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METHODOLOGY FOR EVALUATING FUEL POVERTY IN ROMANIA

1 GENERAL CONSIDERATIONS

This methodology regulates the method for evaluating fuel poverty in Romania with a view to identifying the Romanian population who is in need of financial support for ensuring the thermic comfort of their houses at affordable costs out of their households' income. In addition, considering the programmes run by the Romanian public authorities for the rehabilitation of the existing housing stock, this methodology also accounts for the improvement in the thermic insulation of the rehabilitated housing stock.

2 DEFINITIONS

Throughout this methodology, terms listed below shall have the following meaning:

- (a) Affordable costs – means costs not exceeding more than [●]% of a household's income;
- (b) Applicant – means the household's representative who is applying for the financial support for heating and who can be, as the case may be: the owner of the house, the lessee, in case of a lease or a free lease agreement;
- (c) Cold season – means the 5 (five) months period between 1 November of current year and 31 March of the next year, as it may be prolonged in one county upon the proposal of the county council, with the approval of the National Authority for Meteorology;
- (d) Household – means the husband, the wife, as well as other persons, irrespective whether they are bound by family connections or not, who have the same domicile or residence and/or live and manage the household together [for a period of time longer than 30 days, consecutive or cumulated, during the cold season];
- (e) House – means the living space, irrespective of the title it is used on, where a household lives continuously;
- (f) Household's income – means all income of all members of one household, including but without being limited to, salaries, unemployment benefits, child support, stimuli for the parent who has the right to paternity/maternity leave but who returns to work before one year, family support, social support for ensuring the minimum guaranteed income, support for disabled people, etc.
- (g) Financial support for heating – means the financial contribution received by a household for bridging the gap between that household's heating bill and the affordable costs for heating for that household;

- (h) Fuel poverty– means a household’s inability to ensure the thermic comfort of its house at affordable costs out of the household’s income;
- (i) Level of thermic insulation –means the level of the energy efficiency of a house;
- (j) Service of general interest of ensuring household’s access to heating sources– means the guaranteed right of the entire population of having continuous access to heating sources at a quality level and prices which are reasonable, transparent, easily comparable and non-discriminating;
- (k) Thermic comfort – means an indoor temperature of [21°C] throughout the cold season.

3 GENERAL PROVISIONS

All households in Romania are guaranteed the right of continuous access to heating sources at a quality level and prices which are reasonable, transparent, easily comparable and non-discriminating.

4 FINANCIAL SUPPORT FOR HEATING

4.1 The level of financial support for heating

- 4.1.1 The level of financial support for heating per household shall be determined in accordance with the level of thermic insulation of that household’s house and with that household’s income, as per Annex [●] to this methodology.
- 4.1.2 Local public authorities shall ensure that the level of the financial support for heating shall take into account the changes in the thermic insulation of the living stock rehabilitated following the rehabilitation programmes implemented by the local public authorities up to [1 October of each year]. Local public authorities are compelled to keep rigorous evidence of the living stock rehabilitated.

4.2 Funds for the financial support for heating

The financial support for heating shall be covered from the state budget, through the budget of the Ministry of Labour, Family, Social Protection and Elderly.

4.3 Timing of applications for the financial support for heating

- 4.3.1 The financial support for heating shall be granted based on the application and statement on own responsibility submitted by the applicant with the local city hall by [15 October of each year], indicating the members of the household, the income of the members of the household during the previous month, and the movable and immovable assets they own. The application shall be accompanied by documents supporting the information in the application and the statement on own responsibility submitted.
- 4.3.2 The right to financial support for heating and the level of such support shall be determined by order of the mayor for the entire period such financial support for heating can be paid. Such orders are communicated until [15 November] to applicants, district heating/gas/electricity suppliers, and county agencies for social protection, and will indicate the amount of the financial support for heating together with the supplier’s and

applicant's codes. For applicants using other heating sources than district heating, gas and electricity, the orders will also indicate the date the financial support for heating will be paid on.

4.3.3 Applications for financial support for heating can also be submitted once the cold season started, and the right to financial support for heating shall be determined by order of the mayor, as follows:

- (a) Beginning with the month the application is submitted in, if the application and the supporting documents were submitted by the [20]th of that month;
- (b) Beginning with the month following the month the application was submitted in, if the application and the supporting documents were submitted after the [20]th of that month.

4.3.4 The template application and statement on own responsibility shall be made available by the local city hall through the owners' associations for applicants living in blocks of flats, or directly to those applicants living in single houses and made available on the internet webpage.

4.4 Monitoring

4.4.1 Upon notices submitted by either third parties or county agencies for social protection, the social assistance public service shall conduct social inquiries to verify the accuracy of the information provided in applications and statements on own responsibility.

4.4.2 Households refusing to provide necessary documents and information during social inquiries shall be denied the right to financial support for heating.

4.4.3 If following such social inquiries it is determined that an applicant provided erroneous information in the application and/or statement on own responsibility, the right to financial support for heating shall be terminated beginning with the following month. The support wrongly received by the applicant shall be recovered by order of the mayor, which represents a writ of execution.

4.5 Changes in the initial circumstances

4.5.1 Applicants are compelled to inform mayors of any changes in their households' number of members and/or income, within [10] days as of the occurrence of such change. To this end, applicants shall submit new statements on own responsibility.

4.5.2 The amendments in the level of the financial support for heating shall enter into force beginning with the month following the month when the changes occurred.

4.5.3 The amendments in the level of the financial support for heating shall be determined by order of the mayor and shall be communicated within [5] days to applicants, district heating/gas/electricity suppliers, and county agencies for social protection.

4.6 Payment of the financial support for heating

4.6.1 District heating/gas/electricity suppliers shall send to the owners' associations or individual consumers, as the case may be, the invoice for the heat/gas/electricity

consumption, which shall also mention the amount of the financial support for heating per individual consumer entitled to such financial support.

- 4.6.2 In the case of blocks of flats connected to district heating networks and gas supply agreements concluded between owners' associations and gas suppliers, within [10] days as of receipt of invoice, the owners' associations are compelled to distribute the amounts invoiced by the district heating/gas suppliers per individual consumer, based on each individual consumer's consumption. Such distribution will also consider the financial support for heating that individual consumer may be entitled to.
- 4.6.3 Based on the centralized data provided by the local authority as per article [4.3.2], district heating/gas/electricity suppliers shall inform the local authority of the total amount of the financial support for heating necessary for their customers, considering also their customers' consumption. The information notice, once approved, shall substantiate the payment of the financial support for heating to the district heating/gas/electricity suppliers.
- 4.6.4 The local public authorities shall ensure that the approved information notices are transmitted to the county agencies for social protection which shall elaborate the data base with the consumers benefiting from financial support for heating.
- 4.6.5 Subject to the financial support for heating being covered from local budgets, mayors, respectively heating/gas/electricity suppliers, may request payment of the financial support for heating from the Ministry of Labour, Family, Social Protection and Elderly by:
 - (a) [30 April] at the latest, in case of financial support for heating using oil or solid fuels;
 - (b) [31 July] at the latest, in case of financial support for heating using district heating, gas and electricity.

4.7 Financial support for heating based on oil or solid fuels

- 4.7.1 Mayors are compelled to draft the list of households benefiting from financial support for heating based on oil or solid fuels by [15 September] of each year.
- 4.7.2 The financial support for heating based on oil or solid fuels shall be paid in one instalment for the entire cold season, by [31 October] of each year.

5 MONITORING BY THE MINISTRY OF LABOUR, FAMILY, SOCIAL PROTECTION AND ELDERLY

The Ministry of Labour, Family, Social Protection and Elderly shall monitor and control the implementation of this methodology and mayors, district heating/gas/electricity suppliers are compelled to collaborate with the representatives of the Ministry of Labour, Family, Social Protection and Elderly and provide data, information and supporting documents, as requested.

6 FINAL PROVISIONS

- 6.1.1 Declaring that a household has more members or lower income than it actually does for the purpose of obtaining undue financial benefits represents a crime of forgery, use of forgery or misleading, as the case may be, and shall be sanctioned according to the Romanian Criminal Code.
- 6.1.2 The local public authorities' failure to comply with the provisions of:
- (a) Article [4.1.2] shall result in the [mayor being sanctioned with a fine amounting to RON [●]];
 - (b) Article [4.6.4] shall result in the [mayor being sanctioned with a fine amounting to RON [●]];
 - (c) Article [4.7] shall result in the [mayor being sanctioned with a fine amounting to RON [●]];
 - (d) Article [5] shall result in the [mayor being sanctioned with a fine amounting to RON [●]].
- 6.1.3 The district heating/gas/electricity suppliers' failure to comply with the provisions of Article [5] shall result in the district heating/gas/electricity suppliers being sanctioned with a fine amounting to RON [●].
- 6.1.4 An applicant's failure to comply with the provisions of Article [4.3.1] shall result in the applicant being sanctioned with a fine amounting to RON [●].
- 6.1.5 The orders of the mayors determining the right to financial support for heating (*i.e.*, approving, denying, amending or terminating such right) can be challenged according to the Administrative Contentious Law no. 554/2004, as subsequently amended.

ANNEX [●]

Level of financial support for heating