



Beginner's tax guide – tax issues

Success in business requires training and discipline and hard work. But if you're not frightened by these things, the opportunities are just as great today as they ever were.

- David Rockefeller

Year 2022

CONTENTS

I.	INTRODUCTION	4
II.	GENERAL ISSUES OF BUSINESS INITIATION	5
2.1	What organizational-legal form can you choose.....	5
2.2	Find out if you need a permissive act	7
2.3	Registration of entrepreneurial activity.....	8
III.	TAX ISSUES	9
3.1	The obligation of tax registration.....	9
3.2	The taxes and fees you will pay	11
3.3	Do you need cash register equipment?	13
3.4	Reports submitted to the STS.....	13
3.5	Accounting records	14
3.6	What represents the tax liability / arrears.....	15
3.8	What happens if you admit arrears	17
3.9	Some issues related to performing the tax audit, the examination of the tax infringement case	18
3.10	STS assistance and support policy for beginners.....	22
3.11	Useful sources of information.....	22

Abbreviations:

MF	–	Ministry of Finance
STS	–	State Tax Service
LPA	–	Local public administration
GD	–	Government Decision
TC	–	Tax Code
AIS	–	Automated information system
ISSTS	–	Information system of the State Tax Service
CRE	–	Cash register equipment

I. INTRODUCTION

Dear readers,

This guide gives you an overview of the tax issues of doing business. At the same time, the guide will arm you with basic knowledge in the field of taxation, being also a support for starting a business.

What did we aim for in this guide?

- a) *to help you identify an organizational-legal form that would suit your situation;*
- b) *to guide you in aspects regarding obtaining a permissive act;*
- c) *to provide you with some information and references regarding the registration of the enterprise;*
- d) *to make you acquainted with the types of taxes and fees to be paid, with the regulation of rates and the specifics of their application and some facilities for them;*
- e) *to guide you in aspects related to the type of reports to be submitted to the STS and the deadline for their submission;*
- f) *to help you find out if it is necessary to use cash register equipment;*
- g) *to make you aware of the types of tax infringements and contraventions that could occur as a result of non-fulfillment of obligations;*
- h) *to make you acquainted with some aspects related to performing tax audits;*
- i) *to inform you how the procedure for examining cases of tax infringement generally takes place;*
- j) *to ensure your knowledge of the most important information and communication channels that*

would contribute to the optimization of the interaction with the STS, first of all on aspects related to the submission of tax reports.

No matter what field you intend to work in, you can make a bigger profit by planning the business initiation. One way to start is to describe the business concept in a business plan.

The business plan is a tool that helps you plan your business initiation. In the business plan, describe how you plan to implement the business concept so that you have clear objectives for your operations. Think carefully about the business concept before starting it. Describe:

- a) What service or product will you sell/provide;
- b) Who will buy the service or product;
- c) Market;
- d) Advantages and disadvantages compared to competitors;
- e) Resulting tax consequences.

The business plan must be easy to understand. Although it should be concrete, it should also be attractive. Keep in mind that suppliers and customers may want to see your business plan.

A business plan can vary in detail depending on the nature of the business. It must be a viable document that keeps pace with business development and is regularly updated. Only when you have a good understanding of what you want to do in business and how should everything be done can you be more persuasive to get others to listen and be interested.

II. GENERAL ISSUES OF BUSINESS INITIATION

2.1 What organizational-legal form can you choose

When choosing the form of the business it is important to consider all the characteristics of the company and to reflect on what suits your situation best.

You have 2 basic options, to do business as a natural person (individual) or legal person (entity).

<i>Individual (Tax Code)</i>	<i>Individual (with state registration)</i>	<i>Legal entity</i>
<ul style="list-style-type: none">• <i>Independent activity</i>• <i>Activity of acquisition and sale of crop and/or horticultural products and/or objects of the vegetal kingdom, harvested on the territory of the Republic of Moldova</i>• <i>Entrepreneurial patent</i>• <i>Licensed or authorized professional activity</i>	<ul style="list-style-type: none">• <i>Individual entrepreneur</i>• <i>Peasant household</i>• <i>Professional activities in the field of healthcare</i>	<ul style="list-style-type: none">• <i>Limited liability company (Ltd) (SRL)</i>• <i>Joint stock company (JSC) (SA)</i>• <i>General partnership (GP) (SNC)</i>• <i>Limited partnership (LP) (SC)</i>• <i>Cooperative</i>

Individual entrepreneur – an individual with full legal capacity, who practices as an entrepreneurial activity in his own name and at his own risk, without being a legal entity, and is registered in the manner established by the law. The patrimony of the individual enterprise is inseparable from the personal goods of the entrepreneur. The entrepreneur-owner of the individual enterprise bears unlimited liability for its obligations with its entire patrimony, except for those goods that according to the legislation in force are not subject to prosecution¹.

Peasant household – individual enterprise, based on private property on agricultural land and other goods, on the personal work of the members of a family (members of the peasant household), with the aim of obtaining agricultural products, their primary processing, marketing mainly their own agricultural products².

Entrepreneurial patent – nominative state certificate, which certifies the right to carry out the type of entrepreneurial activity indicated in it during a certain period of time³.

¹ Law no. 220-XVI dated October 19, 2007 on the state registration of legal entities and individual entrepreneurs, which can be accessed at the [link](#).

² Law no.1353-XIV dated November 3, 2000 on peasant (farmer) households, which can be accessed at the [link](#)

³ Law no. 93-XIV dated July 15, 1998 on the entrepreneurial patent, which can be accessed at the [link](#).

Independent activity – trade activity carried out by a resident natural person only individually, without constituting an organizational-legal form, following the performance of which income is gained. Additional information on tax issues in carrying out independent activity by individuals can be found in the “Guide on registration/termination of independent activity and fulfillment of tax liabilities”, by accessing the [link](#) or in the Tax Code, Title II Chapter 10², by accessing the [link](#).

Activities in the field of acquisitions of crop and/or horticultural products and/or objects of the vegetable kingdom – activity carried out by resident individuals who, without constituting an organizational-legal form for carrying out the activity, purchase crop and/or horticultural products and/or objects of the vegetal kingdom from individuals who do not carry out entrepreneurial activity, for the purpose of their subsequent sale to economic agents. Further information on tax issues in carrying out the activity can be found in the “Guide on registration and tax regime for individuals carrying out activities in the field of acquisitions of crop and/or horticultural products and/or objects of the vegetable kingdom”, by accessing the [link](#).

Licensed or authorized professional activity – permanent activity carried out within the forms of organizing the activity provided by law by a lawyer, trainee lawyer, notary public, bailiff, authorized administrator, mediator, judicial expert within the office of judicial expertise⁴. Additional information on tax issues in carrying out professional activity in the justice sector can be found in the Tax Code, Title II, Chapter 10¹, by accessing the [link](#).

Professional activity in the field of healthcare – independent exercise of the medical profession in one of the forms of organization of professional activity provided by the Health Care Law no. 411 dated March 28, 1995, for details access the [link](#).

Limited liability company – a company with legal personality whose share capital is divided into shares according to the deed of incorporation and whose liabilities are guaranteed by the company's assets. The shareholders, as well as the associates of the limited liability company are liable for the obligations of the company only within the limits of the value of the shares that belong to them⁵.

Joint stock company – a commercial company whose share capital is entirely divided into shares and whose liabilities are guaranteed by the company's patrimony⁶.

⁴ Law on lawyer’s activity no.1260 dated July,19 2002, Law on notariate no. 1453-XV dated November 8, 2002, Law on bailiffs no. 113 dated June 17, 2010, Law on mediation no. 134 dated June 14, 2007, Law on authorized administrator no. 161 dated July 18, 2014

⁵ Law no. 135 dated June 14, 2007 on limited liability companies and the Civil Code, art. 280, which can be accessed at the [link](#).

⁶ Law no. 1134 dated April 2, 1997 on joint stock companies, which can be accessed at the [link](#) and the Civil Code, art. 281

Partnership – a commercial company whose members practice, in accordance with the deed of incorporation, entrepreneurial activity on behalf of the company and are jointly and unlimitedly liable for its obligations⁷.

Limited partnership – a commercial company in which, together with the members who practice entrepreneurial activity on behalf of the company and bear unlimited joint liability for its obligations (active partners), there are one or more member-financiers (undisclosed partners) who do not participate in the entrepreneurial activity of the company and bear(s), within the limit of the contribution made, the risk of losses resulting from the activity of the company⁸.

Cooperative – voluntary association of individuals and legal entities, organized on corporate principles in order to promote and guarantee, through joint actions of its members, their economic interests and other legal interests⁹.

A summary of the forms of entrepreneurial activity is presented in **Annex no. 1**.

At the same time, you can find more information in Law no. 845 dated January 3, 1992 on entrepreneurship and enterprises, by accessing the [link](#).

2.2 Find out if you need a permissive act

When starting a business, it is important to know if the business needs a permissive act. This may involve special requirements regarding:

- a) you, as a business operator;
- b) your headquarters;
- c) the business itself.

The authorities empowered to grant licenses are¹⁰:

- 1) Public Services Agency
- 2) National Bank of Moldova;
- 3) National Financial Market Commission;
- 4) National Agency for Energy Regulation;
- 5) National Agency for Regulation in Electronic Communications and Information Technology;
- 6) Medicines and Medical Devices Agency;
- 7) The Audiovisual Coordinating Council.

⁷ Civil Code, art. 256-270

⁸ Civil Code, art. 271-279

⁹ Civil Code, art. 282-289

¹⁰ Art.12⁴ of Law no. 160 dated July 22, 2011 on regulation by authorization of the entrepreneurial activity

The legal framework for authorizing the entrepreneurial activity is regulated by Law no. 160 dated July 22, 2011 on regulation by authorization of the entrepreneurial activity, for details access the [link](#).

According to Law no. 231 dated September 23, 2010 on internal trade, the trade activity may be exercised by individuals and legal entities whose object of activity is the marketing of products and/or services and which correspond to those indicated in the annex to the Law, for details access the [link](#).

In order to carry out trade activities, traders must notify the local public administration authority.

Additional information can be found in GD no. 931 dated December 8, 2011 on the conduct of retail trade, which can be accessed at the [link](#), as well as in the GD no. 643 dated May 27, 2003 on the approval of the Methodological Norms and the criteria for classifying the structures of tourist reception with accommodation and dining functions, which can be accessed at the [link](#).

2.3 Registration of entrepreneurial activity

The state registration of legal entities, their branches, as well as of individual entrepreneurs is carried out on a working day, within 24 hours, which is calculated from the working day immediately following the one in which the documents necessary for registration were submitted. Legal entities, their branches, as well as individual entrepreneurs are registered at the Public Services Agency through its territorial structures.

Establishment documents for an individual entrepreneur are:

The following documents are submitted **for the state registration of individual entrepreneurs**:

- a) the application for registration, according to the model approved by the state registration body;
- b) the document confirming the payment of the registration fee.

The following documents are submitted **for the state registration of the legal entity**:

- a) the application for registration, according to the model approved by the state registration body;
- b) the decision of incorporation and the deed of incorporation of the legal entity, depending on the legal form of organization, in two copies;
- c) the approval of the National Financial Market Commission – for insurance companies, non-state pension funds and savings and loan associations;
- d) the document confirming the payment of the registration fee.

The company can be established by one person¹¹. In this case, the decision to establish the company will be taken by this person independently and will be completed in the form of a Declaration on the establishment of the company.

The deed of incorporation of the company is the incorporation contract and/or the statute¹². The legal entity constituted by a single founder operates on the basis of the statute approved by him.

Detailed information on registration can be found in Law no. 220 dated October 19, 2007 on state registration of legal entities and individual entrepreneurs, by accessing the [link](#).

III. TAX ISSUES

You can find the taxpayer's rights and obligations in the Taxpayer's Charter, published on the official website of the STS, by accessing the [link](#).

3.1 The obligation of tax registration

The taxpayer is obliged to register at the subdivision of the State Tax Service within whose area he has his headquarters established in the deed of incorporation (registration) and to receive the certificate of assignment of the Tax Identification Number, to present truthful information about the headquarters or change of the taxpayer's headquarters (except for taxpayers whose state identification number is the Tax Identification Number), as well as about the headquarters of his subdivisions and bank accounts opened abroad.

Detailed information about the tax registration can be found in the Tax Code art.8 para.(2), by accessing the [link](#), and in the STS Order no. 352 dated 28.09.2017 regarding the approval of the instruction on taxpayer records, by accessing the [link](#).

In order to register the **independent activity**, the individual is to submit the Application for registration/cessation of activity and registration/deregistration of the CRE for persons carrying out individual activity to the STS subdivision in whose territorial area of service he has his domicile address, or through the AIS "e-Application", with the attachment of the following documents:

- 1) copy of the identity card;
- 2) copy of the document certifying the legal purchase of the CRE on the internal market;
- 3) contract on technical assistance for CRE;
- 4) technical book;
- 5) register of technical assistance services for CRE;
- 6) CRE register;
- 7) instructions for use, installation, operation, maintenance of CRE;

¹¹ art. 30 para. (3)¹¹

¹² art.12 para. (1)¹² of Law no. 135 dated June 14, 2007 on limited liability companies

- 8) copy of the document issued by the financial institution confirming the opening of the bank account;
- 9) notification of receipt of the trade activity initiation notification, obligatorily accompanied by the copy of the notification;
- 10) the documents confirming the status of an insured person in the public system of social insurance and compulsory health insurance at the moment of initiating the independent activity.

In order to register for tax purposes the licensed or authorized professional activity, to the application for registration of the activity the taxpayers will attach:

1. copy of the license to carry out professional activity or the document certifying the conduct of licensed or authorized activity;
2. extract from:
 - the state register of notaries – for notaries;
 - the register of law firms and associated law firms – for lawyers;
 - the register of bailiffs – for bailiffs;
 - the register regarding the record of registration of mediators' offices - for mediators;
 - the register of authorized administrators;
3. document confirming the headquarters' dislocation;
4. copy of the trainee lawyer's card;
5. copy of the contract regarding the conduct of professional traineeship in law.

The activity on the basis of the **entrepreneurial patent** is carried out through a simplified registration system, by submitting an application to the STS or, as the case may be, to the town hall.

The following documents are to be attached to the application for the issuance/extension of the entrepreneurial patent:

- 1) the document confirming the powers of attorney of the representative of the applicant/holder of the entrepreneurial patent – in case the application is submitted through an authorized representative;
- 2) the document confirming the payment of the patent fee, in an amount corresponding to the term of validity of the patent (for a period of not less than one month and not more than 12 months);
- 3) the documents confirming the payment of the state social insurance contribution for the entire requested period of carrying out the activity on the basis of the entrepreneurial patent or the documents confirming the exemption from the payment of the contribution;
- 4) the documents confirming the status of an insured person in the compulsory health insurance system or the documents confirming the exemption from the payment of the contribution;

- 5) the copy of the diploma or of another document regarding the studies confirming the level of qualification necessary for the development of the respective type of activity¹³;
- 6) copy of the extract from the real estate register or from the register of the households of the population related to the rural house that will be used within the respective activity¹⁴.

In order to register **the activity of acquisition and sale of crop and/or horticultural products and/or of objects of the vegetal kingdom**, harvested on the territory of the Republic of Moldova, resident individuals who intend to carry out activity in the field of acquisition of crop and/or horticultural products and/or of objects of the vegetal kingdom, submit to the Taxpayer Service Department in whose are of activity the domicile indicated in the identity card is located, the Application for tax registration of the resident individual who carries out activity in the field of acquisition of crop and/or horticultural products and/or of objects of the vegetable kingdom and their identity card.

Within up to 3 working days from the date of submission of the Application, the responsible person within the Taxpayer Service Office, issues the Confirmation regarding the tax registration of the resident individual who carries out activity in the field of acquisition of crop and/or horticultural products and/or of objects of the vegetable kingdom¹⁵, as well as the Purchase slip for crop and/or horticultural products and/or objects of the vegetable kingdom¹⁶.

3.2 The taxes and fees you will pay

The rates of taxes, fees and other non-fiscal payments are established by the legislative acts regulating the given taxes and payments, namely:

- 1) the Tax Code no. 1163-XII dated April 24, 1997 (republished in the Official Gazette of the Republic of Moldova, special edition of February 8, 2007 and the laws for its implementation), with subsequent amendments and supplementations for that year;
- 2) the State Budget Law, approved for the respective year;
- 3) the Law on state social insurance budget, approved for the respective year;
- 4) the Law on compulsory health insurance funds, approved for the respective year;
- 5) the Law on entrepreneurial patent no. 93-XIV dated July 15, 1998.
- 6) the Law for the implementation of Title VI of the Tax Code no. 1056 dated June 16, 2000;

¹³ in the case of the types of activity listed in positions 2.1, 2.2, 2.3, 2.5, 2.6, 2.12, 2.13, 2.14, 2.15, 2.16, 2.49 of the Annex to Law no. 93-XIV dated July 15, 1998 on the entrepreneurial patent

¹⁴ if, according to Law no. 231 dated September 23, 2010 on internal trade, for carrying out the types of activity indicated in the Annex to Law no. 93-XIV dated July 15, 1998 on the entrepreneurial patent it is necessary to notify the local public administration authority

¹⁵ approved by the MoF Order no.623 dated 31.12.2019

¹⁶ approved by the MoF Order no.3 dated 02.01.2020

- 7) the Law on public social insurance system no. 489 dated July 8, 1999;
- 8) the Law on the size, manner and terms of payment of compulsory health insurance premiums no. 1593 dated December 26, 2002.

The types of state and local taxes levied in the Republic of Moldova are the following:



State taxes and fees

- Income tax
- VAT (Value Added Tax)
- Excise duties
- Private tax
- Customs duty
- Road fees
- Wealth tax
- Single tax from information technology parks' residents



Local taxes and fees

- Real estate tax/land tax
- Territorial planning fee
- Fee for commercial and/or service rendering units
- Market fee
- Fee for placement (location) of advertising (commercials)
- Advertising devices fee
- Fee for provision of passenger transportation services on the territory of municipalities, cities and villages (communes), etc.
- Natural resources fee
- Fee for organization of actions and lotteries on the territory of administrative-territorial unit
- Fee for application of local symbols
- Accommodation fee
- Resort fee
- Parking fee

Compulsory state social insurance contributions

- *The tariffs of the compulsory state social insurance contributions, the deadlines for their transfer to the state social insurance budget can be found in Annex no. 1 to the Law no. 489 dated July 8, 1999 on the public social insurance system.*

Compulsory health insurance premiums

- *The rates of the compulsory health insurance premiums for different categories of payers are established annually by the Law on compulsory health insurance funds, and the manner and deadline for payment of the mentioned premiums are established by Law no. 1593 dated December 26, 2002.*

Detailed information about the rates, the specifics of the application, the deadline for paying state and local taxes and fees can be seen in **Annex no. 2** to the present guide.

3.3 Do you need cash register equipment?

Cash receipts are made through cash register equipment, in compliance with regulations approved by the Government, including the List of types of activities whose specific allows cash receipts to be made without the application of cash register equipment (**Annex No. 3** to the present guide).

The requirements for conducting cash operations and cash settlements through cash register equipment do not extend to the holder of the entrepreneurial patent.

The method of registration of cash register equipment is carried out in accordance with the provisions of the STS Order no. 131 dated 21.03.2019 on the approval of the Regulation on how to keep records and seal cash register equipment, for details you can access the [link](#).

Detailed information can be found in the Tax Code art.8 para.(2) lett.c) and the GD no. 141 dated February 27, 2019 on the application of cash register equipment when making settlements, by accessing the [link](#).

3.4 Reports submitted to the STS

Regardless of the organizational-legal form, the subject of taxation has the following liabilities:

- 1) calculation of taxes/fees;
- 2) presenting (submission of) reports;
- 3) payment of taxes/fees.

Any person practicing entrepreneurial activity presents himself in the tax reports as a taxpayer. As a taxpayer you have the obligation to submit within the established deadline reports on taxes and fees. The tax reports are presented as follows:

On paper (by courier, by post), excluding VAT and excise duties;

By automated electronic reporting methods:

- *subjects registered as VAT payers;*
- *subjects who carry out licensed or authorized professional activity;*
- *residents of information technology parks;*
- *taxpayers who have 5 or more employees;*
- *from the date of tax registration (assignment of the TIN) - by non-residents who carry out entrepreneurial activity without holding an organizational-legal form in the Republic of Moldova and who provide services through electronic networks to individuals-residents of the Republic of Moldova who do not carry out entrepreneurial activity, regardless of the number of employees.*

Detailed information on statements, reports and their submission deadline can be found in the fiscal calendar on the official website of the STS or by accessing the [link](#).

The requirements for the submission of tax, financial and statistical reports do not extend to the holder of the entrepreneurial patent.

3.5 Accounting records

It is important to study the rules that apply to your tax payments from the beginning. Moreover, from the very beginning you will benefit from a correct accounting. This saves you time, money and unnecessary effort.

You are required to keep accounting records of all financial transactions in your business (a transaction refers to the time when you buy or sell something, or take out a loan, for example).

Accounting is a useful tool in business. Accounts allow you to monitor operations and drive your business toward its goals. The answers to most questions can be found in your accounts. How much money can you withdraw? How is business going? Can you make the investments you have planned? Can you afford to hire staff?

Accounting is also important if you need to demonstrate to other entities how your business is developing, for example when obtaining a loan from a supplier or a bank. Also, you have the possibility to obtain the details from your accounts for the income tax refund. Whether you keep accounting records by yourself or hire someone to help you, depending on the time you have, it is important to be interested and understand the need for accounting.

Detailed information can be found in the Law on accounting and financial reporting no. 287 dated December 15, 2017, by accessing the [link](#), as well as in the MoF Order no. 118 dated 06.08.2013 regarding the approval of the National Accounting Standards, by accessing the [link](#).

Self-employed individuals are obliged to keep records of sales and purchases according to the manner established by the MoF and to use cash register equipment to carry out cash settlements in the manner established by the Government for taxpayers who keep accounting records.

Resident individuals who carry out activities in the field of acquisition of crop and/or horticultural products and/or of objects of the vegetable kingdom in the case of the acquisition of crop and/or horticultural products and/or of objects of the vegetable kingdom from individuals who do not engage in entrepreneurial activity (citizens) draw up a Purchase slip for crop and/or horticultural products and/or objects of the vegetable kingdom¹⁷.

The requirements for keeping accounting and financial records do not extend to the holder of the entrepreneurial patent.

3.6 What represents the tax liability / arrears

Tax liability – obligation of the taxpayer to pay to the budget a certain amount such as tax, fee, compulsory health insurance premiums and compulsory state social insurance contributions set as a percentage, delay increase (penalty) and/or fine.

Arrears – amount that the taxpayer is obliged to pay to the budget as tax, fee or other payment, which he did not pay on time, as well as the amount of the delay increase (penalty) and/or of the fine (art.129 par. (13) of the Tax Code).

The tax liability that represents the object of conciliation of the contract concluded according to art.180 of the Tax Code becomes overdue after the expiration of the modified deadline in accordance with the respective contract.

The unpaid tax liabilities in the amount of up to 100 MDL, inclusive, are not considered arrears to the national public budget for the purpose:

- a) to benefit from a 50% reduction of the fine for tax infringement;
- b) non-presentation and/or cancellation of the disposition of suspension of operations to the bank and/or payment account, issued to ensure the collection of arrears;
- c) attestation of lack of arrears to the national public budget;
- d) ensuring the execution of art. 13 pt. 8) of Law no. 845-XII dated January 3, 1992 on entrepreneurship and enterprises, for details access the [link](#);
- e) ensuring the execution of art. 131 para. (7) of the Tax Code.

¹⁷ Title II Chapter 10³ of the Tax Code



NOTE: The tax liabilities accounted to the special tax record according to art. 206 of the Tax Code, are not considered arrears during the period of being accounted to the special tax record, except for the tax liabilities afferent to the taxpayers in insolvency procedure, bankruptcy procedure or simplified bankruptcy procedure.

In case of admitting arrears to the national public budget, except for the state social insurance budget, the deadline for extinguishing the tax liability may be modified¹⁸.

3.6¹ Modification of the deadline for extinguishing the tax liability

The modification of the deadline for extinguishing the tax liability is made by:

- tax liability extinguishment postponement (the extinguishment will be made by a single payment);
- tax liability extinguishment rescheduling (the extinguishment will be made in installments).

The postponement or rescheduling of the extinguishment of the tax liability is granted in the following cases:

- a) natural and technogenic calamities;
- b) accidental destruction of production buildings;
- c) unpredictable and unavoidable circumstance, which effectively impedes the production capacity for a long period of time and the execution of your contractual obligation;
- d) debts of public authorities or institutions (financed from the national public budget) towards you, only within the limits of the amounts due, as well as their related taxes and fees;
- e) other circumstances, established by the Ministry of Finance, which entitle you to benefit from the modification of the deadline for extinguishing the tax liability.

The postponement or rescheduling of the extinguishment of the tax liability is conditional and is granted with the obligation to settle the current tax liability during the period of postponement or rescheduling.



NOTE: Regarding the modification of the deadline for extinguishing the liabilities to the SSIB (State Social Insurance Budget), those are granted by the NSIH (National Social Insurance House), and the procedure is regulated by the Regulation on the rescheduling of the extinguishment of delay increases (penalties) debts to the state social insurance budget, which can be accessed on

¹⁸ under the conditions regulated by art. 180 of the Tax Code, as well as based on the provisions of the MoF Order no. 105 dated 28.07.2016 regarding the approval of some forms related to the modification of the deadline for extinguishing the tax liability by postponement or rescheduling, MoF Order no. 55 dated 02.03.2018 regarding the modification of the deadline for extinguishing the tax liability and of the MSTI Order no. 1030 dated 26.10.2016 regarding the approval of the standard form of the Application regarding the modification of the deadline for extinguishing the tax liability by rescheduling or postponement and the procedure of its examination

the official website of NSIH.

3.7 What happens if you admit arrears

If you admit arrears to the budget, the STS will take actions to forcibly collect the arrears.

In order to settle the tax liability, insurance measures and/or enforcement measures may be applied.

The measures to ensure the extinguishment of arrears:

- a) Application of the delay increase (penalty) to taxes and fees;
- b) Suspension of bank accounts operations, excluding those on credit and provisional accounts (of financial means accumulation for the social capital formation or increase);
- c) application of seizure as an insurance measure;
- d) application of the legal and conventional pledge, as an insurance measure, in accordance with the legislation regarding the pledge.

The conditions for triggering the enforcement of the tax liability are:

- a) the existence of arrears, taking into account the provisions of art. 252 of the Tax Code;
- b) non-expiration of the prescription terms established in the Tax Code;
- c) not contesting the fact of the existence of arrears and its size in the cases provided in art.194 para.(1) lett.c) and d) of the Tax Code;
- d) the taxpayer is not in the liquidation (dissolution) procedure or in the insolvency process according to the provisions of the legislation in force, except for the tax liability calculated after initiating the insolvency procedure¹⁹.

The methods of tax liability enforcement are:

- a) collection of financial means, including foreign currency, from the taxpayer's bank accounts, excluding those on credit and provisional accounts (of financial means accumulation for the social capital formation or increase);
- b) withdrawal from the taxpayer of financial means in cash, including in foreign currency;
- c) pursuit of the taxpayer's assets;
- d) pursuit of the taxpayer's debtor dues through the manners described above;
- e) joining the prosecution to the bailiff, according to the provisions of the Enforcement Code;
- f) submission of enforcement materials, to the competent bailiff, in accordance with the provisions of the Enforcement Code.

¹⁹ In accordance with the provisions of the Insolvency Law no.149 dated June 29, 2012

3.8 Some issues related to performing the tax audit, the examination of the tax infringement case

In case of non-fulfillment of tax liabilities, the entrepreneur could be subject to the application of both fiscal and contraventional sanctions. Liability for tax infringement means the application by the STS, under the conditions provided by tax legislation, of sanctions against persons who have committed tax infringements. The types of tax infringements can be found in **Annex no. 4** to this guide.

The audit procedure consists of a set of methods and operations for organizing and carrying out the audit, as well as for capitalizing on its results.

On-site tax audit or at the STS office (*hereinafter – Cameral tax audit*) can be organized and performed by the following methods and operations:



- **Cameral tax audit**

- Documentary tax audit
- Partial tax audit
- Thematic tax audit
- Cross-checking

- **On-site tax audit**

- Factual verification
- Documentary tax audit
- Total tax audit
- Partial tax audit
- Thematic tax audit
- Operative tax audit
- Cross-checking

- 1) **Cameral tax audit** (at the State Tax Service office or other body with tax administration attributions office) – consists in verifying the correctness of elaboration of tax reports, other documents presented by the taxpayer, which serve as basis for calculating and paying taxes and fees, other documents available to the State Tax Service or other body with tax administration attributions, as well as checking other tax compliance circumstances. The cameral tax audit is carried out by tax officials or authorized persons from other bodies with tax administration attributions in accordance with their work duties, *without adopting a written decision on the concerned objective*. If the detection of tax infringement is possible during the cameral tax audit, without the need of an onsite tax audit, tax officials or authorized persons from other bodies with tax administration attributions draw up the decision to initiate the tax audit and the tax audit act by respecting provisions of art. 216 para. (6) and (8) of the Tax Code.

- 2) **On-site tax audit** – consists of verifying the tax legislation compliance by the taxpayer or by another person subject to tax audit, which is performed at their location by tax officials or authorized persons from other bodies with tax administration attributions. *Is carried out only on the basis of a written decision of the body management exercising the tax audit (Decision to initiate the audit).*

At the end of the cameral tax audit within which a tax infringement was detected, as well as within the on-site tax audit, a tax audit act is drawn up.

- Tax audit act is a document drawn up / generated from ISSTS by the tax official or another person in charge of the body exercising the audit.
- The tax audit act is drawn up on blanks of strict evidence in two copies, in which the results of the tax audit are recorded.
- The first copy of the tax audit act remains with the STS; the second copy being handed/sent to you.
- You, through your manager or another representative, *are obliged to sign the tax audit act, even in case of **disagreement**.*

DISAGREEMENT to the tax audit act

In case of disagreement, you are obliged to present in writing, within 15 calendar days from the date of signing the audit act, the argumentation of the disagreement, attaching the necessary documents.

Examination of the infringement case

Tax infringement case is examined at the STS office where your company is registered or assisted or elsewhere, established by the STS. Tax infringement case is examined within 15 days from the date:

- a) of the disagreement submission – if submitted in due time;
- b) expiration of the term for disagreement submission – if it was not submitted or if it was submitted late.

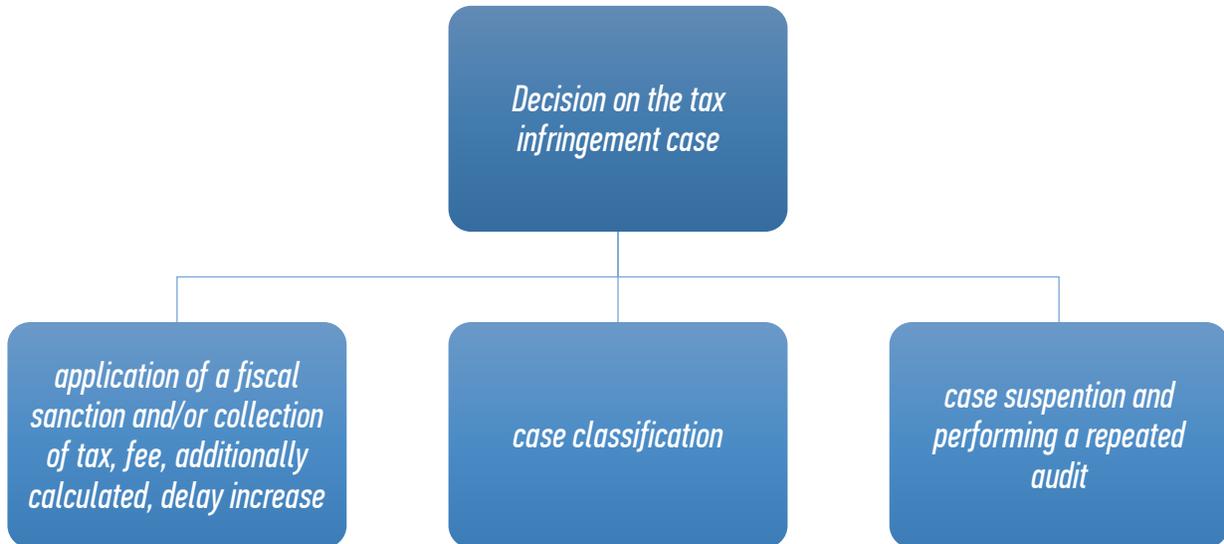
In case of substantiated arguments, the term for examining the tax infringement case may be extended by 30 days by the decision of the body empowered to examine the tax infringement case.

At the written request of the taxpayer with the mention that he agrees with the results of the audit, the examination of the case of tax infringement may be performed without respecting the deadline for submitting the disagreement provided in art. 216 para. (8) of the Tax Code.

Decision on a tax infringement case

After tax infringement case examination, the STS issues a decision. The person concerned in the decision on the case of tax infringement shall execute it within 30 days from the date of pronouncement. For this period, the calculation of the delay increase shall not be suspended.

In the situation when the decision on the case of tax infringement after the expiration of the term of 30 days has not been executed voluntarily or the legal pledge has not been constituted, then it proceeds to forced execution, in the manner provided by the Tax Code. On the case of tax infringement one of the following decisions may be taken:



If you do not agree with the decision taken by the STS, you have the right to appeal against the decision of the STS or against the actions of the tax official.



Appeal submission deadline

*Appeal against the State Tax Service's decision or tax official's action may be submitted within **30 days** from the date of communication of the decision or undertaking of the contested action.*

If this deadline is omitted for well-founded reasons, it may be re-established by the STS, at the request of the person concerned in the decision or against whom the action was taken.

Appeal submitted after the expiry of the indicated deadline, not restored in the manner provided in art. 268 para. (1) of the Tax Code, will remain unexamined and will be returned to the plaintiff.



Submitting an appeal

Appeal against the State Tax Service's decision or tax official's action shall be submitted to the subdivision of the STS.

In the event of disagreement with the decision issued by the STS on the appeal, the taxpayer is entitled to apply to the competent court.



Examination of an appeal

The STS examines the appeal within 30 days from the date of receipt, except when its management issues a decision on the extension of this term, fact about which the taxpayer is notified. The period by which the term is extended shall not exceed 30 calendar days.

When examining the appeal, the taxpayer is invited to give explanations, having the right to submit confirmatory documents. The taxpayer is summoned in accordance with art. 226 para.(1), (2) and para.(3) lett.a) – e) of the Tax Code. The case may be examined in the taxpayer's absence if he was summoned in the established manner and, for unfounded reasons, did not appear or if he requested the appeal examination in his absence.

After the examination, the management of the State Tax Service issues a decision on the contestation, a copy of which is handed over or sent, recommended, to the taxpayer.



Decision issued regarding the appeal

Regarding the appeal against the STS decision, one of the following decisions may be issued:

- dismissing the appeal and maintaining the contested decision;*
- partial appeal satisfaction and amendment of the contested decision;*
- appeal satisfaction and annulment of the contested decision;*
- suspending the contested decision execution and carrying out a repeated audit.*

Regarding the appeal against tax official's action, may be issued a decision on the appeal rejection or regarding the tax official's accountability in accordance with the law, by restoring the injured rights of the person who contested the tax official's action.

3.9 STS assistance and support policy for beginners

Any taxpayer, regardless of his role in social and economic life, must know both his rights and obligations and the consequences he could face in case of non-compliance with the legislation in force. Thus, the assistance and support policy of the STS refers to actions to promote and increase the degree of tax compliance and to popularize the tax legislation among taxpayers within the activity of the tax official in the tax administration sector.

Also, in this context, the STS has launched and applies voluntary compliance of taxpayers through the Program on voluntary compliance of taxpayers, which you can find on the STS page by accessing the [link](#).

The STS also provides support through **tax visits**, which involve several measures such as:

- a) providing explanatory-consultative support regarding the application of the tax legislation;
- b) establishing general data about your activity, by examining accounting records, primary documents, statistical reports, as well as employee explanations;
- c) identifying deficiencies in your activity and preventing illegal actions;
- d) directly observing your activity regarding cash register discipline or other issues related to tax administration.

You can also benefit from informational support in the field of taxation by appealing to the tax official whose task is to disseminate the tax legislation in an accessible form through various methods.

A tool to popularize the official position of the STS is the Generalized Base of Tax Practice which can be accessed at the [link](#).

3.10 Useful sources of information

Your activity as an enterprise also requires the existence of a constant flow of information. For these reasons, knowing the communication channels of the STS through which this flow is achieved is extremely important. The most important communication channels are:



www.sfs.md

The official website of the STS is updated with the latest changes in tax legislation, this being the main communication channel.



STS Call Center - 0 8000 1525

Provides informational support on questions related to tax legislation, technical assistance on the use of electronic tax services, cases of non-compliance with the tax legislation can be reported, situations of conflict or corruption from tax officials can be reported, the excise duty stamp can be verified.

The STS Call Center is available daily, except Saturdays and Sundays, between 08:00 and 17:00. Free call throughout the country.



Facebook Page

Provides real-time answers to questions, as well as periodically posts information on STS activity.



Youtube Channel

On the Youtube channel you can access all the social spots made by the STS, as well as a lot of tutorials on the use of tax services, completing the income tax return, changing the time on the cash register, etc.



Electronic address

Any communication with you can also be made through the official email address: mail@sfs.md.



Instagram Page

Provides real-time answers to questions, and regularly posts information the STS activity.

Annex no.1

Individuals http://www.sfs.md/Persoane_juridice.aspx							
Entrepreneurial activity as a peasant household	Entrepreneurial activity as an individual entrepreneur		Licensed or authorized professional activity	Independent activities	Entrepreneurial patent	Professional activity in the field of healthcare	Activity in the field of acquisitions of crop and/or horticultural products and/or objects of the vegetal kingdom
The status of the person			Lawyer, trainee lawyer, notary public, bailiff, authorized administrator, mediator, judicial expert in the office of judicial expertise	Retail trade (except excise goods)	Law no. 93 dated July 15, 1998 on the entrepreneurial patent	Health Care Law no. 411 dated March 28, 1995	
< 3 employees non-VAT payers	> 3 employees non-VAT payers	> 3 employees VAT payers	<u>Rates</u>	<u>Rates</u>	<u>Fee</u>	<u>Rates</u>	<u>Rates</u>
<u>Rates</u> - income tax (art.15 TC) - excise duties (art.122 TC, annexes to title IV of the TC) - other taxes and duties (annex no.2)	<u>Rates</u> - income tax (art.15 TC) - excise duties (art.122 TC, annexes to title IV of the TC) - other taxes and duties (annex no.2)	<u>Rates</u> - income tax (art.15 TC) - VAT (art.96 TC) - excise duties (art.122 TC, annexes to title IV of the TC) - other taxes and duties (annex no.2)	- income tax constitutes 12% of the object of taxation (art.69 ⁵ TC) - VAT (art.96 TC, with the exceptions provided in art.103 TC) - excise duties (art.122 TC, annexes to title IV of the TC) - other taxes and duties (annex no.2)	- income tax constitutes 1% of the object of taxation, but not less than 3000 MDL (art.69 ¹⁰ TC)	- fixed amount established by the Law no. 93 dated July 15, 1998 on the entrepreneurial patent	- income tax constitutes 12% of the object of taxation (art.15 lett.a) TC)	- income tax constitutes 6% of the object of taxation
Type of declarations and declaration / payment period http://www.sfs.md/calendar_fiscal.aspx							

State and local taxes and fees (rates and specificity of application)		
Name of the tax/fee	Tax rates	Specificity of application (subjects of taxation, payment deadline)
State taxes and fees		
Income tax	<p>The income tax rate is established in art. 15, art. 54³, art.69¹¹ and art.69¹⁸ of the Tax Code.</p>	<p>The subjects of income tax are established in art. 13, art. 54¹, art.69¹, 69⁷ and art.69¹⁵ of the Tax Code.</p> <p>The deadline for submitting the declaration regarding the income tax is established in art.83 para.(4), art.54⁴ para.(3), art.69⁵ para.(4) and para.(6), and art.69¹² para.(4) of the Tax Code.</p> <p>The deadline for paying the income tax is established in art.54⁴ para.(2), art.69⁵ para.(2), art.69¹² para.(2), art.84 and art.87 of the Tax Code.</p>
Value Added Tax (VAT)	<p>The standard rate is 20% of the value of goods and services imported and / or delivered in the Republic of Moldova²⁰.</p> <p>The reduced rates for VAT are established in art. 96 lett. b) of the Tax Code.</p> <p>The VAT exemption without right of deduction is established in art. 103 of the Tax Code.</p> <p>The VAT exemption with the right of deduction is established at art. 104 of the Tax Code.</p>	<p>The taxable subjects are established in art. 94 of the Tax Code.</p> <p>The registration of taxable subjects as VAT payers is carried out according to the provisions of art. 112 and 112¹ of the Tax Code.</p> <p>Mandatory > 1,2 million MDL (making, in any period of 12 consecutive months, deliveries of goods, services, except for deliveries exempt from VAT without the right of deduction and those that do not constitute a taxable object)²¹.</p> <p>Mandatory > 1,2 million MDL, the subject who carries out entrepreneurial activity and who benefits from the import of services, except for those exempt from VAT without the right to deduct, the value of which, being added to the value of</p>

²⁰ art. 96 of the Tax Code

²¹ art. 95 para.(2) of the Tax Code

		<p>deliveries of goods, services, made during any 12 consecutive months, except for deliveries exempt from VAT without the right to deduct and those that do not constitute a taxable object in accordance with art. 95 para. (2).</p> <p>Mandatory – the subject to whom, during the reorganization by merger, dismemberment or transformation, rights and/or obligations were transferred to him by the reorganized enterprise holding the status of VAT payer is considered registered as a taxable subject from the date of state registration of new legal entities, except in the case of reorganization by absorption, for which the date of registration as a subject of taxation with VAT is the date of registration of the changes in the articles of incorporation of the absorbing legal entity.</p> <p>Subjects are obliged to officially notify about the reorganization the State Tax Service within 5 working days from the date of state registration of new legal entities, except for reorganization by absorption, for which the period of 5 working days begins to run from the date of registration of changes in the articles of incorporation of the absorbing legal entity.</p> <p>Voluntary – without the condition of reaching any threshold (if the subject expects to make taxable supplies of goods and services, except for supplies exempt from VAT without the right of deduction and those that do not constitute a taxable object).</p> <p>The deadline for paying the VAT</p>
--	--	---

		and submitting the VAT Return , no later than the 25th of the month following the end of the tax period.
Excise duties	<p>According to art. 122 and Annex no.1 to Title IV of the Tax Code, the excise duties rates are established:</p> <p>a) <i>in absolute amount</i> per unit of measurement of the goods;</p> <p>b) <i>ad valorem</i> as a percentage of the value of the goods, without taking into account excise duties and VAT, or of the customs value of the imported goods, taking into account the taxes and duties to be paid at the time of import, without taking into account excise duties and VAT.</p>	<p>The subjects of excise taxation are:</p> <p>a) the authorized warehouse keeper who produces and/or processes goods subject to excise duties on the territory of the Republic of Moldova</p> <p>b) legal entities and individuals importing goods subject to excise duties.²²</p> <p>The method and conditions of registration as a subject of excise duties taxation are provided by art. 126 of the Tax Code.</p> <p>The method of calculating the excise duties is established in art. 123 and 123¹ of the Tax Code.</p> <p>The excise duties rates are specified in Annexes no. 1 and no.2 to Title IV of the Tax Code.</p> <p>The facilities for excise duties payment are established in art. 124 of the Tax Code.</p> <p>The payment and declaration of excise duties on the dispatch (transportation) of goods subject to excise duties shall be made until the 25th of the month following the month in which the dispatch (transportation) of the goods subject to excise duties was carried out. The form of the declaration and the manner of completing it are established by the Ministry of Finance.</p> <p>For imported goods, the excise duties are calculated and paid by the</p>

²² art. 120 of the Tax Code

		subjects of taxation specified in art. 120 lett. b) until the submission of the customs declaration or until the date of extension of the payment term.
Single tax	Single tax rate is established in art. 370 of the Tax Code.	<p>The subjects of taxation with the single tax are any legal entities and individuals registered in the Republic of Moldova as subjects of entrepreneurial activity and who cumulatively meet the conditions specified in the legislation on information technology parks²³.</p> <p>The deadline for submitting the single tax return is set until the 25th of the month following the reporting month²⁴.</p> <p>The deadline for paying the single tax is set until the 25th of the month following the reporting month²⁵.</p>
Local taxes and fees		
<p>Subjects of taxation with real estate tax /land tax are established in art. 277 of the Tax Code</p> <p>Subjects of taxation with local fees are established in art.290 of the Tax Code</p>		
Real estate tax / land tax	<p>1. The specific rate related to the real estate tax assessed by the cadastral body for taxation purposes is established annually by the representative and deliberative authority of the local public administration for the real estate assessed according to the destination of the object within the limits provided in art. 280 of the Tax Code:</p> <p>- 0,05 % – 0,4 % of the tax base for real estate for residential use, garages and lands on which these are located, lots of fruit societies with or without</p>	<p>Subjects of taxation pay the tax amount:</p> <ul style="list-style-type: none"> • for the objects of existing taxation and / or acquired until September 25th, including the current fiscal year - until September 25th of the respective tax period; • for the objects of taxation acquired after September 25th of the respective tax period - until March 25th of the tax period following the reporting period. <p>Individual entrepreneurs and</p>

²³ art. 368 of the Tax Code

²⁴ art. 373 para.(1) and (4) of the Tax Code

²⁵ art. 373 para.(2) of the Tax Code

	<p>buildings situated on them;</p> <p>- 0,1 % – 0,3 % of the tax base for agricultural lands with buildings situated on them;</p> <p>For real estate with a destination other than residential or agricultural, including except for garages and land on which they are located and lots of fruit societies with or without buildings located on them, a fixed rate of 0,3% of the tax base is applied.</p> <p>2. The specific rate of the land tax and the real estate tax for real estate unassessed by the cadastral body for taxation purposes are established annually by the representative and deliberative authorities of the local public administration at the approval of the respective budgets, within the limits specified in annexes no. 1 and no.2 of Law no. 1056 dated June 16, 2000 for the implementation of Title VI of the Tax Code, but not less than 50% of the maximum rate, except for the rates established in annex no. 2 p.2 of Law no. 1056 dated June 16, 2000 (related to residential real estate (apartments and individual houses) in rural areas for which the concrete rate is to be established within the limits of 0,05% - 0,4% of the taxable base).</p> <p>The tax base is:</p> <ul style="list-style-type: none"> • for the assessed real estate – the value estimated for taxation purposes according to the situation as of January 1; • for buildings, unassessed constructions – the book value according to the situation as of January 1; • for unassessed lands – their surface. 	<p>peasant (farmer) households, whose average annual number of employees, during the tax period, does not exceed 3 units and who are not registered as VAT payers pay the real estate tax / land tax until March 25th of the tax period following the reporting period.</p> <p>Peasant (farmer) households pay land tax:</p> <ul style="list-style-type: none"> - for unevaluated lands, existing and/or acquired until May 31 inclusive of the current fiscal year – until June 30 of the respective tax period; - for unevaluated lands, acquired after May 31 of the respective tax period – until March 25 of the tax period following the reporting period. <p>The calculation of the real estate tax is submitted until September 25, including the respective tax period. For real estate acquired after September 25 of the respective tax period, the respective calculation is submitted no later than March 25 of the tax period following the reporting period.</p> <p>Individual entrepreneurs and peasant (farmer) households (except for peasant (farmer) households in the case of land tax liabilities), whose average annual number of employees during the tax period does not exceed 3 units and who are not registered as VAT payers submit, until March 25 of the year following the reporting fiscal year, the Unified Tax Report.</p>
--	--	---

Private tax	The tax rate is established annually by the Budget Law for the respective year.	The private tax is paid , until the signing of the contract of sale-purchase of the public property goods of the administrative-territorial unit, in the local budget.
Local fees		
Territorial planning fee	Quarterly average employees' staff number and, additionally: <ul style="list-style-type: none"> - in case of individual enterprises and peasant (farmer) households – the founder of the individual enterprise, the founder and members of the peasant (farmer) households; - in case of persons carrying out professional activity in the justice sector – the number of persons authorized by law to carry out their professional activity in the justice sector. 	The local fees rates are established, annually, by the local public administration authority depending on the characteristics of the objects of taxation. The deadline for the payment of the fee and for the presentation of the tax reports by the subjects of taxation is quarterly, until the 25th of the month immediately following the reporting quarter. Individual entrepreneurs and peasant (farmer) households (except for peasant (farmer) households in the case of land tax liabilities), whose average annual number of employees during the tax period does not exceed 3 units and who are not registered as VAT payers submit, until March 25th of the year following the reporting fiscal year, a Unified Tax Report, with the payment of local fees within the same term.
Fee for organization of auctions and lotteries on the territory of the administrative-territorial unit	Proceeds from the sale of the goods declared at the auctions or value of the issued lottery tickets	
Fee for placement (location) of advertising (commercials)	Proceeds from the sale of placement and/or broadcasting of advertising announcements through cinematographic means, telephone, telegraphic networks, telex, means of transport, other means (except TV, internet, radio, periodical press, printings), except the placement of outdoor advertising.	
Fee for application of local symbols	Proceeds from the sale of manufactured goods to which local symbols were applied	
Fee for commercial and/or services rendering units	Area occupied by commercial and / or service rendering units.	
Market fee	The total area of the market land and constructions whose relocation is impossible without causing damage to their destination.	

Accommodation fee	Proceeds from the sale of accommodation services provided by the structures with accommodation functions.	
Balneal fee	Proceeds from the sale of the rest and treatment tickets	
Fee for provision of passenger transportation services on the territory of municipalities, cities and villages (communes)	Number of transport units	
Parking fee	Parking surface	
Advertising devices fee	Face(s) area of the advertising device	
Natural resources fees		
Water fee	<p>Fee rates are:</p> <p>1) per each 1 m³ of water extracted from surface and groundwater sources (except for natural mineral water extracted, drinking water extracted and/or used for bottling) – 0,3 MDL;</p> <p>2) per each 1 m³ of natural mineral water extracted for bottling – 16 MDL;</p> <p>3) per each 1 m³ of natural mineral water extracted and used for other purposes than those provided in point 2) – 2 MDL;</p> <p>4) per each 1 m³ of drinking water extracted from surface and groundwater sources for bottling – 16 MDL;</p> <p>5) per each 1 m³ of drinking water used for bottling – 15,7 MDL;</p> <p>6) per each 10 m³ of water used by hydroelectric power plants – 0,06</p>	<p>The subjects of taxation with the natural resources fees are specified in art. 302, 307 and 311 of the Tax Code.</p> <p>The deadline for the payment of the fee and for the presentation of the tax reports by the subjects of taxation is quarterly, until the 25th of the month immediately following the reporting quarter.</p> <p>In the case of the construction of underground objectives, the fee for the use of underground spaces is paid prior to the initiation of construction works.</p> <p>Individual entrepreneurs and peasant (farmer) households, whose average annual number of employees, during the tax period, does not exceed 3 units and who are not registered as VAT payers present, until March 25th of the year following the reporting fiscal year, a Unified Tax</p>

	MDL.	Report on the water fee, with the payment of the fee within the same term.
Fee for the extraction of useful minerals	<p>The fee rates are established according to Annex no. 2 to title VIII of the Tax Code.</p> <p>The taxable base is the volume of useful minerals extracted during the tax period.</p>	
Fee for the use of underground spaces	<p>The fee rates are set at:</p> <p>a) 3% of the contractual (estimate) value of the object building works;</p> <p>b) 0,2% of the book value of underground constructions.</p>	
Road fees		
Fee for the use of roads by motor vehicles registered in the Republic of Moldova	<p>The fee rates are established in Annex no. 1 to Title IX of the Tax Code.</p> <p>For re-equipped vehicles, the tax rate is established according to Annex No.1 to Title IX of the Tax Code, starting from the category of re-equipped vehicle and its technical characteristics, specified in the registration certificate.</p>	<p>The subjects of taxation are specified in art. 337 of the Tax Code.</p> <p>The subjects of taxation pay the tax:</p> <p>a) on the date of state registration of the motor vehicle;</p> <p>b) on the date of current state registration of the motor vehicle, if by this date the fee has not been paid;</p> <p>c) on the date of the annual mandatory technical testing of the motor vehicle, if by this date the fee has not been paid.</p> <p>The deadline for submitting the report on the payment of the fee is presented by legal entities and individuals who annually practice entrepreneurial activity, until January 25th of the year following the reporting fiscal year.</p> <p>Individual entrepreneurs and peasant (farmer) households, whose average annual number of employees, during the tax period, does not exceed 3 units and who are not registered as VAT payers present, until March</p>

		25th of the year following the reporting fiscal year, a Unified Tax Report.
Fee for the use of roads by motor vehicles whose total mass, mass load on the axis or whose dimensions exceed the admissible limits	The fee rates are established according to Annex no. 3 to Title IX of the Tax Code.	<p>The subjects of taxation are specified in art. 349 of the Tax Code.</p> <p>The subjects of taxation pay the fee:</p> <ul style="list-style-type: none"> - in full amount, before obtaining the documents that allow road transport with motor vehicles whose total mass, mass load on the axis or whose dimensions exceed the admissible limits. - until entering/leaving the country, if it is found that the total mass, mass load on the axis or dimensions of the vehicles exceed the permitted limits, run without special authorization, or it is found that the total mass, mass load on the axis or dimensions of these vehicles do not match with those indicated in the special authorization. <p>Submission deadline. The report regarding the calculated fee is submitted, quarterly, until the 25th of the month immediately following the reporting quarter in which the documents necessary for travel with the exceeding of the admissible limits were obtained by the subjects of taxation resident of the Republic of Moldova engaged in entrepreneurial activity.</p>
Fees for the use of public road area and/or its protection areas outside the localities perimeter (for carrying out construction and assembly works, for placing outdoor advertising, for	The fee rates are established according to Annex no. 5 and 6 to Title IX of the Tax Code.	<p>The subjects of taxation are specified in art. 353, 357 and 362 of the Tax Code.</p> <p>The subjects of taxation pay taxes as follows:</p> <ul style="list-style-type: none"> - in the case of the fee for carrying out construction and assembly works – prior to obtaining the authorization for carrying out the works;

placing road service provision objects)		<p>- in the case of fees for the placing outdoor advertising and for placing road service provision objects:</p> <ol style="list-style-type: none">1) for the tax period in which the authorization is requested – prior to obtaining the authorization2) for the tax periods subsequent to the period in which the authorization was obtained – until March 25 of the current tax period. <p>The deadline for submitting the report in the case of the fee for carrying out construction and assembly works, regarding the amounts of the fee paid prior to the issuance of the respective authorization, is until March 25 of the year following the year in which the authorization was obtained.</p> <p>The deadline for submitting the report in the case of fees for the placing outdoor advertising and for placing road service provision objects, on the amounts calculated for the current tax period, as well as on the amounts of fees paid in the year preceding the issuance of authorizations is until March 25 of the current tax period.</p>
---	--	--

LIST

of types of activity whose specific allows cash receipts to be made without the application of cash register equipment²⁶

Types of activity
1. Sale to the public of agricultural products grown by economic agents who are not payers of value added tax on their own or leased land - in markets, fairs and other places authorized by local public administration bodies
2. Sale by peasant (farmer) households of agricultural products to other economic agents, as well as agricultural services provided by them, with the issuance of payment receipts
3. Marketing of religious worship objects and religious literature, rituals and ceremonies performed by religious organizations in places of worship
4. Sale of newspapers, magazines, lottery tickets
5. Services provided by urban public transport on the basis of travel tickets and / or season tickets (fixed price, printed)
6. Veterinary services, services for urgent repair of housing, engineering installations, furniture, household appliances provided by economic agents to the population traveling to customers, with the issuance of payment receipts
7. Carrying out pharmaceutical activity in medical facilities in rural localities where there are no pharmacies, with the issuance of payment receipts
8. Activities carried out by patent holders on the basis of an entrepreneurial patent
9. The activities for which the computerized records and management systems ensure the issuance of tax invoices on special paper with protection signs, printing the series and number of the tax invoice from the range assigned by the STS, which also fulfill the function of payment receipts (cash payment)
10. The activity of banks that are licensed and regulated by normative acts of the National Bank of Moldova, including foreign exchange operations with individuals, carried out through the foreign exchange offices of the licensed bank, with the issuance of a document established by the National Bank of Moldova, containing the elements of the cash receipt for exchange units (except for the identification (factory) number of the cash register / fiscal printer and the registration number of the cash register / fiscal printer, assigned by the STS)
11. SFS Receipt (collection) of mandatory tax payments, as well as non-tax payments by the STS and / or town halls, with the issuance of the STS strict evidence documents
12. Provision of services by lawyers
13. Notarial activity
14. The activity of a bailiff
15. The activity of a mediator
16. Providing food to students and staff of the institutions of primary and secondary education during the school year. At the end of the daily management, the primary document with special regime is drawn up - the payment receipt, which contains all the economic operations performed.
17. Sale to the public of goods and services of public catering, including services of mobile toilets, during fairs, exhibitions, festivals and various cultural and sporting events - in parks and streets, as well as in other public places authorized by local and / or central public authorities, with informing the STS. At the end of the daily management, the primary document with special regime is drawn up - the payment receipt, which contains all the economic operations performed.
18. Collection of membership fees, dues / membership dues, with the issuance of the receipt
19. Collection of the fine at the place where the contravention was established, with a receipt issuance

Note: For the types of activity indicated in points 12-15, the payment receipt and / or the tax invoice is issued.

²⁶ Annex to the Regulation on the application of cash register equipment for cash settlements

Types of tax infringements

Description of the infringement	Legal framework
Tax Code	
Hindering the State Tax Service activity	Art.253
Non-usage of the cash register equipment	Art.254
Failure to comply with regulations in the field of passenger transport. Non-issuance of the travel tickets	Art. 254 ¹
Failure to submit information on premises	Art.255
Failure to comply with the taxpayers records rules	Art.256
Infringement of rules on keeping accounting and records for tax purposes	Art.257
Failure to issue tax invoice for pledged assets	Art.257 ¹
Infringement by the financial institutions (their branches or subsidiaries) and other payment services providers of the manner of settlement.	Art.259
Failure to comply with the mode of elaboration and submission of tax report and tax invoice	Art.260
Infringement of the taxpayer's manner of submission of the documents on the withheld payments and / or taxes	Art. 260 ¹
Submission manner infringement by the information technology parks' residents of data related to the wage payments	Art. 260 ²
Infringement of the rules on calculation and payment of taxes, duties, compulsory health insurance premiums and compulsory state social insurance contributions, established as a percentage	Art.261
Lack of the "excise stamps"	Art.262
Failure to comply with the rules on cigarettes marketing	Art.262 ¹
Failure to comply with the rules on tax liability enforcement	Art.263
Breakage or damage of the seal	Art.263 ¹
Contravention Code	
Carrying out an illegal entrepreneurial activity	Art.263
Purchasing, keeping, transporting for sale and illegally selling tangible assets	Art.265
Violations of rules for calculating and paying mandatory healthcare insurance premiums	Art.266
Violations of procedures for procuring, transporting, storing and selling excise stamps and state trademarks	Art.272
Violations of trading rules	Art.273
Violations of trading rules in marketplaces	Art.274
Violations of legislation on manufacturing and distributing alcoholic products	Art.284
Violations of customs rules	Art.287
Hindering the activity during subsequent tax audit	Art.287 ¹
Violations of legislation on insolvency	Art.288
Violations of rules on foreign exchange operations	Art.291
Violations of rules for making payments in cash	Art.293
Violations of rules of operation of cash register equipment	Art.293 ¹
Violations of rules for organizing and keeping accounts and for preparing and presenting financial reports	Art.295
Violations of the rights, interests and obligations of the taxpayer or of any other participant in taxation	Art.297
Violations of rules of production, of records, of sale-purchase of the forms of strict	Art.299

evidence and / or of the use of the special paper with protection signs and of the state symbols, destined for the manufacturing of the documents / forms of strict evidence	
Violations of the timeframe for refunding value-added tax	Art.311
Violations of rules for declaring wealth and personal interests	Art.330 ²
Violation of submission by taxpayers of tax returns and payment of obligations, as well as information related to employment relationships for the establishment of social and medical rights.	Art.301 ¹
LAW no.845 dated January 3, 1992 on entrepreneurship and enterprises	
Failure to comply with the company's obligations	Art.7
Failure to comply with the obligation to install POS terminals	Art.7 ¹
Violation of entrepreneurial activity	Art.10
LAW no.1466 dated January 29, 1998 on regulation of repatriation of funds, goods and services proceeded from external economic transactions	
Non-observance by the economic agents of the terms of collection (repatriation) of the monetary and material means	Art.5

Annex no.5

Tax type	Exemption from payment	Reduced rates
Income tax	MSTI Order no.1080 dated October 10, 2012 regarding the approval of the Nomenclature of codes related to fiscal facilities for income tax	-
	Non-commercial organizations according to art.52 of the Tax Code	-
VAT	Art.103 of the Tax Code	Art.96 of the Tax Code
	Art.4 of the Law for the implementation of Title III of the Tax Code no.1417-XIII dated December 17, 1997	-
Excise duties	Art.124 of the Tax Code. Art. 4 of the Law on the implementation of Title IV of the Tax Code no. 1054-XIV dated June 16, 2000.	Under the conditions of the annexes to Title IV of the Tax Code
Real estate tax	Art.283, art.284 of title VI of the Tax Code	-
Local fees	Art.295, art.296 of title VII of the Tax Code	-
Natural resources fees	Art.306, 319, 324, 334 of title VIII of the Tax Code	-
Road fees	Art. 338 (2), art.341 (5) of title IX of the Tax Code	-
Law on the entrepreneurial patent no.93 dated July 15, 1998		Art. 16 of the Law

Information on the tax liabilities of legal entities whose main activity is not making a profit

Type of legal person	Income tax				VAT		Excise duties	
	Gain income for statutory purposes		Gain income from entrepreneurship		Gain income from entrepreneurship (except income gained for statutory purposes)		Gain income from entrepreneurship (except income gained for statutory purposes)	
	Declaration	Payment ²⁷	Declaration	Payment	Payment	Declaration	Payment	Declaration
Non-commercial organization (public association)	Yes <i>(art.83)</i>	No <i>(art.52)</i>	Yes <i>(art.83)</i>	Yes <i>(art.52)</i>	Yes, with the obligation to hold the status of VAT payer in compliance with art. 112 of the Tax Code (<i>art. 115 of the Tax Code, with the exceptions provided in art. 103 of the Tax Code</i>)	Yes, with the obligation to hold the status of excise duties payer in compliance with art. 126 of the Tax Code (<i>art.123 of the Tax Code, with the exceptions provided in art.124 of the Tax Code</i>)	Yes, with the obligation to hold the status of excise duties payer in compliance with art. 126 of the Tax Code (<i>art.127 of the Tax Code, with the exceptions provided in art.124 of the Tax Code</i>)	
Religious cult (church)	Yes <i>(art.83)</i>	No <i>(art.52)</i>	Yes <i>(art.83)</i>	Yes <i>(art.52)</i>				
Public authority	No <i>(art.83)</i>	No <i>(art.51)</i>	No <i>(art.83)</i>	No <i>(art.51)</i>				
Public institution	No <i>(art.83)</i>	No <i>(art.51)</i>	No <i>(art.83)</i>	No <i>(art.51)</i>				
Representation of the non-resident	Yes <i>(art.76)</i>	No <i>(art.76)</i>	-	-				
Foreign state organizations and international organizations	No <i>(art.54)</i>	No <i>(art.54)</i>	-	-				
Unions and employers' associations	Yes <i>(art.83)</i>	No <i>(art.53³)</i>	-	-				

²⁷ will not pay income tax if the provisions of art. 52 para. (2) of the Tax Code, i.e. special purpose funds, other funds and income derived from the statutory activity, property of the organization are used as provided by the statute, regulation or other constituent document.