CONCEPTUAL AND PRACTICAL DIMENSIONS. REORGANIZATION OF PUBLIC INSTITUTIONS AS MERGING BY ABSORPTION

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Abstract: Developments in economic and social plan, the need to observe framework agreements with the European Commission and International Monetary Fund, and the need to support business led to the adoption and implementation of appropriate legislative framework on the reorganization of public institutions in Romania. This research is intended to be a model of theoretical and practical overview of the stages of the reorganization of public institutions as merging by absorption.

Keywords: public institutions, reorganization of public institutions, merger by absorption, disposal of assets, disposal of equity and liabilities.

1. Theoretical dimensions on the reorganization of public authorities and institutions. General aspects of the reorganization in the form of fusion by absorption of public institutions in Romania

In Romania, the reorganization of public institutions regulated by the Law nr.329/2009 amended and supplemented, the Accounting Law No.82/1991 as amended and supplemented. Arrangements for business reorganization of public institutions are presented in Table 1.

Reorganization of public institutions in the form of fusion by absorption is achieved by dissolution without liquidation of the public institution absorbed outgoing and obtain their assets, equity and liabilities to a public institution acquiring the acquiring institution acquires all the assets, equity and liabilities the absorbed.

Stages of reorganization in the form of fusion by absorption are:

- is achieved inventory assets in equity and debt under OMPF No. 2861 / 09.10.2009 approving the rules on the organization and conduct inventory of assets, liabilities and equity;
- shall be accounted for during inventory differences (pluses and / or minuses quantitative found in inventory that value adjustments for fixed assets and current assets);
- financial statements are prepared for the closure of the public institution absorbed;
- publication of the act of reorganization and approval by the principal loan inventory, financial statements and contracts in progress at the time of fusion of the institution absorbed by absorption;
- delivery and reception of assets, equity and liabilities between the public body and the public body tissue absorbed in teaching the protocols pickup within 15 days of the date of entry into force of legislative acts governing the establishment or reorganization of public institutions. Also the handover protocol specified budget appropriations unused public institution absorbed the personnel and structures taken.

Table no.1. "Types of reorganization of public authorities and institutions in Romania"

Characterization		
It has the effect of abolishing authority or institution and		
taking its business to another authority or institution		
existing or a newly established department in other public		
authority or institution		
Has the effect of dissolution without liquidation of two or		
more public institutions pooled their fusion activity, which		
ceases to exist and transmit the heritage of a newly		
established public institution. Newly established public		
institution acquires all assets, liabilities and equity of the		
institutions that have ceased to exist		
Has the effect of dissolution without liquidation of the		
public entity and the public institutions transfer its assets to		
other existing or new companies acquiring institution ceases		
business activity		
Have the effect of reducing the number of employees due to		
measures to reduce personnel costs in the budget		
Has the effect of changing the source of financing, often		
with donor funding from the revenues of the budget to		
ensure that such conduct public institution		

Source: developed by the author according to article 3 of Law nr.329/2009

Table no. 2. "Examples of newly established public institutions in Romania by abolishing institutions / existing structures as a result of merging by absorption"

ε			
Institutions / structures cease to exist as a	Authority or institution existing or newly		
result of reorganization to merge by	established department that takes abolished the		
absorption	activity of the public authority or institution,		
	through the pooling of absorption		
Romanian Agency for Energy	Consolidation - absorption and taking office by		
Conservation of the Ministry of	the National Regulatory Authority - ANRE		
Economy			
National Institute of Administration	Merger by absorption and takeover activity by a		
(NIA) of the Ministry of Administration	new direction within the National Agency of Civil		
and Interior	Servants (NACS)		
Funded Social Inspection of the Ministry	Merger by absorption and takeover activity by the		
of Labour, Family and Social Protection	Labour Inspection		
Training and Innovation Centre for	Merger by absorption, the taking over of the		
Development in the Carpathians in the	National Agency of Mountain Area		
Ministry of Agriculture and Rural			
Development			
Institute for Cultural Memory in the	Merger by absorption with the Center for		
Ministry of Culture and National	Professional Training in Culture will take over the		
Heritage	European Cultural Centre "Sinaia"		

Institutions / structures cease to exist as a	Authority or institution existing or newly
result of reorganization to merge by	established department that takes abolished the
absorption	activity of the public authority or institution,
	through the pooling of absorption
National Institute for Marine Research	Merger by absorption and takeover activity by the
and Development "Grigore Antipas" of	National Institute of Research and Development
the Ministry of Environment	for Environmental Protection
National Institute for Research and	Merger by absorption and takeover activity by the
Development "Danube Delta" of the	National Institute of Research and Development
Ministry of Environment	for Environmental Protection
National Institute of Research and	Merger by absorption and takeover activity by the
Development for Environmental	National Institute of Research and Development
Protection of the Ministry of	for Environmental Protection
Environment	
Labour and Social Protection of the	Merger by absorption with the National Agency
Ministry of Labour, Family and Social	for Social Benefits
Protection	
Consultancy Centre for European	Merger by absorption with the Center for
Cultural Programmes of the Ministry of	Research on Culture
Culture and National Heritage	

Source: developed by the author as Annexes 1, 2 of the Law nr.329/2009

2. Case study on the reorganization of public institutions in the form merging by absorption

Public institutions "X", Institute absorbed entirely financed from own, it will be taken by the public institution "Y" acquiring institution financed entirely from own, becoming a distinct compartment within the public institution "Y". Reorganization of two public institutions is in the form merging by absorption.

Following the inventory made at the public institution "X" under the OMFP No. 2861/2009 with subsequent amendments were noted against the following quantitative differences, and value are recorded in the accounts as follows:

1. Pluses found in inventory cashier where found cash worth 80 lei, for which the cashier has no justification:

53101 = 44801 80 lei

"Cashier lei" "Other liabilities to the budget"

- 2. Is found minus the last material inventory items in storage with a carrying amount of 800 lei, current value 1,000 lei. Manager submits to the cashier counter products damage the institution:
- a. Out of stock records found missing from the inventory:

603 = 30301 800 lei

"Expenditure on the inventory objects" "Materials inventory objects in storage"

b. Imputation in task manager guilty registration:

4280102 % 1,000 lei "Other claims related to staff in one year" 791 800 lei "Revenues from the sale of assets belonging to the state" 44801 200 lei "Other liabilities to the budget" c. Submission by the manager of the consideration attributable to the cashier stock: 53101 4280102 100 lei "Cashier lei" "Other claims related to staff in one vear" 3. Pluses auxiliary materials worth 50 lei: 30201 50 lei = 60201"Materiale auxiliare" "Cheltuieli cu materiale auxiliare" 4. Registering value adjustments for impairment of auxiliary materials, as the book value of 200 lei and 150 lei inventory value: 6810401 = 3920150 lei "Operational expenditure adjustments "Obsolescence allowances on for depreciation of current assets / consumables" stock" 5. Recording depreciation on fixed assets and intangible assets owned before absorption: a. Amortization of software: 68101 28008 100 "Operational expenditure on depreciation of "Amortization of other intangible lei fixed assets" assets" b. Depreciation of buildings: 68101 28102 800 lei "Depreciation of buildings" "Operational expenditure on depreciation of fixed assets" c. Depreciation of vehicles: 68101 = 28103500 lei "Operational expenditure on "Depreciation of plant, vehicles, depreciation of fixed assets" animals and plantations" d. Amortization of computer: 68101 = 28104300 lei "Operational expenditure on "Depreciation of furniture, office depreciation of fixed assets" automation equipment, protective equipment and material human values and other tangible fixed assets"

6. In the public institutions registered accounts receivable 2,300 lei in connection with a client who went bankrupt, debt receivable remaining year of 1,300 lei, and the remaining 1,000 lei would be followed to yourself next year, which is impossible to achieve following the entry into bankruptcy of that client. Commission proposed inventory record an adjustment for depreciation.

a. Record uncertain clients maturing in 1 year:

4110108 = 4110101 1,300 lei

"Uncertain clients or disputed under 1 "Customers with a maturity of one

year" year"

b. Record the value adjustment (depreciation) suitable:

6810402 = 49101 1,300 lei

"Operational expenditure adjustments for depreciation of current assets / receivables" depreciation receivables from customers in one year"

c. Registration uncertain clients with maturity over 1 year:

4110208 = 4110201 1,000 lei

"Uncertain clients or disputed over 1 "Customers with maturity over one

year" year"

d. Se înregistrează ajustarea de depreciere corespunzătoare:

6810402 = 49102 1,000 lei

"Operational expenditure adjustments "Value adjustment for the for depreciation of current assets / depreciation receivables from customers over one year"

7. Clearance of expenditure and revenue:

a. Clearance of expenditure:

b. Clearance of revenue:

121 = % <u>4.800</u> 791 = 121 800 "The result patrimonial" patrimonial"

60201 - 50 603 800 68101 1.700 6810401 50 6810402 2.300

Trial balance before and after inventory public institution "X" that is absorbed:

Account	Account Name	Final balance		Final balance	
Symbol		before in	before inventory		entory
		D	С	D	С
101	Fund assets that make up the state's public		135,00		135,00
			0		0
10502	Buildings revaluation reserve		4,000		4,000
117	Reported result		7,000		7,000
121	The result patrimonial		5,000		1,000
20801	Software	5,000		5,000	

Account	Account Name	Final bal	ance	Final ba	lance
Symbol		before inventory		after inv	entory
		D	С	D	С
212	Construction	48,000		48,000	
21303	Means of transport	10,000		10,000	
214	Furniture, office equipment, equipment for	12,000		12,000	
	protection of human and material values and				
	other intangible fixed assets				
28008	Amortization of other intangible assets		1,500		1,600
28102	Depreciation of buildings		7,000		7,800
28103	Depreciation of plant, vehicles, animals and		5,000		5,500
	plantations				
28104	Depreciation of furniture, office automation		2,500		2,800
	equipment, protective equipment and				
	material human values and other tangible				
	fixed assets				
30201	Auxiliary materials	1,000		1,050	
30202	Fuels	4,000		4,000	
30301	Materials inventory objects in storage	2,000		1,200	
30302	Obsolescence allowances on consumables			4,000	
39201			0		50
40101			10,000		10,000
40102	Suppliers over 1 year		20,000		20,000
4110101	Customers with a maturity under one year	7,000		5,700	
4110201	Customers with a maturity over one year	8,000		7,000	
4110108	Uncertain clients or disputed under 1 year			1,300	
4110208	Uncertain clients or disputed over 1 year			1,000	
4090101	Suppliers borrowers for purchases of goods	1,000		1,000	
	such as stocks				
4090102	Suppliers borrowers for services and	1,000		1,000	
	performance of works				
421	Staff salaries, due		10,000		10,000
43101	Employer contributions for social insurance		900		900
43102	Insured for social security contributions		300		300
43103	Employer contribution for health insurance		500		500
43104	Contributions for health insurance		500		500
	policyholders				
43105	Employer contributions for work accidents		200		200
	and occupational diseases			<u></u>	
43107	Employers' contributions holidays and		100		100
	allowances				
43701	Employer contributions for unemployment		400		400
	insurance				

Account	ount Account Name Final balance		ance	Final bal	ance
Symbol		before inventory		after inventory	
		D	С	D	С
43702	Insured for unemployment insurance contributions		400		400
43703	Employers' contributions to the fund for payment of wage claims		100		100
444	Tax on income from wages and other entitlements		1,600		1,600
44801	Other liabilities to the budget		0		280
49101	01 Value adjustment for the depreciation receivables from customers in one year				1,300
49102	-				1,000
51201	Treasury accounts and the credit institutions in lei	55,000		55,000	
53101	Cashier in lei	5,000		6,080	
53204	For motor fuels vouchers	18,000		18,000	
53206	Vouchers Feed	7,000		7,000	
560	Available public institutions financed entirely from own	24,000		24,000	
SUM	1	212,00 0	212,00 0	212,33 0	212,33 0

Balance compiled based on inventory trial balance prepared after the public institution "X" that is absorbed is as follows:

curr	INDICATORS	row	balance
ent		code	at end
Issu			of
e			period
A	В	С	1
Α.	ACTIVE	1	
	NON-CURRENT ASSETS	2	
1.	Intangible fixed assets	3	3,400
2.	Technical installations, vehicles, animals and plantations, furniture,	4	13,700
	office equipment and other tangible assets		
3.	Land and buildings	5	40,200
4.	Other non-financial assets	6	0
5.	Non-current financial assets (long term investment) over a year	7	0
	Equity securities	8	0
6.	Non-current receivables - amounts to be recovered after more than	9	7,000
	one year		
	Non-current trade receivables - amounts to be recovered after more	10	7,000

curr ent Issu	INDICATORS	row code	balance at end of
e e			period
	than one year		Periou
7.	TOTAL NON-CURRENT ASSETS (rows 03+04+05+06+07+09)	15	64,300
	CURRENT ASSETS	18	1 1,0 0 0
1.	Stocks	19	10,200
2.	Current receivables - amounts to be received within a period of less	20	7,700
	than one year - Total, of which:		,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
	Commercial receivables and advances to:	21	7,700
	Commercial receivables	22	5,700
	Advances granted to	22.1	2,000
	Claims budget of which:	23	0
	General government claims	24	0
	Claims of Community operations	25	0
	Amounts received from the European Commission	26	0
	Short-term loans granted	27	0
	Total current receivables (rows 21 +23 +25 +27)	30	7,700
3.	Short-term investments	31	0
4.	Cash and bank deposits of which:	32	110,080
	Accounts treasury, cash, other assets, cash advances	33	110,080
	of which: deposits	34	0
	Accounts credit institutions, home, cash advances	35	0
	of which: deposits	36	0
	Total disposable (rows 33+35)	40	110,080
5.	Deposits with the central treasury	41	0
	Prepaid expenses	42	0
	TOTAL CURRENT ASSETS (rows 19+30+31+40+41+42)	45	127,980
	TOTAL ASSETS (rows 15+45)	46	192,280
В.	DEBTS	50	,
	NON-CURRENT DEBTS - amounts to be paid within a period of	51	
	less than one year		
1.	Non-current amounts payable, including:	52	20,000
	Commercial debts	53	20,000
2.	Long-term loans	54	0
3.	Provisions	55	0
	TOTAL NON-CURRENT DEBTS (rows 52+54+55)	58	20,000
	CURRENT DEBTS - amounts to be paid within a period of up to	59	
	one year - total of which:		
1.	Commercial debts and advances and other settlements, including:	60	10,280
	Commercial debts	61	10,280

curr ent	INDICATORS	row code	balance at end
Issu			of
e			period
	Advances received	61.1	
2.	Debts to budget of which:	62	5,000
	Debts to budgets of public institutions, including:	63	5,000
	Social contributions	63.1	5,000
	Amounts due from external grants	64	0
3.	Debts transactions in external grants and funds from the budget, other	65	0
	debts to international organizations		
	of which amounts owed by the European Commission	66	0
4.	Short term borrowings - amounts to be paid within a period of up to	70	0
	one year		
5.	Long-term loans - amounts to be paid in current year	71	0
6.	Employee salaries and related contributions	72	15,000
7.	Other rights of other categories of people (pensions, unemployment	73	0
	benefits, grants)		
	Pensions, unemployment benefits, scholarships	73.1	0
8.	Revenue in advance	74	0
9.	Provisions	75	0
10.	TOTAL CURRENT DEBTS (rows	78	25,280
	60+62+65+70+71+72+73+74+75)		
11.	TOTAL DEBTS (rows 58+78)	79	45,280
12.	NET ASSETS =TOTAL ASSETS NET ASSETS - TOTAL	80	147,000
	DEBTS = OWN CAPITALS (row 80=rows 46–79=row 90)		
C.	OWN CAPITALS	83	
1.	Reserve, funds	84	139,000
2.	Reported result (ct.117 - credit balance)		7,000
3.	Reported result (ct.117 - debit balance)		-
4.	Patrimonial result for the year (ct.121 - credit balance)	87	1,000
5.	Patrimonial result for the year (ct.121 - credit balance)	88	-
6.	TOTAL CAPITALS OWN (rows 84+85-86+87-88)	90	147,000

Disposal of assets, equity of public institution "X" absorbed by the public institution "Y" absorbent by the protocol transmission - reception:

892	= %	<u>212,330</u>	%	= 892	<u>212,330</u>
"Closing Balance				"Closing Balance	
Sheet"				Sheet"	
	20801	5,000	101		135,000
	212	48,000	10502		4,000
	21303	10,000	117		3,000
	214	12,000	121		5,000
	30201	1.050	28008		1.600

30202	4,000	28102	7,800
30301	1,200	28103	5,500
30302	4,000	28104	2,800
4110101	5,700	39201	50
4110201	7,000	40101	10,000
4110108	1,300	40102	20,000
4110208	1,000	421	10,000
4090101	1,000	43101	900
4090102	1,000	43102	300
51201	55,000	43103	500
53101	6,080	43104	500
53204	18,000	43105	200
53206	7,000	43107	100
560	24,000	43701	400
		43702	400
		43703	100
		444	1,600
		44801	280
		49101	1,300
		49102	1,000

Receipt of assets, liabilities and equity of the public institution "Y" that absorbs public institution "X" which is absorbed by the protocol transmission - reception:

Assets re	ceived by the public	, ,	Debts and equity received by the public institution "Y"		
%	= 891	212,330	891	= %	212,330
	"Opening		"Opening balance"		
	balance"				
20801		5,000		101	135,000
212		48,000		10502	4,000
21303		10,000		117	3,000
214		12,000		121	5,000
30201		1,050		28008	1,600
30202		4,000		28102	7,800
30301		1,200		28103	5,500
30302		4,000		28104	2,800
4110101		5,700		39201	50
4110201		7,000		40101	10,000
4110108		1,300		40102	20,000
4110208		1,000		421	10,000
4090101		1,000		43101	900
4090102		1,000		43102	300
51201		55,000		43103	500
53101		6,080		43104	500

	Section – Economy and Management		GIDNI
53204	18,000	43105	200
53206	7,000	43107	100
560	24,000	43701	400
		43702	400
		43703	100
		444	1,600
		44801	280
		49101	1,300
		49102	1,000

Trial balance public institution "Y" absorbent before and after merging by absorption with the public institution "X":

Account	Account Name	Balance	as	Balance as after	
Symbol		before the merger by absorption		merger by	
				absorption	
		D	С	D	С
101	Fund assets that make up the state's public		132,50		267,50
			0		0
1052	Buildings revaluation reserve				4,000
117	Reported result		2,000		9,000
121	The result patrimonial		3,000		4,000
20801	Software	2,000		7,000	
212	Construction	54,000		102,00	
				0	
21303	Means of transport			10,000	
214	Furniture, office equipment, equipment for	8,000		20,000	
	protection of human and material values, other				
	intangible fixed assets				
28008	Amortization of other intangible assets		1,000		2,600
28102	Depreciation of buildings		5,000		12,800
28103	Depreciation of plant, vehicles, animals and				5,500
	plantations				
28104	Depreciation of furniture, office automation		3,000		5,800
	equipment, protective equipment and material				
	human values and other tangible fixed assets				
30201	Auxiliary materials			1,050	
30202	Fuels			4,000	
30208	Other consumable materials	3,000		3,000	
30301	Materials inventory objects in storage			1,200	
30302	Materials inventory objects into use			4,000	
39201	Obsolescence allowances on consumables		500		550
40101	Suppliers under 1 year		8,000		18,000
40102	Suppliers over 1 year		22,000		42,000

Account	Account Name	Balance as		Balance as after	
Symbol		before the merger by absorption		merger by absorption	
,					
		D	С	D	С
4110101	Customers with a maturity under one year	15,000		20,700	
4110201	Customers with a maturity over one year			7,000	
4110108	Uncertain clients or disputed under 1 year			1,300	
4110208	Uncertain clients or disputed over 1 year			1,000	
4090101	Suppliers borrowers for purchases of goods such			1,000	
	as stocks				
4090102	Suppliers borrowers for services and			1,000	
	performance of works				
421	Staff salaries, due		20,000		30,000
43101	Employer contributions for social insurance		1,800		2,700
43102	Insured for social security contributions		600		900
43103	Employer contribution for health insurance		1,000		1,500
43104	Contributions for health insurance policyholders		1,000		1,500
43105	Employer contributions for work accidents and		400		600
	occupational diseases				
43107	Employers' contributions holidays and		200		300
	allowances				
43701	Employer contributions for unemployment		800		1,200
	insurance				
43702	Insured for unemployment insurance		800		1,200
	contributions				
43703	Employers' contributions to the fund for payment		200		300
	of wage claims				
444	Tax on income from wages and other		3,200		4,800
	entitlements				
44801	Other liabilities to the budget				280
49101	Value adjustment for the depreciation receivables				1,300
	from customers in one year				
49102	Value adjustment for the depreciation receivables				1,000
	from customers over one year"				
51201	Treasury accounts and the credit institutions in	80,000		135,00	
	lei			0	
53101	Cashier in lei	10,000		16,080	
53204	For motor fuels vouchers			18,000	
53206	Vouchers Feed			7,000	
560	Available public institutions financed entirely	35,000		59,000	
	from own				
SUM		207,00	207,00	419,33	419,33

Account	Account Name	Balance as		Balance as after	
Symbol		before the		merger by	
		merger by		absorption	
		absorption			
		D	С	D	С
		0	0	0	0

3. Conclusions:

Business reorganization and reform in the public institutions in Romania by rethinking the entire institutional system was determined by several factors such as the need to streamline the activities of public institutions linked to the government's priorities for reform in public administration; stringency establish economic and financial measures in the public institutions to ensure the commitments by the Government during negotiations loan agreements with financial institutions and framework agreements with the European Commission, etc.

Institutional system must be characterized, among others, the flexibility and adaptability to rapid developments in global financial context. Failure reorganization of public institutions can prevent proper organization of activities and the impossibility of improving the institutional conditions of activities, both in terms of organization and operation, and in financial terms, in terms of framing the budget income and expenditure approved.

4. References:

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- 7. O.M.F.P. No. 1917 / 12.12.2005 approving the Methodological Norms regarding the organization and management of public institutions' accounting, chart of accounts for public institutions and its application guidelines, published in the Official Gazette nr.1186 / 29.12.2005, amended and supplemented
- 8. O.M.F.P. No. 2861 / 09.10.2009 approving the rules on the organization and conduct inventory of assets, liabilities and to equity, Official Gazette, no. 704 / 20.10.2009 with subsequent amendments