

NATIONAL BANK OF MOLDOVA

DECISION

on the approval of the Regulation on licensing of foreign exchange entities

No 304 of 10 November 2016

(in force 10.12.2016)

Official Monitor of the Republic of Moldova No 416-422 of 2 December 2016, Article 2072

Registered by:
Ministry of Justice
of the Republic of Moldova
No 1149 of 17 November 2016
Minister Vladimir Cebotari

Pursuant to Article 5 paragraph (1) letter l), Article 11 paragraph (1), Article 27 paragraph (1) letter c) and Article 51 letter b) of the Law No 548-XIII of 21 July 1995 on the National Bank of Moldova (republished in the Official Monitor of the Republic of Moldova, 2015, No 297-300, Article 544), with further amendments and completions, the provisions of Article 4 paragraph (12), Chapter V of the Law No 62/2008 on Foreign Exchange Regulation (republished in the Official Monitor of the Republic of Moldova, 2016, No 423-429, Article 859), with further amendments, the Executive Board of the National Bank of Moldova

[Adoption clause amended by the DEB of the NBM No 161 of 10.08.2023]

[Adoption clause modified by the NBM Decision No 235 of 19.09.2019, in force 30.10.2019]

DECIDES:

1. To approve the Regulation on licensing of foreign exchange entities, according to the Annex to this Decision.
[Paragraph 1 amended by the DEB of the NBM No 161 of 10.08.2023]
2. To repeal the provisions of paragraph 1 letters b), d), e), k) - n), paragraph 2 letters a) - c), i) and j), Chapters II - IV, X, XI, Annexes No 1-7¹, 11-20 and 29 of the Regulation on foreign exchange entities, approved by Decision No 53 of 5 March 2009 of the Council of Administration of the National Bank of Moldova (Official Monitor of the Republic of Moldova, 2009, No 62-64, Article 269), with further amendments and completions, registered by the Ministry of Justice of the Republic of Moldova under No 666 on 16 March 2009.
3. This Decision shall enter into force on 10 December 2016.

**CHAIRMAN
OF THE EXECUTIVE BOARD
OF THE NATIONAL BANK OF MOLDOVA
Sergiu CIOCLEA
No 304 of 10 November 2016**

Note: Throughout the text of the Regulation, including the Annexes, the words "tax authority" in any grammatical form are replaced by the words "State Tax Service", in the respective grammatical form, according to DEB of the NBM No 74 of 14.04.2022, in force since 16.05.2022

REGULATION on licensing of foreign exchange entities

Amended by:

DEB of the NBM No 161 of 10.08.2023, Official Monitor of the Republic of Moldova No 328-331 of 25.08.2023, Article 823

DEB of the NBM No 74 of 14.04.2022, Official Monitor of the Republic of Moldova No 135-140 of 06.05.2022, Article 534

DEB of the NBM No 246 of 26.09.2019, Official Monitor of the Republic of Moldova No 315-319 of 25.10.2019, Article 1823

DEB of the NBM No 235 of 19.09.2019, Official Monitor of the Republic of Moldova No 302 of 30.09.2019, Article 1667

Chapter I. GENERAL PROVISIONS

1. This Regulation uses the terms defined in Law No 62/2008 on foreign exchange regulation (republished in the Official Monitor of the Republic of Moldova, 2016, No 423-429, Article 859), with further amendments (*hereinafter - Law No 62/2008*). In addition, for the purpose of this Regulation the following terms are used:

a) *foreign exchange bureau of the licensed bank* - the foreign exchange bureau of the licensed bank, as defined in Article 41 paragraph (4¹) of the Law No 62/2008;

b) *authorised copy of the license* – the copy of license of the foreign exchange office for carrying out currency exchange activity in cash with individuals, certified by the National Bank of Moldova (*hereinafter - NBM*) according to the provisions of this Regulation;

c) *aggregate fiscal documents* – documents provided for by the fiscal legislation, which are obtained by means of the cash register and control equipment, including the cash register and control equipment with which the foreign exchange machine is equipped, and contain the aggregate data on the operations performed with their use;

d) *premises of the foreign exchange entity* – the premises of the foreign exchange bureau of the licensed bank, of the foreign exchange office, of its branch, of the foreign exchange bureau of the hotel where the currency exchange operations in cash with individuals are carried out directly through the counters;

e) *license of the NBM (license)* – license for carrying out the currency exchange activity in cash with individuals, issued by the NBM according to the provisions of the Law No 62/2008 to the foreign exchange office or resident legal entity providing hotel services (*hereinafter - hotel*);

f) *individuals* – resident and non-resident individuals specified in Article 3 paragraph 9) letter a) and paragraph 10) letter a) of the Law No 62/2008;

g) work program – hours of the working day during which the foreign exchange bureau of the licensed bank, the foreign exchange office, its branch, the foreign exchange bureau of the hotel, currency exchange machine performs the currency exchange operations in cash with individuals. This work program shall be submitted in the form of the weekly schedule indicating the beginning and the end of the work program for each working day and, where appropriate, lunch break and non-working days of the week;

h) foreign exchange bureau of the hotel – the counter within the hotel premises through which purchase operations of cash in foreign currency/traveller's cheques in foreign currency from individuals against national currency shall be carried out;

i) applicant – resident legal entity, which submits in electronic form to the NBM the application and the documents necessary to obtain the license/authorised copy of the license and to carry out other procedures within the licensing process regulated by the Law No 62/2008;

j) license holder – the foreign exchange office or the hotel that holds the license of the NBM;

k) foreign exchange entities – residents specified in Article 41 paragraph (2) of the Law No 62/2008;

l) authorised person – an individual, the administrator of the foreign exchange office/hotel or another person authorised by them, who on behalf of the foreign exchange office/hotel submits to the NBM in electronic form applications and other documents necessary for obtaining licences/authorised copies of licences/duplicates thereof and for carrying out other procedures within the licensing process, regulated by the Law No 62/2008, as well as an employee of the bank, who, on the basis of the powers of attorney granted by the licensed bank, submits to the NBM in electronic form the information referred to in Chapter III;

m) NBM WEB portal - component of the Information System of the NBM on licensing, authorisation and notification, through which the foreign exchange offices and hotels submit to the NBM in electronic form applications and other documents necessary to obtain licences/authorised copies of licences/duplicates thereof and to carry out other procedures within the licensing process, regulated by the Law No 62/2008, as well as through which the licensed banks submit to the NBM in electronic form the information referred to in Chapter III;

n) NBM WEB portal User Guide for presenting information by licensed banks (Bank's User Guide) - technical document prepared by the NBM, placed on the NBM WEB portal, which contains the information required for licensed banks to submit the information provided for in Chapter III, in electronic form, to the NBM;

o) NBM WEB portal User Guide for the submission by the foreign exchange offices and hotels of the documents related to the licensing process (User's guide for foreign exchange offices and hotels) - technical document developed by the NBM, posted on the NBM WEB portal, which contains the necessary information for the electronic submission to the NBM by the foreign exchange offices and hotels of the applications and other documents related to the licensing process and the conduct of other procedures within the licensing process regulated by the Law No 62/2008.

[Paragraph 1 amended by the DEB of the NBM No 161 of 10.08.2023]

[Paragraph 1 completed by the NBM Decision No 74 of 14.04.2022, in force since 16.05.2022]

[Paragraph 1 amended by the NBM Decision No 235 of 19.09.2019]

2. This Regulation establishes the following:

a) the peculiarities related to the process of licensing in electronic form the currency exchange activity in cash with individuals of the foreign exchange office and the hotel and carrying out other procedures within the licensing process;

b) the modality of informing in electronic form the NBM by the licensed banks on their foreign exchange bureaux and currency exchange machines;

[Paragraph 2 amended by the DEB of the NBM No 161 of 10.08.2023]

3. The licensing of the currency exchange activity in cash with individuals of the foreign exchange office and the hotel shall be carried out in accordance with the provisions of the Law No 62/2008, the Law No 548/1995 on the National Bank of Moldova, considering the particularities set out in this Regulation.

[Paragraph 3 amended by the DEB of the NBM No 161 of 10.08.2023]

4. In order to determine the compliance with the requirements on amount of funds stipulated in the Law No 62/2008 by the foreign exchange entity, the official exchange rate of the Moldovan leu against foreign currencies is applied, which shall be valid:

a) at the date of performing the currency exchange operation - in the case referred to in Article 42¹ paragraph (2) letter c) and paragraph (3) letter f) of the Law No 62/2008;

b) at the date of the calculation - in the case referred to in Article 44 paragraph (1), (2), (4) and (5) of the Law No 62/2008.

[Paragraph 4 amended by the DEB of the NBM No 161 of 10.08.2023]

4¹. In order to submit applications and other documents in electronic form to the NBM, the authorised person shall use a qualified electronic signature in accordance with the Law No 124/2022 on electronic identification and trust services.

[Paragraph 4¹ added by the DEB of the NBM No 161 of 10.08.2023]

[Paragraph 4¹ added by the NBM Decision No 74 of 14.04.2022, in force since 16.05.2022]

Chapter II.

LICENSING OF FOREIGN EXCHANGE OFFICES AND HOTELS

Section 1.

General provisions

5. The documents referred to in this Chapter shall be submitted to the NBM in electronic form via the NBM WEB portal, in accordance with the User Guide for foreign exchange offices and hotels.

[Paragraph 5 amended by the DEB of the NBM No 161 of 10.08.2023]

6. In order to obtain the right to submit electronically to the NBM the documents provided for in this Chapter, the authorised person of the foreign exchange office/hotel shall register on the NBM WEB portal as a user in accordance with the User Guide for foreign exchange offices and hotels. If a person other than the foreign exchange office/hotel manager is registered as an authorised person, the registration on the WEB portal of the NBM shall be carried out based on the act confirming the power of attorney provided by the manager in accordance with the civil legislation.

[Paragraph 6 amended by the DEB of the NBM No 161 of 10.08.2023]

[Paragraphs 7-10 repealed by the DEB of the NBM No 161 of 10.08.2023]

11. The licenses, authorised copies of the licenses, including re-issued licenses, duplicates of the licenses/authorised copies of the licenses shall be handed over upon signature to the administrator of the foreign exchange office, of the hotel or to his/her empowered person.

Section 2.

Peculiarities related to the documents required for obtaining the license/authorised copy of the license

12. In order to obtain the license/authorised copy of the license for carrying out the currency exchange activity in cash with individuals, by the applicant - the foreign exchange office, the following documents shall be submitted to the NBM:

a) for the activity via the counters and via currency exchange machines - an application for issuing the license according to the form specified in Annex No 1 to this Regulation, to which the documents mentioned in Article 47 paragraph (2) of the Law No 62/2008 shall be attached;

b) for the activity only via currency exchange machines - an application for issuing the license according to the form specified in Annex No 1 to this Regulation, to which the documents mentioned in Article 47 paragraph (2) letters b) – d), i) – k), m) – o) of the Law No 62/2008 shall be attached;

c) for the activity via a branch - an application for issuing the authorised copy of the license according to the form specified in Annex No 2 to this Regulation, to which the documents mentioned in Article 47 paragraph (4) of the Law No 62/2008 shall be attached.

13. In order to obtain the license for carrying out the currency exchange activity in cash with individuals, by the applicant - the hotel, the following documents shall be submitted to the NBM:

a) for the activity via foreign exchange bureau of the hotel and via currency exchange machines - an application for issuing the license according to the form specified in Annex No 1 to this Regulation, to which the documents mentioned in Article 47 paragraph (6) of the Law No 62/2008 shall be attached;

b) for the activity only via currency exchange machines - an application for issuing the license according to the form specified in Annex No 1 to this Regulation, to which the documents mentioned in Article 47 paragraph (6) letters b), c), e) – f), h) – j) of the Law No 62/2008 shall be attached.

14. In case of requesting the issuance of the license, for the confirmation of the existence on the account of the foreign exchange office opened with a licensed bank of the pecuniary contributions in its authorised capital in the minimum amount established in Article 44 paragraph (1) of the Law No 62/2008, the document/documents stipulated in paragraph 1 letter a) of Annex No 3 to this Regulation, which correspond to the requirements specified in paragraphs 5, 6, 8 letter a), and the documents referred to in point 4¹ of the mentioned Annex, shall be submitted.

[Paragraph 14 amended by the DEB of the NBM No 161 of 10.08.2023]

15. In case of requesting the issuance of the authorised copy of the license, for the confirmation of the existence of funds specified in Article 44 paragraph (1) and (2) of the Law No 62/2008, the foreign exchange office shall submit the following documents stipulated by this Regulation:

1) in case of requesting the issuance of the authorised copy of the license simultaneously with the requesting the issuance of the license, - the document/documents specified in paragraph 1 letter b) of the Annex No 3, which correspond to the requirements specified in paragraphs 5, 6, 8 letter a) and the documents referred to in point 4¹ of the mentioned Annex, shall be submitted;

2) in case of requesting the issuance of the authorised copy of the license after the issuance of the license, the following documents shall be submitted:

a) the document stipulated in paragraph 2 of the Annex No 3, which complies with the requirements specified in paragraphs 5, 6 and 8 letter b) of the mentioned Annex, except for the case when the holder of license has already submitted the information about the modification of the amount of funds, according to paragraph 40, letter a); and/or

b) the document stipulated in paragraph 3 of the Annex No 3, which correspond to the requirements specified in paragraph 8 letter b) of the mentioned Annex;

c) the document stipulated in paragraph 4 of Annex No 3 - in case of increase of the share capital on account of the profit obtained by the foreign exchange office;

d) the documents referred to in point 4¹ of Annex No 3.

[Paragraph 15 amended by the DEB of the NBM No 161 of 10.08.2023]

[paragraph 15 completed by the NBM Decision No 235 of 19.09.2019]

[paragraph 16 repealed by the NBM Decision No 235 of 19.09.2019]

17. The funds referred to in paragraph 14 and paragraph 15 shall be withdrawn from the bank accounts of the foreign exchange office/its branches upon the submission to the licensed bank, as the case may be, the licence/authorised copy of the licence issued by the NBM.

[Paragraph 17 amended by the DEB of the NBM No 161 of 10.08.2023]

18. The confirmation on the availability of means and devices specified in Article 42 paragraph (1) of the Law No 62/2008, necessary for carrying out currency exchange activity by the foreign exchange office, its branch, the hotel shall be submitted:

a) in case of carrying out the operations through the counters - by filling in the form specified in Annex No 4 to this Regulation, to which the document/documents of registration of the cash control equipment at the State Tax Service shall be attached;

b) in case of carrying out the operations through the currency exchange machines - by filling in the form according to Annex No 5 to this Regulation.

[Paragraph 18 amended by the DEB of the NBM No 161 of 10.08.2023]

19. The confirmation on compliance of the premises of the foreign exchange office, its branch, designed for the performance of the currency exchange operations in cash with individuals, with the requirements established in Article 44 paragraph (10) of the Law No 62/2008 and in Annex No 6 to this Regulation, shall be submitted by filling in the form according to Annex No 7 to this Regulation.

[Paragraph 19 amended by the DEB of the NBM No 161 of 10.08.2023]

20. The statutory declarations of the persons specified in Article 47 paragraph (2) letter i¹), paragraph (4) letter h¹) and paragraph (6) letter e¹) of the Law No 62/2008 shall be drawn up by the persons concerned, by filling in the form according to Annex No 8 to this Regulation.

[Paragraph 20 amended by the DEB of the NBM No 161 of 10.08.2023]

21. The statutory declarations of the legal entities specified in Article 47 paragraph (2) letter i²) of the Law No 62/2008 shall be made by the administrators of the legal entities by filling in the form according to the Annex No 9 to this Regulation.

[Paragraph 21 amended by the DEB of the NBM No 161 of 10.08.2023]

22. The statutory declarations of the individuals specified in Article 47 paragraph (2) letter i²) of the Law No 62/2008 shall be made by each individual by filling in the form according to Annex No 10 to this Regulation.

[Paragraph 22 amended by the DEB of the NBM No 161 of 10.08.2023]

23. The personal files of the persons specified in Article 47 paragraph (2) letter j), paragraph (4) letter i) and paragraph (6) letter f) of the Law No 62/2008 shall be drawn up by the persons concerned according to the form specified in Annex No 11 to this Regulation. If the abovementioned persons are resident individuals, their personal files shall have attached, in the established manner, the copy of identity document from the national passports system (identity card, permit for permanent residence etc. issued by the competent authority of the Republic of Moldova), and in case of non-resident individuals - a copy of residence permit issued by the competent authority of the Republic of Moldova. The personal file of the chief accountant of the foreign exchange office, if applicable, of the accountant of the hotel shall be attached to the personal file of the accountant.

[Paragraph 23 amended by the DEB of the NBM No 161 of 10.08.2023]

24. The work program of the foreign exchange office, its branch, of the foreign exchange bureau of the hotel, of the currency exchange machine shall contain the name of the license holder, the name of the branch, the information mentioned in paragraph 1 letter g), the approval date of work program and shall be signed by the administrator of the foreign exchange office/hotel or by his/her empowered person.

25. The information on the number of counters of the foreign exchange office, of its branch shall be submitted by filling in the form according to the Annex No 12.

[Paragraph 25 amended by the DEB of the NBM No 161 of 10.08.2023]

26. The information on the compliance of currency exchange machine with the provisions established in Article 42¹ of the Law No 62/2008 shall be submitted by filling in the form specified in the Annex No 13 to this Regulation.

26¹. The documents specified in paragraphs 20-23, signed by the persons referred to in those paragraphs, shall be submitted by the authorised person in electronic form to the NBM via the NBM WEB portal, in accordance with the User Guide for foreign exchange offices and hotels. The responsibility for the accuracy, reliability and up-to-datedness of the information/data contained in the documents specified in paragraphs 20-23 lies with the persons who prepared and signed them.

[Paragraph 26¹ added by the DEB of the NBM No 161 of 10.08.2023]

26². Requests, information, confirmations, notices specified in Annexes No 1, 2, 4, 5, 7, 12-16, 19 and 20 shall be drawn up, signed, and submitted to the NBM by the authorised person in electronic form via the NBM WEB portal in accordance with the User Guide for foreign exchange offices and hotels.

[Paragraph 26² added by the DEB of the NBM No 161 of 10.08.2023]

26³. In order to submit electronically to the NBM the documents to be attached to the applications, confirmations, notifications specified in Annexes 1, 2, 4, 14, 15, 16, 19, 20 and paragraph 23 (with the exception of the documents prepared by the authorised person via the NBM WEB portal), the authorised person shall sign the documents concerned with the application of the qualified electronic signature.

[Paragraph 26³ added by the DEB of the NBM No 161 of 10.08.2023]

26⁴. The applications, confirmations, notices referred to in paragraph 263 shall be attached:

(a) in the case of paper documents - scanned documents, ensuring the integrity and quality of the scanned documents (so that the document contains all the information and is legible) and the consecutiveness of the pages;

b) in the case of documents in electronic form - documents in electronic form that meet the requirements of Law No 124/2022 on electronic identification and trust services.

[Paragraph 26⁴ added by the DEB of the NBM No 161 of 10.08.2023]

26⁵. The NBM may request the submission of the originals / certified copies of the documents, which were attached to the applications, confirmations, notifications submitted via the NBM WEB portal, to verify their authenticity.

In the case of submission of hard copies of the originals to the NBM, the applicant shall attach copies of the originals. The originals submitted on paper shall be returned, at the request of the applicant, after the NBM representative confirms on the copies submitted that they correspond to the originals.

[Paragraph 26⁵ added by the DEB of the NBM No 161 of 10.08.2023]

Section 3.

Process of issuing the license/authorised copy of the license

27. The NBM shall adopt the decision on the issuance of the license/authorised copy of the license or on the rejection of the application for issuance of the license/authorised copy of the license within 30 working days from the date of electronic registration of the application with the NBM, to which all necessary documents shall be attached.

[Paragraph 27 amended by the DEB of the NBM No 161 of 10.08.2023]

28. If necessary, within 5 working days from the date of registration of the application for issuing the license /authorised copy of the license, the NBM shall notify the foreign exchange

office or the hotel about the need to submit the missing documents and/or the corrected documents according to the requirements laid down by the Law No 62/2008 and this Regulation, within a maximum of 5 working days from the date of notification, as well as about the suspension of the administrative procedure during this period. If the foreign exchange office or the hotel does not submit the mentioned documents within the established term, the NBM shall notify the foreign exchange office or the hotel about the termination of the administrative procedure. The foreign exchange office or hotel may submit a new application for issuing the license /authorised copy of the license to which all necessary documents, including those required by the NBM under this paragraph, shall be attached.

28¹. In order to ensure compliance with the provisions of Article 15 paragraphs (8) and (9) of Law No 308/2017 on preventing and combating money laundering and terrorist financing, the NBM shall request the opinion of the Office for Prevention and Fight Against Money Laundering and, if applicable, of other competent authorities in the country, for which period the administrative procedure shall be suspended, and shall notify the foreign exchange office and the hotel thereof.

[Paragraph 28¹ added by the DEB of the NBM No 161 of 10.08.2023]

29. NBM shall adopt the decision to issue the license/authorised copy of the license if there are no reasons for rejecting the application for issuing the license/authorised copy of the license as provided for in Article 48 paragraph 3) of the Law No 62/2008.

30. In case of adopting the decision on the license issuance, the applicant shall submit to the NBM the document confirming the payment of the fee for the license issuance.

31. In case of adopting the decision on the issuance of authorised copy of the license, the applicant shall submit to the NBM the document confirming the payment of the fee for issuing of the authorised copy of the license.

[Paragraph 31 amended by the DEB of the NBM No 161 of 10.08.2023]

31¹. The document referred to in paragraph 30, if applicable, in paragraph 31 shall be submitted to the NBM in electronic form, considering the provisions of paragraphs 26³ and 26⁴.

[Paragraph 31¹ added by the DEB of the NBM No 161 of 10.08.2023]

32. The license issued by the NBM shall contain the note regarding the carrying out currency exchange activity in cash with individuals by the foreign exchange office through its counters and/or through currency exchange machines.

33. Where the decision on the license issuance was adopted under which the foreign exchange office will carry out operations through currency exchange machine, the information on each machine (at least the registration number assigned by the State Tax Service to the machine and its installation address) shall be reflected in the Annex to the license.

34. The authorised copy of the license shall meet the following requirements:

- a) it shall be a copy of the original license of the NBM, including of the Annex thereto;
- b) the first page of the copy of the license and of the copy of the Annex to the license shall contain the following inscription in the upper right quadrant:

„Authorised copy for the branch
with the legal address _____ address where the currency exchange activity is carried out _____
_____ (position, signature, name and surname of the Governor/First Deputy Governor/Deputy Governor of the NBM)
_____ (date)

c) on the respective document, the original signature of the Governor/First Deputy Governor/Deputy Governor of the NBM shall be applied, as well as the date of signature;

d) on the document and on the respective signature, the NBM stamp with the state coat of arms shall be applied.

[Paragraph 34 amended by the DEB of the NBM No 161 of 10.08.2023]

35. In order to facilitate the processes related to the reporting to the NBM, the foreign exchange office or the hotel shall receive through the NBM WEB portal a notification in electronic form which shall contain, as the case may be, the numeric code of the foreign exchange office/branch, the numeric code of the hotel, the numeric code of the foreign exchange office assigned by the NBM.

[Paragraph 35 amended by the DEB of the NBM No 161 of 10.08.2023]

Section 4.

Periodical submission of certain documents

36. Annually, until April 1st, the license holders shall submit to the NBM the documents referred to in Article 47 paragraph (2) letters i) and i¹), paragraph (4) letters h) and h¹) and paragraph (6) letters e) and e¹) of the Law No 62/2008.

37. The documents referred to in paragraph 36 of this Regulation shall be submitted in electronic form via the NBM WEB portal, in accordance with the User Guide for foreign exchange offices and hotels, considering the provisions of paragraphs 26³ and 26⁴.

[Paragraph 37 amended by the DEB of the NBM No 161 of 10.08.2023]

37¹. In case the administrator or the deputy administrator also acts as chief accountant and/or is a partner/shareholder, beneficial owner of the foreign exchange office, only one criminal record issued in his/her name and one affidavit may be submitted to the NBM in accordance with paragraph 36.

[Paragraph 37¹ amended by the DEB of the NBM No 161 of 10.08.2023]

[Paragraph 37¹ introduced by NBM Decision No 235 of 19.09.2019]

37². The NBM may request the submission of originals/certified copies of the documents referred to in paragraph 36 considering the provisions of paragraph 26⁵.

[Paragraph 37² introduced by the DEB of the NBM No 161 of 10.08.2023]

Section 5.

Modification of data contained in the application for the issue of license and in the attached documents

38. In case of changes in the data contained in the application for issuing the license/authorised copy of the license and the documents attached thereof (except for the work program), which do not result in the licence/authorised copy of the licence being re-issued, the licence holder shall, within 10 working days of the date on which the changes occurred, shall inform the NBM, by a notification on data modification according to the form specified in Annex No 14 to this Regulation. The documents confirming those changes shall be attached to the notification.

[Paragraph 38 amended by the DEB of the NBM No 161 of 10.08.2023]

39. If the changes have occurred in the work program of the foreign exchange office, of its branch, of the foreign exchange bureau of the hotel, of the currency exchange machine, the license holder, within 10 working days of the date of the changes, shall notify the NBM on this fact by a letter, attaching the modified work program (which must comply with the provisions of paragraph 24 of this Regulation).

[Paragraph 39 amended by the DEB of the NBM No 161 of 10.08.2023]

40. In case the foreign exchange office has increased the amount of funds provided for in Article 44 paragraph (1) and, if branches exist, in paragraph (2) of the Law No 62/2008, the notification mentioned in paragraph 38 to this Regulation shall have attached:

a) the document specified in paragraph 2 of Annex No 3, which corresponds to the requirements specified in paragraphs 5 and 6 of the mentioned Annex; and/or

b) the document specified in paragraph 4 of Annex No 3, which corresponds to the requirements specified in paragraph 10 of the mentioned Annex.

c) the documents referred to in paragraph 4¹ of Annex No 3.

[Paragraph 40 amended by the DEB of the NBM No 161 of 10.08.2023]

41. If changes have occurred in the facts confirmed upon the issue of the license/authorised copy of the license by documents specified in Article 47 paragraph (2) letter i), paragraph (4) letter h) and paragraph (6) letter e) of the Law No 62/2008, the foreign exchange office/hotel shall inform the NBM by the notification mentioned in paragraph 38 of this Regulation on the fact that the person concerned has a criminal record, with the specified documents attached..

[Paragraph 41 amended by the DEB of the NBM No 161 of 10.08.2023]

42. If changes have occurred in the facts declared upon the issue of the license/authorised copy of the license by documents specified in Article 47 paragraph (2) letters i¹) and i²), paragraph (4) letter h¹), and paragraph (6) letter e¹) of the Law No 62/2008, by the notification referred to in paragraph 38 of this Regulation, the foreign exchange office/hotel shall inform the NBM about this fact, by attaching the documents that confirm the abovementioned changes.

43. In the case of changes in the situations referred to in Article 51 paragraph (4) of the Law No 62/2008, to the documents, which have been submitted as indicated in Annex No 4, 5, 7, 12, 13 of this Regulation (various confirmations/other information, etc.), the similar documents filled in taking into account the modified data shall be attached to the notification referred to in paragraph 38 of this Regulation.

[Paragraph 43 amended by the DEB of the NBM No 161 of 10.08.2023]

43¹. In the case of modification/completion of the composition of the members/shareholders of the foreign exchange office, the beneficial owners of the foreign exchange office or the beneficial owners of the hotel or the manager, his deputy or the chief accountant of the foreign exchange office or the manager, his deputy or the accountant of the hotel, responsible for the foreign exchange activity in cash with individuals of the hotel, in addition to the information on the respective modifications/completions, the foreign exchange office or the hotel shall submit, as the case may be, the documents specified in Article 47 paragraph (2) letters i) - j), paragraph (4) letters h)-i), paragraph (6) letters e)-f) of the Law No 62/2008 with regard to the mentioned persons. The documents specified in Article 47 paragraph (2) letters (i¹) - (j), paragraph (4) letters (h¹) and (i), paragraph (6) letters (e¹) and (f) shall be completed, as appropriate, in accordance with Annexes No 8-11.

In case of modification of the composition of the members/shareholders of the foreign exchange office, of its beneficial owners or of the beneficial owners of the hotel, the documents on the basis of which the composition of the members/shareholders/beneficial owners of the foreign exchange office or of the beneficial owners of the hotel was modified shall be additionally submitted, as well as, if applicable, the documents confirming the source of the financial means used for the purchase of shares/equity of the foreign exchange office.

The documents referred to in this paragraph shall be annexed to the notice referred to in paragraph 38.

[Paragraph 43¹ added by the DEB of the NBM No 161 of 10.08.2023]

43². In order to ensure compliance with Article 15 paragraph (8) and (9) of Law No 308/2017 on preventing and combating money laundering and terrorist financing, the NBM shall request the opinion of the Office for Prevention and Fight against Money Laundering and, if

applicable, of other competent authorities in the country, for which period the administrative procedure shall be suspended, as well as notify the foreign exchange office and the hotel thereof.

[Paragraph 43² added by the DEB of the NBM No 161 of 10.08.2023]

43³. The modification/completion of the composition of the members/shareholders of the foreign exchange office, of the beneficial owners of the foreign exchange office and/or the replacement of the foreign exchange office administrator, of the deputy of the foreign exchange office shall be carried out in compliance with the provisions of Article 65 paragraph (8) and (9) and/or Article 66 paragraph (6) of Law No 62/2008.

[Paragraph 43³ added by the DEB of the NBM No 161 of 10.08.2023]

[Paragraph 44 repealed by the DEB of the NBM No 161 of 10.08.2023]

45. In case of suspension/resumption/final termination of the activity of the foreign exchange office, of its branch, of the foreign exchange bureau of the hotel, the suspension/resumption of activity through currency exchange machine (machines), the foreign exchange office and the hotel shall inform the NBM about this fact by letter, at least one day before the date of suspension/resumption/definitive termination of the respective activity. In case of final termination of the activity of foreign exchange office, its branch, foreign exchange activity of the hotel, the original of the license/authorised copy of the license shall be submitted within 3 working days to the NBM from the date of final termination of the activity.

[Paragraph 45 amended by the DEB of the NBM No 161 of 10.08.2023]

[Paragraph 45 completed by NBM Decision No 235 of 19.09.2019]

46. The letter referred to in paragraph 45 shall contain, where appropriate, the name of the foreign exchange office, of its branch, of the hotel, the registration number assigned by the State Tax Service to the currency exchange machine (machines) and its installation address, the date of suspension/resumption/definitive termination of the respective activity, as well as other information deemed necessary to be indicated by the foreign exchange office and the hotel.

46¹. The notification referred to in paragraph 38, the letters referred to in paragraphs 39 and 45, as well as, if applicable, the documents attached thereto shall be submitted to the NBM in electronic form via the NBM WEB portal, in accordance with the User Guide for foreign exchange offices and hotels, considering the provisions of paragraphs 26² - 26⁵.

[Paragraph 46¹ added by the DEB of the NBM No 161 of 10.08.2023]

47. In case of changes in the data contained in the application for the re-issuance of the licence/authorised copy of the licence and in the documents attached thereto which lead to the issuance of the licence/authorised copy of the licence, the licence holder shall inform the NBM of such changes by submitting the application for the reissue of the licence/authorised copy of the licence in accordance with the provisions of Section 6 of this Chapter.

[Paragraph 47 amended by the DEB of the NBM No 161 of 10.08.2023]

Section 6.

Re-issue of license/authorised copy of the license

48. In the case of modification of the name of the licence holder or other data contained in the licence, the foreign exchange office and the hotel shall submit to the NBM, within 10 working days from the date of the change, an application for re-issue of the license according to Annex No 15 to this Regulation. If the foreign exchange office has branches, in the same application for re-issue, the license holder shall require the issuance, for each branch, the authorised copy of the updated license.

[Paragraph 48 amended by the DEB of the NBM No 161 of 10.08.2023]

49. In case of modification of the name of the branch of the foreign exchange office or of other data contained in the authorised copy of the licence, the foreign exchange office shall be

obliged within 10 working days from the date of the modification to submit to the NBM for each branch an application for re-issue of the authorized copy of license according to the model in Annex No 16 to this Regulation.

[Paragraph 49 amended by the DEB of the NBM No 161 of 10.08.2023]

50. The documents specified in Article 52 paragraph (2) of the Law No 62/2008 shall be attached to the application for re-issue, considering the following peculiarities:

a) the copy of the license shall be attached to the application for re-issue of license of the foreign exchange office/hotel;

b) the copy of the license and the copies of the authorised copies of that license shall be attached to the application for re-issue of license of the foreign exchange office which has branches;

c) the copy of authorised copy of the license and the copy of the license shall be attached to the application for re-issue of the authorised copy of the license.

[Paragraph 50 amended by the DEB of the NBM No 161 of 10.08.2023]

50¹. The NBM shall reject the application for the re-issuance of the licence/authorised copy of the licence on the grounds referred to in Article 48 paragraph (3) of Law No 62/2008, as well as in case of non-compliance with the provisions of Article 44 paragraph (10) of the Law referred to.

[Paragraph 50¹ added by the DEB of the NBM No 161 of 10.08.2023]

[Paragraph 51 repealed by the DEB of the NBM No 161 of 10.08.2023]

52. The NBM shall notify the applicant about the adoption of the decision on the re-issue of the license/authorised copy of the license not later than the third working day after the date of adoption of the decision.

[Paragraph 52 amended by the DEB of the NBM No 161 of 10.08.2023]

53. In case of adoption of the decision on the re-issue of the license/authorised copy of the license, the applicant shall submit to the NBM the document confirming the payment of the fee for the re-issue of the license/authorised copy of the license.

53¹. The documents indicated in paragraphs 48-50 and paragraph 53 shall be submitted to the NBM in electronic form via the NBM WEB portal, in accordance with the User Guide for foreign exchange offices and hotels, considering the provisions of paragraphs 26²-26⁵.

[Paragraph 53¹ added by the DEB of the NBM No 161 of 10.08.2023]

54. The re-issued license/authorised copy of the re-issued license/re-issued authorised copy of the license shall be issued on paper within up to 3 working days from the date of receiving the document confirming the payment of the fee for re-issuing.

[Paragraph 54 amended by the DEB of the NBM No 161 of 10.08.2023]

55. The re-issued license shall be issued on a new form. For the branches of the foreign exchange office, the authorised copies of the re-issued license/re-issued authorised copy of the license shall be issued according to the provisions of paragraph 34. Upon issuance of the reissued licence/authorised copy of the reissued licence, the original of the previous licence/authorised copy of the previous licence shall be submitted to the NBM.

[Paragraph 55 amended by the DEB of the NBM No 161 of 10.08.2023]

56. In case of re-issue of license, the previous license, as well as, if the foreign exchange office has branches, the authorised copies of the previous license, shall become invalid.

57. After the re-issue of the authorised copy of the license, the previous authorised copy of the license shall become invalid.

Section 7.
Re-issue of the duplicate of license/authorised copy of the license

58. In case of loss or damage of the license, the license holder shall submit to the NBM an application for issuing the duplicate according to the form specified in Annex No 19. If the foreign exchange office has branches, in the same application for issuing the duplicate, the license holder shall require the issuance, for each of its branch, the authorised copy of the license duplicate.

59. In case of loss or damage of the authorised copy of the license, the foreign exchange office shall submit to the NBM for each branch an application for issuing the duplicate according to the form specified in Annex No 20.

59¹. In case of loss of the license/authorised copy of the license, the license holder shall publish a notice to this effect in the Official Monitor of the Republic of Moldova.

[Paragraph 59¹ added by the DEB of the NBM No 161 of 10.08.2023]

60. The application for the issuance of the duplicate, which shall be submitted within 15 working days from the moment of ascertaining the loss of the licence/authorised copy of the licence, shall be attached:

- a) the document confirming the payment of the fee for issuing the license duplicate/duplicate of each authorised copy of the license;
- b) the confirmation of publication of the announcement in the Official Monitor of the Republic of Moldova on the loss of the license/authorised copy of the license and, if appropriate:
- c) if the foreign exchange office which has branches – the copies of the authorised copies of this license (to be replaced, based on the license duplicate);
- d) to the application for issuing the duplicate of the authorised copy of the license - the copy of the license.

[Paragraph 60 amended by the DEB of the NBM No 161 of 10.08.2023]

61. In case of damage of the license/authorised copy of the license, the following shall be attached to the application for the issue of duplicate:

- a) the document confirming the payment of the fee for issuing the license duplicate/duplicate of each authorised copy of the license;
- b) the copy of the damaged license/authorised copy of the license, and, if appropriate:
- c) if the foreign exchange office has branches - the copies of the authorised copies of license (to be replaced based on the license duplicate);
- d) to the application for issuing the duplicate of the authorised copy of the license the copy of the license shall be attached.

[Paragraph 61 amended by the DEB of the NBM No 161 of 10.08.2023]

61¹. The documents referred to in paragraphs 58-61 shall be submitted to the NBM in electronic form via the NBM WEB portal, in accordance with the User Guide for foreign exchange offices and hotels, considering the provisions of paragraphs 26² - 26⁵.

[Paragraph 61¹ added by the DEB of the NBM No 161 of 10.08.2023]

62. The NBM shall make out the license duplicate on paper and apply the following inscription on it:

„Duplicate date of issue ”

[Paragraph 62 amended by the DEB of the NBM No 161 of 10.08.2023]

63. In case the foreign exchange office has branches, the authorised copy of the license duplicate shall be issued for each branch on paper, according to the provisions of paragraph 34.

64. In the event that the branch's authorised copy of the license was lost or damaged, the National Bank of Moldova shall make out the duplicate of the authorised copy of the license, according to provisions of paragraph 34 letters a), c) and d), applying the following inscription on this copy:

„Duplicate
date of issue _____
Authorised copy for the branch _____
with legal address _____
address where currency exchange activity is carried out
_____”
<small>(position, signature, name, and surname of the Governor/First Deputy Governor/Deputy Governor of the NBM)</small>

65. While receiving the license duplicate/authorised copy of the license, the license holder has the obligation to submit to the NBM the damaged original of the license/authorised copy of the license. On issue of the duplicate licence/authorised copy of the licence, the licence/authorised copy of the lost or damaged licence becomes invalid.

[Paragraph 65 amended by the DEB of the NBM No 161 of 10.08.2023]

Chapter III.

Notification on the foreign exchange bureaux and currency exchange machines of the licensed banks

66. The licensed bank must notify the NBM about the opening of foreign exchange bureau by a notification, in accordance with the form provided for in Annex No 21, to which the work program of the respective foreign exchange bureau shall be attached.

67. The work program of the foreign exchange bureau of the licensed bank shall contain the name of the licensed bank, the name of the licensed bank's subdivision (branch/secondary office) within which the foreign exchange bureau is opened, the information provided for in paragraph 1 letter g), date of approval of work program as well as other information that bank considers necessary to indicate.

[Paragraph 67 amended by the NBM Decision No 74 of 14.04.2022, in force since 16.05.2022]

68. The licensed bank must inform the NBM about the installation of currency exchange machine, by a notification in accordance with the form provided for in Annex No 22.

69. The information referred to in paragraphs 66-68 shall be submitted no later than on the date of opening the foreign exchange bureau/beginning of the operations via the installed currency exchange machine.

[Paragraph 69 amended by the NBM Decision No 74 of 14.04.2022, in force since 16.05.2022]

70. If the information submitted to the NBM according to paragraphs 66-68 of this Regulation were modified, the licensed bank shall inform the NBM, within 10 working days of the date of the modification, about this fact by submitting, as appropriate, the modified work program (according to paragraph 67 of this Regulation), the notification as presented in the model of Annex No 21 or, as appropriate, Annex No 22 of this Regulation.

[Paragraph 70 amended by the DEB of the NBM No 161 of 10.08.2023]

[Paragraph 70 amended by the NBM Decision No 74 of 14.04.2022, in force since 16.05.2022]

71. In the event of suspension/resumption/definitive termination of the activity of the foreign exchange bureau (bureaux) and/or activity via currency exchange machine (machines), the licensed bank shall submit to the NBM an informative letter, no later than one day before the date of suspension/resumption/definitive termination of the respective activity.

72. The letter referred to in paragraph 71 shall contain, where appropriate, the name of the licensed bank, the name of the licensed bank's subdivision (branch/secondary office) within which the foreign exchange bureau is opened, the registration number assigned by the State Tax Service to the currency exchange machine (machines) and its installation address, the date of suspension/resumption/definitive termination of the respective activity, as well as other information that bank considers necessary to indicate.

[Paragraph 72 amended by the NBM Decision No 74 of 14.04.2022, in force since 16.05.2022]

73. The information referred to in paragraphs 66, 67, 68, 70 and 71 shall be submitted to the NBM in electronic form through the NBM WEB portal in accordance with the Bank's User Guide.

[Paragraph 73 in the wording of the NBM Decision No 74 of 14.04.2022, in force since 16.05.2022]

[Paragraph 73 amended by the NBM Decision No 246 of 26.09.2019]

73¹. To obtain the right to submit to the NBM the information provided for in paragraphs 66, 67, 68, 70 and 71, in electronic form, the authorised person of the licensed bank shall register as a user on the NBM WEB portal, in accordance with the Bank's User Guide.

[Paragraph 73¹ added by the NBM Decision No 74 of 14.04.2022, in force since 16.05.2022]

Chapter IV. Register of foreign exchange entities

74. The NBM shall keep records of the foreign exchange entities in the register of the foreign exchange entities, which consists of three sections:

- a) foreign exchange offices;
- b) hotels;
- c) licensed banks.

[Paragraph 74 amended by the DEB of the NBM No 161 of 10.08.2023]

75. The register of the foreign exchange entities shall include the information on foreign exchange entities: the name, the address where the currency exchange activity is carried out, data about the branches of the foreign exchange offices, the currency exchange machines installed by the foreign exchange entities, the date and the number of the decision on the issuance of the license/authorised copy of the license, the information on the re-issue, issuance of the duplicates of license/authorised copy of the license and withdrawal of the license, the information related to sanctions applied to foreign exchange entities, as well as other relevant information.

76. The information from the register of the foreign exchange entities shall be available on the official website of the NBM.

[Paragraph 76 amended by the DEB of the NBM No 161 of 10.08.2023]

77. The NBM shall keep a separate file for each license holder (foreign exchange office, hotel), as well as for each licensed bank that notified the NBM on the opening of the foreign exchange bureaux and installation of currency exchange machines.

[Chapters V, VI and VII repealed by the DEB of the NBM No 161 of 10.08.2023]

to the Regulation on the licensing
of foreign exchange entities

Letterhead of the applicant

No _____ of _____ 20__

To the National Bank of Moldova

**APPLICATION
for the issue of license**

Hereby, _____
(full name of the applicant)

IDNO of the applicant _____

legal address of the applicant _____

date of state registration _____

type of activity _____
(type of activity of the currency exchange office or provision of hotel services)

The amount of authorised capital of the foreign exchange office

_____ (to be indicated only by the foreign exchange offices)
tel. _____ fax _____ e-mail _____

pursuant to paragraph (...) ¹ Article 47 of the Law No 62/2008, requests the issue of the license for carrying out currency exchange activity in cash with individuals, and submits the following information:

Address of performing the currency exchange activity:

No	Indicate „counter” or „currency exchange machine”	Address of carrying out the currency exchange operation in cash with individuals

Administrator of the applicant _____
(name, surname, fiscal code (IDNP) of administrator)

Deputy administrator of the applicant² _____
(name and surname)

Chief accountant of the applicant _____
(name and surname)

Information on associates/shareholders, beneficial owners:

No	Name /Name and surname of the associate/shareholder, beneficial owner	IDNO (personal code)/IDNP of the associate/shareholder, beneficial owner	Shareholding of each associate/shareholder of the foreign exchange office	
			%	Amount

Other information _____

I declare on my own responsibility:

- to observe the conditions for carrying out the currency exchange activity provided for in the Law No 62/2008;

- to provide accurate, complete, and true information and documents.

¹ Indicate (1) or (2¹) in case of the foreign exchange offices and (5) or (6¹)- in case of hotel.

² Indicate, if the respective entity has created the position of Deputy Administrator.

List of documents attached to the application

No	Name of the document	Number and date of the document	Number of pages
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			

Administrator or his/her
empowered person (indicate
the position)

(signature)

(name and surname)

[Annex No 1 amended by the DEB of the NBM No 161 of 10.08.2023]

No _____ of _____ 20__

To the National Bank of Moldova

**APPLICATION
for the issue of authorised copy of the license**

Hereby, _____
(full name of the applicant)

IDNO of the applicant _____

legal address of the applicant _____

date of state registration of the foreign exchange office _____

type of the activity of the foreign exchange office _____

Administrator of the applicant _____
(name, surname, fiscal code (IDNP) of administrator)

The amount of the authorised capital of the foreign exchange office _____

Information on associates/shareholders, beneficial owners:

No	Name /Name and surname of the associate/shareholder, beneficial owner	IDNO (personal code) / IDNP (fiscal code) of the associate/shareholder, beneficial owner	Shareholding of each associate/shareholder of the foreign exchange office	
			%	Amount

Tel. _____ fax _____ e-mail _____

The holder of the license for carrying out currency exchange activities in cash with individuals¹

_____,
(series, number and date of issue of license to the foreign exchange office)

pursuant to Article 47 paragraph (3) of the Law No 62/2008, hereby requests for the issue of authorised copy of the license for carrying out currency exchange activity in cash with individuals, to be issued in favour of the branch _____

(name of the branch of applicant)

Legal address of the branch _____,
(legal address of the branch of applicant)

Address of carrying out the currency exchange activity of the branch _____

(address of performing the currency exchange operations in cash with individuals)

Date of state registration of the branch _____

Administrator of the branch _____
(name, surname, fiscal code (IDNP) of administrator)

Other information _____

I declare on my own responsibility:

- that the branch shall observe the conditions of carrying out currency exchange activity of the Law No 62/2008;
- to provide accurate, complete, and true information and documents.

¹ To be filled in only when the issue of the authorized copy of the license is requested after the license has been already issued to the currency exchange office.

List of documents enclosed with the application

No	Name of document	Number and date of the document	Number of pages
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			

Administrator or his/her
empowered person (indicate
the position)

(signature)

(name and surname)

[Annex No 2 amended by the DEB of the NBM No 161 of 10.08.2023]

**Requirements for the documents
which confirm the existence of the necessary funds
to obtain the license/authorised copy of the license**

I. List of documents confirming the existence of funds

1. The document(s) confirming the existence in the accounts of the foreign exchange office, including of its branch, if any, opened with the licensed banks, of pecuniary contributions in the authorised capital of the foreign exchange office (which represent the cash assets of the entity, used for performing currency exchange operations in cash with individuals) in the minimum amount set forth in:

- a) Article 44 paragraph (1) of the Law No 62/2008;
- b) Article 44 paragraph (1) and (2) of the Law No 62/2008.

2. The document(s) confirming the existence in the accounts of the foreign exchange office, including of its branches, if any, opened with the licensed banks, of cash assets to be used for performing currency exchange operations in cash with individuals (formed by pecuniary contributions in the authorised capital of the foreign exchange office).

3. A copy of the totalisation fiscal document, which shall be presented for each cash register equipment and foreign exchange control/machine, held by the foreign exchange office, including its branches (if any).

4. The decision of the general meeting of associates/shareholders of the foreign exchange office on increasing the share capital on the account of the profit of the foreign exchange office.

4¹. Documents confirming the source of funds.

II. Requirements for the set of documents listed in this Annex

5. The documents shall be certified and issued by the licensed bank.

6. The document shall contain the amount and the date of entry in the bank accounts of the foreign exchange office/its branches, of funds as pecuniary contributions in the authorised capital, the funds' origin, the account numbers, and their balances at the date specified in paragraph 8 hereto, as well as other information that the bank may deem necessary to indicate.

7. The documents shall contain the bank account number of the foreign exchange office/its branch, and its balance on the date specified in paragraph 8 hereto, as well as any other information that the bank may deem necessary to indicate.

8. The document:

- a) shall be issued not earlier than 5 working days before the date of its submission to the NBM and shall confirm the availability of funds at the date of issue of the concerned document;
- b) shall confirm the availability of funds at the end of the working day, which may not be earlier than 5 working days before the date of filing of the application to the NBM. The document to meet this requirement must confirm the available funds at the end of one and the same working day.

*[Annex No 3 amended by the DEB of the NBM No 161 of 10.08.2023]
[Annex No 3 amended by the NBM Decision No 235 of 19.09.2019]*

Annex
to the application for the issue of license No _____ of _____
/ for authorised copy of the license No _____ of _____

To the National Bank of Moldova

CONFIRMATION

(when the currency exchange operations through counters are carried out)

Hereby, we confirm that _____
(full name of the legal entity)

IDNO _____,

possesses on the address _____
(address of carrying out currency exchange operations in cash with individuals)

_____ ,
where the branch shall carry out currency exchange activity¹
_____ ,
(name of the branch of the legal entity)

the following means and devices:

a) cash control equipment:

quantity² _____,

registration number assigned to each cash control equipment by the State Tax Service

_____ ;

b) the foreign currencies reference book, which is available

_____ ;
(shall be indicated „in electronic form / „on hard copy”)

c) machine to verify the banknotes' authenticity:

quantity² _____ ;

d) the forms of documents established by the NBM for performing currency exchange operations in cash with individuals, which are available in:

_____ ;
(shall be indicated „in electronic form” / „on hard copy”)

e) _____ .
(other paragraphs that the applicant deems necessary to indicate)

f) video surveillance and recording system of the currency exchange activity.

The registration document/documents of the cash control equipment issued by the State Tax Service referred to in letter a) are attached to this confirmation.

Administrator or his/her
empowered person
(indicate the position)

(signature)

(name and surname)

¹ To be filled in if applicable to the branch of the foreign exchange office.

² Shall coincide with the number of counters. [Annex No 4 amended by the DEB of the NBM No 161 of 10.08.2023]

Annex
to the application for the issue of license No _____ of _____

To the National Bank of Moldova

CONFIRMATION

(when currency exchange operations are performed through currency exchange machines)

Hereby, we confirm that _____
(full name of the legal entity)

IDNO _____,

Owner of the following currency exchange machines:

No	Machine's registration number assigned by the State Tax Service	Installation address of the currency exchange machine	Details of the location of the currency exchange machine (indicate the specific place of installation, for ex. inside the hotel, inside the XYZ store)

possesses on the address _____,
(head office of the legal entity)

the following means and devices necessary for carrying out currency exchange operations through currency exchange machines:

a) foreign currencies reference book, which is available

(shall be indicated „in electronic form”/„on hard copy”)

b) forms of documents established by the NBM for performing currency exchange operations in cash with individuals, which are available in:

(shall be indicated „in electronic form”/„on hard copy”)

c) _____
(other means that the foreign exchange office or the hotel deems necessary to indicate)

Administrator or his/her
empowered person
(indicate the position)

(signature)

(name and surname)

**Minimum requirements
for the premises of the foreign exchange offices (their branches)
where currency exchange operations in cash with individuals
are performed through counters**

In order to ensure a safe service provision to customers, as well as the integrity of funds and other values, the premises where currency exchange operations in cash with individuals are directly performed through counters, shall comply with the following minimum requirements:

1. The premises shall be isolated from other service and auxiliary premises and shall have not less than 2 m² for each counter.

1¹. At the entrance to the premises a sign/pictogram shall be displayed indicating the existence of the video surveillance camera according to the form, approved by the Decision of the National Centre for Personal Data Protection No 581/2015 on the approval of the standard information form on conducting video surveillance.

[Paragraph 1¹ added by the DEB of the NBM No 161 of 10.08.2023]

[paragraph 2 repealed by the NBM Decision No 235 of 19.09.2019]

3. Each counter for operations with individuals shall be designed so that:

a) the customer shall have the possibility to follow freely the process of re-counting by the cashier of funds received from him;

b) the customer shall have a convenient place for independent re-counting of funds received from the cashier (for instance, a bar at the level of counter, a support).

4. A space of a radius of two meters or restrictive indicators of access shall be located in front of the counter with the purpose of safe service of the customer.

The listed requirements shall not exempt the foreign exchange office from the mandatory observance of other provisions of the acting legislation established in order to ensure the integrity of funds and other values.

[Annex No 6 amended by the DEB of the NBM No 161 of 10.08.2023]

[Annex No 6 amended by the NBM Decision No 235 of 19.09.2019]

Annex
to the application for the issue of license No _____ of _____
/ authorised copy of the license No _____ of _____

to the National Bank of Moldova

CONFIRMATION

Hereby, we confirm that, _____
(full name of the legal entity)

IDNO _____,

possesses on the address _____
(address of performing currency exchange operations in cash with individuals through counters)

where the currency exchange activity will be carried out by the branch¹ _____

(name of the legal entity's branch)
premises for performing currency exchange operations in cash with individuals with a surface of
_____ m².

Simultaneously, we confirm that,

a) the premises for the performance of currency exchange operations in cash with individuals:

- are isolated from other service and auxiliary premises;
- each counter has not less than 2 m²;
- have a video surveillance and recording system of the currency exchange activity;

b) each counter for performing operations with individuals is arranged in such a way so that:
- the customer has the possibility to follow freely the process of re-counting by the cashier of funds received from him;

- the customer has a convenient place for independent re-counting of funds received from the cashier, and namely _____;

(used method of protection shall be indicated):

c) in front of the counter there is:

(shall be indicated the existence of a space in front of the counter of a radius of two meters or restrictive indicators of access, with the purpose of safe service of the customer)

d) The concerned premises will not be used by another foreign exchange office for performing currency exchange operations.

Other information _____

Administrator or his/her
empowered person
(indicate the position)

(signature)

(name and surname)

¹ To be filled in if the confirmation refers to the branch of foreign exchange office.
[Annex No 7 amended by the DEB of the NBM No 161 of 10.08.2023]
[Annex No 7 amended by the NBM Decision No 235 of 19.09.2019]

To the National Bank of Moldova

**Statutory declaration
on the absence of penalty related to the deprivation of the right to hold any offices
related to the management of a company/bookkeeping**

The undersigned _____,
(name and surname)

IDNP (personal code) _____,

acting as _____
(administrator, deputy administrator, chief accountant of the foreign exchange office, accountant in charge of activity of the
foreign exchange bureau of the hotel) _____

at _____,
(full name of the holder of license)

considering the applicable legal provisions of Article 47 of the Law No 62/2008, declare on my own responsibility that I was not deprived of the right **to hold any offices related to the management of a company¹/bookkeeping²**.

Name, surname _____

Signature _____

Date of issue _____ 20____

¹ To be inserted by administrators, deputy administrators.

² To be inserted by accountants.

To the National Bank of Moldova

**Statutory declaration
of the associate/shareholder who is a legal entity**

Hereby, _____
(full name of the legal entity who is associate/shareholder of the foreign exchange office)

Fiscal code/IDNO of the associate/shareholder _____,
having its head office at _____,
represented by the administrator _____,
(name and surname)

Personal code (IDNP) of the administrator _____,
acting as associate/shareholder of the foreign exchange office

(name of the foreign exchange office)

IDNO of the foreign exchange office _____,

taking into account the applicable legal provisions of Article 47 of Law No 62/2008 on foreign exchange regulation, I declare under my own responsibility that the above-mentioned legal entity (associate/shareholder of the foreign exchange office), that is under my management, is not in liquidation or insolvency process and that no legal restrictions have been imposed against it to establish companies or to participate in their authorised capital.

Name and surname _____

Signature _____

Date of issue _____ 20__

To the National Bank of Moldova

**Statutory declaration
of the beneficial owner of the currency exchange office and the associate/shareholder
(individual)**

The undersigned _____,
(name and surname)

personal code (IDNP) _____,

acting as associate/shareholder, beneficial owner of the foreign exchange
office _____
(name of the foreign exchange office)

IDNO of the foreign exchange office _____,

considering the applicable legal provisions of Article 47 of Law No 62/2008, I declare under my
own responsibility that no legal restrictions have been imposed against me to establish companies
or to participate in their authorised capital.

Name and surname _____

Signature _____

Date of issue _____ 20____

[Annex No 10 amended by the DEB of the NBM No 161 of 10.08.2023]

Annex
to the application for the issue of license No _____ of _____
/ for authorised copy of the license No _____ of _____

PERSONAL FILE

- 1. Foreign exchange office/Hotel** *(cross out where not applicable):*
a) Name _____
b) IDNO _____
c) Legal address _____
- 2. Branch of the foreign exchange office** *(indicate where applicable):*
a) Name of the branch _____
b) Legal address _____
- 3. Name, surname** _____
- 4. Position held** _____
(administrator, deputy administrator, chief accountant, accountant)
- 5. IDNP** _____
- 6. Date/month/year of birth** _____ **7. Citizenship** _____
- 8. a) Domicile** _____
(street; house/apartment number; postcode; city/town/village;

district/region; country)
b) Residence address _____
(to be indicated additionally by non-residents)

- 9. Telephone** _____, **fax** _____, **e-mail** _____
- 10.a) Identity card**

(card number, date of issue, expiry date,

issuing authority)
b) Data of the residence permit in the Republic of Moldova _____
(to be filled in by non-residents)

(card number, date of issue, expiry date of the Residence Permit)
- 11. Education:** *(attended educational institutions shall be indicated in chronological order, including information on general schools, secondary vocational or specialized schools, higher education institutions, and postgraduate studies)*

Educational institution	Years of study		Area of specialization	Title/Degree
	From	To		

--	--	--	--	--

12. Professional experience: *(to be filled out in chronological order)*

Period of employment (month, year)		Company name (institution, organization)	Locality	Position held
from	to			

13. Please provide answers to the following questions:

a) Have you ever acted as administrator of the foreign exchange office, whose license was withdrawn by the NBM? If yes, the name of the foreign exchange office and the year of the license withdrawal shall be provided. _____

b) Have you ever been an associate/shareholder, beneficial owner of the foreign exchange office, whose license was withdrawn by the NBM? If yes, the name of the foreign exchange office and the year of the license withdrawal shall be provided. _____

c) Have you ever been involved in money laundering or terrorism financing activities, or have you ever been held criminally liable in another country? If yes, full details shall be provided.

d) Have you ever been in association/affiliation with any criminals and organised criminal groups? If yes, full details shall be provided. _____

List of enclosed documents:

I declare on my own responsibility that all the information provided and recorded in this form is true and consistent with reality. Also, I commit myself to notify the NBM of any changes regarding the information provided and recorded hereto.

(date)

(signature)

Letterhead of the legal entity

Annex
to the Application for License No _____ of _____
/ for authorised copy of the license No _____ of _____

To the National Bank of Moldova

Information
on the number of counters opened at the foreign exchange office/its branch

Hereby, we notify the NBM that _____

(full name of the legal entity)

IDNO _____,

possesses _____ counters to carry out currency exchange operations in cash with
(number of counters)

individuals at the address _____
(address where the currency exchange operations in cash with individuals is carried out)

through its branch¹ _____
(name of the branch of the legal entity)

Administrator or his/her
empowered person
(indicate the position)

(signature)

(name and surname)

[Annex No 12 amended by the DEB of the NBM No 161 of 10.08.2023]

¹ To be filled in if confirmation refers to the branch of foreign exchange office

No _____ of _____ 20 _____

To the National Bank of Moldova

Information
on the compliance of the currency exchange machine
with the provisions of the Law No 62/2008
(to be submitted for each currency exchange machine)

Hereby, _____,
(full name of the foreign exchange office or the hotel)

IDNO _____,

notifies the NBM that the currency exchange machine, operated by the foreign exchange office, holding the registration number assigned by the State Tax Service

allows the performing of the following currency exchange operations:

a) purchase operations of the following foreign currencies:

(indicate the name of the foreign currency)

b) sale operations of the following foreign currencies:

(indicate the name of the foreign currency)

We declare on our own responsibility that the currency exchange machine meets the following requirements stipulated in Article 42¹ paragraph (2) of the Law No 62/2008:

a)	It is equipped with technical means to verify the authenticity of banknotes;
b)	It is equipped with _____ for cash operations registration according <i>(cash and control equipment)</i> to the requirements of fiscal legislation;
c)	It is programmed to perform currency exchange operations in an amount not exceeding MDL 5,000 per operation or its equivalent in foreign currency;
d)	It displays on the machine body the identification and contact data of the foreign exchange entity and contact details of the NBM where complaints on currency exchange operations may be submitted;
e)	It is equipped to ensure identification of customer - individual in accordance with the Law No 308/2017 on Preventing and Combating Money Laundering and Terrorism Financing and regulations elaborated under this Law.

We declare on our own responsibility that the currency exchange machine performs automatically, in accordance with Article 42¹ paragraph (3) of the Law No 62/2008, the following operations:

a)	Receiving information from the individual on the operation he/she plans to carry out
b)	Displaying on the screen, until the completion of the currency exchange operation, at least the following information: name and/or code of the foreign currency; currency amount received/to be received; currency amount to be released; applicable exchange rate; the size and amount of fees (if applicable); the size and amount of mandatory payment (where it is to be levied according to the Law 827/2000 on the Support Fund for Population);
c)	Verification of the authenticity of inserted banknotes
d)	Revocation by the customer of the currency exchange operation before its completion.;
e)	Issuance of cash voucher or other document provided for by fiscal legislation, which must include the information indicated in letter b), as well as other information provided for by fiscal legislation;

f)	Performance of currency exchange operations in the amount not exceeding MDL 5,000 per operation or its equivalent in foreign currency <i>The maximum amount of an operation performed through the currency exchange machine</i> _____ <i>(the amount in Moldovan lei to be indicated)</i>
g)	Release of funds that constitute the equivalent of cash inserted in the machine, less, if applicable, the amount of applicable fees, as well as mandatory payment to be levied under the Law No 827 on the Support Fund for Population;
h)	If the features of the currency exchange machine do not allow operations with low-denomination banknotes or coins, which make it impossible to release to the customer the exact amount to be released according to the letter g) – notification of the customer of this fact on the screen, indicating the amount that cannot be released and obtaining, before the completion of the operation, the customer's agreement for carrying out the operation under these conditions. <i>Applicable requirement?</i> _____ <i>(Indicate „Yes”, if the machine cannot release the exact amount; indicate “No”, if the machine is able to release the exact amount)</i>

Other information that the foreign exchange office deems necessary to indicate

Administrator or his/her
empowered person
(indicate the position)

(signature)

(name and surname)

[Annex No 13 amended by the DEB of the NBM No 161 of 10.08.2023]
[Annex No 13 amended by the NBM Decision No 235 of 19.09.2019]

No _____ of _____ 20__

To the National Bank of Moldova

NOTIFICATION
on the amendment of data which does not lead to the re-issuance of the licence/authorised copy of the licence

Hereby, _____,
(name of the license holder)

IDNO _____
the holder of the license _____,
(license number, series, and date of issue)

issued by the NBM pursuant to Article 51 of the Law No 62/2008 on foreign exchange regulation informs you that the following changes have occurred in:

I. The data contained in the licence application, namely:

- a) Type of activity _____
(type of activity of the foreign exchange office or type of activity related to the provision of hotel services)
- b) Size of the share capital of the foreign exchange office _____
(to be indicated only by the foreign exchange office)
- c) Administrator _____
(full name, administrator's IDNP)
- d) Deputy Administrator _____
(to indicate the full name, IDNP of the deputy administrator if the unit has established the position of deputy administrator)
- e) Chief Accountant _____
(full name, Chief Accountant's IDNP)

f) Data on associates/shareholders, beneficial owners:

No	Name / Name and surname of the associate / shareholder, beneficial owner	IDNO / IDNP of the associate / shareholder, beneficial owner	Shareholdings of each associate / shareholder of the foreign exchange office	
			%	Amount

g) Tel./e-mail _____
(to indicate the telephone number/email of the foreign exchange office)

Fax _____ e-mail _____

h) Other information _____

2. Data of the application for the issue of authorised copy of the license, namely:

- a) Administrator of the branch _____
(full name, administrator's IDNP)
- b) Deputy Administrator of the branch _____
(to indicate the full name, IDNP of the deputy administrator if the unit has established the position of deputy administrator)
- c) Tel./e-mail _____
(to indicate the telephone number/email of the branch of currency exchange office)

d) Other information _____
_____.

III. Data contained in the documents attached to the licence application/authorised copy of the licence, namely:

List of attached documents confirming the modification of the data indicated in points 1-3:

No	Name of the document	Description of modifications	Name and date of the modified document	Number of pages

Administrator or
his/her
empowered
person (indicate
the position)

(signature)

(name and surname)

List of documents attached to the application

No	Name of document	Number and date of the document	Number of pages
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			

Administrator or his/her
empowered person
(indicate the position)

(signature)

(name and surname)

No _____ of _____ 20__

To the National Bank of Moldova

**APPLICATION
for re-issue of the authorised copy of license**

Hereby, the foreign exchange office _____
(name of the license holder)

IDNO _____,

Legal address _____,

Holder of license _____,
(series, number and date of issue of the license)

having the branch _____
(name of the branch)

with the legal address _____
(legal address of the branch of the foreign exchange office)

the authorised copy of license signed by the NBM on _____,
(date of signing by the NBM of the authorised copy of the license)

requests the re-issue of the authorised copy of the license in connection with the modification of the following data indicated in the authorised copy of the license:

<i>Data to be modified in the authorised copy of license</i>	<i>Data that shall be indicated in the authorised copy of the license</i>

Other information _____

List of documents attached to the application

No	Name of document	Number and date of the document	Number of pages
1			
2			
3			
4			
5			
6			
7			
8			

Administrator or his/her
empowered person (position
to be indicated)

(signature)

(name and surname)

No _____ of _____ 20__

To the National Bank of Moldova

**APPLICATION
for the issue of duplicate of the license**

Hereby, _____
(name of the license holder)

IDNO _____,

Legal address _____,

Holder of the license _____,
(series, number and date of issue of the license)

as a result of _____ of the nominated license, requests the issue of duplicate
(loss /damage)
of the mentioned license, pursuant to Article 53 of the Law No 62/2008.

In addition, we request the issue of authorised copies of the duplicate of license, for the following
branches:

(name of the branch, legal address, date of signing by the NBM of the authorised copy of the license)

List of documents attached to the application

No	Name of document	Number and date of the document	Number of pages
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			

Administrator or his/her
empowered person
(indicate the position)

(signature)

(name and surname)

No _____ of _____ 20__

To the National Bank of Moldova

**APPLICATION
for the issue of the duplicate of authorised copy of the license**

Hereby, the foreign exchange office _____
(name of the license holder)

IDNO _____,

Legal address _____,

Holder of license _____,
(series, number and date of issue of the license)

with the branch _____
(name of the branch)

with legal address _____
(legal address of the branch)

the authorised copy of license signed by the NBM on _____
(date of signing by the NBM of the authorised copy of the license)

in connection with the _____ of the authorised copy of the mentioned
license, *(loss /damage)*

requests the issue of the duplicate of the authorised copy of the license, pursuant to Article 53 of
the Law No 62/2008.

List of documents attached to the application

No	Name of document	Number and date of the document	Number of pages
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			

Administrator or his/her
empowered person
(indicate the position)

(signature)

(name and surname)

No _____ of _____ 20__

To the National Bank of Moldova

NOTIFICATION

Hereby, we inform the NBM on:

(depending on the type of notification, the corresponding cell shall be ticked off with "X")

	opening of the foreign exchange bureau of the bank
	Date of opening _____

	on modification of data included in the notification
	No _____ of _____ 20__ on the opening of the foreign exchange bureau of the licensed bank

(if notifying of data modification, fill in all entries of the notification by inserting the updated information in the amended entries)

1. The foreign exchange bureau is within _____
(indicate the name of the licensed bank annotated with "Head Office" or

the name of the branch/secondary office of the licensed bank, where the foreign exchange bureau is situated whichever applicable)

located at the address

(indicate, by case, the legal address of the licensed bank, of the branch/secondary office, where the foreign exchange bureau is located)

2. Number of counters within the foreign exchange bureau: _____.

3. Location of counters of the foreign exchange bureau: _____

(locations of counters of the foreign exchange bureau)

4. Telephone number(s): _____
(indicate the telephone number on which information related to the activity of the foreign exchange bureau can be obtained)

5. The foreign exchange bureau is equipped with the following devices and means according to Law No 62/2008:

[Letter a) repealed by the NBM Decision No 235 of 19.09.2019]

b) foreign currencies reference book which is available

(„in electronic form”/„on hard copy”)

c) machine to verify the banknotes' authenticity:

quantity _____;

(to coincide with the number of counters)

d) forms of documents established by the NBM for the performance of currency exchange operations in cash with individuals, which are available _____;

(„in electronic form”/„on hard copy”)

e) _____

(other means the bank deems necessary to indicate)

f) video surveillance and recording of currency exchange activity

(position)

(signature)

(name and surname)

Annex No 22
 to the Regulation on the licensing
 of foreign exchange entities

No _____ of _____ 20__

To the National Bank of Moldova

NOTIFICATION

Hereby, we inform the NBM on:

(Depending on the type of notification, the corresponding cell shall be is ticked off with "X")

	installation of the currency exchange machine of the licensed bank
	Starting date of operations carried out via currency exchange machine _____

	on modification of data included in the notification
	modification of data included in notification No _____ of _____ 20__ on the installation of the currency exchange machine of the licensed bank

(if notifying of data modification, fill in all entries of the notification by inserting in the modified section of the updated information)

1. The currency exchange machine is installed at the address:

(indicate the address of currency exchange machine's installation)

2. Details on the location of the currency exchange machine:

(indicate the exact place of installation, for ex. inside the Head Office of the licensed bank,

inside the „XYZ” store, at the first floor of the „XYZ” commercial centre)

3. Registration number assigned to currency exchange machine by the State Tax Service:

(indicate the contact telephone number where the information related to currency exchange machine functioning can be obtained)

5. The currency exchange operations in cash with individuals which can be performed via installed currency exchange machine:

a) purchase operations of the following currencies: _____,
(indicate the name of the foreign currency)

b) sale operations of the following currencies: _____.
(indicate the name of the foreign currency)

6. We declare on our own responsibility that the currency exchange machine meets the following requirements stipulated in Article 42¹ paragraph (2) of the Law No 62/2008:

a)	It is equipped with technical means to verify the authenticity of banknotes;
b)	It is equipped with _____ <i>(cash and control equipment)</i> for cash operations registration according to the requirements of fiscal legislation;
c)	It is programmed to perform currency exchange operations in an amount not exceeding MDL 5,000 per

	operation or its equivalent in foreign currency
d)	Has displayed on the machine body the identification and contact data of the licensed bank and contact details of the NBM where complaints on currency exchange operations may be submitted;
e)	It is equipped so as to ensure identification of customer - individual in accordance with the Law No 308/2017 on Prevention and Combating Money Laundering and Terrorism Financing and regulations elaborated under this Law.

7. We declare on our own responsibility that the foreign exchange machine performs automatically, in accordance with Article 42¹ paragraph (3) of the Law No 62/2008, the following operations:

a)	Receiving information from the individual on the operation he/she intends to carry out
b)	Displaying on the screen, until the completion of the currency exchange operation, at least the following information: name and/or code of the foreign currency; currency amount received/ to be received; currency amount to be released; applicable exchange rate; the size and amount of fees (if applicable); the size and amount of mandatory payment (where it is to be levied according to the Law No 827/2000 on the Support Fund for Population);
c)	Verification of the authenticity of inserted banknotes
d)	Revocation by the customer of the currency exchange operation before its completion.;
e)	Issuance of cash voucher or a fiscal document, which must include the information indicated in letter b), as well as other information provided for by fiscal legislation;
f)	Performance of currency exchange operations in the amount not exceeding MDL 5,000 per operation or its equivalent in foreign currency The maximum currency exchange machine transaction amount is _____. <i>(indicate the amount in Moldovan lei)</i>
g)	Release of funds that constitute the equivalent of cash inserted in the machine, less, if applicable, the amount of applicable fees, as well as mandatory payment to be levied under the Law No 827 on the Support Fund for Population;
h)	If the features of the currency exchange machine do not allow operations with low-denomination banknotes or coins, which make it impossible to release to the customer the exact amount to be released according to the letter g) – notification of the customer of this fact on the screen, indicating the amount that cannot be released and obtaining, before the completion of the operation, the customer's agreement for carrying out the operation under these conditions. Applicable requirement? _____. <i>(Indicate „Yes”, if the machine cannot release the exact amount or indicate “No”, if the machine is able to release the exact amount)</i>

8. The licensed bank has made available the following devices and means required for carrying out currency exchange operations through currency exchange machines:

a) foreign currencies reference book, which is available _____;
(„in electronic form”/„on hard copy”)

b) forms of documents established by the NBM for the performance of currency exchange operations in cash with individuals, which are available _____;
(„in electronic form”/„on hard copy”)

Other information the bank deems necessary to provide _____.

(position)

(signature)

(name and surname)

[Annex No 23 repealed by the DEB of the NBM No 161 of 10.08.2023]