



**Fiscal Council's Opinion on the legislative proposal for amending the Law no. 227/2015 on the Fiscal Code – b515/2021**

On November 15, 2021, the Fiscal Council (FC) received the address of the Romanian Senate no. XXXV/5453 dated 08.11.2021, by which it is requested, in accordance with the Fiscal Responsibility Law no. 69/2010 republished (FRL), the opinion on a legislative proposal amending the Law no. 227/2015 on the Fiscal Code (the proposal no. b 515/2021).

***Brief description of the legislative proposal***

The legislative proposal subject to examination by the Fiscal Council envisages the introduction of the possibility to direct the percentage of 3.5% of the personal income tax, on which individual taxpayers can dispose, also towards social insertion enterprises. The explanatory memorandum argues that this measure would result in lower unemployment, thus contributing to reducing the number of people at risk of poverty and social marginalization.

***Budgetary impact of the proposal***

Given that the proposal does not address changes in budgetary revenues or expenditures, it does not have a financial impact on the general consolidated budget, fact stated in the explanatory memorandum. The same document states that this proposal would have the effect of increasing employment among marginalized people, which could later lead to a decrease in budgetary expenditures related to the support of these people.

***Assessment of the Fiscal Council regarding the legislative proposal***

- Regarding the opportunity of the legislative proposal, the Fiscal Council has no attributions in deciding because the establishment of alternatives to increase the employment among marginalized people represents the prerogative of the Parliament, the Government or other institutions.
- Regarding the compliance with the provisions of the FRL, the Fiscal Council considers that the present legislative proposal does not have a financial impact on the general

consolidated budget, as it does not aim at changes of the budgetary revenues, respectively of the expenditures.

- In view of the above, as well as of the attributions to analyze the proposals of normative acts established by the FRL, the Fiscal Council considers that it is not necessary for the present legislative proposal to be the object of its analysis.

The opinions and recommendations formulated above by the Fiscal Council were approved by the Chairman of the Fiscal Council, according to the provisions of art. 56, para (2), letter d) of Law no. 69/2010 republished, after being agreed by Council members, through vote, in the meeting of November 23, 2021.

November 23, 2021

Chairman of the Fiscal Council

Professor DANIEL DĂIANU