

04.11.2016

OFFICIAL GAZETTE NO. 338-341 OF 30 SEPTEMBER 2016

Law of the Republic of Moldova No. 200 dated 28/07/2016 on amending and supplementing certain legislative acts

The Civil Code of the Republic of Moldova

The Civil code was amended to add new provisions defining a consumer as any natural person who enters into civil legal acts predominantly for purposes not related to entrepreneurial activity or profession. The natural person does not have the statute of a consumer if the other party to the civil legal act is not a professional. Amendment defines the quality of a professional- a natural person or a public or private legal entity acting for purposes relating to business activities, even if the person does not intend to make a profit from this activity.

New provisions also set the rules for the contract of periodical accommodation as the contract under which a professional is obliged to give the consumer the right to use a dwelling or other accommodation overnight on a regular basis, within a period exceeding 12 months and consumer undertakes to pay a total price. Long-term contract, which exceeds 12 months will require the professional to grant discounts or other benefits on accommodation.



Additionally the law regulates the right of the consumer to revoke contracts for some holiday products by notifying the professional without justification of the decision of revocation within 14 days from the date of conclusion of the contract or pre-contract or from the date when consumer receives a copy of the contract or pre-contract.

Law of the Republic of Moldova no. 211 dated 29/07/2016 on amending and supplementing certain legislative acts

The Code of Civil Procedure of the Republic of Moldova

The Code of Civil Procedure was supplemented with a new chapter that regulates the procedure of confirmation of the settlement entered into in order to prevent a civil lawsuit and issue the writ of execution thereof. Thus, the request for confirmation of the settlement by which the parties prevent a civil lawsuit and issue the title for enforcement is to be made in writing by any part of the mediation process or its legal representative at the court where the defendant's domicile or headquarters is located. The request for confirmation of the settlement will be examined with urgency, within 15 days from the submission date, without summoning the parties.

Contacts:

 Bd. Ștefan cel Mare 65
Chișinău, Moldova
 Tel: +373 22 27 93 23
Fax: +373 22 27 93 37

Our website:
www.aci.md

Follow us on:



Disclaimer:

The information contained herein is provided for informational purposes only, and should not be construed as legal advice on any matter. ACI Partners shall not accept any responsibility for any damages which might arise from taking a decision based on the details and information contained herein, which has been presented, exclusively, for general information purposes only.

04.11.2016



OFFICIAL GAZETTE NO. 338-341 OF 30 SEPTEMBER 2016

If the court considers it appropriate, it shall convene hearings for the stakeholders, informing them about the date, time and place of the hearing, without preparation of the minutes. The judge may refuse confirmation of the settlement if it violates the law or infringes the rights, freedoms and legitimate interests of a person, interests of the society or the state or has been terminated with violation of the Law on Mediation. Upon approval of the request for confirmation of the settlement, the judge shall issue a court order for confirmation of the settlement.

The Law on Arbitration

The amending law modifies the Law of the Republic of Moldova No 23 dated 22 February 2008 on Arbitration. The amendments provide that the arbitral tribunal is obliged to suspend the arbitration proceedings when mediation is initiated on the same issue during the course of mediation, according to Law No 137 of July 3, 2015 on Mediation. Also, if the parties have concluded a settlement during the arbitration proceedings, arbitration proceeding is terminated at their request. The settlement shall be approved by arbitration decision. Similar changes were made in the Law No 24-XVI of 22 February 2008 on International Commercial Arbitration.

Contacts:

 Bd. Ștefan cel Mare 65
Chișinău, Moldova
 Tel: +373 22 27 93 23
Fax: +373 22 27 93 37

Our website:
www.aci.md

Follow us on:



Disclaimer:

The information contained herein is provided for informational purposes only, and should not be construed as legal advice on any matter. ACI Partners shall not accept any responsibility for any damages which might arise from taking a decision based on the details and information contained herein, which has been presented, exclusively, for general information purposes only.