



**THE CONTRAVENTION CODE  
OF THE REPUBLIC OF MOLDOVA**



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## Book One SUBSTANTIVE LAW

### Part I GENERAL SECTION

#### Chapter I COMMON PROVISIONS

**Article 1.** Contravention law of the Republic of Moldova

(1) This Code is the law of the Republic of Moldova that comprises legal norms that establish general and special principles and provisions in matters of contraventions that determines the facts that constitute contraventions and stipulates the process of contravention and of sanctions.

(2) In cases expressly stipulated in this Code, a provision in an article of the Code may contain a reference to another act of a legal character published in the *Official Gazette of the Republic of Moldova*. In such cases, the requirements applicable to the standards of contravention law, including the requirement for predictability, are also applicable to the respective act.

(3) If while applying another legal provision, it is established that its provisions contravene the principles established in this Code, the provisions of this Code shall be applied.

**Article 2.** Purpose of contravention law

The purpose of contravention law is to protect the legitimate rights and freedoms of a person; to protect property, public order and other values protected by law; to solve cases of contravention as well as to prevent the commission of other contraventions.

**Article 3.** Action of contravention law in time

(1) The character of a contravention and its sanction are established by this Code as being in effect from the moment of the commission of the action.

(2) Contravention law that applies a stricter sanction or that exacerbates the situation of a person who commits a contravention shall not have a retroactive effect.

(3) An action that is not considered a contravention in a new law shall not be sanctioned, and the sanction that was established but was not executed prior to the coming into effect of the new law shall not be executed.

(4) If a new law provides for a milder sanction for a contravention, that sanction shall be applied. If a sanction applied is from a prior law, that sanction shall be executed within the maximum limits of the sanction in the new law. If a new law does not provide for a certain



category of sanction any longer, a sanction in that category that was established but was not executed prior to the coming into effect of the new law shall not be executed.

(5) If a new law provides for a more severe sanction, a continuous contravention whose commission began prior to the coming into effect of the new law shall be sanctioned in accordance with the law in force upon its termination.

(6) The time of commission of a contravention shall be considered the time of commission of the illicit action, whereas for inaction, the time in which the action that the contravener omitted to execute should have taken place regardless of the time of occurrence of consequences shall be considered the time of commission.

#### **Article 4.** Action of contravention law on a person and in space

(1) A contravention committed in the territory of the Republic of Moldova shall be sanctioned in accordance with this Code.

(2) A contravention committed outside the territory of the Republic of Moldova by one of its citizens or by a stateless person residing in the territory of the Republic of Moldova shall be sanctioned in accordance with this Code if the act is also stipulated by the law of the country in which it was committed and the person was not held accountable in that country.

(3) The following shall not be held accountable under the law: diplomatic representatives of foreign countries or other individuals who in accordance with the international treaties to which the Republic of Moldova is a party or in accordance with the laws of the Republic of Moldova do not fall under the jurisdiction of the Republic of Moldova or for whom accountability is eliminated.

(4) A contravention committed in the territorial waters or in the air space of the Republic of Moldova shall be deemed committed in the territory of the Republic of Moldova.

(5) A contravention committed on board a sea or space ship that is registered in a sea port or airport of the Republic of Moldova and is located in its water or air space shall be sanctioned in accordance with this Code if the international treaties to which the Republic of Moldova is a party do not provide otherwise.

(6) Contraventions committed on board a military sea or air ship belonging to the Republic of Moldova, regardless of the location of the ship, shall be sanctioned under this Code.

(7) The place of commission of an action shall be considered the place where the harmful action was committed, regardless of the time when the consequences occurred. For inactions, the place of commission shall be considered the place where the action that the contravener failed to execute was to take place regardless of the time of occurrence of consequences.

#### **Article 5.** Principle of legality

(1) Nobody can be declared culpable of committing a contravention or subject to a sanction for a contravention except in accordance with this law.

(2) Grossly unfavorable interpretations and analogous applications of this law shall be forbidden.

(3) This law does not aim to cause physical suffering or to injure a person's dignity. Nobody shall be subject to torture or to cruel, inhumane or degrading punishment or treatment.

#### **Article 6.** Principle of equality before the law

(1) Individuals who have committed contraventions shall be equal before the law and public authorities and shall be subject to responsibility for contraventions regardless of their race,

nationality, language, religion, sex, political membership, property, social origin or any other situation.

(2) According to the provisions of the Constitution, of other laws and/or international treaties to which the Republic of Moldova is a party, certain categories of individuals shall enjoy special conditions for prosecuting contraventions or the guarantee of not being subject to prosecution and liability.

**Article 7. Principle of justice**

A person can be sanctioned for only a contravention in regard to which his/her guilt has been proved by observing the norms of this Code.

**Article 8. Principle of the personal character of liability for a contravention**

(1) A person shall be subject to liability for a contravention for only those acts committed with culpability.

(2) Only the person who committed with intent or from imprudence an act provided for by this law shall be subject to accountability for that contravention.

**Article 9. Principle of individualization of liability for a contravention and for a sanction**

(1) In applying this law, account shall be taken of the character and the level of harm of the contravention, of the contravener and of mitigating or aggravating circumstances.

(2) Nobody shall be subject twice to accountability for the same contravention.

## **Chapter II CONTRAVENTIONS AND ACCOUNTABILITY FOR CONTRAVENTIONS**

**Article 10. Contravention**

A contravention is an illicit action or inaction with a lower level of social danger than a crime that is committed with culpability, that encroaches upon the social values protected by law and that is provided for in this Code and is liable to a sanction.

**Article 11. Continuous contravention**

(1) A continuous contravention is an act that is characterized by uninterrupted commission for an undetermined period of time. There is no plurality of contraventions in the case of a continuous contravention.

(2) A continuous contravention is terminated at the moment of cessation of the action or inaction or of the occurrence of events that impede such activity.

**Article 12. Extended contravention**

(1) An extended contravention is an act committed with a single intent that is characterized by two or more actions and/or inactions that are identical and committed with a single purpose and that together constitute a contravention.

(2) An extended contravention shall be terminated at the moment of commission of the last action or inaction.

**Article 13. Attempt**

An attempted contravention shall be considered an intended action or inaction directed toward the commission of a contravention that for reasons independent of the contravener's will did not have the intended effect.

**Article 14. Culpability**

(1) A contravention is committed with intent or from imprudence.

(2) A contravention shall be considered committed with intent if the person who committed it was aware of the harmful character of his/her action or inaction, foresaw its harmful consequences and consciously intended or allowed the occurrence of such consequences.

(3) A contravention is considered committed from imprudence if the person who committed it was aware of the harmful character of his/her action or inaction and foresaw its harmful consequences but carelessly considered that they could be avoided or was not aware of the harmful character of his/her action or inaction and did not foresee the possibility of occurrence of its harmful consequences although he/she should and could have foreseen them.

(4) If the commission of a contravention results in more severe consequences that according to law lead to a more severe sanction but that were not the intent of the person who committed the contravention, accountability for such consequences shall be imposed only if the person foresaw the harmful consequences but carelessly considered that they could be avoided, or if the person did not foresee the possibility of such consequences but should and could have foreseen them. In this instance, the contravention shall be considered intentional.

**Article 15. Liability for a contravention committed while intoxicated with alcohol or other substances**

Intoxication caused by the voluntary consumption of alcohol or other substances does not eliminate the character of a contravention. The causes of the intoxication, its degree and its influence on the commission of the contravention shall be taken into consideration when establishing the punishment.

**Article 16. Liability of an individual for a contravention**

(1) An individual with legal capacity who is 18 years old upon the commission of a contravention can be subject to liability for it.

(2) An individual aged between 16 and 18 years old can be subject to liability for committing the acts stipulated in Art. 228-245 and in Art. 263-311.

(3) If a juvenile has committed an act that fits the provisions of a regulation in the special part of Book One, the official examiner, prosecutor or court shall send the case to the local public authority that is responsible for juvenile matters. At the request of the official examiner, the court may impose coercive measures of an educational character in accordance with Art.104 of the Criminal Code.

(4) If servicepersons, except for servicepersons on active duty, commit contraventions outside their work duties, they shall be subject to liability in accordance with the general provisions.

(5) Servicepersons on active duty shall be accountable for the commission of contraventions in accordance with the regulations for military discipline.

(6) A responsible person (a person who is granted permanently or temporarily by law or appointment or by virtue of a task certain rights and obligations in view of exercising the functions of a public authority or of an administrative nature or organizational or economic

actions in a company, institution, state organization or central or local public authority) shall be liable for accountability for committing a contravention stipulated by this Code if he/she:

- a) intentionally used his/her authority contrary to his/her work duties;
- b) clearly exceeded the rights and powers granted by law;
- c) failed to fulfill or unduly fulfilled his/her work duties.

(7) In the absence of the conditions listed in para.(6), a responsible person who is guilty of a contravention shall be held accountable in accordance with the general provisions.

**Article 17. Liability of a legal entity for a contravention**

(1) A legal entity, except for public authorities and public agencies, shall be accountable as stipulated by this Code for contraventions committed in its name or in its interest by its bodies or representatives if it complies with one of the following conditions:

- a) it is guilty of a failure to fulfill or of undue fulfillment of legal provisions establishing obligations or interdictions for carrying out a certain activity;
- b) it is guilty of carrying out an activity that does not comply with its constitutional documents or its declared goals;
- c) an act that caused or created the danger of considerable damage to another entity, to society or to the state was committed in the interest of this entity and was allowed, approved or used by its empowered body or by a responsible person.

(2) A legal entity shall be held conventionally accountable if the provision in the special part of Book One expressly provides for its sanctioning.

(3) If the special part of Book One provides for the liability of a legal entity for committing a contravention, a sole proprietorship shall be held accountable as a legal entity.

(4) The accountability of a legal entity does not exclude the accountability of an individual for committing a contravention.

**Article 18. Small value**

The value of things that were seized, obtained, received, manufactured, destroyed, used, transported, stored, commercialized, passed over at customs at a border or the value of damages caused shall be considered small if, upon the commission of the contravention, it does not exceed 25 conventional units.

### **Chapter III**

#### **CAUSES ELIMINATING THE CONTRAVENTIONAL CHARACTER OF AN ACT AND OF LIABILITY FOR A CONTRAVENTION**

**Article 19. Causes eliminating the contraventional character of an act and of liability for a contravention**

The following shall be considered causes eliminating the contraventional character of an act and of liability for a contravention:

- a) state of irresponsibility;
- b) self-defense;
- c) state of emergency;
- d) physical and/or mental coercion;
- e) justified risk;
- f) act of god.

**Article 20.** State of irresponsibility as provided by law

(1) A person who commits an act is in a state of irresponsibility if it is impossible for him/her to comprehend his/her actions or to control his/her actions due to a chronic mental disease, temporary mental disorder, insanity or any other pathological mental condition.

(2) A person who commits an act in a state of responsibility but who before sentencing, becomes ill with a mental disease and is thus deprived of the possibility to comprehend or to control his/her actions shall not be liable for the contravention.

**Article 21.** Self-defense

A person who commits an act to impede a direct, immediate, physical and real attack, directed against him/herself, against another person or against the public interest is in a state of self-defense.

**Article 22.** State of emergency

A person who commits an act to save his/her life, corporal integrity or health as well as the life, corporal integrity or health of another person, a valuable good of his/hers or of another person, or the public interest from an imminent danger that otherwise cannot be eliminated is in a state of emergency.

**Article 23.** Physical and/or mental coercion

(1) An act provided for by this Code that was committed due to physical coercion on a person who could not resist it and that could be otherwise eliminated shall not constitute a contravention.

(2) An act provided for by this Code that was committed due to mental coercion exercised through a threat of imminent danger for oneself or for another person that could not be otherwise eliminated shall not constitute a contravention.

**Article 24.** Justified risk

(1) An act that is provided for by this Code and that has caused damage to interests protected by law shall not constitute a contravention if there was a justified risk that it could achieve socially useful purposes.

(2) A risk shall be considered justified if it would not have been possible to achieve a socially useful purpose without it and if the person who took the risk also took measures to prevent causing damage to interests protected by law.

(3) A risk that is deliberately combined with endangering a person's life or with the danger of causing an ecological or social disaster shall not be considered justified.

**Article 25.** Act of God

(1) An act that is provided for by this Code and the result of which is the consequence of a circumstance that could not be foreseen shall not constitute a contravention.

(2) Circumstances brought about through contraventions shall not constitute an act of god.

**Article 26.** Elimination of liability for a contravention

Liability for an act that contains the constitutive elements of a contravention shall be eliminated in cases of:

- a) voluntary renunciation of the commission of a contravention;
- b) an insignificant or attempted contravention;

- c) the reconciliation of the victim with the perpetrator;
- d) exceeding the statute of limitations for liability;
- e) amnesty.

**Article 27.** Voluntary renunciation of the commission of a contravention

A voluntary renunciation of the commission of a contravention is the cessation of the action directed toward its commission if the person is aware of the possibility of finalizing the act.

**Article 28.** Insignificant or attempted contraventions

In the case of an insignificant contravention, the authority (responsible person) empowered to solve the case may eliminate liability by addressing a verbal reprimand to the perpetrator. That contravention or attempted contravention shall be considered insignificant for which this Code provides as a maximum sanction the imposition of a fine of up to 10 conventional units.

**Article 29.** Reconciliation of the victim with the perpetrator

Proceedings instituted as a result of a contravention shall end if the victim reconciles with the perpetrator for contraventions stipulated in Art.78, Art.96 paras. (1), (2), Art.100, 101, 103, 105, 242. Reconciliation must be personal. For persons who lack legal capacity, reconciliation shall be through their legal representatives. Persons with limited legal capacity can reconcile with the agreement of their legal representatives.

**Article 30.** Statute of limitations for liability for a contravention

- (1) Exceeding the statute of limitations shall eliminate liability.
- (2) The statute of limitations for liability is 3 months.
- (3) The term of limitation shall begin from the date of commission of the contravention.
- (4) For continuous contraventions and extended contraventions, the term of limitation shall begin from the date of commission of the last action or inaction.
- (5) The statute of limitations for a sanction for a contravention is 1 year.
- (6) The following contraveners shall be considered as not being accountable:
  - a) if their liability has been eliminated;
  - b) if they have executed the sanction in full;
  - c) if the proceeding for the contravention has ended.

**Article 31.** Amnesty

- (1) Amnesty is an act that results in the elimination of liability and of the execution of a sanction for a contravention or in the reduction or commutation of the sanction.
- (2) Amnesty shall not affect security measures or the rights of the victim.

## **Chapter IV** **SANCTIONS FOR CONTRAVENTIONS**

**Article 32.** Sanctions for contraventions

- (1) A sanction is a measure of state coercion and a means of correction and re-education that shall be applied in the name of the law to a person who has committed a contravention.
- (2) The following are sanctions applicable to individuals:
  - a) warnings;

- b) fines;
- c) deprivation of the right to carry out an activity;
- d) deprivation of the right to hold certain positions;
- e) assigning penalty points;
- f) deprivation of a special right (right to drive vehicles, right to keep and bear arms);
- g) unpaid community work;
- h) arrest.

(3) The deprivation of the right to carry out certain activities, the deprivation of the right to hold certain positions and penalty points can also be imposed as complementary sanctions.

(4) The only sanction for juveniles is the complementary sanction of deprivation of the right to carry out certain activities.

(5) The following are the sanctions applicable to a legal entity:

- a) fines
- b) deprivation of the right to carry out certain activities.

(6) The deprivation of the right to carry out certain activities can also be imposed as a complementary sanction.

#### **Article 33. Warning**

(1) A warning consists of drawing the attention of the contravener to the danger of the act committed and of recommending that he/she observe legal provisions in the future.

(2) A warning can also be imposed in writing.

(3) The sanction of a warning stipulated in Art.198 paras.(3), (4), Art.247 para.(1), Art.249 para.(1), Art.250 para.(1), Art.251 paras.(4), (5), Art.319, Art.366 para.(1) shall be imposed by the official examiner under the conditions stipulated in Art.446 para.(1) without taking the case to court.

#### **Article 34. Fine**

(1) A fine is a pecuniary sanction that shall be imposed in cases and within the limits stipulated by this Code. A fine is established in conventional units. One conventional unit equals 20 lei.

(2) For individuals, fines from 1 to 150 conventional units shall be imposed, and for responsible persons and legal entities fines from 10 to 500 conventional units may be imposed.

(3) The contravener is permitted to pay half the established fine within a maximum of 72 hours from its establishment. In such cases, the fine is considered to have been fully executed.

(4) If an individual does not pay the fine within 30 days from its establishment, the court may replace it, as necessary, with:

- a) a fine that is double the amount but which shall not exceed the maximum limit of the sanction provided for by regulations on contraventions or by this article;
- b) deprivation of the right to carry out certain activities for a period of 6 months to 1 year;
- c) unpaid community work, 1 hour of work being equal to 1 conventional unit, with the duration of work not to exceed 60 hours;
- d) arrest, one day of arrest being equal to 2 conventional units, with the duration of the arrest not to exceed 30 days. In such a case, account shall be taken of the restrictions provided in Art.38 para.(4).

(5) If the person sanctioned for committing a contravention stipulated in Art.228-245 does not voluntarily pay the fine in full within 30 days from its establishment, the fine shall be replaced with the deprivation of the right to carry out certain activities or the deprivation of the right to drive vehicles for a period of 6 months to 1 year.

(6) For the situations enumerated in para.(4) letters a), c) and d), the deprivation of the right to carry out certain activities for a period of 6 months to 1 year can be imposed as a complementary sanction.

(7) If a legal entity fails to pay the fine voluntarily and in full within 30 days from its establishment, the fine can be replaced with the deprivation of the right to carry out certain activities for a period of 6 months to 1 year.

(8) A fine shall be replaced by the court at the request of the official examiner or of the prosecutor. If the fine is established by the court, the sanction will be replaced by the court at the request of the enforcement agent.

**Article 35.** Deprivation of the right to carry out certain activities and deprivation of the right to hold certain positions

(1) The deprivation of the right to carry out certain activities consists in forbidding temporarily an individual from carrying out certain activities including depriving such an individual of a special right. The sanction of deprivation of the right to carry out certain activities can also be imposed when the activity was used in committing the contravention or if the contravention is a violation of the rules for carrying out that activity.

(2) The deprivation of the right to drive vehicles cannot be imposed on disabled individuals who use the vehicle as their only means of transport except when he/she deliberately drove it with a fake registration number, while being intoxicated with alcohol or another substance, avoided a medical examination to establish such a condition or left the scene of a road accident in which he/she participated.

(3) The deprivation of the right to carry out certain activities or the deprivation of the right to hold certain positions can be imposed by the court for a period of 3 months to 1 year except for the cases stipulated in para.(4). This sanction shall also be imposed taking into account the character of the contraventions committed by the guilty person and when the law declares that it is inadmissible for that person to carry out certain activities or to hold certain positions.

(4) The deprivation of the right to drive vehicles shall be imposed by the court for a period of 6 months to 3 years and in the cases stipulated in Art.36, for a period of 6 months to 1 year.

**Article 36.** Assigning penalty points and deprivation of a special right

(1) When and in the scope provided for by sanctions for contraventions in Chapter XIII of Book One the driver of a vehicle is declared guilty of committing a contravention and receives the principle sanction, he/she shall also be assigned a number of penalty points as a complementary sanction.

(2) If the imposition of a sanction as provided in para.(1) results in the accumulation of 15 penalty points, the official examiner shall submit the case to a competent court for consideration which shall impose, in addition to the principle sanction and the penalty points, the deprivation of the special right to drive vehicles for a period of 6 months to 1 year as a complementary sanction.

(3) Penalty points shall be canceled upon the expiration of a 6-month term from the date of the establishment of the contravention for which they were applied or from the date of deprivation, by court judgment, of the right to drive vehicles.



(4) The method for tracking penalty points and the procedure for ensuring the access of the holder of a driver's license to information about his/her penalty points shall be established by the government.

(5) The deprivation of the right to keep and bear arms shall be decided by the court for a period of 3 months to 1 year depending on the gravity of the contravention stipulated in the special part of Book One.

(6) Upon the expiration of the period of deprivation of the right to drive vehicles or of the right to keep and bear arms, the person's right shall be reinstated.

#### **Article 37. Unpaid community work**

(1) Unpaid community work involves a contravener outside the hours of his/her main job or studies in work established by the local public authority.

(2) Unpaid community work shall be established from 10 to 60 hours and shall be executed for 2 or 4 hours per day.

(3) Unpaid community work can be imposed only on individuals who agree to execute such a sanction.

(4) After issuing the court's decision, the presiding judge shall explain the essence of the sanction of unpaid community work which shall be recorded in the minutes of that hearing.

(5) A contravener who is sanctioned with unpaid community work must give his/her commitment in writing to appear in 10 days at the enforcement office in the jurisdiction where he/she has his/her domicile.

(6) If the contravener avoids his/her unpaid community work, this sanction shall be replaced with arrest, calculating 1 day of arrest for 2 hours of unpaid community work.

(7) Unpaid community work cannot be imposed on individuals who have been declared invalids of the 1<sup>st</sup> or 2<sup>nd</sup> degree, servicepersons on active duty, servicepersons and staff of internal affairs bodies hired on a contractual basis, pregnant women, individuals who are the only provider for a child under 8 years of age or on individuals who have reached the general retirement age.

(8) Unpaid community work shall be assigned in not more than 6 months, and this period shall begin from the date when the court decision becomes final.

#### **Article 38. Arrest**

(1) Arrest is an exceptional sanction for a contravention that consists in depriving a person's freedom for a period established by a court decision and that is executed in accordance with the conditions stipulated by the Enforcement Code.

(2) Arrest for a contravention is usually imposed for committing an act that threatens or puts in real danger the health or corporal integrity of a person.

(3) Arrest can also be imposed when a person deliberately fails to execute another sanction for a contravention.

(4) The duration of arrest for a contravention is from 3 to 15 days. In the case of a cumulation of contraventions or of a cumulation of sanctioning decisions for which the law provides arrest as a sanction, the court shall apply this sanction for a period of not more than 30 days.

(5) The duration of detention shall be included in the duration of arrest.

(6) Arrest cannot be imposed on individuals declared invalids of the 1<sup>st</sup> or 2<sup>nd</sup> degree, servicepersons on active duty, servicepersons and staff of internal affairs bodies hired on a contractual basis, pregnant women, women with children under 8 years of age, on an individual

who is the only provider for a child under 16 years of age or on individuals who have reached the general retirement age.

**Article 39.** Deprivation of the right of a legal entity to carry out certain activities

(1) The deprivation of the right of a legal entity to carry out certain activities consists in establishing an interdiction to conclude certain transactions; to issue shares or other securities; to receive subsidies, incentives and other benefits from the state or to carry out other activities.

(2) The deprivation of the right to carry out certain activities can be limited to a certain area of an administrative unit or to a certain period of the year and shall be established for a period of 3 months to 1 year.

**Article 40.** Expulsion

(1) Expulsion is a measure to remove by force from the territory of the Republic of Moldova foreign citizens and stateless persons who have violated the rules for staying. Expulsion aims to eliminate a state of danger and to prevent the commission by such persons of socially dangerous deeds.

(2) Expulsion can be imposed on foreign citizens and stateless persons as a complementary sanction if they have committed the contraventions stipulated in Art.58, Art.67 paras.(4), (5), Art.76, 80, 81, 83, 84, 87, 323, 324, 326, 328, 330-333, 339, 348.

(3) With regard to foreign citizens and stateless persons who cannot be immediately expelled, the court may order their public custody and placement for a period not to exceed 6 months in the Center for the Temporary Placement of Foreigners.

(4) The court may order public custody for foreign citizens and stateless persons for whom return has been ordered or who have been declared undesirable.

(5) If expulsion accompanies arrest, expulsion shall be executed after the execution of the arrest.

## **Chapter V**

### **IMPOSING SANCTIONS FOR CONTRAVENTIONS**

**Article 41.** General criteria for deciding on sanctions

(1) A sanction shall be imposed depending on the character and level of harm of the contravention, on the contravener's characteristics and on any mitigating or aggravating circumstances.

(2) A person whose guilt is proved shall receive a fair sanction within set limits and in accordance with the provisions of this Code.

**Article 42.** Mitigating circumstances

(1) In imposing a sanction on a person whose guilt has been proven, the following shall be considered mitigating circumstances:

- a) preventing harmful consequences or voluntary repair of the damage;
- b) contribution to the discovery of the contravention;
- c) commission of a contravention due to a cumulation of personal or family circumstances;
- d) commission of a contravention by a juvenile, a pregnant woman or another person who provides for a child under 8 years of age;
- e) illegal or immoral actions of the victim that provoked the contravention.

(2) Circumstances other than those stipulated in para.(1) can also be considered mitigating.

**Article 43. Aggravating circumstances**

(1) In imposing a sanction on a person whose guilt has been proven, the following shall be considered aggravating circumstances:

- a) continuation of the illegal behavior contrary to a demand to stop it;
- b) commission of the contravention by a person who has been previously sanctioned whose conviction has been quashed;
- c) instigating or enticing juveniles to commit a contravention;
- d) commission of a contravention by a group of persons;
- e) commission of a contravention taking advantage of a natural disaster or of other states of emergency;
- f) commission of a contravention in a state of intoxication produced by alcohol or by other substances (the court is entitled, depending on the character of the contravention, not to consider this circumstance as aggravating);
- g) the commission of a contravention on a juvenile, a woman, a senior (older) person, or a person who is unable to defend himself/herself.

(2) The aggravating circumstances stipulated in the special part of Book One as a constituent element of a contravention cannot be taken into consideration in imposing the sanction.

(3) The list of aggravating circumstances contained in this article is exhaustive.

**Article 44. Imposition of a sanction for a plurality of contraventions**

(1) If the same person commits two or more contraventions, a sanction shall be imposed for each contravention in part.

(2) If a person is declared guilty by the court of committing two or more contraventions, a sanction shall be imposed for each contravention in part of which the final sanction will be a cumulation of contraventions by absorbing the milder sanction with the more severe one or by cumulating the sanctions imposed within the limits of the article providing for the more severe sanction.

**Article 45. Repair of damage**

(1) If damage was caused through the contravention, the person to whom damages were caused shall be entitled to satisfy his/her civil claims in civil proceedings.

(2) When resolving a case of a contravention, the competent authority shall be entitled, at the request of the victim, to order the repair of the damage caused through the contravention if there are no divergent opinions regarding its scope.

**Article 46. Execution of the obligation whose non-execution shall be sanctioned**

A sanction shall not absolve the contravener from executing the obligation for whose non-execution it was imposed.

**Part II  
SPECIAL SECTION**

**Chapter VI**

## **CONTRAVENTIONS OF THE POLITICAL, LABOR AND OTHER CONSTITUTIONAL RIGHTS OF INDIVIDUALS**

### **Article 47.** Impeding the exercise of electoral rights

Hindering access to a voting station shall be sanctioned by a fine of 20 to 30 conventional units for individuals, by a fine of 30 to 50 conventional units for responsible persons and in both cases by the deprivation of the right to carry out certain activities for a period of 3 months to 1 year.

**Article 48.** Using funds in elections or in referenda from abroad or funds publicly undeclared

The use in elections or in referenda of funds from abroad or of funds publicly undeclared shall be sanctioned by a fine of 30 to 40 conventional units for individuals and by a fine of 300 to 500 conventional units for responsible persons.

### **Article 49.** Hindering the activities of the electoral body

(1) The failure of responsible persons to provide data and materials requested by the electoral body and the failure to execute its decisions made within its competence shall be sanctioned by a fine of 20 to 30 conventional units.

(2) The deliberate destruction or damaging in any way of an electoral list or of an electoral poster or of subscription lists in support of initiating a referendum shall be sanctioned by a fine of 30 to 50 conventional units.

(3) The refusal to execute the orders of the chairperson of the electoral office of the voting station to ensure order in the voting locale and adjacent areas shall be sanctioned by a fine of 10 to 20 conventional units.

(4) The extraction of a ballot that was handed over for voting from the voting station shall be sanctioned by a fine of 5 to 10 conventional units.

### **Article 50.** Posting electoral information in unauthorized places

Posting electoral propaganda materials or materials supporting a referendum in places other than the established ones shall be sanctioned by a fine of 10 to 20 conventional units.

### **Article 51.** Registration on several lists of candidates

Deliberately allowing a person to be registered on several lists of candidates shall be sanctioned by a fine of 15 to 25 conventional units.

### **Article 52.** Electoral propaganda on the day before elections or on election day

Continuing electoral propaganda or propaganda supporting a referendum on the day before the election or on election day shall be sanctioned by a fine of 10 to 20 conventional units for individuals and by a fine of 40 to 50 conventional units for responsible persons or electoral candidates.

### **Article 53.** Violations of electoral legislation by electoral body members

(1) The failure of electoral commission members to make public proposals for appointing candidates or of the issues subject to a referendum shall be sanctioned by a fine of 10 to 20 conventional units.

(2) The unjustified abandonment of the voting station before starting to add up the election or referendum results and until the signing of the minutes shall be sanctioned by a fine of 10 to 20 conventional units.

(3) The unjustified failure to hand over a ballot to a person entered in the electoral list or handing over more ballots to one voter than stipulated by law shall be sanctioned by a fine of 10 to 20 conventional units.

**Article 54.** Violations of legislation on religious groups

(1) Hindering the freedom to belong or not to belong to a religion, to have or not to have certain beliefs, to change religion or beliefs, to profess religion or beliefs individually or jointly in public or in private through religious education and practices and rituals shall be sanctioned by a fine of 5 to 10 conventional units for individuals and by a fine of 100 to 200 conventional units for legal entities with or without the deprivation in both cases of the right to carry out certain activities for a period of 3 months to 1 year.

(2) Religious intolerance shown through actions that hinder the free exercise of a religious group recognized by the state and the propagation of religious hatred shall be sanctioned by a warning or a fine of 10 to 20 conventional units.

(3) The exercise in the name of a registered or unregistered religious group or in one's own name of practices and rituals that contravene the law on religious groups and their component parts shall be sanctioned by a fine of 10 to 20 conventional units.

(4) Carrying out religious activities by foreign citizens in public places without notifying in advance the mayor's office of that locality shall be sanctioned by a fine of 40 to 50 conventional units or by expulsion from the country.

(5) Offending the religious feelings of individuals; the desecration of objects venerated by them or of their locales, monuments or their symbols shall be sanctioned by a fine of 20 to 30 conventional units or by unpaid community work for 40 to 60 hours.

(6) Violations of the exclusive right of religious groups to publish, print, manufacture, commercialize or disseminate religious objects in other ways shall be sanctioned by a fine of 25 to 35 conventional units.

(7) Disclosure of a secret in a confession by a member of a religious group shall be sanctioned by a fine of 5 to 10 conventional units.

**Article 55.** Violations of legislation on labor protection

(1) Violations of labor legislation, of legislation on job security and hygiene and of other provisions on labor protection shall be sanctioned by a fine of 40 to 50 conventional units for individuals, by a fine of 50 to 75 conventional units for responsible persons and by a fine of 80 to 120 conventional units for legal entities.

(2) The same actions committed with regard to a juvenile shall be sanctioned by a fine of 50 to 80 conventional units for individuals, by a fine of 100 to 150 conventional units for responsible persons, and by a fine of 120 to 180 conventional units for legal entities.

**Article 56.** Violations of the legislation on employment and social protection of individuals searching a work place

(1) Use by responsible persons while completing official documents of names of professions or of positions that do not comply with the *Classifier of Occupations of the Republic of Moldova* shall be sanctioned by a fine of 10 to 50 conventional units.

(2) The failure to communicate within the timeframe established in legislation by a beneficiary of unemployment benefits and/or of an allowance or to advise the employment agency where he/she is registered of any changes in the conditions on which his/her right of beneficiary was established shall be sanctioned by a fine of 3 to 10 conventional units.

**Article 57.** Violations of timeframes for the payment of salaries, pensions, stipends and allowances and for making other regular payments established in legislation

(1) Deliberate violations by more than 2 months of the timeframe established for the payment of salaries, of mandatory state social insurance contributions, of mandatory health insurance as well as for making other regular payments established in legislation shall be sanctioned by a fine of 50 to 100 conventional units for individuals, by a fine of 100 to 200 conventional units for responsible persons and by a fine of 200 to 300 conventional units for legal entities.

(2) Deliberate violations by more than 2 months of the timeframe established for the payment of pensions, stipends or indemnities as well as for making other regular payments, established in legislation shall be sanctioned by a fine of 75 to 100 conventional units for individuals, by a fine of 110 to 200 conventional units for responsible persons, and by a fine of 220 to 300 conventional units for legal entities.

**Article 58.** Involving juveniles in work that poses a danger to their health

Involving a juvenile in work forbidden in legislation shall be sanctioned by a fine of 30 to 40 conventional units for individuals and by a fine of 100 to 150 conventional units for legal entities with or without the deprivation in both cases of the right to carry out certain activities for a period of 3 months to 1 year.

**Article 59.** Avoiding negotiations on concluding collective work agreements or violating the timeframe for concluding such contracts

Avoidance by the representatives of parties to negotiations on concluding, amending or completing a collective work agreement or a violation of the timeframe for negotiations or the failure to ensure the work of the commission in view of concluding a collective work agreement in due time shall be sanctioned by a fine of 20 to 30 conventional units.

**Article 60.** Unjustified refusal to conclude collective work agreements

The unjustified refusal of an employer to conclude a collective work agreement shall be sanctioned by a fine of 40 to 50 conventional units.

**Article 61.** Impeding the exercise of the right to create trade unions and to join them

Impeding the exercise of an employee's right to create a trade union and to join it in view of protecting his/her professional, economic and social rights and to register in it shall be sanctioned by a fine of 40 to 50 conventional units.

**Article 62.** Concealing circumstances that hamper the conclusion of a marriage

Concealing at the registration of a marriage circumstances that hamper its conclusion shall be sanctioned by a fine of 20 to 50 conventional units.

**Article 63.** Failure to fulfill the obligations of caring for and educating children

(1) Failure to fulfill or undue fulfillment by parents or persons who substitute for them of the obligations to take care of and educate a child shall be sanctioned by a fine of 5 to 20 conventional units.

(2) The actions specified in para.(1), if they result in a lack of supervision of a child or in his/her vagrancy, begging or commission of socially dangerous acts shall be sanctioned by a fine of 15 to 25 conventional units for parents or persons substituting for them or with unpaid community work of up to 40 hours.

**Article 64.** Impeding the exercise of the right to communicate with a child and to educate him/her

Impeding the right, on any grounds, of one of the parents (or both parents) to communicate with a child or to take part in his/her education, as well as impeding the child from communicating with his/her grandparents, brothers or sisters shall be sanctioned by a fine of 10 to 20 conventional units.

**Article 65.** Failure to communicate danger to the child's life and health

Failure by a responsible person or by other persons to communicate to the relevant authority the existence of danger to a child's life and health or about a violation of his/her legitimate rights and interests shall be sanctioned by a fine of 5 to 10 conventional units.

**Article 66.** Violations of rules on adoption or the guardianship of children left without parental care

(1) Violations by responsible persons from health, educational, social assistance and other similar institutions of the 3-day timeframe for informing the relevant authority about children left without parental care who can subsequently be put up for adoption or put under guardianship for care and education shall be sanctioned by a fine of 20 to 50 conventional units.

(2) Presenting false data about a child left without parental care by a responsible person from a maternity ward or from another health institution shall be sanctioned by a fine of 50 to 100 conventional units.

**Article 67.** Violations of legislation on meetings

(1) Organizing and holding meetings without notifying the mayor's office as well as violations of the conditions (form, place, time) for holding a meeting indicated in the previous statement shall be sanctioned by a fine of 30 to 40 conventional units for the organizer (leader) of the meeting.

(2) Hindering the organization or holding of meetings according to the law as well as hindering people from participation or compelling people to participate in them shall be sanctioned by a fine of 40 to 50 conventional units.

(3) The failure of a meeting's organizer (leader) to fulfill the obligations provided for in the law shall be sanctioned by a fine of 20 to 30 conventional units.

(4) The participation in meetings of persons holding arms, explosives, any forbidden substances or other objects that may endanger people's lives or health shall be sanctioned by a fine of 40 to 50 conventional units or by arrest for up to 15 days.

(5) Hindering in any form access to buildings in the immediate proximity of the venue of the meeting shall be sanctioned by a fine of 40 to 50 conventional units.

**Article 68.** Compelling or hindering participation in a strike

Compelling or hindering participation in a strike by threats of force or by taking advantage of the dependence of the person compelled shall be sanctioned by a fine of 40 to 50 conventional units or by unpaid community work for 30 to 60 hours.

**Article 69. Insults**

(1) Insults made in public or words or acts that humiliate a person's honor or dignity shall be sanctioned by a fine of 20 to 60 conventional units or by unpaid community work of up to 60 hours.

(2) Insults made in the media shall be sanctioned by a fine of 50 to 100 conventional units or by unpaid community work of up to 60 hours.

**Article 70. Defamation**

Defamation, i.e., the deliberate dissemination of fabrications that defame another person, accompanied by an allegation of the commission of an extremely serious crime or an exceptionally serious crime, or that has serious consequences shall be sanctioned for individuals by a fine of 80 to 120 conventional units, by unpaid community work for 20 to 60 hours, or by arrest for up to 15 days and by a fine of 120 to 250 conventional units for responsible persons with the deprivation of the right to hold certain positions or of the right to carry out certain activities for a period of 3 months to 1 year.

**Article 71. Violations of legislation on access to information and on petitioning**

(1) Violations by a responsible person of legal provisions on the access to information and on petitioning shall be sanctioned by a fine of 40 to 50 conventional units.

(2) Presenting, upon request, an answer containing clearly erroneous data shall be sanctioned by a fine of 45 to 55 conventional units for responsible persons.

**Article 72. Illegal hindrance of access to documents in the archives fund**

The illegal hindrance by a responsible person of access to documents in the archives fund shall be sanctioned by a fine of 10 to 20 conventional units.

**Article 73. Violations of the procedures for submitting volumes of legal depositories and the destruction or damage of library collections**

(1) Violations of the procedures for submitting to the national library or to other library centers of volumes of legal depositories for inspection and for keeping statistics shall be sanctioned by a fine of 10 to 20 conventional units for individuals, by a fine of 25 to 50 conventional units for responsible persons or by unpaid community work in both cases for 20 to 60 hours.

(2) The deliberate destruction or damage of library collections shall be sanctioned by a fine of 15 to 25 conventional units for individuals.

**Article 74. Violations of rules for the protection and use of historical and cultural monuments**

Violation of the rules for the protection and use of historical and cultural monuments, of monuments that are part of the natural heritage or of state-protected objects as well as of objects or documents of historical or cultural value shall be sanctioned by a fine of 40 to 70 conventional units for individuals or by unpaid community work for 40 to 60 hours and by a fine of 100 to 200 conventional units for legal entities.



**Chapter VII**  
**CONTRAVENTIONS OF REGULATIONS ON THE HEALTH OF THE POPULATION,  
THE HEALTH OF INDIVIDUALS AND PUBLIC HEALTH**

**Article 75.** Disclosing confidential information about a medical examination for detecting infection with the human immunodeficiency virus (HIV) that causes AIDS

Disclosing confidential information about medical examinations for detecting infection with the human immunodeficiency virus (HIV) that causes AIDS by medical staff or by other persons who, by virtue of their work duties, have such information shall be sanctioned by a fine of 50 to 70 conventional units.

**Article 76.** Avoiding treatment or violating the prescribed regime by a person ill with infectious tuberculosis

Avoiding treatment or violating the prescribed regime by a person ill with infectious tuberculosis shall be sanctioned by a fine of 10 to 25 conventional units.

**Article 77.** Illegal practice of medicine or pharmaceuticals

(1) The practice of medicine or pharmaceuticals as a profession by a person who lacks the necessary medical or pharmaceutical education shall be sanctioned by a fine of 20 to 70 conventional units.

(2) The practice by a person authorized to practice pharmaceuticals of activities that are not indicated in his/her license shall be sanctioned by a fine of 20 to 50 conventional units.

(3) The practice of pharmaceuticals in places unauthorized by the Ministry of Health shall be sanctioned by a fine of 20 to 50 conventional units.

(4) The unwarranted storage of medicine or the storage, use, advertising or commercialization of medicine unauthorized by the Ministry of Health, the use of medicine past its expiration date as well as of medicine lacking the document and/or information that certifies quality and the name and address of the producer shall be sanctioned by a fine of 50 to 100 conventional units.

(5) Violations of rules for prescribing and issuing medicine shall be sanctioned by a fine of 20 to 50 conventional units.

(6) Producing modifying production formulas or technology and labeling medicine, or other pharmaceutical or quasi-pharmaceutical products or changing the required technical documentation by companies producing medicine and other pharmaceutical or quasi-pharmaceutical products without the respective authorization of the Ministry of Health shall be sanctioned by a fine of 50 to 100 conventional units.

(7) The practice of pharmaceuticals without using the information system for tracking the distribution of medicine, the use of the system in violation of established requirements, the distribution of medicine from pharmaceutical companies and/or the presence in the stocks of pharmacies and of their branches of medicine without underlying strip labels shall be sanctioned by a fine of 100 to 150 conventional units for responsible persons and by the deprivation of the right to practice pharmaceuticals for a period of 3 months to 1 year.

(8) The practice of folk medicine without special authorization as established by law shall be sanctioned by a fine of 40 to 50 conventional units with or without the deprivation of the right to carry out certain activities for a period of 3 months to 1 year.

**Article 78. Deliberate slight bodily injury**

(1) Deliberate slight bodily injury shall be sanctioned by a fine of 10 to 40 conventional units or by unpaid community work for 40 to 60 hours or by arrest for 5 to 10 days.

(2) Deliberate slight bodily injury, maltreatment, beating and other violent actions that cause physical pain shall be sanctioned by a fine of 25 to 50 conventional units or by arrest for 10 to 15 days.

(3) Deliberate slight bodily injury that causes a short-term health disorder or an insignificant but established loss of work capacity shall be sanctioned by a fine of 50 to 75 conventional units or by arrest for up to 15 days.

**Article 79. Violations of legislation on blood donations**

(1) Stealing blood and blood derivatives and unintentionally damaging them shall be sanctioned by a fine of 10 to 20 conventional units.

(2) Using donated blood, blood derivatives and blood preparations with a view to making a profit shall be sanctioned by a fine of 20 to 40 conventional units or by unpaid community work for 40 to 60 hours.

(3) Illegally taking out of the county donated blood, blood derivatives or blood preparations shall be sanctioned by a fine of 40 to 60 conventional units or by unpaid community work for 40 to 60 hours.

(4) Failure to ensure the proper storage of donated blood, blood derivatives or blood preparations shall be sanctioned by a fine of 100 to 150 conventional units for responsible persons and by a fine of 200 to 300 conventional units for legal entities.

(5) Deliberate concealment by blood donors of information about recent infections shall be sanctioned by a fine of 100 to 150 conventional units.

**Article 80. Violations of sanitary, hygienic and anti-epidemic rules and regulations**

(1) Violations of sanitary, hygienic and anti-epidemic rules and regulations in the commercialization of products (goods) or in the provision of services to a consumer shall be sanctioned by a fine of 5 to 10 conventional units for individuals and by a fine of 70 to 100 conventional units for legal entities.

(2) Violations of sanitary, hygienic and anti-epidemic rules and regulations by employees of food companies shall be sanctioned by a fine of 10 to 20 conventional units for individuals and by a fine of 150 to 200 conventional units for legal entities.

(3) Failure to comply in due time with legal directions of competent authorities on eliminating violations of sanitary, hygienic and anti-epidemic rules and regulations shall be sanctioned by a fine of 200 to 250 conventional units for responsible persons and by a fine of 250 conventional units for legal entities.

(4) Failure to discharge the obligation to make public truthful information about the quality of drinking water shall be sanctioned by a fine of 100 to 150 conventional units.

(5) Producing, storing, transporting and distributing new types of unapproved food products and items that come in contact with food products in places and in conditions that do not comply with sanitary rules shall be sanctioned by a fine of 50 to 80 conventional units for individuals, by a fine of 200 to 250 conventional units for responsible persons and by a fine of 200 conventional units for legal entities.

**Article 81.** Employing staff in food companies without a medical examination, hygienic training and/or the necessary hygiene qualification

Employing staff in food companies without a medical examination, hygienic training and/or the necessary hygiene qualification shall be sanctioned by a fine of 150 to 200 conventional units for responsible persons and by a fine of 200 to 250 conventional units for legal entities.

**Article 82.** Placing on the market unapproved new types of food products and items that come in contact with food products

Placing on the market unapproved new types of food products and items that come in contact with food products shall be sanctioned by a fine of 50 to 100 conventional units for individuals, by a fine of 180 to 250 conventional units for responsible persons and by a fine of 300 to 400 conventional units for legal entities.

**Article 83.** Failure to take measures to suspend placement on the market of unapproved new types of food products and items that come in contact with food products

Failure to take measures to suspend placement on the market of unapproved new types of food products and items that come in contact with food products, failure to organize and to arrange their withdrawal from circulation or to execute decisions of supervisory and inspection organizations on their conditional use or destruction shall be sanctioned by a fine of 70 to 100 conventional units for individuals, by a fine of 250 to 300 conventional units for responsible persons, and by a fine of 300 to 400 conventional units for legal entities.

**Article 84.** Supplying products and providing services dangerous to the lives and health of consumers

Supplying products and providing services dangerous to the lives and health of consumers contrary to legal provisions shall be sanctioned by a fine of 100 to 150 conventional units for individuals, by a fine of 300 to 400 conventional units for responsible persons and by a fine of 350 to 500 conventional units for legal entities with the deprivation in all cases of the right to carry out certain activities for a period of 3 months to 1 year.

**Article 85.** Illegally procuring or keeping narcotic substances or other psychotropic substances in small amounts or consuming such substances without a doctor's prescription

(1) Illegally procuring or keeping, without intending to distribute them, narcotic substances or other psychotropic substances in small amounts and consuming them without a doctor's prescription shall be sanctioned by a fine of 3 to 10 conventional units or with unpaid community service of up to 40 hours.

(2) Liability shall be eliminated for acts stipulated in this article for a person who voluntarily turns in narcotic substances or other psychotropic substances illegally held or who voluntarily goes to or wishes to go to a medical facility to obtain the necessary assistance in connection with the illegal consumption of narcotic substances and/or other psychotropic substances.

**Article 86.** Failure to adopt measures to ensure the protection of crops from plants containing narcotic substances or other psychotropic substances

The failure to adopt measures, stipulated in legislation to ensure the established regime of protecting crops from opium poppies, hemp, coca bushes and other plants and of places for storing and processing the harvests of such crops, the failure to adopt measures to destroy the residue left after harvesting and of production waste containing narcotic substances or other

psychotropic substances shall be sanctioned by a fine of 70 to 150 conventional units for responsible persons and by a fine of 200 to 300 conventional units for legal entities.

**Article 87.** Illegal cultivation of plants containing narcotic substances or other psychotropic substances

The illegal cultivation of plants containing narcotic substances or other psychotropic substances, even in small amounts, without the intention to distribute them shall be sanctioned by a fine of 30 to 50 conventional units for individuals, by a fine of 100 to 300 conventional units for responsible persons and by a fine of 300 to 400 conventional units for legal entities with or without the deprivation in all cases of the right to carry out certain activities for a period of 6 months to 1 year.

**Article 88.** Intoxicating a juvenile with alcohol or other substances

(1) Intoxicating a juvenile with alcohol or other substances shall be sanctioned by a fine of 20 to 40 conventional units for individuals.

(2) The actions specified in para.(1) committed by parents or by individuals substituting for them or by persons responsible for the juvenile shall be sanctioned by a fine of 40 to 60 conventional units.

**Article 89.** Practice of prostitution

(1) Practicing prostitution shall be sanctioned by a fine of 10 to 20 conventional units.

(2) A person engaged in prostitution against his/her will shall be exempt from liability.

**Article 90.** Producing, selling, distributing or storing pornographic products

Producing, selling, distributing or storing pornographic products for sale or distribution shall be sanctioned by a fine of 40 to 50 conventional units for individuals and by a fine of 100 to 150 conventional units for legal entities.

**Article 91.** Smoking and consuming alcoholic beverages in forbidden places, selling tobacco products and alcoholic beverages to juveniles

(1) Smoking and consuming alcoholic beverages in places other than those specified in Art.203 para.(3) shall be sanctioned by a fine of 30 to 50 conventional units.

(2) Selling tobacco products and alcoholic beverages to minors shall be sanctioned by a fine of 60 to 100 conventional units for individuals and by a fine of 100 to 200 conventional units for legal entities with or without the deprivation in both cases of the right to carry out certain activities for a period of 3 months to 1 year.

## **Chapter VIII CONTRAVENTIONS OF PROPERTY RIGHTS**

**Article 92.** Concealing information about the stock of available land

Concealing information about the stock of available land or violating the timeframe for considering an individual's request for the assignment of land plots shall be sanctioned by a fine of 40 to 50 conventional units for responsible persons with or without the deprivation of the right to carry out certain activities for a period of 3 months to 1 year.

**Article 93.** Violations of legislation on geodesy, cartography and topography

(1) The failure to ensure the integrity of geodesic and topographic information and the failure to execute in due time actions specified in inspection documents of the appropriate agency shall be sanctioned by a fine of 15 to 25 conventional units for individuals and by a fine of 150 to 250 conventional units for legal entities.

(2) Deliberately destroying landmarks or geodesic network points shall be sanctioned by a fine of 10 to 20 conventional units.

**Article 94.** Violations of construction rules in areas with deposits of useful substances

Violations of construction rules in areas with deposits of useful substances and on land above mines and in places where noxious fumes can be inhaled shall be sanctioned by a fine of 10 to 20 conventional units for individuals and by a fine of 200 to 300 conventional units for legal entities with the deprivation of the right to carry out certain activities for a period of 6 months to 1 year.

**Article 95.** Violations of the established procedure for the use of the fund for the exploitation, collection and transportation of wood and for the collection of resin

(1) Violations of the established procedure for the use of the fund for the exploitation, collection and transportation of wood and for the collection of resin shall be sanctioned by a fine of 5 conventional units for individuals and by a fine of 50 to 100 conventional units for responsible persons.

(2) The transportation of wood products without documents of origin or of delivery shall be sanctioned by a fine of 10 conventional units for individuals and by a fine of 30 to 100 conventional units for responsible persons.

**Article 96.** Violations of copyright and related rights

(1) The illegal production, broadcasting or use in a different manner of musical productions, phonograms, interpretations and programs of broadcasting organizations; violations of the conditions for the use of musical productions, phonograms, interpretations and programs of broadcasting organizations that are protected by copyrights or related rights or an indication on copies of musical productions or of phonograms of false information about the ownership and limits of the copyrights and related rights as well as of other information that may mislead the beneficiary; changing or removing from copies of musical productions or phonograms of symbols and signs that protect copyrights and related rights indicated by the holder of those rights; producing a hard copy of an audiovisual production, a program or interpretation or another object that is copyright protected in concert halls, in cinema theaters and in other public places without the agreement of the holder of the rights; removing from copies of musical productions or of phonograms of information about the administration of copyrights and related rights; removing from copies of musical productions or phonograms of the technical means for the protection of copyrights and related rights and the sale or offering for sale, rent, importation or storage of technical equipment or its components to facilitate access to the programs of broadcasting organizations that interactively communicate through air, cable or satellite including via the Internet; the sale, rent, export, exchange, storage or other method of use of copies of musical productions or phonograms in any manner or form without certification and without having, upon inspection, contracts for copyrights concluded with the holders of the rights to them; undue application of certification other than that for hard copies specified in the attachments to the application for issuing certification for copies of musical productions or phonograms used without the consent of the holder of the rights and appropriation of authorship

or coercion to co-authorship shall be sanctioned by a fine of 10 to 30 conventional units for individuals and by a fine of 30 to 70 conventional units for responsible persons.

(2) Counterfeiting or illicitly producing, destroying, using, storing, transporting or selling certifications shall be sanctioned by a fine of 30 to 50 conventional units for individuals and by a fine of 50 to 100 conventional units for responsible persons.

(3) The negligent destruction of the original of a scientific, literary, art or sculpture work, of the manuscript or final version of the original of a phonogram or of an audiovisual production shall be sanctioned by a fine of 50 to 100 conventional units for individuals and by a fine of 100 to 200 conventional units for responsible persons.

**Article 97.** Illicit use of a trademark or original name of a product

The illicit use of the protected trademark or original name of a product as well as of identical or similar symbols that can be confused with the trademark or original name of a registered product or product awaiting registration or of the names of other persons for marking products or services identical to those for which the trademark or original name was registered as well as using, importing, exporting, transporting, offering for sale, selling, other methods of commercial distribution and storing for such purposes of products marked with such signs and urging third parties to conduct such actions shall be sanctioned by a fine of 50 to 100 conventional units for individuals, by a fine of 100 to 200 conventional units for responsible persons or by unpaid community work of 40 to 60 hours.

**Article 98.** Use of false or misleading information in labeling products

The use of false or misleading information in labeling products with a view to misleading the consumer about the quality, quantity, properties, purpose, value or date of manufacture of products or provision of services or about the producer and premises of production shall be sanctioned by a fine of 40 to 50 conventional units for individuals, by a fine of 150 to 200 conventional units for responsible persons, and by a fine of 200 to 300 conventional units for legal entities.

**Article 99.** Violations of the exclusive rights of the holder of a patent for an invention or of a utility model

The manufacture, importation, exportation, transportation, offering for sale, sale, other methods of commercial distribution or storage for such purposes of products that incorporate a registered patented invention or utility model for which the law requires the authorization of the holder conducted without such authorization shall be sanctioned by a fine of 20 to 80 conventional units for individuals, by a fine of 150 to 250 conventional units for responsible persons and by a fine of 200 to 300 conventional units for legal entities.

**Article 100.** Violations of the exclusive rights of the holder of a copyright on an industrial drawing or model

The manufacture, importation, exportation, transportation, sale, other methods of commercial distribution or storage for such purposes of products that incorporate in full or to a substantial extent a protected industrial drawing or model for which the law requires the authorization of the holder of the right conducted without such authorization shall be sanctioned by a fine of 20 to 40 conventional units for individuals and by a fine of 75 to 100 conventional units for responsible persons.

**Article 101.** Violations of the exclusive rights of a holder of a patent on a plant species

The production, reproduction, intention to reproduce, transportation, importation, exportation, offering for sale, sale, other methods of commercial distribution or storage for such purposes of a patented plant species conducted without authorization shall be sanctioned by a fine of 30 to 50 conventional units for individuals, by a fine of 50 to 100 conventional units for responsible persons and by a fine of 100 to 150 conventional units for legal entities.

**Article 102.** Violations of the exclusive rights of the holder of a copyright for an integrated circuit

The reproduction of a protected integrated circuit or of a part thereof as well as the importation, exportation, transportation, offering for sale, sale or other methods of commercial distribution of a product that incorporates a protected integrated circuit or a part thereof for which the law requires the authorization of the holder conducted without such authorization shall be sanctioned by a fine of 30 to 50 conventional units for individuals and by a fine of 50 to 100 conventional units for responsible persons.

**Article 103.** Violations of applications for copyright for an invention, integrated circuit or industrial drawing/model

Appropriation of authorship; coercion to co-authorship or disclosure of the essence of an invention, an integrated circuit or an industrial drawing/model before the submission of an application for a copyright without the author's consent shall be sanctioned by a fine of 30 to 50 conventional units for individuals or by unpaid community work of 40 to 60 hours and by a fine of 80 to 100 conventional units for legal entities.

**Article 104.** Deliberate destruction or damage of someone else's goods

The deliberate destruction or damage of someone else's goods if such an act does constitute an infraction of the law shall be sanctioned by a fine of 30 to 60 conventional units or by unpaid community work for 20 to 40 hours.

**Article 105.** Misappropriating an owner's property

Misappropriating an owner's property through larceny, theft, misuse of power or swindling shall be sanctioned by a fine of 50 to 100 conventional units, by unpaid community work for 40 to 60 hours or by arrest for up to 15 days.

**Article 106.** Causing pecuniary damage by fraud or abuse of confidence

Causing pecuniary damage by fraud or abuse of confidence, if such an act does not constitute embezzlement and does not contain the elements of an infraction of the law shall be sanctioned by a fine of up to 150 conventional units.

**Article 107.** Obtaining or disclosing information that constitutes a trade or tax secret

(1) Obtaining information that constitutes a trade or tax secret without the holder's consent with a view to disclosing or misusing it shall be sanctioned by a fine of 20 to 40 conventional units for individuals or by a fine of 30 to 40 conventional units for responsible persons.

(2) Disclosing information that constitutes a trade or tax secret by a public officer or by a person to whom such information was entrusted or that became known to him/her in connection with his/her work shall be sanctioned by a fine of 100 to 200 conventional units.

**Article 108.** Unauthorized connections to electric power, heating or gas sources

An unauthorized connection to electric power, heating or gas sources shall be sanctioned by a fine of 40 to 100 conventional units for individuals and by a fine of 200 to 400 conventional units for legal entities.

## **Chapter IX**

### **CONTRAVENTIONS AGAINST THE ENVIRONMENT**

**Article 109.** Violations of the water protection regime

(1) Violations of the water protection regime resulting in water pollution, soil erosion or other harmful phenomena shall be sanctioned for individuals by a fine of 20 to 40 conventional units or by unpaid community work for 10 to 40 hours and by a fine of 200 to 400 conventional units for legal entities.

(2) Commissioning the construction of business facilities, apartment blocks or other types of real estate without the equipment and installations for preventing water pollution and its harmful impact shall be sanctioned for individuals by a fine of 40 to 50 conventional units or with unpaid community work for 20 to 40 hours and by a fine of 400 to 500 conventional units for legal entities.

(3) Washing vehicles, equipment and packaging material in fresh water sources or near them or in other unauthorized places shall be sanctioned for individuals by a fine of 20 to 50 conventional units or by unpaid community work for 40 to 60 hours, by a fine of 100 to 200 conventional units for legal entities or by the deprivation in both cases of the right to carry out certain activities for a period of 3 months to 1 year.

(4) The failure to observe the boundaries and regulations for protected areas of rivers, water basins and river beds shall be sanctioned by a fine of 10 to 30 conventional units for individuals and by a fine of 100 to 200 conventional units for legal entities.

(5) The failure to observe the boundaries and regulations for forest belts for water protection shall be sanctioned by a fine of 10 to 30 conventional units for individuals and by a fine of 100 to 200 conventional units for legal entities.

(6) The failure of the captain or of another officer of a vessel to observe the obligations stipulated in legislation regarding registering in documents on board any procedures using substances that are harmful to people and to the living resources of the sea or using mixtures that contain such substances beyond established standards or entering false information about such procedures in the documents on board or illegally refusing to present the documents to responsible persons shall be sanctioned by a fine of 50 to 70 conventional units or by unpaid community work for 40 to 60 hours.

**Article 110.** Violations of rules for water use

(1) Collecting and using water in violation of the established rules and using drinking water for industrial purposes shall be sanctioned by a fine of 20 to 40 conventional units for individuals or by unpaid community work for 20 to 40 hours and by a fine of 200 to 400 conventional units for legal entities with or without the deprivation in both cases of the right to carry out certain activities for a period of 3 months to 1 year.

(2) Using water units without a special authorization for their use or without state entitlement for separate use shall be sanctioned by a fine of 40 to 50 conventional units for individuals and by a fine of 400 to 500 conventional units for legal entities with or without the deprivation in both cases of the right to carry out certain activities for a period of 3 months to 1 year.



**Article 111.** Failure to observe the rules and instructions on the use of hydro technology, and of water management and protection facilities, installations and measuring devices

The failure to observe the rules and instructions on the use of hydro technology and of water management and protection facilities, installations and measuring devices shall be sanctioned by a fine of 10 to 20 conventional units for individuals, by a fine of 40 to 50 conventional units for responsible persons, and by a fine of 100 to 200 conventional units for legal entities.

**Article 112.** Damaging hydro technology and water management and protection facilities and installations

Damaging hydro technology and water management and protection facilities and installations, including networks and installations of drinking water supply systems shall be sanctioned by a fine of 20 to 30 conventional units for individuals and by a fine of 200 to 400 conventional units for legal entities.

**Article 113.** Violations of rules for carrying out an economic activity in protected water areas

(1) The unauthorized application of pesticides and fertilizers within 300 meters from the bank of a river shall be sanctioned by a fine of 30 to 40 conventional units for individuals and by a fine of 300 to 400 conventional units for legal entities with or without the deprivation in both cases of the right to carry out certain activities for a period of 3 months to 1 year.

(2) The placement in protected water areas of stocks of fertilizers, pesticides or oil products; the construction of facilities for preparing chemical solutions, gas stations or catchments for residual water from livestock farms and facilities or car servicing and washing units; distributing plots of land in such areas for stocking wastes of any origin and the unauthorized construction of sewerage installations or of catchments and installations for cleaning residual waters shall be sanctioned by a fine of 30 to 50 conventional units for individuals and by a fine of 300 to 400 conventional units for legal entities with or without the deprivation in both cases of the right to carry out certain activities for a period from 3 months to 1 year.

(3) The unauthorized filling of river meadows and dry river beds; building structures for regulating river courses; extracting useful substances and constructing or installing communications in protected water areas shall be sanctioned by a fine of 40 to 50 conventional units for individuals and by a fine of 300 to 400 conventional units for legal entities.

(4) Land development and establishing animal or bird sanctuaries or camp sites inside the boundaries of river banks designated for water protection shall be sanctioned by a fine of 30 to 40 conventional units for individuals and by a fine of 300 to 400 conventional units for legal entities.

(5) Discharging into surface water and into irrigation and drainage channels untreated waste water, water polluted with radioactive substances, water contaminated with pathogenic germs or with parasites, oil products or residues of other pollutants shall be sanctioned by a fine of 30 to 50 conventional units for individuals and by a fine of 300 to 500 conventional units for legal entities.

(6) Economic activities that have an impact on the environment carried out by companies without the means for keeping track of their quantity and quality, of monitoring water discharge or for preventing water pollution and its destructive effects shall be sanctioned by a fine of 30 to

50 conventional units for individuals and by a fine of 300 to 500 conventional units for legal entities.

**Article 114.** Violations of rules for the protection of piscine resources and of fishing rules

(1) Violations of rules for the protection of piscine resources shall be sanctioned by a fine of 10 to 20 conventional units for individuals and by a fine of 200 to 300 conventional units for legal entities.

(2) Violations of fishing rules except for fishing in private waters if such actions do not constitute an infraction shall be sanctioned by a fine of 5 to 10 conventional units for individuals and by a fine of 200 to 300 conventional units for legal entities.

(3) Transporting or selling fish products or other aquatic products without the necessary documents required by legislation shall be sanctioned by a fine of 100 to 150 conventional units for individuals and by a fine of 400 to 500 conventional units for legal entities with the deprivation in both cases of the right to carry out certain activities for a period of 3 months to 1 year.

(4) The actions specified in para.(1) accompanied by illegal fishing or by the destruction of a valuable fish species or of water plants or other aquatic fauna and flora shall be sanctioned by a fine of 150 conventional units for individuals and by a fine of 400 to 500 conventional units for legal entities with the deprivation in both cases of the right to carry out certain activities for a period from 3 months to 1 year.

(5) Fishing using electricity, explosives or poisonous, narcotic or reactive substances of any kind shall be sanctioned by a fine of 100 to 150 conventional units for individuals and by a fine of 400 to 500 conventional units for legal entities.

**Article 115.** Degrading land and falsifying information about its condition and use

(1) Degrading the fertile stratum of the soil or wantonly using the fertile stratum contrary to its purpose shall be sanctioned by a fine of 10 to 20 conventional units for individuals and by a fine of 100 to 200 conventional units for legal entities.

(2) Locating, constructing or commissioning on the soil anything that generates soil pollution shall be sanctioned by a fine of 30 to 70 conventional units for individuals and by a fine of 200 to 300 conventional units for legal entities.

(3) Burning vegetal remains of any origin shall be sanctioned by a warning or by a fine of 10 to 30 conventional units for individuals and by a fine of 50 to 100 conventional units for legal entities.

(4) Falsifying information about the condition and use of land shall be sanctioned by a fine of 50 to 100 conventional units for legal entities and by a fine of 200 to 300 conventional units for responsible persons.

**Article 116.** Unauthorized deviation from land management plans or land-use projects

(1) The unauthorized deviation from land management plans or improvement projects as well as using land contrary to the purpose for which it was distributed shall be sanctioned by a fine of 10 to 30 conventional units for individuals and by a fine of 200 to 300 conventional units for legal entities.

(2) Illegally occupying or enclosing land shall be sanctioned by a fine of 40 to 50 conventional units for individuals and by a fine of 300 to 400 conventional units for legal entities with the removal in both cases of the illegal fences or structures at the contravener's expense.

**Article 117.** Failure to fulfill the obligation to condition land to ensure its use according to its purpose

(1) The failure to fulfill the obligation to condition land to ensure its use according to its purpose shall be sanctioned by a fine of 20 to 50 conventional units for individuals and by a fine of 100 to 200 conventional units for legal entities.

(2) The failure to fulfill the obligation to recondition land affected by the use of its subsoil into a condition that does not pose a danger and ensures its subsequent use shall be sanctioned for individuals by a fine of 20 to 50 conventional units or by unpaid community work for 40 to 60 hours and by a fine of 100 to 200 conventional units for legal entities.

**Article 118.** Failure to cultivate the land, to take the necessary measures for its improvement, to protect the soil from erosion caused by wind or water or to prevent other processes that deteriorate the condition of the soil

The failure to cultivate the land, to take the necessary measures for its improvement, to protect the soil from erosion caused by wind or water or to prevent other processes that deteriorate the condition of the soil shall be sanctioned for individuals by a fine of 20 to 50 conventional units or by unpaid community work for 40 to 60 hours and by a fine of 100 to 200 conventional units for legal entities.

**Article 119.** Violations of procedures for protecting and using the subsoil

(1) The unauthorized use of the subsoil shall be sanctioned by a fine of 50 to 100 conventional units for individuals and by a fine of 300 to 500 conventional units for legal entities with or without the deprivation in both cases of the right to carry out certain activities for a period of 3 months to 1 year.

(2) Studying and doing research on the subsoil that is not part of special projects as well as incomplete or illogical studying and researching the subsoil shall be sanctioned by a fine of 10 to 20 conventional units for individuals and by a fine of 50 to 100 conventional units for legal entities with or without the deprivation in both cases of the right to carry out certain activities for a period of 3 months to 1 year.

(3) Presenting false information about the quantity and quality of useful mineral substances extracted shall be sanctioned by a fine of 10 to 20 conventional units for individuals and by a fine of 50 to 100 conventional units for legal entities with or without the deprivation in both cases of the right to carry out certain activities for a period of 3 months to 1 year.

(4) The failure to observe the requirements for the design, construction and commissioning of companies and other units related to the use of the subsoil shall be sanctioned by a fine of 20 to 40 conventional units for individuals and by a fine of 100 to 200 conventional units for legal entities with or without the deprivation in both cases of the right to carry out certain activities for a period of 3 to 6 months.

(5) Violations of rules and standards for carrying out subsoil exploitation under secure conditions or of requirements for subsoil and environmental protection or exploitation that pollutes useful mineral substances or puts the land and subsoil into an unusable condition shall be sanctioned by a fine of 15 to 30 conventional units for individuals and by a fine of 100 to 200 conventional units for legal entities with or without the deprivation in both cases of the right to carry out certain activities for a period of 3 to 6 months.

(6) The deliberate failure to ensure in the process of studying and using the subsoil the integrity of the land and of structures and other units including areas and units protected by the state in a special way shall be sanctioned by a fine of 20 to 30 conventional units for individuals

and by a fine of 100 to 200 conventional units for legal entities with the deprivation in both cases of the right to carry out certain activities for a period of 3 to 6 months.

(7) Violations of the procedures for monitoring the movement of reserves of useful mineral substances and of mining waste and violations of the requirements for maintaining state cadastres and reserves of useful substance shall be sanctioned by a fine of 40 to 50 conventional units for legal entities.

(8) Violations of the requirements and rules for burying (storing) harmful substances,, waste or waste water in subsoil shall be sanctioned by a fine of 20 to 30 conventional units for individuals and by a fine of 40 to 50 conventional units for legal entities.

(9) The failure to observe the requirements and measures for restoring land degraded as a result of mining, for bringing mines, bore holes, and underground shafts into a condition that would ensure their subsequent use and the security of the public shall be sanctioned by a fine of 150 to 250 conventional units for legal entities.

(10) Violations of requirements and rules for building on land with deposits of useful mineral substances, on land of mining companies (including underground mines) as well as on land for burying harmful substances and wastes shall be sanctioned by a fine of 40 to 50 conventional units for individuals and by a fine of 150 to 200 conventional units for legal entities.

(11) Selling or distributing solid useful mineral substances without legal documents of origin shall be sanctioned by a fine of 50 to 100 conventional units for individuals and by a fine of 250 to 400 conventional units for responsible persons with the deprivation of the right to carry out certain activities for a period of 6 months to 1 year.

**Article 120.** Unauthorized removal and destruction of dead leaf cover, live cover and fertile topsoil

The unauthorized removal and destruction of the dead leave cover, the live cover and of fertile topsoil for use for purposes other than forestry related ones shall be sanctioned by a fine for individuals of 30 to 40 conventional units or by unpaid community work for 20 to 40 hours and by a fine from 150 to 250 conventional units for legal entities.

**Article 121.** Forest exploitation contrary to the purpose or requirements of the law

Forest exploitation contrary to the purpose or requirements stipulated in the authorization (order) for cutting trees or in the forestry permit shall be sanctioned by a fine of 40 to 50 conventional units for individuals and by a fine of 200 to 300 conventional units for legal entities.

**Article 122.** Illegal cutting or damaging of trees and bushes

(1) The illegal cutting or damaging of trees and bushes such that they cease to grow or damaging trees and bushes that does not interrupt their growth shall be sanctioned by a fine for individuals of 40 to 50 conventional units or by unpaid community work of 40 to 60 hours and by a fine of 400 to 500 conventional units for legal entities.

(2) The illegal cutting of trees and bushes in green areas, damaging them or damaging parts of them including as a result of fire or of relocating them from green areas to other places during construction without the permission of the local public authorities working with the public authority responsible for the environment shall be sanctioned by a fine of 40 to 50 conventional units for individuals and by a fine of 400 to 500 conventional units for legal entities.

(3) The actions specified in para.(1) committed by persons responsible for protecting forest vegetation shall be sanctioned by a fine of 50 to 100 conventional units.

(4) An authorization issued by persons responsible for protecting forest vegetation for cutting wood in violation of the law or of other legal acts shall be sanctioned by a fine of 100 to 200 conventional units.

**Article 123.** Destroying or damaging forest plants or new growth from natural regeneration or replanting

Destroying and damaging forest plants or new growth from natural regeneration or replanting shall be sanctioned by a fine for individuals of 40 to 50 conventional units or by unpaid community work for 40 to 60 hours, by a fine of 300 to 400 conventional units for responsible persons and by a fine of 400 to 500 conventional units for legal entities.

**Article 124.** Destroying or damaging seedlings or cuttings from nurseries and forest plantations

Destroying or damaging seedlings or cuttings from nurseries or forest plantations shall be sanctioned by a fine for individuals of 40 to 50 conventional units or by unpaid community work for 60 hours, by a fine of 300 to 400 conventional units for responsible persons and by a fine of 400 to 500 conventional units for legal entities.

**Article 125.** Violations of procedures and timeframes for the afforestation of exploited forest areas and of unforested land

Violations of the procedures and timeframes for the afforestation of exploited forest areas and of unforested land in the forest fund as well as of exploited forest areas on land covered by forest vegetation outside the fund shall be sanctioned by a fine for individuals of 30 to 50 conventional units or by unpaid community work for 40 to 60 hours and by a fine of 200 to 300 conventional units for legal entities.

**Article 126.** Deliberate destruction or damaging of hay and pasture land, of drainage ditches in forests, of drainage systems, of roads and engineering installations on forest land

The deliberate destruction and damaging of hay and pasture land, of drainage ditches in forests, of drainage systems, of roads and engineering installations on forest land shall be sanctioned by a fine for individuals of 10 to 20 conventional units or by unpaid community work for 20 to 40 hours and by a fine of 100 to 200 conventional units for legal entities.

**Article 127.** Violations of rules for the use of forests

(1) The unauthorized mowing of grass for hay and unauthorized pasturing on forest land in protected forest belts and in green areas shall be sanctioned by a warning or by a fine of 5 to 10 conventional units or by unpaid community work for 20 to 40 hours.

(2) The unauthorized collection of wild fruits and berries, nuts, medicinal herbs and other plants or vineyard snails in areas where this is prohibited or is allowed only with a forestry permit as well as violations of established collection timeframes, amounts and procedures shall be sanctioned for individuals by a warning or by a fine of 5 to 10 conventional units or by unpaid community work for 20 to 40 hours and by a fine from 100 to 200 conventional units for legal entities.

**Article 128.** Violations of provisions in legal acts on the use and protection of water fowl

(1) Violations of provisions in legal act on the protection of water fowl, on hunting and on other uses of water fowl resources shall be sanctioned by a fine of 20 to 50 conventional units for individuals and by a fine of 200 to 400 conventional units for responsible persons.

(2) Hunting without an authorization (license), a hunting permit or an authorization for holding, bearing and using hunting arms, exceeding the limits established for hunting as well as hunting in prohibited places and during periods when it is prohibited or using prohibited arms and methods shall be sanctioned by a fine of 50 to 100 conventional units for individuals and by a fine of 200 to 400 conventional units for responsible persons.

**Article 129. Deliberate destruction or damaging of animal habitats**

The deliberate destruction or damaging of animal dens, anthills, birds' nests and other habitats on forest land shall be sanctioned by a fine of 20 to 50 conventional units or by unpaid community work for up to 60 hours.

**Article 130. Unauthorized location of beehives and apiaries on forest land or failure to observe indications in forestry permits on their location**

The unauthorized location of beehives and apiaries on forest land or the failure to observe indications in forestry permits on their location shall be sanctioned by a warning or by a fine of 3 to 5 conventional units for individuals and by a fine of 50 to 100 conventional units for legal entities.

**Article 131. Violations of regulations and rules for apiculture**

(1) The failure to declare or to register at the mayor's office the location of a standing apiary and the number of bee swarms, the absence of an apiary's certificate, locating an apiary without the agreement of land owners or that violates environmental and veterinary legislation shall be sanctioned by a fine of 10 to 20 conventional units for individuals and by a fine of 20 to 40 conventional units for legal entities.

(2) Concealing the morbidity or sudden death of bees or the appearance of signs of disease,, the unjustified clearing of sources of honey production or other changes to the environment that are not authorized by environmental protection agencies shall be sanctioned by a fine of 20 to 40 conventional units for individuals and by a fine of 40 to 60 conventional units for legal entities.

(3) The sale and use in apiculture and in the treatment of diseases of chemical and medicinal preparations that are not certified in and regulated by national legal acts shall be sanctioned by a fine of 30 to 50 conventional units for individuals and by a fine of 60 to 100 conventional units for legal entities.

(4) The unjustified refusal of responsible persons from local public administrations at both levels to assign land for locating apiaries, the halting by persons empowered with the means of transporting bee swarms for a period of time that exceeds the legal provisions in effect (15 minutes), the counterfeiting of apicultural products by producers and/or traders and the production for sale of biological breeding material [queen and swarm] in unauthorized apiaries (without a license) shall be sanctioned by a fine of 50 to 100 conventional units for individuals and by a fine of 100 to 200 conventional units for legal entities.

(5) The importation of biological breeding material [queen and swarm] of a species not validated and locating bee swarms and queens of unknown origin in prohibited areas that were established to improve the genetic quality of bee swarms shall be sanctioned by a fine of 75 to 90

conventional units for individuals and by a fine of 150 to 250 conventional units for legal entities.

**Article 132.** Deliberate destruction or damaging on forest land of trespassing signs, of organizational signs, of barriers and guard rails or of posted public information

The deliberate destruction or damaging on forest land of trespassing signs, notice boards, barriers, organizational signs, forest landmarks, fencing and structures in recreational areas, other posted public information or of structures for organizing forests shall be sanctioned by a fine of 10 to 20 conventional units or by unpaid community work for 60 hours.

**Article 133.** Commissioning manufacturing units without the means to prevent negative impacts on forests

Commissioning transportation companies, divisions, units or means for building community structures or new or renovated structures without the means to prevent negative impacts on the condition and regeneration of forests shall be sanctioned by a fine of 30 to 50 conventional units for responsible persons with or without the deprivation of the right to carry out certain activities for a period of 3 months to 1 year.

**Article 134.** Unauthorized use of forest land and green areas for digging up plants or for constructing administrative buildings, warehouses or other structures

The unauthorized use of forest land and green areas for digging up plants or for constructing administrative buildings, warehouses or other structures shall be sanctioned for individuals by a fine of 30 to 40 conventional units or by unpaid community work for 20 to 60 hours, by a fine of 300 to 400 conventional units for legal entities with or without the deprivation in both cases of the right to carry out certain activities for a period of 3 months to 1 year and including the suspension of construction and the rehabilitation of the forest area.

**Article 135.** Driving and parking vehicles on forest land, in green areas off public roads and in prohibited places

Driving and parking vehicles on forest land, in green areas off public roads and in prohibited places shall be sanctioned by a warning or by a fine of 5 to 10 conventional units.

**Article 136.** Violations of sanitation rules in forests, green areas, public gardens, forest reserves and enclosures

Violations of sanitation rules in forests, green areas, public gardens, forest reserves and enclosures shall be sanctioned by a warning or by a fine of 10 to 20 conventional units.

**Article 137.** Violations of rules on fire prevention in forests, green areas, public gardens and forest reserves

(1) Violations of rules on the protection from fire in forests, green areas, public gardens and forest reserves shall be sanctioned by a fine of 10 to 20 conventional units.

(2) Destroying or damaging a forest, green area, public garden, forest reserve or enclosure as a result of a fire or of a negligent attitude toward fire shall be sanctioned by a fine of 100 to 200 conventional units or by unpaid community work for 20 to 60 hours.

**Article 138.** Violations of procedures established for creating and using livestock herds

Violations of the procedures established in legislation for creating, maintaining, using, tracking, selling, purchasing or shipping livestock herds shall be sanctioned by a fine of 20 to 30 conventional units.

**Article 139.** Violations of procedures for interacting with the animal kingdom in nature reserves or in other natural areas protected by state

Violations of the procedures for interacting with the animal kingdom in nature reserves or in other natural areas protected by the state shall be sanctioned by a fine of 40 to 50 conventional units.

**Article 140.** Collecting or destroying plants and capturing or destroying animals listed in the Red Book of Moldova and in the attachments to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)

(1) Collecting or destroying plants or capturing or destroying animals listed in the Red Book of Moldova and in the attachments to the Convention on International Trade in Endangered Species of Wild Fauna and Flora as well as committing other actions or inactions that may cause a reduction in the number of such plants or animals or their disappearance shall be sanctioned by a fine of 50 to 100 conventional units.

(2) Violations of rules for exporting or importing plant and animal species listed in the Red Book of Moldova and in the attachments to the Convention on International Trade in Endangered Species of Wild Fauna and Flora shall be sanctioned by a fine of 100 to 150 conventional units for individuals and by a fine of 400 to 500 conventional units for legal entities.

**Article 141.** Violations of systems for protecting natural areas protected by the state

(1) Violations of the system for protecting objects and structures in natural areas protected by the state including in scientific, nature, landscape, or resource reserves; in national parks; in natural monuments; in multifunctional management areas; in botanical gardens; in arboretums; in livestock pastures and in landscape architecture monuments that lead or could lead to their destruction or to a change in their original condition shall be sanctioned by a fine of 30 to 50 conventional units for individuals and by a fine of 200 to 300 conventional units for legal entities.

(2) Violations of rules for the protection of soil, mineral deposits, water resources, fauna and flora in objects and structures in natural areas protected by the state as well as their unauthorized use shall be sanctioned by a fine of 40 to 50 conventional units for individuals and by a fine of 200 to 300 conventional units for legal entities.

(3) Violations of rules forbidding the locating, processing or pouring of industrial or household waste onto objects or into structures in natural areas protected by the state or in areas for their protection shall be sanctioned by a fine of 40 to 50 conventional units for individuals and by a fine of 200 to 300 conventional units for legal entities.

**Article 142.** Violations of procedures for cutting, harvesting, transporting and exporting wood

(1) Violations of the procedures for cutting, harvesting, transporting and exporting wood and wood products shall be sanctioned by a fine of 10 to 30 conventional units for individuals and by a fine of 100 to 300 conventional units for responsible persons.

(2) Distributing wood products without legal documentation of origin (delivery documentation according to accounting records) shall be sanctioned by a fine of 10 to 30



conventional units for individuals and by a fine of 200 to 400 conventional units for responsible persons.

(3) Incorrectly preparing primary documents for cutting and receiving wood shall be sanctioned by a fine of 200 to 400 conventional units for responsible persons.

**Article 143.** Failure to pay environmental pollution fines

The failure to pay an environmental pollution fine or the failure to pay it in full and in due time to the environmental funds shall be sanctioned by a fine of 30 to 50 conventional units for responsible persons.

**Article 144.** Violations of environmental requirements in constructing, commissioning and using companies, installations and other structures

Violations of environmental requirements in constructing, commissioning and using companies, installations and other structures shall be sanctioned for individuals by a fine of 30 to 40 conventional units or by unpaid community work for 20 to 40 hours, by a fine of 400 to 500 conventional units for legal entities with or without the deprivation in both cases of the right to carry out certain activities for a period of 3 months to 1 year.

**Article 145.** Failure to allow inspection or failure to present information about the condition of the environment

Restricting the access of state environmental inspectors or refusing to provide information or presenting erroneous information about the condition of the environment shall be sanctioned by a fine of 10 to 20 conventional units for individuals and by a fine of 300 to 400 conventional units for legal entities with or without the deprivation in both cases of the right to carry out certain activities for a period from 3 months to 1 year.

**Article 146.** Failure to clean pollutants, to control emissions into the atmosphere and to clean waste water

The failure to use equipment and devices for cleaning pollutants, for controlling emissions into the atmosphere and for cleaning waste water discharged into water bodies and for controlling its quality or violating the rules and instructions for the use of such equipment shall be sanctioned by a fine of 10 to 20 conventional units for individuals and by a fine of 200 to 400 conventional units for legal entities with or without the deprivation in both cases of the right to carry out certain activities for a period of 3 months to 1 year.

**Article 147.** Exceeding admissible levels of harm to the environment and emitting pollutants without authorization

Exceeding admissible levels for discharging pollutants that can cause radioactive, physical or biological harm to the environment and the emission of pollutants into the atmosphere without an authorization from a competent public authority when such an authorization is required by law shall be sanctioned by a fine of 10 to 20 conventional units for individuals and by a fine of 100 to 300 conventional units for legal entities with or without the deprivation in both cases of the right to carry out certain activities for a period of 3 months to 1 year.

**Article 148.** Violations of the regime and procedure for use of chemical substances that destroy the ozone layer

(1) Manufacturing or putting into commercial circulation aerosols or portable fire extinguishers containing chemical substances that destroy the ozone layer shall be sanctioned by a fine of 20 to 30 conventional units for individuals and by a fine of 200 to 300 conventional units for legal entities.

(2) Using chemical substances that destroy the ozone layer in manufacturing aerosols, new industrial cooling systems, mobile air-conditioning units and sterilization products or using them in any other new area in which they were not previously used shall be sanctioned by a fine of 20 to 30 conventional units for individuals and by a fine of 200 to 300 conventional units for legal entities.

(3) Using chemical substances that destroy the ozone layer in manufacturing wallboard and packaging material made from organic, flexible or semi-rigid plastic foam shall be sanctioned by a fine of 10 to 20 conventional units for individuals and by a fine of 100 to 200 conventional units for legal entities.

(4) Using or putting into commercial circulation cleaning agents and solvents containing one or more chemical substances that destroy the ozone layer, except for carbon tetrachloride when it is used as a solvent in chlorination processes in closed systems or as a solvent in processes in which for technical reasons it cannot be substituted with another substance that is inoffensive to the ozone layer shall be sanctioned by a fine of 10 to 20 conventional units for individuals and by a fine of 100 to 200 conventional units for legal entities.

(5) Violations of rules for using methyl bromide in agriculture shall be sanctioned by a fine of 10 to 20 conventional units for individuals and by a fine of 100 to 200 conventional units for legal entities.

(6) Using, storing or transporting containers with chemical substances that destroy the ozone layer and that are not labeled "Containing Substances Destroying Ozone Layer" shall be sanctioned by a fine of 25 to 35 conventional units.

(7) The refusal of importers, exporters and persons who commercially distribute substances, products and equipment containing substances that destroy the ozone layer to present to competent authorities the documents provided for by law on the use of such substances shall be sanctioned by a fine of 15 to 25 conventional units for individuals and by a fine of 150 to 250 conventional units for legal entities with or without the deprivation in both cases of the right to carry out certain activities for a period of 3 to 6 months.

**Article 149.** Polluting the environment and causing damage

Polluting the environment (atmosphere, surface and underground water basins, land) with industrial, construction or household waste, with household water or with emissions that cause damage shall be sanctioned by a fine of 40 to 60 conventional units for individuals and by a fine of 350 to 500 conventional units for legal entities with or without the deprivation in both cases of the right to carry out certain activities for a period of 6 months to 1 year.

**Article 150.** Failure to fulfill the obligation to register procedures with harmful substances and mixtures in onboard registries on vessels

The failure to fulfill the obligation stipulated by law to register in onboard registries of vessels procedures using substances that are harmful to human health or to aquatic flora and fauna or using mixtures containing such substances beyond established standards or entering false information about such operations in registries shall be sanctioned by a fine of 10 to 20 conventional units.

**Article 151.** Violations of technical and environmental testing rules

Violations of rules on technical and environmental testing of land vehicles or of sea or airships by conducting non-qualitative testing that exceeds the admissible standards for the emission of pollutants or for technical flaws shall be sanctioned by a fine of 40 to 50 conventional units for individuals, by a fine of 250 to 350 conventional units for responsible persons and by a fine of 100 to 200 conventional units for legal entities.

**Article 152.** Commissioning land vehicles or sea or airships that exceed admissible standards for the emission of pollutants or for the emission of noise

Commissioning land vehicles or sea or airships that exceed admissible standards for the emission of pollutants or for the emission of noise during operation shall be sanctioned by a fine of 20 to 30 conventional units for responsible persons and by a fine of 200 to 300 conventional units for legal entities.

**Article 153.** Operating land vehicles or sea or air ships that exceed admissible standards for emitting pollutants or noise

Operating land vehicles or sea and air ships that exceed admissible standards for emitting pollutants or noise during operation shall be sanctioned by a fine of 10 to 20 conventional units.

**Article 154.** Violations of waste management rules

(1) The failure to observe established procedures for the collecting, storing, transporting, burning, neutralizing and discharging into water bodies, subsoil etc., of industrial, construction, household and other waste shall be sanctioned for individuals by a fine of 20 to 40 conventional units or by unpaid community work of up to 60 hours and by a fine of 200 to 300 conventional units for legal entities with or without the deprivation in both cases of the right to carry out certain activities for a period of 3 months to 1 year.

(2) The actions specified in para.(1) if they pose the danger of environmental pollution shall be sanctioned by a fine of 40 to 80 conventional units for individuals and by a fine of 300 to 400 conventional units for legal entities with or without the deprivation in both cases of the right to carry out certain activities for a period of 3 months to 1 year.

(3) The unauthorized storage or storage in prohibited places or the use of other methods for discharging waste shall be sanctioned for individuals by a fine of 30 to 50 conventional units or by unpaid community work of up to 60 hours and by a fine of 200 to 300 conventional units for legal entities with or without the deprivation in both cases of the right to carry out certain activities for a period of 3 months to 1 year.

(4) Concealing information or deliberately presenting false or incomplete information on waste management or on its discharge if the system breaks down shall be sanctioned for individuals by a fine of 40 to 50 conventional units or by unpaid community work of up to 60 hours and by a fine of 300 to 500 conventional units for legal entities with or without the deprivation in both cases of the right to carry out certain activities for a period of 6 months to 1 year.

(5) Violations of accounting and primary control rules in waste management or the failure to observe timeframes for submitting reports in the said area shall be sanctioned for individuals by a fine of 40 to 50 conventional units or by unpaid community work of up to 60 hours and by a fine of 200 to 300 conventional units for legal entities with or without the deprivation in both cases of the right to carry out certain activities for a period of 3 months to 1 year.

(6) Transferring dangerous waste to individuals or to legal entities that do not have licenses (authorizations) for their transportation, storage or processing shall be sanctioned by a fine of 30 to 50 conventional units for individuals and by a fine of 300 to 400 conventional units for legal entities with or without the deprivation in both cases of the right to carry out certain activities for a period of 3 months to 1 year.

(7) Failure to observe the system for using installations for processing and neutralizing waste and places for storing or burying household or industrial waste shall be sanctioned by a fine of 50 to 70 conventional units for individuals and by a fine of 400 to 500 conventional units for legal entities with or without deprivation in both cases of the right to carry out certain activities for a period of 6 months to 1 year..

(8) The design and construction of companies and other units and the use of materials and technologies that do not comply with the security conditions for their use for processing or discharging waste shall be sanctioned by a fine of 50 to 70 conventional units for individuals and by a fine of 200 to 300 conventional units for legal entities with or without the deprivation in both cases of the right to carry out certain activities for a period of 3 months to 1 year.

(9) The failure to observe the rules for importing, exporting or transiting waste shall be sanctioned by a fine of 50 to 100 conventional units for individuals and by a fine of 200 to 300 conventional units for legal entities with or without the deprivation in both cases of the right to carry out certain activities for a period of 6 months to 1 year.

(10) The failure to ensure the collection and discharge of waste or to allow the storage of waste of any origin shall be sanctioned by a fine of 50 to 100 conventional units for responsible persons.

(11) The failure to fulfill measures to eliminate unauthorized and unsupervised landfills shall be sanctioned by a fine of 50 to 100 conventional units for responsible persons.

**Article 155.** Violations of rules for monitoring, transporting, storing, using and burying radioactive substances, biological preparations and other toxic substances

(1) Violations of rules for monitoring transporting, storing, using and burying radioactive substances, biological and chemical preparations, fertilizers, restorative substances, pesticides, plant growth stimulators, mixtures of preparations or other toxic substances if such actions do not constitute an infraction shall be sanctioned by a fine of 50 to 100 conventional units for individuals and by a fine of 300 to 400 conventional units for legal entities with the deprivation in both cases of the right to carry out certain activities for a period of 6 months to 1 year.

(2) Violations of rules and standards establishing procedures and limits for the use of substances indicated in para.(1) shall be sanctioned by a fine of 50 to 100 conventional units for individuals and by a fine of 200 to 300 conventional units for legal entities.

(3) Applying chemical substances or other substances for protecting plants with the help of aviation, introducing them onto protected soil or into sanitary areas protecting water sources and in areas of protected water in autumn and winter except for applications intended to fight rodents shall be sanctioned by a fine of 50 to 100 conventional units for individuals and by a fine of 300 to 400 conventional units for legal entities.

**Article 156.** Failure to observe legal instructions of state environmental experts and their evaluations of environmental impact

The failure to observe legal instructions of state environmental experts and their evaluations of environmental impact or of requirements included in the conclusions of state environmental experts and their evaluations of environmental impact and funding or

implementing projects and programs that have not been passed by state environmental experts and evaluated for their environmental impact shall be sanctioned by a fine of 50 to 100 conventional units for individuals and by a fine of 300 to 400 conventional units for legal entities.

**Article 157. Cruelty to animals**

(1) Failure to ensure hygienic conditions for livestock when keeping animals that may jeopardize their lives or health and slaughtering and processing animals using methods not provided for in technological slaughtering and processing rules shall be sanctioned by a fine of 5 to 10 conventional units for individuals and by a fine of 20 to 30 conventional units for responsible persons or by unpaid community service in both cases for 40 to 60 hours.

(2) Deliberately causing pain and suffering to an animal accompanied by violations of unanimously accepted moral norms shall be sanctioned by a fine of 10 to 20 conventional units or by unpaid community work for 40 to 60 hours.

(3) The actions specified in paras.(1) and (2) that result in the mutilation or death of an animal shall be sanctioned by a fine of 20 to 40 conventional units or by unpaid community work for 40 to 60 hours.

(4) Capturing, selling or euthanizing animals to obtain food products, skin, fur, thickening agents, or other animal products shall be sanctioned by a fine of up to 50 conventional units for individuals and by a fine of up to 100 conventional units for responsible persons.

(5) The failure to vaccinate a dog for rabies shall be sanctioned by a fine of up to 20 conventional units for individuals and by a fine of up to 50 conventional units for responsible persons.

(6) Allowing the free circulation without a leash and a muzzle in a locality or on public transport of aggressive dogs or of those included in the category of dangerous dogs shall be sanctioned by a fine of up to 20 conventional units.

(7) The failure to pick up waste from an animal walked by his/her owner outside his/her dwelling shall be sanctioned by a fine of up to 50 conventional units.

(8) The sale, participation in exhibitions or transportation of domestic animals to other places without the animal's health card shall be sanctioned by a fine of up to 5 conventional units.

(9) Violations of timeframes for submitting information to the police about owning a dog belonging to the category of dangerous dogs shall be sanctioned by a fine of up to 50 conventional units for individuals and by a fine of up to 100 conventional units for responsible persons.

(10) Refusing to dispose of a dead animal or burying a dead animal in an unauthorized place shall be sanctioned by a fine of up to 10 conventional units for individuals and by a fine of up to 20 conventional units for responsible persons.

**Article 158. Violations of rules for keeping dogs, cats and other animals**

(1) Violations of rules for keeping dogs, cats and other animals approved by the local public authorities shall be sanctioned by a warning or by a fine of 5 to 10 conventional units for individuals and by a fine of 20 to 40 conventional units for responsible persons.

(2) Walking dogs or other animals in public places contrary to rules approved by the local public authority shall be sanctioned by a fine of 10 to 20 conventional units.

**Chapter X**

## **CONTRAVENTIONS OF RULES FOR INDUSTRIES, CONSTRUCTION, ENERGY PRODUCTION, HOUSING, COMMUNAL SERVICES AND LAND ARRANGEMENTS**

**Article 159.** Violations of rules, regulations and instructions for conducting work under secure conditions

Violations by responsible persons of rules, regulations and instructions for conducting industrial work under secure conditions and in units under the control of state authorities for supervising industrial and mining inspections under secure conditions shall be sanctioned by a fine of 15 conventional units.

**Article 160.** Violations of rules, regulations and instructions for storing, transporting, using and tracking explosives

Violations of rules, regulations and instructions on the industrial storage, transport, use and tracking of explosives in units under the control of state authorities for supervising industrial and mining inspections under secure conditions shall be sanctioned by a fine of up to 50 conventional units for responsible persons.

**Article 161.** Unauthorized disconnections from the electrical power network

Unauthorized disconnections by consumers from the electricity network except when such action is done for people's security or during breakdowns or emergencies shall be sanctioned by a fine of up to 25 conventional units for individuals and by a fine of up to 50 conventional units for responsible persons.

**Article 162.** Deliberately causing disruptions in power networks with tensions up to 1,000 volts

Deliberately causing disruptions in power networks with tensions up to 1,000 volts (in aerial, underground or underwater power lines in connection and distribution installations) resulting in a power failure for consumers with electric power shall be sanctioned for individuals by a fine of up to 50 conventional units or by unpaid community work of up to 60 hours and by a fine of up to 100 conventional units for responsible persons.

**Article 163.** Violations of the regulations for protecting power networks with tensions above 1,000 volts

Violations of regulations for protecting power networks with tensions above 1,000 volts approved by the government and that pose the danger of a power failure or of a breakdown in the power network or that result in damage of a different nature to the national economy shall be sanctioned by a fine of up to 50 conventional units for individuals and by a fine of up to 100 conventional units for responsible persons.

**Article 164.** Unauthorized use of electric power, thermal energy or gas for profit

The unauthorized use of electric power, thermal energy or gas for profit and violations of the rules for using electric power, thermal energy or gas by consumers shall be sanctioned by a fine of 50 to 100 conventional units for individuals, by a fine of 75 to 200 conventional units for responsible persons and by a fine of 400 to 500 conventional units for legal entities with or without the deprivation in all cases of the right to carry out certain activities for a period of 3 months to 1 year.

**Article 165.** Violations of the right of access to utility meters

The unjustified refusal of a consumer to allow access to utility meters shall be sanctioned by a fine of 10 to 30 conventional units for individuals, by a fine of 100 to 150 conventional units for responsible persons and by a fine of 150 to 200 conventional units for legal entities.

**Article 166.** Using installations operating with gas without an authorization

Using installations operating with gas without the authorization of the state bodies for supervising the use of gas shall be sanctioned by a fine of 30 to 50 conventional units or by unpaid community work for 20 to 40 hours.

**Article 167.** Deliberately damaging gas pipes

Deliberately damaging gas pipes and related equipment in gas plants shall be sanctioned by a fine of 40 to 60 conventional units for individuals and by a fine of 70 to 100 conventional units for responsible persons.

**Article 168.** Violations of legislation on areas protecting gas mains

Violations of legislation on areas protecting gas mains shall be sanctioned by a fine of 40 to 60 conventional units for individuals and by a fine of 70 to 100 conventional units for responsible persons including the demolition of structures or cutting trees and bushes as required by the local public authorities at the owner's expense.

**Article 169.** Violations of regulations for carrying out a licensed energy activity

Violations by a license holder of licensed energy activities expressed as:

- a) a refusal to allow the controls, verifications and inspections ordered by the regulatory authority or impeding the regulatory authority from conducting them;
- b) the failure to present in due time the data/information requested by the regulatory authority or supplying inaccurate or incomplete data/information;
- c) an unjustified delay in connecting new consumers to the power network/gas network or in reconnecting consumers to the power network/gas network;
- d) the incorrect application of tariffs established for electric power or for gas or the application of fees for additional services that were not approved/coordinated by the regulatory authority;
- e) an unjustified refusal to conclude contracts for the supply, distribution or transport of electric power or of gas;
- f) the failure to observe the rules and regulations for extending power or gas networks;
- g) the failure to notify consumers or to observe the timeframe for notifying consumers about scheduled interruptions and limitations in the supply of electric power or gas;
- h) the failure to observe the regulations on periodic inspection of the utility meters of household consumers;
- i) an unjustified disconnection of consumers from the power/gas network or an unjustified interruption of power or gas to consumers;
- j) an unjustified refusal to issue a decision on connections to the power/gas network;
- k) the failure to observe quality regulations in licensed activities;
- l) violations of commercial regulations, practicing licensed activities without a license or delegating licensed tasks or duties to a third party that does not have a license for such tasks and duties;

m) the failure to execute in due time actions ordered or decided by the regulatory authority or the failure to execute in due time the instructions for ceasing violations established by the regulatory authority;

n) the failure to observe technical standards on the use of power/gas networks, of installations for the production of energy and fuel or of installation for stocking and storing fuel that can result in reducing the security and quality of the supply of energy or fuel to consumers;

o) the failure to observe other conditions established in the licenses issued for types of energy activities

shall be sanctioned by a fine of 100 to 500 conventional units for responsible persons and by a fine of 300 to 500 conventional units for legal entities.

**Article 170.** Unauthorized connections to the water supply system or to the sewerage system

(1) Unauthorized connections (that do not meet the specifications of the supplier) to the water supply system or to the sewerage system shall be sanctioned by a fine of 50 to 100 conventional units for individuals, by a fine of 75 to 200 conventional units for responsible persons and by a fine of 350 to 450 conventional units for legal entities.

(2) Connections to the water supply system or to the sewerage system that violate regulations shall be sanctioned by a fine of 25 to 50 conventional units for individuals, by a fine of 50 to 100 conventional units for responsible persons and by a fine of 200 to 300 conventional units for legal entities.

**Article 171.** Deliberate damage to the water supply system or to the sewerage system at the plant

Deliberate damage to the water supply system or to the sewerage system at the plant shall be sanctioned by a fine of 40 to 60 conventional units for individuals and by a fine of 70 to 100 conventional units for responsible persons.

**Article 172.** Violations of rules for protected areas for water pipes and for installations for water supply and sewerage

The construction and location of various structures in protected areas for water pipelines and for installations for water supply and sewerage or usurping land in protected areas for water pipelines and sewerage networks shall be sanctioned by a fine of 30 to 50 conventional units for individuals, by a fine of 50 to 100 conventional units for responsible persons and by a fine of 200 to 300 conventional units for legal entities.

**Article 173.** Unauthorized disconnections of consumers from the water supply system or from the sewerage system

Unauthorized disconnections of consumers from the water supply system or from the sewerage system shall be sanctioned by a fine of 25 conventional units for individuals and by a fine of 50 conventional units for responsible persons.

**Article 174.** Deliberately tampering with meters for drinking water and for waste water discharge

Deliberately tampering with meters for drinking water and for waste water discharge into the public sewerage system shall be sanctioned by a fine of 30 to 50 conventional units for



individuals, by a fine of 50 to 100 conventional units for responsible persons and by a fine of 200 to 300 conventional units for legal entities.

**Article 175.** Presenting erroneous data on the consumption of drinking water or the amount of waste water discharged into the public sewerage system

Presenting erroneous data on the consumption of drinking water or the amount of waste water discharged in the public sewerage system shall be sanctioned by a fine of 30 to 50 conventional units for individuals, by a fine of 50 to 100 conventional units for responsible persons, and by a fine of 100 to 200 conventional units for legal entities.

**Article 176.** Failure to ensure the free access of representatives of the water supply or sewerage service provider to dwellings or to business premises

The failure to ensure the free access of representatives of the water supply or sewerage service provider to dwellings or to business premises to conduct legal inspections of the operation of the water supply and sewerage systems therein or to read water meters or to test the meters shall be sanctioned by a warning or by a fine of 10 to 40 conventional units for individuals or by a warning or by a fine of 50 to 100 conventional units for responsible persons.

**Article 177.** Violations of legislation and of regulations for construction

(1) Violations of legislation and of regulations for constructions expressed through:

a) Avoiding providing data and information that is necessary for land and urban management contained in databases and information systems as well as providing inaccurate data and information;

b) an unjustified failure of the contractor to have work inspected at the proper time;

c) the failure of the designer to fulfill his/her obligation to remedy essential flaws identified in the project;

d) the failure of the contractor to use the remedies specified by the designer or expert to address flaws or problems that arise during construction;

e) the failure to specify in the project the category of importance of the construction and the failure to establish the stages of construction at which quality should be inspected;

f) using uncertified products or products for which there are no technical agreements for which it is necessary to ensure a quality level that corresponds to the essential requirements;

g) the failure to assemble all the parties required to participate in the inspection of work that has reached critical stages of execution and the failure to ensure conditions for inspection;

h) the failure to notify in 24 hours the state construction inspection service about technical accidents that occur during construction;

i) the approval of project documentation on land and urban management or authorizations for modernizing, modifying, altering, strengthening or repairing structures that violate the legislation or regulations in force;

j) violations of the provisions of regulations on essential requirements;

k) approving a newly constructed building that violates regulations or occupying a building that has not been approved;

l) the failure to follow the approved blueprint for construction; the failure to observe deadlines stipulated by urban legislation in force or the failure to fulfill in due time the requirements specified in inspection documents;

m) the use of a structure whose operational purpose was changed without authorization;

n) the failure to register an authorization for construction/demolition with the state construction inspection service or the failure to notify the inspection service about starting construction work

shall be sanctioned by a fine of 40 to 80 conventional units for individuals and by a fine of 60 to 120 conventional units for responsible persons.

(2) Violations of legislation and of regulations for construction expressed through:

a) deliberately deciding to use methods of construction that will fail to reach the quality specified in the essential requirements;

b) the failure at the completion of the project to restore land temporarily occupied to its initial condition and the failure to ensure the inspection of construction by site inspectors certified according to legal provisions;

c) forbidding or impeding quality inspections or the failure to present documents and permits requested by persons empowered to conduct inspections according to legal provisions;

d) designing, inspecting or modifying construction without observing the requirements in regulations for strength and stability;

e) modifying or demolishing structures in full or in part by means that violate the provisions on their authorization and execution, the failure to execute the obligation to observe regulations with regard to strength and stability during construction or the failure to execute maintenance, repair or strengthening work resulting from such observation;

f) changing, remodeling, modernizing or consolidating construction that can affect the essential requirements for a project that were not verified, coordinated or approved as established of that violate the construction permit or authorization;

g) issuing permits or authorizations that lead to violations of construction legislation and regulations or that have a negative impact on the national cultural, historical or architectural heritage;

h) undue interference with or failure to use the system for insuring quality including constructing without using responsible technical specialists certified according to law;

i) forging or incorrectly preparing construction permits and manufacturing and selling construction materials and items without documents confirming their quality;

j) neglecting or failing to fulfill the directions of the state constructions inspection service

shall be sanctioned by a fine of 60 to 100 conventional units for individuals, by a fine of 100 to 200 conventional units for responsible persons and by a fine of 300 to 400 conventional units for legal entities with or without the deprivation in all 3 cases of the right to carry out certain activities for a period of 3 months to 1 year.

**Article 178.** Violations of rules for the construction of single-story houses in rural areas and of greenhouses for gardening associations

The construction of single-story houses for one or two families and of additions to them as well as temporary structures with areas smaller than 150 m<sup>2</sup> in rural areas and of greenhouses for gardening associations that violate the legislation and regulations in force for authorizing and executing such constructions shall be sanctioned for individuals by a fine of 40 to 100 conventional units or by unpaid community work for 30 to 60 hours and by a fine of 80 to 120 conventional units for responsible persons.

**Article 179.** Unauthorized construction and unauthorized interventions in existing construction

Carrying out construction in any category or of work to modify, remodel, strengthen or overhaul buildings regardless of their ownership and use without a construction permit as well as construction that does not meet quality specifications done without a license issued as established shall be sanctioned by a fine of 100 to 150 conventional units for individuals and by a fine of 350 to 450 conventional units for responsible persons including the demolition of unauthorized construction and the repair of construction affected by unauthorized interventions.

**Article 180.** Violations of legislation on housing

(1) Violations of the procedure for monitoring persons who enjoy the right to improved living conditions from the social housing fund and of the procedure for excluding from records and providing housing to persons in this category or the failure to observe the timeframes for establishing residents in their dwellings shall be sanctioned by a fine of 100 conventional units for responsible persons.

(2) Violations of the procedure for assigning a dwelling from the fund of available dwellings, hostels and asylums shall be sanctioned by a fine of 200 conventional units for responsible persons.

(3) Violations of legal provisions on timeframes for concluding rent contracts between the tenant and the dwelling's owner shall be sanctioned by a fine of 50 conventional units for individuals and by a fine of 100 conventional units for responsible persons.

(4) The failure to observe the rules and regulations for the use, technical servicing and sanitary maintenance of dwellings, of places and installations for common use or of land adjacent to apartment blocs shall be sanctioned for individuals by a fine of 50 to 100 conventional units or by unpaid community work for 30 hours and by a fine of 100 to 300 conventional units for responsible persons or by unpaid community work for 30 to 60 hours.

(5) Violations of clauses in rent contracts shall be sanctioned by a fine of 50 to 100 conventional units for individuals and by a fine of 100 to 300 conventional units for responsible persons.

(6) Failure to pay for 6 consecutive months for technical services in an apartment bloc, for other public and non-public utilities or the rent shall be sanctioned for individuals by a fine of 10 to 50 conventional units or by unpaid community work for 30 hours, by a fine of 100 to 300 conventional units for legal entities or owners of uninhabited rooms in a bloc or by unpaid community work for 30 to 60 hours.

(7) Violations of the procedure for selecting a housing manager shall be sanctioned by a warning or by a fine of 20 conventional units for individuals and by a fine of 50 to 100 conventional units for responsible persons.

(8) Violations of regulations for the establishment, reorganization or liquidation of an association of owners of private dwellings or of an association of condominium co-owners shall be sanctioned by a fine of 100 conventional units for responsible persons.

(9) Violations of the conditions and timeframes for the transfer of land adjacent to apartment blocs to the administration of an association of condominium co-owners, to associations of owners of private dwellings or to dwelling construction cooperatives shall be sanctioned by a fine of 300 conventional units for responsible persons.

(10) An unjustified refusal to prepare documents for the transfer of an apartment bloc from the manager's account to the administration of an association of condominium co-owners or an association of owners of private dwellings and violations of the timeframe of 30 days after an official notice from the association's management for making a decision on the bloc's transfer shall be sanctioned by a fine of 300 conventional units for responsible persons.

(11) The avoidance of parties to conclude contracts for providing public and non-public utility services in the timeframe and conditions established in legislation shall be sanctioned for individuals by a fine of 50 to 100 conventional units or by unpaid community work for 30 hours or by a fine of 100 to 300 conventional units for responsible persons or by unpaid community work for 30 to 60 hours.

**Article 181.** Violations of rules for ensuring cleanliness in urban and rural areas

Violations of the rules for ensuring, as established by the local public authority, of cleanliness in urban and rural areas shall be sanctioned for individuals by a fine of 20 to 40 conventional units or by unpaid community work for 20 to 60 hours and by a fine of 50 to 100 conventional units for legal entities.

**Article 182.** Arbitrary damaging or cutting of vegetation in green areas of localities

Arbitrarily damaging vegetation in green areas or cutting or moving it without the permission of the local public authority to other places during construction on land designated as a green area as well as the failure to undertake measures for protecting green areas or taking a negligent attitude to them shall be sanctioned for individuals by a fine of 50 to 100 conventional units or by unpaid community work for 20 to 60 hours, by a fine from 200 to 300 conventional units for responsible persons and by a fine from 400 to 500 conventional units for legal entities with or without deprivation in all cases of the right to carry out certain activities for a period of 3 months to 1 year.

## **Chapter XI**

### **CONTRAVENTIONS OF AGRICULTURE AND VETERINARY HEALTH REGULATIONS**

**Article 183.** Damage caused to crops, plantations or crop harvests

Damage caused to crops, plantations or crop harvests in the field shall be sanctioned by a fine of 10 conventional units to be imposed on the owner of the livestock or poultry causing the damage or on the person responsible for them.

**Article 184.** Violations of technical regulations on the production, processing, storage and sale of seeds

Producing, processing, storing and selling seeds that do not comply with the quality standards in force or without documents confirming their varietal quality or crop quality shall be sanctioned by a fine of 250 conventional units for responsible persons and by a fine of 200 to 300 conventional units for legal entities with or without the deprivation in both cases of the right to carry out certain activities for a period of 3 months to 1 year.

**Article 185.** Unauthorized production and/or sale or the production or sale without the necessary documents of fruit, viticulture or berry propagation and planting materials or fabricating those documents

The unauthorized production and/or sale or the production or sale without the necessary documents of fruit, viticulture and berry propagation and planting materials, fabricating supportive documents, fabricating the names of varieties and biological categories, or fabricating the varietal quality and crop quality of those materials shall be sanctioned by a fine of 25 conventional units for individuals and by a fine of 70 conventional units for responsible persons.

**Article 186.** Establishing plantations with areas greater than 0.5 hectares without a permit, with uncertified planting materials or with varieties and types of stock not planted in separate plots

Establishing plantations with an area greater 0.5 hectares without a permit, with uncertified planting materials or with varieties and types of stock not planted in separate plots shall be sanctioned by a fine of 20 conventional units for individuals and by a fine of 70 conventional units for responsible persons.

**Article 187.** Unauthorized cutting of fruit-growing and berry-producing plantations

The unauthorized cutting of fruit-growing and berry-producing plantations with a surface area greater than 0.5 hectares shall be sanctioned by a fine of 25 conventional units for individuals and by a fine of 150 conventional units for legal entities with or without the deprivation in both cases of the right to carry out certain activities for a period of 3 months to 1 year.

**Article 188.** Failure to observe the sanitary and quarantine system for plants and violations of the technology for cultivating fruit-growing and berry-producing plantations

The failure to observe the sanitary and quarantine system for plants and violations of the technology for cultivating fruit-growing and berry-producing plantations that results in significant financial losses or the destruction of plantations shall be sanctioned by a fine of 25 conventional units for individuals and by a fine of 75 conventional units for responsible persons.

**Article 189.** Failure to execute mandatory measures for fighting pests or violations of rules for conducting such measures

(1) The failure to execute mandatory measures for fighting pests or violations of rules for conducting such measures that result in the appearance and massive spreading of diseases, pests or weeds shall be sanctioned by a fine of 45 conventional units for individuals and by a fine of 250 conventional units for responsible persons.

(2) Using, in accordance with the regulations in force, chemicals for protecting agricultural crops and forest plants without notifying bee keepers shall be sanctioned by a fine of 20 conventional units for individuals and by a fine of 30 conventional units for responsible persons.

**Article 190.** Removing materials from border posts without quarantine inspections and without treatment

Removing materials brought from abroad from border posts and river ports (piers), from railway stations, from bus stations, from airports and other border posts without a quarantine inspection and without treatment, if such inspection and such treatment are mandatory by law shall be sanctioned by a fine of 50 to 70 conventional units for individuals and by a fine of 70 to 100 conventional units for responsible persons with or without the deprivation in both cases of the right to carry out certain activities for a period of 3 months to 1 year.

**Article 191.** Impeding specialists from the plant inspection service to conduct supervision and inspections

Impeding specialists from the plant inspection service in any manner from exercising their supervisory and inspection functions shall be sanctioned by a fine of 50 conventional units for individuals and by a fine of 150 conventional units for responsible persons.

**Article 192.** Violations of procedures established for testing and separating vineyard varieties

Violations of the procedures established for testing and separating vineyard varieties shall be sanctioned by a fine of 10 conventional units for responsible persons.

**Article 193.** Producing and/or selling viticulture propagation and planting materials that do not comply with technical regulations

Producing and/or selling viticulture propagation and planting materials that do not comply with technical regulations shall be sanctioned by a fine of up to 25 conventional units for individuals and by a fine of up to 75 conventional units for responsible persons.

**Article 194.** Violations of the procedures established for creating viticulture plantations

Creating viticulture plantations greater than 0.5 hectares of varieties not properly separated or using viticulture planting material that does not comply with technical regulations or without a permit or authorization or planting new viticulture plantations in place of ones that have been dug up fewer than 3 years ago shall be sanctioned by a fine of up to 25 conventional units for individuals and by a fine of up to 75 conventional units for responsible persons.

**Article 195.** Violations of the established manner for writing off or for digging up viticulture plantations

Violations of the established manner for writing off or for digging up viticulture plantations shall be sanctioned by a fine of 25 conventional units for individuals and by a fine of 75 conventional units for responsible persons.

**Article 196.** Violations of veterinary health rules and regulations

(1) Violations of veterinary health rules and regulations, of veterinary health measures or of the legal instructions of veterinary specialists regarding the healthcare of animals, their correct use and maintenance, human healthcare and the prevention of retroviruses and violations of other requirements regulated by veterinary health regulations and legal acts on veterinary medicine shall be sanctioned by a fine of 10 to 20 conventional units for individuals and by a fine of 15 to 50 conventional units for responsible persons.

(2) The failure to observe general preventive health measures regarding the enclosure, arrangement, maintenance and operation of disinfection units, locker rooms and locker filters in livestock units, in places where animal are housed and in units producing, processing, stocking and using animal products in production, as well as disinfecting or exterminating insects and rodents using prohibited substances or conducting such work in a manner different than that established by the competent veterinary authority shall be sanctioned by a fine of up to 10 conventional units for individuals and by a fine of up to 30 conventional units for responsible persons.

(3) The failure to properly dispose of animal remains in crematories or other places used for the destruction of animal bodies or animal wastes or the failure to observe the conditions for their maintenance and use shall be sanctioned by a fine of up to 50 conventional units for responsible persons.

(4) The failure to observe quarantine measures regarding the timeframes and conditions stipulated in veterinary health regulations including in cases of officially declared epidemic diseases included in the list published by the Ministry of Agriculture and Food Industry shall be

sanctioned by a fine of up to 30 conventional units for individuals and by a fine of up to 50 conventional units for responsible persons.

(5) Extracting or introducing without the agreement of the competent veterinary health authorities of products and materials of any kind that can be contagious from or into quarantined areas or units shall be sanctioned by a fine of 30 to 50 conventional units for individuals and by a fine of 50 to 100 conventional units for responsible persons.

(6) Slaughtering for public consumption sick animals that are suspected of having contagious or parasitic diseases and selling meat and byproducts obtained in conditions other than those established in legal acts regulating veterinary health shall be sanctioned by a fine of 20 to 40 conventional units for individuals and by a fine of 50 to 100 conventional units for responsible persons.

(7) The failure of animal owners to notify veterinary health authorities about a suspected or actual disease in animals or of viruses as well as of incidents of unavoidable animal slaughtering or death shall be sanctioned by a fine of 10 to 30 conventional units for individuals and by a fine of 40 to 60 conventional units for responsible persons.

## **Chapter XII**

### **CONTRAVENTIONS OF TRANSPORT REGULATIONS**

**Article 197.** Violations of capacity limits for passenger transport

(1) Providing passenger transportation services by urban, suburban or interurban means of transportation on request or by taxis in the absence of a certificate of compliance shall be sanctioned by a fine of 20 to 50 conventional units with or without the deprivation of the right to carry out certain activities for a period of 3 months to 1 year.

(2) Violations of capacity limits for passenger transportation by drivers of minibuses and of interurban or international buses shall be sanctioned by a fine of 25 to 50 conventional units.

(3) Providing parking services in the absence of a certificate of compliance shall be sanctioned by a fine of 20 to 40 conventional units for individuals and by a fine of 75 to 100 conventional units for legal entities.

(4) Failure to observe in auto transportation the conditions established on the license and/or in the documents authorizing the operation of a transportation agent issued by the competent authorities in accordance with the legislation in force shall be sanctioned by a fine of 50 to 100 conventional units.

**Article 198.** Violations of security rules in railway transportation

(1) Placing objects on railway tracks that could block the movement of trains shall be sanctioned by a fine of 10 to 20 conventional units.

(2) Deliberately damaging railway tracks, protective forest belts, screens, fences protecting against snow and other objects, railway maintenance construction, signs and telecommunication installations shall be sanctioned by a fine of 20 to 50 conventional units.

(3) Violations of rules for the crossing of animal-drawn vehicles and for driving cattle over railway tracks as well as for grazing cattle near railway tracks shall be sanctioned by a warning or by a fine of 3 to 5 conventional units.

(4) Crossing by pedestrians of railway tracks in prohibited places or violations of rules for crossing in established places shall be sanctioned by a warning or by a fine of up to 5 conventional units.

**Article 199.** Violations of navigation rules

(1) Violations of rules for navigation in domestic waters or of capacity limits on passenger vessels; the transport of passengers on vessels not designed for such transportation; the failure to observe security rules for embarking or disembarking of passengers; using vessels for purposes initially not mentioned in their intended purpose of use; the absence of documents on board vessels; using vessels in unjustifiable technical circumstances, whose use is prohibited or use of vessels re-equipped without authorization; violating rules for the loading and unloading or for packing or stacking loads in ports; deliberately damaging navigational structures or the failure to mark installations with navigation signs (for day-time and night-time use); violating rules for entering and leaving a port or for transporting or pulling vessels up ramps; operating vessels by individuals intoxicated with alcohol or other substances; operating in the domestic waters naval transportation (including of small tonnage) that is not adequately registered or operating vessels by an inadequately qualified crew shall be sanctioned by a fine of 20 to 30 conventional units for individuals and by a fine of 200 to 300 conventional units for legal entities with or without the deprivation in both cases of the right to carry out certain activities for a period of up to one year.

(2) Destroying, damaging, removing or deliberately moving floating and river navigation signs without the permission of the specialized body of the public administration in naval transportation and installing fences and other fishing apparatus outside the places established for such purposes without coordinating with the specialized body of the public administration in naval transportation shall be sanctioned by a fine of 10 to 20 conventional units.

(3) Conducting, without the permission of the specialized body of the public administration in naval transportation, diving, draining and boring work in domestic waters, including in ports as well as failure to observe signaling rules during such work shall be sanctioned by a fine of 5 to 10 conventional units for individuals and by a fine of 80 to 150 conventional units for legal entities.

(4) Violations by river boat staff of the rules for navigating and mooring vessels in domestic waters, unrestricted issuing of light and sound signals or bearing inadequate light and navigation signs shall be sanctioned by a fine of 20 to 40 conventional units.

**Article 200.** Violations of rules for the transportation of dangerous, oversized or excessively heavy loads

(1) Violations of rules for the transportation of dangerous (flammable, explosive), oversized or excessively heavy loads by vehicles shall be sanctioned by a fine of 10 to 20 conventional units for individuals and by a fine of 50 to 100 conventional units for legal entities.

(2) Violations of rules for the transportation of dangerous (flammable, explosive), oversized or excessively heavy loads by rail shall be sanctioned by a fine of 20 to 30 conventional units for individuals and by a fine of 100 to 200 conventional units for legal entities.

(3) Violations of rules for the transportation of dangerous (flammable, explosive), oversized or excessively heavy loads by vessels in domestic waters shall be sanctioned by a fine of 15 to 25 conventional units for individuals and by a fine of 100 to 200 conventional units for legal entities.

**Article 201.** Violations of rules for ensuring the integrity of loads

(1) Deliberately damaging rolling stock, containers, floatation devices or other means of transportation destined to be loaded or deliberately damaging transportation devices shall be sanctioned by a fine of 15 to 25 conventional units.



(2) Damaging seals and the devices for closing vehicles, containers, freight wagons and boathouses, tampering with freight units or their packaging in goods warehouses, in lorry stations, in railway stations, on container platforms, in ports (piers) or in warehouses that are used in operations related to freight transportation shall be sanctioned by a fine of 10 to 20 conventional units.

(3) The unauthorized presence on the premises of goods warehouses; container platforms or zones for handling goods at lorry stations, railway stations or ports (piers) of sluice gates and of warehouses shall be sanctioned by a fine of 5 to 10 conventional units.

**Article 202.** Deliberately damaging public transportation vehicles and their engines

Deliberately damaging public transportation vehicles, passenger wagons and locomotives or vessels or their engines shall be sanctioned by a fine of 10 to 20 conventional units or by unpaid community work for up to 60 hours.

**Article 203.** Violations of rules of conduct rules by passengers

(1) Getting on or off a vehicle while it is moving, walking on the stairs or on the roofs of train cars and in other prohibited places, the unauthorized or unnecessary stopping of a train and unauthorized travel in a freight train shall be sanctioned by a fine of up to 15 conventional units or by unpaid community work for up to 40 hours.

(2) Throwing trash and other objects through the window or door of a trolleybus, bus, minibus or wagon or from a vessel shall be sanctioned by a fine of 10 to 20 conventional units or with unpaid community work for 20 to 40 hours.

(3) Smoking in trolleybuses, buses, minibuses, wagons or in places not indicated for smoking on long-distance trains, in suburban trains and on vessels shall be sanctioned by a fine of 10 to 20 conventional units or by unpaid community work for 20 to 60 hours.

**Article 204.** Traveling without a ticket

Traveling without a ticket on urban public transportation, on interurban or international buses, on suburban trains, on local and long-distance trains or on river vessels shall be sanctioned by a fine of up to 10 conventional units.

**Article 205.** Counterfeiting tickets and or selling fake tickets

Counterfeiting tickets or putting up for sale or selling fake tickets for urban public transportation, interurban and international buses, suburban trains, local and long-distance trains and river boats shall be sanctioned by a fine of 100 to 150 conventional units.

**Article 206.** Violations of rules for registering and tracking vessels and for using vessels and piers

(1) Violations of rules for registering and tracking vessels under the control of the harbor master's office shall be sanctioned by a fine of 50 to 100 conventional units for individuals, by a fine of 180 to 250 conventional units for responsible persons and by a fine of 200 to 300 conventional units for legal entities.

(2) Violations of rules for the use of vessels and piers shall be sanctioned by a fine of 75 to 100 conventional units with or without the deprivation of the right to carry out certain activities for a period of 3 months to 1 year.

**Article 207.** Allowing the operation of vehicles, locomotives and train wagons and vessels in violation of operating rules

Allowing the operation of vehicles, locomotives and train wagons and vessels that have defects (except for vehicles that are not self-propelled) that forbid their operation, of those re-equipped without the necessary authorization or registration as established or of those not passing state technical inspection shall be sanctioned by a fine of 100 to 150 conventional units.

**Article 208.** Violations of flight security rules

(1) Leaving in the airport area signs and installations that are similar to the airport's marking signs and installations, setting off pyrotechnical materials without the permission of the airport's administration or installing objects that attract bird flocks which pose a danger for airplane flights shall be sanctioned by a fine of 20 to 30 conventional units for individuals and by a fine of 50 to 100 conventional units for responsible persons.

(2) The failure to observe the rules for placing day-time and night-time marking signs and installations on buildings and on other real estate shall be sanctioned by a fine of 30 to 40 conventional units for individuals and by a fine of 100 to 200 conventional units for responsible persons.

(3) Damaging airport equipment, airport signs, airplanes and their equipment shall be sanctioned by a fine of up to 50 conventional units for individuals and by a fine of 200 to 300 conventional units for responsible persons.

**Article 209.** Violations of the rules for limited access to the airport premises and to objects located thereon

Violations of rules for limited access to airport premises and to objects located thereon except for the airport shall be sanctioned by a fine from 10 to 20 conventional units.

**Article 210.** Violations of conduct rules on airplanes

(1) The failure of individuals on board an airplane to follow the orders given by the airplane's captain shall be sanctioned by a fine of 15 to 30 conventional units.

(2) Violations of rules for taking pictures or for using telecommunication devices on board an airplane shall be sanctioned by a warning or by a fine of up to 5 conventional units.

**Article 211.** Violations of rules for using aeronautical equipment

Violations of rules for using aeronautical equipment shall be sanctioned by a fine of 40 to 50 conventional units for individuals and by a fine of 250 to 300 conventional units for responsible persons.

**Article 212.** Violations of rules for initial certification/authorization and of operational rules

Violations of rules for initial certification/authorization and of operational rules established by national aeronautics regulations shall be sanctioned by a fine of 150 to 250 conventional units for responsible persons.

**Article 213.** Violations of regulations on the procedure for ground servicing of airplanes

Violations of regulations on the procedure for ground servicing of airplanes shall be sanctioned by a fine of 30 to 40 conventional units for individuals and by a fine of 150 to 250 conventional units for responsible persons.

**Article 214.** Violations of rules for authorizing aeronautical staff

(1) The execution by the aeronautical staff (pilots, flight attendants, engineers, navigators) of their duties in the absence of an appropriate authorization document shall be sanctioned by a fine of 40 to 50 conventional units.

(2) The same actions conducted with an authorization document whose validity has expired shall be sanctioned by a fine of 40 to 50 conventional units with the deprivation of the right to execute their duties for a period of 6 months.

(3) The actions specified in para.(1) and (2) allowed by the administration of the company/organization that hired the aeronautical staff shall be sanctioned by a fine of 200 to 300 conventional units for responsible persons.

(4) This article also refers to the execution of duties in the case of special qualifications with expired validity or their absence, as well as in the case of an expired medical certificate or its absence.

**Article 215.** Violations of regulations for tracking flight time and rest time for aeronautical staff

Violations by companies operating airplanes of the regulations for tracking the flight time and rest time of aeronautical staff or failure to track the flight time and rest time of flight crews shall be sanctioned by a fine of 40 to 50 conventional units for individuals, by a fine of 150 to 250 conventional units for responsible persons and by a fine of 200 to 400 conventional units for legal entities.

**Article 216.** Violations of rules for transporting hazardous cargo on an airplane

(1) Violations of rules for transporting hazardous cargo on an airplane shall be sanctioned by a fine of 30 to 50 conventional units for individuals.

(2) Transporting hazardous on an airplane in the absence of an appropriate authorization shall be sanctioned by a fine of 200 to 300 conventional units for the responsible persons of the airline company.

**Article 217.** Violations of regulations on maximum takeoff and centering weight for an airplane

Violations of regulations on maximum takeoff and centering weight for an airplane as calculated for flight conditions shall be sanctioned by a fine of 40 to 50 conventional units for individuals and by a fine of 200 to 300 conventional units for responsible persons.

**Article 218.** Hampering access to documents on operating airplanes

Refusing to make available to inspectors documents on operating airplanes and to allow an inspection of the company/organization shall be sanctioned by a fine of 50 to 100 conventional units for responsible persons.

**Article 219.** Violations of insurance requirements for air transportation

Air transportation without insuring the passengers, luggage or flight crews and without insuring civil liability for third parties shall be sanctioned by a fine of 100 to 200 conventional units for responsible persons.

**Article 220.** Deliberately failing to inform competent authorities about the occurrence of air incidents or accidents

The deliberate failure of an airline operator to inform competent authorities about the occurrence of air incidents or accidents shall be sanctioned by a fine of 150 to 250 conventional units for responsible persons.

**Article 221.** Violations of operating rules for self-propelled vehicles and of security rules

(1) Providing technical maintenance and repair services in the absence of a certificate of compliance shall be sanctioned by a fine of 75 to 100 conventional units for responsible persons with or without the deprivation of the right to carry out certain activities for a period of 3 months to 1 year.

(2) Violations of rules for the operation of tractors, combines and other self-propelled agricultural machines or of road construction machines and violations of security rules shall be sanctioned by a fine of 10 to 20 conventional units for individuals and by a fine of 200 to 300 conventional units for legal entities.

**Article 222.** Violations of security rules in the construction, operation and repair of main pipelines

Violations of security rules in the construction, operation and repair of main pipelines shall be sanctioned by a fine of 50 to 75 conventional units for responsible persons with or without the deprivation of the right to carry out certain activities for a period of 3 months to 1 year.

**Article 223.** Damaging roads, level crossings, the technical means for directing road traffic and other road installations

Damaging roads, level crossings, the technical means for directing road traffic and other road installations as well as deliberately creating obstacles to road traffic shall be sanctioned by a fine of up to 50 conventional units.

**Article 224.** Violations of rules for using roads by vehicles

(1) Driving on national roads of vehicles with tracks, vehicles pulled by animals or of vehicles carrying leaking loads that dirty the road surface, cover it with ice or reduce road safety conditions shall be sanctioned by a fine of 10 to 30 conventional units for individuals and by a fine of 50 to 100 conventional units for legal entities.

(2) The failure of vehicle drivers to observe road weight or size limits shall be sanctioned by a fine of 20 to 30 conventional units for individuals and by a fine of 50 to 100 conventional units for legal entities.

**Article 225.** Deliberately blocking transportation arteries

(1) Deliberately blocking transportation arteries that could disturb the normal operation of road, railway or river transportation shall be sanctioned by a fine of 50 to 100 conventional units.

(2) The actions specified in para.(1) that pose a danger to human life or health or committed as a result of a prior understanding of a group of people, or accompanied by an illegal inspection of a load, luggage or documents, if such actions do not constitute an infraction, shall be sanctioned by a fine of 100 to 150 conventional units with or without the deprivation of the right to carry out certain activities for a period of 3 months to 1 year.

**Article 226.** Violations of rules for protecting median strips and of rules for using land in protected road areas

(1) Plowing land; mowing grass; cutting and damaging plantations; digging and excavating soil; discharging on median strips waste water, industrial water or sewerage water from water discharge installations or from water tanks without coordinating with the road authority; lighting a fire on median strips and near wooden bridges at a distance of less than 100 meters from them shall be sanctioned by a fine of 5 to 10 conventional units.

(2) Installing enclosures, planting trees that can cause snow drifts or flooding on a road or that obstruct visibility and installing structures and unauthorized billboards in a protected road area shall be sanctioned by a fine of 5 to 10 conventional units.

(3) Executing without authorization in a protected road area work that can jeopardize its stability and integrity shall be sanctioned by a fine of 10 to 20 conventional units for individuals and by a fine of 100 to 200 conventional units for legal entities.

**Article 227.** Failure to observe rules for the maintenance, repair and reconstruction of roads

(1) The failure to observe the rules for the maintenance, repair and reconstruction of roads, passages and byways and of the means for directing road traffic, the failure to observe the timeframes for the execution of repair and reconstruction work on roads and the failure to take measures for ensuring the security of road traffic shall be sanctioned by a fine of 5 to 10 conventional units for individuals and by a fine of 50 to 100 conventional units for legal entities.

(2) The failure to arrange for the repair and regular cleaning of sidewalks and of crossings, the failure to execute the obligations for maintaining in good technical condition and cleanliness roadside barriers or the means of access to a road for public use shall be sanctioned by a fine of 10 to 15 conventional units for individuals and by a fine of 30 to 50 conventional units for legal entities.

### **Chapter XIII**

#### **CONTRAVENTIONS OF ROAD TRAFFIC RULES**

**Article 228.** Violations of rules for operating vehicles

(1) Operating vehicles with technical defects in their braking systems or directional indicators or in their lighting and signaling devices and operating vehicles re-equipped without an appropriate authorization shall be sanctioned by a fine of 15 to 20 conventional units and by assigning 3 penalty points.

(2) Operating vehicles with technical defects that are prohibited by road traffic rules, except for the vehicles with the defects indicated in para.(1), as well as the unauthorized placement of advertising on vehicles shall be sanctioned by a fine of 5 to 10 conventional units.

**Article 229.** Violations of rules for state matriculation or registration and for the mechanical inspection of vehicles

(1) Violations of rules for state matriculation or registration of vehicles shall be sanctioned by a fine of 10 to 20 conventional units.

(2) Driving a vehicle that has not been registered as established or that has not been subject to mechanical inspection shall be sanctioned by a fine of 15 to 20 conventional units and by assigning 3 penalty points.

(3) Operating a vehicle that has not been insured against civil liability as established shall be sanctioned by a fine of 5 to 10 conventional units and by assigning 2 penalty points.

**Article 230.** Driving a vehicle in violation of the rules for locating the registration number or driving a vehicle without such a number

(1) Driving a vehicle with an undecipherable, non-standardized registration number or that is located in violation of the standards shall be sanctioned by a fine of 5 to 10 conventional units and by assigning 3 penalty points.

(2) Driving a vehicle without a registration number shall be sanctioned by a fine of 25 to 30 conventional units and by assigning 4 penalty points.

(3) Assigning a fake registration number and deliberately driving a vehicle with such a number shall be sanctioned by the deprivation of the right to drive a vehicle for a period of one year.

(4) The failure to signal a vehicle with a distinctive sign provided by the road traffic regulations shall be sanctioned by a fine from 5 to 10 conventional units and by assigning 2 penalty points.

(5) The failure to maintain in clean condition lighting and signaling devices, the matriculation number, the reflectors, the front door windows and the windshield of a vehicle shall be sanctioned by a warning or by a fine of 1 to 3 conventional units.

**Article 231.** Driving a vehicle in violation of the rules on a driver's license

(1) Driving a vehicle with a driver's license that is of an inadequate category shall be sanctioned by a fine of 50 conventional units.

(2) Driving a vehicle without a driver's license (except for driving during driving classes in the presence of the teacher) shall be sanctioned by a fine of 50 to 100 conventional units.

(3) Driving a vehicle by a person who has been deprived of the right to drive vehicles shall be sanctioned by a fine of 100 to 150 conventional units.

(4) Handing over the driving of a car to a person who does not have a driver's license (except during driving classes in the presence of the teacher), who has been deprived of the right to drive vehicles or who has a driver's license of an inadequate category shall be sanctioned by a fine of 50 to 100 conventional units and by assigning 3 penalty points.

(5) Driving a vehicle by a person who does not have a driver's license and who at the same time is intoxicated with alcohol, if such an action does not constitute an infraction, shall be sanctioned by arrest for a period of 15 days.

*[Art.231 amended by Law No.16-XVI of 03 Feb 2009, in effect as from 03 March 2009]*

**Article 232.** Driving a vehicle by a person who does not have his/her driver's license with him/her

(1) Driving a vehicle by a person who does not have with him/her his/her driver's license, the vehicle's state registration documents and the policy of mandatory insurance against civil liability shall be sanctioned by a fine of 5 conventional units and by assigning 2 penalty points.

(2) Handing over the driving of a car to a person who does not have his/her driver's license with him/her shall be sanctioned by a warning or by a fine of 5 conventional units and by assigning 2 penalty points.

**Article 233.** Driving a vehicle in a state of intoxication produced by alcohol or handing over the driving of a vehicle to a person who is intoxicated with alcohol or with another substance

(1) Driving a vehicle by a person who is in a state of intoxication with alcohol that exceeds the maximum admissible level established by the government, if such action does not constitute an infraction, shall be sanctioned by the deprivation of the right to drive vehicles for a period of 3 years.

(2) Deliberately handing over the driving of a vehicle to a person who is in a state of intoxication with alcohol that exceeds the maximum admissible level established by the government or who is in a state of intoxication produced by narcotic, psychotropic and/or other substances with similar effects, if such action does constitute an infraction, shall be sanctioned by a fine of 150 conventional units or by the deprivation of the right to drive vehicles for a period of 3 years.

(3) The actions specified in paras.(1) and (2) if admitting a vehicle driver to the traffic does not require holding a driver's license shall be sanctioned by a fine from 75 to 150 conventional units or by arrest for a period of up to 15 days.

*[Art.233 amended by Law No.16-XVI of 03 Feb 2009, in effect as from 03 March 2009]*

**Article 234.** Failure to communicate the identity of a person who was entrusted with driving a vehicle

Failure of the owner or authorized agent (user) of a vehicle to communicate at the request of the police the identity of the person to whom the driving of the vehicle was entrusted or deliberately providing erroneous information about that person's identity shall be sanctioned by a fine of 45 to 50 conventional units for individuals and by a fine of 75 to 100 conventional units for legal entities.

*[Art.234 amended by Law No.16-XVI of 03 Feb 2009, in effect as from 03 March 2009]*

**Article 235.** Violations of rules for using safety belts and crash helmets and of rules on cell phone conversations

(1) Violations of rules for using safety belts for motorist and crash helmets for motorcyclists shall be sanctioned by a fine of 15 to 20 conventional units and by assigning 3 penalty points.

(2) Holding cell phone conversations contrary to road traffic regulations shall be sanctioned by a fine of 15 to 20 conventional units and by assigning 3 penalty points.

**Article 236.** Exceeding the driving speed established for a given road portion

(1) Exceeding the driving speed established for a given road portion by 10 to 20 km/hour shall be sanctioned by a fine of 20 conventional units and by assigning 3 penalty points.

(2) Exceeding the driving speed established for a given road portion by 20 to 40 km/hour shall be sanctioned by a fine of 30 conventional units and by assigning 4 penalty points.

(3) Exceeding the driving speed established for a given road portion by more than 40 km/hour shall be sanctioned by a fine of 50 conventional units and by assigning 5 penalty points.

**Article 237.** Violations of rules for crossing railway tracks at a level crossing

Violations by a vehicle driver of the rules for crossing railway tracks at a level crossing shall be sanctioned by a fine of 40 to 50 conventional units and by assigning 4 penalty points.

**Article 238.** Violations of rules for stopping and for failure to give priority to pedestrians or to other road travelers

(1) Stopping in prohibited places shall be sanctioned by a warning or by a fine of 5 conventional units.

(2) Parking in prohibited places shall be sanctioned by a fine of up to 10 conventional units and by assigning 2 penalty points.

(3) Failure to give legal priority to pedestrians or cyclists shall be sanctioned by a fine of up to 10 conventional units and by assigning 2 penalty points.

**Article 239.** Failure to observe traffic rules in residential areas

Failure to observe traffic rules in residential areas shall be sanctioned by a fine of 5 to 10 conventional units and by assigning 2 penalty points.

**Article 240.** Failure to observe road signals and to give crossing priorities and other road circulation rules

(1) The failure of vehicle drivers to observe road signals and stop signs, directional signs, markings on the roadway giving the priority in circulation, the right to overtake vehicles or the requirements for using headlights when darkness falls or in conditions of limited visibility shall be sanctioned by a fine of 5 to 10 conventional units.

(2) Disregarding by a vehicle driver of the stop signal of traffic lights or of the signal to stop of a traffic officer shall be sanctioned by a fine of 25 to 30 conventional units and by assigning 2 penalty points.

(3) Violations by a vehicle driver of other provisions of road traffic regulations shall be sanctioned by a warning or by a fine of 1 to 3 conventional units.

**Article 241.** Failure to execute the legal indication for stopping a vehicle and for giving passing priority to vehicles

(1) The failure by a vehicle driver to execute the legal indication given by a traffic officer to stop a vehicle shall be sanctioned by a fine of 45 to 50 conventional units and by assigning 4 penalty points.

(2) The failure to give passing priority to a vehicle with blue or red flashing lights and using a special siren (vehicle with priority circulation) shall be sanctioned by a fine of 25 to 30 conventional unit and by assigning 4 penalty points.

**Article 242.** Violations of road traffic rules resulting in damage to property or in slight bodily injury

(1) Violations by a vehicle driver of road traffic rules resulting in insignificant damage to vehicles, cargos, roads, road installations and other installations or assets shall be sanctioned by a fine of 40 conventional units and by assigning 5 penalty points.

(2) Violations by a vehicle driver of road traffic rules resulting in slight bodily injury to the victim or in significant damage to vehicles, cargos, roads, road installations, other installations or other assets shall be sanctioned by a fine of 50 conventional units and by assigning 6 penalty points.

**Article 243.** Leaving the scene of a road accident

If the person who caused the accident leaves the scene where the road accident took place, he/she shall be sanctioned by the deprivation of the right to drive vehicles for a period of 1 year or by arrest for a period of 15 days.



**Article 244.** Violations of provisions of the road traffic regulations that pose the danger of a traffic accident

Violations by a vehicle driver of the provisions of the road traffic regulations stipulated in Art.237-239 of this Code that pose the danger of a traffic accident shall be sanctioned by a fine of 30 to 50 conventional units and by assigning 4 penalty points.

**Article 245.** Violations of traffic rules by pedestrians and other road travelers

(1) Ignoring by pedestrians of road traffic directional signs, crossing the roadway or walking on the roadway in non-indicated places, failure to observe priority traffic signs or stop signs and the failure to follow road rules by motorcyclists, bicyclists, and other individuals using the road shall be sanctioned by a warning or by a fine of 5 to 10 conventional units.

(2) Violations of road rules by the individuals mentioned in para.(1) that cause an accident shall be sanctioned by a fine of 15 to 20 conventional units.

#### **Chapter XIV**

#### **CONTRAVENTIONS OF RULES FOR ELECTRONIC COMMUNICATIONS, POSTAL COMMUNICATIONS AND INFORMATION TECHNOLOGY**

**Article 246.** Unauthorized provision of networks or services for electronic communication, postal communications or information technology

(1) The unauthorized provision of electronic communication networks or services shall be sanctioned by a fine of 50 to 100 conventional units for individuals and by a fine of 200 to 300 conventional units for legal entities.

(2) Providing electronic communication networks and communications at a time when the right to supply such networks or services has been suspended or withdrawn shall be sanctioned by a fine of 100 to 150 conventional units for individuals and by a fine of 300 to 500 conventional units for legal entities.

(3) The unauthorized provision of postal communication services shall be sanctioned by a fine of 10 to 20 conventional units for individuals and by a fine of 50 to 100 conventional units for legal entities.

(4) Providing postal communication services at a time when the right to supply such services has been suspended or withdrawn shall be sanctioned by a fine of 100 to 200 conventional units for legal entities.

(5) The unauthorized provision of information technology services shall be sanctioned by a fine of 50 to 100 conventional units for individuals and by a fine of 200 to 300 conventional units for legal entities.

(6) Providing information technology services at a time when the right to supply such services has been suspended or withdrawn shall be sanctioned by a fine of 100 to 150 conventional units for individuals and by a fine of 300 to 500 conventional units for legal entities.

**Article 247.** Failure to observe conditions for general authorization

(1) The failure to observe the conditions for general authorization by the providers of networks or services of electronic communications, postal communications or information technology shall be sanctioned by a warning or by a fine of 50 to 100 conventional units for individuals and by a fine of 200 to 400 conventional units for legal entities.

(2) The failure to observe instructions for remedying violations of established obligations in the conditions for general authorization shall be sanctioned by a fine of 75 to 120 conventional

units for individuals and by a fine of 400 to 500 conventional units for legal entities with the deprivation in both cases of the right to provide networks or services of electronic communications, postal communications or information technology for a period of 6 months to 1 year.

**Article 248.** Using radio channels and frequencies and digital signals without a license and a technical permit

(1) Using radio channels and frequencies without a license and a technical permit shall be sanctioned by a fine of 100 to 150 conventional units for individuals and by a fine of 400 to 500 conventional units for legal entities.

(2) Using digital signals without a license with a view to providing electronic communication networks and/or services shall be sanctioned by a fine of 100 to 150 conventional units for individuals and by a fine of 400 to 500 conventional units for legal entities.

**Article 249.** Failure to observe the conditions stipulated in licensing for using radio channels and frequencies, and digital signals

(1) The failure to observe the conditions stipulated in licensing for using radio channels and frequencies and digital signals shall be sanctioned by a warning or by a fine of 50 to 100 conventional units for individuals and by a fine of 200 to 400 conventional units for legal entities.

(2) The failure to observe instructions for remedying violations of obligations established by licensing shall be sanctioned by a fine of 70 to 120 conventional units for individuals and by a fine of 180 to 350 conventional units for legal entities with the deprivation of the right to use radio channels and frequencies and digital signals for a period of 6 months to 1 year.

**Article 250.** Failure to observe regulations and technical norms in electronic and postal communications or in information technology

(1) The failure to observe regulations and technical norms in electronic and postal communications or in information technology shall be sanctioned by a warning or by a fine of 50 to 70 conventional units for individuals and by a fine of 200 to 400 conventional units for legal entities.

(2) The failure to observe instructions for remedying violations of regulations or of technical norms shall be sanctioned by the deprivation of the right to use limited resources and/or of the right to provide networks or services for a period of 6 months to 1 year.

(3) Using or connecting to electronic communication networks equipment, cables or elements of networks of electronic or postal communications that are not certified or approved by the competent body shall be sanctioned by a fine of 50 to 100 conventional units for individuals and by a fine of 200 to 400 conventional units for legal entities.

(4) The unauthorized installing or use of broadcast radio communication equipment in a means of transportation shall be sanctioned by a fine of 50 to 100 conventional units for individuals and by a fine of 200 to 400 conventional units for legal entities.

(5) The unauthorized creation and operation of a means of electronic or postal communication that could prejudice the health of people living in the immediate area shall be sanctioned by a fine of 50 to 100 conventional units for individuals and by a fine of 200 to 400 conventional units for legal entities.

(6) Violations of rules for protecting electronic communication lines and installations shall be sanctioned by a fine of 50 to 100 conventional units for individuals and by a fine of 200 to 400 conventional units for legal entities.

(7) Executing construction work in protected areas for electronic communication lines, cables and installations without the authorization of the owners of such lines, cables and installations shall be sanctioned by a fine of 10 to 100 conventional units for individuals and by a fine of 50 to 300 conventional units for legal entities.

(8) Installing or using radio communication networks, including broadcast antennas, without coordinating with the competent bodies and without obtaining an authorization for use from such body shall be sanctioned by a fine of 10 to 100 conventional units for individuals and by a fine of 100 to 500 conventional units for legal entities.

(9) Selling equipment, cables and network elements for needs not certified or approved for electronic or postal communications shall be sanctioned by a fine from 50 to 100 conventional units for individuals and by a fine from 200 to 400 conventional units for legal entities.

**Article 251.** Violations of regulations for electromagnetic broadcasting and for static admissible in radio reception, impeding receipt of broadcasts or operation of electronic communication equipment and lines

(1) Producing damaging interference in broadcasts in any manner shall be sanctioned by a fine of 20 to 70 conventional units for individuals and by a fine from 40 to 200 conventional units for legal entities.

(2) Violations of authorized broadcast technical parameters shall be sanctioned by a fine of 10 to 100 conventional units.

(3) Deliberate broadcasting that produces harmful interference with other technical means of radio communication shall be sanctioned by a fine of 20 to 500 conventional units.

(4) Hampering the operation of electronic communication equipment and lines shall be sanctioned by a warning or by a fine of 10 to 100 conventional units.

(5) Violations of norms for electromagnetic broadcasting and for static admissible in radio reception and impeding the receipt of broadcasts or the operation of telecommunication equipment and lines shall be sanctioned by a warning or by a fine of 10 to 500 conventional units.

**Article 252.** Unauthorized connections or allowing unauthorized connections to electronic communication networks

Unauthorized connections or allowing unauthorized connections of terminal equipment or of other means of electronic communication to electronic communication networks including to subscriber lines shall be sanctioned by a fine of 10 to 150 conventional units for individuals and by a fine of 400 to 500 conventional units for legal entities.

**Article 253.** Unjustified refusal of an authorized provider of networks or of services to connect to networks or to services another authorized provider of networks or of services

The unjustified refusal of an authorized provider of networks or of services to connect to its networks or services another authorized provider of networks or of services shall be sanctioned by a fine of 400 to 500 conventional units for legal entities.

**Article 254.** Performing work in electronic or postal communication without the agreement of the owner of the land or real estate or in the absence of a court judgment on the execution of such work

Performing work in electronic or postal communication without the agreement of the owner of the land or real estate or in the absence of a court judgment on the execution of such work shall be sanctioned by a fine of 100 to 150 conventional units for individuals and by a fine of 400 to 500 conventional units for legal entities.

**Article 255.** Deliberate damaging of electronic and postal communication lines, installations and equipment

The deliberate damaging of electronic and postal communication lines, installations and equipment shall be sanctioned by a fine of 40 to 150 conventional units for individuals and by a fine of 50 to 500 conventional units for legal entities.

**Article 256.** Stamping mail with used or unauthorized postal stamps

Stamping mail with used postal stamps or with stamps that are not authorized by the Ministry of Information Development shall be sanctioned by a fine of 3 to 5 conventional units for individuals and by a fine of 10 to 50 conventional units for legal entities.

**Article 257.** Manufacturing for sale or deliberately selling fake postal marks, stamping machines or postal seals

Manufacturing for sale or deliberately selling fake postal marks, stamping machines or postal seals shall be sanctioned by a fine of 40 to 100 conventional units for individuals and by a fine of 100 to 300 conventional units for legal entities.

**Article 258.** Delivering for mailing objects posing a danger or objects of an obscene character

Delivering for mailing by any type objects that in handling or transport pose a danger to human life or objects of an obscene character without stating their real nature shall be sanctioned by a fine of 40 to 100 conventional units.

**Article 259.** Unjustified refusal to provide public services in electronic and postal communications and information technology

The unjustified refusal to provide public services in electronic and postal communications and information technology shall be sanctioned by a fine of 10 to 20 conventional units for individuals and by a fine of 100 to 400 conventional units for legal entities.

**Article 260.** Discrimination in providing public services in electronic and postal communications and information technology

Discrimination of any kind against the user in providing public services in electronic and postal communications and information technology shall be sanctioned by a fine of 50 to 100 conventional units for individuals and by a fine of 200 to 400 conventional units for legal entities.

**Article 261.** Designing or producing not for purposes of commercialization or illegally owning or using special technical means for obtaining information in a secret manner

(1) Designing or producing not for purposes of commercialization or illegally owning or using special technical means for obtaining information in a secret manner shall be sanctioned by a fine of 30 to 50 conventional units for individuals and by a fine of 100 to 200 conventional units for responsible persons.

(2) Using a private security force to guard special technical means for obtaining information in a secret manner shall be sanctioned by a fine of 40 to 50 conventional units for individuals and by a fine of 150 to 300 conventional units for responsible persons.

**Article 262.** Violations of rules for importing, exporting, designing, producing and selling special technical means for obtaining information in a secret manner or the failure to observe other licensing conditions

Violations of rules for importing, exporting, designing, producing and selling special technical means for obtaining information in a secret manner and, if there is a license, the failure to observe other licensing conditions shall be sanctioned by a fine from 30 to 50 conventional units for individuals and by a fine from 80 to 150 conventional units for responsible persons.

## **Chapter XV**

### **CONTRAVENTIONS AFFECTING ENTREPRENEURSHIP, TAXATION, CUSTOMS ACTIVITIES AND SECURITY**

**Article 263.** Carrying out an illegal entrepreneurial activity

(1) Carrying out an entrepreneurial activity without registering it with the state registration chamber or with another competent public authority according to the law or with a registration document that has been declared invalid shall be sanctioned by a fine of 10 to 35 conventional units.

(2) Carrying out an entrepreneurial activity without registering as a payee of mandatory state social insurance as established by law shall be sanctioned by a fine of 10 to 20 conventional units.

(3) Carrying out an entrepreneurial activity without registering as a payee of mandatory healthcare insurance as established by law shall be sanctioned by a fine from 10 to 20 conventional units.

(4) Carrying out an entrepreneurial activity without an authorization, license or certificate issued by a competent authority under the law shall be sanctioned by a fine from 25 to 100 conventional units.

(5) Carrying out an entrepreneurial activity without registering in due time any modifications made in the registration documents or any change in the director (manager) or premises shall be sanctioned by a fine of 10 conventional units.

(6) Carrying out an entrepreneurial activity that violates the right to a signboard (name), established by law or the procedure for using the signboard shall be sanctioned by a fine of 10 to 30 conventional units.

(7) Carrying out an entrepreneurial activity without a trademark required by law shall be sanctioned by a fine of 10 to 35 conventional units.

(8) Submitting for registration inauthentic (false) documents or information shall be sanctioned by a fine of 20 to 75 conventional units.

**Article 264.** Illegal participation of a civil servant in an entrepreneurial activity

The illegal participation of a civil servant in an entrepreneurial activity as a founder of a company or as a leader of an entrepreneurial activity directly or indirectly through other

individuals shall be sanctioned by a fine of 50 to 100 conventional units with the deprivation of the right to hold certain positions or of the right to carry out certain activities for a period of 3 months to 1 year.

**Article 265.** Purchasing, keeping, transporting for sale and illegally selling tangible assets  
Purchasing; keeping; transporting for sale or selling goods, products or raw materials without proof of their origin if such proof is required by law shall be sanctioned by a fine of 10 to 100 conventional units.

**Article 266.** Violations of rules for calculating and paying mandatory healthcare insurance premiums

(1) The failure to observe the order and procedure for calculating mandatory healthcare insurance premiums shall be sanctioned by a fine of 15 to 50 conventional units.

(2) The failure to pay mandatory healthcare insurance premiums in the timeframe established in legislation shall be sanctioned by a fine of 25 to 55 conventional units.

(3) The failure to transfer or the late or incomplete transfer of mandatory healthcare insurance premiums when wages are paid in money or in kind, on any grounds and types of payments, for which said premiums are calculated according to legislation shall be sanctioned by a fine of 5 to 10 conventional units.

(4) The failure to submit in the timeframe established in legislation the report on calculating and paying mandatory healthcare insurance premiums and on any changes in the lists of insured individuals shall be sanctioned by a fine of 10 to 20 conventional units.

**Article 267.** Trade or transport of goods whose sale is prohibited or limited  
The trade or transport of goods whose sale is prohibited or limited by law shall be sanctioned by a fine of 15 to 20 conventional units.

**Article 268.** Illegally assigning prophylactic or curative properties to products  
Illegally assigning prophylactic or curative properties to products by the producers or sellers by labeling, advertising, or referring to such properties without the approval of the Ministry of Health shall be sanctioned by a fine of 80 to 130 conventional units.

**Article 269.** Placing on the market perishable food products without indicating the consumption deadline or after the deadline has passed

Placing on the market perishable food products without indicating the consumption deadline or after the deadline has passed shall be sanctioned by a fine of 40 to 60 conventional units for individuals, by a fine of 200 to 300 conventional units for responsible persons and by a fine of 400 to 500 conventional units for legal entities with or without the deprivation of the right to carry out certain activities for a period of 3 months to 1 year.

**Article 270.** Using raw materials with expired deadlines in producing (preparing) food products

Using raw materials with expired deadlines in producing (preparing) food products shall be sanctioned by a fine of 50 to 70 conventional units for individuals, by a fine of 250 to 350 conventional units for responsible persons and by a fine of 400 to 500 conventional units for legal entities with or without the deprivation of the right to carry out certain activities for a period of 3 months to 1 year.

**Article 271.** Placing in the market food products that were to be fortified but that have not been fortified

Placing in the market food products that the Ministry of Health decided were to be fortified but that have not been fortified with the prescribed nutrients shall be sanctioned by a fine of 150 to 170 conventional units.

**Article 272.** Violations of procedures for procuring, transporting, storing and selling excise stamps and state trade marks

Violations of procedures for procuring, transporting, storing and selling excise stamps and state trade marks shall be sanctioned by a fine of 30 to 40 conventional units.

**Article 273.** Violations of trade rules

Violations of trade rules by trading and catering companies regardless of their type of ownership and legal form of organization as well as by individuals practicing trade expressed through:

1) deceiving buyers by using false measurements, shortweighting, or shortchanging buyers shall be sanctioned by a fine of 25 to 50 conventional units;

2) selling goods without indicating the date of manufacture or the timeframe for their use or selling goods with expired deadlines shall be sanctioned by a fine of 100 to 200 conventional units;

3) using measuring devices without metrological markings (for approving models and for metrological verification) or with damaged, broken, fake or absent metrological markings or with expired model approval certificates or metrological verification bulletins shall be sanctioned by a fine of 100 to 200 conventional units;

4) violations of the working regime established by local public authorities shall be sanctioned by a fine of 100 to 200 conventional units;

5) violations of the procedure for establishing and using free (market) prices and state wholesale prices and tariffs as well as the failure to respect the established procedure for rounding up wholesale prices shall be sanctioned by a fine of 30 to 50 conventional units;

6) the absence of price tags or of bills of fare for goods put up for sale or preparing such bills in violation of established rules shall be sanctioned by a fine of 20 to 30 conventional units;

7) violations of the method for receiving, or for preparing documents or of settlement for goods received on consignment from the public shall be sanctioned by a fine of 20 to 30 conventional units;

8) selling goods for long-term use without indicating the warranty period in accompanying documents, without identification or another document of an established type that substitutes for it that is translated into Moldovan or other languages as established in legislation and that contains information on the conditions of efficient and safe use of imported goods shall be sanctioned by a fine of 200 conventional units;

9) carrying out any commercial activity without an authorization shall be sanctioned by imposition of the following fines:

a) in street vending units—50 to 100 conventional units;

b) in trade and/or service units with a commercial space of up to 100 m<sup>2</sup>—100 to 200 conventional units;

c) in trade and/or service units with a commercial space of 100 to 250 m<sup>2</sup>—200 to 300 conventional units;

d) in trade and/or service units with a commercial space of 250 to 500 m<sup>2</sup>—300 to 400 conventional units;

e) in supermarkets, department stores, commercial centers or other markets—400 to 500 conventional units;

10) fraudulently selling a product not stipulated in the contract and the unjustified refusal to sell a product or to provide a service shall be sanctioned by a fine of 100 to 200 conventional units;

11) carrying out any trade activity during a suspension of that activity shall be sanctioned by the following fines:

a) in street vending units—200 to 250 conventional units;

b) in trade and/or service units with a commercial space of up to 100 m<sup>2</sup>—250 to 300 conventional units;

c) in trade and/or service units with a commercial space of 100 to 250 m<sup>2</sup>—300 to 350 conventional units;

d) in trade and/or service units with a commercial space of 250 to 500 m<sup>2</sup>—350 to 450 conventional units;

e) in supermarkets, department stores, commercial centers or other markets—400 to 500 conventional units.

12) violations by responsible persons of the rules for classifying public catering companies regardless of their type of ownership or legal form or organization by categories according to the level of servicing, that consist of:

a) carrying out an activity in public catering by a trader without a certificate of classification in the respective category shall be sanctioned by a fine of 100 to 200 conventional units;

b) the failure to observe the requirements imposed by the category assigned to a trader shall be sanctioned by a fine from 100 to 200 conventional units;

c) the failure to post in a visible place the certificate of classification of a trader in the respective category shall be sanctioned by a fine of 100 to 150 conventional units;

13) procuring goods and products from the retail sales network, from public catering companies and from pharmaceutical units and re-selling them to similar companies and units in the area of the same locality that results in an increase in prices for those goods and products shall be sanctioned by a fine of 200 to 300 conventional units.

#### **Article 274. Violations of trading rules in marketplaces**

(1) Trading without paying market fees, trading unit location fees or taxes on the services provided shall be sanctioned by a fine of 50 to 70 conventional units.

(2) Selling goods whose sale is prohibited on the market's premises shall be sanctioned by a fine of 50 to 500 conventional units.

(3) Selling perishable goods without documents certifying their quality and sell-by dates shall be sanctioned by a fine of 50 to 70 conventional units.

(4) Selling the goods specified in para.(3) without refrigeration equipment and without documents certifying the quality and sell-by dates shall be sanctioned by a fine of 200 to 300 conventional units.

(5) Organizing informal trade in places not authorized by the local public authorities shall be sanctioned by a fine of 200 to 300 conventional units.

(6) Selling complicated technical items without creating conditions for checking their functioning capacity shall be sanctioned by a fine of 200 to 300 conventional units.



**Article 275.** Failure to ensure the observance of legal requirements for trading in marketplaces

(1) The failure of responsible persons in a market's administration to execute their duties to ensure the inspection of the quality of products by veterinary/health laboratories and medical examinations in due time of the market's employees who receive, sell, transport and store food products and of the employees who conduct the sanitary processing of the equipment and stock shall be sanctioned by a fine of 200 to 300 conventional units.

(2) Allowing by a market's administration of trade in the market with industrial non-food and food products by individuals and legal entities that are not registered according to the law as entrepreneurs or that do not have a patent for trade activities shall be sanctioned by a fine of 300 to 400 conventional units for responsible persons.

**Article 276.** Failure to ensure traceability

Failure to ensure the possibility of identifying and tracing the origin of a food product, of an item that comes in contact with food products or of a substance to be incorporated or that can be incorporated into a food product shall be sanctioned by a fine of 50 to 200 conventional units.

**Article 277.** Violations of legislation on petroleum markets

(1) Retail sale of petroleum products directly from trucks, from canisters or from other containers and the retail sale of major petroleum products in places other than at authorized filling stations shall be sanctioned by a fine of 100 to 150 conventional units.

(2) The retail sale of major petroleum products and/or of liquefied gas without filling devices equipped with cash and control equipment with a fiscal memory connected to the distributor (system for measuring and registering main oil products and/or liquefied gas) or the use during sale of such devices that are defective, without metrological verification or that are not sealed as established by law shall be sanctioned by a fine of 500 conventional units.

(3) The absence at filling stations of a registry for tracking petroleum products received and of a shift report in an established form, keeping the registry and report unsystematically or entering untruthful information therein shall be sanctioned by a fine of 150 to 200 conventional units.

(4) Receiving petroleum products based on accompanying shipping documents that were prepared incorrectly either because of a shortage of products or because of defective equipment shall be sanctioned by a fine of 150 to 200 conventional units.

(5) Delivering petroleum products without resetting the meter shall be sanctioned by a fine of 30 to 50 conventional units.

(6) Unsanctioned interference with or changes to the equipment for supplying major petroleum products and/or of liquefied gas that are equipped with cash and control equipment with a fiscal memory connected to the distributor (system for measuring and registration of main oil products and/or liquefied gas) shall be sanctioned by a fine of 150 to 500 conventional units.

(7) Violations of rules for storing petroleum products shall be sanctioned by a fine of 100 to 150 conventional units.

**Article 278.** Violations of rules for exchanging non-food products purchased in retail trade networks

Violations of rules for exchanging non-food products purchased in the retail trade network regardless of the unit's type of ownership or legal form of organization which consists of an

unjustified refusal to allow a consumer to exercise his/her right to the free remedy of any deficiencies that arise in the product or service or to the free replacement or reimbursement of its value shall be sanctioned by a fine of 50 to 100 conventional units.

**Article 279.** Presenting inauthentic or incomplete information about the characteristics of products or services

Presenting to the consumer inauthentic or incomplete information about the characteristics of products or services or not disclosing the quality indicators and properties of products and rules for their use shall be sanctioned by a fine of 10 to 70 conventional units for individuals and by a fine of 150 to 200 conventional units for legal entities.

**Article 280.** Illegal use of bar codes

The illegal use of a bar code in marking a product shall be sanctioned by a fine of 10 to 200 conventional units.

**Article 281.** Selling products subject to mandatory certification without a certificate of conformity or illegally using the national mark of conformity

Storing, placing on the market or selling products or providing services without a certificate of conformity or without a statement of conformity, if the law provides differently, or illegally using the national mark of conformity shall be sanctioned by a fine of 25 to 300 conventional units.

**Article 282.** Violations of rules for purchasing from the public precious metals or stones in items or waste and for their retail sale

(1) Illegally purchasing from the public precious metals (ingots, ore, slime, wires, plates and separate elements), semi-finished products for the production of jewelry and dental prostheses, items from precious metals destined for laboratory products and work, waste products, precious (unprocessed) stones, raw diamonds or semi-finished products from them and industrial diamonds shall be sanctioned by a fine of 150 to 500 conventional units.

(2) Authorizing valuables purchased from the public without issuing to the deliverer a standard receipt or issuing a receipt that does not indicate, as established, relevant data about the valuables shall be sanctioned by a fine of 150 to 500 conventional units.

(3) The failure to observe state prices for the purchase of precious metals in items and in waste shall be sanctioned by a fine of 150 to 500 conventional units.

(4) Using for other purposes without the authorization of the competent state body valuables purchased that are to be sent to the state treasury shall be sanctioned by a fine of 150 to 500 conventional units.

(5) The retail sale of items from precious metals without the mark of the Republic of Moldova printed on them or without the certificate of conformity for certain types of jewelry or other items of current use from precious metals and stones and the sale of jewelry items without marked labels shall be sanctioned by a fine of 150 to 500 conventional units.

**Article 283.** Counterfeiting products, storing, transporting and selling counterfeit products

Counterfeiting products and storing, transporting or selling counterfeit products shall be sanctioned by a fine of 50 to 500 conventional units.

**Article 284.** Violations of legislation on manufacturing and distributing alcoholic products

(1) The failure to observe regulations for manufacturing alcoholic products and their marking, packaging, labeling and transportation shall be sanctioned by a fine of 300 to 400 conventional units with or without the deprivation of the right to carry out certain activities for a period from 3 months to 1 year.

(2) Manufacturing and/or distributing alcoholic products by businesses lacking a license to do so and distributing alcoholic products that are not marked with excise stamps or, if necessary, with quality marks or that are marked with fake excise stamps or quality marks shall be sanctioned by a fine of 300 to 400 conventional units with or without the deprivation of the right to carry out certain activities for a period of 3 months to 1 year.

(3) The manufacturing of ethyl alcohol and alcoholic beverages by entrepreneurs without technological equipment that has been tested and has devices for measuring the amount of products manufactured and the concentration of alcohol and that has not been certified and sealed shall be sanctioned by a fine of 400 to 500 conventional units.

(4) Manufacturing, storing, transporting or selling fake or counterfeit alcoholic products, if such actions do not constitute an infraction shall be sanctioned by a fine of 40 to 500 conventional units with or without the deprivation of the right to carry out certain activities for a period of 6 months to 1 year.

**Article 285.** Forging documents on the quality of alcoholic products

Forging documents on the quality of alcoholic products, if such actions insignificantly injure a person's rights and interests protected by law, shall be sanctioned by a fine of 50 to 400 conventional units with or without the deprivation of the right to carry out certain activities for a period of 3 months to 1 year.

**Article 286.** Violations of rules for the retail sale of alcoholic beverages

(1) Selling products containing alcohol that are prohibited in the retail sales network including imported ethyl alcohol, alcohol-containing pharmaceutical products, ethyl alcohol that is derived or manufactured from non-food raw materials (synthesized through hydrolysis) or fruit- or berry-based raw wines containing alcohol shall be sanctioned by a fine of 500 conventional units with or without the deprivation of the right to carry out certain activities for a period of 6 months to 1 year.

(2) Selling alcoholic beverages without a clear marking identifying the producer or of beverages received from a producer or supplier that does not have a license for producing, storing and selling alcoholic beverages shall be sanctioned by a fine of 150 to 500 conventional units with or without the deprivation of the right to carry out certain activities for a period of 6 months to 1 year.

(3) Selling alcoholic beverages in a manner and in places prohibited by the Law on Manufacturing and Distribution of Ethyl Alcohol and Alcoholic Products shall be sanctioned by a fine of 150 to 500 conventional units with or without the deprivation of the right to carry out certain activities for a period of 6 months to 1 year.

(4) Selling alcoholic beverages to juveniles shall be sanctioned by a fine of 30 to 100 conventional units with or without the deprivation of the right to carry out certain activities for a period of 3 months to 1 year.

**Article 287.** Violations of customs rules

(1) Failure to stop a vehicle (including a vehicle for personal use) that crosses the state (customs) border of the Republic of Moldova where customs officials are present and starting a

vehicle or allowing a vehicle to start without the authorization of customs officials (including a vehicle for personal use) that is undergoing customs inspection shall be sanctioned by a fine from 25 to 75 conventional units.

(2) Approaching a vessel or other floating object that is undergoing customs inspection without the authorization of the customs officials shall be sanctioned by a fine of 10 to 50 conventional units.

(3) Hampering the access of a responsible person from the customs agency who is exercising his/her work duties on goods, objects or other assets undergoing customs inspection shall be sanctioned by a fine of 25 to 75 conventional units.

(4) The failure to present in due time to customs officials the documents necessary for the inspection of goods, objects or other assets undergoing customs inspection, notwithstanding the presentation of a written declaration shall be sanctioned by a fine of 10 to 50 conventional units.

(5) The failure to present in due time to customs officials goods, objects or other assets undergoing customs inspection that are transported from one customs official to another as well as the customs documents and other documents on them shall be sanctioned by a fine of 25 to 75 conventional units.

(6) Loading, unloading, transporting, repairing damaged packaging, packing, unpacking or re-packing goods, objects or other assets undergoing customs inspection; changing the identification or markings on them or on their packaging without the authorization of customs officials as well as damaging or losing indications, stamps or other guarantees applied by customs officials shall be sanctioned by a fine of 10 to 50 conventional units.

(7) Distributing without the authorization of customs officials goods, objects or other assets undergoing customs inspection or their loss shall be sanctioned by a fine of 25 to 75 conventional units.

(8) The failure to remove from the customs jurisdiction of the Republic of Moldova goods, vehicles, objects or other assets whose introduction into the customs jurisdiction of the Republic of Moldova is prohibited or that were introduced with the obligation to remove them from its customs jurisdiction or the failure to return to the customs jurisdiction of the Republic of Moldova goods, vehicles, objects or other assets removed with the obligation to return them in the timeframe established in such obligations shall be sanctioned by a fine of 10 to 50 conventional units.

(9) The failure to remove from the customs jurisdiction of the Republic of Moldova goods, objects or other assets introduced for transit through its territory within the timeframe established by the customs agency shall be sanctioned by a fine of 10 to 50 conventional units.

(10) Passing goods, objects or other assets over the customs border of the Republic of Moldova, eluding customs control or hiding them in places especially prepared or adapted for such a purpose, fraudulently using documents or means of customs identification, failing to declare them or failing to declare them truthfully in customs documents or in other border crossing documents, if such actions do not constitute a smuggling infraction or another infraction shall be sanctioned by a fine of 25 to 75 conventional units.

(11) Storing, transporting or selling goods, objects or other assets introduced into the customs jurisdiction of the Republic of Moldova by eluding customs inspection or by concealing them from it shall be sanctioned by a fine of 25 to 75 conventional units.

(12) Using without the authorization of customs officials goods, objects or other assets for which incentives were granted when customs duties were imposed for purposes other than those for which such incentives were granted shall be sanctioned by a fine of 10 to 50 conventional units.

(13) Failure to pay in due time for the right to import or export and other actions that result in the failure to pay full customs duties shall be sanctioned by a fine of 25 to 75 conventional units.

(14) Actions aiming to illegally rescind the right to import and export or to restrict such rights shall be sanctioned by a fine of 25 to 75 conventional units.

(15) Actions aimed at reinstating importation and exportation rights, receiving sums of money and compensation for them or the failure to reinstate them without just grounds shall be sanctioned by a fine from 25 to 75 conventional units.

(16) The failure to follow the orders or legal requirements of a responsible person from the customs agency or insulting such a person shall be sanctioned by a fine of 50 to 150 conventional units or with unpaid community work for 30 to 60 hours.

**Article 288.** Violations of legislation on insolvency

Violations of the legislation on insolvency expressed through the failure of a debtor to file an introductory request if one of the grounds for instituting an insolvency proceeding is present; the filing by a debtor of a request for instituting a fictitious insolvency proceeding; concealing economic and accounting documents by the temporary administrator; publishing or disclosing in another manner information about a debtor's insolvency before the institution of an insolvency proceeding and the deliberate filing by a person, without any grounds for insolvency, of a request for instituting an insolvency proceeding against a debtor in order to cause prejudice to his/her commercial reputation shall be sanctioned by a fine from 40 to 50 conventional units.

**Article 289.** Avoiding receiving notes of the National Bank of Moldova for payment

Avoiding, on any grounds, receiving notes of the National Bank of Moldova for payment shall be sanctioned by a fine of 20 to 35 conventional units for individuals, by a fine of 150 to 200 conventional units for responsible persons and by a fine of 350 to 400 conventional units for legal entities with or without the deprivation of the right to carry out certain activities for a period of 3 months to 1 year.

**Article 290.** Banking activities without authorization

Carrying out banking activities (banking operations) without registration or without a license (authorization), if the license (authorization) is mandatory, or violating licensing conditions, if such actions cause prejudice to an individual, to a legal entity or to the state or if they are accompanied by an appropriation of revenue shall be sanctioned by a fine of 50 to 100 conventional units for individuals, by a fine of 150 to 200 conventional units for responsible persons and by a fine of 400 to 500 conventional units for legal entities with or without the deprivation of the right to carry out certain activities for a period of 3 months to 1 year.

**Article 291.** Violations of rules on foreign exchange operations

Violating the rules on foreign exchange operations established by the National Bank of Moldova shall be sanctioned by a fine of 100 to 150 conventional units for individuals, by a fine of 300 to 350 conventional units for responsible persons and by a fine of 400 to 500 conventional units for legal entities with or without the deprivation of the right to carry out certain activities for a period of 3 months to 1 year.

**Article 292.** Violations of timeframes for repatriating material means and financial resources

Violations of timeframes for repatriating goods and services or financial means that according to the rules established in Moldovan legislation must be transferred to an account in an authorized Moldovan bank shall be sanctioned by a fine of 50 to 100 conventional units for individuals, by a fine of 150 to 200 conventional units for responsible persons and by a fine of 400 to 500 conventional units for legal entities with or without the deprivation of the right to carry out certain activities for a period of 3 months to 1 year.

**Article 293.** Violations of rules for making payments in cash

Violations of rules for making payments in cash as established by the National Bank of Moldova or making illegal payments in cash or by transfer through intermediaries shall be sanctioned by a fine of 50 to 100 conventional units for individuals, by a fine of 150 to 200 conventional units for responsible persons and by a fine of 400 to 500 conventional units for legal entities with or without the deprivation of the right to carry out certain activities for a period of 3 months to 1 year.

**Article 294.** Carrying out an activity without registering as a taxpayer in the public social insurance system

Carrying out an activity without registering as a taxpayer in the public social insurance system as established by the legislation shall be sanctioned by a fine of 10 to 200 conventional units.

**Article 295.** Violations of rules for organizing and keeping accounts and for preparing and presenting financial reports

(1) The failure to fulfill the legal requirements for choosing the form of organizing accounting and for keeping accounts and for establishing and changing accounting policies and the failure to ensure the control of the preparation of documents for economic operations and their accounting shall be sanctioned by a fine of 15 to 25 conventional units imposed on the person responsible for organizing the accounting and control.

(2) The failure to observe the rules established in legislation on recording economic and financial operations in accounts and accounting registries shall be sanctioned by a fine of 5 to 10 conventional units for individuals and by a fine of 15 to 25 conventional units for responsible persons.

(3) The failure to prepare primary documents and the failure to observe the requirements for registering economic and financial operations through standardized primary documents of strict accounting, the incomplete or inadequate preparation of such operations through primary documents or their delayed presentation in accounting shall be sanctioned by a fine of 10 to 25 conventional units imposed on the person responsible for preparing, signing and submitting the primary documents.

(4) Submitting to the financial body a report that does not correspond to the form established in legislation or that does not show all data required on such a form, or submitting a set of documents or a part of the documents of the report in violation of the timeframe for submission as established in legislation shall be sanctioned by a fine of 5 to 10 conventional units for responsible persons.

(5) The deliberate failure to fulfill after the expiration of the timeframe established in legislation for submitting a financial report the written order of the financial body on submitting it within the timeframe established thereby shall be sanctioned by a fine of 10 to 20 conventional units for responsible persons.

(6) Deliberately introducing distorted indicators in financial reporting documents shall be sanctioned by a fine of 10 to 20 conventional units for responsible persons.

(7) Damaging, losing or destroying accounting documents before the expiration of the timeframe for their maintenance as established by the rules of organization for state archives or the failure to restore them according to the legislation within 2 months from establishing such a fact shall be sanctioned by a fine of 10 to 15 conventional units for individuals and by a fine of 20 to 30 conventional units for responsible persons.

(8) Deliberately committing the actions specified in para.(7) or after sanctions have been imposed for similar contraventions shall be sanctioned by a fine of 15 to 25 conventional units for individuals and by a fine of 50 to 70 conventional units for responsible persons.

**Article 296.** Receiving and issuing funds for paying wages without transferring the social insurance contributions

(1) Submitting to a financial institution documents in view of receiving funds for unemployment without the document confirming the transfer of social insurance contributions shall be sanctioned by a fine of 15 to 25 conventional units.

(2) Issuing by the financial institution to a taxpayer from the public social insurance system funds for unemployment without the latter submitting, as established in legislation, the document confirming the transfer of social insurance contributions shall be sanctioned by a fine of 15 to 250 conventional units.

**Article 297.** Violations of the rights, interests and obligations of the taxpayer or of any other participant in taxation

(1) The unjustified refusal of an officer of the tax authority to register a taxpayer and to issue, according to the legislation, a certificate for assigning a tax code; the unjustified refusal to issue a document by which the tax authority confirms the registration of a bank account; the unjustified refusal to inform a taxpayer about his/her rights and obligations including about the taxes and duties in force, about the methods and timeframes of payment thereof or about related legal acts; the failure to treat with respect and correctness a taxpayer, his/her representative or any other participant in taxation, that is, deliberate negligence or disrespect of the rights, interests or dignity of an individual; the unjustified refusal to grant the tax incentives stipulated by the legislation; the refusal to provide standardized forms for tax reporting free of charge to a taxpayer; an unjustified requirement to conduct actions and to submit tax reports; the unjustified refusal to issue, upon request, or failure to issue in due time a certificate of payment of tax obligations; the unjustified refusal to receive and register a request, notice, complaint, dispute or other petitions shall be sanctioned by a fine of 20 to 30 conventional units with or without the deprivation of the right to carry out certain activities for a period of 3 to 6 months.

(2) Violations of the timeframe for sending to a taxpayer a notice for the payment of a tax obligation if according to legislation the tax authority calculates that taxes or duties are due shall be sanctioned by a fine of 20 to 30 conventional units with or without deprivation of the right to carry out certain activities for a period of 3 to 6 months.

(3) Illegally suspending operations on a taxpayer's bank accounts or illegally collecting funds from a taxpayer's bank accounts; illegally collecting cash from a taxpayer's accounts; illegally pursuing other goods or accounts payable of a taxpayer; violations of the procedure, established in legislation for compensating and/or reimbursing amounts that constitute tax obligations that were paid in excess or of amounts that according to tax legislation must be

reimbursed shall be sanctioned by a fine of 40 to 50 conventional units with or without the deprivation of the right to carry out certain activities for a period of 3 months to 1 year.

**Article 298.** Violations of procedures for calculating, approving and using budgetary funds

(1) Miscalculations by agencies funded from budgets at all levels of the necessary amounts of budgetary funds shall be sanctioned by a fine of 75 to 155 conventional units.

(2) The actions specified in para.(1) that lead to the formation of excesses of budgetary funds or of material goods shall be sanctioned by a fine of 110 to 165 conventional units.

(3) The failure of administrators (budget executors) to submit for approval or their failure to approve in due time funding plans (estimates of expenditures) of budgetary agencies shall be sanctioned by a fine of 55 to 110 conventional units.

(4) Using budgetary funds contrary to their intended purpose by agencies funded from budgets at all levels shall be sanctioned by a fine of 190 to 300 conventional units.

(5) Contracting goods, work and services by agencies funded from budgets at all levels from public funds in amounts that exceed the established annual ceilings for the procurement of a certain type of goods, work or services; procuring goods, work or services of the same type from public funds through separate contracts; the failure to register with regional units of the state treasury of contracts for the procurement of goods, work and services from the funds of the national budget or of the budgets of the regional administrative units if the contract amounts are greater than 1000 lei; transferring funds from the national budget or from the budgets of the regional administrative units for products, work or services without prior registration of the contracts with the regional units of the state treasury; allowing by agencies funded from the budgets at all levels of overdue accounts receivable shall be sanctioned by a fine of 110 to 220 conventional units.

(6) Forming and using contrary to legislation special funds of an agency funded from the national budget shall be sanctioned by a fine of 30 to 40 conventional units.

**Article 299.** Violations of rules for keeping and recording forms for strict accounting

(1) Violations of rules for keeping and recording forms for strict accounting shall be sanctioned by a fine of 20 to 30 conventional units.

(2) Violations of rules for buying or selling forms for strict accounting shall be sanctioned by a fine from 100 to 150 conventional units.

**Article 300.** Operations in the securities market

(1) Transacting or influencing security transactions through false or erroneous information, promises, forecasts or notices or distorting or deliberately concealing information about the issuer or about its tangible assets shall be sanctioned by a fine of 40 to 500 conventional units.

(2) Use by a professional participant in the securities market or by his/her co-workers of confidential information that violates legislation in security transactions as well as influencing such transactions by third parties shall be sanctioned by a fine of 30 to 400 conventional units.

(3) Violations, the failure to execute or the inadequate or dishonest execution by a broker of the requirements for his/her activity that are stipulated in legislation and in a respective contract or any other legal provisions and legal acts of the National Financial Market Commission shall be sanctioned by a fine of 40 to 50 conventional units.

(4) The refusal by a dealer to make transactions with securities according to the essential clauses announced thereby and in the absence of essential clauses in the dealer's announcement,



according to the conditions proposed by his/her client or according to the legal requirements set for the dealer shall be sanctioned by a fine of 40 to 50 conventional units.

**Article 301. Tax evasion by individuals**

(1) Tax evasion by individuals through the failure to submit or the unwarranted late submission of income declarations and/or including in income declarations obviously distorted data on income or expenditures or concealing other taxable goods, if the amount of the unpaid tax does not exceed 1500 conventional units shall be sanctioned by a fine of 250 to 400 conventional units.

(2) The same action if the amount of unpaid tax exceeds 1500 conventional units shall be sanctioned by a fine of 500 conventional units.

(3) No sanctions shall be imposed if income tax to be paid is smaller than 100 conventional units. No fines shall be imposed on the taxpayers indicated in art.228 para.(5) of the Tax Code.

**Article 302. Abuses in the non-banking financial market**

(1) Holding a public mandatory security tender in the primary or secondary market without registration with the National Financial Market Commission shall be sanctioned by a fine of 100 to 250 conventional units.

(2) The failure while holding a public mandatory security tender in the primary or secondary market to make the necessary changes in the prospect of the public tender or in other documents submitted for the registration of the tender if inaccurate data are discovered shall be sanctioned by a fine from 50 to 200 conventional units.

(3) The failure to submit information or presenting inaccurate or incomplete information to the National Financial Market Commission shall be sanctioned by a fine of 30 to 150 conventional units.

(4) Keeping the registry of the holders of nominal securities by violating the established rules and requirements shall be sanctioned by a fine of 100 to 150 conventional units.

(5) The failure of issuers and of professional participants in the non-banking financial market to observe the reporting forms established in legislation and/or the failure to observe the timeframes for publication in the media shall be sanctioned by a fine of 30 to 100 conventional units.

(6) The failure of professional participants in the non-banking financial market to observe the requirements on the free access of their clients to general information about their activities shall be sanctioned by a fine of 30 to 80 conventional units.

(7) Avoidance by an issuer to keep or to ensure the keeping of the registry of holders of nominal securities according to legislation shall be sanctioned by a fine of 200 to 400 conventional units.

**Article 303. Violations of requirements for submitting reports by issuers and professional participants in the non-banking financial market**

The failure to submit or delayed submission to the National Financial Market Commission by issuers and professional participants in the non-banking financial market of the reports established in legislation and/or their incomplete submission or reports containing inaccurate information shall be sanctioned by a fine of 150 to 250 conventional units.

**Article 304. Violations of restrictions in the securities market, of the provisions on transactions with conflicts of interests and of other provisions in the securities market**

(1) Violations of the restrictions on the sale or purchase of securities established for participants in the securities market shall be sanctioned by a fine of 50 to 180 conventional units.

(2) The failure to observe the requirements stipulated in legislation on the securities market on the purchase or redemption by the issuer of the marketed securities shall be sanctioned by a fine from 100 to 180 conventional units.

(3) The failure of a shareholder to submit to the issuer information on the securities market within the timeframes established in legislation shall be sanctioned by a fine of 40 to 150 conventional units.

(4) Deliberate distortions and concealment of information about the economic/financial activities of a joint-stock company or of other information that the creditors, shareholders or the public authorities must receive according to legislation shall be sanctioned by a fine of 120 to 400 conventional units.

(5) The failure to convoke a general meeting of the shareholders or convoking one in violation of the law on joint-stock companies and/or in violation of the company's charter shall be sanctioned by a fine of 80 to 180 conventional units.

(6) Violations of the procedures for concluding large transactions and/or transactions with conflicts of interest shall be sanctioned by a fine of 150 to 400 conventional units.

(7) The failure to present or the late presentation of data established in legislation by individuals interested in conducting transactions with conflicts of interests by joint-stock companies shall be sanctioned by a fine of 50 to 250 conventional units.

**Article 305.** Violations of rules for working in the insurance industry

(1) Violations of the procedures for the use by insurers and insurance intermediaries of insurance premiums established in accordance with special laws shall be sanctioned by a fine of 150 to 250 conventional units.

(2) Dealing by an insurer (reinsurer) in insurance classifications that are not included in his/her license shall be sanctioned by a fine of 200 to 250 conventional units.

(3) Concluding insurance contracts that violate standardized forms established in accordance with legislation shall be sanctioned by a fine of 200 to 250 conventional units.

(4) Practicing by an insurer (reinsurer) and/or by insurance and/or reinsurance intermediaries of activities other than those limited to insurance, reinsurance and to operations directly resulting from such actions shall be sanctioned by a fine of 200 to 250 conventional units.

(5) The investment by an insurer (reinsurer) of more than 15% of its equity into the capital shares of a commercial company without the prior approval of the National Financial Market Commission shall be sanctioned by a fine of 50 to 100 conventional units.

(6) The transfer by an insurer (reinsurer) of an insurance portfolio in the absence of the approval of the National Financial Market Commission shall be sanctioned by a fine of 50 to 80 conventional units.

**Article 306.** Violations of rules for increasing or decreasing qualified participation in the share capital of an insurer (reinsurer)

(1) Increasing, without the prior approval of the National Financial Market Commission, the qualified participation in the share capital of an insurer (reinsurer) above 20%, 33% or 50% of its shares with the right to vote shall be sanctioned by a fine of 50 to 80 conventional units.

(2) Decreasing without the prior approval of the National Financial Market Commission the qualified participation in the share capital of the insurer (reinsurer) below 20%, 33% or 50% of its shares with the right to vote shall be sanctioned by a fine of 50 to 70 conventional units.

**Article 307.** Violations of the rules for mediation in insurance and/or reinsurance

(1) Providing insurance services through insurance agents who do not meet the conditions stipulated by insurance legislation shall be sanctioned by a fine of 50 to 100 conventional units to be imposed on the insurer (reinsurer) who authorized them.

(2) Providing mediation services by insurance and/or reinsurance brokers through insurance agents who are individuals or legal entities, or through subagents shall be sanctioned by a fine of 50 to 100 conventional units for the responsible persons of the insurance and/or reinsurance broker.

(3) Collecting insurance and/or reinsurance premiums by an insurance and/or reinsurance broker in the absence of express authorizations by the insurer (reinsurer) shall be sanctioned by a fine of 60 to 120 conventional units for the responsible persons of the insurance and/or reinsurance broker.

**Article 308.** Violations of the procedure for determining a margin of solvency

The failure of an insurer (reinsurer) to observe, according to the classification of insurance sold, of the procedure for determining a margin of solvency in accordance with the procedures for calculating and reporting established in regulations of the National Financial Market Commission shall be sanctioned by a fine of 80 to 150 conventional units.

**Article 309.** Violations of the procedures for establishing and maintaining technical reserves

(1) the failure of an insurer (reinsurer) to observe the procedures for establishing and maintaining, according to his/her activities, sufficient technical reserves necessary for executing the obligations resulting from insurance and reinsurance contracts, in accordance with regulations of the National Financial Market Commission shall be sanctioned by a fine of 100 to 150 conventional units.

(2) The failure to observe the categories of assets that are permitted to represent the technical reserves and the mathematical reserves of an insurer, the rules for dispersing placements and the liquidity ratio established by regulations of the National Financial Market Commission shall be sanctioned by a fine of 120 to 150 conventional units.

(3) Carrying out simultaneously a life insurance endeavor and a general insurance endeavor without separating these two endeavors shall be sanctioned by a fine of 80 to 100 conventional units.

**Article 310.** Violations of legislation on the activities of savings and loan associations and of micro-finance organizations

(1) Violations of the procedures established for amending the charter of a savings and loan association shall be sanctioned by a fine of up to 50 conventional units.

(2) Violations of the restrictions established on the activities of savings and loan associations or of micro-finance organizations shall be sanctioned by a fine of up to 50 conventional units to be imposed on the administrator of the savings and loan association and on the responsible person from the micro-finance organization and by a fine of 400 to 500 conventional units for legal entities.

(3) Violations of the agreement on stabilizing measures or of the order of the National Financial Market Commission to cease violations and/or to implement remedial measures shall be sanctioned by a fine of up to 200 conventional units.

**Article 311.** Violations of the timeframe for refunding value-added tax  
Violations of the timeframe established in legislation for refunding value-added tax shall be sanctioned by a fine of up to 500 conventional units on the responsible persons from the tax administration body whose functions include the refunding of value added tax.

#### **Chapter XVI** **CONTRAVENTIONS AFFECTING** **THE OPERATIONS OF PUBLIC AUTHORITIES**

**Article 312.** Misuse of power or of one's official status  
Deliberately using one's official status in a way that contravenes the public interest or the rights and interests protected by law of individuals and legal entities, if such action does not constitute an infraction shall be sanctioned by a fine of 50 to 150 conventional units with the deprivation of the right to hold certain positions or of the right to carry out certain activities for a period of 3 months to 1 year.

**Article 313.** Exceeding one's power or work duties  
Committing an action that clearly exceeds the limits of the rights and powers granted by law and that contravenes the public interest or the rights and interests protected by law of individuals or of legal entities, if such action does not constitute an infraction shall be sanctioned by a fine of 50 to 150 conventional units with the deprivation of the right to hold certain positions or of the right to carry out certain activities for a period of 3 months to 1 year.

**Article 314.** Concealing acts of corruption or protectionism or avoiding taking necessary measures  
Concealing acts of corruption or protectionism or avoiding taking necessary measures against subordinates who are guilty of committing such actions shall be sanctioned by a fine of 100 to 300 conventional units for responsible persons with the deprivation of the right to hold certain positions in public service for a period of 3 months to 1 year.

**Article 315.** Receiving an illegal reward or financial profit  
Receiving (taking) while exercising one's functions illegal rewards or financial profits if such an action does not constitute an infraction shall be sanctioned by a fine of 100 to 500 conventional units for responsible persons and their dismissal and the deprivation of the right to hold positions in public service for a period of 3 months to 1 year.

**Article 316.** Failure to fulfill legal requirements of a Member of the Parliament  
(1) Failure to fulfill the legal requirements of a Member of the Parliament or impeding the carrying out of the duties of a Member of the Parliament shall be sanctioned by a fine of 20 to 30 conventional units.

(2) Failure to observe the timeframes for submitting the information requested by a Member of the Parliament shall be sanctioned by a fine of 10 to 20 conventional units.

**Article 317.** Showing disrespect in a court of law or to the Constitutional Court

(1) Showing disrespect in a court of law or to the Constitutional Court shall be sanctioned by a fine of 10 to 50 conventional units for individuals and by a fine of 50 to 100 conventional units for responsible persons.

(2) Interfering in various non-procedural ways with the duties of court judges or of the Constitutional Court or attempting to exert influence on them shall be sanctioned by a fine of 100 to 150 conventional units for individuals and by a fine of 200 to 400 conventional units for responsible persons or by arrest in both cases of up to 15 days.

**Article 318.** Failure to execute a court sentence, decision or ruling

Failure due to negligence to execute a court sentence, final decision or ruling within the established timeframes shall be sanctioned by a fine of 50 to 150 conventional units for individuals and by a fine of 200 to 300 conventional units for responsible persons.

**Article 319.** Failure to execute the obligations stipulated in the Execution Code

Loss or deliberate damage to a writ of execution, a specialist's refusal or avoidance of fulfilling his/her obligations, the failure of a debtor to fulfill his/her obligation to notify a change of his/her domicile or office, the failure of an organization to notify a debtor's dismissal or his/her new work place or new domicile if they are known shall be sanctioned by a warning or by a fine of 5 to 10 conventional units for individuals and by a fine of 50 to 100 conventional units for responsible persons.

**Article 320.** Interfering with an ombudsman's activities

Interfering with an ombudsman's activities in order to influence his/her decisions on a complaint, a responsible person deliberately ignoring a complaint and failing to execute the recommendations made by the ombudsman or impeding his/her activities in any other way shall be sanctioned by a fine of 20 to 30 conventional units for individuals and by a fine of 75 to 100 conventional units for responsible persons.

**Article 321.** Violations of rules for using diplomatic and official passports of the Republic of Moldova

Illegally holding and/or using diplomatic or official passports of the Republic of Moldova shall be sanctioned by a fine of 40 to 100 conventional units.

**Article 322.** Violations of procedures for the use of state symbols

Deliberate violations of the procedures for the use of state symbols (coat of arms, flag, hymn) of the Republic of Moldova or of another state shall be sanctioned by a fine of 10 to 20 conventional units for individuals, by a fine of 70 to 100 conventional units for responsible persons and by a fine of 100 to 200 conventional units for legal entities.

**Article 323.** Illegal actions against state honors and awards

(1) Illegally bearing and keeping of state honors or awards of the Republic of Moldova shall be sanctioned by a fine of 5 to 10 conventional units.

(2) Illicit transactions with state honors or awards of the Republic of Moldova shall be sanctioned by a fine of 5 to 10 conventional units.

(3) Falsifying state honors or awards of the Republic of Moldova shall be sanctioned by a fine of 10 to 20 conventional units.

**Article 324.** Usurpation of official designations

The usurpation of official designations by illegally wearing a uniform with distinct signs or with the symbols of public authorities or of a similar aspect that may create confusion if this is not accompanied by the commission of an infraction shall be sanctioned by a fine of 30 to 80 conventional units.

**Article 325.** Disclosing data about security measures

(1) Disclosing data about security measures for a person or his/her close relatives, if such action does not constitute an infraction, shall be sanctioned by a fine of 80 to 100 conventional units.

(2) A responsible person from the agency that ensures state protection of victims, of witnesses and of other persons who benefit from state protection who discloses information on state protective measures if such action does not constitute an infraction shall be sanctioned by a fine of 100 to 150 conventional units with or without the deprivation of the right to carry out certain activities for a period of 3 months to 1 year.

**Article 326.** Violations of provisions of the Law on Real Estate Cadastre

(1) Violations of the timeframes for submitting a request for registration of real estate shall be sanctioned by a fine of 20 to 30 conventional units.

(2) The failure to ensure access to real estate in order to execute cadastral surveys shall be sanctioned by a fine of 20 to 30 conventional units.

(3) The failure to submit the documents that serve as grounds for making entries in the real estate registry according to legislation shall be sanctioned by a fine of 10 to 20 conventional units.

(4) The failure to submit updated cadastral data shall be sanctioned by a fine of 10 to 20 conventional units.

(5) Introducing, changing or deleting cadastral data from the real estate registry in violation of the established procedure or disseminating or issuing data without approval shall be sanctioned by a fine of 40 to 50 conventional units.

(6) Providing cadastral data for commercial purposes to legal entities that are not part of the cadastral system without an agreement signed by the regional cadastral body shall be sanctioned by a fine of 40 to 50 conventional units.

**Article 327.** Violations of timeframes for submitting reports to the Agency for Material Reserves, Public Procurement and Humanitarian Aid

(1) Violations of timeframes for submitting reports to the Agency for Material Reserves, Public Procurement and Humanitarian Aid shall be sanctioned by a fine of 3 to 5 conventional units for individuals and by a fine of 10 to 20 conventional units for responsible persons.

(2) Including false data in reports submitted to the Agency for Material Reserves, Public Procurement and Humanitarian Aid shall be sanctioned by a fine of 5 to 10 conventional units for individuals and by a fine of 20 to 40 conventional units for responsible persons.

(3) The illegal sale of goods that constitute humanitarian aid shall be sanctioned by a fine of 40 to 50 conventional units for individuals and by a fine of 75 to 100 conventional units for responsible persons.

**Article 328.** Violations of rules for keeping, completing, tracking and using archive documents

Violations of rules for keeping, completing, tracking and using archive documents shall be sanctioned by a fine of 3 to 5 conventional units.

**Article 329.** Destroying or damaging documents from archives

(1) Destroying, without the necessary authorization, documents that are kept in state archives, in other depositories, or in the archives of legal entities shall be sanctioned by a fine of 100 to 200 conventional units.

(2) Damaging documents from the archives by removing text or a picture or by making changes or additions to a text or a picture that did not have serious consequences shall be sanctioned by a fine of 150 to 250 conventional units.

**Article 330.** Failure to submit statistics in due time or submitting erroneous statistics

The failure to submit to competent bodies statistics in due time or presenting erroneous or incomplete statistics shall be sanctioned by a fine of 20 to 70 conventional units.

## **Chapter XVII**

### **CONTRAVENTIONS OF THE STATE BORDER REGIME**

#### **AND OF THE RULES FOR STAYING IN THE REPUBLIC OF MOLDOVA**

**Article 331.** Deliberately damaging, destroying or changing state border signs or installing false border signs

Deliberately damaging, destroying or changing state border signs or installing false border signs shall be sanctioned by a fine of 40 to 50 conventional units or with unpaid community work for 40 to 60 hours.

**Article 332.** Violations of state border rules and of rules for crossing state borders

(1) Violations of state border rules and of rules for crossing state borders shall be sanctioned by a fine of 10 to 20 conventional units for individuals and by a fine of 15 to 30 conventional units for responsible persons.

(2) Crossing the state border through state border crossing points without a passport or without an authorization issued by a competent authority shall be sanctioned by a fine of 20 to 50 conventional units for individuals and by a fine of 100 to 150 conventional units for responsible persons.

**Article 333.** Violations of rules for staying in the Republic of Moldova

Violations by foreign citizens and stateless persons of rules for staying in the Republic of Moldova expressed through staying without identity documents or with inauthentic documents or documents whose validity has expired; by avoiding leaving the country after the expiration of the period of stay granted; by violating the rules for entering or exiting the Republic of Moldova; by avoiding taking a medical examination for identifying the human immunodeficiency virus (HIV); by declaring false information with a view to obtaining a visa, a permit to stay or an identity card shall be sanctioned by a fine of 50 to 100 conventional units with or without expulsion from the Republic of Moldova.

**Article 334.** Violations of rules for employing foreign citizens and stateless persons

(1) Employing foreign citizens or stateless persons who are in the Republic of Moldova on a temporary basis and who do not have a work permit issued as established in legislation shall be

sanctioned by a fine of 50 to 100 conventional units for individuals and by a fine of 200 to 250 conventional units for legal entities for each illegally employed person.

(2) Carrying out a work activity by foreign citizens or stateless persons who are in the Republic of Moldova on a temporary basis and who do not have a work permit issued as established in legislation shall be sanctioned by a fine of 50 to 100 conventional units.

(3) Obtaining, at the request of a responsible person, a work permit issued in the name of a foreign citizen or a stateless person who is in the Republic of Moldova on a temporary basis without employing him/her shall be sanctioned by a fine of 100 to 150 conventional units to be imposed on the foreign citizen or stateless person and by a fine of 200 to 250 conventional units for responsible persons.

## **Chapter XVIII**

### **CONTRAVENTIONS OF ADMINISTRATIVE PROCEDURES CONTRAVENTIONS OF REGULATIONS FOR MARKET SUPERVISION, METROLOGY, STANDARDIZATION AND CONSUMER PROTECTION**

#### **Article 335. Arbitrariness**

Arbitrariness, that is the arbitrary exercise of an actual or presumed right that violates an order established in legislation without causing considerable damage to a person shall be sanctioned by a fine of 30 to 40 conventional units or by unpaid community work for 40 to 60 hours.

**Article 336. Deliberate failure to obey a legal order or request of a representative of a law-enforcement body**

The deliberate failure to obey a legal order or request of a prosecutor, investigator, information and security officer, representative of internal affairs bodies or another person who is exercising his/her function or public duty to ensure state security, maintain public order and combat crime shall be sanctioned by a fine of 40 to 60 conventional units or by unpaid community work for 30 to 60 hours.

#### **Article 337. Failure to take measures to stop violations of legislation**

The failure to take measures to stop violations of legislation indicated in a report by the authority empowered to liquidate the causes that led to such violations or a late answer to the report or to the information presented by such an authority shall be sanctioned by a fine of 10 to 20 conventional units.

#### **Article 338. Illegal use of signs that are under the protection of international treaties**

The illegal use of the Red Cross emblem and of the name "Red Cross" or of signs that can be identified with the Red Cross emblem shall be sanctioned by a fine of 20 to 30 conventional units for individuals and by a fine of 50 to 100 conventional units for responsible persons.

#### **Article 339. Failure to observe the timeframe for declaring a birth**

The unjustified failure to observe the legal timeframe for declaring a birth to the civil status office shall be sanctioned by a fine of 10 to 20 conventional units.

#### **Article 340. Communicating false data for entry on identity documents**



Communicating false data for entry on identity documents shall be sanctioned by a fine of 40 to 70 conventional units.

**Article 341.** Illegal collection by a responsible person of an identity card

The illegal collection by a responsible person of an identity card or taking or giving it as guarantee shall be sanctioned by a fine of 50 to 100 conventional units.

**Article 342.** Deliberate false call for specialized services

A deliberate false call for specialized services of rescuers and firefighters, of the police, of the emergency medical service or of other specialized services shall be sanctioned by a fine of 20 to 50 conventional units or by unpaid community work for 40 to 60 hours.

**Article 343.** Conveying or attempting to convey prohibited objects, substances or products to prisoners

Conveying or attempting to convey prohibited objects, substances or products to prisoners shall be sanctioned by a fine of 30 to 40 conventional units for individuals and by a fine of 50 to 100 conventional units for responsible persons with or without the deprivation of the right to hold certain positions for a period of 6 months to 1 year.

**Article 344.** Violations of prescribed or declared requirements for the production, storage, placement on the market and sale of products or for the provision of services

(1) Violations of product security requirements by:

a) producing, placing in the market or selling products that do not meet security requirements

shall be sanctioned by a fine of 100 to 150 conventional units for individuals and by a fine of 400 to 500 conventional units for legal entities;

b) the failure of producers and/or distributors to ensure access to and/or the failure to convey relevant information for estimating the risks inherent in a product or the failure to provide a relevant warning shall be sanctioned by a fine of 50 to 100 conventional units for individuals and by a fine of 300 to 400 conventional units for legal entities;

c) the failure of producers, distributors and traders to conduct actions for avoiding risks, the failure to withdraw products from the market, the failure to adequately and efficiently warn a consumer, the failure to take back from consumers products that inspectors or their own specialists have established do not meet security requirements and therefore may affect the lives, health, or security of consumers shall be sanctioned by a fine of 50 to 100 conventional units for individuals and by a fine of 300 to 400 conventional units for legal entities;

d) the failure of the producer or distributor to inform immediately the competent authority about actions undertaken to prevent risks to the consumer shall be sanctioned by a fine of 50 to 75 conventional units for individuals and by a fine of 200 to 300 conventional units for legal entities.

(2) Violations of prescribed or declared requirements by:

a) producing, placing in the market, storing, exhibiting for sale or selling products or providing services contrary to the interdiction of the inspection body shall be sanctioned by a fine of 50 to 100 conventional units for individuals and by a fine of 300 to 400 conventional units for legal entities;

b) producing, placing in the market, storing, exhibiting for sale or selling products or providing services that violate essential requirements (that may mislead a consumer with regard

to the composition, purpose, origin and quality of products) established in regulations shall be sanctioned by a fine of 75 to 100 conventional units for individuals and by a fine of 400 to 500 conventional units for legal entities;

c) importing or placing products on the market or providing services without presenting complete, truthful, correct information about them in the national language; the failure of the producer (packer) to present information about the name of the product, the name or trademark of the producer, the name of the importer, his/her addresses (telephone number as necessary), the weight/volume, length, surface area, main quality characteristics, composition, additives used, energy and nutritional value of pre-packed food products; the failure to indicate the country of production, the warranty period, the duration of operation, validity and date of production in accordance with the technical regulations and national standards in force shall be sanctioned by a fine of 25 to 50 conventional units for individuals and by a fine of 450 to 500 conventional units for legal entities;

d) the failure of a seller or of a provider to ensure the technical conditions established by the producer for the product or

e) the use by a provider of products and procedures that are offensive and/or not certified and the failure to inform immediately the competent authority as well as the producer about the existence of any product used in the provision of the service that he/she knows to be dangerous and/or fake (counterfeit) or

f) the failure to ensure the provision of services (if the services contain spoken or written textual elements) in the national language or

g) the failure of the producer to establish in regulations the validity of food products, perfumery articles, cosmetic articles, medicine, household chemical articles or other such products or

h) the failure to inform a consumer about the price of a product (for pre-packaged products the price for a unit and the sale price of the pre-packaged amount) and the failure to provide the information specified in letter c), data about the certification of conformity or of the statement of conformity if the legislation so provides and the failure to provide to a consumer the technical handbook or the instructions on the use, installation, operation and maintenance developed by the producer or

i) the failure to present in the national language information about the products and services provided to a consumer including the failure to present the information verbally and in the technical handbook or in the instructions on the use, installation, operation and maintenance of the product or in any other accompanying documentation or

j) the failure to indicate in the information about the services provided according to the regulations in force the category of quality of a service, its period of provision, the warranty period, tariffs, possible risks and data about the certification of conformity or about the declaration of conformity if the legislation provides for this shall be sanctioned by a fine of 25 to 50 conventional units for individuals and by a fine of 100 to 180 conventional units for legal entities.

(3) Violations of rules on consumer protection by:

a) the failure of a seller or provider to register a consumer's complaint;

b) the failure of a seller or provider to post in a visible place the address and telephone number of the authority responsible for consumer protection, information about the warranty period of products or services, about the obligation in case of a complaint to present the receipt or another document that confirms the purchase of the product or the provision of the service;

c) the failure of a seller or provider to post, including if he/she carries out a commercial activity outside an authorized place, his/her name, the authorization for operation or the license, if it is required by law, the hours of operation of the activity as well as failure to observe that schedule shall be sanctioned by a fine of 10 to 25 conventional units for individuals and by a fine of 50 to 100 conventional units for legal entities.

**Article 345.** Violations of metrology rules

(1) Violations of metrology rules by:

a) placing on the market, putting into operation or using measuring devices in activities in the public interest (health and safety; public order; environmental protection; protecting consumer rights; collecting taxes and duties; commercial transactions and operations; control of quality of products, processes and services; ensuring national security and defense and in other areas of political life where the devices or their incorrect results may affect directly or indirectly people's lives or the interests of individuals and/or legal entities) that are not considered legal namely those without a model approval marking, without a metrological verification marking, without a model approval certificate, without a metrological verification bulletin or with fake documents;

b) placing on the market pre-packaged products on which there are no indications about the nominal weight or nominal volume of the product's length, surface area, or other measures that characterize their quantity (content);

c) placing on the market, storing or selling pre-packaged products with an actual/real content that does meet the requirements for product quantity stipulated in the applicable legal metrology regulations or the quantity of the pre-packaged product;

d) the absence of documents stipulated by the legislation in force for measuring devices and measurements used in the public interest (a model approval certificate, a technical registration notification, a certificate of competence for a technical expert in metrology and for a metrological verifier, a metrological verification bulletin);

e) a producer or importer placing in the market measuring devices subject to model approval without ensuring their repair;

f) lack of responsibility of the producer or of his/her authorized representative, of the importer or of the user of measuring devices that are subject to legal metrological control for their noncompliance with requirements prescribed and for the failure to ensure the conformity of measurements with standardization;

g) producing, repairing, assembling, standardizing, selling, renting or putting into operation legal measuring devices, pre-packaging products prior to starting an activity without submitting the respective declaration and without registering it with the national metrology body;

h) responsible persons refusing to justify the pertinence and accuracy for publication or for conveying the results or measuring or providing to the public false or misleading results

shall be sanctioned by a fine of 200 conventional units for legal entities [letters a)-f)] and for responsible persons [letters g)-h)].

(2) Violations of metrology rules by:

a) using illegal measuring units in matters of public interest;

b) taking measurements in matters of public interest that do not comply with technical regulations and with legal metrology regulations, measurements whose results do not conform to national standards or to the reference standards of the Republic of Moldova or of other countries that conform to international standards or

c) taking official measurements in illegal measuring units with legal measuring procedures that are not approved by the national metrology body;

d) placing in the market, putting into operation and using measuring devices for measurements in matters of public interest without metrological markings (for model approval and for metrological verification) or with metrological markings that have been damaged, changed, removed or with expired validity of model approval certificates and of metrological verification bulletins;

e) failure to provide metrological equipment to legal entities or to responsible persons who work in matters of public interest, providing services by them with measuring means that are inadequate, illegal or unverified;

f) using measuring devices with deliberately modified metrological characteristics or with indications expressed only in illegal measuring units that are forbidden by the state inspector

shall be sanctioned by a fine of 300 conventional units for legal entities [letters d) and e)] and for responsible persons [letters a)-c) and f)].

**Article 346.** Violations of the right to publish and disseminate regulations on standardization

Publishing, disseminating, reproducing in full or in part, or duplicating in any form the national standards of the Republic of Moldova without the written agreement of the national standardization body shall be sanctioned by a fine of 50 to 100 conventional units for individuals and by a fine of 200 to 400 conventional units for legal entities.

**Article 347.** Violations of accreditation rules

The unjustified granting, refusal to grant, maintaining, extending, limiting, suspending or withdrawing of an accreditation shall be sanctioned by a fine of 500 conventional units for legal entities.

**Article 348.** Violations of rules for evaluating conformity

Violations of rules for evaluating conformity by:

a) issuing conformity certificates based on negative trial results;

b) issuing conformity certificates for products that do not conform with the conditions stipulated in regulations on conformity with which the products were certified;

c) issuing certificates of conformity for products and services that are not related to the jurisdiction of the certifying body;

d) issuing certificates of conformity after the expiration of the validity of the authorization for assigning or suspending validity or after the cancellation of the authorization;

e) presenting untruthful results of trials or standards

shall be sanctioned by a fine of 500 conventional units for legal entities.

**Article 349.** Hampering the legitimate activity of a civil servant

(1) Hampering in any form the legitimate activity of a civil servant who is exercising his/her office (failure to acknowledge jurisdiction, to submit documents, to execute instructions or other legitimate requirements) shall be sanctioned by a fine of 50 to 100 conventional units with or without the deprivation of the right to carry out certain activities for a period of 3 months to 1 year.

(2) Refusing to make available to the inspection body of the National Social Insurance Agency and of regional social insurance agencies the supportive documents and records that are

necessary for establishing social insurance obligations shall be sanctioned by a fine of 30 to 75 conventional units.

(3) Refusing to make available to the inspection body of the National Health Insurance Agency the documents necessary for establishing the obligations of mandatory healthcare insurance shall be sanctioned by a fine of 30 to 75 conventional units.

**Article 350.** Violations of legislation on authorizing entrepreneurship

The failure to resolve in a timely fashion an application for issuing documents that would allow the applicant to start and/or to carry out a business (license, authorization, permit, certificate, notification, approval, patent, qualification certificate) or the deliberate failure to resolve an application in the timeframe provided for by law that generates the intervention of the legal presumption of tacit approval shall be sanctioned by a fine of 50 to 250 conventional units.

**Article 351.** Failure to observe the Law on the Use of Languages Spoken in the Republic of Moldova

The failure of public authorities to observe the Law on the Use of Languages Spoken in the Republic of Moldova shall be sanctioned by a fine of 10 to 20 conventional units with or without the deprivation of the right to carry out certain activities for a period of 3 months to 1 year.

**Article 352.** Insulting a serviceperson

Insulting a serviceperson, that is, deliberately injuring his/her honor, dignity or professional reputation while he/she is exercising his/her military service duties or other actions (inactions) that infringe on a serviceperson's rights shall be sanctioned by a fine of up to 10 conventional units or by arrest for up to 15 days.

**Article 353.** Insulting a representative of law-enforcement bodies or putting up resistance

(1) Insulting a representative of law-enforcement bodies, that is, deliberately injuring the honor or dignity of a prosecutor, criminal investigator, information and security officer, a representative of internal affairs bodies or any other person who is exercising his/her office or the public duty of ensuring state security, of maintaining public order or of fighting crime, expressed in action, verbally, or in writing shall be sanctioned by a fine of 10 to 25 conventional units or by arrest for 10 to 15 days.

(2) Resisting a prosecutor, criminal investigator, information and security officer, a representative of internal affairs bodies or another person who is exercising his/her office or the public duty of ensuring state security, of maintaining public order or of fighting crime shall be sanctioned by a fine of 50 to 100 conventional units or by arrest for up to 15 days.

**Chapter XIX**  
**CONTRAVENTIONS OF RULES FOR PUBLIC ORDER**  
**AND PUBLIC SECURITY**

**Article 354.** Disorderly conduct

Disorderly conduct, that is, accosting an individual in an offensive way in a public place or other similar actions that violate moral norms or that disturb public order or the tranquility of an individual shall be sanctioned by a fine of 10 or 50 conventional units or by unpaid community work for 20 to 60 hours.

**Article 355.** Consumption of alcoholic beverages in public places and appearing in such places intoxicated with alcohol

(1) Consuming alcohol on streets, in stadiums, in parks, on all types of public transportation and in other public places where the consumption of alcoholic beverages is not allowed by the local public authorities shall be sanctioned by a fine of 5 to 10 conventional units or by unpaid community work for 40 to 60 hours.

(2) Appearing in public places in a state of intoxication produced by alcohol or by other substances if the respective person has lost the capacity to move independently shall be sanctioned by a fine of 10 to 20 conventional units or by unpaid community work for 40 to 60 hours.

**Article 356.** Gambling and fortune-telling in public places

(1) Organizing gambling that violates the rules stipulated in legislation shall be sanctioned by a fine of 50 to 100 conventional units or by unpaid community work for up to 60 hours.

(2) Fortune-telling in public places shall be sanctioned by a fine of 30 to 50 conventional units or by unpaid community work for up to 60 hours.

**Article 357.** Disturbing tranquility

Disturbing tranquility at night from 10 PM to 7 AM including singing in a loud voice, audible signaling, using audiovisual equipment set at a high volume in dwellings and in public places and other similar actions shall be sanctioned by a fine of 10 to 20 conventional units for individuals and by a fine of 100 to 150 conventional units for legal entities.

**Article 358.** Violations of fire prevention rules

Violations of fire prevention standards, regulations and rules shall be sanctioned by a fine of 10 to 20 conventional units for individuals and by a fine of 100 to 200 conventional units for legal entities.

**Article 359.** Violations of the special regime during a state of emergency

(1) Violations of the special regime during a state of emergency if this does not constitute an infraction shall be sanctioned by a fine of 10 to 20 conventional units or by unpaid community work for 40 to 60 hours.

(2) The action specified in para.(1) committed while exercising special administrative duties

shall be sanctioned by a fine of 15 to 25 conventional units or by unpaid community work for 40 to 60 hours.

**Article 360.** Violations of procedures for the sale and/or disposal of personal arms and related ammunition

(1) Selling in specialized stores personal arms and related ammunition to a person who does not have a permit for procuring arms and ammunition shall be sanctioned by a fine of 100 to 150 conventional units for individuals and by a fine of 400 to 500 conventional units for legal entities and by the deprivation in both cases of the right to carry out such an activity for a period of 3 months to 1 year.

(2) Conveying or disposing in a different way of a personal armament and related ammunition to a person who does not have a permit for procuring arms and ammunitions shall be sanctioned by a fine of 50 to 100 conventional units.

(3) Avoiding selling a personal armament and related ammunition if the permit for holding them has been cancelled shall be sanctioned by a fine of 50 to 100 conventional units for individuals and by a fine of 200 to 400 conventional units for legal entities.

**Article 361.** Violations of rules for holding, bearing, transporting or using personal arms and related ammunition

(1) Violations of rules for holding, bearing and transporting personal arms and related ammunition shall be sanctioned by a fine of 10 to 50 conventional units for individuals and by a fine of 50 to 100 conventional units for legal entities.

(2) Using personal arms and related ammunition contrary to their purpose shall be sanctioned by a fine of 50 to 100 conventional units.

(3) Exceeding one's authority for using personal arms shall be sanctioned by a fine of 100 to 150 conventional units.

(4) Procuring, bearing, keeping or repairing arms that are not registered as established or without documents of origin shall be sanctioned by a fine of 100 to 150 conventional units.

(5) Bearing personal arms while intoxicated with alcohol or with other substances shall be sanctioned by a fine of 70 to 100 conventional units and by the deprivation of the right to hold and bear arms for a period of 6 months to 1 year.

(6) Bearing personal arms in meetings shall be sanctioned by a fine of 100 to 150 conventional units and by the deprivation of the right to hold and bear arms.

**Article 362.** Violations of timeframes for registering or re-registering personal arms or for extending a permit for holding and bearing arms

(1) Violations of timeframes for registering or for re-registering personal arms with the police

shall be sanctioned by a fine of 10 to 20 conventional units for individuals and by a fine of 70 to 100 conventional units for legal entities.

(2) Violations of timeframes for extending a permit for holding and bearing arms shall be sanctioned by a fine of 10 to 30 conventional units for individuals and by a fine of 50 to 100 conventional units for legal entities.

**Article 363.** Firing an armament in a public place or in places not reserved for shooting or violating the established procedure

Firing an armament in a public place, in places not reserved for shooting or in reserved places in a manner that violates the established procedure shall be sanctioned by a fine of 50 to 100 conventional units with or without the deprivation of the right to bear arms for a period of 3 months to 1 year.

**Article 364.** Violations of legislation on advertising

(1) Posting advertising outdoors without the permission of the local public authorities and without providing, as established, a space for posting advertising shall be sanctioned by a fine of 20 to 300 conventional units.

(2) Posting advertising on trees or in protected areas for architectural, historical or cultural monuments shall be sanctioned by a fine of 20 to 300 conventional units.

(3) Posting or disseminating advertising for products and services that are subject to certification or licensing if their producers do not have certificates or licenses and posting or disseminating advertising for products and services that are forbidden for production or sale shall be sanctioned by a fine of 20 to 300 conventional units.

(4) Posting or disseminating advertising for products and services with the unauthorized use of state symbols shall be sanctioned by a fine of 20 to 300 conventional units.

(5) Presenting, producing or disseminating without authorization advertising for mass healing gatherings using methods to influence the mind state of participants shall be sanctioned by a fine of 20 to 300 conventional units.

**Article 365. Deliberately destroying or damaging advertising**

Deliberately destroying or damaging of posters (except for electoral posters), of notices, announcements or other advertising items shall be sanctioned by a fine of 10 to 30 conventional units or by unpaid community work for 30 to 60 hours.

**Chapter XX**

**CONTRAVENTIONS OF RULES FOR MILITARY RECORD KEEPING**

**Article 366. Failure to fulfill military obligations**

(1) The failure of a person on the military roster or who is obliged to register on the roster to appear when called without grounds or if he/she moves to another locality to live or to stay temporarily, or if he/she goes abroad for a period that exceeds 30 days without removing him/herself from the roster or stays in a different locality where he/she lives temporarily without registering him/herself on the roster or fails to communicate in a timely fashion to the military record-keeping body about a change in his/her civil status, domicile, place of study, work or position for a period that exceeds 30 days shall be sanctioned by a warning or by a fine of 5 to 10 conventional units.

(2) The failure of responsible persons in public authorities, public agencies or business companies regardless of their type of ownership or legal form of organization and in military installations to present, as established in legislation, data on military record keeping and changes to records on recruits, servicepersons and reservists shall be sanctioned by a fine of 10 to 20 conventional units.

**Article 367. Deliberate damage or destruction or loss from negligence of military documents**

Deliberate damage or destruction or loss from negligence of a service record, recruitment certificate or of a mobilization order shall be sanctioned by a fine of 5 to 10 conventional units.

**Article 368. Avoiding taking a medical examination**

Avoidance by recruits and reservists of taking a medical examination shall be sanctioned by a fine of 3 to 5 conventional units.

**Article 369. Employment or matriculation of young people, recruits or reservists not entered in military records**

Employment or matriculation of young people, recruits or reservists not entered in military records by military installations shall be sanctioned by a fine of 10 to 20 conventional units.

**Article 370. Avoiding enrolling in alternative service**



Avoiding enrolling in alternative service shall be sanctioned by a fine of 10 to 20 conventional units.

**Article 371.** Allowing citizens to evade fulfilling military service or illegal enrolment or release of citizens from enrolment

Allowing through actions or inactions citizens to evade fulfilling military service or the illegal enrolment or release of citizens from enrolment in military service or in alternative service by special doctors who participate in medical examinations of citizens; by members of the recruitment and enrolment commission; by responsible persons in public authorities, public agencies and business companies regardless of their type of ownership and legal form of organization or by heads of public organizations shall be sanctioned by a fine of 10 to 20 conventional units.

**Article 372.** Illegally introducing into use or wearing a military uniform or symbols of a military rank, of a type of armament or of a department

(1) Introducing into use for the staff of public agencies or of business companies uniforms and symbols that are similar to military uniforms and symbols shall be sanctioned by a fine of 30 to 50 conventional units.

(2) Illegally wearing a military uniform and symbols of a military rank, of a type of armament or of membership in a department shall be sanctioned by a fine of 20 to 30 conventional units.

**Article 373.** Violations of regulations on seizing goods and providing services in the the public interest

(1) The failure to inform in due time or refusing to inform military installations about recorded entries on the amount and condition of goods seized as well as about any changes made to such data,

shall be sanctioned by a fine of 10 to 20 conventional units.

(2) Refusing on military bases to participate in mobilization exercises and training, to make available any goods seized, the failure to declare them during stock taking or evading executing such obligations shall be sanctioned by a fine of 10 to 20 conventional units.

(3) Avoiding or refusing to provide services in the public interest on a military base for mobilization exercises and training as well as avoiding or refusing to prevent, locate or remove the consequences of natural calamities or of anthropogenic damage or catastrophes shall be sanctioned by a fine of 20 to 30 conventional units.

## **Book Two PROCEEDINGS FOR CONTRAVENTIONS**

### **Part I GENERAL SECTION**

#### **Chapter I GENERAL PROVISIONS**

**Article 374.** Proceedings for contraventions

(1) A proceeding for a contravention represents the total number of regulations contained in this Code that involve contraventions.

(2) A proceeding is an activity carried out by a competent authority with the participation of parties and of other persons who are holders of rights and obligations aiming to establish a contravention, to review and resolve the case and to establish the reasons and conditions that contributed to the commission of the contravention.

(3) A proceeding for a contravention shall unfold based on the general principles of contravention law and based on norms of internal law and of the international treaties on human rights and fundamental freedoms to which the Republic of Moldova is a party.

**Article 375. Presumption of innocence**

(1) A person accused of committing a contravention shall be considered innocent as long as his/her culpability is not proved as established by this Code.

(2) Nobody is obliged to prove his/her guilt.

(3) The conclusions about a person's guilt in committing a contravention shall not be based on presumptions. All doubts in proving guilt that cannot be eliminated under the conditions of this Code shall be interpreted in favor of the person against whom the proceeding was instituted.

**Article 376. Inviolability of a person**

(1) The individual freedom and safety of a person are inviolable.

(2) A person liable to accountability for a contravention may be detained or subject to coercion only in exceptional cases and as established by this Code and must be treated with respect for human dignity.

(3) Detaining a person for a contravention shall not exceed 3 hours.

(4) A detained person shall immediately be informed, in a language that he/she understands, of his/her rights and the reason for his/her detention, of the circumstances of his/her act and of the legal implications of the action whose commission is imputed to him/her.

(5) An illegally detained person or a person with regard to whom the grounds for the arrest have been dismissed must be immediately released.

(6) Searches, corporal searches and other actions that prejudice the inviolability of a person can be conducted without his/her consent or that of his/her legal representative only as provided by this Code.

(7) During a proceeding for a contravention, no one shall be maltreated physically or mentally and any actions that pose a danger to human life or health shall be forbidden, even if he/she has agreed to them. A person who is arrested shall not be subject to violence, threats or methods or procedures that would affect his/her capacity to make decisions or to express his/her opinions.

(8) A person whose freedom and dignity have been injured by illegal procedural measures shall be entitled, under the law, to redress for the damage thus caused.

**Article 377. Freedom from testifying against oneself**

(1) No one shall be forced to testify against him/herself or against his/her close relatives, spouse or fiancé, or to acknowledge his/her own guilt.

(2) A person who proposes to make statements against him/herself or his/her close relatives, spouse or fiancé to the competent authority for settling a case shall be entitled to refuse to make such statements and shall not be held liable for doing so.

**Article 378. Right to defense**

(1) The authority competent to settle the case of a contravention is obliged to ensure to the parties and other trial participants the full exercise of their procedural rights as established by this Code.

(2) During a proceeding for a contravention, the parties shall be entitled to assistance from a defender (lawyer).

(3) Upon instituting a proceeding for a contravention, the authority competent to settle the case shall be obliged to inform the person liable for responsibility for the contravention of his/her right to be assisted by a defender.

(4) A person liable for the sanction of arrest who does not have a chosen defense attorney shall be assigned an ex-officio attorney within 3 hours at the most from the moment of detention.

**Article 379.** Language of a proceeding for a contravention and the right to an interpreter

(1) A proceeding shall take place in the national language.

(2) A person who does not know or does not speak the national language shall be entitled to take notice of all the documents and materials in the case and to speak before the authority competent to settle the case through an interpreter.

(3) A case shall take place in the language accepted by most of the persons participating therein. In such a case, procedural acts must also be prepared in the national language.

(4) The procedural acts of the authority competent to settle the case shall be handed over to the person against whom the case was instituted and shall be translated into the language that he/she speaks as established by this Code.

**Article 380.** Right to not be prosecuted or sanctioned several times

No one shall be prosecuted or sanctioned several times for the same act. A case that has been terminated shall be resumed only if new circumstances are discovered or if a fundamental flaw was found in the final decision.

**Article 381.** Free access to justice

(1) Any person shall be entitled to effective satisfaction in a competent court for acts that violate his/her legitimate rights, freedoms and interests.

(2) Any person shall be entitled to a fair examination and settlement of his/her case in a reasonable timeframe by an independent, impartial and legally established court that acts in accordance with this Code.

(3) The representative of the authority competent to settle a case shall not participate in the examination of the case if he/she has a direct or indirect interest that may affect his/her impartiality.

(4) The authority competent to settle a case shall be obliged to take all measures stipulated by law to investigate completely and objectively all aspects of the circumstances of the case, to stress both the circumstances that prove a person's culpability and those that exculpate the person against whom the case was brought including any mitigating or aggravating circumstances.

**Article 382.** Summoning

(1) Summoning is a procedural action by which the authority competent to settle a case of a contravention shall ensure the presence of a person before it in order to ensure the normal unfolding of the proceeding.

(2) Summoning shall be done in writing to be delivered by an agent empowered in this regard or to be sent by mail.

(3) Summoning shall be done in such way that the person summoned receives the summons at least 5 days prior to the date when he/she must appear before the respective authority.

(4) The person summoned shall be obliged to appear on the date, at the hour and in the place indicated in the summons. If the person is unable to appear, he/she is obliged to notify the respective authority indicating the reason.

(5) If the person fails to notify the authority about his/her inability to appear on the date, at the hour and in the place indicated in the summons or if he/she fails to appear without giving a reason, a court fine may be imposed on him/her or he/she may be brought by force.

(6) The procedural action of summoning a person during a proceeding for a contravention shall take place in accordance with Art.237-242 of the Criminal Procedure Code.

(7) Procedural actions shall be communicated to a person according to the rules for summoning.

#### **Article 383.** Costs related to proceedings for contraventions

(1) Costs related to gathering and presenting evidence, to remunerating defense attorneys and other costs related to the proceeding shall be covered by the contravener or by the state as established in legislation.

(2) The victim, his/her representative, witnesses, specialists, experts, interpreters and the defense (attorney) shall be entitled to compensation for damages and of the costs incurred during a civil proceeding when there are no divergent opinions regarding their scope.

(3) The person against whom a proceeding was started shall have reinstated the rights of which he/she was deprived and he/she shall be reimbursed the costs that he/she incurred during the trial if he/she is declared innocent or his/her liability for the contravention is eliminated in the final court decision, except in cases of amnesty.

### **Chapter II**

#### **PARTICIPANTS IN A PROCEEDING FOR A CONTRAVENTION**

##### **Article 384.** The person against whom a proceeding for a contravention is started

(1) The person against whom a proceeding is started and for whom a sanction has been established or for whom the accountability or execution of the sanction imposed is eliminated by a final decision is called the contravener.

(2) The person against whom a proceeding is started shall be entitled to:

- a) defense;
- b) know the act imputed to him/her;
- c) be provided within 3 hours at the most from detention an ex-officio attorney if he/she is liable for arrest;
- d) notify in cases of detention through the authority competent to settle the case two persons of his/her choice about the fact and place of his/her detention;
- e) receive written information and an explanation of his/her rights set forth in this article including of the right to keep silent and not to testify against oneself, against one's close relatives, spouse or fiancé and not to acknowledge one's guilt;
- f) be heard in the presence of the defense attorney if he/she accepts or requests to be heard;
- g) have meetings with his/her defense attorney in private without limiting the number and duration of meetings;

- h) take notice of his/her case file materials and to be issued, upon request, within 24 hours at the most, copies of the transcript;
- i) present evidence;
- j) make requests;
- k) appeal the final decision;
- l) acknowledge in full or in part his/her guilt in committing the act imputed to him/her;
- m) request disqualification of the representative of the authority competent to solve the case, of an expert, an interpreter, a translator or a secretary;
- n) request a hearing of the witnesses;
- o) make objections against the actions of the official examiner and to request the recording of his/her objections in the transcript;
- p) take notice of the transcript prepared by the official examiner, to make objections to its accuracy, to request its completion with information that he/she considers necessary to be recorded;
- q) reconcile with the victim as established by this Code;
- r) be informed by the official examiner about all decisions referring to his/her rights and interests, to receive, upon request, copies of such decisions;
- s) appeal, as established by law, the actions and decisions of the authority competent to solve the case, including the court decision;
- t) withdraw any complaint filed personally or by his/her defense attorney in his/her interest;
- u) request and to be compensated for damages caused by the illegitimate actions of the authority competent to solve the case.

(3) The exercise by the person against whom a proceeding is started of his/her rights or the waiver of his/her rights shall not be interpreted to the detriment of the person and shall not have unfavorable consequences thereon.

- (4) The person against whom a proceeding is started shall be obliged to:
- a) appear when summoned by the authority competent to solve the case;
  - b) agree at the request of the authority competent to solve the case to a corporal search;
  - c) agree unconditionally at the request of the authority competent to solve the case to take an alcohol test, medical examination or fingerprint examination and to offer blood or other samples for analysis;
  - d) be subject to court expertise at the request of the competent official examiner or of the court;
  - e) comply with the legal orders of the official examiner and of the chief judge;
  - f) observe order in the court and to not leave the court room without the permission of the presiding judge.

(5) The person against whom a proceeding is started also has other rights and obligations stipulated by this Code.

(6) According to the provisions of this Code, the rights of a juvenile shall also be exercised by his/her legal representative. In such cases, the provisions of the Criminal Procedure Code on the rights and obligations of a juvenile's legal representative shall be applied.

#### **Article 385. Official examiner**

(1) The official examiner is the representative of the public authorities who solves within the limits of his/her powers a case of a contravention as provided by this Code.

(2) An officer of the authorities indicated in Art.400-423 shall be appointed as official examiner and will be empowered to establish the contravention and/or to impose a sanction.

**Article 386. Prosecutor**

(1) The prosecutor participates in a proceeding for a contravention within the competence established by this Code.

(2) The prosecutor shall be entitled to:

- a) institute a proceeding;
- b) impose sanctions in the cases where they are stipulated by law;
- c) request the court to impose a sanction;
- d) participate in the examination of a case in court when he/she instituted the proceeding;
- e) verify the lawfulness of actions of the official examiner;
- f) appeal the decision of the official examiner or of the court;
- g) exercise other rights stipulated by law.

(3) The prosecutor shall be entitled within 15 days to appeal the decision of the official examiner issued in a case of a contravention. The appeal shall be declared and examined in accordance with the provisions of Art.448 and with Chapter VII of Book Two.

**Article 387. Victim**

(1) The victim is the individual or legal entity to whom pecuniary, non-pecuniary or physical damages were caused through a contravention.

(2) The victim shall exercise his/her rights and execute his/her obligations personally or through representatives under the law. If the victim is a juvenile or a person in a state of irresponsibility, his/her rights shall be exercised by his/her legal representatives as established by this Code.

(3) The victim shall be entitled to:

- a) have his/her complaint registered promptly as established, to have his/her complaint resolved by the official examiner, and to be informed about the decision adopted;
- b) present documents and other means of evidence to confirm his/her claims;
- c) withdraw his/her complaint in circumstances stipulated by law;
- d) appeal the decision of the authority competent to solve the case;
- e) be assisted in the proceeding by a chosen attorney;
- f) be issued, upon request, within 24 hours at the most, copies of the case file materials.

(4) The victim shall be warned in writing about his/her accountability for making defamatory statements.

(5) The victim shall be obliged to:

- a) appear when summoned by the authority competent to solve the case and to give explanations at the latter's request;
- b) present, at the request of the authority competent to solve the case, documents and other means of evidence that he/she has, and samples for comparative research;
- c) agree at the request of the authority competent to solve the case to a medical examination if he/she claims to have suffered physical damage;
- d) comply with the legitimate orders of the representative of the authority competent to solve the case or of the presiding judge at the trial.

(6) The victim has other rights and obligations stipulated by this Code.

**Article 388. Witness**

(1) A witness is a person summoned in such a capacity by the competent authority who has knowledge about an act or circumstance that may serve to reveal the truth in the proceeding.

(2) Close relatives as well as a spouse or a fiancé shall not be obliged to make depositions against a person accused of a contravention. The official examiner and the court shall be obliged to inform the respective persons about this against their signature.

(3) The witness shall be entitled to:

- a) know in connection with which case he/she has been summoned;
- b) request the disqualification of an interpreter or translator participating in his/her hearing;
- c) submit petitions;
- d) refuse to make depositions or to submit documents other means of evidence or data if they can be used against him/her or his/.her close relatives;
- e) make depositions in his/her native language or in any other language, to review his/her recorded depositions and to request their correction or completion;
- f) use documents containing complicated calculations, geographic names or other information that is difficult to state from memory, to note details that are hard to memorize, to illustrate his/her depositions with diagrams or graphic drawings when making depositions;
- g) be assisted by a witness whom he/she has chosen as a representative.

(4) The witness shall be obliged to:

- a) appear when summoned by the official examiner or by the court to make depositions and to participate in procedural actions;
- b) make truthful depositions, to communicate everything he/she knows in connection with the respective case and to answer questions, to confirm by his/her signature the accuracy of his/her depositions that are recorded in the transcript of the procedural action or attached thereto;
- c) present, at the request of the authority competent to solve the case documents, other means of evidence or samples;
- d) comply with the legal orders of the official examiner or of the court.

(5) A witness's failure to execute his/her obligations without giving any reasons shall be sanctioned in accordance with the law.

(6) A witness's refusal to make depositions shall be sanctioned in accordance with Art.313 of the Criminal Code, and his/her deliberate false depositions shall be sanctioned in accordance with Art.312 of the same Code.

(7) A witness also has other rights and obligations stipulated by this Code.

(8) In cases stipulated by law, the official examiner shall be obliged to ensure the participation in the procedural actions of disinterested persons with full legal capacity (assistant witnesses) to certify by their signatures the accuracy of recorded facts.

(9) A juvenile witness shall be assisted by his/her legal representative or by the representative of the responsible educational authority. Representatives of juvenile witnesses shall be entitled to know about summons by the authority competent to solve the case of the juvenile he/she represents, to accompany him/her and to attend procedural actions. The official examiner or the court shall be obliged to ensure the participation of the juvenile's representative in the case. A juvenile witness shall be interrogated only in the presence of an educational specialist.

### **Article 389. Specialist**

(1) A specialist is a person who is not interested in the outcome of the case, who has sufficient knowledge and special skills to provide assistance to the official examiner or to the court and who is invited to participate in the procedural actions as stipulated by this Code.

(2) A specialist shall not participate in a procedural action if he/she has a direct or indirect interest in the case that could affect his/her impartiality.

(3) If a specialist deliberately makes false statements, he/she shall be held accountable in accordance with Art.312 of the Criminal Code.

**Article 390. Expert**

(1) An expert is a person who is not interested in the outcome of the case who has special knowledge, who is appointed to conduct investigations as stipulated by this Code and to submit a report on such investigations.

(2) An expert shall not participate in a procedural action if he/she has a direct or indirect interest in it that could affect his/her impartiality.

(3) If an expert deliberately makes false statements, he/she shall be held accountable in accordance with Art.312 of the Criminal Code.

**Article 391. Interpreter, translator**

(1) An interpreter or translator is a person who can translate from another language, can interpret the signs of deaf or mute people, knows legal terminology, is not interested in the outcome of the case and agrees to participate in such capacity. A person is appointed as an interpreter or translator by the official examiner or by the court as stipulated by this Code.

(2) An interpreter or translator shall not participate in a procedural action if he/she has a direct or indirect interest in it that could affect his/her impartiality.

(3) An interpreter's or translator's failure to execute his/her obligations is accountable before the law. For a deliberately inaccurate translation, an interpreter or translator shall be held accountable in accordance with Art.312 of the Criminal Code.

**Article 392. Defense attorney**

A defense attorney is a person admitted in advocacy who has the right to participate in the proceeding for a contravention, to provide legal assistance or to represent the person whom he/she assists on a contractual basis or ex officio.

**Chapter III  
AUTHORITIES COMPETENT TO SOLVE  
CASES OF CONTRAVENTIONS**

**Article 393. Authorities competent to solve cases of contraventions**

The following authorities are competent to solve cases of contraventions:

- a) courts of law;
- b) prosecutors;
- c) administrative commissions;
- d) official examiners (specialized authorities specified in Art.400-423).

**Article 394. Courts that decide justice in cases of contraventions**

(1) Justice in cases of contraventions shall be decided by the court according to the competence granted thereto by this Code.

(2) A case of a contravention shall be tried by a one-judge panel that rules on the substance of the case through a decision.

(3) A court of appeals shall hear a case with a three-judge panel.



(4) The trial of a case in a court hearing shall be reasoned and conducted by observing all court procedural rules.

(5) A case of a contravention shall be tried in a public hearing or in a closed hearing, as necessary.

**Article 395.** Competence of the court

(1) The court shall try:

1) All cases of contraventions except those assigned by this Code to other authorities as well as:

a) cases against juveniles;

b) cases stipulated in Art.61, 63-66, 316-318, 320, and 336;

c) cases in which the official examiner or the prosecutor imposes one of the following sanctions:

- deprivation of the right to carry out certain activities;

- deprivation of the right to hold certain positions;

- deprivation of a special right;

- unpaid community work;

- arrest.

2) Challenges to the authorities competent to solve contraventional cases or to the prosecutor.

(2) The court shall be competent to impose safety measures and court fines.

(3) The appellate court shall hear appeals to rulings that are decisions.

**Article 396.** Competence of the prosecutor

(1) The prosecutor shall examine the contraventions stipulated in Art.63-68, 88, 312, 313, 316, 317, 320, 322-324, 335-337, and 351-353, and those he/she discovers while exercising his/her duties.

(2) In the case of a refusal to begin investigations because the act committed is a contravention as well as in the case of the exemption of a person from criminal liability by imposing contraventional accountability on him/her, the prosecutor shall institute a case for a contravention and shall either examine the case within his/her competence or shall transmit the collected materials, according to his/her competence, to other authorities for examination.

(3) By a reasoned order, the prosecutor can impose any kind of sanction for a contravention except for the sanctions whose imposition falls under the competence of the court.

**Article 397.** Procedure for establishing an administrative commission

(1) An administrative commission under the local executive public authority shall be established by the local (village, commune, town, municipal) council and shall be made up of a chairperson, deputy chairperson, a responsible secretary and 4 to 7 members.

(2) The duties of the chairperson, deputy chairperson and responsible secretary of the administrative commission shall be established by a regulation.

**Article 398.** Competence of the administrative commission

(1) An administrative commission shall examine the contraventions stipulated in Art.62, 75, 76, 92, 108, 161-168, 170-175, 180, 181, and 227.

(2) Meetings of an administrative commission shall be deliberative if a simple majority of its members is present.

(3) The decisions of an administrative commission shall be adopted by a simple majority of votes of its members present at the meeting.

**Article 399. Competence of the official examiner**

(1) A case of a contravention shall be solved by the official examiner in whose jurisdiction the contravention was committed. He/she shall impose the sanctions stipulated in the special part of Book Two within the limits of his/her competence and only while exercising his/her official duties.

(2) The official examiner can establish contraventions the establishing, solving and sanctioning of which are assigned to the competence of other authorities. In such cases, the examiner shall submit the documentation establishing contraventions to the respective authorities.

**Article 400. Internal affairs bodies**

(1) The contraventions stipulated in Art.47-54, 69-71, 73, 74, Art.77 para.(8), Art.78, Art.79 para.(1), (2), (4), Art.85-87, 89-91, 96-107, 159, 160, 176, 191, 197, 201-203, 205, 216, 220-226, 228-245, 261, 262, 267, Art.273 pnt.1)-4), 6)-13), Art.274, Art.277 para.(1), (4), (5), (7), Art.283, Art.284 para.(1)-(3), Art.285, 286, Art.299 para.(2), Art.321, 325, 326, 334, 338-343 and 354-365 shall be examined by internal affairs bodies.

(2) The following shall be entitled to examine cases and to impose sanctions within their competence: the head of the division and his/her deputies, the police inspector and his/her deputies, heads of police stations, sector officers and sector police officers. Cases related to violations of the transportation regime and of road traffic rules shall also be examined by traffic police.

(3) The following shall be entitled to examine cases related to violations of fire prevention rules and to impose sanctions: the head of the fire prevention and rescue division, the heads of paramilitary and military rescue and fire prevention squads, units and stations and heads of specialized subunits.

(4) The contraventions stipulated in Art.62, 75, 76, 92, and 227 shall be established by internal affairs bodies.

(5) Documentation on the contraventions stipulated in para.(4) shall be submitted for examination to an administrative commission.

**Article 401. Center for Combating Economic Crime and Corruption**

(1) The contraventions stipulated in Art.264, 265, 272, Art.273 pnt.5), Art.282, Art.284 para.(4), Art.314, 315, Art.349 para.(1), (2) and Art. 350 shall be examined by the Center for Combating Economic Crime and Corruption. The contraventions stipulated in Art.277 para. (2), (3), (6), Art. 293 and Art. 295 shall be examined by the Center's specialized bodies that discover them.

(2) The following shall be entitled to examine cases and to impose sanctions: the Center's director, deputy directors and the heads of the Center's regional units and their deputies.

**Article 402. Financial and tax inspection bodies of the Ministry of Finance**

(1) The contraventions stipulated in Art.263, 288-292, 297, 298, Art.299 para.(1), Art. 301 and 311 shall be examined by the financial and tax inspection bodies of the Ministry of Finance. The contraventions stipulated in Art.277 para. (2), (3), (6), Art. 293 and 295 shall be examined by the Ministry's specialized bodies that discover them.

(2) The following shall be entitled to examine cases and to impose sanctions: the Minister and Deputy Minister of Finance, the General Director of the State Treasury and his/her deputies, the heads of the general financial divisions of regional administrative units and their deputies, the heads of state tax inspectorates at all levels and their deputies and the heads of the Financial Control and Inspection Service under the Ministry of the Finance and of its regional subdivisions and their deputies.

**Article 403. Customs service**

(1) The contraventions stipulated in Art.79 para.(3) and Art.287 shall be examined by the customs service.

(2) The heads of customs offices and points and their deputies shall be entitled to examine cases of contraventions and to impose sanctions.

**Article 404. National Financial Market Commission**

(1) The contraventions stipulated in Art.300, 302-304 and 306-310 shall be examined by the National Financial Market Commission.

(2) The head and the deputy heads of the National Financial Market Commission shall be entitled to examine cases of contraventions and to impose sanctions.

**Article 405. Environmental protection bodies and the Forestry Agency Moldsilva**

(1) The contraventions stipulated in Art.93-95, 109-130, 132-154, 156, and 182 shall be examined by environmental protection bodies.

(2) The main state inspector for the environment and his/her deputies and the higher state inspectors for the environment shall be entitled to examine cases of contraventions and to impose sanctions.

(3) The contraventions stipulated in Art.110-115, 120-130, 132-137, and 139-142 shall be established by the Forestry Agency Moldsilva.

(4) The general director of the Forestry Agency Moldsilva and his/her deputies, the directors of state forestry companies, of forestry companies, and of natural preserves shall be entitled to establish contraventions and to prepare documentation.

(5) The individuals indicated in para. (4) shall submit documentation on contraventions for examination by environmental protection bodies.

(6) The contraventions stipulated in Art.181 shall be established by environmental protection bodies.

(7) The individuals indicated in para.(2) shall be entitled to establish contraventions and to prepare documentation.

(8) The documentation on the contraventions stipulated in para.(6) shall be submitted for examination to an administrative commission.

**Article 406. State health and epidemiological supervision bodies**

(1) The contraventions provided for in Art.80-83, 115, 268-271 and 276 shall be examined by the state health and epidemiological bodies.

(2) The Chief Medical Officer of the Republic of Moldova and his/her deputies and the health directors of districts and towns (municipalities) shall be entitled to examine contraventional cases and to impose sanctions.

**Article 407. Specialized transportation bodies**

(1) The contraventions stipulated in Art.198-200, 204, 206 and 207 shall be established by specialized public administration bodies for auto, electrical, railway and naval transportation.

(2) The following shall be entitled to establish contraventions and to prepare documentation:

a) for auto and electrical transportation the heads of services empowered to control functions and their deputies;

b) for railway transportation the heads of stations and their deputies, the heads of railway stations and their deputies, the heads of locomotive (wagon) sheds, the conductors of passenger trains, controllers/inspectors of passenger trains;

c) for naval transportation the port captain and the inspectors of the port captain.

(3) Documentation on contraventions shall be submitted for examination to the competent court of law.

(4) The contraventions provided for in Art. 208-215 and 217-219 shall be examined by the specialized public administration bodies in air transportation.

(5) The following shall be entitled to examine contraventions and to impose sanctions:

a) Heads of air transportation agencies and their deputies, higher inspectors and inspectors empowered to control functions;

b) Captains of civil airplanes while executing a flight mission for the contraventions stipulated in Art.210.

**Article 408.** Main State Tax Inspectorate for Market Supervision, Metrology and Consumer Protection

(1) The contraventions stipulated in Art.84, 278-281 and 344-348 shall be established by the Main State Tax Inspectorate for Market Supervision, Metrology and Consumer Protection.

(2) The head of the Main State Tax Inspectorate for Market Supervision, Metrology and Consumer Protection and his/her deputies shall be entitled to establish contraventions and to prepare documentation.

(3) Documentation on the contraventions shall be submitted for examination to a competent court of law.

**Article 409.** Labor Inspectorate

(1) The contraventions stipulated in Art.55-61 shall be established by the Labor Inspectorate.

(2) The general state labor inspector and his/her deputies and the heads of regional labor inspectorates and their deputies shall be entitled to establish contraventions and to prepare documentation.

(3) Documentation on the contraventions shall be submitted for examination to a competent court of law.

**Article 410.** National Agency for the Regulation of Electronic Communications and Information Technology

(1) The contraventions stipulated in Art.246-260 shall be established by the National Agency for the Regulation of Electronic Communications and Information Technology.

(2) The director of the National Agency for the Regulation of Electronic Communications and Information Technology and his/her deputies shall be entitled to establish contraventions and to prepare documentation.

(3) Documentation on the contraventions shall be submitted for examination to a competent court of law.

**Article 411. National Agency for Regulating Energy**

(1) The contraventions stipulated in Art.108 and 161-169 shall be established by the National Agency for Regulating Energy.

(2) Responsible persons from energy units empowered by the National Agency for Regulating Energy shall be entitled to establish the contraventions stipulated in Art.108 and 161-168 and to prepare documentation.

(3) The persons indicated in para.(2) shall submit documentation on contraventions to an administrative commission for examination.

(4) Specialists and heads of subdivisions empowered by the National Agency for Regulating Energy shall be entitled to establish the contraventions stipulated in Art.169 and to prepare documentation.

(5) The persons indicated in para. (4) shall submit documentation on contraventions to a competent court of law for examination.

**Article 412. National Social Insurance Agency**

(1) The contraventions stipulated in Art.263 para.(2), 294, 296, 305, Art.349 para.(2) shall be established by the National Social Insurance Agency.

(2) The head of the National Social Insurance Agency and the directors of regional social insurance agencies shall be entitled to establish contraventions and to prepare documentation.

(3) Documentation on the contraventions shall be submitted for examination to a competent court of law.

**Article 413. National Health Insurance Agency**

(1) The contraventions indicated in Art.263 para.(3), 266 and Art. 349 para.(3) shall be established by the National Health Insurance Agency.

(2) The General Director of the National Health Insurance Agency and his/her deputies and the directors of regional agencies and their deputies shall be entitled to establish contraventions and to prepare documentation.

(3) Documentation on the contraventions shall be submitted for examination to a competent court of law.

**Article 414. State supervisory bodies for agriculture and veterinary health**

(1) The contraventions stipulated in Art.131, 157, 158, 183-190, 192-196 and 275 shall be established by the state supervisory bodies for agriculture and veterinary health.

(2) The following shall be entitled to establish contraventions and to prepare documentation:

a) the Head of the General Agricultural Inspectorate and his/her deputies, the heads of the inspectorate's regional offices for the contraventions stipulated in Art.131, 183-188 and 192-195;

b) the Director of the Plant Health Agency and his/her deputies and the heads of the agency's regional divisions for the contraventions stipulated in Art.189 and 190;

c) Official veterinary doctors from the Veterinary Health Agency and Safety of Products of Animal Origin or from the district (municipal) veterinary health and safety of products of animal origin divisions for the contraventions stipulated in Art.157, 158, 196 and 275.

(3) The documentation on contraventions shall be submitted for examination to a competent court of law.

**Article 415. Ministry of Defense**

(1) The contraventions stipulated in Art.242, 244, and 366-373 shall be established by the Ministry of Defense.

(2) The following shall be entitled to establish contraventions and to prepare documentation:

a) Responsible persons from military installations or from the General Headquarters of the National Army for the contraventions stipulated in Art.366-373;

b) Responsible persons from the military traffic police or from the General Headquarters of the National Army for the contraventions stipulated in Art.242 and 244.

(3) Documentation on violations committed by drivers of vehicles of the armed forces (servicepersons on contract, servicepersons on active duty, servicepersons with reduced terms, students of military education institutions, mobilized reservists) if for such violations only the sanction of a fine is provided shall be submitted by the military traffic police as established by the Ministry of Defense to the respective commanders to solve the issue of imposing accountability according to regulations for military discipline.

(4) Documentation on contraventions shall be submitted for examination to a competent court of law.

**Article 416. State Construction Inspection Service**

(1) The contraventions stipulated in Art.177-179 shall be established by the State Construction Inspection Service.

(2) The Head of the State Construction Inspection Service and his/her deputies, the heads of divisions, the heads of regional offices and their deputies, the main state construction inspectors and the main specialists shall be entitled to establish contraventions and to prepare documentation.

(3) Documentation on contraventions shall be submitted for examination to a competent court of law.

**Article 417. Community administration of public services**

(1) The contraventions stipulated in Art.170-175 and 180 shall be established by community administrations of public services.

(2) The heads of divisions of public services and their deputies and principle and coordinating specialists of community administrations and of housing administrations shall be entitled to establish contraventions and to prepare documentation.

(3) Documentation on contraventions shall be submitted for examination to an administrative commission.

**Article 418. Agency for Material Reserves, Public Procurement and Humanitarian Aid**

(1) The contraventions stipulated in Art.327 shall be established by the Agency for Material Reserves, Public Procurement and Humanitarian Aid.

(2) The general director of the Agency for Material Reserves, Public Procurement and Humanitarian Aid and his/her deputies shall be entitled to establish contraventions and to prepare documentation.

(3) Documentation on contraventions shall be submitted for examination to a competent court of law.

**Article 419. National Bureau of Statistics**

(1) The contraventions stipulated in Art. 330 shall be established by the National Bureau of Statistics.

(2) The Head of the National Bureau of Statistics and his/her deputies and the heads of the regional statistical bodies shall be entitled to establish contraventions and to prepare documentation.

(3) Documentation on contraventions shall be submitted for examination to a competent court of law.

**Article 420. State Archives Service**

(1) The contraventions stipulated in Art.72, 328, and 329 shall be established by the State Archives Service.

(2) The Director of the State Archives Service and his/her deputies shall be entitled to establish contraventions and to prepare documentation.

(3) Documentation on contraventions shall be submitted for examination to a competent court of law.

**Article 421. Enforcement Department**

(1) The contraventions indicated in Art.318 and 319 shall be established by the Enforcement Department.

(2) The Director and Deputy Director of the Enforcement Department and the heads of enforcement offices shall be entitled to establish contraventions and to prepare documentation.

(3) Documentation on contraventions shall be submitted for examination to a competent court of law.

**Article 422. Drug Agency**

(1) The contraventions stipulated in Art.77 para.(1)-(7) shall be established by the Drug Agency.

(2) The Head of the State Pharmaceutical Inspectorate, his/her deputies and pharmacy inspectors shall be entitled to establish contraventions and to prepare documentation.

(3) Documentation on contraventions shall be submitted for examination to a competent court of law.

**Article 423. Border Guard Service**

(1) The contraventions stipulated in Art.331-333 shall be established by the Border Guard Service.

(2) The heads of border posts and their deputies and the heads of state border crossing points and their deputies shall be entitled to establish contraventions and to prepare documentation.

(3) Documentation on contraventions shall be submitted for examination to a competent court of law.

**Article 424. Submitting materials to the prosecutor and criminal investigating officer**

If the official examiner establishes during the examination of a case of a contravention that the violation constitutes an infraction, he/she shall submit all the documentation to a prosecutor or, by competence, to a criminal investigator.

## **Chapter IV EVIDENCE**

### **Article 425. Evidence**

(1) Evidence is factual elements acquired as established by this Code that serve in establishing the existence or nonexistence of a contravention, in identifying the perpetrator, in establishing culpability or in learning about other circumstances important for a fair settlement of the case.

(2) Factual elements established through the following means shall be admitted as evidence: documentation on a contravention, documentation on the seizure of objects and documents, documentation on a search, statements of the person against whom a proceeding was started, the depositions of the victim and witnesses, written records, audio or video recordings, photographs, *corpora delicti*, objects and documents seized, technical, scientific and forensic findings and expert reports.

(3) Evidence is evaluated by the person competent to solve the case based on convictions he/she has arrived at after studying all evidence used in relation to the established circumstances of the case and guiding himself/herself by law.

(4) No evidence shall have a pre-established value.

(5) Pertinent, conclusive and useful evidence shall be admissible if used in accordance with this Code.

(6) Data obtained as listed below shall not be admitted as evidence:

- a) through violence, threats or other means of coercion;
- b) through methods that contravene scientific provisions;
- c) by essentially violating the constitutional rights and freedoms of a person including the right to defense or the right to an interpreter/translator.

(7) The provisions of the Criminal Procedure Code on means and methods for determining evidence shall be applied as necessary with the exceptions stipulated in this Code.

### **Article 426. On-site investigations**

(1) In view of discovering evidence of a contravention and the *corpora delicti* and in order to establish the circumstances of the contravention or other circumstances that have importance for the fair settlement of the case, the official examiner shall conduct an on-site investigation (of a plot of land, a room, objects, documents, animals or human or animal corpses).

(2) The search of a domicile without the permission of the person whose right to the inviolability of the domicile is violated shall be conducted with the authorization of the court.

(3) In the case of a flagrant contravention, a domicile can be searched based on a reasoned order of the official examiner without the court's authorization, and the materials obtained as a result of the search shall be presented to the court immediately or not later than 24 hours from the completion of the search of the domicile, with an indication of the reason for conducting it. The court shall check on the legality of this procedural action.

(4) The official examiner shall study any visible objects and shall allow, as necessary, access to them only to the extent to which human rights are not violated. The person who conducts the procedural action shall make, as necessary, measurements, photographs, video



recordings, drawings, sketches, moldings and prints of the evidence independently or with the help of a specialist in that area. The site of the search can be delimited by the staff of bodies for maintaining public order.

(5) The objects and documents discovered on site shall be examined on site, and the results of the examination shall be recorded in documentation on that action. If they require more time for examination and in other cases the objects and documents shall be examined on the premises of the authority competent to solve the case, and in such a case they shall be packed, the package shall be sealed and signed, and this fact shall be indicated in the documentation.

**Article 427. Grounds for seizing objects and documents**

(1) If it is necessary to seize certain objects that may have importance for the case and if the exact place and person who has them are known, an employee of an internal affairs body shall seize them based on an official order.

(2) The seizure of documents containing information that constitutes a state, trade or bank secret, and the seizure of information about telephone conversations shall be conducted with the authorization of the court.

(3) The seizure of objects and documents at night except for cases of flagrant contraventions shall be forbidden.

**Article 428. Grounds for searches**

(1) The body establishing a contravention shall be entitled to conduct a search if the accumulated evidence or the operative investigating materials indicate a reasonable presumption that in a certain room at a domicile or in another place or with a certain person there may be tools that were used in committing the contravention, objects or other assets acquired from the contravention as well as objects or documents that may have importance for the case.

(2) A search shall be conducted based on a reasoned decision of the body that establishes contraventions and only with a court authorization.

(3) In the case of a flagrant contravention, the search can be conducted based on a reasoned decision without a court authorization, and the materials obtained as a result of the search shall be presented to the court immediately or not later than 24 hours from the completion of the search with an indication of the reason for conducting it. The court shall check on the legality of this procedural action.

(4) If the court establishes that the search was legal, it shall confirm this result through a reasoned ruling. Otherwise, the court shall issue a reasoned ruling to acknowledge that the search was illegal.

(5) A domicile is a dwelling or a construction intended for permanent or temporary living (a house, apartment, villa, hotel room, or a room on a sea or river vessel), their direct annexes constituting an indivisible part thereof (veranda, terrace, mansard, balcony, cellar or other place of common use). A domicile is also any private land plot, vehicle, sea or river vessel or office.

**Article 429. Corporal search and seizure of objects and documents**

(1) For the contraventions in its competence, the body establishing the contravention if there are grounds to conduct a corporal search or a seizure can seize objects and documents that are important for the case and that are located in the clothing or among other possessions of the person or on his/her body.

(2) A corporal search and seizure of objects and documents shall be conducted without a special order and without a court authorization:

a) in the case stipulated in Art.433 para. (1);  
b) if there are reasonable reasons to suppose that one of the persons present at the search or seizure has hidden on him/herself objects or documents that can have importance for a fair resolution of the case.

(3) A corporal search shall be conducted without the consent of the person or of his/her legal representative as established by this Code.

(4) Corporal searches and seizures of objects and documents shall be conducted by a representative of the official examiner of the same sex as the person searched with the participation, as necessary, of a specialist of the same sex.

(5) Technical means can be used in the search which shall be recorded in the documentation.

(6) Documentation shall be prepared in the case of a seizure of objects and documents. A copy of the documentation shall be handed over to the person it refers to, against his/her signature, or to his/her legal representative.

(7) In the case of a contravention for which the sanction is deprivation of the right to drive vehicles, the official examiner shall seize the driver's license before the court rules on that case and shall issue a temporary driver's license to the vehicle's driver. The official examiner can also apply the provisions in Art.438.

(8) Until the settlement of the case, the objects and documents seized shall be kept as stipulated in Art.159 of the Criminal Procedure Code.

**Article 430.** Documentation on a search, a seizure of objects or documents and on-site investigations

(1) The official examiner who conducts a search, a seizure of objects or documents or an on-site investigation shall prepare documentation to which he/she shall attach, as necessary, the list of objects or documents seized. It shall be recorded in the documentation on the search or on the seizure of objects or documents that those who were present were explained their rights and obligations stipulated by this Code, and the statements made by those persons shall also be recorded therein.

(2) There shall be recorded in the documentation on a search or seizure of objects or documents whether they were delivered voluntarily or seized by force as well as the circumstances in which they were discovered. There shall be listed in the documentation or in the list attached thereto the objects or documents seized, their number, size, quantity, characteristic elements and, if possible, their value.

(3) If, during a search, the seizure of objects or documents or an on-site investigation the persons on whose premises the search or seizure takes place or other persons violate public order and try to destroy or to hide the objects or documents searched for, the official examiner shall record this fact in the documentation and shall also indicate the measures that he/she undertook.

(4) The documentation on a search, the seizure of objects or documents or an on-site investigation shall be made known to all the persons who participated in conducting those actions or who attended them and shall be signed by each of them. Copies of the documentation shall be handed over to the persons to whom those procedural actions were applied or to their representatives.

(5) The refusal of the owner or possessor of the object or document to sign the documentation as well as their absence shall be recorded by eyewitnesses.

(6) The objects and documents seized, if possible, shall be packed and sealed on the site of the search or seizure which shall be recorded in the minutes. The sealed packages shall be signed by the person who conducted the search or the seizure.

**Article 431. Corpora delicti**

(1) *Corpora delicti* shall be considered the objects, including money, documents, and other items in regard to which there are grounds to suppose that they were used in committing the contravention, have preserved on them traces of the contravention or were the object of the act, or can serve as means for establishing the existence or nonexistence of the constitutive elements of the contravention.

(2) The *corpora delicti* shall be attached to the documentation on the contravention, in which they shall be described in detail or shall be kept in another manner stipulated by law. The *corpora delicti* that due to their volume or for other reasons cannot be kept shall be photographed and the photographs shall be attached to the documentation in which this fact shall be recorded.

(3) Until the settlement of the case, the official examiner shall ensure the keeping of the *corpora delicti* according to the provisions of Art.159-161 of the Criminal Procedure Code which shall be applied as necessary in the case.

(4) In trying a case of a contravention, the court shall decide on the *corpora delicti* according to the provisions in Art.106 of the Criminal Code and in Art.162 of the Criminal Procedure Code, which shall be applied as necessary in the case.

**Chapter V**  
**PROCEDURAL COERCIVE MEASURES**

**Article 432. Procedural coercive measures**

The official examiner is entitled to apply, within his/her competence, the following procedural coercive measures:

- a) detention;
- b) summoning by force;
- c) removal of a driver from a vehicle;
- d) medical examination to establish the state of intoxication produced by alcohol or by other substances;
- e) impounding a vehicle.

**Article 433. Detention**

(1) Detention consists in limiting the freedom of an individual for a short period of time and shall be applied in cases of:

- a) flagrant contraventions for which this Code stipulates arrest;
- b) the impossibility of identifying the person against whom a proceeding is brought if all measures of identification have been exhausted;
- c) contraventions warranting according to this Code expulsion.

(2) Detention shall be ordered by:

- a) the Ministry of Internal Affairs;
- b) border guard service, in cases of violation of the border regime or of the state border crossing point regime;
- c) the customs service for contraventions under its competence.

(3) The person detained shall be informed without delay in a language that he/she understands about the reasons for his/her detention and the fact that he/she was informed shall be recorded in the detention documentation.

(4) The person detained shall be informed without delay and against his/her signature about the rights stipulated in Art.384 and the fact that he/she was informed shall be recorded in the detention documentation.

(5) The person detained shall be given the possibility without delay to notify two persons of his/her choice about his/her detention. The fact of notifying or the refusal to notify shall be recorded, against his/her signature in the detention documentation.

#### **Article 434. Detention documentation**

(1) Upon detaining a person, documentation shall be concluded without delay on the detention in which there shall be recorded the date and place of its preparation; the position, last and first names of the person who prepared the documentation; data about the person detained and the date, hour, place and reason for detention.

(2) The detention documentation shall be signed by the person who prepared it and by the person detained. The refusal of the person detained to sign the documentation shall be recorded in it, with confirmation of this fact by at least two witnesses.

#### **Article 435. Duration of detention and conditions for deprivation of freedom**

(1) Detention shall not exceed 3 hours except in cases stipulated in this article.

(2) A person suspected of committing a contravention for which the sanction is arrest can be detained until the examination of the case but for no more than 24 hours. The fact of detention shall be communicated without delay to the prosecutor.

(3) Persons who violated the rules for staying in the Republic of Moldova for foreign citizens and stateless persons, the border regime or the state border crossing point regime can be detained for a period of up to 3 hours for preparing documentation or, by court decision, for a period of up to 72 hours to identify the person and to clarify the circumstances of the contravention.

(4) Individuals who commit acts of disorderly conduct; who deliberately violate the method for use of state symbols; who disrupt public order during a state of emergency; who deliberately fail to execute the orders and legitimate requests of a prosecutor, criminal investigator, information and security officer, representatives of internal affairs bodies or of any other person who is exercising his/her official duties or the public duty of ensuring state security, of maintaining public order or of fighting crime; who resist security officers or insult them or a serviceperson; who make false calls for police assistance; who sell goods (products) in prohibited places or goods (products) with expired validity, of low quality, without a certificate or sign of conformity or who violate the rules for foreign currency operations can be detained by the authority competent to examine cases of contraventions.

(5) The timeframe for detention shall flow from the moment detention begins.

(6) A person detained shall be ensured at a minimum the conditions provided by the Enforcement Code for individuals subject to pretrial detention.

#### **Article 436. Releasing a detained person**

(1) A detained person shall be released if:

a) the plausible reasons for suspecting that he/she committed a contravention have not been confirmed;

- b) the timeframe for detention has expired;
- c) the grounds for depriving him/her further of his/her freedom are absent.
- (2) A person released shall not be detained again on the same grounds.
- (3) Upon release, a detained person shall be handed a copy of the documentation which indicates who detained him/her and on what grounds, the place and time of detention and the grounds and time of the release.

**Article 437. Summoning by force**

- (1) Summoning by force consists of bringing by force before a court a witness or a victim who avoids appearing.
- (2) Summoning by force shall be done by the police based on a court ruling.
- (3) A warrant for summoning shall include:
  - a) the date and place of issue;
  - b) last and first names, position and signature of the person that orders the summoning;
  - c) last and first names and domicile of the person summoned;
  - d) date, hour and place the person must appear;
  - e) reason for summoning.

**Article 438. Removing a driver from a vehicle**

- (1) A persons who is driving a vehicle shall be removed from it if:
  - a) there are sufficient grounds to suppose that he/she is in a state of intoxication produced by alcohol or in a state of intoxication produced by other substances;
  - b) he/she does not have with him/her the document that confirms his/her right to drive or use the vehicle.
- (2) The person indicated in para.(1) letter a) shall be obliged to agree at the request of the official examiner to take an alcohol test, to undergo a medical examination or to provide blood or other samples for analysis.
- (3) Alcohol testing, medical examination and drawing blood or other samples for analysis shall be done by a specialist entrusted with such duties. For a deliberate presentation of false results, the specialists shall be held accountable in accordance with Art.312 of the Criminal Code.
- (4) The procedure for conducting the alcohol test or the medical examination and for establishing the level of intoxication produced by alcohol or by other substances shall be established by the government.

**Article 439. Impounding and taking a vehicle out of circulation**

- (1) A vehicle whose driver is removed from driving it shall be impounded and if it cannot be returned to its owner, possessor or his/her representative, it shall be taken to a special parking lot that is located on the grounds of the police authority.
- (2) A vehicle can also be taken to the special parking lot or onto the grounds of the police authority if:
  - a) parking it can pose an imminent danger to the public interest;
  - b) it was left in a place prohibited for parking.
- (3) The fact of taking a vehicle to the special parking lot or onto the grounds of the police authority shall be recorded in documentation which shall indicate:
  - a) the type and model of the vehicle, the registration number, the identification number of its marked parts, any visible defects and damage;

b) last and first names, positions and signature of the person who decided to take the vehicle to the parking lot and who organized its taking to that place;  
c) factual and legal grounds for taking the vehicle to the parking lot;  
d) name, office (domicile), telephone number of the person who organized the impounding or took the vehicle to the parking lot;  
e) address of the parking lot;  
f) date and hour of preparation of the documentation;  
g) last and first names, position and signature of the person who received the vehicle at the parking lot.

(4) The documentation shall be prepared in 4 copies: one copy shall remain with the person who decided to take the vehicle to the parking lot, the second copy shall be handed to the person who organized the impounding; the third copy shall be handed over to the person who received the car at the parking lot, and the fourth copy shall be handed over to the owner or possessor of the vehicle or shall be sent to his/her home address by registered mail. The official examiner shall inform without delay the guard service of the police about taking the vehicle to the parking lot.

(5) The impounded vehicle shall be returned to its owner, possessor or his/her legal representative immediately after removing the grounds for taking the vehicle to the parking lot stipulated in para.(1) and (2), based on a decision on the contravention. The costs related to impounding and parking the vehicle in a parking lot shall be covered by the contravener.

(6) The official examiner shall be held accountable for any damage caused to the vehicle during its impounding or while it is parked.

(7) In the case indicated in para.(2) letter b), the use of the vehicle can also be forbidden by removing its registration plate. In such a case, the provisions in para.(4) shall be applied accordingly.

(8) The driver, owner or possessor of the vehicle shall not cover the costs indicated in para.(5) if the constitutive elements of a contravention are missing. In such a case, the costs shall be covered by the state.

(9) The procedure for calculating costs for impounding and parking a vehicle shall be established by the government.

## **Title II SPECIAL PART**

### **Chapter VI ESTABLISHING A CONTRAVENTION**

**Article 440.** The process of establishing a contravention and the duties of the official examiner

(1) Establishing a contravention means the activities of the official examiner for collecting and using evidence with regard to the existence of a contravention, for preparing documentation on the contravention, for applying a sanction or for referring, as necessary, the case to a court or to another body for settlement.

(2) The official examiner shall be notified through a complaint or notification or he/she shall take action by him/herself when finding out about the commission of an illicit act or when such an act was discovered during an inspection conducted according to his/her work duties and in cases stipulated by law.

(3) The official examiner is obliged to verify the notification immediately or within 3 days at the most from the date of notification, and to take the measures stipulated by this chapter.

(4) A proceeding for a contravention shall be started only based on the prior complaint of the victim for the contraventions stipulated in Art.69, 96-108.

(5) If upon discovering or examining a case of a contravention, the competence of another official examiner is established, the documentation shall be submitted on the same day.

(6) At the request of other official examiners, a representative of the internal affairs bodies is obliged to provide assistance with establishing a contravention.

**Article 441.** Circumstances that terminate proceedings for a contravention

(1) A proceeding initiated shall be terminated if:

- a) the act of the contravention is absent;
- b) one of the grounds stipulated in Art.3 para.(3), Art.4 para.(3), Art.20-31 is established;
- c) the person presumed to be the perpetrator has died except in cases of the rehabilitation of his/her reputation;
- d) a final decision already exists in regard to the same act and the same person;
- e) criminal prosecution for the same act has started.

(2) The termination of a proceeding for a contravention shall determine the reinstatement of the rights of the person against whom it was started.

**Article 442.** Documentation on the contravention

(1) The documentation on the contravention are those documents that describe an illicit act and identify the perpetrator. The documentation shall be prepared by the official examiner based on his/her personal findings and on evidence collected in the presence or absence of the perpetrator.

(2) Within 24 hours at the most from the date of their preparation, the documents on the contravention shall be entered in a registry in the order of their preparation and filing with the authority of which the official examiner is part.

**Article 443.** Contents of documentation on a contravention

(1) The documentation on a contravention shall include:

- a) date (day, month, year) and place of preparation;
- b) capacity, last and first names of the official examiner, name of the authority he/she represents;
- c) last and first names, domicile, occupation of the contravener, data from his/her identity card, and for legal entities name, premises, fiscal code, data of the individuals that represent it;
- d) the contravention, place and time of its commission, the circumstances of the case that are important for establishing the act and their legal consequences, an assessment of the eventual damage caused by the contravention;
- e) the legal implications of the act, the substance of the regulation contravened and the qualifying indicators of the constitutive elements of the contravention;
- f) information for the contravener and the victim about their rights and obligations provided for in Art.384 and 387;
- g) objections and evidence that the contravener brings in his/her defense as well as the objections and evidence of the victim.

(2) If the contravener is a juvenile, the documentation shall also indicate his/her last and first names, domicile of his/her parents or of other legal representatives.

(3) If the contravener or victim does not speak the language of the documentation, the assistance of an interpreter/translator shall be provided and his/her data shall be recorded in the documentation.

(4) The documentation shall list and describe the *corpora delicti* (shape, size, color, weight, and other characteristics) indicating the data of the owner and, if necessary, any measures taken to turn them to good account or to preserve them.

(5) The documentation shall be signed on each page by the official examiner, by the contravener and by the victim when he/she exists.

(6) The fact of the absence of the contravener or his/her refusal to sign the documentation shall be recorded in the minutes and shall be confirmed by the signature of at least 2 witnesses with indications of their data.

(7) No corrections, completions or other changes shall be made to the documentation. If it is necessary to make such actions, additional documentation shall be prepared and this shall be recorded in it.

(8) If a contravention stipulated in Chapter XIII of Book One is established by certified technical means or by technical means that are approved and metrologically verified, the official examiner, after establishing the identity of the vehicle driver, may prepare the documentation also in the absence of the contravener.

(9) The resolution section of the documentation shall include the decision of the official examiner on the sanctioning of the contravener or on referring the case to court with a recommendation, when he/she considers it necessary, regarding the sanctioning or termination of the case and on the timeframe for contesting it in court.

(10) If the regulation contravened provides for the application of penalty points or if the imputed contravention provides for the accumulation of 15 penalty points, the resolution section of the documentation shall also mention this.

(11) In the case of a sanction, the resolution section of the documentation shall also include data informing the contravener about his/her right to pay only half of the fine if the fine is paid in 72 hours at the most from its establishment.

(12) In case of a decision to refer the case to court, the official examiner shall transmit the documentation and the materials on the case to the competent court.

(13) A copy of the documentation shall be handed to the contravener and victim upon request. If the documentation is prepared in the absence of the contravener, a copy of the documentation shall be handed over as provided by Art. 382 para.(6).

(14) In the case stipulated in Art. 16 para.(2), the official examiner shall submit the materials of the case to the local public authority for juvenile issues and, if necessary, may request through a motion that the court apply a coercive measure of an educational character according to Art. 104 of the Criminal Code.

#### **Article 444.** Preparing documentation in the case of a plurality of contraventions

One set of documents shall be prepared in the case of a plurality of contraventions committed by the same person established at the same time by the same agent whose settlement is under the competence of the same body.

#### **Article 445.** Nullifying documentation on a contravention

Failure to record in the documentation on a contravention the data and facts indicated in Art.443 shall result in its nullity.



**Article 446.** Cases when minutes on a contravention are not prepared

(1) When establishing a contravention, the official examiner shall not prepare documentation if:

- a) the person against whom a case was brought acknowledges that he/she is guilty of committing the contravention and agrees to pay the fine against a receipt;
- b) the sanction of a warning is applied;
- c) accountability was removed according to Art. 20-31.

(2) The provisions of para.(1) shall not apply in any of the following cases:

- a) the imposition of the main sanction stipulated in this Code is under the competence of the court or, in the case of two main sanctions, the imposition of one of them, if the official examiner considers it necessary, is under the competence of the court;
- b) pecuniary damage was caused through the contravention;
- c) there are *corpora delicti* liable for seizure in accordance with Art. 106 of the Criminal Code and Art. 162 of the Criminal Procedure Code;
- d) the contraventions stipulated in Art.220-226 and 228-245 have been committed.

(3) No documentation shall be prepared when the prosecutor issues an order to refuse to initiate prosecution, to terminate prosecution because the act is a contravention or in the case of an exemption from criminal liability of the person by applying accountability. In the cases indicated, the prosecutor shall issue a reasoned ordinance for starting a proceeding.

**Article 447.** Collecting a fine at the place of establishing the contravention

(1) In the case stipulated in Art. 446 para.(1) letter a), the contravener shall pay a fine, to be imposed by the official examiner, against a receipt that will include:

- a) date, hour and place of payment;
- b) last and first names and domicile of the person sanctioned;
- c) last and first names and capacity of the official examiner and the authority he/she represents;
- d) regulation on the grounds of which the sanction is imposed;
- e) amount of the fine;
- f) signatures of the parties.

(2) The receipt for collection of the fine shall be handed to the person sanctioned and the act of handing it over shall be indicated on the copy of the receipt.

(3) The receipt of collection of the fine is a document of strict accounting. The procedure for accounting, keeping and issuing receipts by official examiners shall be established in a regulation approved by the government.

**Article 448.** Contesting documentation on a contravention

(1) Within 15 days from the date of notification about preparing documentation on a contravention, the contravener, the victim or their representatives and the prosecutor shall be entitled to contest it in the court in whose jurisdiction the authority of which the official examiner is part operates.

(2) Objections to the documentation on a contravention shall be filed with the authority of which the official examiner is part. The official examiner shall send to court the objections and the case file within 3 days at the most from the date of filing.

(3) Contesting documentation shall suspend the execution of any sanction imposed based on the documentation.

(4) The person who contests a decision to impose a sanction shall not pay the state tax.

(5) A challenge to a decision on a contravention can be filed within 15 days from the date of issuance of the decision or from the date of bringing it to the attention of the contravener, as the case may be. If this timeframe is not followed for reasonable grounds, the person in regard to whom the decision was issued can have this right reinstated at his/her request by the authority (responsible person) empowered to examine the challenge.

**Article 449.** Submitting a case to the prosecutor

(1) If during a proceeding it is established that the act considered a contravention was committed in conditions that place it under the jurisdiction of criminal law, the case shall be submitted without delay by a reasoned ruling to the prosecutor by competence.

(2) If during criminal investigations the prosecution establishes that the act that was considered a crime is a contravention, the case shall be submitted without delay by a reasoned ruling to the prosecutor who shall act according to Art. 396 para.(2).

**Article 450.** Notification about the reasons and conditions for committing the contravention and the particular ruling

(1) In establishing a punishment, the prosecutor and official examiner shall determine the reasons and conditions that favored the commission of the contravention and, if necessary, shall notify the respective authority or the responsible person in view of their immediate examination.

(2) Establishing during the court proceedings violations of laws and of human rights, the court shall issue at the same time as the decision a particular ruling by which the violations shall be brought to the attention of the prosecutor and, if necessary, to the responsible person in charge.

(3) Within 30 days, the responsible person notified according to para. (1) and (2) shall inform the court, the prosecutor or the official examiner about measures undertaken thereby.

**Article 451.** Inadmissibility of disclosing case materials

The materials of a case of a contravention cannot be disclosed until the completion of the examination of the case other than with the authorization of the official examiner and only to the extent that he/she considers it possible observing the presumption of innocence and by not harming the person's interests.

## **Chapter VII**

### **TRIAL OF A CASE OF A CONTRAVENTION IN COURT**

**Article 452.** Trial of a case of a contravention

A case shall be tried in court at a public hearing, orally and on an adversarial basis.

**Article 453.** Preliminary actions

Within 3 days from the date of filing a case at a court, the judge shall verify the competence and, as the case may be, shall:

- a) order the submission of the case by competence;
- b) establish the date of examination of the case, summon the parties and other trial participants, and undertake other actions for its good unfolding.

**Article 454.** Timeframe for trying a case

(1) A case shall be tried within 30 days from the date of its filing at court.

(2) If there are reasonable grounds, the judge in a reasoned ruling can extend the timeframe for trying the case by 15 days.

(3) In the case of detaining a person according to Art. 376 and 433, the trial of the case shall be done urgently and with priority.

**Article 455.** Participation in the trial of a case of a contravention

(1) Hearing a case of a contravention shall take place with the summoning of parties as provided by this Code.

(2) The presence of the official examiner at a hearing is mandatory. Failure of the legally summoned official examiner to appear without prior notification of the court shall result in the termination of the proceeding with the issuance as necessary of a particular ruling.

(3) The failure of the legally summoned contravener or victim to appear without grounds shall not impede the trial of the case.

(4) The participation of a detained contravener is mandatory. His/her presence is ensured by the police.

(5) If the sanction of arrest is requested, the participation of the contravener is mandatory, except when he/she deliberately fails to appear.

**Article 456.** Hearing a case of a contravention

(1) The judge shall head the hearing of the case and shall ensure the order and solemnity of the hearing.

(2) In the hearing of a case, the judge shall:

a) announce the case;

b) verify the presence of the summoned individuals;

c) verify the observation of the procedure for summoning if a summoned person is absent;

d) take measures, as necessary, for the participation of an interpreter;

e) remove the witnesses from the courtroom;

f) identify the person against whom the proceeding was started;

g) announce the panel of judges and explain to the parties their right to disqualify a judge;

h) explain to trial participants other rights and obligations.

(3) In the case of a manifestation of a lack of respect for the judge or of the failure to execute an order of the presiding judge, the court in a ruling that can be included in the transcript of the hearing can decide to impose the sanction indicated in Art. 317. The ruling can be appealed by the interested person.

**Article 457.** Judicial inquiry

(1) During a judicial inquiry, the evidence presented by the prosecution shall be examined first.

(2) At the request of the parties and of other trial participants, the court may change the order of examination of evidence if this is necessary for the efficient unfolding of the judicial inquiry. The perpetrator may request to be heard at the beginning of the examination of evidence or at any stage of the judicial inquiry.

(3) After the examination of all evidence in the case file and of the evidence presented during the hearing, the court shall examine the requests and motions presented, and shall order the conduct, as necessary, of additional procedural actions.

(4) After termination of the judicial inquiry, the court shall invite statements.

(5) The participants do not have the right in their statements to refer to new evidence that was not examined during the judicial inquiry. If it is necessary to present new evidence, the participants may request resumption of the judicial inquiry, indicating the circumstances that would be examined additionally based on new evidence. After hearing the opinions of the other parties, the court shall adopt a reasoned ruling on admitting or rejecting a request or motion.

(6) The court cannot limit the duration of statements; however, the presiding judge is entitled to interrupt statements that exceed the limits of the case under trial.

(7) After closing a judicial inquiry and uttering the final word, the parties may submit written conclusions to the court about the solution they suggest for the case. Their conclusions shall be attached to the transcript.

**Article 458.** Problems to be solved in adopting a decision in a contravention

(1) When examining a case, the court is obliged to determine:

- a) the truthful character of the accusation;
- b) the existence of reasons that remove the contraventional character of the act;
- c) the culpability of the person against whom the case was brought;
- d) the existence of mitigating or aggravating circumstances;
- e) the need to sanction and, as necessary, the character of the sanction;
- f) other aspects that are important for the fair settlement of the case.

(2) The issues that appear during the trial of a case shall be resolved through a court ruling that shall be included in the transcript of the hearing and that can be appealed along with the decision.

**Article 459.** Transcript of the hearing of a case of a contravention

(1) The process of the hearing of a case shall be recorded in the transcript.

(2) The transcript of the hearing of a case shall include:

- a) name of the court;
- b) date (day, month, year), time and place of the hearing;
- c) last and first names of the judge and court secretary;
- d) last and first names of the parties and their procedural capacity;
- e) an indication about the execution of the summoning procedure;
- f) the contravention on which the transcript was prepared and the legal implications of the act;
- g) requests, motions and conclusions formulated by trial participants and measures undertaken;
- h) evidence examined during the hearing;
- i) withdrawal of the court to the deliberation room;
- j) indication about issuing a decision.

(3) The depositions of parties and of witnesses shall be read and signed by them.

(4) The transcript shall be prepared within 24 hours from the closing of the hearing of a case and shall be signed by the presiding judge and the secretary.

**Article 460.** Deliberation of the court

(1) The court shall decide on a case of a contravention in the deliberation room and shall pronounce a verdict through a decision on the factual and legal aspects of the case.

(2) The verdict shall be signed by the judge and shall be pronounced in public hearing immediately after the deliberation.

**Article 461.** Termination of a case of a contravention during a court hearing

If during a trial one of the grounds stipulated in Art. 441 and 445 is established, the court shall terminate the proceeding.

**Article 462.** Court decision

(1) The court decision shall be legal, grounded and reasoned.

(2) A court decision shall include an introductory, a descriptive and a dispositional section.

(3) The introductory part shall include:

a) date and place of issuance of the decision;

b) name of the court;

c) last and first names of the judge, secretary and of the parties and an indication about the participation of parties in hearings;

d) data about the person of the contravener (last and first names, date and place of birth, address);

e) the regulation contravened on the grounds of which the proceeding was started.

(4) The descriptive part shall include:

a) circumstances established in the trial of the case;

b) evidence on which the conclusion is based and reasons for rejecting any evidence;

c) the regulation on which the settlement of the case is based.

(5) The dispositional part shall include:

a) the resolution on terminating the case or

b) the resolution on the culpability of the person for committing the imputed contravention and, as necessary, on the establishment of the sanction, on applying a safety measure or on removal of the execution of the sanction.

(6) In addition to those indicated in para. (5), the dispositional part shall also include, as necessary, the resolution on:

a) *corpora delicti*;

b) procedure and timeframe for appealing the court decision;

c) other matters regarding the fair settlement of the case.

**Article 463.** Handing over copies of the court decision

(1) Within 3 days at the most from the date of issuance of the court decision, copies thereof shall be sent to the parties that were not present in the hearing and, upon request, to those that were present, and this fact shall be recorded in the case file.

(2) The contravener who is present at the issuance of the decision, who was sanctioned by arrest or a detained contravener shall be handed over without delay, against his/her signature, an extract from the decision, subsequently sending him/her a copy of the decision within the timeframe stipulated in para. (1).

**Article 464.** Posting and/or disseminating the decision to sanction

(1) Posting and/or disseminating the decision on sanctioning a legal entity shall consist in obliging it to post and/or disseminate, at its own expense, the court decision on its sanctioning.

(2) The decision on the sanctioning of a legal entity shall be posted in the place and for a period of 30 days at the most, to be established by the court.

(3) A sanctioning decision shall be disseminated by publishing it in the *Official Gazette of the Republic of Moldova* and/or in one or several newspapers and/or through one or several broadcast media as decided by the court.

(4) The costs for posting or dissemination shall not exceed the maximum amount of the fine applicable to a legal entity.

## **Chapter VIII**

### **ORDINARY MEANS OF APPEAL IN A COURT OF CASSATION**

#### **Article 465.** Cassation

(1) Court decisions in a contravention can be appealed to a court of cassation.

(2) A decision by a court of cassation shall be irrevocable.

#### **Article 466.** Grounds for cassation

Court decisions can be appealed to a court of cassation in order to correct errors of law on the following grounds:

a) the provisions on competence by substance or by the person's status were not observed;

b) the hearing was not public;

c) the case was tried without legally summoning a party or, if legally summoned, the party did not appear or did not notify the court that the party could not appear;

d) the decision appealed does not include the reasons on which the resolution is based, or the reasoning of the resolution contradicts the dispositional part of the decision, or the latter is set forth in an unclear way, or the dispositional part of the written decision does not correspond with the dispositional part pronounced after deliberation;

e) the constitutive elements of a contravention were not met or the court issued a sanction for an act other than the one imputed to the contravener, except for cases of legal reintegration of his/her actions under a milder law;

f) the contravener was sanctioned for an act that is not stipulated by this Code;

g) sanctions were imposed in limits other than those stipulated by the law or they did not correspond with the act committed or with the contravener's person;

h) the contravener was previously subject to accountability for the same act or there is a reason to remove liability, or the imposition of the sanction was eliminated by a new law or canceled by an act of amnesty or by the death of the contravener or by the reconciliation of the parties in the case provided for by law;

i) the act committed was given an erroneous legal qualification;

j) a more favorable law for the contravener intervenes;

k) the Constitutional Court has declared unconstitutional the provisions of the applied law;

l) an international court of law, through a decision on a different case, has established a violation at the national level of human rights and freedoms that can also be repaired in this case.

#### **Article 467.** The person entitled to request cassation

(1) A court decision can be appealed to a court of cassation by a contravener, official examiner, victim or prosecutor, depending on the circumstances.

(2) A cassation review may be requested in the name of the parties also by the defense attorney and in the name of an arrested contravener by his/her spouse.

#### **Article 468.** Cassation against a court decision in a case of a contravention

(1) A cassation against a court decision shall be filed within 15 days.

(2) The cassation shall be filed with the court whose decision is appealed. The detained person may file a cassation also with the administration of the detention facility which is obliged to file it immediately with the court whose decision is appealed.

(3) The cassation filed, together with the case file shall be sent within 3 days at the most from the expiration of the timeframe for filing a cassation with the court of cassation.

**Article 469.** Restoring the timeframe for filing a cassation

(1) A cassation filed outside the timeframe stipulated by the law, but not later than 15 days from the beginning of execution of the sanction or collection of pecuniary damages shall be considered filed in due time if the court has established that the delay was caused for a good reason or by the failure to inform the trial participant who was not present at the hearing nor when the decision was pronounced about the adoption of the decision.

(2) The court may suspend the execution of the court decision until deciding on restoring the timeframe for filing a cassation.

**Article 470.** Effects of cassation

(1) A cassation against a court decision in a contravention shall suspend its execution, except for the sanction of arrest.

(2) A court of cassation shall hear the cassation against the person to whom it refers and only in relation to his/her status in the proceeding.

(3) A court of cassation shall hear the cassation within the limits of the grounds for it having the right, in addition to the grounds invoked and the requests formulated by the plaintiff to also examine other grounds without aggravating the situation of the contravener.

(4) In settling the case, a court of cassation shall not create a situation more serious for the person in whose favor the cassation was filed.

(5) By extension, a court of cassation is entitled to hear cassations also in regard to individuals who have filed a cassation or to whom it does not refer, having the right to decide in their regard as well without aggravating their situation.

**Article 471.** Hearing a cassation against a decision in a case of contravention

(1) A court of cassation shall be a panel of 3 judges with relevant parties summoned.

(2) The failure of legally summoned parties to appear at the hearing shall not impede the cassation.

(3) A court of cassation is obliged to rule on all reasons invoked in the cassation.

**Article 472.** Hearing a cassation

(1) The presiding judge shall head the hearing appealing the decision in a case of contravention and shall ensure order and solemnity during the hearing.

(2) In hearing the cassation, the presiding judge shall:

a) announce the cassation;

b) announce to the panel of judges the name of the prosecutor, defense attorney, interpreter, and other individuals;

c) verify the presence of the persons summoned;

d) receive disqualification requests or other complaints which he/she shall settle through rulings;

e) after stating the cassation, he/she shall give the floor to the plaintiff, then to the defendant and, at the end, to the prosecutor. If the prosecutor's cassation is among other cassations, he/she shall be the first to be given the floor.

(3) The prosecutor and the parties have the right to respond to the issues arisen during arguments.

(4) The contravener shall be entitled to the last word.

(5) A court of cassation shall decide on a cassation in the deliberation room.

(6) The decision, signed by the members of the panel of judges, including by a judge who has a separate opinion, shall be pronounced during the hearing.

#### **Article 473.** Decision of a court of cassation

(1) After examining the cassation, the court of cassation shall adopt one of the following decisions:

1) to reject it and uphold the decision appealed, if the cassation:

a) is late;

b) is inadmissible;

c) is groundless;

2) To admit it, repealing the decision, and to order the retrial of the case in first instance.

(2) The court of cassation shall pronounce its decision in full or in just the dispositional part, and shall write the decision in full within 3 days at the most.

#### **Article 474.** Content of the decision of the court of cassation

(1) The decision of the court of cassation shall indicate:

a) date and place of its issuance;

b) name of the court that issued the decision appealed;

c) last and first names of the panel judges, as well as of the prosecutor, official examiner, defense attorney and interpreter/translator, if they participate in the hearing of the cassation;

d) last and first names of the plaintiff, his/her procedural status;

e) last and first names of the person sanctioned or in regard to whom the proceeding is dismissed;

f) last and first names of the victim, and for legal entities, of the representative of the victim if he/she participates in the hearing of the cassation;

g) dispositional section of the decision appealed;

h) merit of the cassation;

i) legal grounds that led to rejecting or accepting the cassation and the reasons for adopting a resolution;

j) one of the solutions stipulated in Art. 462 para.(5) letter a) and b);

k) indication that the decision is irrevocable.

(2) In the cases stipulated by the law, the court of cassation shall issue a particular ruling

### **Chapter IX**

#### **EXTRAORDINARY MEANS OF APPEAL BY JUDICIAL REVIEW**

##### **Article 475.** Opening the procedure for review

(1) The procedure for review shall be opened in favor of the contravener within 6 months at the most from the moment of appearance of one of the reasons stipulated in para.(2).

(2) The review of a proceeding in a case of contravention can be requested if:



- a) an international court of law, by decision, has established a violation of human rights and freedoms that can be remedied by a new trial;
  - b) the Constitutional Court declared unconstitutional the provision of the law applied in the respective case;
  - c) a new law eliminates the contraventional character of the act or ameliorates the situation of the contravener in whose regard the sanction was not fully executed;
  - d) a proceeding with an international court on the respective case has been started;
  - e) by final decision it has been established that the official examiner, prosecutor or judge committed, while establishing and trying the case, abuses that constitute infractions.
- (3) The procedure for review shall be instituted based on the request of the court prosecutor according to territorial competence or on the complaint of the contravener filed with the court that heard the case/appeal. In the case of para. (2) letter d), the review shall be opened at the request of the General Prosecutor or of his/her deputies.
- (4) The review request shall be filed in writing, invoking the reason for the review and data offered as proof.
- (5) In the review, the court notified may order a suspension of an unexecuted decision.
- (6) The review request shall be examined in accordance with the provisions of Chapter VII of Book Two.

**Article 476. Review of decisions on cases of a contravention**

- (1) The General Prosecutor and his/her deputies are entitled to file requests for the review of a decision issued in a case of a contravention if it is established that the actions of the contravener contain constitutive elements of a crime stipulated by the Criminal Code.
- (2) The review request shall be filed with the court whose decision remained final.

**Article 477. Decision of the court of review**

- (1) After examining the review request, the court of review shall adopt one of the following decisions:
- 1) to reject the request if it is:
    - a) late;
    - b) inadmissible;
    - c) groundless;
  - 2) To admit the request, repealing the decision and issuing another decision.
- (2) The court shall order, as necessary, to reinstate rights, reimburse a fine paid and/or goods, as well as the court costs which the person in whose favor the request was admitted was not obliged to incur, to include, upon request, the duration of the sanction of arrest of the contravener in the uninterrupted length of his/her service.
- (3) Decisions issued in the review procedure, except for those issued by a court of appeal, can be appealed by the individuals listed in Art. 467 within 15 days and shall be heard in the order of the procedure for cassation, in accordance with the provisions of Chapter VIII of Book Two.

**Chapter X**  
**CONVEYING COURT DECISIONS FOR EXECUTION**  
**PROBLEMS TO BE SOLVED IN EXECUTING A SANCTION FOR A**  
**CONTRAVENTION**

**Article 478.** Conveying court decisions for execution

(1) Conveying court decision for execution shall be entrusted to the court that tried the case in the first instance.

(2) Within 10 days from the date when the court decision became final, the court's chief justice shall send the order for execution of the decision together with a copy of the final decision to the authority entrusted with the execution of the decision according to the provisions in enforcement legislation. If the case was tried with cassation, a copy of the decision of the court of cassation shall be attached to the copy of the decision.

(3) The authorities that execute court decisions shall communicate, within 5 days at the most to the court that sent the respective court decision about its execution. The administration of the detention facility shall notify the court that sent the decision about the place where the contravener is executing the sanction.

(4) The court that issued the decision is obliged to monitor its execution.

**Article 479.** Problems to be solved in executing sanctions for contraventions

(1) Problems related to the execution of a sanction for a contravention shall be solved, at the request of the contravener, by the authority competent to ensure the execution of the sanction or at the request of the contravener or of the authority competent to ensure the execution of the sanction by the court.

(2) Problems related to the explanation of ambiguities in the execution of a court decision shall be solved by the court that issued the final decision at the request of the contravener or of the authority competent to ensure the execution of the sanction.

**Article 480.** Procedure of solving problems related to the execution of a sanction by the court

(1) The problems related to the execution of a sanction addressed to the court shall be solved in accordance with the provisions of Chapter VII of Book Two, by the court in the jurisdiction of the authority competent to ensure execution of the sanction.

(2) The ruling of the court on solving the problems related to the execution of the sanction can be appealed by the interested persons within 15 days and shall be heard in proceeding in accordance with the provisions of Chapter VIII of Book Two.

## **FINAL AND TRANSITORY PROVISIONS**

**Article 481.**

This Code shall become effective as from 31 May 2009.

**Article 482.**

Upon the entering into effect of this Code:

a) the Code of Administrative Offences, approved by the Law of the Moldovian S.S.R. of 29 March 1985 (News of the Supreme Soviet of the Government of the Moldovian S.S.R., 1985, No.3, Art.47) with subsequent amendments shall be repealed;

b) the legal acts adopted prior to putting in effect this Code shall apply to the extent they do not contravene the Code's provisions.

**Article 483.**

(1) All cases of contraventions instituted based on acts that are not considered contraventions in accordance with this Code shall be suspended as follows:

a) by the authorities competent to solve cases of contraventions with regard to the individuals whose cases are pending before other authorities;

b) by respective courts of law with regard to individuals whose cases are pending before the court;

c) by courts of appeal and of cassation with regard to the individuals in whose cases the decisions are not final.

(2) The final decisions on persons sanctioned for acts that are not considered contraventions in accordance with this Code shall not be executed, and the respective individuals shall not be considered sanctioned and shall have reinstated the rights of which they were deprived.

**Article 484.**

The Government within 6 months from the publication of this Code shall:

a) submit proposals to the Parliament in view of aligning the legislation in force to this Code;

b) bring its legal acts in accordance with this Code;

c) ensure revision and repeal by ministries and departments of legal acts contravening this Code;

d) ensure development of legal acts to regulate the application of this Code.

**CHAIRPERSON OF THE PARLIAMENT**

**Marian LUPU**

**Chisinau, October 24, 2008.**

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