

ROMANIA
GALATI LAW COURT
CIVIL SENTENCE NO.26

Council Chamber of 13.12.1996

PRESIDENT : Cristina Ghita

JUDGE : Margareta Goleanu

PROSECUTOR : Costica Mihailescu

CLERK : Adriana Toma

Since for today it is postponed the pronouncement of the request formulated by the applicant, the Foundation "Heart of a child" having the headquarters in Galati, 254, Brailei Street, block G4, flat 27, represented by Mrs. Secobeanu Marioara as President for the allowance of juridical personality in contradictory with the respondents of Labor and Social Protection Ministry and Ministry of Health.

The debates took place in the session of the Council Chamber of 11.12.1996, registered in the conclusion of same day when the instance needed time for consultation and postponed the pronouncement for the date of 12.12.1996 and than at the date of 13.12.1996, when:

THE COURT

Regarding the present request:

By the request registered under the no.21/PJ/8.10.1996, the applicant, Secobeanu Marioara, as a founding member, requested that, through the decision which will be pronounced, to be granted the juridical personality to the Foundation "Heart of a child" and to dispose its registration in the Register of the juridical persons to the clerk's office of Galati Law Court.

Analyzing the documents and the papers of the file, it is ascertained the following:

By this present request the applicant showed that the aim of the a/m foundation is the promotion of the child's rights in Romania in accordance with UNO Convention regarding the child's rights, a document ratified by Romania in September 1990. The foundation has as objective to solve the problems of the following categories of children and youths: street children, children infected with HIV, institutionalized children, sick or disabled children.

For proving the request, the following documents had been placed at the cause's file:

- the Foundation's constitutive document, certified under the number 985 / October 7, 1996 by the Public Notary Gheocenco Elisabeta;
- the Statute of the "Heart of a child" Foundation out of which contents results that its aims do not contravene with the general interests of the state, that the headquarters of the Foundation is in Galati, 254, Brailei Street, block G4, 1st entrance, 6th floor, flat 27, and that it has an initial patrimony of 900.000 lei and US Dollars 600.00;
- the receipt number 29934/15.09.1996 and a bank statement no.1/25.09.1996 regarding the constitution of the Foundation's patrimony;
- the rental contract registered at the Financial Administration of Galati County under the number I/2574/13/12/1996 regarding the proof of the headquarters in Galati, 254, Brailei Street, block G4, flat 27, closed between the owner of the flat and the Foundation for a duration of one year;
- remittance paper no.1867373/October 8, 1996 regarding the payment of the tax stamp amounting 600 lei and the judicial stamp valuing 1000 lei;
- During the settlement of the case through the letter reference no.53292/17.10.1996 and the letter reference no. 2395/29.10.1996 approved in principle the "Heart of a child" Foundation's functioning, with headquarters in Galati, 254, Brailei Street, Block G4, flat 27.

Analyzing the contents of the documents forwarded in the present cause, the court appreciates that the Foundation's aims do not contravene with the state's general interests and in compliance with the article 28 and article 32 from the Decree no.31/1954 as well as of the article 3, 68, 84 and article 85 from the Law 21/1924, it follows to be taken into consideration that there are fulfilled the conditions for granting the juridical personality of the said Foundation.

Therefore, the request being founded, it follows to be admitted and to be granted the juridical personality to the "Heart of a child" Foundation, with headquarters in Galati, 254, Brailei Street, Block G4, flat 27.

In accordance with the article 84 of the Law 21/1924, it follows to dispose the registration of this Foundation in the Register of the juridical persons at the clerk's office of Galati Law Court.

Any alteration brought to the constitutive documents and to the leading organs shall be made by respecting the provisions of the Law 21/1924.

It follows to draw up the Foundation's members' attention to respect the stipulations of the articles 10 and 93 of the Law 21/1924.

FOR THESE REASONS
IN THE NAME OF THE LAW
THE COURT DECIDES:

Admits the request formulated by the applicant "Heart of a child" Foundation, with

Secobeanu Marioara, as President, with residence in Galati, 22, Armata Poporului Street, Block LC 9, flat 4 for granting the juridical personality in contradictory with the respondents of Labor and Social Protection Ministry and Ministry of Health.

Grants the juridical personality to the "Heart of a child" Foundation, with headquarters in Galati, 254, Brailei Street, Block G4, 1st entrance, flat 27.

Disposes the registration of the Foundation in the Register of the juridical persons at the clerk's office from the Galati Law Court.

Instructs the Foundation to respect the provisions of the articles 10 and 93 of the Law 21/1954.

With appeal' right in 10 days from pronouncement.

PRESIDENT
C. Ghita

JUDGE
M. Goleanu

Clerk Stamp of Galati Law Court

CG/AT
4 copies
27.12.1996

7.01.1997
Final
Stamp
Signature

ROMANIA
GALATI LAW COURT
CLERK'S OFFICE

The present copy being in compliance with its original under the file no. 32PJ1996 is authenticated by us by putting the legal stamps

FIRST CLERK Stamp
Signature

Applied judicial stamp
In value of 500 lei
Date: 07.01.1997

Signature
Stamp

Judicial stamps
Stamp

I, the undersigned, Neacsu Tamara, certified translator in accordance with the authorization no 6815/2002, do certify the accuracy of the translation of the original document from Romanian to English, being signed by me, the translator