

LAW OF THE REPUBLIC OF MOLDOVA ON LICENSING SOME TYPES OF ACTIVITIES

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Note: The Law was re-published in the Official Monitor of the Republic of Moldova no. 26-28 of 18.02.2005, art.95, p.10

Note: In the text of this law, the word "applicant" shall be replaced with the "license applicant", pursuant to Law no. 1179-XV, 28.06.2002

The Parliament adopts this organic law.

Article 1. Application and Scope of this Law

(1). This Law determines the legal, organizational, and economic framework for licensing some types of activities, establishes types of activities subject to licensing, and aims at ensuring state control over compliance with requirements and fulfillment of conditions, which is necessary for performing such types of activities.

(2). The manner of licensing established hereby shall not apply to licensing the

activities of financial institutions and currency exchange units, professional participants in the securities market, in the energy sector, telecommunications and informatics, television or radio, which are licensed in compliance with laws governing relations in those areas.
[Art. 1 modified by Law no. 1179-XV of 28.06.2002]

Article 2. Main Terms

For the purposes of this Law the following main terms shall be used:

License - an official document issued by the licensing authority, certifying the right of the licensee to

engage in the type of activity specified therein, during an established timeframe, in compliance with the

license conditions on a compulsory basis;

License applicant - a natural person or legal entity duly registered in the Republic of Moldova as an enterprise or organization, regardless of its ownership form or legal organizational form, as well as a physical person able to engage in certain types of activities subject to licensing pursuant to legislative acts other than this, who filed with the licensing authority an application and the necessary documents in order to get a license;

Licensee - an enterprise, organization, physical person that obtained a license;

License conditions - the total of established requirements and conditions compliance with which is compulsory for any licensee engaged in a licensed activity;

Licensing - totality of procedures related to issuance, updating, suspension, renewal, and revocation of licenses, issuance of license copies and duplicates, maintenance of license files and license registries, control over compliance with the license conditions by the licensees, and issuance of instructions to eliminate violations of license conditions;

License registry - aggregate data about issued, re-registered, suspended, renewed, and revoked licenses;

License suspension - depriving a licensee of the right to engage in a certain type of activity for a certain period;

License Revocation - depriving a licensee of the right to engage in a certain type of activity.

[Art. 2 modified by Law no. 1179-XV of 28.06.2002]

Article 3. Underlying Licensing Principles

The underlying licensing principles are as follows:

- a) ensuring equal rights and legitimate interests of all enterprises, organizations and physical persons;
- b) license applicant`s confirmation of its/his/her ability to engage in a certain type of activity on its/his/her own responsibility;
- c) protection of rights, legitimate interests, and public health, environmental protection, and ensuring national security;
- d) establishing a uniform manner of licensing in the territory of the Republic of Moldova;
- e) transparency of licensing.

[Art. 3 modified by Law no. 1179-XV of 28.06.2002]

Article 4. Criteria for Determining Licensed Types of Activities

Licensed activities include those types of activities, which, if carried out improperly, may prejudice

rights, legitimate interests, or health of individuals, environment, or national security, and which cannot be regulated other than through licensing.

Article 5. Participants in the Licensing Process

The following shall be the licensing process participants:

- a) Licensing Chamber
- b) National Bank of Moldova
- c) National Securities Commission
- d) National Agency for Energy Sector Regulation
- e) National Regulatory Agency for Telecommunications and Informatics
- f) Council Television and Radio
- g) local public administration authorities, the authorized body of Gagauzia Executive Committee
- h) central sectoral public authorities
- i) license applicants
- j) licensees.

[Art. 5 modified by Law no. 214-XV of 24.06.2004, in force since 06.08.04]

[Art. 5 modified by Law no. 203-XV of 15.05.2003, in force since 06.06.03]

[Art. 5 modified by Law no. 1179-XV of 28.06.2002]

Article 6. Licensing Authorities

(1). The Licensing Chamber is entitled to license types of activities specified in Article 8(1), except items specified in p. (38)-(49).

(2). Local public authorities of secondary level, those of Balti municipality and the body of Gagauzia Executive Committee are entitled to license the types of activities specified in items (48)-(49) of Article 8(1). They shall license in compliance with the Law herein and based on the regulation approved by representative body of the local government.

[Art. 6 modified by Law no. 262-XVI of 27.10.05, in force since 25.11.05]

[Art. 6 modified by Law no. 214-XV of 24.06.2004, in force since 06.08.04]

[Art. 6 modified by Law no. 250-XV of 19.06.03, in force since 18.07.03]

[Art. 6 modified by Law no. 203-XV of 15.05.03, in force since 06.06.03]

[Art. 6 modified by Law no. 1265-XV of 19.07.2002]

[Art. 6 modified by Law no. 1179-XV of 28.06.2002]

Article 7. Licensing Chamber

(1). The Licensing Chamber (hereinafter "Chamber") shall have the status of a legal entity and a stamp

with the national coat of arms and its name. The Chamber shall carry out its activity based on the

regulation approved by the Government.

(2). The Chamber shall have the following powers:

- a) pursue the government policy and ensure enforcement of licensing legislation;
- b) issue, update, suspend, renew, revoke, invalidate licenses, issue license copies and duplicates;
- c) jointly with central public authorities in the sector and in coordination with the Ministry of Economy establish license conditions for specific types of activities and prepare a list of additional documents to be submitted by the license applicant certifying its/his/her ability to engage in a specific

type of activity;

d) organize control over compliance with license conditions by the licensees;

e) orders and stores license forms, keeps their record, distributes them to the licensing authorities, indicated in art.5 letter b)-f) and exercise control on their utilization;

e) issue instructions to eliminate license conditions violations;

f) keep license files and an integrated license registry;

g) generalize licensing experience and make proposals to improve it.

(3). Decisions of the Chamber may be appealed in court.

[Art. 7 modified by Law no. 214-XV of 24.06.2004, in force since 06.08.04]

[Art. 7 modified by Law no. 1179-XV of 28.06.2002]

Article 8. Types of Activities Subject to Licensing

(1). The following types of activities shall be subject to licensing:

1) audit activity;

2) real estate evaluation activity and/or goods expertise;

3) stock exchange activity;

4) insurance activities; activity of administration of non-state pension funds assets;

5) activity of savings and loan associations of citizens;

6) activity related to precious metals and gems; pawnshop activities;

7) activity related to gambling: organization and performance of lotteries, running casinos, operating cash slot machines, establishing stakes in sports competitions;

8) import of ethyl alcohol; import and/or wholesale of alcoholic products and/or imported beer;

9) production of ethyl alcohol, alcoholic products, beer and/or storing and wholesale of ethyl alcohol, alcohol products and domestic-made beer;

10) import of tobacco products; import and/or industrial processing of tobacco, production of tobacco goods and/or wholesale of fermented tobacco and tobacco goods;

11) projecting of fruit-growing, water-melon and gourd, wine-growing plantations; production and/or sale of seeds, planting stocks;

12) production, storing and sale of breeding livestock (animals, seminal material, embryos, ovum, fish spawn and larva, bird eggs and silkworm larva);

13) veterinary and pharmaceutical activities and/or veterinary care (except activity carried out by the state veterinary service);

14) import and/or sale of phytosanitary products and fertilizers;

15) auto transport for public use; auto international freight transport;

16) projecting activities of all categories of buildings, town planning, installations and public utility networks, reconstruction and restoration work;

17) building of structures and/or engineering facilities, installations and public utility networks, consolidations and restorations;

18) extracting mineral resources and/or production and bottling mineral and natural drinking water;

19) activities of drilling (except technical prospecting in construction);

20) activities of topographic and cartographic surveillance;

21) collection, storage, processing, sale and export of ferrous and non-ferrous metals waste and scrap, used accumulator batteries, including ones in processed condition;

22) activity related to import, export, use, transportation, servicing and stocking of ionizing radiation sources and radio-active material (including radio-active waste and to measurements of ionizing radiation fields);

23) import and/or production, storing, wholesale of toxic chemical substances,

housekeeping items and products; production, import and/or export, re-export of substances capable to destroy the ozone layer, including equipment and products containing such substances;

24) manufacturing and destruction of seals;

25) private detective or security activity;

26) installation and/or adjustment, technical maintenance of automated fire alarm and control systems, as well as smoke protection of buildings and fire alert systems;

27) import and/or export, sale of arms and ammunition, repairs of organic, sports and/or hunting guns, shooting gallery, training, decoration, collection and self-defence guns;

28) import, storage and/or use of explosives (including fireworks) carrying out explosive work;

29) import, export, development, production and sale of cryptographic and technical means of information protection, of special technical gadgets for secret acquisition of information, service provision in the field of cryptographic and technical protection of information (except activities performed by public authorities empowered for such activities);

30) insolvency administrator activity;

31) pharmaceutical activity (including activities involving use of drugs and/or psychotropic remedies), carried out by private pharmaceutical institutions; import and/or production of perfumery and cosmetics;

32) production, sale, technical maintenance, repair and check-ups of optical instruments and devices;

33) medical care activity, carried out by private medical-sanitary institutions;

34) activity in the area of genetics, microbiology as well as activities included in III and IV risk categories, performed with genetically-modified organisms.

35) activity involving employment of citizens in the country and/or abroad;

36) activity in tourist business;

37) activities of private educational institutions of all levels, stages, and forms of training, complementary (extracurricular) and/or adult education, except the one financed by the state budget and budgets of administrative territorial units;

38) activity of financial and currency exchange institutions;

39) activities of professional participants in the securities market;

40) import and/or wholesale or retail trade in gasoline, diesel oil and liquid gas;

41) production and/or supply, transportation, distribution of electric power;

42) supply and/or transportation, distribution of natural gas;

43) fixed local and/or long-distance, international telephony service provision;

44) cell mobile telephony service provision and/or via satellite;

45) informatics service provision;

46) construction, maintenance, operation and creation of radio or television stations, cable networks;

47) television and radio broadcasting activity;

48) retail sale of alcoholic drinks and/or beer;

49) retail sale of tobacco products;

50) activities of grain storing followed by issuance of store certificates.

(2) Licenses for the activity indicated in paragraph (1) p. (21) shall be issued pursuant to Law no. 787-XIII of March 26, 1996 on Secondary Material Resources

(3) Types of activities not included in paragraph (1) shall be carried out without a license.

(4) Licenses for other types of activities may only be introduced by introducing amendments and additions to the list of activities subject to licensing as set in paragraph (1).

[Art. 8 modified by Law no.34-XVI of 24.02.06, in force since 19.05.06]
[Art. 8 modified by Law no.154-XVI of 21.07.05, in force since 25.11.05]
[Art. 8 modified by Law no. 262-XVI of 27.10.05, in force since 25.11.05]
[Art. 8 modified by Law no. 214-XV of 24.06.2004, in force since 06.08.04]
[Art. 8 modified by Law no. 87-XV of 25.03.04, in force since 23.04.04]
[Art. 8 modified by Law no. 333-XV of 24.07.03, in force since 19.09.03]
[Art. 8 modified by Law no. 250-XV of 19.06.03, in force since 18.07.03]
[Art. 8 modified by Law no. 203-XV of 15.05.03, in force since 06.06.03]
[Art. 8 modified by Law no. 149-XV of 27.03.03, in force since 25.04.03]
[Art. 8 modified by Law no. 1265-XV of 19.07.2002]
[Art. 8 modified by Law no. 1179-XV of 28.06.2002]
[Art. 8 modified by Law no. 1114-XV of 06.06.2002]

Article 9. License Contents

- (1). License forms are documents subject to strict accounting. The forms designed according to a single sample have series and numbers. The license form formats and annexes thereto shall be approved by the Government.
- (2). The license shall specify the following:
- a) name of the licensing authority;
 - b) license serial number, number, and issue date;
 - c) licensee's name, organizational and legal form, and legal address of the enterprise or organization, legal or physical person, or first name, surname and address of a physical person;
 - d) date and number of the state registration certificate of the company, or series and number of identification card, fiscal code of a physical person;
 - e) type of activity, full or partial, for which the license is issued;
 - f) license duration;
 - g) signature of the licensing authority head or his/her deputy certified by the seal of such authority.
- (3) Annex to the license shall be part of it and specify all license conditions.
[Art. 9 modified by Law no. 1179-XV of 28.06.2002]

Article 10. Documents Necessary to Obtain a License

- (1). In order to obtain a license, an enterprise manager or his/her authorized person or the physical person shall file with the licensing authority an application in the established format specifying the following:
- a) enterprise's name, legal organizational form, legal address, premises, fiscal code of the organization or the first name, surname, address and fiscal code of the physical person;
 - b) type of activity, full or partial, for which the license applicant intends to obtain a license;
 - c) location of branches and other stand-alone divisions of the enterprise which will carry out the activity under a license;
 - d) license applicant's confirmation of his/her ability to engage, on his/her responsibility, in a certain type of activity and authenticity of filed documents.
- (2). The following shall be attached to the license application:
- a) copy of the enterprise's certificate of state registration or copy of identification card, if a physical person;
 - b) additional documents as given the list envisioned by Article 7(2)(c). The documents shall be filed in the original or in copies upon presenting the originals for verification. Copies on electronic carriers may support the documents.

- (3). No other documents, except those envisioned by this Article, may be requested.
- (4). The license application and documents attached thereto shall be accepted based on an inventory, a copy of which, specifying documents receipt date and certified by the signature of a responsible person, shall be forwarded (handed in) to the license applicant.
- (5). The license application shall not be considered in the following cases:
- a) the application was filed (signed) by a person without appropriate authorization;
 - b) documents are drawn up in breach of the requirements set forth in the Article herein.
- (6). The license applicant shall receive a written notice if the application for a license issuance is rejected. This shall specify the reasons for refusal and shall be forwarded within the timeframe envisioned for license issuance.
- (7). Following the elimination of reasons for refusing to issue a license, the license applicant may submit a new license application, which shall be considered in the established manner.
- [\[Art. 8 modified by Law no. 214-XV of 24.06.2004, in force since 06.08.04\]](#)
[\[Art. 10 modified by Law no. 1179-XV of 28.06.2002\]](#)

Article 11. Decision on License Issuing or Application Rejection

- (1). The Chamber shall make a decision to issue a license or refuse its issue within not more than fifteen business days from the date the license application and all attached documents were filed.
- (2). Written notice of license issuance decision (specifying bank particulars and license fee), or license rejection decision shall be forwarded (handed in) to the license applicant within not more than three business days from the date either decision was adopted.
- (3). The following shall serve as grounds for refusing to issue a license:
- a) unauthentic data contained in the documents filed by the license applicant;
 - b) inadequacy of the license applicant in his ability to comply with the license conditions, stemming out of the filed documents.
- (4). If license issuance is refused on the grounds of detected unauthentic data in the filed documents, the license applicant may file another license application not earlier than three months from the date license denial decision was taken.
- (5). If license issuance is denied on the grounds of the license applicant's inadequacy to comply with the license conditions, the license applicant may file another license application after he remedied the reasons for previous refusal of license issuance.
- [\[Art. 11 modified by Law no. 1179-XV of 28.06.2002\]](#)

Article 12. License Scope

- (1). Licenses issued by the Chamber shall be valid in the entire territory of the Republic of Moldova.
- (2). Licenses issued by local governments shall be valid in the territory within their jurisdiction.
- (3). Licenses obtained in the Republic of Moldova shall also be valid outside of the Republic of Moldova in accordance with the international agreements to which the Republic of Moldova is a party.
- (4). Licenses issued by licensing authorities abroad are also valid on the territory of the Republic of Moldova in accordance with the international agreements to which the Republic of Moldova is a party.
- [\[Art. 12 modified by Law no. 1542-XV of 15.12.02, in force since 31.12.02\]](#)

Article 13. License Duration

(1). License shall be issued for five years with exceptions envisioned by paragraph (2).

(2). For types of activities provided for in art. 8(1)(5)-(8) license shall be issued for one year, and for

types of activities specified in art. 8(1) p. 7), 8), 10), 48) and 49) the license shall be issued for 1 year, for the type of activity in art. 8(1) p. 9) - for 3 years, annually indicating the term for which the license fee was paid. For the types of activities of art. 8 (1) p. 41) and 42) - for a timeframe up to 25 years.

[Art. 13 modified by Law no. 262-XVI of 27.10.05, in force since 25.11.05]

[Art. 13 modified by Law no. 214-XV of 24.06.2004, in force since 06.08.04]

[Art. 13 modified by Law no. 454-XV of 14.11.03, in force since 06.02.04]

[Art. 13 modified by Law no. 250-XV of 19.06.03, in force since 18.07.03]

[Art. 13 modified by Law no. 149-XV of 27.03.03, in force since 25.04.03]

[Art. 13 modified by Law no. 1179-XV of 28.06.2002]

Article 14. License Issuance

(1). License shall be issued within three business days from the day a confirmation of license fee payment was received. A note about the receipt date of the confirmation license fee payment shall be made on the inventory of documents accepted from the license applicant.

(2). If the license applicant fails to file the confirmation of the license fee payment or does not claim the issued license within thirty days from the date the notice of the license issuance decision was forwarded to him (handed in), the Chamber is entitled to repeal the license issuance decision or invalidate such a license.

(3). For each branch office and any other stand-alone division of the licensee where the activity will be

carried out according to the license, authorized copies of the license shall be issued to the licensee.

The license copies shall confirm the right of the branch office or any other stand-alone division of the

licensee to engage in activities under the obtained license.

(4). If the licensee establishes a new branch office or other stand-alone division that will carry out the

activity according to the license, the licensee is obliged to file with the Chamber an application for

a license copy and the documents envisioned by Article 10(2)(b).

(5). In the event of liquidation of a branch office or other stand-alone division of the licensee that carried out its activity according to the license, or if they terminate such activity, the licensee is obliged to submit a respective written notice to the Chamber within seven business days from the liquidation or activity termination date.

Appropriate amendments shall be introduced in the license registry not later than the next business day following the date of such notice.

(6). If the licensee intends to carry out the type of activity indicated in the license after its expiry date, it/he/she shall obtain a new license in the manner established by this law. The new license

shall be issued not earlier than the last business day of the previous license validity.

(7). The licensee may not transfer the license or its copy to another party.

[Art. 14 modified by Law no. 214-XV of 24.06.2004, in force since 06.08.04]

[Art. 14 modified by Law no. 149-XV of 27.03.03, in force since 25.04.03]

Article 15. License Updating

(1). Change in licensee`s name or other data contained in the license shall serve as

grounds for license updating.

(2). If grounds arise to re-register the license, within ten business days the licensee shall file with

the Chamber an application for license updating along with the license subject to updating

and the documents (or their copies accompanied by originals for verification)

confirming such

changes.

(3). Within 10 business days from the date the license updating application and attached documents were filed, the Chamber shall adopt a decision on license updating, or, in case breaches to art. 20 (1) and art. 21 (1) and (2) have been detected - a decision on license suspension or revocation. The updated license shall be issued on the same license form, or, if necessary, on a new form having regard to the changes specified in the application; the necessary copies of such license shall be issued at the same time.

(4). The duration of the updated license may not exceed the duration of the previous license.

(5). If the updated license is issued on a new license form, the chamber shall adopt a decision to invalidate the previous license and introduce respective amendments to the license registry not later than the business day following the decision date.

(6). During consideration of the license updating application the licensee may continue its/his/her activity based on the certificate issued by the Chamber.

(7). The license, which was not re-registered within a due period, shall be invalid.

[Art. 15 modified by Law no. 214-XV of 24.06.2004, in force since 06.08.04]

Article 16. Changes in Data Specified in the Documents Attached to the License Application

(1). The licensee is obliged to notify the Chamber about all changes in data specified in the documents

attached to the license application. The notice shall be submitted in writing within ten business days

following the change, along with the documents (or copies thereof authenticated by a notary or

issuing authority) confirming such changes.

(2). Based on documents submitted the Chamber may make a decision to suspend the license.

[Art. 16 modified by Law no. 214-XV of 24.06.2004, in force since 06.08.04]

Article 17. License Duplicate Issuance

(1). License loss or damage shall serve as the grounds for issuing a license duplicate.

(2). If the license is lost, the licensee shall file with the Chamber an application for a license duplicate within 15 business days.

(3). If the license is damaged beyond use, the licensee shall file with the Chamber an application

for license duplicate together with the damaged license.

(4). The Chamber shall issue a license duplicate within three business days from the filing date

of the license duplicate application.

(5). The duration of license duplicate may not exceed the duration specified in the lost or damaged

license.

(6). If the license duplicate is issued, the Chamber shall make a decision to invalidate lost or damaged

license and enter respective amendments to the license registry not later than the next business day following the decision.

(7). During the examination of the license duplicate application the licensee may continue its/his/her activity based on the certificate issued by the Chamber.

[Art. 17 modified by Law no. 214-XV of 24.06.2004, in force since 06.08.04]

Article 18. License Fee

(1). The license fee is Mdl 2,500 with exceptions envisioned by paragraphs (2), (5),

(7). The license issuance fee for pharmaceutical units in rural areas is 1,800 Mdl.

(2). For those licensees, registered one year before a license issuance application was filed, the license fee shall be 50% of the fee established in paragraph (1).

(3). The license fee for types of activities provided for in Article 8 (1) p. 48) and 49) shall be 900 lei.

(4). The license fee for the types of activities provided for in Article 8(1) p. 7)-10) and 40) shall be paid annually pursuant to the annex herein.

(5). The license fee for the types of activities in art. 8 (1) p. 7)-10) and 40) shall be paid separately for each activity component, according to the fees established in the annex herein.

(6). The license fee for cell mobile telephone services and long-distance and/or international fixed telephone services shall be fixed by the Government and shall not be lower than cash equivalent of US\$ 1 mln in moldovan lei. A decision regarding license issuance by the National Regulatory Agency in Telecommunications and Informatics shall be published in the Official Monitor of the Republic of Moldova.

(7). The license fee for the types of activities in art. 8 (1) p. 50 shall not be paid.

(8) The license fee for the types of activities listed in art. 8(1) p. 9) shall be paid separately for every year of license validity: both upon issuance and upon expiry of every year on, according to the annual fee, as established in p.2 in the annex herein. The fee for the license copy, confirming the right of the branch and other stand-alone divisions of the enterprise to carry out the activity based on the issued license, shall be paid in the same manner.

(9). License updating and license copy fee shall be 10 %, while license duplicate - 450 lei.

(10). The fee for license update and/or license copy issuance shall not be collected when transport facilities are included and/or excluded from the annex to the license for the type of activity of art. 8 (1) p.15).

(11). License fees shall be transferred to state budget, except the fees for types of activity from art. 8 (1) p. 48) and 49), which shall be transferred to the budgets of first-level administrative-territorial units, where the licensee`s premises are situated. Fees for issuance of authorized license copies shall be transferred to local budgets of first-level administrative-territorial units, where the premises of the licensee`s branches and other stand-alone divisions are situated.

[Art. 18 modified by Law no. 34-XVI of 24.02.06, in force since 19.05.06]

[Art. 18 modified by Law no. 154-XVI of 21.07.05, in force since 01.01.06]

[Art. 18 modified by Law no. 262-XVI of 27.10.05, in force since 25.11.05]

[Art. 18 modified by Law no. 214-XV of 24.06.2004, in force since 06.08.04]

[Art. 18 modified by Law no. 454-XV of 14.11.03, in force since 06.02.04]

[Art. 18 modified by Law no.430-XV of 31.10.03, in force since 01.01.04]

[Art. 18 modified by Law no. 250-XV of 19.06.03, in force since 18.07.03]

[Art. 18 modified by Law no. 149-XV of 27.03.03, in force since 25.04.03]

[Art. 18 modified by Law no. 1265-XV of 19.07.2002]

[Art. 18 modified by Law no. 1179-XV of 28.06.2002]

Article 19. Licensing Control

(1). Scheduled control (not more than once per calendar year) over compliance with the license conditions by the licensees shall be exercised by the Chamber jointly with central sectoral public authorities, while unscheduled control - by the Chamber and, as the case may be, jointly with the above-mentioned authorities.

(2). Unscheduled controls shall only be carried out on basis of written statements of license conditions violation by the licensee or for the purpose of examining the fulfillment of the instructions to eliminate license conditions violations.

(3). When compliance with license conditions is under control, the licensee shall submit all the necessary information and documents and ensure conditions for effecting the control.

(4). Based on the control results, a control report shall be drawn up in two copies, of which one shall be forwarded (handed in) to the licensee and the other shall be kept with the Chamber. In case the licensee disagrees with the control results, he can present a written explanation of the disagreement, within 5 business days from the date the report was drafted, attaching the relevant documents.

(5). If breaches of license conditions are detected, the Chamber shall issue, within ten business days from the control report date, instructions to eliminate the violations and a warning about eventual license suspension or revocation, unless the detected violations are eliminated within a set deadline.

(6). The licensee who received instructions to eliminate the license conditions violations shall submit to

the Chamber information on this matter within the deadline set in the instructions.

(7). If state supervisory authorities, central public authorities in the sector, or local public administration authorities have detected license conditions violations they shall inform the Chamber, providing documents as proof. Based on the documents presented, the Chamber shall issue, within 15 business days, an instruction to eliminate the violation of license conditions, or shall suspend or revoke the license, in case of violations pursuant to art. 20 (1) and 21 (1) and (2).

[Art. 19 modified by Law no. 214-XV of 24.06.2004, in force since 06.08.04]

Article 20. License Suspension and Renewal

(1). The following shall serve as grounds for license suspension:

a) licensee`s failure to fulfill the instructions to eliminate license conditions violations within a set deadline;

b) licensee`s partial or temporary loss of ability to carry out licensed type of activity;

(2). The Chamber shall make a decision to suspend the license within three business days and notify the licensee thereof not later than three business days following the decision. The license suspension period may not exceed six months.

(3). The licensee shall inform the Chamber in writing about elimination of circumstances that entailed the license suspension.

(4). The Chamber shall make a decision to renew a license within three business days and notify the licensee thereof not later than three business days following the receipt of the respective notice and

verification of the elimination of circumstances that entailed license suspension.

(5). The license duration shall not be extended by its suspension period.

[Art. 20 modified by Law no. 1179-XV of 28.06.2002]

Article 21. License revocation

(1). The following shall serve as grounds for license revocation:

- a) licensee's application for license revocation;
- b) decision to cancel state registration of enterprise-licensee;
- c) licensee`s failure to fulfill his obligations to the consolidated budget and state social insurance budgets;
- d) unauthentic data detected in the documents filed for license issuance;
- e) a fact that the license or its copy was transferred to another party with a view to carrying out the licensed type of activity;
- f) failure to submit within a set deadline a notice of changes in data specified in the documents attached to the license application;
- g) failure to eliminate the circumstances that entailed license suspension within a set deadline;
- h) repeated failure to fulfill the instructions to eliminate license conditions violations;
- i) non-payment of the license fee, annually or quarterly, within the set deadline;
- j) the licensee`s illicit performance of other activities subject to licensing with no license;
- k) performance of a licensed activity by the licensee`s branch or other separate unit without an authorized license copy;
- l) non-compliance with the deadline for submitting an application for a license duplicate issuance in case of loss or deterioration;

(2). The license shall also be cancelled in other cases stipulated by legislation.

(3). The Chamber shall make a decision on license revocation within 15 business days from the date the

grounds for doing so were established and bring it to the licensee`s notice, specifying grounds for

revocation, not later than three business days following the decision date.

(4). An entry on the license revocation decision date and number shall be made in the license registry

not later than the next business day after the decision date.

(5). The license fee shall not be reimbursed if the license is revoked.

(6). The licensee whose license was revoked, can submit a new license issuance application for the same type of activity only after 6 months from the date the revoked license was filed with the Chamber, except cases when the legislative acts stipulate otherwise.

(7). All the licenses held by the licensee shall be revoked for committing the breaches specified in paragraph (1) letter j).

(8). The procedure laid down in art. 19 paragraph (5) shall not be applied in case of license revocation for breaches committed according to paragraph (1) letter a) - f) and j) - l) of this article, as well as in the case the licenses are revoked pursuant to paragraph (2) of this article.

(9). The licensee shall file the revoked license with the Chamber within 10 business days from the date the license revocation decision was adopted.

[Art. 21 modified by Law no. 262-XVI of 27.10.05, in force since 25.11.05]

[Art. 21 modified by Law no. 214-XV of 24.06.2004, in force since 06.08.04]

[Art. 21 modified by Law no. 176-XV of 03.06.04, in force since 09.07.04]

[Art. 21 modified by Law no. 454-XV of 14.11.03, in force since 06.02.04]

[Art. 21 modified by Law no. 1179-XV of 28.06.2002]

Article 22. Licensing-Related Secretariat Work

(1). The Chamber shall create a license file for each enterprise, organization, physical person, applying for a license and maintain a registry of applications and issued licenses for each licensed type of activity.

(2). All documents received from the licensee and copies of Chamber`s decisions and instructions

regarding the licensee shall be kept in the licensing file.

(3). Applications and issued licenses registry shall specify data about the license applicant, the date the documents were received, date and number of the Chamber`s decisions, date of license issuance and signature of the person receiving the license.

(4). The Chamber shall create and maintain a single registry of licenses, separate for each licensed type of activity.

(5). The following shall be entered in the single registry of licenses:

a) name of licensing authority;

b) data about the licensee;

c) type of licensed activity;

d) date and number of license issuance decision;

e) license serial number, number, and issuance date;

f) license duration;

g) information about license updating, copies, and duplicates issuance;

h) grounds for, as well as date and number of instructions to eliminate license conditions violations;

i) grounds for, as well as date and number of license suspension and renewal decision;

j) grounds for, as well as date and number license cancellation decision;

k) grounds for, as well as date and number of license invalidation decision.

(6). Licensing authorities shall maintain their license registries and provide to the Chamber information to ensure maintenance of a single license registry.

(7). The information contained in license registries shall be transparent. Extracts from the registry shall

be issued for a 50 lei fee payable to the state budget.

(8). Public authorities shall be exempt from the license registry user fee.

[\[Art. 22 modified by Law no. 1179-XV of 28.06.2002\]](#)

Article 23. Final and Transitional Provisions

(1). This Law shall take effect six months from its publication date.

(2). Within six months the Government shall:

- submit to the Parliament proposals on bringing current legislation in line with this Law;

- bring its normative acts in compliance with this Law;

- ensure revision and cancellation by ministries and departments of their normative acts that conflict with this Law;

- adopt normative acts necessary for implementation of this Law.

(3). Licenses issued prior to effectiveness of this Law shall be considered valid until their expiry.

(4). Licenses for types of activities not envisioned by this Law shall be deemed invalid.

(5). From the effective date of this Law, the Law on Licensing Some Types of Activities No. 332-XIV of March 26, 1999 shall be deemed repealed.

(6). Provisionally, till December 31, 2003, - the date of full liberalization of telecommunications services, fixed local telephony service provision, as stipulated by art. 8 paragraph (1), p. 51) shall be provided by operators in all areas of the country, except Chisinau municipality and district centers, reserved for JSC Moldtelecom.

(7). The Government shall revise the licensing conditions and the list of additional

documents necessary for obtaining licenses for types of activity that have been modified.

[Art. 23 modified by Law no. 214-XV of 24.06.2004, in force since 06.08.04.]

[Art. 23 modified by Law no. 482-XV of 04.12.03, in force since 18.07.03]

[Art. 23 modified by Law no. 250-XV of 19.06.03, in force since 18.07.03]

[Art. 23 modified by Law no. 149-XV of 27.03.03, in force since 25.04.03]

[Art. 23 modified by Law no. 1044-XV of 08.05.2002]

Eugenia Ostapciuc
Chairperson of Parliament

Chisinau, July 30, 2001
No. 451-XV

Annex

License fees for certain types of activity

Type of activity	Fee amount, in lei
1. Activity connected with gambling:	
a) operating cash slot machines, except the ones listed in p.b)	7200 per unit
b) operating cash slot machines, American Roulette type	40000 per unit
c) staking in sports and other competitions	14% of the total of accepted stakes
d) organization and performance of lotteries	
- Instantaneous	14% of the total cost of lottery tickets
- Digital	14% of the total cost of lottery tickets
e) running casinos	180000 per casino board
2. Production of ethyl alcohol, alcoholic products, beer and/or storing and wholesale of ethyl alcohol, alcohol products and domestic-made beer	
a) Production and/or storing of ethyl alcohol wholesale of refined ethylic alcohol	40000
b) Production and/or storing of ethyl alcohol wholesale of ethyl alcohol and alcohol products	20000
c) Production and/or storing and sale of imported beer	20000

3. Import of ethyl alcohol; import and/or wholesale of alcoholic drinks and beer:	
a) Import of ethyl alcohol	40000
b) Import and wholesale of imported alcoholic drinks	40000
c) Import and wholesale of imported beer	40000
4. Import of tobacco products; import and/or industrial processing of tobacco, production of tobacco goods and/or wholesale of fermented tobacco and tobacco goods:	
a) Import of tobacco goods	20000
b) Import and industrial processing of tobacco and/or wholesale of fermented tobacco	20000
c) production and wholesale of tobacco goods	20000
d) wholesale of tobacco goods	20000
5. Import and wholesale or retail trade of gasoline, diesel oil and/or liquid gas	
a) import and wholesale of gasoline and diesel oil	200000
b) import and wholesale of liquid gas	200000
c) retail trade of gasoline and diesel oil at certified gasoline stations, for every deployed station:	
- in municipalities, district centers, cities, along national motorways	20000
- in rural areas, along roads, except national motorways	10000
d) retail trade in liquid gas at certified gasoline stations, for every station	10000

Remark:

1. In case the number of cash slot machines or casino boards, existing upon license issuance, increases, the license fee for gambling activities shall be established depending on the number of months left till the expiry date of license validity.

2. The fee for an updated license for gambling activities, as well as its copy shall be 2250 lei, license duplicate issuance fee - 10000 lei.

3. The license fee for gambling activities (operating cash slot machines, running instantaneous lotteries and casinos) can be paid quarterly, in equal installments, through the 25th of the last month of the quarter.

4. The annual license fee for retail trade in gasoline products (for every filling station) can be paid quarterly, in equal installments.

[\[Annex modified by Law no.154-XVI of 21.07.05, in force since 01.01.06\]](#)

[\[Annex modified by Law no.262-XVI of 27.10.05, in force since 25.11.05\]](#)

[\[Annex introduced by Law no..430-XV of 31.10.03, in force since 01.01.04\]](#)