

Note: The translation is unofficial, for information purpose only

Official Monitor of the Republic of Moldova no. 57-58 of 20.03.2009, Art.251

REGISTERED:
Minister of Justice
of the Republic of Moldova
Vitalie Pirlog
no.665 of March 16, 2009

**APPROVED by the
Decision of the Council of
Administration of the
National Bank of Moldova
no. 51 of March 5, 2009**

Note: Throughout the regulation, the text “Law no.62-XVI of 21 March 2008” and the text “Law no.62-XVI of 21.03.2008”, in any grammatical case, are replaced with the text “Law no.62 / 2008”, in the respective grammatical case, according to NBM Decision no. 13 of 24.01.2020, in force since 01.04.2020

Regulation on the authorization of certain foreign exchange operations by the National Bank of Moldova

Amended by:

*DCA of the NBM no.9 of 28.01.2010, OM of the Republic of Moldova no.41-43 of 26.03.2010, Art.178;
DCA of the NBM no.201 of 17.10.2013, OM of the Republic of Moldova no.297-303 of 20.12.2013, Art.1875;
DEB of the NBM no.134 of 24.05.2017, OM of the Republic of Moldova no.190-200 of 16.06.2017, Art.1162;
DEB of the NBM no.30 of 13.02.2018, OM of the Republic of Moldova no.68-76 of 02.03.2018, Art.344;
DEB of the NBM no.13 of 24.01.2020, OM of the Republic of Moldova no.36-43 of 07.02.2020, Art.162.*

(Preamble repealed by NBM Decision no.201 of 17.10.2013)

Chapter I. General provisions

1. This Regulation shall use notions defined in the Law no.62/2008 on foreign exchange regulation (republished in the Official Monitor of the Republic of Moldova, 2016, no.423-429, Art.859), hereinafter – the Law no.62/2008. Also, for the purpose of this Regulation the following notions shall be used:

(Paragraph amended by NBM Decision no. 30 of 13.02.2018)

a) authorization for performing foreign exchange operation (the NBM authorization) – an official document, issued by the National Bank of Moldova, which allows its holder to perform the respective foreign exchange operation;

b) resident individuals - individuals specified under item a) paragraph 9) Art.3 of the Law no.62/2008;

c) non-resident individuals - individuals specified under item a) paragraph 10) Art.3 of the Law no.62/2008;

d) resident individuals practicing a certain type of activity - individuals specified under item b) paragraph 9) Art.3 of the Law no.62/2008;

e) resident legal entities – residents specified under items c)-g) paragraph 9) Art.3 of the Law No.62/2008;

f) non-resident legal entities – non-residents specified under items b)-g) paragraph 10) Art.3 of the Law no.62/2008;

g) applicant – resident individual, resident individual practicing a certain type of activity or resident legal entity intending to perform a foreign exchange operation subject to authorization and to this end submitting to the National Bank of Moldova (personally or through a representative) the application for obtaining the authorization for performing the foreign exchange operation and documents related to the foreign exchange operation for which the NBM authorization is requested;

h) legal undertaking from abroad – an enterprise or organization (with or without legal entity status), their branches, established under the legislation of the foreign state, as well as any individual practicing a certain type of activity under the legislation of the foreign state.

(Paragraph repealed by NBM Decision no. 30 of 13.02.2018, in force since 01.05.2018)

(Item 1 amended by NBM Decision no.201 of 17.10.2013)

2. This Regulation shall establish:

a) the requirements related to the application for obtaining the authorization for performing the foreign exchange operation, as well as the list of documents which shall be attached to the given application;

b) the conditions and the procedure for issuance by the National Bank of Moldova of authorizations for performing certain foreign exchange operations;

c) the requirements related to informing on modification of data from the documents attached to the application for obtaining the authorization;

(letter d) repealed by NBM Decision no. 30 of 13.02.2018, in force since 01.05.2018)

e) the procedure for reporting the authorized foreign exchange operations to the National Bank of Moldova;

f) the obligations of residents who carry out authorized foreign exchange operations;

g) other particularities related to the authorized foreign exchange operations.

(Item 2 amended by NBM Decision no. 13 of 24.01.2020, in force since 01.04.2020)

3. This Regulation shall be applied to residents performing the following foreign exchange operations subject to authorization under the Law no.62/2008:

a) operations with foreign financial instruments in the cases stipulated in paragraphs (6) - (10) Art.9 of the Law no.62/2008;

b) operations related to granting by the resident individual in favor of the non-resident individual/legal entity of a donation in the amount exceeding EUR 10,000 (or their equivalent) except for the case specified in Art. 16 paragraph (2¹) of Law no. 62/2008;

c) operations related to granting by the resident legal entity and by resident individual practicing a certain type of activity in favor of non-resident individual/legal entity of a donation in the amount exceeding EUR 10,000 (or their equivalent) except for the case specified in Art. 16 paragraph (2¹) of Law no. 62/2008;

d) operations related to making, by residents in favor of non-residents, the transfers of funds required for the provision by non-residents of services (not included in Art.13 of the Law no.62/2008) – in cases when the mentioned transfers shall be made until the conclusion of transactions for which realization these funds are destined and the amount of the transaction exceeds EUR 10,000 (or their equivalent);

e) operations related to making payments/ transfers from the Republic of Moldova abroad by residents in favor of residents under provisions of paragraph (5) Art.23 of the Law no.62/2008;

f) currency exchange operations performed abroad by residents under provisions of Art.38 of the Law no.62/2008.

g) operations related to the granting by residents in favor of non-residents of financial loans / credits, specified in Art.11 paragraph (4) of Law no.62 / 2008;

h) operations related to the granting by resident individuals in favor of non-resident individuals of loans within the personal operations, specified in Art.15 paragraph (1) letter a) of Law no.62 / 2008, in amount exceeding EUR 10,000 (or equivalent);

i) operations related to the granting by the residents in favor of non-residents of the guarantees, specified in Art.12 paragraph (3) of Law no.62 / 2008, in case the amount of the guarantee exceeds EUR 10,000 (or their equivalent).

(Item 3 amended by NBM Decision no. 13 of 24.01.2020, in force since 01.04.2020)

(Item 3 amended by NBM Decision no. 30 of 13.02.2018)

3¹. The authorization regime does not apply to:

a) the foreign exchange operations indicated in item 3 in which the participant in the operations is the Ministry of Finance or the National Bank of Moldova, as well as the foreign exchange operations performed from the national public budget funds;

b) the foreign exchange operations related to the financial guarantees provided in Art. 4 item 12) of the Law no. 184/2016 on financial collateral arrangements and governed by this law.

(Item 3¹ introduced by NBM Decision no. 13 of 24.01.2020, in force since 01.04.2020)

3². As a resident who carries out foreign exchange operations referred to in item 3 letters g) -i) shall also be considered residents that become counterparties within the foreign exchange operations as a result of amending or supplementing the contractual clauses, assignment of the debt, taking over of the debt, novation or other grounds for amending of the legal relations.

(Item 3² introduced by NBM Decision no. 13 of 24.01.2020, in force since 01.04.2020)

3³. In the case of foreign exchange operation that is not subject to authorization according to the Law no. 62/2008 on the date of concluding contracts (issuing documents), but which as a result of amendments to the contractual clauses becomes subject to authorization by the National Bank of Moldova according to the mentioned law, the resident - participant in the transaction related to the foreign exchange operation becomes responsible for obtaining the authorization and reporting on such foreign exchange operation according to this Regulation. If, according to the mentioned foreign exchange operation, transactions have been carried out until the date of authorization by the National Bank of Moldova, they will be reported according to Chapter IV.

(Item 3³ introduced by NBM Decision no. 13 of 24.01.2020, in force since 01.04.2020)

3⁴. The determination of the equivalent in other currency of the ceilings in euro indicated in item 3 shall be carried out with the application of the official exchange rate of the Moldovan leu valid on the date of conclusion of the contracts (issuance of documents) based on which obligations related to these foreign exchange operations occurred.

(Item 3⁴ introduced by NBM Decision no. 13 of 24.01.2020, in force since 01.04.2020)

3⁵. If, as a result of the modification of the contract provisions, the amount of the loan / credit or guarantee is increased and exceeds the ceiling indicated in item 3 letters g) -i), the determination of the equivalent in another currency of the given ceiling is made with the application of the official exchange rate of the Moldovan leu valid on the date of concluding the contracts (issuing documents) by which the contractual amount of the loan / credit or guarantee was increased.

(Item 3⁵ introduced by NBM Decision no. 13 of 24.01.2020, in force since 01.04.2020)

4. Operations specified in item 3 of this Regulation may be performed only after obtaining from the National Bank of Moldova of the authorization for performing the respective foreign exchange operation. The responsibility for obtaining the authorization is borne by the resident-participant in the transaction related to the foreign exchange operation.

(Item 4 amended by NBM Decision no. 13 of 24.01.2020, in force since 01.04.2020)

4¹. If in order to carry out the foreign exchange operations indicated in item 3, the use of an account abroad is expected, which, according to the Law no. 62/2008, can be opened only with authorization from the National Bank of Moldova, the resident submits the application for authorization of the respective foreign exchange operation at the same time as the request for issuing the authorization for opening the account abroad according to the Regulation on residents' accounts abroad, approved by the Decision of the Council of Administration of the National Bank of Moldova no.216 / 2015. The National Bank of Moldova has the right to authorize the foreign exchange operation, for the accomplishment of which the account is expected to be opened abroad, if it has decided to authorize the opening of the account abroad.

(Item 4¹ introduced by NBM Decision no. 13 of 24.01.2020, in force since 01.04.2020)

5. Authorization of foreign exchange operations shall not imply for the National Bank of Moldova any obligations regarding these operations.

5¹. Authorization of foreign exchange operations by the National Bank of Moldova does not exempt resident payment service providers (hereinafter - PRS providers) through which the authorized foreign exchange operation is carried out from the application of measures according to the requirements of legislation in the field of preventing and combating money laundering and terrorist financing.

(Item 5¹ in the wording of the NBM Decision no. 30 of 13.02.2018)

(Item 5¹ amended by the NBM Decision no.201 of 17.10.2013)

(Item 5¹ introduced by the NBM Decision no.9 of 28.01.2010)

6. The applicant shall be responsible for the compliance of the foreign exchange operation with the provisions of the legislation of the Republic of Moldova.

7. The responsibility for signing the documents (that are compiled and submitted to the National Bank of Moldova by the resident legal entity) by the person empowered by this right according to the incorporation documents of the resident and the legislation of the Republic of Moldova shall bear the respective legal entity.

7¹. In the event when the applicant intends to obtain the authorization for performing the foreign exchange operation referred to in letter e) item 3 of this Regulation, within which the payment /transfer will be made in favor of resident individual who is abroad, the applicant shall bear the responsibility for the fact that the payment /transfer will be made in favor of the given resident individual.

(Item 7¹ introduced by the NBM Decision no.9 of 28.01.2010)

8. The National Bank of Moldova shall keep records of the authorizations issued to residents for performing foreign exchange operations in a special register.

8¹. Payments / transfers within the authorized foreign exchange operations shall be made in accordance with the Regulation on conditions and procedures for performing foreign exchange operations, approved by Decision of the Executive Board of the National Bank of Moldova No. 29/2018 (hereinafter - Regulation on conditions and procedures for performing foreign exchange operations).

(Item 8¹ amended by NBM Decision no. 13 of 24.01.2020, in force since 01.04.2020)

(Item 8¹ introduced by NBM Decision no. 30 of 13.02.2018, in force since 01.05.2018)

Chapter II. The process of authorization of foreign exchange operations by the National Bank of Moldova

Section 1. The documents necessary to obtain the NBM authorization

9. In order to obtain the authorization for performing foreign exchange operations specified in item 3 of this Regulation, the applicant shall submit to the National Bank of Moldova an application for issuing the authorization drawn up, depending on the type of foreign exchange operations, according to the requirements specified in Annex no.1 or, as the case may be, according to the form in Annex 1¹ or Annex 1² to this Regulation, to which shall be attached as follows:

a) the documents that identify the applicant (shall not be applied in case of licensed bank and non-bank RPS provider holding the license issued by the National Bank of Moldova);

b) the documents related to the foreign exchange operation for which the NBM authorization is requested.

(Item 9 amended by NBM Decision no. 13 of 24.01.2020, in force since 01.04.2020)

(Item 9 amended by the NBM Decision no.201 of 17.10.2013)

10. The documents that identify the applicant shall be the documents indicated in Annex no.2 to this Regulation, which shall be submitted as follows:

a) for resident legal entity – the documents specified in items 2–3¹;

b) for resident individual practicing a certain type of activity – the documents specified in items 4-6;

c) for resident individual – the document specified in item 6.

(Item 10 amended by NBM Decision no. 13 of 24.01.2020, in force since 01.04.2020)

11. The documents related to the foreign exchange operation for which the NBM authorization is requested shall be the documents indicated in Annex no.2 to this Regulation that, depending on the type of foreign exchange operation, shall be submitted as follows:

1) for operations with foreign financial instruments indicated in letter a) item 3 of this Regulation, in particular for:

a) the operations related to the purchase of shares or other securities of a participating nature which constitute less than 10% in the equity or from the number of shares or other securities of a participating nature with voting right of the legal undertaking which is to be established abroad – the documents indicated in items 7, 8 and 16;

b) the operations related to the purchase of shares or other securities of a participating nature which constitute less than 10% in the equity or from number of shares or other securities of a participating nature with voting right of the legal undertaking existing abroad – the documents indicated in items 8, 9 and 16;

c) the operations related to the purchase of units of nonresident collective investment undertakings – the documents indicated in items 11 and 16;

d) the operations related to the purchase of state securities issued or guaranteed by the governments of foreign states (hereinafter - foreign state securities) – the documents specified in items 10 and 16;

e) the operations related to the purchase of foreign financial instruments, other than those referred to in letters a) - d) of this sub-item – the documents indicated in items 11 and 16;

2) for the operations, indicated in letters b) and c) item 3 of this Regulation, related to the granting of donations by residents in favor of non-residents – the documents indicated in items 12, 15¹ and 16;

3) for the operations, indicated in letter d) item 3 of this Regulation, related to making the transfers of fund by residents in favor of non-residents – the documents indicated in items 13 and 16;

4) for the operations, indicated in letter e) item 3 of this Regulation, related to the making the payments /transfers abroad by residents in favor of residents – the documents indicated in items 14, 15² and 16;

5) for the currency exchange operations performed abroad by residents, indicated in letter f) item 3 of this Regulation – the documents indicated in items 15 and 16.

6) for the operations indicated in item 3 letter g) of this Regulation, related to the granting by residents in favor of non-residents of financial loans / credits - the documents indicated in items 15³ and 16;

7) for the operations indicated in item 3 letter h) of this Regulation, related to the granting by the resident individuals in favor of the non-resident individuals of the loans within the personal operations - the documents indicated in items 15³ and 16;

8) for the operations indicated in item 3 letter i) of this Regulation, related to the granting by the residents in favor of non-residents of the guarantees - the documents indicated in items 15⁴-16.

(Item 11 amended by NBM Decision no. 13 of 24.01.2020, in force since 01.04.2020)

(Item 11 amended by NBM Decision no. 30 of 13.02.2018)

(Item 11 amended by NBM Decision no.201 of 17.10.2013)

11¹. The information contained in the application for issuing the authorization must correspond to the information in the documents on the basis of which the application was completed.

(Item 11 introduced by NBM Decision no. 13 of 24.01.2020, in force since 01.04.2020)

Section 2. The examination by the National Bank of Moldova of the application for issuing the authorization

12. The National Bank of Moldova shall decide on the issuance of the authorization or on the refusal of the authorization issuance within a maximum of 15 working days following the date the application for issuing the authorization was received, under the terms of this Regulation.

(Item 12 amended by NBM Decision no. 30 of 13.02.2018)

12¹. In the event when the applicant is the RPS provider, the application for issuing the authorization and documents attached thereto shall also be examined from the point of view of implication of the RPS provider in excessive risks related to the activity. In this case the National Bank of Moldova may authorize the respective foreign exchange operation if it was determined that following authorization of the foreign exchange operation, for which the NBM authorization is requested, the RPS provider will not be engaged in risky or dubious operations.

(Item 12¹ amended by NBM Decision no.201 of 17.10.2013)

(Item 12¹ introduced by NBM Decision no.9 of 28.01.2010)

13. The National Bank of Moldova shall have the right to authorize the foreign exchange operation or to refuse the issuance of the authorization, taking into account the fundamental objective of the National Bank of Moldova stipulated by the Law no.548/1995 on the National Bank of Moldova, the current conditions of the money, credit and foreign exchange market, the situation of the balance of payments of the Republic of Moldova, the provisions of the legislation of the Republic of Moldova.

(Item 13 amended by NBM Decision no. 13 of 24.01.2020, in force since 01.04.2020)

14. Reasons for the refusal to issue the NBM authorization shall also be, as follows:

- a) the failure to submit the full set of documents as in accordance with the provisions of this Regulation;
- b) the failure of the submitted documents to comply with the requirements of this Regulation;
- c) the application by the National Bank of Moldova to the applicant – RPS provider – of remedial measures related to the foreign exchange operation, for which performance the issuance of the NBM authorization is requested;
- d) the submission of documents containing unauthentic / incomplete or contradictory data;
- e) the failure of the applicant to meet the conditions of authorization.
- f) the presentation by the competent authorities of information on the suspicious nature of the operation subject to authorization and / or the activity of the applicant, in the context of legislation in the field of preventing and combating money laundering and terrorist financing

(Item 14 amended by NBM Decision no. 30 of 13.02.2018)

(Item 14 amended by NBM Decision no.201 of 17.10.2013)

15. In the event of refusal to issue the authorization for performing foreign exchange operation, the National Bank of Moldova shall inform accordingly the applicant in written form, indicating the reason for refusal.

16. The National Bank of Moldova shall examine the repeated application for issuing the authorization, taking into consideration the reasons for refusal and verifying their removal by the resident (if that depends on the resident).

17. The authorization of foreign exchange operation indicated in item 3 letters a) -f) shall be carried out by issuing the respective authorization by the National Bank of Moldova, on the reverse side of which the text indicated in Annex no.3 of this Regulation shall be printed for the purpose of making the relevant notes.

(Item 17 amended by NBM Decision no. 13 of 24.01.2020, in force since 01.04.2020)

17¹. The authorization of the foreign exchange operation indicated in item 3 letters g) and h) shall be carried out by the issuance by the National Bank of Moldova of the authorization according to the form provided in Annex no. 3¹ and of the annex to the authorization according to the form indicated in Annex no. 6 to this Regulation.

(Item 17¹ introduced by NBM Decision no. 13 of 24.01.2020, in force since 01.04.2020)

17². The authorization of the foreign exchange operation indicated in item 3 letter i) is carried out by the issuance by the National Bank of Moldova of the authorization according to the form provided in Annex no. 3² and of the annex to the authorization according to the form indicated in Annex no. 7, as the case may be, Annex no. 8 to this Regulation.

(Item 17² introduced by NBM Decision no. 13 of 24.01.2020, in force since 01.04.2020)

17³. Depending on the specifics of the foreign exchange operations, the National Bank of Moldova may amend the content of the authorization, the annex to the authorization and / or issue several annexes to the authorization.

(Item 17³ introduced by NBM Decision no. 13 of 24.01.2020, in force since 01.04.2020)

18. Unless otherwise is specified in the NBM authorization, it shall be valid until the total amount of funds indicated in the NBM authorization is transferred, except for the foreign exchange operation specified in item 3 letter g) or h), in which case the authorization is valid until the obligations related to the loan / credit are extinguished.

(Item 18 amended by NBM Decision no. 13 of 24.01.2020, in force since 01.04.2020)

19. The issued authorizations shall be handed over to the residents (their authorized representatives) against signature in the register indicated in item 8 or shall be sent by registered letters with acknowledgment of receipt.

(Item 19 in the wording of the NBM Decision no. 13 of 24.01.2020, in force since 01.04.2020)

Section 3. Informing on modification of data contained in the documents submitted for obtaining the NBM authorization

20. In the event when, after the date of obtaining the NBM authorization, the amendments /completions in the documents submitted by the resident have occurred and/or new documents which amend the data related to the authorized foreign exchange operation have been signed, the resident shall be obliged within 15 working days following the date of amendments /completions:

a) to submit an application for issuing an amendment to the NBM authorization (according to the form from Annex no.4 of this Regulation), attaching the original NBM authorization, annex to it (only in the case of foreign exchange operations indicated in item 3 letters g) -i)) and the respective documents – in case of amendments and/or completions which involve the modification of data in the NBM authorization;

b) to inform in writing the National Bank of Moldova on the made amendments/completions, attaching the relevant documents – in case of amendments /completions of other data.

(Item 20 amended by NBM Decision no. 13 of 24.01.2020, in force since 01.04.2020)

(Item 20 amended by NBM Decision no. 13 of 24.01.2020, in force since 01.04.2020)

21. The application for issuing an amendment to the NBM authorization shall be signed by the resident (the person empowered by the resident).

(Item 21 amended by NBM Decision no. 30 of 13.02.2018)

22. In the event of submission of the application for issuing an amendment to the NBM authorization, the provisions of items 12 -16 of this Regulation shall be applied.

23. As a result of acceptance of the amendments and/or completions, the National Bank of Moldova shall issue an amendment to the respective authorization, which shall be an integral part of the NBM authorization.

24. On the reverse side of the NBM authorization, the responsible person of the National Bank of Moldova shall indicate the ordinal number and the date of issuance of the amendment.

25. Amendments to the authorizations issued shall be handed over to the residents (their authorized representatives) against signature in the register indicated in item 8 or shall be sent by registered letter with acknowledgment of receipt.

(Item 25 in the wording of the NBM Decision no. 13 of 24.01.2020, in force since 01.04.2020)

(Chapter III repealed by NBM Decision no. 30 of 13.02.2018, in force since 01.05.2018)

Chapter IV. Reporting the authorized foreign exchange operations to the National Bank of Moldova

41. The resident holding the NBM authorization for carrying out the foreign exchange operation subject to authorization shall be obliged to report to the National Bank of Moldova the information related to this operation, by presenting:

a) the report on the performance of the authorized foreign exchange operation (hereinafter - report) prepared according to the form and the procedures of compiling it, indicated in Annex no.

5 of this Regulation - in case of carrying out the foreign exchange operations indicated in item 3 letters a) –f), or

b) photocopy of the annex to the authorization, completed according to the form and procedures of compiling, indicated, as the case may be, in Annexes no. 6 - no. 8 of this Regulation - in case of performing the foreign exchange operations mentioned in item 3 letters g) -i).

(Item 41 in the wording of the NBM Decision no. 13 of 24.01.2020, in force since 01.04.2020)

42. Authorized foreign exchange operations are reported as follows:

a) if the operations subject to reporting are performed monthly, the Report / annex to the authorization shall be submitted monthly at the latest on the 15th of the month following the reporting month;

b) if the operations subject to reporting are performed with a frequency more than one month or with an irregular frequency, the Report / annex to the authorization shall be submitted at the latest on the 15th of the month following the month in which the respective operations were performed.

(Item 42 amended by NBM Decision no. 13 of 24.01.2020, in force since 01.04.2020)

43. Depending on the specificities of the authorized foreign exchange operation and requirements stipulated in the authorization for performing foreign exchange operation, the National Bank of Moldova may also specify in the issued authorization the submission by the resident within the report indicated in item 41 letter a) of this Regulation of the information which content shall be determined depending on the specificities of the authorized foreign exchange operation. The respective information shall be an integral part of the Report.

(Item 43 amended by NBM Decision no. 13 of 24.01.2020, in force since 01.04.2020)

44. The resident shall be obliged to attach to the Report / photocopy of the annex to the authorization indicated in item 41 of this Regulation the photocopies of the documents that shall remain at the National Bank of Moldova, based on which in the report / annex to the authorization, as the case may be, in the information mentioned in item 43, entries were made about operations, other than those made by SPR providers.

(Item 44 in the wording of the NBM Decision no. 13 of 24.01.2020, in force since 01.04.2020)

45. The correspondence of the photocopies of the documents mentioned in item 44 and the photocopy of the annex to the authorization referred to in item 41 letter b) of this Regulation with their originals shall be authenticated by the resident. The certification is made by writing on the photocopy of the document and / or on the photocopy of the annex to the authorization of the text "I declare on my own responsibility that the photocopy is identical with the original.". Photocopies of the documents relating to each operation shall be submitted only once.

In case of the SPR provider / a resident legal entity, the respective wording shall be authenticated by the signature of the head / administrator (the person authorized by him / her). In case of a resident individual practicing a certain type of activity and of an individual, the respective wording shall be authenticated by the signature of the respective individual.

(Item 45 amended by NBM Decision no. 13 of 24.01.2020, in force since 01.04.2020)

(Item 45 amended by NBM Decision no. 30 of 13.02.2018)

**Requirements for application for issuing the authorization for
performing the foreign exchange operations indicated in item 3 letters a)-f)**

1. The application for issuing the authorization for performing the foreign exchange operation shall include (where applicable):

- 1) full name/name and surname of the applicant;
- 2) legal address/domicile of the applicant;
- 3) state identification number (IDNO/IDNP)/fiscal code of the applicant;
- 4) description of the foreign exchange operation subject to authorization, which, along with other information related to the respective foreign exchange operation, may include:
 - a) description of financial instruments (depending on the specificities of the operation for purchase of financial instruments), including issuer, type – in case of the operations indicated in letters a)-c) and e) sub-item 1) item 11 of this Regulation,
 - b) description of foreign state securities, including issuer, type, maturity, interest rate, profitability rate, interest payment periods, as well as other information that served as a basis for making the decision on performing the respective foreign exchange operation – in case of purchasing foreign state securities;
 - c) description of transactions for performance of which the funds, that shall be transferred by the resident in favor of the non-resident for rendering respective services by the non-resident, are destined for – in case of the operations indicated in sub-item 3) item 11 of this Regulation;
- 5) full name/name and surname of the counterparty within the foreign exchange operation;
- 6) legal address/domicile of the counterparty within the foreign exchange operation;
- 7) amount and name of the currency in which the foreign exchange operation shall be performed;
- 8) size of the share capital or size of the participations with voting right of the legal undertaking from abroad and the respective applicant's share as a result of performing the foreign exchange operation – in case of foreign exchange operations indicated in letters a) and b) sub-item 1) item 11 of this Regulation;
- 9) justification for performing the foreign exchange operation (arguments, reasons, supporting the need to perform the foreign exchange operation);
- 10) other information which the applicant considers necessary to include in the application;
- 11) the text (in case of applicant-resident legal entity):

„Hereby, I _____ assume
(applicant's name)

the responsibility for the compliance of the foreign exchange operation with the legislation of the Republic of Moldova, for the authenticity of submitted documents and information, as well as for signing the respective documents (submitted to the National Bank of Moldova) by the person empowered with this right under the incorporation documents and the legislation. Simultaneously, I undertake to meet obligations, including those of reporting, established in the Regulation on authorization of certain foreign exchange operations by the National Bank of Moldova.";

12) the text (in case of applicant, other than resident legal entity):
„Hereby, I _____ assume
(name/name and surname of the applicant)

the responsibility for the compliance of the foreign exchange operation with the legislation of the Republic of Moldova, for the authenticity of submitted documents and information. Simultaneously, I undertake to meet obligations, including those of reporting, established in the

Regulation on authorization of certain foreign exchange operations by the National Bank of Moldova.";

13) the text (in the event the applicant intends to obtain the authorization for performing the foreign exchange operation indicated in letter e) item 3 of this Regulation within which the payment/transfer shall be made in favor of a resident individual who is abroad):

„Hereby, I _____ assume
(name/name and surname of the applicant)

the responsibility for the fact that the payment/transfer will be made in favor of a resident individual who is abroad.";

14) the list of documents attached to the application including the data on these documents (name, number and date of the document, number of sheets in the document). In the event the submitted documents have been modified/completed, the respective documents shall also be included in this list;

15) contact person and his/her telephone number.

2. The application for issuing the authorization for performing the foreign exchange operation shall be signed by the applicant (the person authorized by him/her).

3. The application for issuing the authorization for performing the foreign exchange operation shall be written on the letterhead (in case of resident legal entity).

(Annex no.1 amended by the NBM Decision no.13 of 24.01.2020, in force since 01.04.2020)

(Annex no.1 amended by the NBM Decision no.30 of 13.02.2018)

(Annex no.1 amended by the NBM Decision no.201 of 17.10.2013)

(Annex no.1 amended by the NBM Decision no.9 of 28.01.2010)

APPLICATION
for issuing the authorization for granting loan/credit

Hereby, _____
(name /name and surname of resident creditor)

requests the issuance of the authorization of the National Bank of Moldova for granting
loan/credit in favor of _____
(name/name and surname of non-resident debtor)

(legal address/domicile of non-resident debtor)

based on the contract _____
(contract name, number, and date of conclusion)

in amount of _____
(amount in figures (units and decimals) and in letters, name of currency)

for the purpose _____

Economic sector of the creditor's
activity _____

Justification for granting the loan/credit _____

Share held by creditor in debtor's capital <input type="checkbox"/> no holding/not applicable <input type="checkbox"/> up to 10% <input type="checkbox"/> 10% or more	Share held by debtor in creditor's capital <input type="checkbox"/> no holding/not applicable <input type="checkbox"/> up to 10% <input type="checkbox"/> 10% or more
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Hereby, I _____ assume
(name/name and surname of resident creditor)

the responsibility for the compliance of the foreign exchange operation with the legislation of the Republic of Moldova, for the authenticity of submitted documents and information, as well as for signing the respective documents (submitted to the National Bank of Moldova) by the person empowered with this right under the incorporation documents and the legislation. Simultaneously, I undertake to meet obligations, including those of reporting, established in the Regulation on the authorization of certain foreign exchange operations by the National Bank of Moldova, approved by the Decision of the Council of Administration of the National Bank of Moldova no.51/2009.

Data on documents submitted to the National Bank of Moldova

No.	Document name	Document number and date	Number of sheets

Administrator /Individual

(signature)

(name and surname)

Contact details:
Date of application
compiling:

Procedure of compiling of the application for issuing the authorization for granting loan/credit

1. The application shall be submitted by the resident creditor in the cases provided for in this Regulation. In the fields for data on:

- 1) resident creditor – indicate its full name/name and surname;
- 2) non-resident debtor – indicate its full name/name and surname, legal address/domicile, including country;
- 3) contract - indicate the contract name, number and date when it was concluded. If there are amendments/supplements to the contract, only data related to the initial contract shall be indicated. If the contract is modified by other contracts (for instance, contract for assignment of claim, debt assumption) the data related to these contracts shall also be indicated;
- 4) amount - indicate the amount in figures (units and decimals) and in letters of the loan/credit, as well as the name of the currency indicated in the contract. If the loan/credit contract stipulates several amounts in various currencies, indicate each amount in the respective currency;
- 5) purpose - indicate the purpose specified in the contract for which the funds will be granted (for instance, construction of plant, replenishment of working capital, etc.). If the contract does not contain information regarding the purpose of granting the loan/credit, the resident creditor shall indicate the purpose independently;
- 6) economic sector of the creditor's activity - indicate the economic sector in which the resident creditor carries out its basic activity (for instance, construction, agriculture, light industry, etc.). Individuals shall not fill in this field;
- 7) justification for granting the loan/credit - indicate the arguments, reasons, supporting the need to grant the loan/credit;
- 8) share held by creditor in debtor's capital – indicate the symbol "X" between brackets next to the indicator that corresponds to the situation regarding the direct holding of the share by the resident creditor in the capital of the non-resident debtor. If the debtor is an individual and if the creditor does not hold a share in the debtor's capital, the symbol "X" shall be added between brackets next to the indicator "no holding/not applicable";
- 9) share held by debtor in creditor's capital – indicate the symbol "X" between brackets next to the indicator corresponding to the situation regarding the direct holding of the share by the non-resident debtor in the capital of the resident creditor. If the creditor is an individual and if the debtor does not hold a share in the creditor's capital, the symbol "X" shall be added between brackets next to the indicator "no holding/not applicable";
- 10) documents submitted to the National Bank of Moldova - the list of documents attached to the application shall be indicated, specifying the name of the document, its number and date, and number of sheets in the document. If the submitted documents have been amended/supplemented, the amending documents shall also be included in this list;
- 11) contact details - indicate the means (resident creditor's postal address, telephone, e-mail, etc.) by which the contact person can provide information regarding the foreign exchange operation;
- 12) date of application compiling – indicate the date when the application was compiled by the resident creditor.

2. The application shall be signed by the resident creditor (authorized person of the resident creditor).

3. All fields in the application shall be filled in. In case of missing data, a hyphen shall be added.

(Annex no.1¹ introduced by the NBM Decision no.13 of 24.01.2020, in force since 01.04.2020)

APPLICATION
for issuing the authorization for granting guarantee

Hereby, _____
(name/name and surname of resident guarantor)

requests the issuance of the authorization of the National Bank of Moldova for granting guarantee
in favor of the guarantee beneficiary

(name/name and surname of non-resident guarantee beneficiary)

(legal address/domicile of non-resident guarantee beneficiary)

in order to ensure fulfillment of the guarantee applicant's obligations _____
(name/name and surname of non-resident guarantee applicant)

(legal address/domicile of non-resident guarantee applicant)

in amount of _____
(amount in figures (units and decimals) and in letters, name of currency)

with validity term of the guarantee

in accordance with underlying contract _____
(contract name, number, and date of conclusion)

Share held by guarantor in applicant's capital	Share held by applicant in guarantor's capital
<input type="checkbox"/> no holding/not applicable	<input type="checkbox"/> no holding/not applicable
<input type="checkbox"/> up to 10%	<input type="checkbox"/> up to 10%
<input type="checkbox"/> 10% or more	<input type="checkbox"/> 10% or more

Hereby, I _____ **assume**
(name/name and surname of resident guarantor)

the responsibility for the compliance of the foreign exchange operation with the legislation of the Republic of Moldova, for the authenticity of submitted documents and information, as well as for signing the respective documents (submitted to the National Bank of Moldova) by the person empowered with this right under the incorporation documents and the legislation. Simultaneously, I undertake to meet obligations, including those of reporting, established in the Regulation on the authorization of certain foreign exchange operations by the National Bank of Moldova, approved by the Decision of the Council of Administration of the National Bank of Moldova no.51/2009.

Data on documents submitted to the National Bank of Moldova

No.	Document name	Document number and date	Number of sheets

Administrator /Individual

(signature)

(name and surname)

Contact details:

**Date of application
compiling:**

**Procedure of compiling of
the application for issuing the authorization for granting guarantee**

1. The application shall be submitted by the resident guarantor in the cases provided for in this Regulation. In the fields for data on:

- 1) resident guarantor - indicate its full name/name and surname;
- 2) guarantee beneficiary – indicate full name/name and surname, legal address/domicile, including country, of the non-resident guarantee beneficiary;
- 3) guarantee applicant - indicate full name/name and surname, legal address/domicile, including country, of the non-resident guarantee applicant;
- 4) amount - indicate the amount in figures (units and decimals) and in letters for which the guarantee will be granted, as well as the name of the currency to be indicated in the guarantee. If the guarantee stipulates several amounts in various currencies, indicate each amount in the respective currency;
- 5) validity term of the guarantee– indicate the date on which the term of guarantee’s effect will expire or describe how the respective term will be established, as stipulated by the contract;
- 6) underlying contract – indicate name, number, and date of conclusion of the contract giving rise to debtor’s obligations to the creditor, which fulfillment is ensured by establishment of the guarantee.
- 7) share held by guarantor in applicant's capital – indicate the symbol "X" between brackets next to the indicator that corresponds to the situation regarding the direct holding of the share by the resident guarantor in the capital of the non-resident guarantee applicant. If the applicant is an individual and if the guarantor does not hold a share in the applicant's capital, the symbol “X” shall be added between brackets next to the indicator “no holding/not applicable”;
- 8) share held by applicant in guarantor's capital – indicate the symbol "X" between brackets next to the indicator corresponding to the situation regarding the direct holding of the share by the non-resident guarantee applicant in the capital of the resident guarantor. If the guarantor is an individual and if the applicant does not hold a share in the guarantor's capital, the symbol "X" shall be added between brackets next to the indicator "no holding/not applicable”;
- 9) documents submitted to the National Bank of Moldova - the list of documents attached to the application shall be indicated, specifying the name of the document, its number and date, and number of sheets in the document. If the submitted documents have been amended/supplemented, the amending documents shall also be included in this list;
- 10) contact details - indicate the means (resident guarantor’s postal address, telephone, e-mail, etc.) by which the contact person can provide information regarding the foreign exchange operation;
- 11) date of application compiling – indicate the date when the application was compiled by the resident guarantor.

2. The application shall be signed by the resident guarantor (authorized person of the resident guarantor).

3. All fields in the application shall be filled in. In case of missing data, a hyphen shall be added.

(Annex no.1² introduced by the NBM Decision no.13 of 24.01.2020, in force since 01.04.2020)

**I. The list of the documents to be attached to the application
for issuing the authorization for performing the foreign exchange operation**

A. The documents identifying the applicant

(Item 1 repealed by NBM Decision no.13 of 24.01.2020, in force since 01.04.2020)

2. The certificate of assignment of the fiscal code of the resident legal entity – for the persons to whom this document shall be issued under the legislation.

3. The extract from the State register issued by the entity entitled with right of the state registration, which reflects the current situation, and which includes, depending on the category of the resident, the information on the name/name and surname, legal form, the state identification number/fiscal code, registration date, legal address/domicile, administrator, equity size, founders (associates), shareholdings of founders (associates), types of activities. The respective information shall be verified by the National Bank of Moldova by accessing state information resources.

(Item 3 in the wording of the NBM Decision no.13 of 24.01.2020, in force since 01.04.2020)

3¹. Extract from the Register of shareholders of the joint stock company, which contains the names of shareholders holding 10% or more in the joint stock company's equity, number of shares held and participation share of each said shareholder of the joint stock company - only for joint-stock companies.

(Item 3¹ introduced by the NBM Decision no.13 of 24.01.2020, in force since 01.04.2020)

4. The document that allows practicing a certain type of activity by the resident individual (for instance, entrepreneur license, notary license, lawyer's license).

6. The identity document of the applicant.

B. The documents related to the foreign exchange operation for which the NBM authorization is requested

7. The incorporation documents of the legal undertaking from abroad (with all modifications and completions thereto), signed by the founder/founders.

8. The documents showing that the size of resident's participation in the equity or in the number of securities of a participating nature with voting right of the legal undertaking from abroad will be less than 10 % (for instance, extract from the minutes of meeting of founders of the joint stock company etc.).

9. The agreement on sale-purchase of the participation in the legal undertaking from abroad signed by the parties.

10. The agreement on sale-purchase of the foreign state securities signed by the parties.

11. The agreement on sale-purchase of the respective foreign financial instruments signed by the parties and/or other documents that are specific for the operation for the purchase of the mentioned foreign financial instruments.

12. The request for donation and/or the signed donation agreement.
13. The agreement for rendering the respective services by a non-resident signed by the parties.
14. The agreement signed by the parties or other documents that justify making the payments/transfers abroad in favor of residents.
15. The agreement signed by the parties or other documents related to the exchange operation abroad.
- 15¹. Documents confirming the source of origin of the funds destined for donation by the individual in the amount exceeding 10,000 Euro (or their equivalent).
- 15². Documents confirming that the applicant has received the loan/credit from another resident – if the authorization is sought for the resident to repay the loan/credit in favor of the resident individual who is abroad.
- 15³. The contract or other underlying document from which the loan/credit relationship arises (with modifications and completions, if any).
- 15⁴. The document from which the guarantee relationship arises (with modifications and completions, if any).
- 15⁵. The contract giving rise to debtor's obligations to the creditor, which fulfillment is ensured by establishment of the guarantee (for instance, credit agreement, sale-purchase agreement).
- 15⁶. The contract between the guarantor and guarantee applicant (if any).
- 15⁷. The contract between the guarantor and guarantee beneficiary (if any).
(Items 15³-15⁷ introduced by the NBM Decision no.13 of 24.01.2020, in force since 01.04.2020)
16. Other documents which the applicant considers necessary to submit to obtain the authorization for performing foreign exchange operation.

II. Requirements for the documents indicated in this Annex

1. The documents shall be submitted in the form of photocopies, ensuring their integrity and quality (the document should contain all the information which should be legible), as well as page order. The compliance of the photocopies of submitted documents with their originals shall be certified by the applicant. The certification shall be carried out by writing the following wording on the photocopy: *"I declare on my own responsibility that the photocopy is identical with the original"*. In the case of a resident legal entity, the respective wording shall be certified by the signature of its manager/administrator (authorized person). In the case of an individual and individual practicing a certain activity, the wording shall be certified by the signature of the respective individual.

Photocopies of the submitted documents shall be retained by the National Bank of Moldova.

At the resident's discretion, originals or notarized copies of documents may be submitted instead of photocopies, which shall be retained by the National Bank of Moldova.

(Item 1 in the wording of the NBM Decision no.13 of 24.01.2020, in force since 01.04.2020)

2. The documents issued by the competent authorities of foreign states or with their participation, shall be legalized or apostilled according to the legislation of the Republic of Moldova.

3. At the request of the National Bank of Moldova, the documents in foreign languages shall be submitted along with their translations into the official language, certified by a notary.

(Annex no.2 amended by the NBM Decision no.13 of 24.01.2020, in force since 01.04.2020)

(Annex no.2 amended by the NBM Decision no.30 of 13.02.2018)

(Annex no.2 amended by the NBM Decision no.201 of 17.10.2013)

(Annex no.2 amended by the NBM Decision no.9 of 28.01.2010)

Annex no.3
to the Regulation on authorization of certain foreign
exchange operations by the National Bank of Moldova

(the reverse of the NBM authorization)

**Data on issuance of amendments to the authorization
for performing the foreign exchange operation**

(to be completed by the NBM)

No. of the amendment	Date of issuance of the amendment	Note	Name and surname of the responsible person at the NBM, signature, NBM stamp

(Annex no.3 amended by the NBM Decision no.201 of 17.10.2013)

to the Regulation on authorization of certain foreign
exchange operations by the National Bank of Moldova

Authorization no. _____
of _____
(date of authorization)

for granting loan/credit

Hereby, the National Bank of Moldova authorizes the granting

(name of loan/credit)

by _____
(full name/name and surname of resident creditor)

the state identification number/fiscal code of the creditor _____
in favor of _____
(full name/name and surname of non-resident debtor)

(legal address/domicile of non-resident debtor)

based on the contract _____
(contract name, number, and date of conclusion)

in amount of _____
(amount in figures (units and decimals) and in letters, name of currency)

with the maturity _____

interest rate _____

for the purpose _____

_____ **is obliged to report**
(full name/name and surname of resident creditor)

to the National Bank of Moldova on the operations performed under the authorized loan/credit.

Other information _____

This authorization shall cease to be valid upon discharge of the loan/credit-related obligations.

The issuance of this authorization does not imply the assumption by the National Bank of Moldova of the obligations related to the authorized loan/credit, as well as does not exempt the resident payment service providers through which the authorized foreign exchange operation is carried out from the application of the measures according to the requirements of the legislation in the field of preventing and combating money laundering and terrorist financing.

(position)

(signature)

Stamp

(name and surname)

(the reverse of the NBM authorization)

**Data on issuance of amendments to the authorization
for granting loan/credit**
(to be completed by the NBM)

No. of the amendment	Date of issuance of the amendment	Note	Name and surname of the responsible person at the NBM, signature

(Annex no.3¹ introduced by the NBM Decision no.13 of 24.01.2020, in force since 01.04.2020)

Authorization no. _____
of _____
(date of authorization)

for granting guarantee

Hereby, the National Bank of Moldova authorizes granting guarantee by

(full name/name and surname of resident guarantor)

state identification number/fiscal code of guarantor _____

in order to ensure fulfillment of the guarantee applicant's obligations

(full name/name and surname of non-resident guarantee applicant)

(legal address/domicile of non-resident guarantee applicant)

to guarantee beneficiary _____
(full name/name and surname of non-resident guarantee beneficiary)

(legal address/domicile of non-resident guarantee beneficiary)

in amount of _____
(amount in figures (units and decimals) and in letters, name of currency)

with validity term of the guarantee _____

in accordance with underlying contract _____
(contract name, number, and date of conclusion)

_____ **is obliged to report**
(full name/name and surname of resident guarantor)

to the National Bank of Moldova on the operations performed under the authorized guarantee.

Other information _____

The issuance of this authorization does not imply the assumption by the National Bank of Moldova of the obligations related to the authorized guarantee, as well as does not exempt the resident payment service providers through which the authorized foreign exchange operation is carried out from the application of the measures according to the requirements of the legislation in the field of preventing and combating money laundering and terrorist financing.

(position)

(signature)

Stamp

(name and surname)

(the reverse of the NBM authorization)

**Data on issuance of amendments to the authorization
for granting guarantee**
(to be completed by the NBM)

No. of the amendment	Date of issuance of the amendment	Note	Name and surname of the responsible person at the NBM, signature

(Annex no.3² introduced by the NBM Decision no.13 of 24.01.2020, in force since 01.04.2020)

Annex no.4
to the Regulation on authorization of certain foreign
exchange operations by the National Bank of Moldova

Letterhead (in case of resident legal entity)

APPLICATION
for issuing the amendment to the authorization for performing the foreign exchange operation

Hereby, _____
(full name /name and surname of the resident)

requests issuing the amendment to the authorization no. _____ of _____
for performing the foreign exchange operation _____,
(name of the foreign exchange operation)

determined by the modification of the following data from the NBM authorization:

Data on the documents attached to the application

No.	Name of the document	Number and date of the document	Number of sheets

Administrator /Individual

(signature)

(name and surname)

Contact phone number:

Application drafted on:

(Annex no.4 amended by the NBM Decision no.30 of 13.02.2018)

Annex no.5
to the Regulation on authorization of certain foreign
exchange operations by the National Bank of Moldova

Form Code 04102/1

(code of the resident)

(name/name and surname of the resident)

Model code	Periodicity	Form type	Correct. no.
	D		

To be submitted: monthly at the latest on the 15th day of the month following the reporting month; or
at the latest on the 15th day of the month following the month in which the respective operations were
performed

Report
on the performance of authorized foreign exchange operation
for _____
(month and year)

1. The authorization for performing the foreign exchange operation no. _____ of _____
2. The name of the authorized foreign exchange operation _____
3. The amount of the authorized payments/transfers _____
4. The situation regarding the payments/transfers at the beginning of the reporting period _____
5. The information on payments/transfers: _____

No.	Description of the operation	Date of the payment / transfer	Data on the payment /transfer				The situation regarding the payments /transfers on the date of performing the operation	
			in original currency		recalculated in the currency of the authorization			
			currency code	amount	currency code	amount	currency code	amount
A	B	C	1	2	3	4	5	6
1								
...								
n								
999	Check-sum digit	x	x		x		x	

6. This Report contains the information specified in the NBM authorization no. _____ of _____ (____ sheets).
 Administrator/individual _____ (signature, name and surname)
 Chief accountant _____ (signature, name and surname)
 Drafted by, phone number _____ (name and surname, telephone number)
 Report drafted on _____

NOTE: This Report is compiled according to:

1. Decision of the Council of Administration of the NBM no.9 of January 28, 2010
 2. Regulation on authorization of certain foreign exchange operations by the National Bank of Moldova (Decision of the Council of Administration of the NBM no.51 of March 5, 2009, Official Monitor of the Republic of Moldova, 2009, no.57-58, Art.251)
- (Form in the wording of the NBM Decision no.9 of 28.01.2010)

The procedures of compiling the Report on the performance of authorized foreign exchange operation

Chapter I. General provisions

1. The Report on the performance of authorized foreign exchange operation shall be compiled and submitted by the resident on paper form, as follows:

a) if the operations are performed monthly, the Report shall be submitted monthly at the latest on the 15th day of the month following the reporting month;

b) if the operations are performed with a frequency more than one month or with an irregular frequency, the Report shall be submitted at the latest on the 15th day of the month following the month in which the respective operations were performed.

(Item 1 amended by the NBM Decision no.13 of 24.01.2020, in force since 01.04.2020)

2. The Report shall contain:

a) the standardized information reflected in the Report Form, in which the information on the authorized operation and payments/transfers (including in cash) made/received by the resident holding the NBM authorization, shall be indicated;

b) where appropriate, the respective information, which content shall be determined upon the issuance of the NBM authorization, depending on the specificities of authorized foreign exchange operation.

3. The amounts shall be indicated in the Report with two decimal digits.

4. The respective information shall be indicated in the Report in the currency in which the payments/transfers were made/received, being recalculated, where appropriate, in the currency indicated in the NBM authorization.

Chapter II. Introductory part of the Report

5. (code of the resident): the licensed bank shall indicate the identification code assigned in accordance with the normative acts of the National Bank of Moldova. The resident (other than the licensed bank) shall indicate the state identification number (IDNO/IDNP)/fiscal code.

6. (name/name and surname of the resident): the full name/name and surname of the resident holding the authorization for performing the foreign exchange operation shall be indicated.

Chapter III. Filling in the Report rubrics

7. The rubric „1. The authorization for performing foreign exchange operation” shall indicate the number (code in letters and figures) and date of issuance of the NBM authorization.

8. The rubric „2. The name of the authorized foreign exchange operation” shall indicate the content of the authorized foreign operation according to the NBM authorization.

9. The rubric "3. The amount of the authorized payments/transfers" shall indicate the name of the currency and its amount (indicated in the NBM authorization) within the limit of which the resident may make payments/transfers based on the NBM authorization.

10. The rubric "4. The situation regarding the payments/transfers at the beginning of the reporting period" shall indicate the name of the currency indicated in the NBM authorization, as well as the amount that reflects the situation regarding the payments/transfers made by the

resident according to the NBM authorization at the beginning of reporting period. The amount from the rubric 4 shall be determined by summing up the amounts of all payments/transfers made by the resident according to the NBM authorization, diminished by the amounts of the funds returned to the resident, reflected in previous reports (all the amounts are recalculated, if necessary, in the currency indicated in the NBM authorization, by applying the exchange rate provided for in item 14 of the Regulation on conditions and procedures for performing foreign exchange operations). This amount cannot exceed the amount indicated in the NBM authorization. In the event when several amounts in different currencies are indicated in the NBM authorization, the amounts in rubric 4 shall be indicated separately for each currency.

(Item 10 amended by the NBM Decision no.30 of 13.02.2018, in force since 01.05.2018)

11. The table in rubric "5. The information on payments/transfers" shall be completed as follows:

1) Column A "no." shall indicate the running number of the entry in the table.

2) Column B "Description of the operation" shall shortly indicate the purpose of the payment/transfer made/received by the resident (for instance, payment for shares of company "X" from Germany purchased from the company "Y"; transfer to resident-broker "Z" from the U.S.A.; refunding of unused funds by the non-resident-broker "Z" from the U.S.A. etc.).

3) Column C "Date of the payment/transfer" shall indicate the date of making/receiving the respective payment/transfer, reflected in the document (for instance, payment order) that confirms the making/receiving the respective payment/transfer.

4) Columns 1-4 "Data on the payment/transfer" shall indicate the information on the amounts of payments/transfers made/received by the resident, and namely:

a) columns 1 and 2 "Data on the payment/transfer: in original currency" shall indicate the alphabetical code of the currency in which the resident made/received the payment/transfer and the amount of the payment/transfer, indicated in the document (for instance, payment order) that confirms making/receiving the respective payment/transfer;

b) columns 3 and 4 "Data on the payment/transfer: recalculated in the currency of the authorization" shall indicate the alphabetical code of the currency indicated in the NBM authorization and the amount of the payment/transfer recalculated in the currency of the authorization, by applying the exchange rate provided for in item 14 of the Regulation on conditions and procedures for performing foreign exchange operations. In the event when the currency of the payment/transfer does not differ from the currency indicated in the NBM authorization, columns 3 and 4 shall repeat the information from the columns 1 and 2;

c) columns 5 and 6 „The situation regarding the payments/transfers on the date of performing the operation” shall indicate the alphabetical code of the currency indicated in the NBM authorization, as well as the amount that reflects the situation regarding the payments/transfers made by the resident on the date of performing the foreign exchange operation. The amount in column 6 shall be determined according to the following formula: amount in rubric 4 of the Report + amounts of made payments/transfers reflected in column 4 of the table – amounts of funds reimbursed to the resident, reflected in column 4 of the table. In the event when several amounts in different currencies are indicated in the NBM authorization, the amounts in column 6 shall be indicated separately for each currency;

d) in line 999 "Check-sum digit", columns 2, 4 and 6 shall indicate the check-sum digit, that is calculated by summing up all data from the respective column.

(Item 11 amended by the NBM Decision no.30 of 13.02.2018, in force since 01.05.2018)

12. The rubric "6. This Report contains the information specified in the NBM authorization" shall be completed only if, according to the requirements of the NBM authorization, the resident shall submit the respective information within the given Report. This rubric shall indicate the number and the date of the NBM authorization and the number of sheets of the information, the submission of which is provided for by the NBM authorization. The completed Report Form shall be accompanied by the respective information.

Chapter IV. Final provisions

13. The Report shall be signed by the resident (authorized persons of the resident).

(Annex no.5 amended by the NBM Decision no.13 of 24.01.2020, in force since 01.04.2020)

(Annex no.5 amended by the NBM Decision no.30 of 13.02.2018)

(Annex no.5 amended by the NBM Decision no.201 of 17.10.2013)

(Annex no.5 amended by the NBM Decision no.9 of 28.01.2010)

Annex no.6
to the Regulation on authorization of certain foreign
exchange operations by the National Bank of Moldova

This Annex is the Report Form

Name and surname of the responsible person at the NBM,
signature, NBM stamp

Annex to the authorization for granting loan/credit no. _____ of _____ page no. _____
with amendments to it _____
(number and date of issuance of amendments to the authorization – to be completed by the National Bank of Moldova)

issued _____
(full name/name and surname of the resident creditor, its state identification number/fiscal code – to be completed by the National Bank of Moldova)

No.	Date of performing the operation	Type of operation	Mode of performing the operation	Value of operation		Value of operation recalculated in contract currency		Document confirming the performance of the operation (name, number, date)	Name of RPS provider/resident creditor	Resident's responsible person
				amount	currency code	amount	currency code			
A	1	2	3	4	5	6	7	8	9	10
1										
2										
3										
4										
5										
...										

Procedure of compiling the Annex to the authorization for granting loan/credit

The Annex to the authorization for granting loan/credit shall be filled in by:

- a) RPS provider through which payments / transfers / receipts of funds under the authorized loan/credit are made;
- b) resident creditor – in cases other than those indicated in letter a) (for instance, interest capitalization).

Rubric A "No.": shall indicate the running number of each row in the Annex.

Rubric 1 "Date of performing the operation": shall indicate the date of each operation performed under the loan/credit (for instance, date of funds disbursement from account).

Rubric 2 "Type of operation": shall indicate the corresponding code for the operation performed under the loan/credit. For granting loan/credit (drawdowns), code 01 shall be indicated. For operations related to payment of debts of the non-resident debtor the following codes shall be indicated: code 21 – for receipt of loan/credit principal, code 22 – for receipt of interest, code 23 – for receipt of penalty, code 24 – for receipt of commission. If the operation relates to a certain tranche, provided for in the contract, and only one annex to the authorization has been issued, the tranche number shall be indicated by a slash.

Rubric 3 "Mode of performing the operation": shall indicate the corresponding code for the mode by which the resident granted the loan/credit or the corresponding code for the mode by which the debts of the non-resident debtor were paid (loan/credit principal and other payments/transfers) under the loan/credit: code 11 - by funds, code 12 - by deliveries of goods, code 13 - by services, code 14 - in other forms.

Value of operation:

Rubric 4 "amount": shall indicate the amount (in units and decimals) of the operation performed.

Rubric 5 "currency code": shall indicate the alphabetical code (according to ISO 4217) of the currency in which the operation was performed (for instance: USD, EUR, etc.).

Value of operation recalculated in contract currency: this section shall be filled in only if the operation was performed in a currency other than the contract currency/tranche currency.

Rubric 6 "amount": shall indicate the amount of the operation, recalculated in the contract/tranche currency at the exchange rate established in the contract by the parties or, if the exchange rate is not stipulated, at the official exchange rate of the Moldovan leu at the date of the operation.

Rubric 7 "currency code": shall indicate the alphabetical code (according to ISO 4217) of the contract/tranche currency.

Rubric 8 "Document confirming the performance of the operation (name, number, date)": shall indicate the name of the document confirming the performance of the operation (for instance, payment order), its number and date.

Rubric 9 "Name of RPS provider/resident creditor": shall indicate the name and surname/name of the resident, whose responsible person made the respective entry in the Annex.

Rubric 10 "Resident's responsible person": shall indicate the name and surname of the responsible person of the resident mentioned in rubric 9, who made the respective entry in the Annex. In case of a legal entity, the respective entry shall be certified by the signature of its administrator/authorized person. In case of an individual and individual practicing a certain type of activity, the entry shall be certified by the signature of the respective individual.

(Annex no.6 introduced by the NBM Decision no.13 of 24.01.2020, in force since 01.04.2020)

Annex no.7
to the Regulation on authorization of certain foreign
exchange operations by the National Bank of Moldova

This Annex is the Report Form

Name and surname of the responsible person at the NBM,
signature, NBM stamp

Annex to the authorization for issuance of guarantee no. _____ of _____ page no. _____
with amendments to it _____
(number and date of issuance of amendments to the authorization – to be completed by the National Bank of Moldova)

issued _____
(full name/name and surname of the resident guarantor, its state identification number/fiscal code – to be completed by the National Bank of Moldova)

No.	Date of performing the operation	Type of payments performed under the guarantee	Repayment of amounts paid under the guarantee		Value of operation		Value of operation recalculated in guarantee currency		Document confirming the performance of the operation (name, number, date)	Name of RPS provider/resident guarantor	Resident's responsible person
			payments	type of payments	amount	currency code	amount	currency code			
A	1	2	3	4	5	6	7	8	9	10	11
1											
2											
3											
4											
5											
...											

Procedure of compiling the Annex to the authorization for issuance of guarantee

The Annex to the authorization for issuance of guarantee shall be filled in by:

a) RPS provider through which receipts / payments / transfers of funds under the authorized foreign exchange operation are made;

b) resident guarantor – in cases other than those indicated in letter a) (for instance, repayment of funds by the guarantee applicant through deliveries of goods).

Rubric A "No.": shall indicate the running number of each row in the Annex.

Rubric 1 "Date of performing the operation": shall indicate the date of each operation performed following occurrence of the secured event.

Rubric 2 "Type of payments performed under the guarantee": shall indicate the corresponding code for the type of payment/transfer performed by the resident guarantor in favor of the non-resident guarantee beneficiary under the authorized guarantee. If the guaranteed transaction is granting of a loan/credit, the following codes shall be indicated: code 31 - for repayment of principal, code 32 – for payment of interest, code 33 – for payment of penalty, code 34 – for payment of commission. If the guaranteed transaction is a sale-purchase of goods, provision of services, etc. code 35 shall be indicated.

Repayment of amounts paid under the guarantee:

Rubric 3 "Payments": shall indicate the mode by which the non-resident guarantee applicant repays to the resident guarantor the amounts paid by him/her under the authorized guarantee: code 41 - by funds; code 42 - by deliveries of goods, code 43 – by services, code 44 - in other forms.

Rubric 4 "Type of payments": shall indicate the corresponding code for the type of payment/transfer received by the resident guarantor from the non-resident guarantee applicant as a repayment of the amounts paid by the guarantor under the authorized guarantee.

If the guaranteed transaction is granting of a loan/credit, the following codes shall be indicated: for repayment of amounts paid by the resident guarantor as reimbursement of the loan/credit principal – code 51, of amount of interest - code 52, of amount of penalty - code 53, of amount of commission - code 54. If the guaranteed transaction is a sale-purchase of goods, provision of services, etc., for repayment by the guarantee applicant of the amounts paid by the guarantor, code 55 shall be indicated.

Depending on the type of operation (payments made under guarantee, repayment of amounts paid under guarantee) either rubric 2 or rubrics 3 and 4 shall be completed. Completion of both rubric 2 and rubrics 3 and 4 shall not be allowed.

Value of operation:

Rubric 5 "amount": shall indicate the amount (in units and decimals) of the operation performed.

Rubric 6 "currency code": shall indicate the alphabetical code (according to ISO 4217) of the currency in which the operation was performed (for instance: USD, EUR etc.).

Value of operation recalculated in guarantee currency: this section shall be filled in if the operation was performed in a currency other than the guarantee currency.

Rubric 7 "amount": shall indicate the amount of the operation, recalculated in the guarantee currency at the exchange rate established in the contract by the parties or, if the exchange rate is not stipulated, at the official exchange rate of the Moldovan leu at the date of the operation.

Rubric 8 "currency code": shall indicate the alphabetical code (according to ISO 4217) of the guarantee currency.

Rubric 9 "Document confirming the performance of the operation (name, number, date)": shall indicate the name of the document confirming the performance of the operation (for instance, payment order), its number and date.

Rubric 10 "Name of RPS provider/resident guarantor": shall indicate the name and surname/name of the resident, whose responsible person made the respective entry in the Annex.

Rubric 11 "Resident's responsible person": shall indicate the name and surname of the responsible person of the resident mentioned in rubric 10, who made the respective entry in the Annex. In case of a legal entity, the respective entry shall be certified by the signature of its administrator/authorized person. In case of an individual and individual practicing a certain type of activity, the entry shall be certified by the signature of the respective individual.

(Annex no.7 introduced by the NBM Decision no.13 of 24.01.2020, in force since 01.04.2020)

Annex no.8
to the Regulation on authorization of certain foreign
exchange operations by the National Bank of Moldova

This Annex is the Report Form

Name and surname of the responsible person at the NBM,
signature, NBM stamp

Annex to the authorization for issuance of guarantee
in the form of guarantee deposit no. _____ of _____ page no. _____
with amendments to it _____
(number and date of issuance of amendments to the authorization – to be completed by the National Bank of Moldova)

issued _____
(full name/name and surname of the resident guarantor, its state identification number/fiscal code – to be completed by the National Bank of Moldova)

No.	Date of performing the operation	Type of operation related to guarantee deposit	Value of operation		Value of operation recalculated in guarantee currency		Document confirming the performance of the operation (name, number, date)	Name of RPS provider/resident guarantor	Resident's responsible person
			amount	currency code	amount	currency code			
A	1	2	3	4	5	6	7	8	9
1									
2									
3									
4									
5									
...									

Procedure of compiling the Annex to the authorization for issuance of guarantee in the form of guarantee deposit

The Annex to the authorization for issuance of guarantee in the form of guarantee deposit shall be filled in by:

a) the resident payment service provider through which payments/transfers of funds under the authorized guarantee are made/received;

b) resident guarantor – in cases other than that indicated in letter a) (for instance, in the case when the non-resident guarantee beneficiary uses the funds under the authorized guarantee).

The information related to the use by the non-resident guarantee beneficiary of the funds under the authorized guarantee shall be completed by the resident guarantor based on the documents received from the non-resident guarantee beneficiary.

Rubric A "No.": shall indicate the running number of each row in the Annex.

Rubric 1 "Date of performing the operation": shall indicate the date of each operation performed under the authorized guarantee.

Rubric 2 "Type of operation related to guarantee deposit": shall indicate the code for the type of operation related to guarantee deposit: code 61 – establishment of guarantee deposit, code 62 - use of guarantee deposit, code 63 – replenishment of guarantee deposit, code 64 - repayment of guarantee deposit balance, code 65 - if applicable, operations other than those indicated under codes 61-64. Code 65 shall describe the type of operation performed.

Value of operation:

Rubric 3 "amount": shall indicate the amount (in units and decimals) of the operation performed.

Rubric 4 "currency code": shall indicate the alphabetical code (according to ISO 4217) of the currency in which the operation was performed (for instance: USD, EUR etc.).

Value of operation recalculated in guarantee currency: this section shall be filled in only if the operation was performed in a currency other than the guarantee deposit currency.

Rubric 5 "amount": shall indicate the amount of the operation, recalculated in the guarantee deposit currency at the exchange rate established in the contract by the parties or, if the exchange rate is not stipulated, at the official exchange rate of the Moldovan leu at the date of the operation.

Rubric 6 "currency code": shall indicate the alphabetical code (according to ISO 4217) of the guarantee deposit currency.

Rubric 7 "Document confirming the performance of operation (name, number, date)": shall indicate the name of the document confirming the performance of the operation (for instance, payment order), its number and date.

Rubric 8 "Name of RPS provider/resident guarantor": shall indicate the name and surname/name of the resident, whose responsible person made the respective entry in the Annex.

Rubric 9 "Resident's responsible person": shall indicate the name and surname of the responsible person of the resident mentioned in rubric 8, who made the respective entry in the Annex. In case of a legal entity, the respective entry shall be certified by the signature of its administrator/authorized person. In case of an individual and individual practicing a certain type of activity, the entry shall be certified by the signature of the respective individual.

(Annex no.8 introduced by the NBM Decision no.13 of 24.01.2020, in force since 01.04.2020)