtg"tgitgv."pw" c"huq"rtgnwcv ",p"Eqfwn"ekxkn"cn"
Tgrwdnekk"Oqnfqxc.",p"Ngigc"cxkc kgk"ekxkn" k"pkek",p"
Tging o gpv tng"cgtpcwvkeg"ekxkn"cn" C f o kpkvctc kgk"fg"
Uvcv" c" Cxkc kgk"Ekxkn" c" Tgrwdnekk" Oqnfqxc0

Eqpukfgt o"e "cxgo",pe "o wnv"fg",px cv" k"fg"
kpvtfwu",p"ngikunc kc"cgtkcp "pc kqpcn ."fce "egtegy o"
ew"cvgp kg"cevng"pqt o cvkxg"cn" TUUO" fkp"rgtkqcf"
cpknqt"3; :4/3; ;3."rg"ectg"ng"i uk o" c o r ng" k"dkpg"
uvtwewvctv",p"rncpwn"t urwvfgtkk"ekxkn",p"vtepurqtvcvtwn"
cgtkcp0" Cuvhgn"e ."cn vwtk"fg"Eqfwn"cgtkcp"fkp"3; :5" k"
Tgiwnkn"fkp"3; :7."c o"guvk o cv"e "fkhtkv"curgevg"cn"
t urwvfgtkk"ekxkn",p"vtepurqtvcvtwn"cgtkcp"rg"vk o rwn"UUO"
rwvge"Ł"fgfwug"fkp",pe "34"tg i wnc o gpv" k"kpvtwe kwpk."
crtqdcv"fg"Okpkvgtwn"Cxkc kgk"Ekxkn"cn"WTUU."ectg"ug"
tghgtgc"nc"vtepurqtvcvtgc" o thwtknqt",p"igpgtcn."c"egnqt"
rgtk wncv³¹."c"dciclgnt" k" c"rq vgk³⁰" Fgurtg"dwpc"
t-pfwkcn "c"tgiwnknqt"fkp"ngikunc kc"cgtkcp "uqxkvke "
pg"xqtdg vg" k"rtg|gp" c"wpwk"cev"urgekcn"ew"tghgtk"nc"
o tk o gc"fgur iwdtkk"rg"ugc o c",pvtgrtkpfgtkk"cgtkpg"
rgpvtw"dwptkng"rktgfvvg"ucw"fgvgtkqtcv" rtk o kv"urtg"
vtepurqtvcvtgc" h t "fgentc kg"fg"xcnqctg³³."fgvnc"ectg"cw"
huq"rg"ncti"cdqtfcv",p"tg ing o gpv tng"uqxkvkeg" k"ectg."
ew"r tgtg"fg"t w."r-p",p"rtg|gp"cw"huq"n ucvg",p"wo dt "
fg"ngikunc kc"cgtkcp "c" Tgrwdnekk" Oqnfqxc0"

Gxqnv kc"ngikunc kgk"eg"tg ing o gpvge| "t urwvfgtgc"
ekxkn ",p"vtepurqtvcvtwn"cgtkcp"cn" Tgrwdnekk" Oqnfqxc0"
pegr-pf"ew"cpwn"3; ;2" c"cxwv"nqe"tgqi cpk|ctgc"tc o wtkk"
cgtkpg" c" Oqnfqxcgk0" Cegcuve" c" huq"q",pegtectg" i tgc"
rgpvtw"uvcvwn"pqvntw."fgqctg"tgqi cpk|ctgc"cxkc kgk"
c"cxwv"nqe",p"eqpfk kk"uqekcn/rqkvkeg"fg"etk| .pkxgnwn"



fg"vtck"cn"rqrwnc kgk" c"ue |wv."u/cw",pvtgtwrv"tgnc kknq" geqqo o keg"gzkuvgpvq" k"gzkuvcw" o ctk"fkLewnw k"ngicvg" fg"nkxtctgc"eq o dwuvdknwnwk³⁴"Ue fgtgc"eqpukfgtcdkn " c"egtgtk"rgpvtw"ugtxkekknq"cgtkgpg" c"fwu"nc" oke qtctgc" kpfkcevtknqt"geqqo o kek"ck"vtcpurqtvwvnc"cgtkcp."ceguvwc" gejkxcn-pfw/ug"ew"kpfkcevtk"cpknqt"ø720"Vqvqfcv ."c"hqvu" ncpucv "qLekcn" rtk o c"ewtu "kpvgtpc kqpcn "ø" Ejk kp w/ Htcmhwtv."fwr "ectg" c"wt o cv" Ejk kp w/Dwewtg vk" 0c³⁵ "pu ."tgpc vgtgc" c"hqvu" rqukdkn "qfcv "ew"etgetgc" rtkp" fgetgv" rtg|kfgp kcn." ,p"cpwn"3 ; ;5."c" Fgrctvc o gpvwnwk" cxkc kgk"ekxknq" rg"n-pi " Okpkuvgtw" Vtcpurqtvwvnc"cn" Tgrwdnkek" Oqnfqxc" k" c"eq o rcpkg"cgtkgpg" fg"uvcv" Ckt" Oqnfqxc. Ulterior au fost fondate mai multe companii cgtkpgp."ec<" Oqnfckcp" Cktnkpgu." Vcpfg o" Cxc. "Tgpcp" Ckt." Xek" Cktnkpgu." Cgtkcpwt/O" Cktnkpgu." Kpvgtpcvkqpcn" Ectiq" Ejectvtg." Vtco cxc." Oqnfvtcpucxc etc. "pu ." fkp" ecw|c" o ck" o wnvq" ceekfgpvq" cgtkpgp." CUCE" ng/c" uwurgpfcv" nkegp gng" Cuvhgn" e " ,p" rtg|gpv" cevkg" uwpv" fqct"fqw "eq o rcpk"cgtkgpg"pc kqpcng<" Ckt" Oqnfqxc" k" Oqnfckcp" Cktnkpgu

Fgqctgeg"uvcvnw"pqvntw"nc"cegc"rgtkqcf "pw"dgpgLekc" fg"q"hgikunc kg"ekxkn "cgtkcp "rtqrtkq." rtkp"rtku o c" Fgenc- te kgk"uwxgtcpkv kk."r-p " ,p"cpwn"3 ; ;9"u/cw"crncev Codul cgtkcp"cn" WTUU." Tgiwnknq" vtcpurqtvwvnc" fg" rcucigtgk." dciclg" k" o thwtk" rg"nkpkknq" cgtkpgp" cng" Wpkwppk" TUU" fkp"3 ; :7." rtgew o" k" fkurq|k kknq" i gpgtcng" ew" rtkxktg" nc"t urwpfgtgc" e t w wnw" ewrtkpug" ,p" Codul civil din 3; 86" Rg" e-pf" ,p" tcrqtvtknq" ew" cnvg" uvcvg" ug" crncew" prevederile Eqpxp kgk"fg"nc" Xct qxc" k" Regulile trans- rqtvwvnc"kpvgtpc kqpcn" fg" rcucigtgk." dciclg" k" o thwtk" fkp"3 ; :8³⁶" Ew"vqcvq" ceguvq." excpvcwn" tkk"pqcuvtg" gtc" e "nkvik" rtkxkpf" t urwpfgtgc"ekxkn " ,p" |dqtwtknq"kpvgtpg" fkp"cegc"rgtkqcf "pw"cw"gzkuvcv."kpucp gng"lwfge vqtg vk" uqnv kqp-pf"fqct"fqctg" fkp"vtcpurqtvwvnc"cgtkcp"kpvgtpc- kqpcn"cn" Tgrwdnkek" Oqnfqxc

Vqvqfcv ."c" hquv" etgcv "Cf o kpkvctc" fg" Uvcv" c" Cxc kgk" Ekxknq" c" Tgrwdnkek" Oqnfqxc" *CUCE" ectg" ,p" rgtkqcf"3 ; ;9/4226" c" crtqdcv" o ck" o wnvq" tging o gpv tk" cgtqpcwvkeg" ekxknq." ec<" Egtvkhkectgc" k" cwvqtk/ctgc" qrgtvtknqt" cgtkpk=" Cwvqtk/ctgc" /dqtwtknqt=" Vtcpu- rqtvwvnc" cgtkcp" cn" dwpwtknqt" rgtkewncug=" kpxguvki cgtc" ceekfgpvgnqt" k" kpekfgpvgnqt=" Ukuv g o wn" fg" dqt" fg" rtg- xgpktg" c" eqnk/kwpknqt=" Gxcnwctgc" ukiwtcp gk" /dqtvwvnc" nc" cgtqpcxng" wv kpg=" Tcrqtvtgc" gxpko gpvgnqt" fg" cxkc kg" ekxkn " 0c³⁷ "pu ." rtqdnq o c" t urwpfgtkk" ekxknq" rgpvtw" fcpwng" ecw|cvq" rcucigtgknq" k" gzrgfkvqtkknqt" fg" o thwtk" ,p" vtcpurqtvwvnc" cgtkcp" c" k" pw" c" hquv" uqnv kqpcv " Oclqtkevcg" tging o gpv tknqt" CUCE" cxgcw" q" fguvkpc kg" vjpkc ." Lkpf" qtkgpcvq" urtg" ukuv g o wn" cgtqpcwvke" k" hqctvg" rw kp" uwrnkpgcw" ngikunc" k" ekxkn " cgtkcp " 0

C cfct." fce " r-p " ,p"cpwn"3 ; ;3" cevgng" pqt o cvkxg" ew" tghgtktg" nc" t urwpfgtgc" ekxkn " ,p" vtcpurqtvwvnc" cgtkcp

cxgcw" q" crnkectgc" kpvgit " k" eqpvkpw ."cvwpek." qfcv " ew" qd kpgtgc" kpfgrgpfgp gk" ,p" Tgrwdnkek" Oqnfqxc." cw" cr twv" o ck" o wnvq" rtqdnq o g" uwd" ceguv" curgei" Wpngn" tging o gpv tk" cng" WTUU" fgxgpgcw" fgugvq." cnvgng" fcv" pc vgtg" hc" eqp kkevg" k" hcewpg" ,p" ngig" p" c" c" o qf. kpucp- gng" lwfge vqtg vk" gtcw" pngxkvq" u" crnkeg" cpcnqikc" ngikk." cu trimeri la Eqfwn" pxcxi c kgk" o ctkvko g" eq o gteknq³⁸." Codul transportului feroviar³⁹." rtgew o" k" nc" Codul civil fkp"3 ; 86" pu ." ceguv" pqt o g" cxgcw" ceggc" k" qtkikpg" uq- xkvke " k" ew" i tgw" rwwgcw" qhgtk" wp" e- o r" lwtkfke" c" fgexc" ,p" fq o gpkn" t urwpfgtkk" ekxknq

Rtk o wn" cev" pqt o cvkx" pc kqpcn" ,p" uhgtc" t urwpfgtkk" ekxknq" ,p" vtcpurqtvwvnc" cgtkcp" c" hquv" Fgetgvnw" Rtg gfkpv- gnq" Tgrwdnkek" Oqnfqxc" fkp"47" kwpg"3 ; ;4" sCu privire nc" cukiwtctgc" qdnki cvqtkg" c" rcucigtgknqt" vtcpurqtvwvnc" cgtkcp." hgtqxcct." twxkn" k" cwvq" ,p" eq o wp" o. wt o cv" ,p" uewtv" timp de Regulamentul cu privire la modul de asigurare qdnki cvqtkg" c" rcucigtgknqt" vtcpurqtvwvnc" cgtkcp." hgtqxcct." twxkn" k" cwvq" ,p" eq o wp" o⁴⁰" Pqng" tging o gpv tk" cw" cr twv" ,pvt/q" rgtkqcf "fkLekn" rgpvtw" Tgrwdnkek" Oqnfqxc." e-pf" ug" ,ptgikvctw" ec|wtk" e "vk o r" fg"32/34" |knq" fkp" ct "pw" fgeqnc" pkek" q" cgtqpcx " 0" p" ceguv" eqpfk kk." Eq o rcpk" fg" Cukiwtctg" sCUKVQö" c" hquv" cwvqtk|cv "u" ghgevwg|g" cukiwtctg" qdnki cvqtkg" c" rcucigtgknqt" vtcpurqtvwvnc" cgtkcp" rg" vteL" kpvgttgrwdnkecp" k" tgrwdnkecp." rtkp" ,pejgktgc" ceqtfwnwk" ew" Eq o rcpk" Cgtkcp " fg" Uvcv" sCkt" Oqnfqxcö" Rqvtkxk" Tgiwnq o gpvwnwk." o tk o gc" tcvgnqt" fg" cukiwtctg" gtc" fg"7" twdnq" rgpvtw" Lgectg" dknq" tgenk|cv." ket" tcv" fg" cukiwtctg" ug" kpenwfgc" ,p" equvwn" dknqvwvnc" k" ug" ,pecuc" fg" nc" rcucigtgk" Uwo c" fg" cukiwtctg" rgpvtw" wp" rcucigtg" gtc" fg"372" o kk" twdnq" k" cejkvctgc" gk" ug" h egc" kpvgitcn" ö" ,p" ec|fg" fgegu" ucw" rkgftgtg" vqvcn "c" ecrcckv kk" fg" o wp- e ." k" rct kcn" ö" ,p" fgrgpfgp " fg" itcfwn" fg" vtcw o cvku o " ecw|cv" rcucigtgwnk" Urtg" tgitg." Tgiwnq o gpvwn" pw" h egc" q" fgnk o kvctg" f" ,pvtg" cukiwtctg" fkp" vtcpurqtvwvnc" cgtkcp" fg" egc" fkp" vtcpurqtvwvnc" hgtqxcct." twxkn" k" cwvq" ,p" eq o wp" o" Uwo gng" k" fgur i wdktnq" fg" cukiwtctg" gtcw" kfgpvkeg." kp- urktcvq" fg" hc" ukuv g o wn" I quvctj wnw" uqxkvke=" qt." tkuwtknq" fg" cukiwtctg" ,p" vtcpurqtvwvnc" cgtkcp" ug" fkuvkpi" ec" k| xqt" fg" rgtkeq" C o" guvk o cv" k" hcrvwn" e " tgiwnknq" fg" cukiwtctg" gtcw" hqt o wncvg" ,pvt/wp" o qf" k o rgtcvkx." ket" jqv t-tgc" fg" c" cejkvc" uw o c" fg" cukiwtctg" ucw" fg" tghw|fg" c" q" rn vk" ug" nwc" gzenwukx" fg" cf o kpkvctc" k" Eq o rcpk" sCUKVQö." h t " c" gxcqec" rqukdknkvcvg" rcucigtgwnk" fg" c" eqpvqvc" jqv t-tgc" rg" ecng" lwfkect " 0

Qrvk o k|ctgc" ecftwnwk" lwtkfke" cn" t urwpfgtkk" ekxknq" ,p" vtcpurqtvwvnc" cgtkcp" cn" Tgrwdnkek" Oqnfqxc" c" hquv" tgenk|cv " prin Regulamentul cu privire la modul de asigurare qdnki cvqtkg" c" rcucigtgknqt" vtcpurqtvwvnc" cgtkcp." hgtqxcct." twxkn" k" cwvq" ,p" eq o wp" fkp"3 ; ;7⁴¹" Cuvhgn" e " cukiwtctg" qdnki cvqtkg" c" rcucigtgknqt" vtcpurqtvwvnc" cgtkcp" rwwgc" L' tgenk|cv " fg" cew o " fg" qtkg" eq o rcpk" fg" cukiwt tk." ectg



fkurwpgc"fg"hpqfwtkng"fg"tg|gtx "pgeguctg" k"fg"nkegp g" eqtgurwp| vqctg."gnkdgtcvg" fg"e vtg"Ugtxkekwn" fg"uvcv" rgpvtw"uwrtcxgi jgtgc"cuciwt tknqt"fg"rg"n-pi "Okpku- vgtwn"Hkpcp gnq0"Ec" k"r-p "cvwpek."tcvc"fg"cuciwtctg"ug" kpenwfgc"p"equvwn"dkngvwnwk" k"ug"pecuc"fg"nc"rcucigt" fg"pvtgrtkpfgtgc"fg"vtepurqtv."pu "c"hquv"kpvtqfwu " o tkogc"fg"3 "fkp"equvwn"Łge twk"dkngv"x-pfw0"Q"cnv " uejko dctg" xk|c"uw o c" fg"cuciwtctg."ectg"ug"uvcdkngc" rgpvtw"wp"rcucigt"p" o tkog"fg"722"ucnctkk" o kpkog" ,p"xkiqctg"nc" oqogpvn"rtqfwegtkk"ec|wnwk"cuciwtcv." hc "fg"372"okk"twdng"ectg"ug"rn vgc"r-p "cvwpek0"Guvg" crtgekcdk" k"pqwc"rtgxfgtgc"TGiwncogpvnwk"fce " cukiwtcvwn"*kct"fwr " oqctvgc"nw"o"wtoc kkt"pw"uwp"fg" ceqt"ew"fg"ek/kc"Eqo rcpkkg"fg"Cukiwtctg."rtvgp kkn" ug"gzcokpgc/ "fg"lwfgcev "ucw"ctdkvtcl"*rev035+0

Crtgekgo"hervwn"e "p"cpwn"3; ;9" c" hquv"cfqrvcv " Ngigc"cxk kkg"ekxkng."rtkoc"ngig"p"fqogpkw"fg"fwr " rtqenc o ctgc"kpfgrgpfgp gk."ectg" c",pnqewk"rg"vgtkvtkwn" Tgrwdnkek"Oqnfqxc"Eqfwn"cgtkcp"cn"WTUU0"Rtqkgevwn" Ngikk" c" hquv"gnedqtcv"p"eqncdqctg"ew"urgekcnk vk"fg"nc" Wpkxgtukvcvg" OeIkn" fkp" Oqpvgtcn."Epcfc" k"fg"nc" Qticpk|c k"kpvtgpc kqpcn "c"Cxk kkg"Ekxkng"*KECQ+0⁴² Rqvtkxk"Trqvtvwnwk"cpwcn"cn"CUCE."ngigc" c" hquv"pgeg- uct "rgpvtw"e "c" oqfkl"ecv" k" c"kpvtqfwu"pq kwpk"pqk."c " ,pn vwtcv" fkuetgrec gng"htocvg"fwr "rwpgtgc"p"crnk- care a Codului civil nou.⁴³ Fkp"rgturgevix "rtqrtk" cŁto o " fg" k"ngigc" c" hquv"wp" ,pegrw" dwp."gc"pw" c" avut o continuitate în actele normative care au urmat. Ew"vqcv"e ."rqtvxk"ngikk."štgurqpucdknkvcvg" rgpvtw" daunele provocate în cazul transporturilor aeriene în urc kwn"cgtkcp"cn"Tgrwdnkek"Oqnfqxc"ug"uvcdkng vg"eqp- hqt o"ng ikunc kkg"p"xkiqctgö."r-p " ,p"rtg|gpv"pw"gzkuv " ,pe "q"enctkvcvg"ectg"ct"Ł"vqvw k"ng ikunc kc"pc kqpcn " ,p" rtkxk c" t urwpfgtkk"ekxkng"p"vtepurqtvwn"cgtkcpA" Ock" o wnw"ec" cv-v."e n w|kpw/pg"fg"rtgxfgtkng"Legii cu privire la transporturi.št urwpfgtgc"pvtgrtkpfgtknqt" de transport pentru neindeplinirea sau îndeplinirea pgeqtgurwp| vqctg" c" qdnikc kknqt" rtkxkpf"vtepurqtvwn" e n vqtknqt." o thwtknqt" k"dciclnqt"ug"uvcdkng vg"rtkp" eqfwtkng"Łge twk" hgn"fg"vtepurqtv" k"prin alte acte normative"(art.10 alin.(1)).⁴⁴

Ec"wt o ctg" c" ceguwwk"herv."rctvkewnctkv kng"t u- rwpfgtkk"ekxkng"p"vtepurqtvwn"cgtkcp"r-p " ,p"rtg|gpv" pw"uwpv"tgĭgevcv"pvt/wp"eqf"fg"ngik"ucw"pvt/wp"cnv" cev"pqt o cvkx."c c"ew o"ng ikwvqtwnc" h eww/q"p"Eqfwn" vtepurqtvwnwk"cwvq."Eqfwn"vtepurqtvwnwk"hgtxkct" k" ,p" Eqfwn"pcxkic kkg" o ctkvk o g"eq o gteknq0"Ukwec kc"fgxkpg" k" o c"uvtepk" fkp" o q o gpv"eg"cegce k"Ngig"ew" rtkxktg" nc"vtepurqtvwt"rtgxfg"e "šactivitatea întreprinderilor fg"vtepurqtv"ug"tingogpvgc/ "fg"rtg|gpvc"ngig."fg" codurile transportului"hgtxkct."cwvq."aerian."pcxcn? *ctv04"cnkp0*3++0" Ceguv"nwetw" c" hquv"tgewpquewv" k"fg"

Ewtvgc"Uwrtgo "fg"Lwuvk kg" c" Tgrwdnkek" Oqnfqxc" ,p" Pqvc" kphqt o cvkx "ew" rtkxktg"nc"crnkectgc"ng ikunc kkg" rtkxkpf"tgurqpucdknkvcvg"e t w wnw" ,p"eqpvtecvwn"fg" vtepurqtvctg" c" ,pe te vwtknqt"šîn transportul aerian pw"rwvg o"xqtdk"fgurtg"q"cdwpgp "fg"cevg"pqt o cvkxg" ucw"fg"gzkuvgp c"wpwk"Eqf"cgtkcp"cn"Tgrwdnkek"Oq- dova".⁴⁵Ew"cv-v" o c" o wnw"ejgukwpgc"tgurgevix "c" hquv" gxkfgp kcv " ,p"nkvgtecvtc"pc kqpcn "fg"urgekcnkvcvg0"Urtg" gzg o rnw."C0Dnq gpeq face referire la contractul de vtepurqtv"cgtkcp"fg" ,pe te vwtk" k" cŁto "e "štranspor- vwn"cgtkcp"rtg/kpv "rctvkewnctkv k." ,p"rtkown"t-pf"uwd" curgevwn"tingogpv tknqt"lwtkfkg." ,pu "nc" o q o gpv"pw" gzkuv "wp"cev"pqt o cvkx"pc kqpcn" o gpkv"u "tingogpvg/g" vtepurqtvwn"cgtkcp"kpvtg"fg" ,pe te vwtk." o qvkv"rgpvtw" ectg"ug"xc"crnkec"Eqfwn"cgtkcp"cn"WTUU"rtkp"rtkuc" Fgenctc kkg"uwxtcpkv k" T0Oqnfqxc".⁴⁶ Fkp"cegnc k" eqpukfgtgpvg." Ijgqti jg" Ejkdc."în manualul „Drept civil. Contracte specialeö." k"Eqtpgn"Rcuectk. în Co- ogpvctkwn"Eqfwnwk"ekxk."ug"tg|w o "fqct"hc"q"gpw o gtctg" gjzjcwuvkx "c"cevngqt"pqt o cvkxg" ,p"fq o gpkw0"

p" c" c" o qf."hkruc"ng ikunc kkg"urgekcn"guvg"ceqrgtkv " ,p" rtg|gpv"fg"rtgxfgtkng"Codului civil" k"cn"Legii privind rtqvgc kc"epuwo cvqtknq0⁴⁷Eqfwn"ekxkng"tingogpvgc| " tgncc kng"fg"vtepurqtv" ,p" Ectvge" c" vtgc."Vkwvn"KKK."Ecrkvq- nwn"ZKK."pwokv"šVtepurqtvwnö."kct"t urwpfgtkk"e t w wnw" ,p"vtepurqtvwn"fg"rgtuqcp" k" dwpwtk" ,k"uwpv"fgfkecv" o c" k" o wnv"ctvkeqng<"ctv0" ; : : / ; ; 2. ; ; : . 3227/3233." 3236/324; 0" pu . "pw"vqcv"rtgxfgtkng"ng ikunc kkg"ekxkng" ew" rtkxktg"nc" t urwpfgtgc"uwpv"xcncdng" k"vtepurqtvwnwk" cgtkcp0"Ec"gzg o rnw"cfweg o"tingogpv tkng" ,p" rtkxk c" ,pv-t|kgtk"nc"nkxtctg" o thwtknqt"ectg"uwpv"rtgx |wvg"nc" ctv03232."kpvkwnvcv" š"pe nectgc"vgt o gpwnwk"fg"nkxtctg" c" ,pe te vwtkkö0"Rqvtkxk"vgzvwnwk."rqvcv"Ł"eqpukfgtgcv " rkgtfwv " ,pe te vwtc"ectg"pw" c" hquv"nkxtcv " ,p"fgewtuwn" c" 52"fg" |kng"fg"nc"gzrktctg"vgt o gpwnwk"fg"nkxtctg0" Fce " r r t kng"pw"cw"eqpxgpkv"cuwrct"wpwk"vgt o gp" ,pe te vwtc" rqcvg"Ł"eqpukfgtgcv "rkgtfwv " ,p"fgewtuwn" c"82"fg" |kng"fg" nc"rtgnwctgc"ceguvgk"fg"e vtg'e t w 0"Uwpvg o"fg"r tgtg" e "cug o gpgc"vgt o gpg" rgpvtw"vtepurqtvwn"cgtkcp" fkp" Tgrwdnkec"Oqnfqxc"uwpv"rtgc" o ctk. Cfweg o"ec"gzg o- rnw"eqfwtkng"cgtkpg"cn"WTUU"fkp"3; 84" k"3; : 5." ,p"ectg " ,pv-t|kcv "gtc"ecnŁecv"cegc" o cth "ectg"pw" c" hquv"nkxtcv " ,p"fgewtu"fg"32" |kng."kct"fwr "gzrktctg"ceguvw"vgt o gp" ug"crnkecw"tg iwnkng"ew" rtkxktg"nc" o cth"rkgtfwv 0"

"Q"cnv "rtgxfgtgc"ew" itgw"cegrvcv " ,p"vtepurqt- tul aerian este cea de la art.1007 alin.(2) al Codului ekxk." rqtvxk"e t gkc" rgpvtw" ,pv-t|kgtgc"vtepurqtv tkk" ,pe te vwtk"nc"fgukpc kg"e t w wn"rqctv "t urwpfgtgc" ,p" rtrqrt kg"fg"322 " fkp"vczc"fg"vtepurqtv" k"guvg"qdnkicv" u "tgrctg"rtglwfkekwn"ecw|cv"cuvhg0"Pg"gzrwpvg o"qrkpk" e ." ,p"rtkown"t-pf."ng ikwvqtwnc"pw"eqtngc| " o tkogc" t urwpfgtkk"e t w wnw"ew"fwtcvc" ,pv-t|kgtk"ceguvwk0"



Qt.",pv-t|kgtgc"rqcvg"xctkc"fg"nc"e-vgxc"o kpwvg"nc"qtg" k"
|kng."kct"ucpe kwpgc"ko rwu "fg"Eqfwn"ekxkn"ct"Ł."cuvhgn."
wpc"kpgejkvcdkn 0"Vqvfcv ."tgingo gpvctgc"turgevix "
fgxkpg"rtgc"ugxgt "rg"ugc"oc"vtpurqtv"cvqtknqt"cgtkgpk."
fgqctgeg"equvwtkng"ugtxekknqt"fg"vtpurqtv"uwpv" o ctk."
kct"t urwpfgtgc"p"rtqrqt kg"fg"322 ' "chgevgc| "eqp-
ukfgtcdkn" dwi gwn"eq o rcpkknqt"cgtkgpg0" p"ecnkvcvg" fg"
ctiwogpvg"cfweg"o"eqpucv tng"e"Eqfwn"ekxkn" k"Eqfwn"
cgtkcp"cn"q"Eqfwn"ekxkn"cn"Hgfgtc kkg"Twug"fg k"ucpe-
kwpgc"gzkv ."vqv k"pw"guvg"eqpetgk|cv"p"eg"rtqrqt kg"
vczc"fg"vtpurqtv"vtgdwkg"tguvkwkv 49."kct"p"Eqfwn"cgtk-
cp"guvg"rtgx |wv "q"rgpenkvcvg"p"o tko"fg"47 ' "fkp"
ucnctkwn"o kpk"o"rgpvtw"Łgectg"qt "fg",pv-t|kgtg."fct"pw"
o ck"o wnv"fg"72 ' "fkp"vczc"fg"vtpurqtv050"Rgpvtw"c"hecg"
eq o rctc kg."Eqfwn"cgtkcp"cn"WTUU"fkp"3;84"uvcdkngc"
7 ' "fkp"vczc"fg"vtpurqtv"rgpvtw"Łgectg"|k"fg",pv-t|kgtg0"
Ceggc k"rgpenkvcvg"gtc"kpukvkv " k",p"Codul aerian al
WTUU"fkp"3; :5. Ectcevgtw"ftcuve"cn"ucpe kwpkk"o ck"guvg"
recunoscut de Cornel Pascari în Comentariul Codului
ekxkn"cn"tgrwdnkek"Oqnfqxc51 k"fg"Cpftgk"Dnq gpeq în
o cpwcnwn"u w"fg"ftgrv"ekxkn052

Fkuew kk"crct" k"ew"rtkxktg"nc"crnkectgc"Legii privind
rtqve kc"equpuo cvqtknqt"nc"uqnv kqpcctgc"nkvi kknqt"eg" kp"
fg"t urwpfgtgc"vtpurqtv"cvqtknqt"cgtkcp"p"ngi vwt "ew"
pv-t|kgtgc"ucw"cpwntgc" |dqtwtknqt" k"fgvgtkqctgc"ucw"
rkgftgtgc" fg"dciclg0" Pgo wn w o ktgc" xkpg" fkp" rctvge"
eq o rcpkknqt"cgtkgpg."ectg"cfugugtk"kpqxq "e "ngigc"ew-
rtkpf"rtgxfgtk"rtgc"curtg" k"cegugc"pw"rqv"Ł"clwuvvg"
vtpurqtv"vwnwk"cgtkcp0"Ec"gzg"o rnv"cfweg"o" fgek|ke" fg"
urg ."p"ectg"rtkp"jqv t-tgc"kpucp gk"fg"hpqf"eq o rcpk"
cgtkcp "c"hqvk"ko rwu "u"cejkgv"32222"fg"fqctk"fcwpg"
o qtcng"rgpvtw"rkgftgtgc"dciclwvkw."fct"Ewtvgc"fg"Crgn"
Ejk kp w."p"o qf"eqpvtct."c"fgeku"e "rtglwfkekwn"o qtcn"
ecw|cv"rtkp"ng|ctgc"ftgrvwtknqt"rcvtk"o qpkcng"ug"rn vg vg"
pw o ck"p"ec|wtkng"rtgx |wvg"fg"ngig."kct"eq o rgpuctgc"
rtglwfkekwnwk"o qtcn"rgpvtw"ukvwc kng"fg"rkgftgtg"dcic-
lwvkw"p"vk"o rwn"e n vqtgk"ew"cgtpqxc"pw"guvg"rtgx |wv "
fg"ngikunc kg0"Rg"e-pf" Ewtvgc"Uwrtgo "fg"Lwuw kg a
o qvxcv"e "vg"ogkwtkng"eq o rgpu tkk"rtglwfkekwnwk"o q-
tcn"rgpvtw"ukvwc kng"fg"rkgftgtg"dciclwvkw"p"vk"o rwn"
e n vqtgk"cgtkgpg"tgkgu"fkp"Ngigc"rtkxkpf"rtqve kc"
consumatorilor;"rcucigtwn"guvg"equpuo cvqtk" k"wtogc| "
c"ug"eq o rgpuc"uwhtkp gng"o qtcng053

Rgpvtw"q" o ck" dwp "rtqvgctg" c"rgtuqcpnqt"Ł|keg"
k"lwtkfkg"ectg"fguh qct "cevxxk k"p"fq o gpkwn"
cxkc kkg"ekxng"rg"vgtkvqtkwn" tkk."u/c"i ukv"fg"ewxkpk "
cfqrvtgc"wpwk"cn"fqkngc"cev"pqt o cvkx"fg"ko rqtvcp "
pc kqpcn "ó" c"Ngikk"rtkxkpf"ugewtkvcvgc"cgtpqcxwke 054
p"o ctg"rctvg."ngigc"ewrtkpf"pqt o g"fg"fg"rv"rdwke"ew"
tghgtg"nc"ugewtkvcvgc"cgtpqcxwke ."k"cpw o g"eq o rg-
vgp" c"cwvqtkv knqt" k"ci gpnqt"cgtpqcxwkek."ugewtkvcvgc"

cgtrqtvwtknqt" k"cgtpqcxngq."eqpvtqwn"fg"ugewtkvcvg."
o uwtk"fg"eq o dcvtg" c"cevngqt"fg"kpvgtxgp kg"knkecv " 0c0"
Rg"n-pi "fguetgtgc"curgevwvkw"vgjpk."guvko o e "ngigc"
pw"cdqtfgc| "rtqdnog"t urwpfgtkk"ekxng0"p"vqcvg"
uvcvng"nw"okk"q" c"ngig"pw"gzkv ."fgqctgeg"eqp kpwvwn"
gk"guvg"kpeww"p"rtgxfgtkng"Eqfwnwk"cgtkcp0"C c"guvg"
k",p"tq o -pkc."Hgfgtc k"Twu ."Wetkpc."Dkngqtuwk."
Rqnqpk."Igtikc" 0c0."kct"tgrwdnkec"Oqnfqxc"guvg."
eqpejkfg o."uvcvwn"ectg"hecg"gzegr kg"uwd"ceguc"curgev0"
p"eqpvkpwctg"pg"rtqpw "o e "Ngigc"cxk kkg"ekxng."
rtgew"o k"Ngigc"rtkxkpf"ugewtkvcvgc"cgtpqcxwke .sunt
fg"ko rqtvcp "o clqt ."pu "gng"fqct"uwrnkpgue"ecrkvqngng"
fkp"xxkvqtw"Eqf"cgtkcp" k"pw"hce"vtk"okvgtg"nc"tg i wknng"
ew"rtkxktg"nc"t urwpfgtgc"ekxkn 0"

pvtg"vk"o r."tgrwdnkec"Oqnfqxc" c"cfgtcv"nc"pw o gtqc-
ug"cevng"pqt o cvkxg"kpvgtpc kqpcng"ew"ko rqtvcp "cuwrte"
t urwpfgtkk"ekxng0"Q"ncti "crnkectg"nc"uqnv kqpcctgc"nkvi-
kknqt"fg"e vtg"kpucp gng"lwfge vqtg vk"pc kqpcng" c"cxwv/q"
Eqpxgp kc"fg"nc"Xct qxc"fkp"3;4;"rgpvtw"wpkŁectgc"
wpqt"tg i wnk"rtkxkqctg"nc"vtpurqtv"vwn"cgtkcp"kpvgtpc kq-
nal55."ectg" c"fgfkecv"t urwpfgtkk"vtpurqtv"cvqtknwk"cgtkcp"
pvtgi" Ecrkvqwn"KKK."ew"ctvkeqngng"39/52." o rtwgp "ew"
rtqvceqwn"gk"cfk kqpcn"ug o pcv"nc"Jcic"p3;77056" Fwr "
rw kp"vk"o r."eqpukfgt-pf"e "p"Eqpxgp kc"fg"nc"Xct q-
xc"pw"uwpv"ewrtkpug"fkurq|k k"urgekng"rtkxkqctg"nc"
vtpurqtv"vwn"cgtkcp"kpvgtpc kqpcn"ghgevcv"fg"q"rgtuqcp "
ectg"pw"guvg"rctvg"nc"eqpvtcevwn"fg"vtpurqtv."pw o kv " k"
vtpurqtv"vqvt"fg"hcrv."uvcvwn"pquvtw" c"ug o pcv"Eqpxgp kc"
eq o rng o gpvt "nc"Eqpxgp kc"rgpvtw"wpkŁectgc"wpqt"
tg i wnk"rtkxkqctg"nc"vtpurqtv"vwn"cgtkcp"kpvgtpc kqpcn
pejgkcv "nc" Iwfcncclctc"p3;83057" Fct."p"uevtv"vk"o r"
u/c"guvk"o cv"e "pw o gtqcugng"cf wikt" k"eq o rngv tk"cnng"
Eqpxgp kkg"fg"nc"Xct qxc"cw"fcv"pc vgtg"p"rncp"o qpfkcn"
r-p "nc"66"fg"xctkpcvg"flhgtkvg"cnng"tg i k"o wnw"t urwpfg-
tkk0"R-p " k"gzrgt k"tgewpquew k"p"fq o gpkwn"ftgrvwnwk"
cgtkcp"cfugugtk"pw"rwwgc"uvcdkn"nc"ectg"tg i k"o wt o cw" c"
Ł"p"ecfctvg"cpw o kv"ukvwc k"rtcevekg058"Ceguv"nwetw"u/c"
h eww"tguk"o kv" k"p"lwtkurtwfgp c"pc kqpcn ."fgqctgeg"
fkŁewv k"pv-o rkpvcw"lwfge vqtkk."cxqec k" k"lwtk vkk"
vtpurqtv"vqtknqt0" Engng"o ck"o wnv"ug o pg"fg"pvtgdctg"
cr tgcw"p"ngi vwt "ew"tg i k"o wn"lwtkfke"crnkecdkn"p"ec|wn"
pv-t|kgtk"ucw"cpwn tkk|dqtwnwk."rkgftgtk" k"fgvgtkqtk"
dciclgnt."cnvgt tkk"o thwtknqt"rgtkucdng" 0c0"p"o wnv"
ec|wtk."Ewtvgc"fg"Crgn"Ejk kp w" k"Ewtvgc"Uwrtgo "fg"
Lwuw kg"crnkecv"Eqfwn"ekxkn" k"Ngigc"rtkxkpf"rtqve kc"
equpuo cvqtknqt"nc"uqnv kqpcctgc"nkvi kknqt."h t "c"ug" kpg"
eqpv"e "gzkv " |dqtwtk"kpvgtpc kqpcng" k"e "p"cuvg o gpgc"
ec|wtk"wtogc| "c"Ł"crnkecv"rtgxfgtkng"Eqpxgp kkg0"Ock"
o wnv"ec"cv-v."ug"etgug"q"ukvwc kg"pgrn ewv <"eq o rcpkng"
cgtkgpg"pc kqpcng"crnkecv"wp" fwdnw"uvcpctf"ew"rtkxktg"
nc"cu i wtctgc"fg"t urwpfgtg"ekxkn ."k"cpw o g"cgtpqcx-
xng"ectg"ghgevcw" |dqtwtk"e vtg"uvcvng"Eq o wpkv k"



gwtqrgpg", pejgkew" eqpvtcevg" fg" cukiwtctg" ew" rtkog" o clqtcvg. "rg" e-pf" egng" eg" cxgcw" ec" rwpew" fg" fgukpc kg" uvcvng" Eqpxgp kgk" fg" nc" Xct qxkc. "p" o ctg" rctvg" ceguvge" Lkp f" uvcvng" gz/ uqxgkge. "ce jkvcw" rtkog" fg" cukiwtctg" ew" o wnw" o ck" o kek" Fg | cxcpcvng" gtcw" rg" ugc o c" rcucig- tknqt. "fgqctgeg" nc" rtqfwegtgc" ec | wnw" cukiwtcv" uwogng" k" fgur" iwdtkng" fg" cukiwtctg" gtcw" fg" | gek" fg" qtk" o ck" o kek" fge-v" pkxgnwn" okpk" o cn" fgur" iwdtknqt" egtw" fg" Qti cpk | c kc" Kpvgtgc kqpcn "c" Cxkc kgk" Ekxkng

Tgkg kpf" fkp" ceguvge" eqpukfgtgpvg. "p" 422: "u/c" h eww" wp" rcu" k o rqtvcv" rtkp" c fgtctgc" Tgrwdnekk" Oqnfqxc" nc" Eqpxgp kc" fg" nc" Oqpvgtcn" fkp" 3; ; ; "rgpvtw" wpkLectgc" unor reguli referitoare la transportul aerian interna- kqpcn⁵⁹" pu "rtqdnog" o c clqt "c" c" ew o" eqtgev" cLto " KwUgfngejk" k" F0Oci jgtguew. "guvg" e "ceguvg" tgiwnk" uwpv" xcncdng" pw o ck" ,p" vtcLewn" kpvgtgc kqpcn" cn" uvcvwnwk⁶⁰. "nc" ectg" o ck" cf wi o" e "r-p" ,p" rtg | gpv" ,p" Tgrwdnekk" Oqnfqxc" c" c" k" pw" c" hquv" cfqrvcv" q" ngi kunc kg" urgekn " eg" ct" tging o gpcv" t urwpfgtgc" ekxkn "ectg" rqcvg" uwtxgpk" ,p" vtcLewn" cgtkcp" kpvgtg" p" p" ceguv" ugpu. "p" Tq o -pkc" c" hquv" i ukv "q" uqnv kg" ngi kuncvkv "kpvgtgucpv" < ,pvtwe-v" Codul aerian" ewrtkpf" ,p" o clqtkvcvg" fkuq | k kk" fg" ftgrv" rwdnke. "p" ueqrwn" wpkhtok | tkl" pqt o gnat" crnkecdng. "rtkp" Ngige" rtkxkpf" t urwpfgtgc" vtcpurqtvcvqtknqt" cgtkpk" k" c" qrgtcvqtknqt" cgtqpcxngt" ekxkng" ectg" ghgewgc / " qrgtc kwpk" cgtkpgg" ekxkng" ,p" urc kwn" cgtkcp" pc kqpcn. "ngi kwkvqtw" tq o -p" c" uvcvwnwk" e " rtgxfgtkng" Eqpxgp kei de la Montreal din 1999 referitoare la transportul cgtkcp" kpvgtgc kqpcn" u" ug" crnkeg" k" rgpvtw" | dqtwtkng" fg" rg" twvgng" kpvgtg" Uqnv kc" fcv" q" i uk o" k" ,p" Eqfwn" htcepeg | "cn" cxkc kgk" ekxkng" Rg" e-pf" ,p" Twukc. "Wetckpc. "Dkngqtwukc" ug" o gti g" rg" ecngc" c" fqw "ngi kunc kk" fkuvkpeg" ew" rtkxktg" nc" t urwpfgtgc" ekxkn " ,p" vtcpurqtvw" cgtkcp" wpc" rgpvtw" vtcLewn" pc kqpcn" k" cnvc" rgpvtw" egn" kpvgtgc kqpcn⁰

"p" ceguv" eqpvz. "eqphqt o" rtqrkkg" xk | kwk. "nc" o q o gpvwn" cevwn" uvcvwn" pquvtw" ctg" fqw " rqukdnk v k" prima" o" fg" c" cfqrvc" q" ugtg" fg" cev" pqt o cvkxg. "ew o" ct" L" Eqfwn" cgtkcp" cn" Tgrwdnekk" Oqnfqxc. "Regulile vtcpurqtvw" wnw" fg" o thwtk. "rcucigtk" k" dciclg" rg" nkpkng" cgtkpgg" pc kqpcng" k" Tgiwnc o gpvwn" rtkxkpf" o uwtkng" fg" t urwpfgtgc" cpvtgpcvg" vtcpurqtvcvqtvw" cgtkcp" rgpvtw" tghw/wn" fg" , o detectg. "cpwnctgc" ucw" ,pv-t/ kgtgc" / dqtwnwk" ,p" vtcpurqtvw" fg" o thwtk" k" rcucigtk. "kct" cea de-a doua" o" fg" c" rtgnw" o qfgnwn" ngi kunc kgk" htcepeg | g" k" tq o -pg. "ectg" k/ cw" uqnv kqpcv" rtqdnog" o c" kpvgtg" h e-pf" vtk o kvgtg" nc" pqt o gng" wpkhtog" o" crnkecdng" t urwpfgtkk" ekxkng" ,p" vtcpurqtvw" cgtkpgg" kpvgtgc kqpcng⁰

Fkpvt/q" rgturgevkv "rtqrkkg" cLto o e" g" o ck" dkpg" c" rtgi vk" q" ngi kunc kg" cgtkcp" pc kqpcn "fwr" gzg o rwnw" o wnwq" uvcvgn" Ct" L" lwuv" ec" uwxgtpkvcvge" k" kpfgrgpfpc" Tgrwdnekk" Oqnfqxc" u" ug" tg fgevg" k" ,p" rtkxkpc" dc | gk" pqt o cvkxg" k" pw" guvg" ceegrvcdkn" ec" ctc" pqucvt "u" pw"

ckd "wp" ecftw" lwtkfke" cfgecxv" Cf wi o" k" hcrvwn" e . " ,pegr -p" f" ew" cpwn" 4228. "p" Tgrwdnekk" Oqnfqxc" u/ c" tgw kv" u" ug" kpvqt fwe "dkngvwn" gnevtqpk⁶¹" "p" c" c" hgn. "eqphqt o" rtqipq | gnat. "pw o" twn" rcucigtknqt" ectg" xqt" dpggk" ec" fg" ugtxkekng" vtcpurqtvw" wnw" cgtkcp" ct" rwwgc" etg" vg" e" vtg" cpwn" 4236" r-p" "nc" 3" o knkqp" 522" fg" o k⁶²" Ew" cv-v" o ck" o wnw" e " cxg o" fg" cew o" g" zrgtkgp c" vtcpurqtvw" wnw" pxcn. "rgpvtw" ectg" c" hquv" cne" vwkv" rtqkgevwn" Codului transportului pxcn" kpvgtg" cn" Tgrwdnekk" Oqnfqxc. "cng" e" twk" rtgxfgtk" ug" t uht-pi" scuwrte" e knqt" pcxkicdkng" k" cnvt" qdkgevg" rnwvkvqctg. "gzrnqvcvg" rg" e" kng" pcxkicdkng" kpvgtg" cng" Tgrwdnekk" Oqnfqxc".⁶³ "p" eg" rtkxg" vg" uqnv kc" rtgnwcv" "fg" Tq o -pkc. "uwpvg o" fg" r" tgtg" e" gc" pw" ct" L" wpc" tgw kv" k" rgpvtw" ctc" pqucvt "O" qvkw" ct" L" e" tgiwnkng" t urwpfgtkk" ekxkng" uvcvwnwk" fg" Eqpxgp kg" r qv" L" tgcnk | cvg" ,p" | dqtwtkng" kpvgtg" pw o ck" ,p" eqpfk kng" ,p" ectg" ceguvge" uwpv" dkpg" qti cpk | cvg⁰ Qt. "c" c" ew o" ewpqc" vg o. " ,p" ctc" pqucvt "gng" uwpv" qec | kqpcng⁰ Fce "c o" kpuvkwk" egtkpg" gng" Eqpxgp kgk" ,p" rtkxkpc" t urwpfgtkk" ekxkng" rgpvtw" | dqtwtkng" pc kq- pcng. "ceguv" hcrv" ct" cxgc" ec" ghgev" tghw | wn" qrgtcvqtknqt" cgtkpk" fg" c" o ck" tgewtig" nc" | dqtwtk" pc kqpcng" rg" o qvkv" e "ejgnvkwgkng" fg" cukiwtctg" ct" fxxgpk" rtgc" equvkukvqctg. "kct" rqrwnc" kc" ct" tgewtig" rtgrqpfgtg" nc" vtcpurqtvw" hgtqkct. "cwvq" ucw" pxcn⁰

Pgxkqk" wpqt" tging o gpv tk" urgekng" ew" rtkxktg" nc" t urwpfgtgc" ekxkn " ,p" vtcpurqtvw" cgtkcp" pc kqpcn" u/ c" h eww" uk o kv "qfcv" "ew" crctk" kc" ceekf gpvgnqt" cgtkpgg" fkp" 4229" k" 422: 0" "p" rtk o wn" ec | . "cgtqpcxc" eq o rcpkkg" o qnfqxp" vk" sCgtkcp/Vwt" Oö" u/ c" rt dw kv" ,p" vk o r" eg" ghgevc" | dqtwn" Cfpc" *Vwteck+/ Dcnf" *Ktcm+" k" cw" fgeg- fcv" 56" fg" rgtuqpcg. "kpenwuk" 7" o go dtk" ck" gejkrcvwnwk. "ectg" gtcw" egv" gpk" ck" Tgrwdnekk" Oqnfqxc⁶⁴" pu . "egn" o ck" i" tcv" ceekf gpv" c" cxwv" nqe" ,p" crtqrkgtgc" Cgtqrqtvw" wnw" kpvgtgc kqpcn" Ejk kp w" ew" cxkqpw" eq o rcpkkg" sMVCV" Ckt" vtcpurqtvw" Eq0NVFö" c" Tgrwdnekk" Uwfcp. " ,p" ectg" cw" fgegfcv" 6" egv" gpk" ck" Tgrwdnekk" Oqnfqxc⁶⁵" Ceguv" ceekf gpv" cw" fgvt o kpcv" Cf o kpvuvtc" kc" fg" Uvcv" c" Cxk- c kgk" Ekxkng" u" tgvcti "nkegp" gng" nc" o ck" o wn" k" qrgtcvqt" cgtkpk" pc kqpcn" k" u" kpvgt | ke " rtkp" qt fkp" | dqtwtkng" ,p" Chicpkucv" k" Ktcm⁶⁶

"p" Lpg. "eqpukfgt o" dkpgxgpk" hcrvwn" e "Rctnc o gpvwn" Tgrwdnekk" Oqnfqxc" c" cfqrvcv" ngige" rtkxkpf" c fgtctgc" statului la Eqpxgp kc" rgpvtw" wpkLectgc" cpw o kvqt" tgiwnk" tghgtkvtg" hc" vtcpurqtvw" cgtkcp" kpvgtgc kqpcn. "pejgkcv" la Montreal la 28 mai 1999.⁶⁷ "p" rtqkgevwn" fg" ngi g" ug" o gp kqpcg | "e" pgegukvcvg" c fgt tkl" guvg" o qvkvcv" fg" hcr- vwn" e "eq o rcpkng" cgtkpgg" fkp" Oqnfqxc" ,p" o ctg" o uwt " qrgtgc | " | dqtwtk" rg" vgtkvqtwn" uvcvgnqt" o go dtg" cng" Wpkw- pkk" Gwtqrgpg. "ectg" fg" lc" cw" fg" xgpk" r t k" hc" Eqpxgp kc" fg" nc" Oqpvgtcn⁰ "p" g" zrwpgtgc" fg" o qvkvxg" tghgtkvtg" hc" qrt- vwkvvcvg" c fgt tkl" ug" o ck" cf cw i "e" eq o rcpkng" cgtkpgg" pc kqpcng" pw" xqt" uw rqtvc" e jgnvkwgk" uw rnk o gpvctg" rgpvtw"



cuki wtctgc"reucigtktq."dcielgnqt"ceguvqtc" k"o thwtktq." rg"o qvix"e "ngng"fglc"uwpy"qdnkicvg"u "o gp kp "pkxgnwn" fg"cuki wtctg"eqtgurwp| vqt"qrgt-pf" |dqtwtk" ,p" tkng" Wpkwpkk" Gwtqrgpg⁶⁸" Ew"cegcuv "qec|kg." xkeg"o kpkuvtwn" Lwuvk kgk"cn" Tgrwdnkek" Oqnfqxc" Pkeqncg" G cpw" cŁt o < "Cx-pf" ,p" xgfgtg" hcrvwn" e "ewtugng" cgtkpgg" ghgevwgc" fg" eqo rcpkng" Tgrwdnkek" Oqnfqxc" ug" ghgevwgc/ " ,p" uvcvng" ogodtg" cng" Wpkwpkk" Gwtqrgpg. "rgpvtw" ectg" guwg" qdnk- icvqtg" tgurgevtgc" tgi wknqt" o gp kqpcvg" ,p" Eqpxgp kc" tgurgevix. "eqpukfgt o" pgeguet " cfgtctgc" Tgrwdnkek" Oqnfqxc" nc" cegcuv " Eqpxgp kgö" Cuvhgn" e " cftctgc" Tgrwdnkek" Oqnfqxc" nc" Eqpxgp kc" fg" nc" Oqpvgtcn" c" hquv" eqpukfgtvc " qrtqwp " k" rtaqgevw" fg" ngig" c" hquv" cfqrvcv" ew" 8: " fg" xqvwtk" šrtqö" k" |gtq" š, o rqtvx ö⁶⁹

Rgpvtw" c" hceg" eqo rctc kg. "hc" fvc" fg" 3" kcpwctkg" 422; " fglc" 329" uvcvg" cng" nw okk" cw" cftctvc" nc" Eqpxgp kc" fg" nc" Oqpvgtcn. " rtkpvtg" ectg" uvcvng" Eq o wkv k" Gwtqrgpg. " Uvcvng" Wpkvg" cng" C o gtkek. " o clqtkvcvgc" tknt" fkp" Chtk- ec. " C o gtkec" Ncvk. " Cuk" fg" Uwf/ Guv. " kpenwuk" Ukp i crq- tg. " Ejkpc. " Lcrqpk. " Ctcdk" Ucwfkv " k" G o ktcvng" Ctcdg" Wpkvg" Tgepv" u/cw" cn vwte" Cwvtnk" *nc" 470330422: +. " Etqc kc" *nc" 450230422: +. " Wtwi wc { *nc" 260240422: +⁷⁰ Ceguv" hcrv" fgpqv " e . " rg" rctewtuwn" ugeqnnwk" cn" ZZK/ ngc. " tgi k o wn" t urwpfgtk" lwtkfkeq/ ekxkng" ,p" vtcpurqtwn" cgtkcp. " xc" L" hwpfc o gpvcv" ,p" gzenwukxkvcvg" rg" rtgxgfgtkng" Eqpxgp kgk" fg" nc" Oqpvgtcn" fkp" 3; ; ; 0"

Concluzii. C "c" ew o "u/c" o gp kqpcv" fglc. "hc" gvcrc" ce- vwn "t urwpfgtg" lwtkfke "ekxkn" ,p" fq o gpkwn" vtcpurqt- vwnwk" cgtkcp" cn" Tgrwdnkek" Oqnfqxc" ug" tgenk |gc| " rqtvxkv" Eqfwnwk" ekxkn. " Ngikk" rtkxpf" rtaqge kc" eqpuw o cvqtktq" k" Tging o gpv tknt" cgtqpcwvkeq" ekxkng" cng" CUCE. " kct" ew" rtkxktg" hc" |dqtwtkng" kpvgtpc kqpcng" o" fg" Eqpxgp kc" fg" nc" Oqpvgtcn" fkp" 3; ; ; 0" pu . " fgqctgeg" o clqtkvcvgc" hkv i kknqt" tgkgu" cpw o g" fkp" |dqtwtkng" kpvgtpc kqpcng. " egn" o ck" fg" u" kpuvcp gng" lwfge vqtg vk" uwpv" pgxqkv" u" ug" e n w |gcue " fg" rtgxgfgtkng" Eqpxgp kgk"

Tghgtkvt" hc" curgevgng" rtaqng o cvkeg" fkp" uhgct" t urwp- fgtkk" ekxkng" ,p" vtcpurqtwn" cgtkcp. " o gp kqpcv " e " nkrug vg" wp" ecftw" lwtkfke" cfgevcv" Ew" vqcvge " cw" hquv" cfqrvcvg" Ngigc" cxkc kgk" ekxkng" k" *Legia privind securitatea aero- pcwvke* . " gng" pw" kpuvkvwg" ectgxc" tging o gpv tk" urgekng " ,p" rncpwn" t urwpfgtk. " ek" hce" vtk o kvgtg" hc" ngigc" urgekcn . " rg" ectg. " c" c" ew o " c" o " o gp kqpcv. " pw" q" cxg o 0" Vqvfvcv . " tkuewtkng" urgekleg" rg" ectg" hg" rtguwrwp" e n vqtkng" cgtkpgg" k/cw" fgvg" o kpcv" rg" o wn" k" fqvtpctk" u" " eqpenw |kqpg |g" e " vtcpurqtvcvqtwnk" cgtkcp" pw" k" ug" rqcvg" c" rncec" tgi k o wn" t urwpfgtk" vtcpurqtvcvqtwnk" vgtguvtw⁷¹. " hc" ectg" ug" tghgt " ,p" o ctg" rctvg" k" tgi wknqt" urwpfgtkk" fkp" Eqfwn" ekxkn" p" ceguv" eqpvz" o gp kqpcv " e " o clqtkvcvgc" uvcvng" n w okk" cw" cfqrvcv" fglc" ,p" qtkpge" nqt" kpvgtg " wp" Eqf" cn" cxkc kgk" ekxkng" ucw" Eqf" cgtkcp" Cuvhgn. " p" *Tqo -pkc*. " t urwpfgtg" rgpvtw" fcwpg" ,p" vtcLewn" cgtkcp" kpvgtg" ug" tgenk |gc| " rtkp"

Codul aerian fkp" 3; ; 9⁷² k" *Ngigc" rtkxpf" t urwpfgtg" vtcpurqtvcvqtknt" cgtkpgk" k" c" qrgtcvqtknt" cgtqpcxg- nqt" ekxkng" ectg" ghgevwgc/ " qrgtc kwpk" cgtkpgg" ekxkng" ,p" urc kwn" cgtkcp" pc kqpcn⁷³*. " ectg" uwpv. " dkpgg gngu. " clwucvng" nc" ngi kunc kc" Wpkwpkk" Gwtqrgpg" ,p" fq o gpkw" = " p" *Wetckpc*. Codul aerian a fost pus în aplicare la 4 mai 1993⁷⁴. " ,p" *Hgfgtc kc" Twu* . " ,p" xkiqctg" guvg" Eqfwn" cgtkcp" cfqrvcv" nc" 3; ; hgdwtctkg" 3; ; 9⁷⁵ = " wp" Eqf" uk o knct" c" hquv" cfqrvcv" ,p" 4228" k" ,p" *Tgrwdnkek" Dgnctwu* 0" Nkruc" wpwk" Eqf" cgtkcp" ,p" ctc" pquvt " r-p " nc" gvcrc" cevwn " guvg" lwukLecv " k" rtkp" hcrvwn" e " vtcLewn" cgtkcp" kpvgtg" guvg" qec |kqpcn" k" tgfwu. " c" c" e " o clqtkvcvgc" |dqtwtknt" cgtkpgg" ew" rwpv" fg" fgeqntg" ucw" cvgtk |ctg" rg" vgtkvqtkwn" Tgrwdnkek" Oqnf- qxc" cw" ectcevtg" kpvgtg" kqpcn" 0" Fg" k" ,p" rtaqgevw" cxg o " 7" cgtqrvwtk. " c o rncvvg" vgtkvqtkcn" nc" Ejk kp w. " D n k. " Ecjwn. " Vktcurqn" k" O tewng vk⁷⁶. " pw o ck" fqw . " cgtqrvwtwn" fkp" Ejk kp w" k" egn" fkp" O tewng vk. " cw" uvcvwn" fg" cgtqrvt" kpvgtg" kqpcn. " fkpvtg" ectg" fqct" rtk o wn" guvg" wknk |cv" rgpvtw" ewtugng" tgi wncvng" ghgevwgc" ,p" lfkp" Tgrwdnkek" Oqnfqxc" k. " tgurgevix. " eqpukvkwg" rqtvc" cgtkcp " c" tkk" 0" Cgtqrvwtkng" fkp" D n k" k" Ecjwn" uwpv" egtvLecvg" k" fguejkg" fqct" rgpvtw" |dqtwtk" qec |kqpcng. " kct" ,p" egge" eg" rtkxg vg" cgtqrvwtwn" fkp" Vktcurqn. " Cf o kpvvtc kc" fg" Uvcv" c" Cxkc kgk" Ekxkng" guvg" ,p" k o rqukdnkvcvg" fg" c/ k" gzgkvc" cwvqtkvcvgc" 0"

Ew" tghgtk" hc" rctcekec" lwfkect " czcv " rg" t urwpfgtg" e t w wnwk" ,p" vtcpurqtvtkng" cgtkpgg. " ,p" uvcvwn" Oqnfqxc" cegcuv" guvg" ,pe " okp o 0" Nc" o q o gpvwn" cevwn" pw" gzkuv " pkek" q" jqv t-tg" zrnkecvkx " c" Ewt k" Uwrtg o g" fg" Lwuvk kg" c" Tgrwdnkek" Oqnfqxc" rg" rtaqng o gng" rtkxpf" t urwpfg- tgc" ekxkn " ,p" vtcpurqtvtkng" cgtkpgg. " eggc" eg" hceg" fkLekn " kpvgtg" rctcekec" k" crnkectg" ngi kunc kgk" pc kqpcng" k" c" egngk" kpvgtg" kqpcng" nc" uqwn" kqpcctg" ecw |gnq" ekxkng" fg" e vtg" kpuvcp gng" lwfge vqtg vk" 0" Ew" cegcuv " qec |kg. " eqpukfgt o " e " guvg" qrtqwp " g o kvgtg" wpkg" cug o gpgc" jqv t-tk" zrnk- ecvkg" fg" Ewrtg" Uwrtg o " o" ew" rtkxktg" nc" hkv i kknq" eg" kp" fg" vtcpurqtvtwn" fg" o thwtk" k" *rcucigtk* 0" Cevwn" ct" cfweg" nw okp " ,p" o ck" o wnw" ejguvkwk" eg" kp" fg" t urwpfgtg. " cv-v" fkp" vtcpurqtvtwn" cgtkcp. " e-v" k" fkp" egn" vgtguvtw. " hgtaxkt" k" pxcn. " ew" ectg" ug" eqphtwpv " ,p" rtaqgevw" vqtkc" k" rctcekec" lwfkect " c" Tgrwdnkek" Oqnfqxc" 0

Vqvw k. " guvg" , o dwevt vqt" hcrvwn" e " ,p" *Rncpwn" fg" ce k- wpk" rtkxpf" tgenk/ctgc" Uvtcvgikgk" fg" fg/xqnvctg" c" cxkc kgk" ekxkng" ,p" rgtkqfc" cpknt" 4229/4234* i uk o e " CUCE" k/c" rtaqng o cv" ec" r-p " hc" 53" fgegdtkg" 4234" u" gncdqtg |g" wp" *Codul aeronautic*. ⁷⁷ " kfggc" q" eqpukfgt o" qrtqwp . " fgqct- tgeg" Eqfwn" ct" rwcg" uwduvkwk" *Ngigc" cxkc kgk" ekxkng* c" cv " ,p" xkiqctg" k" ct" ,p" inqdc" vqcvg" tging o gpv tkng" cgtqpcwvkeq" ekxkng" crtqdcvg" fg" CUCE" ,pegr -pf" ew" cpwn" 3; ; 0" Fqct " ,p" c" c" o qf" rqcvg" L" tgenk |cv " ukuvg o cvk |ctgc" ngi kunc kgk" cgtkpgg" c" Tgrwdnkek" Oqnfqxc" 0" p" cegnc k" vk o r. " vtgdwkg" u " kpg o " eqpv" fg" eqpegr kc" rtaqngvqtknt" 0 " k" 0 " . " rqtvxkv" e tgc" š*Liwtc" egpvtn* " c" *Eqfwnwk*



FTGRVWN"UVCVWNWK"NC"OQ VGPKTG

Oxana ROBU,
doctorand

Tgegp|gp« *Cheorghe CHIBAC,*
*fjevqt",p"ftgrv."rtqhgugt"wpkxgtukvct"*WUO+*

SUMMARY

This article is dedicated to the analysis of the right of the state to inherit. The author focuses on the main aspects of the right to inherit of the state giving a profound comparative analysis of the national legislation to the legislation of other states; even more the author shows the evolution of the national legislation giving regards to the previous regulations of the right of the state to inherit.

Dkp"rwpevwn"fg"xfgtg"cn"tgcnk|tkk."eqpukfgt"o"e"ftgrvwn"uvcvwnwk"cuwrte"oq"vgpktk"ug"cl",pvt/q"ngi"vwt"fgtgev"ew"egtewn"fg"oq"vgpkvqtk"ngi"cnk."ceguvc"Łkp"q"ngi"vwt"fg"uwdqtfqptg."ftgrvwn"uvcvwnwk"cuwrte"dwpwtknqt"uweeguqtcng"fg"rkp|p"fg"gzkuvp"c"ucw"kpzkuvp"c"ceguvqtc

Fgxqmw"kwpgc"ngi"cn"c"oq"vgpktk"ct"Ł"kp"eq"o"ngv".fce",p"cevgng"pqt"o"cvkxg"pw"u/ct"kp"fkcc"ewk",k"tgxkpg"oq"vgpktg",p"ec|wn"e"p"pw"xtt"o"pg"oq"vgpkvqtk"ngi"cnk"fkp"pkek"q"encu"o"p"ceguv"ugpu."Vknwn"KX"fkp"ectvge"c"KX/c"e"Eq"fwwnk"ekxkn"cn"Trwdnkek"Oqnfqxc."kpvkwnvc"šUweegukwpgc"xcecpv"ö."uvcdkng"vg",p"ctv03737"cnkp0*3+e"rcvtk"o"qpkwn"uweeguqtcn"vtgeg",p"rtqrtkvcvge"uvcvwnwk",p"dc|c"ftgrvwnwk"fg"oq"vgpktg"cuwrte"wpwk"rcvtk"o"qpkw"xcecpv"fce"pw"gzkuv"pkek"uweeguqtk"vguvc"o"gpvctk."pkek"ngi"cnk"ucw"fce"pkek"wpwn"fkp"uweeguqtk"pw"c"ceegrvcv"uweegukwpgc."ucw"fce"vq"k"uweeguqtkk"uwpv"rtkxc"k"fg"dreptul"la"sucessiune.

Eqpukfgt"o"e".fg"tgiwn".rcvtk"o"qpkwn"uweeguqtcn"xc"Ł"cvtkdwn"hc"fq"o"gpkn"rtkxcv"cn"uvcvwnwk."fct"pw"gzew"fg"o"pkek"rqukdnkvcvge"vtepuht"tkk"wpqt"dwpwtk"nc"fq"o"gpkn"rwdnke"Vqww"k."cx"p"p"xfgtg"k"fkurq|k"ctv03735"cnkp0*5+"E0ekx0"TO."ug"ko"rwp"pgegukvcvge"wpqt"tging"o"gpv"tk"ngi"kuvcvkg"uwrnk"o"gpvctg"nc"ceguv"ecrkvqn

Ftgrvwn"fg"rtqrtkvcvge"rwdnke"rqcvg"Ł"fqd"p"fkv"fg"e"vtg"uvcv"ucw"fg"e"vtg"wpkvcvge"cf"o"kpkuvtcvkx/vgtkvqtkcn"rtkp"fqpc"kk"ucw"ngi"cvg0"Xq"o"cvgp"qkpc"e".,p"eqphqt"okvcvge"ew"ctv0:6"cnkp0*6+"fkp"Ngigc"rtkxpf"cf"o"kpkuvtc"ke"rwdnke"nqecn".pt034514225."fqpc"kkng"k"ngi"cvng"ew"uctekpk"rqv"Ł"ceegrvcv"pw"o"ck"ew"crtdctge"eqpuknkw"nqecn."ew"xqwn"c"egn"rw"kp"fqw"vtgk"ok"fkp"pw"o"twn"eqpukngtknqt"eng"ko"Rtgxfgtk"uk"o"knctg"xl|p"fqpc"kkng"k"ngi"cvng"ew"uctekpk",p"dggp"Łekwn"uvcvwnwk"pw"gzkuv"o"Eqpukfgt"o"e"fqpc"kkng"k"ngi"cvng"ew"uctekpk"vtgdwkg."fg"cu"o"gpvc."ceegrvcv"rtkp"jqv"t"tk"eng"Ixwgtppwnwk."fgqctge"ceguvc"etggc|"wpgng"qdnkic"kwpk",p"uctekpc

Iwxgtppwnwk."ectg"ct"rwwgc"Ł"fg|cxcpvc"lqcu"rgpvtw"uvcv"ucw"ko"rqukdnk"fg"gzgewv"o

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p"ceguv"ugpu"u/c"cl"to"cv"e"xqec"ke"eqpetgv"c"uvcvwnwk"rqcvge"eqgzkuv"ke"ew"ftgrvwtkng"oq"vgpkvqtknqt"ngi"cnk."kct"rcvtk"o"qpkwn"uweeguqtcn"vtgeg."vqcn"ucw"rct"ken.",p"rtqrtkvcvge"uvcvwnwk"o",p"ec|wtkng",p"ectg"pw"gzkuv"oq"vgpkvqtk"ngi"cnk"ucw"vguvc"o"gpvctk+."Łg"ejkct"fce"gzku-



nc'hgn'pw'f "gzrnkec kg'ceguvw'vgt o gp.", pu ", p'Vknwn'KX' ŠUweegukwpgc'xcepv ö'fkp'Ectvgc'c'rcvtc'š F tgrvwn'uwe-eguqtcnö'tg ing o gpvvc | "Fkurq|k kknng"i gpgtcng'ew'rtkxktg' nc'vtcpu o kygtgc'rcvtk o qpkwnw'wpkg'rgtuqcpq'Ł|keg'eg'pw' dispune de succesori în proprietatea statului.⁹

Rtg o kugng" uwd, p gng i g t k k " uweegukw p k k " xcepvg" uwpv' ,pv tkvg", p'ngi g" k'tgku' fkp'hcrvwn'e "rcvtk o qpkwn'uwe-eguqtcn'vtgeg", p' rqr tkgvvcg' uvcvwnw' ,p'dc|c' f tgrvwnw' fg" o q vgpktg' cuwrtc' wpwk' rcvtk o qpkw' xcepv' fce "pw" gzkuv "pkek'uweeguqtk'vguvcv o gpvctk."pkek'ngi cnk'Q'cuvhgn' fg' crtgekgtg'pw'gugv'eq o rngv " k'rtgeku " .fgqctgeg'pw' rgt o kvg'c'eqpuvcv'gugp'c' *pcvwtc+' f tgrvwnw'nc'uweeg-ukwpg'xcepv 0

Ukvwc'k'cevwn'c" v k p k g k'lwtkfkeg" k'c'ngi kunc k g k'ek-xknng'tgkgug'fkp'vg|c."rqtvxk'v'e t g k c' uweegukw p g c' u g' t g e w -p q c v g' x c e p v ' c w w p e k' e - p f . f w r ' f g e g u w n' r t q r t k g v c t w n w k' r c v t k o q p k w n w k . ' p w' u w p v' u w e e g u q t k' v g u v c o g p v c t k' u c w' n g i c n k' * c t v 0 3 6 5 6 . ' 3 6 5 9 . ' 3 6 7 5 . ' 3 6 7 7' E 0 e k x 0' T O + ' u c w' u w e e g u q t k k' u w p v' r t k x c' k' f g' f t g r v w n' n c' u w e e g u k w p g' * c t v 0 3 6 5 7 . ' 3 7 2 4 . ' 3 7 3 5' E 0 e k x 0' T O + . ' u c w' f c e ' p k e k' w p w n' f k p' u w e e g u q t k' p w' c' c e e g r v c v' u w e e g u k w p g c' k' p k o g p k' f k p' g k' p w' c' o g p k q c v' e " t g p w p " n c' u w e e g u k w p g' , p' h x c q c t g c' o q v g p k v q t w n w k 0

'p'eg'rtkxg'vg'f t g r v w n' T g r w d n e k k' O q n f q x c' n c' u w e e g - u k w p g' x c e p v . ' n g i k w k v q t w n' c e e g r v ' c u v h g n' f g' o q v g p k t g' p w o c k' , p' e c | w t k' g z e g r k q p c n g 0' L w u v c' t g i n g o g p v c t g' c' u w e e g u k w p k k' , p u g c o p " n w c t g c' f g' o u w t k' r g p v t w' v t g e g t g c' r c v t k o q p k w n w k' f g h w p e v w n w k' n c' c r t q r k c k k' o q v g p k v q t k' n g i c n k' u c w' v g u v c o g p v c t k 0' p' L k p - p f' k p u v k v w k c' u w e e g u k - w p k k' x c e p v g . ' n g i k w k v q t w n' t g k g u g' f k p' e k t e w o u v c p' c' e " q o w n' o w p e g' v g' p w' f q c t' r g p v t w' g n' , p u w k . ' f c t' k' r g p v t w' h q t o c t g c' d c | g k' o c v g t k c n g' c' r g t u q c p g n q t' c r t q r k c v g' n w k 0' F g' c e g g c . ' u v c v w n' v t g d w k g' u " u w e e g c f " p w o c k' , p' e c | w t k' g z e g r k q p c n g 0' R q u d k n k v c v g c' v t c p u o k y g t k k' r c v t k o q p k w n w k' t w f g n q t' c r t q r k c v g' k' r t k o k t g c' o q v g p k t k k' f g' n c' c e g u v g c' r g p v t w' e c' g c' u " p w' L g' v t g e w v " n c' u v c v' , p' d c | c' u w e e g u k w p k k' x c e p v g' u g' c u k i w t " r t k p' c' c' o u w t k . ' e c' c' + ' g z v k p f g t g c' t - p f w n w k' f g' o q v g p k v q t k . ' e w' u e q r w n' , p v' t k t k k' e g t e w n w k' f g' o q v g p k v q t k' n g i c n k' * c t v 0 3 7 2 2' E 0 e k x 0' T O + = ' d + ' e q p u q n k f c - t g c' t g i w n k n q t' f g' o c l q t c t g c' c' e q v g n q t' o q v g p k v q t k n q t' ó' c' f t g r v w n w k' f g' c e t g u e o - p v' * c t v 0 3 7 5 2' E 0 e k x 0' T O + 0

Gzvkpfgtgc't-pfwnw'fg" o q vgpkvqtk'xc'ugtxk'f t g r v' u v k o w n' r w v g t p k e' r g p v t w' q' o w p e " r t q f w e v k x " k . ' v q v f c v . " x c' k p u r k t c' r g t u q c p g k' , p e t g f g t g' e " x c g t g c' c i q p k u v' x c' v t g e g' r g t u q c p g n q t' c r t q r k c v g . ' p' e c | w n' , p' e c t g' f g h w p e v w n' p w' x c' f k u r w p g' f g' x q k p' c' u c' , p' v g u v c o g p v 0

F t g r v w n' f g' c e t g u e o - p v' t g | w n v " f k p' e j g o c t g c' n c' o q v g p k t g 0' C e t g u e o - p v w n' g u v g' q' o q f c n k v c v g' f g' c' q d k - p g' c x g t g c' u w e e g u q t c n' u v c d k n k v' r g p v t w' e c | w n' e - p f' w p w n' f k p' o q v g p k v q t k k' e j g o c k' n c' u w e e g u k w p g' p w' c' n w c v' r c t v g' n c' u w e e g u k w p g c' f g' f t g r v' k' p w' c' u q n k e k v c v . ' p w' c' q d k p w v' e q v c' e g' k' u g' e w x k p g' f k p' o q v g p k t g 0' E q p k p w w n' r t k p e k r c n' c n' t c r q t w t k n q t' f g' c e t g u e o - p v' e q p u v " , p' h c r v w n' e c' q "

r c t v g' f k p' c x g t g c' u w e e g u q t c n " e c t g' u / c t' L' e w x g p k v' o q - v g p k v q t w n w k' p g c e e g r v c p v . ' f c t' e j g o c v' n c' o q v g p k t g . ' v t g e g' n c' o q v g p k v q t k k' c e e g r v c p k' e j g o c k' n c' o q v g p k t g 0' E q v c' o q v g p k v q t w n w k' p g c e e g r v c p v' u c w' f g e | w w' u g' o g p k p g' , p' e q o r q p g p' c' , p v t g i k k' u w e e g u k w p k' k' , o r c t v g' u q c t v c' o q - v g p k t k k' e q p h q t o ' v g o g k w t k n q t' u w e e g u k w p k k' e g' g u v g' c u k i w t c v " f g' k p u v k v w w n' c e t g u e o - p v w n w k' * u r q t k t g c' e q v g n q t + 0

F g' k' g u v g' k p u v k v w k v' e g t e w n' o q v g p k v q t k n q t' n g i c n k' k' u w p v' r t g x | w v g' t g i w n k n g' f g' u r q t k t g' c' e q v g n q t' c x g t k k' u w e e g u q t c - n g' u c w' c' w p g k' r' t' k' f k p' g c . ' o q v g p k v q t k k' r q v' n k r u k 0' P w o c k' , p' c u v h g n' f g' e c | w t k' c x g t g c' u w e e g u q t c n' e c r v' u v c v w' f g' u w e e g u k w p g' x c e p v " k' u g t x g' v g' f t g r v' v g o g k' f g' v t g e g t g' a a c e s t e i a l a s t a t . ¹⁰

'p' eqvkw p w c t g . ' r t q r w p g o' w p' n k v k i k w' e g' f g e w t i g' f k p' t c r q t w t k n g' u w e e g u q t c n g' e c t g' c' h q u v' u q n w k a p c v' f g' k p u v c p g n g' l w f g e v q t g' v k . ' L k p f' g z c o k p c v' r t k e k p c' e k x k n' p t 0' 4 / 3 3 7 1 4 2 2 9' n c' e g t g t g c' f g' e j g o c t g' , p' l w f g e c v' c' n w k' X 0 P 0' e v t g' p q v c t w n' E 0 U 0 . ' K p u r g e v q t c v w n' H k u e c n' f g' U v c v' o w p 0' E j k k p w . ' Q L e k w n' E k q e c p c . ' e w' r t k x k t g' n c' c p w n c t g c' e g t v k L e c v w n w k' f g' o q v g p k v q t' n g i c n . ' r t g n w p i k t g c' v g t o g p w - n w k' f g' c e e g r v c t g' c' u w e e g u k w p k k . ' t g e w p q c' v g g c' f t g r v w n w k' c u w r t c' c' 3 1 5' e q v / r c t v g' f k p' k o q d k n' , p' q t f k p g c' u w e e g u k - w p k k' n g i c n g' k' e g t g t g c' n w k' U 0 I 0' e v t g' X 0 P 0 . ' K p u r g e v q t c v w n' H k u e c n' f g' U v c v' o w p 0' E j k k p w . ' Q L e k w n' E k q e c p c . ' p q v c t w n' E 0 U 0 . ' R t k o t k c' o w p 0' E j k k p w' e w' r t k x k t g' n c' t g e w p q c' v g - t g c' p w n k v k k' e g t v k L e c v w n w k' f g' o q v g p k v q t' v g u v c o g p v c t . ' t g e w p q c' v g t g c' e q v g k' q d n k i c v q t k k' f k p' o c u c' u w e e g u q t c n . ' t g e w p q c' v g t g c' c' 4 1 5' e q v / r c t v g' f k p' k o q d k n' e c' u w e e g u k - w p g' x c e p v . ' c f l w f g e c t g c' q f k k' k' g n k d g t c t g c' d q p w n w k' f g' t g r c t v k k g 0

C u v h g n . ' t g r t g | g p v c p v w n' t g e n c o c p v g k' X 0 P 0 a d e p u s e g t g t g' f g' e j g o c t g' , p' l w f g e c v' e v t g' p q v c t w n' E 0 U 0 . ' K p u r g e v q t c v w n' H k u e c n' f g' U v c v' o w p 0' E j k k p w . ' Q L e k w n' E k q e c p c . ' u q n k e k v - p f < c' p w n c t g c' e g t v k L e c v w n w k' f g' o q v g - p k v q t' n g i c n' p t 0 5 ; 9 7' f k p' 4 3 0 2 ; 0 4 2 2 6 . ' g n k d g t c v' r g' p w o g n g' K p u r g e v q t c v w n w k' H k u e c n' f g' U v c v' o w p 0' E j k k p w' c u w r t c' c' 3 1 5' e q v / r c t v g' f k p' c r c t v c o g p v w n' 9 . ' u k v w c v' , p' o w p 0' E j k k p w' r g' u v t 0' R g v t w' \ c f p k r t w . ' 9 1 4 = ' r t g n w p i k t g c' v g t o g p w n w k' f g' c e e g r v c t g' c' u w e e g u k w p k k' r g' c e g c u v' 3 1 5' e q v / r c t v g' = ' t g e w p q c' v g t g c' f t g r v w n w k' c u w r t c' c' 3 1 5' e q - v / r c t v g' f k p' k o q d k n' , p' q t f k p g c' u w e e g u k w p k k' n g i c n g 0' p' o q v x c t g c' c e k w p k k' c' k p x q e c v' e " , p' w t o c' f g e g u w n w k' n w k' D 0 X c u k i n g X c u k i n g' r e c l a m a n t a X 0 P 0 a p r i m i t s u c c e s i u n e a f g h w p e v w n w k' , p' e q p h q t o k v c v g' e w' e g t v k L e c v w n' f g' o q v g p k v q t' v g u v c o g p v c t' p t 0 7 7 6 5' f k p' 4 2 0 2 9 0 4 2 2 3' 6' 4 1 5' e q v / r c t v g' f k p' c r c t v c o g p v w n' p t 0 9 . ' u k v w c v' , p' o w p 0' E j k k p w' r g' u v t 0' R g v t w' \ c f p k r t w . ' 9 1 4 0' N c' 2 7 0 2 5 0 4 2 2 3' f g e g f g c | ' o v w' c' t g e n c - m a n t e i D 0 X c i g p v k p c . ' v k v w n c t c' f t g r v w n w k' f g' r t q r t k g v c v g' r g' 3 1 5' e q v / r c t v g' f k p' k o q d k n w n' o g p k q c v 0' N c' 4 3 0 2 ; 0 4 2 2 6' n o t a r u l E 0 U 0' g n k d g t g c | ' e g t v k L e c v' f g' o q v g p k v q t' n g i c n' r g' p w o g n g' K p u r g e v q t c v w n w k' H k u e c n' f g' U v c v' o w p 0' E j k k p w . ' c v g u v - p f' e " w n v k o w n' g u v g' o q v g p k v q t' c n' c x g t k k' n' u c v g' f g' "



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reclamanta **X0P**. nu are nimic comun cu averea succe-
uqtcn "t o cu "fwr " fgeguwn" nw" **D0Xcngpvkpc**. " fgqctgeg"
pw" guvg" o q vgpkvqctg" fg" pkek" wp" itcf. " rtgx |w" fg"
ngikunc k" c" p" xkiqctg" nc" fcvc" fgeguwnw" gk", p"4222" k" pw"
guvg", p" ftgrv" u " rtykpf " nc" cxgtgc" uweeguqtcn "t o cu "
fwr " fgeguwn" nw" **D0Xcngpvkpc**.

Rtkp" jyv t" tgc" lwfge vqtcguc " fkp"3202604229" eg-
tgtgc" fg" e jg o ctg", p" lwfgecv " c" nw" **X0P0** e vtg" pqvctwn"
E0U0. "Kpurgevqtcvwn" Hkuecn" fg" Uvcv" o wp0"Ejk kp w. "QŁ-
ekwn" Ekqecpc. "ew" rtkxktg" nc" cpwnctgc" egtvkŁecvwnw" fg"
o q vgpkvqt" ngicn. " rtnwpi ktgc" vgt o gpwnw" fg" ceegrvtgc"
c" uweegukwpgk. " tgewpqc vgtgc" ftgrvwnw" cuwrte" c"315"
eqv / rctvg" fkp" k o qdkn", p" qt fkpge" uweegukwpgk" ngicng" c" hquv"
tgrkpu " ec" Łkpf" pghqpfvcv 0" Egtgtgc" nw" U0 I0" e vtg" **X0P0**. "
Kpurgevqtcvwn" Hkuecn" fg" Uvcv" o wp0"Ejk kp w. "QŁekwn" Ekq-
ecpc. "pqvctwn" **E0U0**. "Rtko tkc" o wp0"Ejk kp w" ew" rtkxktg"
nc" tgewpqc vgtgc" pwnkv kk" egtvkŁecvwnw" fg" o q vgpkvqt"
vguvc o gpvct. "tgewpqc vgtgc" eqvgk" qdnki cvqtkk" fkp" o cuc"
uweeguqtcn . "tgewpqc vgtgc" c"415" eqv / rctvg" fkp" k o qdkn"
ca sucesiune" xcecpv . "cflwfgectgc" qf kk" k" gnkdgtctgc"
dqpwnw" fg" tgrctvk kg" c" hquv" cf o ku " rct ken0

U/c"tgewpquew"ec" rct ken" pwn" egtvkŁecvwn" fg" o q vg-
pkvqt" vguvc o gpvct" pt07765" fkp"4202904223. "cwvgpvkŁecv"
de notarul **E0U0** k" ptgikuvctv" nc" QEV" Ejk kp w" nc" fcvc"
fg"3302 : 04225" ew" pt077 : 7 ; 0" U/c" tgewpquew" fwr " "
D0Xcngpvkpc" ftgrvwn" nc" eqvc" qdnki cvqtkg", p" o tkog" fg"
718" eqv / rctvg" fkp" o cuc" uweeguqtcn . "t o cu "fwr " fg-
cesul lui **D0Xcukng" Xcukng**. S-a recunoscut ca sucesiune
xcecpv "718" eqv / rctvg" fkp" k o qdkwn" pt09. "ukwcv", p" o wp0"
Ejk kp w" rg" uvt0" Rgtw" \cfpkrw. "9140"

C" hquv" tgewpquew" ftgrvwn" fg" rtrktgvcvg" rtkp" uwe-
egukwpg" vguvc o gpvct " nw" **X0P0** nc"318" eqv / rctvg" fkp"
k o qdkwn" pt09. "ukwcv", p" o wp0" Ejk kp w" rg" uvt0" Rgtw"
 \cfpkrw. "914. "t o cu " fwr " fgeguwn" nw" **D0Xcukng"
Xcukng** nc"3 : 03203 ; ; ; 0" p" tgv. " egtgtgc" nw" U0 I0" e vtg"
X0P0. "Kpurgevqtcvwn" Hkuecn" fg" Uvcv" o wp0"Ejk kp w. "QŁ-
ekwn" Ekqecpc. "pqvctwn" **E0U0**. "Rtko tkc" o wp0"Ejk kp w" c"
hquv" tgrkpu " ec" Łkpf" pg, pvg o gkcv 0

"p" ecftwn" gfkp gk" lwfkektg", **p" hcrv**. "kpucvpc" fg" lwfge-
ecvc" c" uvcdknk" e " **D0Xcukng" Xcukng**. " fgegfcv" nc"3 : 03203 ; ; ; . "
c" vguvcv" vqcv " cxgtgc" uc" pgrqvcvgk" 0" **X0P0**. " hcrv" eqpŁt o cv"
rtkp" vguvc o gpvwn" pt0899" fkp"2902603 ; ; ; . "cwvgpvkŁecv" nc"
notarul **E0U0** " p" dc|c" egtvkŁecvwnw" fg" o q vgpkvqt" vgu-
vc o gpvct" pt07765" fkp"4202904223. "gnkdgtcv" fg" pqvctwn"
E0U0. " **X0P0** c" rtkokv" fwr " fgeguwn" nw" **D0Xcukng" Xcukng**
415" eqv / rctvg" fkp" k o qdkwn"9. "ukwcv", p" o wp0"Ejk kp w"
rg" uvt0" Rgtw" \cfpkrw. "914. " k" fgrwpgtkng" d pg vk", p"
ecuc" fg" geqqo o kk" pt089271259" c" D pekk" fg" Geqqo o kk"
fkp" Tgrwdnec" Oqnfqxc0"

Dwpwtkng" uweeguqtcng" rgpvtw" ectg" u/c" gnkdgtcv" rtg-
|gpvwn" egtvkŁecv" eqpukwvkg<

3+ "315" eqv / rctvg" fkp" crctvc o gpvwn" pt09. "ukwcv", p"
o wp0" Ejk kp w" rg" uvt0" Rgtw" \cfpkrw. "914. " eq o rwu"
fkp" fqw " qf k. "ectg" k/c" crct kpww" fgegfcvwnw" **D0Xcukng"
Xcukng** " p" dc|c" eqpvtcevwnw" pt03/6" fg" x" p|ctg/ew o -
r tctg. " vtcpu o kygtg/rtk o ktg" c" nqewkp gk", p" rtrktgvcvg"
rtkxcv . "cwvgpvkŁecv" fg" Dktqwn" pqvctken" fg" uvcv" pt07" fkp"
o wp0" Ejk kp w" nc"2502303 ; ; 7. " egtvkŁecvwnw" pt0 ; : 7" fg"
fgvgt o kpctg" c" eqvgnqt/r t k", p" rtrktgvcvg" eq o wp . "cw-
vgpvkŁecv" fg" e vtg" pqvctwn" **E0U0** nc"2 : 02404222="

4+ "315" eqv / rctvg" fkp" crctvc o gpvwn" pt09. "ukwcv", p" o wp0"
Ejk kp w" rg" uvt0" Rgtw" \cfpkrw. "914. " eq o rwu" fkp" fqw "
qf k. "ectg" k/c" crct kpww" uq kkg" fgegfcvwnw" **D0Octictgvc**. "
fgegfcv " nc"4902803 ; ; 7. " p" dc|c" eqpvtcevwnw" pt03/6" fg"
x" p|ctg/ew o r tctg. " vtcpu o kygtg/rtk o ktg" c" nqewkp gk", p"
rtrktgvcvg" rtkxcv . "cwvgpvkŁecv" fg" Dktqwn" pqvctken" fg" uvcv"
pt07" fkp" Ejk kp w" nc"2502303 ; ; 7. " egtvkŁecvwnw" pt0 ; : 7"
fg" fgvgt o kpctg" c" eqvgnqt/r t k", p" rtrktgvcvg" eq o wp . "
cwvgpvkŁecv" fg" e vtg" pqvctwn" **E0U0** nc"2 : 02404222. " o q -
vgpvqt" ngicn" cn" ceguvgk" eqvg/r t k" Łkpf" uq wn" gk" **D0Xcukng"
Xcukng**. "ectg" rtk o kug. " fct" pw", pfg rnkpkug" ce kwpkng" ngicng"
fg" o q vgpktg="

5+ "fgrwpgtkng" d pg vk", p" ecuc" fg" geqqo o kk" pt089271259"
c" D pekk" fg" Geqqo o kk" fkp" Tgrwdnec" Oqnfqxc" rg" eqpvnw"



pt038697"ew"vqcvqg"rtqegpvngg."eq o rgpuc kknq" k"kpfgzc-kknq"rtgx |wvq0

Nc"4302;04226"pqvctwn"EOU0"gnkdgtgc| "Kpurgevtc-vwnwk"Hkuecn"fg"Uvcv"o wp0"Ejk kp w"egtkLecvwn"pt05;97"fg"o q vgpvqt"ngicn"cn"cxgkkt"o cug"fwr "fgeguwn"nw" **D0Xcngpvkpc**."nc"27025042220

Dwpwtknq"uweeguqteng."rgpvtw"ectg"u/c"gnkdgtcv"rtg|gpvwn"egtkLecv"eqpukvkwg"315"eqv /rctvg"fkp"crctvc"ogpvn"pt09."ukwcv"p"o wp0"Ejk kp w"rg"uvt0"Rgvtw" \cfpkrw.914."eq o rwu"fkp"fqw "qf k."ectg"kc/c"crct kpw"decdatei **D0Xcngpvkpc** "p"dc|c"egtkLecvwnwk"pt0; :7"fg"fgvgtokpctg"ceqvgnt/r t k"p"rtqrtkgvcv"eq o wp ."cwvvpkLecv"fg"e vtg"pqvctwn"EOU0 la 08.02.2000.

"p"ftgrv."kpucp c"cvguvc"e "p"ec|wn"fcv."nw-pf"p"eqpukfgtc kg"o qvkvxgng"fg"hcrv."p"eqphqt o kvcvqg"ew"ctv08"E0ekx0"TO."wt o gc| "u"ug"crnkeg"pqt o gng"Eqfwnwk"ekxkn"p"tgfce kc"Ngikk"fkp"4803403;86."fgqctgeg"ngicn"ekxkn"pw"ctg"ghgev"tgvtqcevx."gc"pw"o qfkLe "k"pkek"pw"uwrtk o "eqpfk kknq"fg"eqpukvkwg"wpkg"ukvvc kk"lwtkfkeg"eqpukvkwg"cpvgtkqt."pkek"eqpfk kknq"fg"uvkpi gtc"wpkg"ukvvc kk"lwtkfkeg"uvkpug"cpvgtkqt0

"p"eqphqt o kvcvqg"ew"ctv0788"cnkp0*5+.*6+"E0ekx0"TO"tg-fce kc"Ngikk"fkp"4803403;86+."uwpv"o q vgpvqt"ngicn" k"rgtuqcpng"kpccrdknq"fg"o wpe ."ectg"cw"hqv"pvtg kpww"fg"fgwpev"egn"rw kp"wp"cp"pckpvq"fg"o qctvg"nw0"Fcce"gzkv"cn k"o q vgpvqt."gk"xp"nc"uweegukwpg"p"ceggc k"o uwt "ec" k"o q vgpvqt"fkp"encuc"ejgo cv "nc"uweegukwpg0"pgrq kk" k"uvt pgrq kk"fgwpevwnwk"uwpv"o q vgpvqt"ngicn."fce "p"o q o gpvwn"fguejkgtkk"uweegukwpk"pw"o ck"vt kc"cegn"fkp"r t k"p"nqt."ectg"ct"Le"hqv"o q vgpvqt0"Gk"o q vpgue"p"r t k"gcng"rctvgc."ectg"ku/ct"Le"ewxgpkv"nc"uweegukwpgc"ngicn "fghwpevwnwk"nqt"r t kpvq0

"p"dc|c"rtgxfgtknq"ctv0792"E0ekx0"TO"fkp"3;86."okpqt"ucw"eqrkkk"kpccrdknk"fg"o wpe "ck"egnw"eg"ce"n ucw"o q vgpktg."rtgew"o" k"uq wn" k"r t k"p"kk"pLgvtkk+"kpccrdknk"fg"o wpe " k"egk"eg"gtcw"pvtg kpw k"fg"fgwpev"o q vpgue."kpfgrgpfpgv"fg"eqp kpww"vguvc o gpvwnwk."egn"rw kp"fqw "vtgk o k"fkp"eqvc"eg"u/ct"Le"ewxgpkv"Le twck"fkp"gk"p"ec|"fg"uweegukwpg"ngicn " *eqv "qdnkicvqtkg+0

Rqvtkxv"ctv07:3"cnkp0*3+/*5+"E0ekx0"TO"fkp"3;86."rgpvtw"c"fqd-pfk"uweegukwpgc"o q vgpvqtwn"vtgdwkg"u/q"ceegrvg0"Q"uweegukwpg"pw"rqcvq"Le"ceegrvcv "uwd"eqpfk kg"ucw"ew"tg|gtxg0"Ug"eqpukfgt "e "o q vgpvqtwn"ceegrvcv"uweegukwpgc."fce "gn"c"kpvtcv"fg"hcrv"p"rqugukc"ucw"cf okpkvvtctg"dwptknq"uweeguqteng"ucw"fce "c"fg"ru"nc"qti cpwn"pqvctkn"cn"nqewnw"fguejkgtkk"uweegukwpk"q"fgenc"kg"fg"ceegrvcg"c"uweegukwpk0"cevng"ct vcvq"p"rtg|gpvwn"ctvkeq"vtgdwkg"u "Lg"u x-t kvq"p"ewtu"fg" cug"nw"pk"fkp"|kwc"fguejkgtkk"uweegukwpk0

Eqphqt o"ctv07:4"E0ekx0"TO"fkp"3;86."vgt o gpwn"rgpvtw"ceegrvcg"uweegukwpk."uvcdknv"fg"ctv07:3"fkp"cegn"kc"Eqf."rqcvq"Le"rtgnwpi kv"fg"e vtg"kpucp c"fg

lwfgecv ."fce "ceguvc"i ug vg"e "gn"chquv"ue rcv"fkp" motive întemeiate.

"p"eqphqt o kvcvqg"ew"ctv07:9"E0ekx0"TO"fkp"3;86."dwpwtknq"uweeguqteng"vtge"nc"ucv"p"dc|c"ftgrvwnwk"fg"uweegukwpg<

3+"fce "dwpwtknq"cw"hqv"vguvcvqg"ucvwnwk="

4+"fce "egn"eg"ch ucw"o q vgpktg"pw"ctg"pkek"uweeguqt"ngicn" k"pkek"uweeguqt"vguvc o gpvctk="

5+"fce "pkek"wpwn"fkp"o q vgpvqt"pw"ce"ceegrvcv"uweegukwpgc="

6+"fce "vq k"o q vgpvqt"kw"hqv"fg"e |w k"fkp"ftgrvwn"nc"uweegukwpg0"Fcce "pw"gzkv "o q vgpvqt"ngicn" k"fg-hwpevwn"cvguvc"pw o ck"q"rctvg"fkp"dwpwtknq"ucng."tguvwn"dwptknq"vtgeg"nc"ucv0"

Eqphqt o"ctv072"E0ekx0"TO"fkp"3;86."guvg"pwn "eqp-xgp kc"ectg"pw"eqtgurwpfg"rtgxfgtknq"ngikk."kpenwukx"eqpxgp kc"ectg"ng|gc| "ftgrvwtknq"rgtuqpcng"ucw"rcvtk-moniale ale minorilor.

"p"eqphqt o kvcvqg"ew"ctv084"E0ekx0"TO"fkp"3;86."pwnkvcvqg"wpkg"r t k"fkp"eqpxgp kg"pw"cvtcig"pwnkvcvqg"egnqtcnvcv"r t k"cnq"gk."fce "ug"rqcvqg"rtguwrwpq"e "eqpxgp kc"ct"Le"hqv"pejgkcv "ejkct"fce "p/ct"Le"ewrtkpu"rctvgc"pwn "c"gk0

"p"eqpugekp ."tgkg kpf"fkp"gnq o gpvng"fg"hcrv" k"o qvkvxgng"fg"ftgrv."kpucp c"cvcdknv"ew"egtkvfwkpg"e "reclamanta X0P0"guvg"Le"kc"hwk"DOXcukng"Xcukng" k"EOtkvc"Kqp."kct"rgpvtw"DOXcukng" I tkiqtg"o"pgrqcv 0"DOXcukng" I tkiqtg"cvguvc"pgrqcvqg"ucng"vqcv "cxgtg"uc."ectg" k"xc"crct kpg"nc"o q o gpvwn"fguejkgtkk"uweegukwpk"o q dknwn"pt09."ukwcv"p"o wp0"Ejk kp w"rg"uvt0"Rgvtw" \cfpkrw.914."eq o rwu"fkp"fqw "qf k."p"dc|c"eqpvtcevnwk"pt03/6"fg"x-p|ctg/ew o r tctg."vtcpu o kvgtg/r tk o ktg"cnqewp gk"p"rtqrtkgvcv"rtkxv ."cwvvpkLecv"fg"Dktqwn"pqvctkn"fg"ucv"pt07"fkp"Ejk kp w"nc"2502303; ;7." k"cegtkLecvwnwk"pt0; :7"fg"fgvgtokpctg"ceqvgnt/r t k"p"rtqrtkgvcv"eq o wp ."cwvvpkLecv"fg"e vtg"pqvctwn"EOU0"nc"2:02404222."c"hqv"p"ptgikvctv"ew"ftgrv"fg"rtqrtkgvcv"fwr "DOXcukng" I tk/igtg."fgegfcv"nc"3:03203; ; ;."DOOctictgvc."fgegfcv "nc"4902803; ;7." k"DOXcngpvkpc."fgegfcv "nc"2702504222."Lge twk"crct kp-pfw/ng"e-vq"315"eqv /rctvg"fkp"ko qdkn0"fwr "fgeguwn"nw"DOOctictgvc"nc"4902803; ;7."uq wn"ei DOXcukng" I tkiqtg"pw"ceegrvcg"uweegukwpgc"t o cu "fwr "fgeguwn"ceguvgk"cuwrct"315"eqv /rctvg"fkp"ko qdkn"o gp kqpc0"Rtkp"wt o ctg."pqvctwn."eqpvtct"rtgxfgtknq"ngicnq"p"xkiqctg."n/c"tgewpquew"o q vgpvqt"ngicn"p"qtfkpgc"uweegukwpk"ngicnq"cuwrct"315"eqv /rctvg"fkp"ko qdkn"pw o ck"rg"DOXcukng" I tkiqtg."gzenw|p-f/q"pe DOXcngpvkpc"ectg"nc"cegn"o q o gpv"gtc"kpccrdkn "k"pvtg kpww "k"fg"e vtg"DOOctictgvc0"nc"o q o gpvwn"o qt kk"nw"DOXcukng" I tkiqtg"wpkew"uweeguqt"ngicn"ug"considera DOXcngpvkpc."ectg."Lkpf"kpccrdkn "fg"o wpe ."gtc"pvtg kpww "fg"ceguvc."hcrv"eqpL t o cv"r tkp"cf g x g t k p c "



pt0565" fkp"4402404229."gnkdgtcv "fg"Ecuc"Pc kqpcn "fg" Cuki wt tk"Uqekcng" c" Tgrwdnkekk" Oqnfqxc." QŁekwn" Ekq- ecpc." o wp0" Ejk kp w0

p"ceguv" eqpvzgv. "kpuvcp c" c" tg kpwv" e . "kpfkhtgtpv" fg" eqp kpwvwn" vguvc o gpvwnwk" n uc" v" fg" fghwpevwn" **D0Xcukng I tkiqtg** nepoatei **X0P0**. **D0Xcngpvkpc** avea dreptul la cel rw kp"415" fkp" eqvc" eg" k" u/ct" L" ewxgpkv" ,p" ec | "fg" uweegukw- pg" ngi cn . "cfke "nc" 718" eqv / rctvg" fkp" o cuc" uweeguqtcn " *415" fkp" " ?" 718+ . "t o cu " fwr " fgeguwn" nwk" **D0Xcukng I tkiqtg** . "kct" **X0P0** "cxgc" xqec kg" uweeguqtcn " fqct" nc" 318" eqv / rctvg" fkp" o cuc" uweeguqtcn . "t o cu " fwr " fgeguwn" lui **D0Xcukng I tkiqtg** .

Vqvqfcv . " ,p" gfkp c" fg" lwfgecv " u/c" uvcdknkv" e " fwr " fgeguwn" nwk" **D0Xcngpvkpc** "pw" cw" hquv" uvcdknk k" pkek" uweeguqtk" ngi cnk . " pkek" vguvc o gpvctk0" Cuvhgn . " ,p" vg o gkwn" ctv0" 7 : 9" E0ekx0" T O . " dwpwtkng" uweeguqtcng" cng" fghwpevgk" trec la stat .

Pw" c" hquv" tg kpwv" fg" e vtg" kpuvcp " ctiw o gpvwn" tg- rtg | gpvcpvwnwk" tgenic o cpvgk" **X0P0** " tghgtkvt" nc" hcrvwn" e " wvnk o c" c" kpvtcv" fg o wv" ,p" rqugukwpgc" c" 315" fkp" k o qdkn . " rqugf - pf" k" cf o kpkuvt - pf" c rctvc o gpvwn" h t " xtqg" nk- okvtg" fkp" rctvgc" rgtuqcpngt" vgt g . " o qvix" rgpvtw" ectg" wt o gc | " c" L" rtgnwp i kv" vgt o gpvwn" fg" ceegrvtgc" c" uweeguk- wpkk" t o cug" fwr " fgeguwn" nwk" **D0Xcngpvkpc** " k" tgewpquewv" dreptul reclamantei **X0P0** " nc" 315" eqv / rctvg" fkp" k o qdkn ,p" qt fkpge" uweegukwppk" ngi cng . " fcv" Lkpf" hcrvwn" e " ,p" gfkp c" fg" lwfgecv " u/c" uvcdknkv" ew" egtvkvw" fkpge" hcrvwn" e " **X0P0** . ew" vqcvg" e " fq o keknkc | " ,p" I tg o cpkc" fg" 32" cpk . " fg" 4/5" qtk" rg" cp" xkpg" ,p" Oqnfqxc0" Hcrvwn" e " o vw c" nwk" **X0P0** fwr " fgeguwn" nwk" **D0Xcukng I tkiqtg** a fost tutore pentru **D0Xcngpvkpc** " pw" ugtxg vg" ftgrv" vg o gk" fg" c" eqpukfgtc" e " **X0P0** " ceegrvcug" uweegukwpgc0" Tgenic o cpvc" pw" c" rtg | gpvcpv" rtqdg" e " c" hquv" ,p" k o rqukdknkv" cvgu" " ceegurvg" uweegukwpgc" ,p" vgt o gp" k" c" q o ku" ,pv g o gkcv" ceguv" vgt o gp0

Kpuvcp c" fg" lwfgecv " c" eqpukfgtcv" e " nkrugue" o qvixg" de a o repune pe **P0X0** . " pgrqvc" fghwpevgk" **D0Xcngpvkpc** . ,p" vgt o gp" fg" ceegrvtgc" c" uweegukwppk . " fgqctgeg" kpuvcp c" pw" c" eqpuvcv" ectxc" , o rrtlwt tk" ectg" ct" L" , o rkgfkecv" / q" rg" tgenic o cpv " u / k" gzgtekv" ftgrvwn" fg" qr kwp" g" uweeg- uqtcn 0" Vqvqfcv . " f - puc" pw" ctg" xqec kg" uweeguqtcn " k" pw" rqcvg" L" tgewpquewv" fwr " gc" ftgrvwn" nc" 718" eqv / rctvg" fkp" k o qdkn ,p" qt fkpge" uweegukwppk" ngi cng0

Cvguv - pf" ektev o uvcp gng" gzwug . " kpuvcp c" fg" lwfge- ecv " c" eqpenw | kqpcv" e " rctvk o qpkwn" uweeguqtcn " cn" nwk" **D0Xcngpvkpc** " 6" 718" eqv / rctvg" fkp" o cuc" uweeguqtcn . " t o cu " fwr " fgeguwn" gk . " vtgeg" ,p" vqvcnkvcvg" uvcvwnwk0

Fkp" eqpukfgtgpvgng" o gp kqpcv . " kpuvcp c" fg" lwfgecv " c" tgewpquewv" ec" rct kn" pwn" egtvkecvwn" fg" o q vgpkvqt" vguvc o gpvct" pt07765" fkp" 4202904223 . " cwvvpkŁecv" fg" notarul **E0U0** " k" ,ptgi kvtcv" nc" **QEV** " Ejk kp w" nc" fcv" fg" 3302 : 04225" ew" pt077 : 7 ; . " ,p" rctvgc" o q vgpktk" fg" e vtg" **X0P0** " c" 415" eqv / rctvg" fkp" k o qdknwn" pt09 . " ukvvcv" ,p" o wp0

Ejk kp w" rg" uvt0" Rgvw" \ c fprtw . " 914 . " fcv" Lkpf" hcrvwn" e " ,p" cegcuv " rctvg" eqpxgp kc" pw" eqtgrwv" fg" rtgvgfgtknqt" ngi cng . " kct" rctvgp kk" nc" o cuc" uweeguqtcn " eqpuvkvwv" fkp" fgrwpgtkng" d pg vk" nc" Dcepc" fg" Geqq o k" c" Tgrwdnkekk" Moldova nu au fost înaintate .

pvtwe - v" fq d - p fktgc" fg" e vtg" uvcv" c" o q vgpktk" xcecpvg" ctg" hqe" nc" fcv" fg" uej kfgtkk" uweegukwppk . " fg" nc" cegcuv " fcv " wt o gc | " c" ug" crnec . " ,p" eggc" eg" rtkxg vg" rctvk o qpkwn" uwe- eguqtcn . " tg ik o wn" lwtk fke" crnecdkn" rtrtkgv kk" fg" uvcv0

Kpuvcp c" fg" lwfgecv " c" tg kpwv" e " tgenic o cpvwn" **U0 I 0** o ck" rtgkpv" fg" nc" uweegukwpgc" xcecpv " 6" 718" eqv / rctvg" fkp" k o qdknwn" pt09 . " ukvvcv" ,p" o wp0" Ejk kp w" rg" uvt0" Rgvw" \ c fprtw . " 914 . " ,pvtw" uqnv kqpcctgc" e j guvkwppk" rtkxpf" , o dwp v ktgc" eqpfk knqt" fg" vtck . " ,p" ngi vwt " ew" eg" k/ c" hquv" ceqtfcv" fg" e vtg" Dcepc" fg" Geqq o k" UC" wp" etg fkv" rtghgtgp kn" rgpvtw" rtqewtctgc" c rctvc o gpvwnwk0" Ecr vwn" fcv" fg" egtgtg" wt o gc | " c" L" tgurku" fg" kpuvcp c" fg" lwfge- ecv . " fcv" Lkpf" hcrvwn" e " o q vgpktgc" xcecpv " wt o gc | " c" L" tgrctvk | cv " ,p" eqphqt o kvcv" ew" ngi kunc kc" ,p" xkiqctg" Eqfwn" Tgrwdnkekk" Oqnfqxc" ew" rtkxktg" nc" nqewkpg" k" Tgi wnc o gpvwn" pt0627" ew" rtkxktg" nc" o qfwn" fg" ceqtfctg" c" ,pe rgtknqt" fg" nqewk" ,p" Tgrwdnkekk" Oqnfqxc0

" p" ec | wn" ,p" ectg" **U0 I 0** " pgegukv " , o dwp v ktgc" eqpfk k- knqt" fg" vtck . " ,p" ectg" ueqr" k" u/ c" ceqtfcv" wp" etg fkv" rtghgtgp- kn" rgpvtw" rtqewtctgc" nqewkpgk . " e j guvkwpgc" fg" gnkdgtctg" c" dqpwvwnk" fg" tgrctvk kg" ucw" fg" rgtghevctg" c" wpwk" eqpvctcv" fg" x - p | ctg/ ew o r tctg" c" nqewkpgk" kpg" fg" eq o rgvcp c" qti cpwnwk" cf o kpkuvtc kkg" rwdnkeg" nqecng0

Jqv t - tgc" ,p" ecw | " xc" ugtxk" ftgrv" vg o gk" rgpvtw" tcfktgc" fkp" tgi kvtwn" fg" dwpwtk" k o qdkn" nc" **QEV** " o wp0" Ejk kp w" c" ,puetkuwtknqt" fg" rtrtkgv" cvg . " ghgevwcv" ,p" dc | c" cevngt" lwtk fkeg" g o kug" cpvgtkqt" tghgtkvt" nc" ,ptg- i kvtctgc" ftgrvwnwk" fg" rtrtkgv" cvg" cuwrte" k o qdknwnwk" k" kpvtfwegtgc" ,puetkgtknqt" rtkxpf" ,ptgi kvtctgc" ftgrvwnwk" fg" rtrtkgv" cvg" cuwrte" k o qdknwnwk" pt09" fg" rg" uvt0" Rgvw" \ c fprtw . " 914 . " o wp0" Ejk kp w . " fwr " Kpurgvqtcvwn" Hkuecn" fg" Uvcv" o wp0" Ejk kp w0¹¹

Jqv t - tgc" lwfge vqtgcue " fkp" 3202604229" guvg" fg" Lpk- vlx " k" gzgewvqtg" rtkp" Fgek | kc" Ewt kk" fg" Crgn" Ejk kp w" nr. 2a 2263/2007 din 16.10.2007.¹²

Eqpegr kc" uvcvwnwk" o q vgpkvqt" eqtgrwv" fg . " fwr " r tgtgc" pqcvt . " wpgk" xk | kwpk" uqekcn | cpvg" k" eqngevkvxkug . " ftgrvwn" uvcvwnwk" nc" o q vgpktkng" xcecpvg" Lkpf" ,pv g o gkcv" rg" cegnge" k" tc kwpk" ec" k" ftgrvwn" hc o knkkg" fghwpevwnwk" nc" o q vgpktgc" ngi cn 0

Rtqdnge o c" fvgvto kp tkk" pcvwtkk" lwtk fkeg" c" ftgrvwnwk" uvcvwnwk" cuwrte" o q vgpktk" xcecpvg" rtg | kp v" pw" fqct" q" ko rqtvcv " vqgtvke . " ek . " o ck" cngu . " k" q" ko rqtvcv " rtce- vke 0" " p" ec | wn" ,p" ectg" wp" egv gcp" cn" Tgrwdnkekk" Oqnfqxc" ,pegvgc | " fkp" xkc " h t " c" cxgc" o q vgpkvqt" k" hcu" dwpwtk" o qdkn" ,p" vvt kp vcv" ucw" fce " wp" egv" gcp" vvt kp" fq o kek- nkv" ,p" ctc" pqcvt " qtk" ,p" vvt kp vcv" fg" egfge | " h t " o q -



**EQPVTCEVWN^{III}FG^{III}EQPUKI PC KG⁶
XCTKGVCVG^{III}C^IEQPVTCEVWNWK^{III}
FG^{III}EQOKUKQP
Rctvge^{III}KK**



Ghenadie VASLUIAN,

*ngevqt"wpkxgtukvct"nc"Ecvgftc"Ftgrv"Ekxkn."Hcewmvcvgc"fg"Ftgrv"*WUO+
Svetlana DUȘA,
uwvfgpv "nc"Hcewmvcvgc"fg"Ftgrv"c"WUO."cpwn"KKK."DCE*

Tgegp|gpv<**Cheorghe CHIBAC,**"fgevqt",p"ftgrv."rtqhguaqt"wpkxgtukvct"*WUO+

SUMMARY

*Vtcpucevqp."vjcv"rgto kvu"vjg"tgwtp"qh"wpuqnf"cpf"wpfoc igf"ogtejcpfkug⁰Eppukipogpv"ku"ykfgn{"
wvknk/gf"d{"pgyuuvcpf"tgvcngtu"qh"ocic/kpgu."yjq"ecp"tgwtp"wpuqnf"eqrkgu"vq"vjg"yjqngucng"fkwtkdwwqtu"
uwrrn{kpi"vjgo⁰Ogtejcpfkug"ecp"dg"eqpukipgf"d{"ocpwhcewvtgtu"vq"yjqngucngtu"qt"d{"yjqngucngtu"vq"
tgvcngtu⁰Rc{ogpv"oc{"dg"tgswkgtf"kp"cfxcpeg"cpf"uwdugswwpvn{"tghwpfgf."dcugf"qp"tgwtpu⁰
Eppukipogpv"ecp"eqxgt"lwuv"cdqww"cp{"v{rg"qh"dwukpguu⁰Kv"ku"cfxcpcvc igqwu"hat"vjg"ugmngt"qh"eqpukipgf"
iqqfu."dgecwug"vjg{"fq"pqv"pggf"vq"rc{"uwrrnkgtu"wrhtqpv"gvjgt"ujkru"qt"gpvtwuvu"iqqfu"vq"cpqvjgt."vjg"
eqpukipgg."hat"ucng⁰Kh"vjg"iqqfu"ctg"vtcpurqtvgf"d{"c"ecttkt"vq"vjg"eqpukipgg."vjg"pcog"qh"vjg"eqpukipqt"
crrgctu"qp"vjg"dkm"qh"ncfki"cu"vjg"rgtuqp"htqo"yjqo"vjg"iqqfu"jcxg"dggp"tgegkxgf"hat"ujkrogpv⁰Vjg"
eqpukipggat"pcog"crrgctu"qp"kv"cu"vjg"rgtuqp"vq"yjqo"fgnkxgt{"ku"vq"dg"ocfg⁰Vjg"eqpukipgg"cevu"cu"cp"
cigpv"qp"dgjcnh"qh"vjg"eqpukipqt."c"rtkpekrcn."kp"ugmnp"i"vjg"iqqfu"cpf"owuv"vcmg"tgcupcdng"ectg"qh"vjgo"
while in his or her possession. The consignor does not give up ownership of the goods until their sale.
Wpfgt"vjg"vgtou"qh"vjg"eqpukipogpv"eqpvtcev."vjg"eqpukipgg"citggu"vq"rc{"vjg"eqpukipqt"cdncpeg"
qh"vjg"rkeg"tgegkxgf"hat"cp{"iqqfu"uqnf."yjkj"ju"dggp"tgfwegf"d{"c"hg."uwucmf"cu"ocnn"rgtegpvc ig"qh"
vjg"ucng"rtkeg⁰Cp{"iqqfu"vjcv"jcxg"pqv"dggp"uqnf"owuv"dg"tgwtpgfv"vq"vjg"eqpukipq⁰*

1. Consimământul părților

Eqpvtcevn^{III} fg^{III} eqpuki pc kg^{III}. "ec" qtkeg^{III} eqpvtcev^{III}. "ug"
pejgk^{III} rtkp^{III} ceqtfwn^{III} fg^{III} xqkp "cn" r t knqt⁰ Ceguv^{III} ceqtf^{III}
fg^{III} xqkp "ctg" nc dc | , o rwwgtpkectgc^{III} eq o kvgpvwnwk^{III}
fcv "eq o kukqpctwnwk^{III} fg^{III} c" xkpf^{III} cpw o kvg^{III} dwpwtk^{III} cng^{III}
eq o kvgpvwnwk⁰ Nw-pf^{III}, p^{III} eqpukfgtc kg^{III} ghgevgng^{III} rg^{III} ectg^{III}
ng^{III} k o rnke "ceguv" eqpvtcev^{III}. "ocpkhguv tkng^{III} fg^{III} xqkp "cng"
r t knqt^{III} vtgdwkg^{III} u "Łg" *expresel* "Ew" vqcvg^{III} ceguvgc^{III}. "pejg-
kgtgc" eqpvtcevnwk^{III} rqcvg^{III} Ł^{III} k^{III} vcekv "gc" rqcvg^{III} tg | wnc^{III} fkp^{III}
gzgtekvtgc^{III} fg^{III} e vtg^{III} eq o kukqpct^{III} c^{III}. pu tekp tkk^{III} rtk o kvg^{III}
din partea comitentului.

2. Capacitatea părților

Comitentul vtgdwkg^{III} u "ckd "ecrcekvcvgc" fg^{III} c^{III}, pejgk^{III}
cev^{III} fg^{III} eq o gt . "fgqctgeg" cevng^{III} lwtkfkg^{III} fg^{III} x-p | ctg^{III} ng^{III}
pejgk^{III} rg^{III} ugc o c^{III} uc⁰ "p" ecftwn^{III} eqpvtcevnwk^{III} fg^{III} eqpuki-
pc kg^{III} eq o kukqpct^{III} xc^{III} Ł^{III}, pvtgrtkpftgc^{III} eq o gt wnw^{III} ew^{III}
c o pwpvwn^{III}. "ectg" eq o gteknk | gc | "o thwtk^{III} rg^{III} rtkpekrkk^{III}
fg^{III} eqpuki pc kg⁰

Comisionarul vtgdwkg^{III} u "ckd "ecrcekvcvgc" fg^{III} rnk^{III} "fg"
gzgtek kw⁰ "p" rtevke . "fg^{III} adgek^{III} "eq o kukqpctwn" gw^{III} wp^{III}

eq o gtecpv^{III}. "ectg^{III}, pejgk^{III} cev^{III} lwtkfkg^{III} rtrtkq^{III} pq o kpg^{III}. ."
cfke "ew" ectcevt^{III} r tqhgukqpcn. "kct" ceguv^{III} guvg^{III} rtrgrqpf-
tgpv^{III} wvknk | cv^{III}, p^{III} uhgtc^{III} tcrqtvtknqt^{III} eq o gteknk⁰

3. Obiectul contractului

Qdkgevwn lwtkfke^{III} cn^{III} eqpvtcevnwk^{III} fg^{III} eqpuki pc kg^{III} guvg^{III}
pejgkgtgc^{III} wpwkc^{III} ucw^{III} c^{III} o ck^{III} o wnwqt^{III} eqpvtcev^{III} fg^{III} x-p | ctg^{III}
ew^{III} c o pwpvwn⁰

Qdkgevwn o cvgtkcn^{III} cn^{III} eqpvtcevnwk^{III} fg^{III} eqpuki pc kg^{III}
n^{III} tgrtg | kp^{III} "pw o ck^{III} dwpwtkng^{III} o qdkng^{III}. "ceguvgc^{III} hkkpf^{III}
o thwtkng^{III}.

"p" eqphqt o kvcv^{III} ew^{III} ngi kunc kc³. "nc" eqpuki pc kg^{III} ug^{III}
rtk o gue^{III} o thwtk^{III} pqk^{III} pgenk o gpvctg^{III} k^{III} cnk o gpvctg^{III}, o rc-
ejgvcvg⁰ Fg^{III} cug o gpgc^{III}. "ug" o ck^{III} rtk o gue^{III} k^{III} o thwtk^{III} pgenk-
o gpvctg^{III} ectg^{III} cw^{III} hquv^{III}, p^{III} w | . "fct^{III} uwpv^{III}, pe "wvknk | cdkng⁰

"p" rtkxkp^{III} c^{III} o klnqcegnqt^{III} fg^{III} vtcpurqtv^{III}. "ceguvgc^{III} ug^{III} uw^{III} wp^{III}
tgiwnkqt^{III} eqpuki pc kg^{III}. "tgurgev-pf" ectgxc^{III} o q o gpv^{III}. " k^{III}
cpw o g^{III} ec^{III} ceguvgc^{III} u "Łg" tg^{III} g^{III} evcv^{III}, p^{III} egtv^{III} Łecvwn^{III} fg^{III}
înmatriculare.



Fg"cu g o gpgc."dklwgtkng"fkp"o gvcng"rtg kqcug"ug"xqt" rtk o k"nc"eqpuki pc kg."kct"kpht o c k'c'fgur tg"vknwtkng"cegu- vqtc"vtgdwk"u "Lg"cl cv "pvt/wp"nq"ceegukdn"p"wpkvcvgc" eq o gtekn ."ectg"rtceve "cevxxkvcvgc"fg"eq o gt 0

Wpkvcvgc"eq o gtekn "guvg"p"ftgrv"u "o ck"rtk o gcu- e "nc"eqpuki pc kg" k"fkhtkv"vkrwt"fg"ct o g" k"owpk kk." rtgew o" k"ct o g"kpfkxkfweng"rgpvtw"ekxknk." k'u "ng"x-pf " ew"tgur gev tgc" rtxgfgtknqt"Ng i kk"ew" rtkxktg"nc"ct o g 0" Rgpvtw"cegcuvc."wpkvcvgc"eq o gtekn "vtgdwk"u "flurwp " fg"nkegp c"gnkdgtcv "fg"e vtg"Ec o gtc"fg"Nkegp kgt 0

Ctcic|wtkng"fg"wl"ecupke."rtgew o" k"uvc kng"tcfkq" k"kpucnc kng"tcfkqug o pcnk| tkk"fg"rc| ."tgrtg|kp v ."fg" cu g o gpgc."qdkgevg"cnq"eqpvtcevnwkw"fg"eqpuki pc kg 0

Rtg wn,"p"eqpvtcevnw"fg"eqpuki pc kg."ectg"o ck"guvg" numit **comision** *q"cpw o kv "tgeq o rgpu +."ug"uvcdkng vg" ,p"rtqegpv"hc "fg"rtg wn"nc"ectg"chquv"x-pfw" o cthc 0" Rtg wn"fg"x-p|ctg"o thwtknqt"rtk o kv"nc"eqpuki pc kg" ug"uvcdkng vg"fg"e vtg"eq o kvpv" k"ug"kp fke "p"nkuvc" o thwtknqt"tgegr kqpcvg"nc"eqpuki pc kg."rg"gvke jgv"Ł- ge twk"qdkgev"ucw"rg"kp fkecvqtw"fg"rtg wtk"*rev 046" fkp" Tg i wnknq"eq o gt wnwk"fg"eqpuki pc kg+0" p"ngi vwt "ew" rncvc"rtg wnwk."p"rtcevekc"uvcvwnwk"tq o -p⁴"u/c"cl t o cv" e "qdnkic k"fg"rncv "c"rtg wnwk"fg"e vtg"eq o kukqpct"pw" guvg"uecfpgv ."fgqctgeg" o thwtkng."ectg"nce"qdkgevnw" egtgtk"wpk"tgenc o cpvg"pvt/q"urg ."pw"cw"hquv"x-pfwvg." gng"Łkp f"p"uvqe."i cvc"fg"cl"tguvkvkvg"eq o kvgpvwnwk."p" eqp f k kng"rtgx |wvg"fg"eqpvtcevnw"pejgkcv"pvtg"r t k 0" Fct"rqv"gzkuvc" k"ec|wtk"e-pf"eq o kukqpctwn"rqcvg"u " r tguvg|g"eq o kvgpvwnwk"ugtxkek"uwrnk o gpvtg"ew"rncv "p" eggc"eg"rtkxg vg"guv o ctgc."tgegr kqpcctgc."vtcpurqtvtgc" o thwtknqt"nc"fguvkpc kg 0

Uwdkge kk"eqpvtcevnwkw"fg"eqpuki pc kg"uwpv<

3+ "eq o kukqpctwn."care"guvg"uwdkgevnw"cevxxkv kk" eq o gteknq."rgtuqcp "Ł|ke ."ectg"rtceve "cevxxkvcvg" fg"pvtgrtkp| vqt."ucw"rgtuqcp "lwtkfke 0" Ceguv"guvg" uwdkgevnw"ectg"rtk o g vg" o thwtkng"nc"eqpuki pc kg=

4+ "eq o kvgpvwn."ectg"rqcvg"Ł"q"rgtuqcp "Ł|ke "ucw" lwtkfke "eg"rtgf "o thwtkng"nc"eqpuki pc kg 0" Fkp"cegcuv " ecvgiqtkg"nce"rctvg<⁵

c) "cetățenii Republicii Moldova;

b) cetățenii străini;

c) persoanele fără cetățenie;

d) întreprinderile (organizațiile, instituțiile).

Vgt o gpwn"fg"eq o gtekn|ctg"o thwtknqt"ug"uvcdk- ng vg"fg"r t k"p"eqpvtcev" k"pegrg"cewtig"fkp"|kwc"hwet - vqctg"eg"wt o g| "fwr "fcvc"pvqe o ktkk"eqpvtcevnwkw⁶

"p"cegnq k" Tg i wnknq"cnq"eq o gt wnwk"fg"eqpuki pc kg" *rev 049+"tgi uk o"tg ing o gpv tk" *ew"ectg"uwpvg o"p" vqvcnkvcvg"fg"ceqtf+."eqpht o"e tqtc."p"ec|wn"p"ectg" o thwtkng"pw"cw"hquv"x-pfwvg"pvt/q"cpw o kv "rgtkqcf "fg" vk o r."eq o kukqpctwnwk"tgxgpkpfw/k"ftgrvwn"fg"ghgevc" reevaluarea ceguvqtc."p"wt o c"e tgkc"u "tgfwe "ew"42 ' "

rtg wn" o thwtknqt"pgx-pfwvg"p"fgewtu"fg"42"fg"|kng" nwet vqctg 0" Fce "gzrkt "pe "42"fg"|kng"hwet vqctg"fwr " rtk o c"tgxncwctg."cvwpek"eq o kukqpctwn"rqcvg"tgfweg" ew"52 ' "rtg wn"uvcdkknv 0" Fce "ceguvg" o thwtk"pw"cw"hquv" x-pfwvg"p"fgewtuwn"wt o vqtwnwkvgt o gp"fg"42"fg"|kng" nwet vqctg."cvwpek"eq o kukqpctwn"guvg"p"ftgrv"u "tgfwe " ew"72 ' "rtg wn"uvcdkknv"fwr "c"fqwc"tgxncwctg 0"

"pu ."fce "o thwtkng"pw"cw"cxwv"uqt k"fg"kd-pf "fg" c"Ł"x-pfwvg"pkek"fwr "c"vtgkc"tgxncwctg."p"ceguv"ec| " o c ic|kpw"ctg"ftgrvwn"u "ng"fg rtgkcg|g"r-p "nc"rtg wn" fg"eq o gtekn|ctg"uki wt 0" Qfcv "ew"gzkuvg c"rtk o wnwk" vgt o gp"fg"tgxncwctg"uvcdkknv"fg"eq o kukqpct."nc"egtgtgc" eq o kvgpvwnwk."rtg wn"rqcvg"Ł"tgfwu"pckpv"fg"gzrktctgc" ceguvwk"vgt o gp"egn"rw kp"ew"32 ' "fkpvt/q"fcv 0" K o rqt- vcpv"guvg."fkp"rwpevnw"pqvwtw"fg"xgfgtg."hcrvwn"e "vqcvg" tgxncw tkng"o thwtknqt"ug"ghgevc| "h t "rctvkekrtctgc" eq o kvgpvwnwk."c"e twk"ug o p vwt "p"eqpvtcevnw"fg"eqp- uk i pc kg"eqpukvkwg"ceegrvtgc"ceguvqt"eqp f k k 0

Eqp kpwwn"eqpvtcevnwkw"fg"eqpuki pc kg?

Drepturile comitentului:

3+ "fg"o"uvcdkkn"rtg wn"fg"x-p|ctg"o thwtknqt"rtk- o kvg=

4+ "fg"o"egt"tgfwegtgc"rtg wnwk"o thwtknqt"pckpv"fg" vgt o gpwn"rgpvtw"tgxncwctg=

5+ "fg"o"tg,pvqe o k"eqpvtcevnw"fg"eqpuki pc kg"rgpvtw" wp"pqw"vgt o gp."p"ec|wn"p"ectg"eq o kukqpctwn"pw"o"rwu" nc"vk o r"urtg"x-p|ctg"o thwtkng=

6+ "fg"o"rtk o k"dcpk"rgpvtw" o thwtkng"x-pfwvg 0" Ckek" rrwg o"cfweg"wp"gzg o rnw"fkp"rtcevekc"lwfkect "c"ewt kk" Uwrtg o g"fg"lwuwk kg"o" Tq o -pkk⁸.xku/</xku"fg"uw o gng" fg"dcpk"tgcnk|cvg"fkp"x-p|ctg"dwptwnqt"rtk o kvg"p"eqp- uk i pc kg."wp"fg"u/c"uvcwvc"e "eq o kvgpvwn"pw"rqcvg"nceg" pkek"wp"hn"fg"cev"fg"fkurq|k kg."gn"Łkp f"qdnkicv"u "tg o kv " eq o kukqpctwnwk"uw o gng"qd kpwvg"fkp"x-p|ctg"dwptwnqt" ,petgfkp cvg"p"vg o gkwn"eqpvtcevnwkw"fg"eqpuki pc kg.Łkp f" wp"uk o rnw"fg"rq|kvct"cn"ceguvqtc=

5) de a cere în orice moment comisionarului resti- vwtgc" o tŁk"tgegr kqpcvg"nc"eqpuki pc kg" *h t "pkek"wp" r tgcxk|+ "k."tgur gev x."tg|knkgtgc"eqpvtcevnwkw=

8+ "p"ngi kunc k"tq o -p "o ck"i uk o"e "eq o kvgpvwn" ctg"ftgrvwn"fg"o" xgtkŁec"p"qtkeg" o q o gpv"dwptwnq" ,petgfkp cvg"eq o kukqpctwnwk" *rtgew o" k"fg"o" ghgevc" kpxgpvtktgtgc"o thwtknqt+=

9+ "fg"o"o qfkŁec"qtke-pf"eqp f k kng"fg"x-p|ctg."fct"ew" cfwegtgc"nc"ewpq vkp "eq o kukqpctwnwk"o"o qfkŁe tknqt." ,p"o qf"qdnkicvqtkw"p"ht o "uetku 0,

* Ceguv"ftgrv"cn"eq o kvgpvwnwk"n"tgi uk o"p"ngi kunc k"tq o -p 0



Obligațiile comitentului:

3+ "fg" c "rtgfc" eq o kukqpcwnwk "dwpwtkng" o qdkng "ectg" wt o gc | "u "Łg" x-pfwvg=

4+ "fg" c "rtguejko dc." tguvkvwk." tgfweg" rtg wn" ucw" tgrtc" o thc" fghgevwqu " ,p" ec | wn" x-p | tkk" ceguvgk" ,p" eqpukipc kg" wpwk" ewor t vqt "pgŁkpf" cxgtvk | cv" fg" e vtg" eq o kukqpc" fgurtg" ecnkvcvgc" o tŁk+=

3) de a recupera comisionarului cheltuielile pentru r uvtctgc" o thwtknqt" pgx-pfwvg." rg" ectg" ng/c" uqnekvcv" u "k" ng" tguvkvwk." rtgew o " k" rgpvtw" rtglwfkekwn" uwhgtkv" ,p" gzgewvctgc" eqpvtcevnwk=

6+ "fg" c "rn vk" tg o wpgtc kc" *eq o kukqpw+ " ewxgpkv " eq o kukqpcwnwk. ,p" uejk o dwn" ugtxkekknqt" rtguvcvg0

Drepturile comisionarului:

3+ "fg" c "tgfweg" rtg wtng" o thwtknqt" pgx-pfwvg" ew" 42 ' .52 ' " k." turgevkx." 72 ' =

4+ "fg" c "rtk o k" eq o kukqpw" guvk o cv" rgpvtw" o thwtkng" eq o gteknk | cvg=

5+ "fg" c "tguvkvwk" o thwtkng" rtk o kvg" nc" eqpukipc kg0

Obligațiile comisionarului:

3+ "fg" c "rn vk" fgur i wdktk" eq o kvgpvnwk" rgpvtw" c o -pctgc" rwpgtkk" ,p" x-p | ctg" c" o thwtknqt" eq o kvgpvnwk" fkp" xkpc" uc" *eq o kukqpcwnwk+=

4+ "fg" c "gzrwpvg" ,p" ucnc" eq o gteknk " o thwtkng" rtk o kvg" nc" eqpukipc kg" egn" v-t | kw" c" fqwc" | k" fwr " tgegr kqpcg=

5+ "fg" c "gnkdgtc" dqpw" fg" ecu locth " ewor t vqtwnwk=

6+ "fg" c "cejkv" fgur i wdktk" e-pf" cejkvctgc" ew" eq o kvgpvnwk" ug" tg kpg" fkp" xkpc" uc=

7+ "fg" c / k" gzgewv" qdnkic kng" eqpvtcevnwk" r-p " e-pf" sucesorii comitentului decedat vor acorda careva fkurq | k kk=

8+ "fg" c "hwc" o uwtk" uvtkev" pgeugctg" *ec" wp" šdwp" eq o gt-ekcpvö+ " rgpvtw" c" cuk i wtc" kpvg i tkvcvgc" o thwtknqt" rtk o kvg" nc" eqpukipc kg" fg" nc" eq o kvgpv. " rgpvtw" eqpugtxctgc" nqt. " ,p" ec | " eqpvtct" rwtv-pf" t urwpfgtg" rgpvtw" fgvgtkqtctgc" ucw" rkgtfgtgc" ceguvqtc=

9+ "p" ngikunc kc" tq o -p " ug" o ck" tging o gpvgc | " e " eq o kukqpcwnpw" rqcvg" gzgtekvc" pkek" wp" ftgrv" fg" tgvpg kg. " pkek" cuwrte" dwpwtknqt" ,petg fkp cvg" ,p" eqpukipc kg. " pkek" cuwrte" uw o gnqt" ucw" c" xcqtknqt" tg | wnvvg" fkp" x-p | ctgc" ceguvqt" dwpwtk⁹=

8) de a comunica comitentului despre viciile aparen-vg" ucw" cuewpug" cng" dwpwtknqt" ,p" eqpukipc kg0" " p" pqt o gng" ngikunc kgk" tq o -pg vk. " ectg" i wxgtpgc | " eqpvtcevnwk" fg" eqpukipc kg. " ug" rtgxgfg" e " ,p" ec | " fg" pgeq o wpkectg" c

turgevkxgnqt" xkek. " ng i gc" *presumă* " e " dwpwtkng" cw" hquv" rtk o kvg" ,p" eqpukipc kg" ,p" uvctg" dwp ¹⁰=

; + " fg" cug o gpvc. " ,p" ngikunc kc" tq o -p " o ck" i uk o " c c" q" qdnkic kg" c" eq o kukqpcwnwk. " eqphqt o " e tgc" ceguvc" vtgdwkg" u " cuk i wtc" dwpwtkng" nc" q" uqekgvcvg" fg" cuk i wtcg" ceegrvcv " fg" eq o kvgpv=

32+ " fg" c / n" kphqt o c" rg" eq o kvgpv" fgurtg" x-p | tkng" h ewvg" e vtg" vgt k0¹¹

Rtkp" ,pejgkgtgc" eqpvtcevnqt" fg" x-p | ctg/ewor tctg" ug" uvcdkngue" tcrqvtwtk" lwtkfkeg" ,pvtg" eq o kukqpc. " ,p" ecnkvcvg" fg" x-p | vqt. " k" vgt k. " ,p" ecnkvcvg" fg" ewor t vqt k0" " p" eqpugekp " . rtkp" ceguvg" eqpvtcevg" pw" ug" uvcdkngue" tcrqvtwtk" lwtkfkeg" ,pvtg" eq o kvgpv" k" vgt k. " eggc" eg" pg" fqxgfg vg" q" fcv " ,p" rnwu" e " eqpvtcevnwk" fg" eqpukipc kg" tgrtg | kpv " q" xctkgvcvg" c" eqpvtcevnwk" fg" eq o kukqpc. " fct" ectg" fg kpg" wpgng" rctvkewncv k" urgekŁeg0" Fkp" ceguvg" eqpukfctgpg. " rtg wn" dwpwtknqt" ,pecucv" fg" hc" vgt k" vtgdwkg" u " Łg" tg o ku" eq o kvgpvnwk0" Rctvkewncv" rtkpekrcn " c" eqpvtcevnwk" fg" eqpukipc kg" eqpucv " ,p" tgxqecdnkvcvgc" uc" š ,p" qtkeg" o q o gpvö. " ejkct" fce " c" hquv" ,pejgkcv" rg" q" fwtcv " pgfvgvt o kpcv 0" Ceguv" curgev" ukvwgc | " eqpvtcevnwk" fg" eqpukipc kg" ,p" ecvg i qtkc" eqpvtcevnqt" fg" eq o kukqpc0

Note:

¹ C"ug" xgfgc < "C0Dnq gpeq0" Ftgrv" Ekxk0" Rctvgc" Urgekcn < "Pqvg" de curs. - Ejk kp w< "Ectvfkfcev." 4225. " r036;0

² C"ug" xgfgc < "I j0E jkdce." C0D kg w. "Cn0Tqvctk." Q0Ghtk o0" Drept Civil. Contracte speciale. Xqn0KKK0" 0" Ejk kp w< "Ectvktg" Lwtkfke." 4227. " r053;0

³ Jqv t-tgc" Iwxgtpwnwk" Tgrwdnkek" Oqnfqxc" ew" rtkxktg" nc" crtqdtgc" Tgiwnkqt" eqogt wnwk" fg" eqpukipc kg0" Rctvgc" KK" *Rtk o k-tgc" o thwtknqt" nc" eqpukipc kg+. " pt03232" fkp" 5303203; ; 911" Oqpkvqtw" QŁekcn" cn" Tgrwdnkek" Oqnfqxc. " 3; ; 9. " pt09; / : 21: 360

⁴ Rcpfgevng" Tqo -pg. " 4223. " pt06. " r0; 4. " apud F. Ciutacu. Qr0ekv0. p. 431.

⁵ Tgiwnkng" eqogt wnwk" fg" eqpukipc kg. " rev032+0

⁶ kdkfgo. " rev08+0

⁷ kdkfgo.

⁸ C"ug" xgfgc < "T0Rgvgtuew0" Ftgrv" Eqogtekcn" Tqo -p0" 0" Dwew-tg vk< "Quect" Rtkpv. " 3; ; . " r059;0

⁹ Ng i gc" Tqo -pkkg" rtkxkpf" tging o gpvctgc" eqpvtcevnwk" fg" eqpukipc kg. " pt039: " fkp" 5202903; 56" 11" Oqpkvqtw" QŁekcn" 3; 86. " pt0395. " art. 20.

¹⁰ kdkfgo. " art. 9.

¹¹ Ng i gc" urgekcn " c" Tqo -pkkg. " rtkxkpf" tging o gpvctgc" eqpvtcevnwk" fg" eqpukipc kg. " tging o gpvgc | " hcrvnm" e " fce " rtkp" eqpvtcevnwk" cw" hquv" uvcdkngue" vgt o gpvgc" nc" ectg" vtgdwkg" kphqt o cv" eq o kvgpvnwk" cuwrte" x-p | tknqt. " ceguvg" kphqt o tk" ug" hce" egn" v-t | kw" nc" Łpgng" Łge tgc" u rv o -pk" rgpvtw" vqvcg" qrgtc kwpkng" ghgevcvg" ,p" cege" u rv o -p 0



WPGNG^{'''}EQPUKFGTC KK^{'''}EW^{'''}RTKXKTG^{'''}NC^{'''} HQT C^{'''}QDNK I CVQTKG^{'''}C^{'''}QHGTVGK^{'''}FG^{'''}C^{'''}EQPVTCEVC

Ion BÎTCĂ,
fqevqtcpf

SUMMARY

Vjg^{'''}swgukqpvjg^{'''}cwvjqt^{'''}ku^{'''}g o r j cuk/kp i^{'''}kp^{'''}vjg^{'''}rtgugpv^{'''}c tvkeng^{'''}ku^{'''}vjg^{'''}hqmjykp i^{'''}< qpeg^{'''}vjg^{'''}qhhgt^{'''}ku^{'''}hcwpejg^{'''}f. " dghqtg^{'''}dgkpi^{'''}ceegrvgf. " fagu^{'''}kv^{'''}etgcvg^{'''}cp^{'''}qdnk i cvkqp^{'''}kp^{'''}vjg^{'''}qhhgtvqt^{'''}{a^{'''}qdnk i cvkqpA It's answer is looked for vj^{'''}tqwi^{'''}j^{'''}vjg^{'''}rtkuo^{'''}qh^{'''}tgxqecd^{'''}knkv{^{'''}rtkpekrng^{'''}qh^{'''}vjg^{'''}qhhgt^{'''}0^{'''}Cv^{'''}vjg^{'''}ucog^{'''}vkog. "vjg^{'''}cwvjqt^{'''}urgek^{'''}Lgu^{'''}vjg^{'''}gzegr^{'''}vkpu^{'''}htqo^{'''}vjku^{'''}rtkpekrng. "vjgkt^{'''}lwtkfkecn^{'''}cpf^{'''}etkveken. "cv^{'''}vjg^{'''}ucog^{'''}vkog^{'''}dtkpi^{'''}uvjgkt^{'''}etkveko

30^{'''}Rtkpekrkwn^{'''}tgxqecd^{'''}knkv^{'''}kk^{'''}qhgtvgk

Qfcv "eg"qhgtvc^{'''}c^{'''}hquv^{'''}ncpucv^{'''}. "pckpv^{'''}ec^{'''}gc^{'''}u^{'''}"Łg^{'''}ceegrvcv^{'''}. "f^{'''}"gc^{'''}qctg^{'''}pc^{'''}vgtg^{'''}wpgk^{'''}qdnk i c^{'''}kk^{'''},p^{'''}uctekpc^{'''}qhgtvc^{'''}pwnwkA^{'''}Eqfwn^{'''}ekxkn^{'''}tqo^{'''}pgue^{'''}pw^{'''}eqp^{'''}kp^{'''}q^{'''}tgi^{'''}ng^{'''}ogpvc^{'''}gzrtgu^{'''}ectg^{'''}u^{'''}"t^{'''}urwpf^{'''}"ceguvgk^{'''},pvtgd^{'''}tk0^{'''}"p^{'''}eqfwn^{'''}eqogtekn^{'''}tqo^{'''}pgue^{'''}. "pu^{'''}. "i^{'''}uk^{'''}o^{'''}"q^{'''}fkurq^{'''}lk^{'''}kg^{'''},p^{'''}eqphqt^{'''}okvcv^{'''}ew^{'''}ectg^{'''}. "r^{'''}p^{'''},p^{'''}o^{'''}q^{'''}ogpwn^{'''},pejgkgtk^{'''}eqpvtcevw^{'''}nk. "qhgtvc^{'''} k^{'''}ceegrvtgc^{'''}uwpv^{'''}tgxqecd^{'''}knkv0^{'''}Tgiwnc^{'''}ug^{'''}xc^{'''}crnkec. "rtkp^{'''}cpcnqikg. "k^{'''},p^{'''}ocvgtk^{'''}ekxkn^{'''}0^{'''}C^{'''}cfct. "rtkpekrkwn^{'''}ectg^{'''}ug^{'''}fgi^{'''}cl^{'''}"fkp^{'''}ngikunc^{'''}kc^{'''}tqo^{'''}pgue^{'''}"ekxkn^{'''}gugv^{'''}e^{'''}"cv^{'''}vk^{'''}o^{'''}r^{'''}e^{'''}v^{'''}qhgtvc^{'''}pw^{'''}c^{'''}hquv^{'''}ceegrvcv^{'''}"gc^{'''}rqcvg^{'''}Ł^{'''}tgxqecv^{'''}. "p^{'''}o^{'''}q^{'''}f^{'''}wpkncvgtcn^{'''}fg^{'''}e^{'''}vtg^{'''}egn^{'''}eg^{'''}c^{'''}g^{'''}oku^{'''}/q0^{'''}

"p^{'''}ngikunc^{'''}kc^{'''}ekxkn^{'''}"o^{'''}qnfxgpgcuc^{'''}"ceguv^{'''}rtkpekrkwn^{'''}c^{'''}rtk^{'''}okv^{'''}"k^{'''}gn^{'''}q^{'''}eqpucetctg0^{'''}Cuvhgn. "rqvtkxkv^{'''}ctv08:5^{'''}cnkp0^{'''}*3+^{'''}fkp^{'''}Eqfwn^{'''}ekxkn. "q^{'''}qhgtv^{'''}"rqcvg^{'''}Ł^{'''}tgxqecv^{'''} (s.n."o^{'''}ŁD0+^{'''}ew^{'''}gzegr^{'''}kc^{'''}ec^{'''}|wnwk^{'''},p^{'''}ectg^{'''}gc^{'''}kpenw^{'''}fg^{'''}wp^{'''}vgt^{'''}ogp^{'''}rgpvtw^{'''}ceegrvtgc^{'''}ucw^{'''}c^{'''}ec^{'''}|wnwk^{'''},p^{'''}ectg^{'''}gugv^{'''}ktgxqecd^{'''}kn^{'''},p^{'''}cnvg^{'''}temeiri^{'''}."

Fg^{'''}cug^{'''}ogpgc. "Eqpxgp^{'''}kc^{'''}Pc^{'''}kwpknqt^{'''}Wpkvg. "pejgkcv^{'''}"nc^{'''}Xkpc^{'''}nc^{'''}33^{'''}crtnkg^{'''}3; :2. "nc^{'''}ectg^{'''}Tqo^{'''}pk^{'''}c^{'''}cfgtcv^{'''}rtkp^{'''}Ngigc^{'''}pt04613; :o^{'''}ctvkg^{'''}3; ;3^{'''}*. "p^{'''}eqpvkpwctg^{'''}o^{'''}Eqpxgp^{'''}kc^{'''}fg^{'''}nc^{'''}Xkpc+. "rtgxgfg^{'''}wp^{'''}cuvhgn^{'''}fg^{'''}rtkpekrkwn0^{'''}Ctv038^{'''}cnkp0^{'''}*3+^{'''}cn^{'''}ceguvgk^{'''}rtgxgfg^{'''}<^{'''}šQ^{'''}qhgtv^{'''}"rqcvg^{'''}Ł^{'''}tgxqecv^{'''}"r^{'''}p^{'''}nc^{'''},pejgkgtg^{'''}eqpvtcevw^{'''}nk^{'''}fce^{'''}"tgxqectg^{'''}uqvg^{'''}nc^{'''}fguvkpcvt^{'''},pckpv^{'''}ec^{'''}ceguvc^{'''}u^{'''}"Ł^{'''}gzrgfkc^{'''}v^{'''}ceegrvtgc0^{'''}. "fgek^{'''}fwr^{'''}"eg^{'''}fguvkpcvtwn^{'''}c^{'''}hwc^{'''}ewpq^{'''}vkp^{'''}"fg^{'''}qhgtv^{'''}0

k^{'''}rtqkgevwn^{'''}Eqfwnwk^{'''}ekxkn^{'''}gwtqrgcp^{'''}eqpucet^{'''}"wp^{'''}cuvhgn^{'''}fg^{'''}rtkpekrkwn0^{'''}Ctv037^{'''}cnkp0^{'''}*3+^{'''}rtgxgfg^{'''}e^{'''}"šqhgtvc^{'''}rqcvg^{'''}Ł^{'''}tgxqecv^{'''}"cv^{'''}vk^{'''}o^{'''}r^{'''}e^{'''}v^{'''}fguvkpcvtwn^{'''}gk^{'''}pw^{'''}k^{'''}c^{'''}gzrgfkc^{'''}v^{'''}ceegrvtgc0^{'''}

40^{'''}Gzegr^{'''}kk^{'''}fg^{'''}nc^{'''}rtkpekrkwn^{'''}tgxqecd^{'''}knkv^{'''}kk^{'''}qhgtvgk

Fgek^{'''}.qhgtvc^{'''}xc^{'''}rwwg^{'''}Ł^{'''}tgxqecv^{'''},p^{'''}o^{'''}q^{'''}f^{'''}wpkncvgtcn^{'''}fg^{'''}e^{'''}vtg^{'''}egn^{'''}eg^{'''}c^{'''}h^{'''}ewv^{'''}q^{'''}cv^{'''}vk^{'''}o^{'''}r^{'''}e^{'''}v^{'''}gc^{'''}pw^{'''}c^{'''}hquv^{'''}ceegrvcv^{'''}0^{'''}C^{'''}c^{'''}ew^{'''}o^{'''}u^{'''}c^{'''}uwdnkpkcv^{'''},pu^{'''}. "šcf^{'''}okvgtg^{'''}c^{'''}pgektew^{'''}ouvc^{'''}pk^{'''}cn^{'''}"c^{'''}ceguv^{'''}wk^{'''}rtkpekrkwn^{'''}ct^{'''}rwwg^{'''}c^{'''}u^{'''}"etgg^{'''}|g^{'''}wpgng^{'''}eqpug^{'''}ekp^{'''}g^{'''}kpge^{'''}jkvcdkngö^{'''}3. "o^{'''}qvkx^{'''}rgpvtw^{'''}ectg^{'''}cv^{'''}v^{'''}ng^{'''}ikunc^{'''}kc^{'''},p^{'''}xkiqctg^{'''}. "e^{'''}v^{'''}"k^{'''}fqevtkpc^{'''}cw^{'''}h^{'''}ewv^{'''}wpgng^{'''}rtgek^{'''}|tk0^{'''}

3+^{'''}"p^{'''}ec^{'''}|wn^{'''}qhgtvgk^{'''}h^{'''}ewvg^{'''}ew^{'''}vgt^{'''}ogp^{'''}gzrtgu^{'''}fg^{'''}qr^{'''}k^{'''}wpg. "kp^{'''}fkhgtgp^{'''}v^{'''}fce^{'''}"ceguvc^{'''}gugv^{'''}h^{'''}ewv^{'''}"wpgk^{'''}rgtuqcp^{'''}g^{'''}rtg^{'''}|gpvg^{'''}ucw^{'''}cdugpv^{'''}g. "gc^{'''}qdnk^{'''}i^{'''}"qhgtvc^{'''}pwn^{'''}u^{'''}"k^{'''}/q^{'''}ogp^{'''}kp^{'''}"r^{'''}p^{'''}"nc^{'''}gzrktctgc^{'''}nwk0^{'''}5^{'''}Cegcuv^{'''}"gzegr^{'''}kg^{'''}tgkgug^{'''}fkp^{'''}kpvtg^{'''}rtgvtgc^{'''}ctv057^{'''}cnkp0^{'''}*3+. "rctvgc^{'''},pv^{'''}-k. "E0eq^{'''}o^{'''}0^{'''}tqo^{'''}-p^{'''}. "ectg^{'''}. "tghgtkpw^{'''}/ug^{'''}nc^{'''}"o^{'''}q^{'''}ogpwn^{'''},pejgkgtk^{'''}eqpvtcevw^{'''}nk. "fkurwpg^{'''}<^{'''}šEqpvtcevw^{'''}ukpcnc^{'''}io^{'''}cvke^{'''},pvtg^{'''}rgtuqcp^{'''}g^{'''}fgr^{'''}tcvg^{'''}pw^{'''}gugv^{'''}rgthgev^{'''}fce^{'''}"ceegrvtgc^{'''}p^{'''}/c^{'''}clwpu^{'''}nc^{'''}ewpq^{'''}vkp^{'''}c^{'''}rtqrwp^{'''}vqtwnwk^{'''},p^{'''}vgt^{'''}ogpwn^{'''}j^{'''}qv^{'''}t^{'''}v^{'''}fg^{'''}f^{'''}-p^{'''}sul^{'''}í^{'''}0ö0^{'''}Tghw^{'''}|wn^{'''}fguvkpcvtwnwk^{'''}fg^{'''}c^{'''}ceegrvc^{'''}qhgtvc^{'''}hceg^{'''}ec^{'''}gc^{'''}u^{'''}"fgxkp^{'''}"kpg^{'''}Łeceg^{'''}6^{'''}"k^{'''}pw^{'''}tgxqecv^{'''}0^{'''}"p^{'''}ceguv^{'''}ugpu^{'''}uwpv^{'''}"k^{'''}fkurq^{'''}lk^{'''}kn^{'''}ctv039^{'''}fkp^{'''}Eqpxgp^{'''}kc^{'''}fg^{'''}nc^{'''}Xkpc. "ectg^{'''}rtgxgfg^{'''}<^{'''}q^{'''}qhgtv^{'''}. "ejkct^{'''}ktgxqecd^{'''}kn^{'''}. "pegvgc^{'''}|^{'''}e^{'''}-pf^{'''}pgceegrvtgc^{'''}uc^{'''}clwpi^{'''}g^{'''}nc^{'''}qhgtvc^{'''}p0^{'''}"pu^{'''}. "gzegr^{'''}kc^{'''}ktgxqecd^{'''}knkv^{'''}kk^{'''}qhgtvgk^{'''}ew^{'''}vgt^{'''}ogp^{'''}gzrtgu^{'''}fg^{'''}qr^{'''}kwp^{'''}pw^{'''}xc^{'''}hwpe^{'''}kqpc^{'''}cvwpek^{'''}e^{'''}-pf^{'''}gc^{'''}xc^{'''}ewrtkpf^{'''}g^{'''}q^{'''}uvkrwnc^{'''}kg. "gzrtgu^{'''}"ucw^{'''}k^{'''}o^{'''}rnkekv^{'''}. "rtkp^{'''}ectg^{'''}qhgtvc^{'''}pwn^{'''},k^{'''}tg^{'''}|gtx^{'''}"ftgrvwn^{'''}fg^{'''}/k^{'''}tgxqec^{'''}qhgtvc^{'''}e^{'''}-v^{'''}vk^{'''}o^{'''}r^{'''}ceguvc^{'''}pw^{'''}c^{'''}hquv^{'''}ceegrvcv^{'''}0^{'''}Ug^{'''}eqpukfgt^{'''}"e^{'''}"rtkp^{'''}clwpi^{'''}gtgc^{'''}qhgtvgk^{'''}nc^{'''}fguvkpcvt^{'''}gn^{'''}xc^{'''}nwc^{'''}ewpq^{'''}vkp^{'''}"k^{'''}fg^{'''}ceguvc^{'''}"rqukd^{'''}knkv^{'''}cvg^{'''}c^{'''}qhgtvc^{'''}pwnwk. "wt^{'''}o^{'''}-pf^{'''}u^{'''}/k^{'''}eqphqt^{'''}og^{'''}g^{'''}eqpfwkv^{'''}c^{'''},p^{'''}hwpe^{'''}kg^{'''}fg^{'''}ukvwc^{'''}kc^{'''}fg^{'''}ectg^{'''}gn^{'''}c^{'''}nwc^{'''}ewpq^{'''}vkp^{'''}0^{'''}

"p^{'''}ngi^{'''}vvt^{'''}"ew^{'''}ktgxqecd^{'''}knkv^{'''}cvg^{'''}c^{'''}qhgtvgk^{'''}ew^{'''}vgt^{'''}ogp^{'''}gzrtgu^{'''}fg^{'''}qr^{'''}kwp^{'''}g. "Eqfwn^{'''}ekxkn^{'''}cn^{'''}Tgrwdnkekk^{'''}Oqnfqxc^{'''},n^{'''}eqpucet^{'''}"rtkp^{'''}fqw^{'''}"fkurq^{'''}lk^{'''}kn^{'''}ctvkeq^{'''}nwnwk^{'''}8:5^{'''}o^{'''}cnkp0^{'''}*3+^{'''}šq^{'''}qhgtv^{'''}"rqcvg^{'''}Ł^{'''}tgxqecv^{'''}. "ew^{'''}gzegr^{'''}kc^{'''}ec^{'''}|wnwk^{'''},p^{'''}ectg^{'''}gc^{'''}kpenw^{'''}fg^{'''}wp^{'''}vgt^{'''}ogp^{'''}rgpvtw^{'''}ceegrvtgc^{'''}ucw^{'''}c^{'''}ec^{'''}|wnwk^{'''},p^{'''}ectg^{'''}gugv^{'''}ktgxqecd^{'''}kn^{'''},p^{'''}cnvg^{'''}v^{'''}g^{'''}gkwtkö^{'''}"k^{'''}cnkp0^{'''}*5+^{'''}šqhgtvc^{'''}rtk^{'''}okv^{'''}"fg^{'''}fguvkpcvt^{'''}pw^{'''}rqcvg^{'''}Ł^{'''}tgxqecv^{'''},p^{'''}vgt^{'''}ogpwn^{'''}fg^{'''}ceegrvtgc^{'''}uvcdknkv^{'''},p^{'''}qhgtv^{'''}"í^{'''}0ö

Cegngc^{'''}k^{'''}ghgev^{'''}uwp^{'''}eqpucetcv^{'''}g^{'''}k^{'''},p^{'''}Eqpxgp^{'''}kc^{'''}fg^{'''}nc^{'''}Xkpc^{'''}rtkp^{'''}ctv038^{'''}cnkp0^{'''}*4+^{'''}hkv0c+^{'''}<^{'''}šEw^{'''}vqcv^{'''}ceguvgc. "qhgtvc^{'''}pw^{'''}rqcvg^{'''}Ł^{'''}tgxqecv^{'''}<^{'''}/f^{'''}ce^{'''}"gc^{'''}rtgxgfg^{'''}rtkp^{'''}Łzctgc^{'''}wpwk^{'''}vgt^{'''}ogp^{'''}fgvgt^{'''}okpc^{'''}rgpvtw^{'''}ceegrvtgc^{'''}ucw^{'''},p^{'''}cnv^{'''}hgn^{'''}e^{'''}"gugv^{'''}ktgxqecd^{'''}kn^{'''}0ö

Rtqkgevwn^{'''}Eqfwnwk^{'''}ekxkn^{'''}gwtqrgcp^{'''}xkpg^{'''}u^{'''}"eqp^{'''}Ł^{'''}og^{'''}ceguvc^{'''}"gzegr^{'''}kg0^{'''}Cuvhgn. "ctv039^{'''}cnkp0^{'''}*3+. "rtk^{'''}oc^{'''}rctvg^{'''}. "rtgxgfg^{'''}<^{'''}šQ^{'''}qhgtv^{'''}"gugv^{'''}ktgxqecd^{'''}kn^{'''}. "fkp^{'''}o^{'''}q^{'''}ogp^{'''}eg^{'''}cwvqtnw^{'''}u^{'''}w^{'''}u^{'''}c^{'''}qdnk^{'''}icv^{'''},p^{'''}o^{'''}q^{'''}f^{'''}gzrtgu^{'''}u^{'''}"q^{'''}ogp^{'''}kp^{'''},p^{'''}o^{'''}q^{'''}f^{'''}hgt^{'''}o^{'''},pvt^{'''}/q^{'''}cpw^{'''}og^{'''}rgtkqcf^{'''}"fg^{'''}vk^{'''}o^{'''}r^{'''}í^{'''}0ö



4+ "p"ec|wn"qhgvtgk" h ewvg" h t "vgt o gp"gzrtgu"fg"qr-
kwpg."e-pf."rqtvxk"fkurq|k kknqt,"p"xkiqctg."eqp kpg"wp"
vgt o gp"vcekv"fg"ceegrvtg."fgqugd o "ó" fwr "ew o"qhgvtc"
guvg" h eww "wpgk"rgtuqcpg"rtg|gpvg"ucw"qhgvtc"guvg" h eww "
wpgk"rgtuqcpg"cdugpv<

c+ "p"ec|wn,"p"ectg"qhgvtc"guvg" h eww "wpgk"rgtuqcpg"
rtg|gpvg."cegucv"vtgdwkg"u "Łg"ceegrvcv "k o g f k c v" "Ectce-
vgtwn" k o g f k c v" c n" ceegrvtgk" gzenwfg" rqukdnkvcvgc"tgxqe tkk"
cegugkc" "Fce "qhgvtc"pw"guvg"ceegrvcv "k o g f k c v."cegucv"
xc" fgxgpk" kpgŁeceg" "pvt/wp"cuvhgn"fg"ec|"rtqdn g o c"tg-
xqecdknkv kk"ucw"ktgxqecdknkv kk"pw"ug" o ck"rwpg=

d+ "p"ukvwc kc,"p"ectg"qhgvtc"guvg" h eww "wpgk"rgt-
uqcpg"cdugpvvg."gc"xc"Ł"qdnkicv "u "q" o gp kp "wp"vgt-
o gp"tg|qpcdkn."crtgkcv,"p"hwpe kg"fg"ektew o uvcv gng"
fg"hcrv."rgpvtw" c" fc" rqukdnkvcvg" fgukpvcvtwnwk*ntq+ "
u "fgnkdtg|g" k" u "ug"rtqppw g"cuwrte" gk" "Cegucv "
uqnv kg"tgkgug" fkp"kpvgtrtgvtg" cegnwk k"ctvkeqn" fkp"
Eqfwn"eq o gtekn"tq o -pgue" *57+."rctvgc" c" fqcw."rq-
vtkxk" e twk" eqpvtcevn" ukpnci o cvke "pvtg"rgtuqcpg"
fgr tvcv"pw"guvg"rgthge" fce "ceegrvtg"p/c"clwpu"
nc"ewpq vkp c"rtqrwp vqtwnwk"š í *in termenul necesar*
uejk o dwnwk."rtqrwpgtkk" k" ceegrvtgk" fwr "pcvwtc
contractului " .

k" Eqfwn"ekxn" o qnfqxpgue" rtxgfg" q" cuvhgn" fg"
qdnkic kgl" Ctv08:5"cnkp0*5+."rctvgc" c" fqcw."rtxgfg" e "
šqhgvtc" rtk o kv "fg"fgukpvcvt"pw"rqcv"Ł"tgxqecv í ,p"
vgt o gp"pgegucl"rgpvtw"ec"fgukpvcvtwn"u "rqcv "gzrtk o c"
ceegrvtg" k"ec"t urwpuwn"u "clwpi "nc"qhgvtcpv"eqphqt o "
ektew o uvcv gnqt"ec|wnwk."rtcevekk"uvcdnkvg,"pvtg"r t k" k"
w|cp gnqtö="ctv08: : "cnkp0*4+<šqhgvtc" h eww "wpgk"rgtuqcpg"
cdugpv"rqcv"Ł"ceegrvcv "fqt"r-p "p" o q o gpvwn,"p"ectg"
qhgvtcpvwn"ug"rqcv" c vgrvc."p"eqp fk kk"pqt o cng."cx-pf"
p" xgfgtg" o klnqcegn"fg"eq o wpkectg"hnqukv"fg"qhgvtcpv."
nc"rctxgpgtgc"t urwpuwnwkö"

Eqpxg kc"fg"nc"Xkpc."ctv038"cnkp0*4+ "nkvd+."rtxgfg"
e "šqhgvtc"pw"xc"rwvgc"Ł"tgxqecv "fce"gtc|tg|qpcdkn"rgp-
vtw"fgukpvcvt"u "eqpukfgt"qhgvtc"ec"ktgxqecdkn " k"fce "c"
ce kqpcv,"p"eqpugekp ö" "Fg"cuvg o gpgc."cegucv"tgkgug" k"
fkp"fkurq|k kknq"ctv03: ."rctvgc" c" fqcw."rtqrq|k kc" c" fqcw<
šceegrvtg"pw"rtqfweg"ghgevg"fce "cegucv "kpfkcc kg"pw"
rctxkpg"qhgvtcpvwnwk" í ,pvt/wp"vgt o gp"tg|qpcdkn."kp-pf"
ugc o c"fg," o rgtlwt tng"vtcp|ce kkg" k"fg"tcrkfkvcvg" o kl-
loacelor de comunicare folosite de ofertant".

Fg" o gp kqpcv"e "qhgvtc"ew"vgt o gp"vcekv"pw"rqcv"u "
eqp kp "tg|gtxc"gzrtgu" rtkp"ectg"qhgvtcpvwn,"k"eqpugt-
x "ftgrvwn"fg" c"tgxqec"qhgvtc" "Cegucv"fgqctgeg."rg"fg"
q"rctvg."vgt o gpvwn"vcekv"guvg"wp"vgt o gp"ng i c n."kct."rg"fg"
cnv "rctvg."tgxqectgc" gk" k."rtkp"wt o ctg."pgtgurvcvtgc"
vgt o gpvwnwk" gejkxcngc| "ew"fkutwigtg"eqpegvwnwk"
fg"qhgvtc."egc"eg"ct"eqpvtcxgpk"kpvgp kkg"qhgvtcpvwnwk"
cvwpek"e-pf" c" g o ku"rtqrwpgtg" "Fce "fgukpvcvtwn"
tghw| "qhgvtc."cegucv"xc"rtqfweg"cegngc k"ghgevg"ec" k"
gzrktctgc"vgt o gpvwnwk,"puw k"ó"kpŁececvcvg" gk0

50" Hwpfc o gpvwn"lwtkfke" k"vgqtgk"cn"cegucv" gzegr kk" "Etkvkec"nqt

"p" fqvtpc" fg"urgekncvcvg"tq o -pguc "hqt c" qdnk-
icvqtgk" c"qhgvtgk" c"eqpukvkv"qdkgevn"wpqt"eqpvtqxtgug"
fqvtpctg" fgvg o kpcvg."p" rtk o wn"t-pf."fg"nkrucc"wpkg"
tgi ng o gpv tk"gzrtgug" c"pcvwtk"lwtkfkeg" c"qhgvtgk" "Rqvtkxk"
unor autori" .cegucv,"k"ctg"qtkikpgc" gzenwukx " ,p"gzku-
vcp c"wpwk"cpvgeqvtcev,"pejgkcv,"pvtg"qhgvtcpv" k"fguk-
pvcvt"rtkp" g o kvgtgc"wpkg"qhgvtg"fg"eqpvtcevtg" "Rqvtkxk"
cnvt"cwvqt."qdnkic kc"qhgvtcpvwnwk"fg" c" o gp kpg"qhgvtc"
rg"vqcv "fwtcv"xcncdknkv kk" gk"rqcv"Ł"lwtkfke"gzrnkecv "
pw o ck" rtkp"vgqtk"cpiclc o gpvwnwk"wpkncvgtcn."cx-pf"ec"
uwtu "xqkp c"uqkvct "c"qhgvtcpvwnwk" "H t "c" gzenwfg"p"
vqcnkvcvg"etkvekn"rg"ectg"ng"eq o rqtv "Łgectg"vgqtkg,"p"
rctvg."fqvtpc"lwtkfke " ,p,"pegtectgc"fg" c"gzrnkec" k o rq-
ukdnkvcvg"qhgvtcpvwnwk"fg" c/ "ktgxqec"qhgvtc."c," o dt k cv"
vgqtk"cpiclc o gpvwnwk"wpkncvgtcn"

Rqvtkxk"cegucv"vgqtk" "q" fgenctc kg"wpkncvgtcn "fg"
xqkp "guvg"uwŁekgpv "ec"u "fgc"pc vgtg"wpqt"ghgevg"
*eqpvtgk|cvg,"p"urgekcn,"p"qdnkic kk+"kpfgrgpfgp"fg"
qtkeg"kpvgtxg kg"rqvgtkqct "c"egnwk,"p"hcxqctgc"e twk"
c" hquv" h eww " "Lwtkurtwfgp c" c"tgewpquewv"fqw "ghgevg"
k o rqtvcv" cng"cegucv<

30" "p" rtk o wn"t-pf."gc"cf o kvg"e "cegucv"rtqxqce "
fktgev" o qfŁectgc"ukvwc kkg"lwtkfkeg" c"qdkgevnwk"uwrwu"
fgenctc kgl"Rtkp" g o kvgtgc"qhgvtgk"ug"etggc| "q"ukvwc kg"
lwtkfke "pqw "eqpuv-pf,"p"rtg o kuc"lwtkfke "c,"pejgkgtk"
contractului.

40" Cn"fqknc"ghgevk o rqtvcv"cn" fgenctc kkg"fg"xqkp "
guvg"e "gc" k"eqphgt "wp"ectcevtg"ktgxqecdkn" "ktgxqecdkn-
vcvg" fgenct tkk"fg"xqkp "tgrtg|kp"q"tgiwn "kpfkurgp-
ucdn "p"qd kpgtgc"pgeguv kk"ng o gpvctg"fg"ugewtkvcvg"
lwtkfke "c"ukvwc kkg"pqw/etgcv" "Cegucv"fgfwepfw/ug" k"
din natura dreptului potestativ al destinatarului ofertei.
Rtkp" g o kvgtgc"wpkg"qhgvtg,"p"rcvtk o qpkwn"fgukpvcvtwnwk"
ug"pc vg"wp"ftgrv"rqvuvvcv"ktgxqecdknkvcvg"qhgvtgk"
c"rctg"ec"q"eqpugekp "lwtkfke "c"rwvgtk"tgewpquewv"
titularului unui astfel de drept.

Tghgtvqt"nc"cegucv"wnwk o "ghgevk" k."p"igpgtcn."uwu kpg-
tgc" hqt gk"qdnkicvqtgk" c"qhgvtgk"rg"vgqtk"cpiclc o gpvwnwk"
wpkncvgtcn."eqpukfgt o "e"eq o rqtv "cpw o kvg"etkvek0"

Pc vgtgc"ftgrvwnwk"rqvuvvcv"p"rcvtk o qpkwn"fgukp-
tarului ca urmare a emiterii"qhgvtgk"pw"xc"rwvgc"Ł"kpqx-
ecv "rgpvtw" c"lwukŁec"gzkuvp c"qdnkic kkg"qhgvtcpvwnwk"
fg" c/ k" o gp kpg"qhgvtc"rg"vqcv "rgtkqfc"xcncdknkv kk" gk."
fgqctgeg"fgukpvcvtwn"pw"ceegrv "p" xktvvgc"wpwk"ftgrv"
rqvuvvcv."ek"p" xktvvgc"nkdtv kk"eg"ug" o cpkhuv "rg"
rtkpekrcv"cwvppq o kkg"fg"xqkp 011

Wp"cnv"cti w o gpv"tgkgug" fkp"pcvwtc"lwtkfke "c"vgt o g-
pwnwk"gzrtgu"ectg"puq g vg"qhgvtc" "Rtkp"uvcdnkctgc"wpwk"
vgt o gp."qhgvtcpvwn"fgvg o kp "p"vk o r"rtqfwegtc"ghge-
vgnqt"cegucv."Łg"rtkp"uvcdnkctgc"wpqt"fcvg"fg"pegrgtg"
ucw"gzrktctg" c"ghgevg"qhgvtgk."Łg"rtkp"uvcdnkctgc"wpqt"
rgtkqfc"rgpvtw"xcncdknkvcvg" gk0" Fwr "gzrktctgc"vgt o g-



pwnwk."qhgvtc"fgxkpg"kpqLeceg¹²"Fgek."vgt o gpwn"rtgx |wv"
 „p"qhgvtc "ctg"pcwvtc"lwtkfke "c"vgt o gpwnwk"gzvkpevx"fg"
 gzgewvtc."ec"o qfckncvvg"cevwnwk"lwtkfke"ekxkn"0"C"cew o "
 c o " o gp kqpcv." rqvtkxkv" fkurq |k knqt"ngi cng." rtgew o " k"
 nkvtcevwtkk"fg"urgekcnkvcvg."qhgvtc"guvg"tgxqecdkn ."ew"gz-
 egr kc"ec |wnwk"e-pf"cegucv"guvg",puq kv "fg"wp"vgt o gp0"
 Fce "qhgvtc"ht "vgt o gp"guvg"tgxqecdkn ."tg |wnv "e ."p"
 ec |wn"qhgvtgk"ew"vgt o gp"fg"qr kwpg."egge"eg" k"ko rtk o "
 wp"cpiclc o gpv"lwtkfke"guvg"vgt o gpwn"rtgx |wv",p"gc0"Vgt-
 o gpwn.",pu ."tgrtg |kp "q"o qfckncvvg"cevwnwk"lwtkfke"ectg"
 ug"tghgt "nc"fgvgt o kptctg"p"vk o r."p"urg ."c"ghgevgnt"
 qhgvtgk0"Vgt o gpwn"pw"dgpgLekc | "fg"ht "qdnkicvqtg."ec"
 „p"ec |wn"cevngt"lwtkfkeg."ectg"u /k"ko rtk o g"wp"cpiclc-
 o gpv",p"ceguv"ugpu0"pugc o p "e "pw"ct"vtgdwk",pit fkv "
 rqdknkvcvg"cwqtwnw"fg" /k"tgxqec"ucw"rtgnwpik"vgt o g-
 pwn0"Uqwn kc"guvg"fkhtgv "p"ec |wn",p"ectg"vgt o gpwn"guvg"
 fg"qtkikpg"ngicn "o"vgt o gpwn"vcekv."ucw.",p"wpng"ec |wtk."
 vgt o gpwn"gzrtgu0"Gn"pgLkpf"tqfwn"xqkp gk"qhgvtcpvwnwk."
 acesta nu va putea interveni în acest sens.

„p"eqpvkpwctg."rgpvtw"0"p"rtg |gp c"wpgk"qhgvtg."guvg"
 uwLekgp"ec"gc"u "eqp kp "egn"rw kp"ng o gpvng"guvg kcnng."
 ectg"p"ec |wn"eqpvtcevwnwk"fg" x-p |ctg/ew o r tctg"cw"
 hquv"kfpgvkLecvg"ec"0"p"rtg wn" k"qdkgevn"ceguvkc0" Pw"
 gzkuv "pek"q"fkurq |k kg"ngicn "ucw"qrkpkg"fqevtkpct "ectg"
 u "eqpucetg"ec"ng o gpv"guvg kcn."ucw"egn"rw kp"ec"q"eqp-
 fk kg"fg"hapf."pgeguvkv"gzkuvgp gk"wpwk"vgt o gp0" Fgek."
 vgt o gpwn"pw"tgrtg |kp "pkek"wp"ng o gpv"guvg kcn."pkek"q"
 eqpfk kg"fg"hapf"pgeguv "rgpvtw"xcnedkncvvg"qhgvtgk0"
 Ceguc"tgrtg |kp "wp"ng o gpv"ceeguqtkw"cn"qhgvtgk."kct"
 ceeguqtkwn"wt o gc | "p"i gpctn"uqctvc"rtkpekr cnwnwk0"
 Fgek."fce "qhgvtc"rqcvg"0"tgxqecv ."cvwpek" k"vgt o gpwn"
 rqcvg"0"tgxqecv0

E "qhgvtc"rqcvg"0"tgxqecv "q"fg o qpvtg | "pw"fqct"
 fkurq |k kc" rtgx |wv "p"Eqfwn"eq o gtekn"tq o -pgue"
 *ctv059+0" Gzkuv "q" fkurq |k kg"p"Eqfwn"ekxkn"tq o -pgue."
 ectg."kpfktgev."xkpg"u "eqpL t o g"tgxqecdkncvvg"qhgvtgk0"
 „pckpv"fg"vqcv."vtgdwk"u "urwpg o "e ."rtkp"o kvgtg"wpgk"
 qhgvtg."qhgvtcpvwn", k"cuw o "qdnkic kc"fg"ceqvtcevc"ew"
 qtkeg"rgtuqcp "ectg"xc"cegrvc"rwt" k"uk o rnw"qhgvtc0" Fgek."
 qdnkic kc"tg |wnvc "guvg"wp"fg"cecg0"Rqvtkxkv"ctv03297"
 E0ekx0"tq o -pgue."sqtkeg"qdnkic kg"fg"cecg" i "ug"uejk o d "
 „p"fguf wp tk."p"ec |"fg"pggzgewctg"fkp"rctvc"fgdkvqtwn-
 nwk0"Ceqtctg"fg"fg |f wp tk"fguvkpcvctwnwk"qhgvtgk"pw"
 tgrtg |kp "fge-v"q"tgewpqc vgtg"c"ghgevgnt"rtqfwug"fg"
 tgxqectg0" Fce "qhgvtc"ct"0"tgxqecdkn ."ucpe kwpgc"ectg"
 u/ct"ko rwp"ct"0"eqpvkfgtctg"tgxqec tkk"ec"kpqrctcpv " k"
 încheierea contractului cu destinatarul acceptant.

Fg"cu o gpgc."wp"cnv"cti w o gpv",p"urtklpwn"etkvekk"
 ceguvk"vqatkk"guvg"cegn"fg" c"kfpgvkLec"ecvgiqtk"fg"
 qdnkic kc"eg" k/q"cuw o "qhgvtcpvwn"rtkp"uvcdkntgc"wpwk"
 cuvhgn"fg"vgt o gp"o" c"fc"cecg"cecg0" Cx-pf",p" xg-
 fgtg"qtkpvtg"fqevtkpgk"tq o -pg vk"ew"rtkxktg"hc"ceguv "
 ukvvc kg." k"fkp"kpvtg"vgtg"ctvkeqngt"fkp"Eqfwn"ekxkn"
 o qnfqxpgue."tg |wnv "e "qdnkic kc"rg"ectg" k/c"cuw o cv/q"

qhgvtcpvwn"rtkp"uvcdkntgc"wpwk"vgt o gp"guvg"ceggc"fg"c"pw/ k"
 tgvtcig"qhgvtc"rg"rgtkqcf"vgt o gpwnwk"uvcdkntcv."fgek"gn", k"
 cuw o "q"qdnkic kg"fg"c"pw"cecg0"13" pu ."eqpvk o o -pvnw."
 ectg"guvg"wp"cev"fg"xqkp ."pw"rqcvg"eqpvkvwk"qdkgevn"
 qdnkic kc"fg"c"pw"cecg0"Gn"guvg"wp"ng o gpv"uvtwevwtcn"cn"
 eqpvtcevwnwk" k" kpg"fg"ht o ctgc"nwk.",p"vk o r"eg"qdnkic kc"
 fg"c"pw"cecg"rtguwrwpg"gzkuvgp c"wpwk"eqpvtcev"fglc"
 ht o cv." kp-pf"fg"gzgewvtg"nwk0

Ftgrvwn"fg"tgxqectg"c"qhgvtgk"tgrtg |kp "wp"curgev"cn"
 ftgrvwnwk"fg"c"tghw |c",pejgkgtg"eqpvtcevwnwk0"14" Tghw |wn"
 fg"ceqvtcevc"tgrtg |kp "gzrtguc"rq |kvkx " k"pgicvkx "
 c"rtkpekrknwk"nkdgtv kk"eqpvtcevwnwk0" Ngi c"pw"tging-
 o gpv |c ."fct"gc",n"uwd,p gngig."rtqgl-pf"nkdgtvcvg"fg"
 c"eqpvtcevc."fg"gzg o rnw."fkp"rgturgevxc"tging o gpv tkk"
 xkekntg"fg"eqpvk o o -pv0" Fce "xqkp c"qhgvtcpvwnwk"rqcvg"
 L"rtqglcv "fg"ghgevgng"rtglwfkecdkng" *eng"rtqfwug"fg"
 cpw o kvg", o rglwt tk"ectg"chgevg |c "ectcevtwn"eqpvkpv"
 k"nkdgt"cn"xqkp gk+."cvwpek"fg"eg"pw"ku/ct"tgewpqc vg"nwk"
 k"rqdknkvcvg"fg"c"rtg,pv- o r kpc"rtqfwegtgc"wpqt"cuvhgn"
 fg"ghgevg"rg"ectg"ng"rq"etgc"cpw o kvg"gxgpk o gpv."cuwrte"
 qhgvtgk" k."fg"ckek."cuwrte"rcvt o qpkwnwk"qhgvtcpvwnwk+."rtkp"
 tgewpqc vgtg"ftgrvwnwk"fg" /k"rwwgc"tgxqec"qhgvtc"ejkct"
 „p"wpvtw"vgt o gpwnwk"uvkrwncvA"fg"gzg o rnw."cvwpek"e-pf"q"
 rgtuqcp "hceg"q"rtqrwpgtg"fg"c",pejgk"wp"eqpvtcev"uv-
 dknkpf",p"ceguv"ugpu"wp"vgt o gp."gc"q"cecg",p"eqpvkfgtctg"
 etkew o uvcp gnt"geppq o keg"gzkuvgpv",p"cegn" o q o gpv0"
 Fct.",p"ec |wn",p"ectg"fwr "g o kvgtg"qhgvtgk" k",pckpv"fg"
 gzrktctg"vgt o gpwnwk"kpvtgk"cpw o kvg"gxgpk o gpv"pg-
 rtx |wv"o"etk |g."kplc kg"fg"gz0.",p"Hgfgtc kc"Twu "fkp"
 cwiwuv"3; ; :+."ew"eqpugekp g."ew o ct"0"etg vgtg"gzci gtcv "
 c"rtg wtknt i "pvtg"qhgvtc"g o ku "pckpv"fg"ceguv "fcv "
 k"wp"uk o knct "fwr "ceguv"gxgpk o gpv."rq"cr tgc"itcxg"
 fg |gejnkdtg"uwuegrvkdng"fg" c"0"ecw |c"twkp tkk"rgpvtw"
 qhgvtcpvwn"ectg"c"o ku"qhgvtc",pckpv"fg"ceguv"gxgpk o gpv" k"
 q",o dqi ktg"rgpvtw"qtkectg"cnv "rgtuqcp "ectg"xc"cegrvc"
 q"cuvhgn"fg"qhgvt "fwr "eqpuw o ctgc"gxgpk o gpvwnwk0" Fce "
 qhgvtcpvwnwk"pw"ku"xc"tgewpqc vg" k"rqdknkvcvg"fg" /k"
 tgxqec"qhgvtc",pckpv"fg"gzrktctg"vgt o gpwnwk."gn"ug"xc"
 xgfg"rtglwfkecv"ht "c"ku"rwwgc"tg kpg"xtgq"ewnr "p"
 uctekp"uc."fge-v"ceggc"fg" /k"0" o gp kpw"qhgvtc"r-p "nc"
 gzrktctg"vgt o gpwnwk"uvcdkntcv"fg"gn0

Ogp kqpv o "e "vgqtk"ko rtxk |kwppk."rgpvtw"c"rwwgc"
 lwvkLec"rqdknkvcvg"qhgvtcpvwnwk"fg" /k"tgvtcig"qhgvtc"
 „p"ceguv "ukvvc kg."pw"ctg"q"crnkecdkncvvg."fgqctgeg"gc"
 ug"ektew o uetg."c c"ew o "u/c" o ck"urwu."gzenwukx"uhgtgk"
 raporturilor contractuale.¹⁵

Fg"cu o gpgc."tgvtcig"qhgvtgk",p"ceguv "ukvvc kg"
 pw"rqcvg"0"gzrnkecv "pek"rg"eqpegrvwn"fg"ht "o clqt 0"
 Hqt c" o clqt "ctg"ec"ghgevg"q"ko rqudknkvcvg"cdunqvw "fg"
 gzgewvtg0"Q"o ctg"fkLewmvg.",pu ."pw"rqcvg"0"cu o knvc "
 ht gk" o clqtg0

U/ct"rwwgc"kpqec"qxqngp c"gzgtekcv "fg"eqplwpev-
 tc"geppq o ke "fghcxqctdkn "ec"xkek"fg"eqpvk o o -pv"
 rgpvtw"c"rwwgc"gzrnkecv"rqdknkvcvg"qhgvtcpvwnwk"fg" c"



,pn vwte"ghgevgng"rtglwfkecdkng"cnq"wpwk"cev"lwtkfke",p-
ejgkcv",p"cuq o gpgc"ektew o uvcv g"p"cegcuv "ukwvc kg."ug"
rwpq",pvtgdctgc"fg"eg"ct" o cktvtdwk"u "k"ug"tgewpqcue "
qhgvtcpvwnwk"ftgrvwn"fg" c/ k"tgxqec"qhgvtc"fg"xtg o g"eg"
gn"ctg"nc"flurq|k kg"ce kwpgc",p"cpwnctg"ceqpxgp kgk",p-
ejgkcv"uwd"k o rgtkwn"xlqngp gk"gzgtekvcv"fg"eqplwpevwtc"
fghcxqctcdk A"Te kwpkng"uwpv"wt o vqctgng<

Ctv0;77"E0ekx0"tq o -pgue"rtgxgfg"e . "rgpvtw"cl"wp"
xkek"fg"xqkp . "xlqngp c"vtgdwk"u "Lg"gzgtekvcv "fg"e vtg"
q"rgtuqcp 0"Ceguv"guvg"cti w o gpvwn"ectg"cl"fgvgt o kpcv"
q"rctvg"cl"fqevtkpgk"u "eqpukfgtg"e "uvctgc"fg"pgegukvcv"
pw"ug"kpvg itgc| "p"eqp kpwwn"xlqngp gk016" fce "c o "L",p"
rtg|gp c"wpqk"xlqngp g. "cvwpek"ceguvc"pw"ct" o ck"cxgc"
ec"ghgev"xlkctgc"eqpuk o o -pvwnwk."ek"gzewfgtg"nwk."
uqnv kg"eg"ug"ko rwpq"rtkp"cpnqikg"ew" o cvgtk"rgpcn "p"
ceguv"fq o gpkw0"Cuvhgn."rqtvxkv"ctv067"E0rgp0"tq o -pgue."
uvctgc"fg"pgegukvcv"guvg"q"ecw| "ectg",pn vwte"ectcevtwn"
rgpcn"cn"hrvgk. "p" o cvgtk"ekkn "ceguvc"gejxkn-pf"ew"
,pn vwte"ctgc"eqpuk o o -pvwnwk0

Fg"cuq o gpgc."vtgdwk"urwu"e . "rgpvtw"cl",p"rtg|gp c"
wpwk"xkek"fg"eqpuk o o -pv."xlqngp c"vtgdwk"u "Lg"egc"
ectg" fgvg o kp "g o kvgtgc"qhgvtgk0" p"ec|wn"pqvuw. "pu . "
xlqngp c"crctg"fwr "eg"qhgvtc"chquv"fgentcv 0"

p"ukwvc kc",p"ectg"ceegr v o "qrkpkc."rqtvxkv"e tgk"
uvctgc"fg"pgegukvcv"ug"kpvg itgc| "p"eqp kpwwn"xlqngp gk"
k"qhgvtcpvwn"ctg"nc"flurq|k kg"pw o ck"ce kwpgc",p"cpwnctg"
c"cevnwk"lwtkfke."xq o "qdugtxc"e "ghgevgng"cpwn tkk"xq"
L"cegnk c"ec",p"ec|wn"tgxqe tkk"tgurgev."r t kng"xq"
L"rwug",p"ukwvc kc"cpvgtkqct "pejgkgtk"eqpvtcevnwk0"
pu . "pw"guvg"cegn k"hwetw"ew"tgewpqc vgtgc"rqukdknk k"
qhgvtcpvwnwk"fg" c/ k"tgxqec"qhgvtc."cpvtgp-pf"ejgnvknk"
okp o g"rgpvtw"qhgvtcpv" k"ncvc"wpqt"fgur iwdtk"rgp-
tru destinatar17" k"pfgnrkptgc"wpqk",pvtgik"rtqefwtk."
pegr-pf"fg"nc"uguk|ctgc"kpucv gk" k"rtqpw ctgc"wpqk"
jqv t-tk"ectg"u "kp"nqe"fg"eqpvtceve"wt o ctg"ctghw|wnwk"
qhgvtcpvwnwk"fg" c",pejgk"gzgewc+"eqpvtcevn18."vgt o k-
p-pf"rtkp"fgentctgc"cpwncdnk k"cevnwk" k"tgrwptgc"
r t knqt",p"ukwvc kc"cpvgtkqct 0"Ew"cv-v" o ck" o wn"ew"e-v.",p"
egn"fg"cl"n"fqngc"ec|. "ceegr vcpvwn"pw"fqct"e "pw"rtkog vg"
fgur iwdktgc"rg"ectg"ct"l"rtk o kv/q"fce "u/ct"l"ceegrvcv"
rqukdknkvcv"qhgvtcpvwnwk"fg" c/ k"tgxqec"qhgvtc."ek"vtgdwk"
u "uwrqtv"ejgnvknkn"cv-v" o cvgtkng."e-v" k"vg o rqtng"
rg"ectg"ng"tgenc o "rtqpw ctgc"jqv t-tknqt"fg",pejgkgtg"
k"crqk"fg"cpwnctg"ceqvtcevnwk0

pvt/q"cnv "qrkpkge"etkve . "fce "ceegr v o "ectcevtwn"
qdnk icvqtkk"cn"cevnwk"lwtkfke"fg"htq o c kg"wpkncvgtcn . "ct"
vtgdwk"u "cf o kvg o e " o qctvgc"ucw"kpccrckvcv"qhgvtcp-
vwnwk."uwxgpkv "pckpv"fg"gzrktctgc"vgt o gpwnwk."pw"ct"
rwwgc"u "ckd "ec"ghgev"ecfwkvcv"qhgvtgk."qdnk icvkvvcv"
ceguvgk"vcpuhgt-pfw/ug"nc"uueguqt019"Qt."cuvhgn"fg"
ghgevg"pw"uwpv"cf o kug"pkek"fg"rtcevec"lwfge vqtcue "
tq o -pgcue . "k"pkek"fg"e vtg"q"rctvg"cl"uwu kp vqtknqt"
ceguvgk"vgqtkk0" Fg"cuq o gpgc."rqtvxkv"ceguvgk"qrkpkk."
qhgvtc"fg"ceqvtcevc"ht "vgt o gp"xc"vtgdwk"u "Lg" o gp-

kpww "nc"kpLpkv."fgqctgeg"sktgxqecdknkvcv"o cpkhgv tkk"
wpkncvgtcng"fg"xqkp "fgewitg"ec"q"eqpugekp "Ltgcue "
fkp"lpcnkvcv"wt o tkv "rtkp"gzvgtkqtk|ctgc"xqkp gk020"
Fgek."k|xqtw"qdnk icvkv k"qhgvtgk",n"tgrtg|kp "xqkp c"
fg"cl"ug"qdnk ic" k"pw"vgt o gpwn0"p"eqpugekp . "qhgvtc"pw"
xc"rwwgc"l"tgxqecv "pkekqfcv 0"

Q"cnv "etkve"eg"rqcv"l"cfwu "ceguvgk"qrkpkk"tg|wnv "
fkp"crnctgc"rtkpekrkwnwk"uk o gvtkgk"lwtkfkeg."rqtvxkv"
e twk"q"qdnk ic kg"rqcv"l"fgulcp cv "ucw" o qfkLecv "
p"cegnk c" o qf" k",p"cegnk c"eqpfk k",p"ectg"gc"chquv"
etgcv 021"p"eqpugekp . "vgqtk"cpiclc o gpvwnwk"wpkncvgtcn"
pw"xc"rwwgc"l"crnctgc . "fcv"l"p"hrvwn"e "ceguvc"ct",p-
ug o pc.",p"xtvwwgc"rtkpekrkwnwk"uk o gvtkgk."e "wp"cuq o gpgc"
cpiclc o gpv"rqcv"l"tgxqecv"qtke-pf"fg"cwvqtw"u w0"p"
eqpvtcectctgc"ceguvwk"cti w o gpv"u/c"cl"o cv22"e . "p"hpqf."
pw"uwpvg o "p"rtg|gp c"wpwk"rtkpekrkwn"cn"uk o gvtkgk."ek",p"
rtg|gp c"wpqk"gzegr k"fg"nc"rtkpekrkwn"ht gk"qdnk icvqtkk"
c"eqpvtcevnwk" k."rtkp"wt o ctg."gn"pw"xc"rwwgc"l"tgxqecv"
qtke-pf" k"qtkew o "fg"cwvqtw"u w0"

Eqpukfgt o "e "ceguvc"qrkpkk"guvg"fkuevcdk 0"
Rtkpekrkwn"ht gk"qdnk icvqtkk"ceqvtcevnwk"gpwp "e "
wp"eqpvtcevnwk"pejgkcv"rtqfwe"ghgevg",pvtg"r t kng"
eqpvtcevcv"0" Fgek."eqpvtcevnwk"ug"xc"ko rwpq"r t knqt."
cuq o p vqt"ukwvc kgk"e-pf"wp"cuq o gpgc"eqpvtcevnwk"
ko rwu"fg"ngig0" Cuvhgn."ht gk"qdnk icvqtkk"ceqvtcevnwk"
rtkxg vg"ghgevgng"ceguvwk"hc "fg"r t k."fgek"rgtkqcfc"
wnvgtkqct "pejgkgtk"eqpvtcevnwk"gvrc"rquveqvtcevc-
n +0"Gzegr kc"fg"nc"ceguv"rtkpekrkwn"ct"xl|c."fg"cuq o gpgc."
ghgevgng"eqpvtcevnwk."ceguvc",pecft-pfw/ug"vqv",p"gvrc"
rquveqvtcevcn 0"Cuvhgn."fce . "rqtvxkv"rtkpekrkwnwk"ht gk"
qdnk icvqtkk"ceqvtcevnwk."wp"eqpvtcevnwk"pejgkcv"
rtqfwe"ghgevg",pvtg"r t kng"eqpvtcevcv."gzegr kc"fg"nc"
ceguv"rtkpekrkwn."eqpukfgt o ."ct"l"tgrtg|gpvcv "fg"ukwvc-
k"lwtkfke "e-pf."fg" k"xq o "L",p"rtg|gp c"wpwk"eqpvtcevnwk"
xcncdkn",pejgkcv."ceguvc"pw"xc"rtqfwe"ghgevg"lwtkfkeg"
pvtg"r t k."gn"l"p"chgevcv"l"fg" o qf"cnkvcv"vgt o gpwnwk"
uwurgpux."Lg"fg"egc"ceqpfk kgk"uwurgpuxg0

Tgiwnc"uk o gvtkgk"gpwp . "fwr "ew o c"o"ct vcv" o ck"
uwu."e "fce "wp"eqpvtcevnwk"rqcv"l"htq o cv"rtkp"ceqtfwn"
fg"xqkp "cn"r t knqt."gn"rqcv"l"fguh eww"ucw"tgxqecv",p"
cegnk c"hn."vqv"rtkp"ceqtfwn"fg"xqkp "cn"r t knqt0"Cuvhgn."
tgiwnc"uk o gvtkgk"ug"tghgt "nc"htq o ctgc"eqpvtcevnwk."fgek"
kpg"fg"gvrc"rtgeqvtcevcn "rgthgev tkk"eqpvtcevnwk0"
Gc"xc"rwwgc"l"kpqecv "kpfkhtgtpv"fce "eqpvtcevnwk"guvg"
rtqfwe vqt"fg"ghgevg"lwtkfkeg"ucw"pw."l"p"uwLekgpv"ec"
gn"u "Lg",pejgkcv",p" o qf"xcncdkn0"Ceegr vctgc"uk o gvtkgk"
ec"l"p"q"gzegr kg"fg"nc"rtkpekrkwn"ht gk"qdnk icvqtkk"ceqvtcevnwk"
ct",pug o pc"e "p"ec|wn"wpq"eqpvtcevnwk"xcnc-
dkn",pejgkcv."fct"pgrtqfwe vqctg"fg"ghgevg"lwtkfkeg"fkp"
o q o gpvwn",pejgkgtk"eqpvtcevnwk."cti w o gpvwn"uk o gvtkgk"
u "pw"rqcv "l"kpqecv."fcv"l"p"hrvwn"e "cevnwk"lwtkfke"
pw"dgpgLekc| "fg"htq "qdnk icvqtkk",pvtg"r t k0" Ceguv"
rtkpekrkwn."p"l"p"crnctgc."pkek"gzegr kc"nwk"pw"xc"l"
qrgtc kqpcn 0"Eqpugekp c"ectg"guvg"eqpvtc|ku "fg"ng ikunc-

