

Tax & Legal Alert

MOLDOVA • 25 August 2010



Amendment to the Law regulating the licensing of entrepreneurial activity

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By Law no. 176 dated 15 July 2010, Parliament has adopted modifications and amendments to the Law on regulation by licensing of entrepreneurial activity no. 451-XV dated 30 July 2001.

Under the modifications, the Licensing Chamber passes into the subordination of the Ministry of Economy.

The list of activities subject to licensing has been adopted in a new version. According to the modifications, certain activities are no longer subject to licensing, including:

- the performance of goods examination;
- international auto transportation of goods;
- production, import and / or export, re-export of substances that destroy the ozone layer, as well as equipment and products that contain such substances;
- import and / or production of perfumery and cosmetics items;
- activity in the area of genetics, microbiology and activities included in class III and IV of risk, carried out with genetically modified organisms;
- the activity of private educational institutions of all levels, steps and forms; complementary education (non-scholastic) and / or education for adults, with the exception of those financed from the national budget;
- supplying services of development, maintenance and implementation of software products, equipment and informational systems of state importance;
- supplying services of projection, development, implementation of automated informational systems and resources which are of state importance (creation of databases, their operation and services in regard to informational supply) and services of assurance of their functionality; etc.

The list of activities subject to licensing has been amended with some new ones, including:

- manufacturing tobacco articles;
- production of the renewable fuel.

According to the modifications, the annex to the license certificate will include the list of subsidiaries and divisions of the license holder, within which the activity shall be performed under the same license.

The activity of each of the separate divisions or subsidiaries of the license holder will run based on a certified copy of the same license.

The term for submitting any disagreement to the Licensing Chamber control act is reduced from five to three days.

License applicants incorporated not earlier than a year before the license request's submission shall pay 50% of the established license fee. This provision does not cover applicants for license on gaming, alcohol products, tobacco and petroleum products.

New amendments and modifications will be enforced on 10 November 2010.

[Source: Official Monitor of the Republic of Moldova no. 141 - 144 dated August 10 2010]

For more information regarding the new provisions on the Law regulating the licensing of entrepreneurial activity, please contact Andrian Candu or Mihaela Mitroi.