



Legal aspects regarding the documents concluded by the ascertainment bodies in the sense of article 61 of Romanian Criminal Code

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ABSTRACT

Regarding this article, from the analysis of the Law no. 286/2009 on the new Criminal Code and Law no. 135/2010 on the Code of Criminal Proceedings is found that the two laws do not define the phrase "bodies of public order and national security", the legislator leaving to our appreciation the interpretation of the phrase. As a result, we can reasonably deduce that the expression includes two categories of staff, on the one hand the public order bodies carrying out specific activities in the public order field, and on the other hand, the bodies of national security, i.e. the staff of the Romanian Intelligence Service, the Foreign Intelligence Service, Protection and Guard Service as well as the staff segment within the Ministry of National Defense, carrying out activities in the field of national security. As regarding the term of public order bodies, according to the doctrine, it designates broadly, those forces empowered to exercise the police law as well as institutions and authorities with competences and responsibilities in matters of public order, with the right to challenge anyone in order to comply with certain rules of conduct that were infringed by them.

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