

# *Investing Guide Moldova 2014*



Moldova



**MIEPO**

Moldova Investment and Export  
Promotion Organisation



**pwc**



## Dear Reader

Moldova's objective is to provide a transparent and supportive business environment, competitive at the regional level. The Constitution provides non-discriminatory treatment and guarantees the inviolability of both foreign and domestic investments by ensuring the supremacy of

international law, the market economy, private property and separation of power between Government branches.

Moldova is a rapidly developing country and, with the support of development partners, has entered a deep transformational phase in the process of negotiating the Association agreement with the European Union. This means adopting the *acquis communautaire* in most areas, adopting and implementing international standards, and infrastructure rehabilitation, all of which is already resulting in attractive investment and business opportunities for local and international business.

What Moldova needs most at the moment is foreign private direct investment in innovative production, because FDI also means technology, know-how and higher turnover.

The Ministry of Economy's priorities are to improve the business environment, increase economic competitiveness in light of the implementation of the Deep and Comprehensive Free Trade Agreement with the EU, implement infrastructure improvements, promote energy efficiency, etc.

Moldova offers a skilled and relatively competitive workforce combined with a unique opportunity to access western and eastern markets in a free trade regime.

For industrial producers, Moldova also offers specific locations in Industrial Parks and Free Economic Zones with fiscal and administrative incentives, support from the state and free trade regimes with a market of 800 million consumers in the EU and CIS.

New industrial sectors are developing in Moldova, such as ICT, automotive, energy and renewables, manufacturing, etc. Moldova is ranked in the top 20 countries in the world for speed, penetration and availability of the Internet.

This investment guide provides a fair image of Moldova. I hope it will answer most of your questions about my country and help you to take an investment decision.

Last but not least, I would like to express my gratitude to PricewaterhouseCoopers for taking the lead and preparing this Investment Guide to Moldova!

**Andrian Candu**  
Deputy Prime Minister  
Minister of Economy



### **Partner Letter**

It is with great pleasure that PwC participates in the publication of the “Investing Guide Moldova 2014”, in cooperation with the Ministry of Economy and MIEPO.

Like many countries in the region and around the globe today, Moldova continues to face exceptional economic challenges.

Nevertheless, the Moldovan Government is committed to taking the necessary steps to encourage investment and ease the burden of doing business in Moldova.

This guide aims to provide a comprehensive overview of the business environment as well as some of the administrative practicalities of investing and conducting business in Moldova. We trust you will find the information useful as you pursue opportunities in this emerging market.

PwC has been advising companies and individuals on how to do business Moldova since 1996. Our significant experience in the local market, as well as the strength of our regional and global network, bring you the right mix of local and international expertise to help you improve the performance of your business in Moldova.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Ionuț Simion', written in a cursive style.

**Ionuț Simion**  
Partner, PwC







# *Why invest in Moldova?*

- Favourable geographical position at the crossroads of commercial routes
- Proximity to large world markets (European Union and Commonwealth of Independent States)
- Platform for manufacturing and exporting both to the CIS and to the EU
- Competitive general corporate income tax rate in the region – 12%
- Tax and customs framework similar to that of the EU
- Considerable network of operational Double Tax Treaties and Investment Protection Agreements
- Market access through three Free Trade Agreements including:
  - WTO members (worldwide)
  - Autonomous Trade Preferences (EU countries)
  - Deep and Comprehensive Free Trade Area (DCFTA)
  - CEFTA members (most Balkan countries)
  - CIS members (with certain exceptions)
- Entrepreneurial activities under preferential terms and conditions developed in free economic zones
- Well-skilled multilingual workforce
- Relatively low employment costs
- Favourable visa regime
- Improved legal framework regulating entrepreneurial activity
- Starting a business – fast and easy to handle
- Investment opportunities through privatisation of public property and public-private partnership



# *Moldovan business environment*





# Central and territorial organisation

*The Republic of Moldova is a small, densely populated country, which gained its independence and became a sovereign state on 27 August 1991.*

It is situated in South Eastern Europe, north of the Balkan Peninsula. The total area is 33,843 square km. The distance between the North and the South extremities is 350 km, and from East to West is 150 km. Moldova shares borders with Romania and Ukraine.

Under the Constitution adopted in July 1994, Moldova is a democratic republic based on the rule of law. The Constitution separates the state powers into three branches – the legislative, the executive and the judicial branches.

The legislative power belongs to the Parliament of the Republic of Moldova, elected for four-year terms. The Parliament is unicameral. It consists of 101 deputies – representatives of parties and electoral blocks, as well as independent candidates.

The executive power is exercised by the Government. Its role is to carry out the domestic and foreign policy of the state, as well as to control the activity of public administration. The Government consists of a Prime Minister, deputy prime ministers, ministers and other members. The President of the Republic of Moldova designates a candidate for Prime Minister through consultation with parliamentary factions.

The President of the Republic of Moldova is legally distanced from all branches of power. Nevertheless he / she is mostly allied to the executive branch. The President is elected by Parliament for a four-year term.

The judicial branch encompasses the Supreme Court of Justice, Courts of Appeal and ordinary courts. The Supreme Court of Justice is the highest court and has the power to review decisions made by lower courts.

The Constitutional Court of Moldova is the sole authority of constitutional jurisdiction in the Republic of Moldova. The six justices are appointed for six-year terms. The Parliament, the Government and the Superior Counsel of Magistracy appoint two justices each.

The Constitution recognises the principle of local autonomy and states that all local issues be resolved and managed by local authorities, which operate independently pursuant to law. Each level of public administration has its own and delegated functions. The basic functions of local government include the organisation of social services, welfare services for the elderly, housing and utilities, water supply and sewerage, the provision of public services, physical planning, public transport, and the maintenance of local roads and streets.

Moldova is currently divided into 37 first-tier units, including 32 districts (in Romanian - “raioane”), three municipalities (Chişinău, Bălţi, Bender), one autonomous territorial unit (Gagauzia) and one territorial unit (Transnistria). The capital and largest city is Chisinau.

Moldova has 66 cities (towns), including the five with municipality status, and 917 communes. Some other 699 villages are too small to have separate administration, so are administratively part of either cities (40 of them) or communes (659). This makes for a total of 1,681 localities in Moldova.



## Municipalities

Chişinău  
Bălţi  
Bender

## Autonomous regions

Gagauzia  
Transnistria

## Districts

|              |           |           |             |
|--------------|-----------|-----------|-------------|
| Anenii Noi   | Cimişlia  | Glodeni   | Sîngerei    |
| Basarabeasca | Criuleni  | Hînceşti  | Soroca      |
| Briceni      | Donduşeni | Ialoveni  | Străşeni    |
| Cahul        | Drochia   | Leova     | Şoldăneşti  |
| Cantemir     | Dubăsari  | Nisporeni | Ştefan Vodă |
| Călăraşi     | Edineţ    | Ocnîţa    | Taraclia    |
| Căuşeni      | Făleşti   | Orhei     | Teleneşti   |
|              | Floreşti  | Rezina    | Ungheni     |
|              |           | Rîşcani   |             |



# International agreements and organisations

**Republic of Moldova is a member of the following key organisations:**

- United Nations
- Council of Europe
- Commonwealth of Independent States (CIS)
- The International Bank for Reconstruction and Development (IBRD)
- The European Bank for Reconstruction and Development (EBRD)
- World Trade Organisation (WTO)



## European Union

European Integration is a fundamental priority of Republic of Moldova domestic and foreign policies. With the purpose of accomplishing this, the EU and the Republic of Moldova signed a Partnership and Cooperation Agreement on 28 November 1994. It came into force in 1998. This Agreement formed the basis of future cooperation, with the intention of persuading the EU leadership to open a new stage in its relationship with the Republic of Moldova.

The Republic of Moldova's link to the European Union became stronger in 2004, with the accession of ten states to the European Union. Moldova is a partner country within the European Neighbourhood Policy (ENP). A joint EU-Moldova ENP Action Plan lays out the strategic objectives based on commitments to shared values and effective implementation of political, economic and institutional reforms.

The EU-Moldova ENP Action Plan is based on the Partnership & Cooperation Agreement (PCA) and encourages and supports Moldova's objective of further integration into European economic and social structures.

The EU and the Republic of Moldova have finalised negotiations of the Association Agreement to succeed the Partnership and Cooperation Agreement. The Association Agreement was initialled by both sides on 29 November 2013 on the occasion of the Eastern Partnership Summit in Vilnius. It is expected that the Association Agreement will significantly deepen Moldova's political association and economic integration with the EU. It includes the gradual implementation of a Deep and Comprehensive Free Trade Area and goes qualitatively beyond the current Partnership and Cooperation Agreement wherever possible.

It is anticipated that the Association Agreement between the European Union and the Republic of Moldova will be signed in late 2014.

### *Deep and Comprehensive Free Trade Area (DCFTA)*

In March 2012, the European Union started negotiations to create a Deep and Comprehensive Free Trade Area (DCFTA) with Moldova which will be an integral part of the Association Agreement.

This DCFTA agreement assumes the abolition of duties and quotas in mutual trade in goods and services, as well as the elimination of non-tariff barriers (by the adoption of EU rules on public procurement, health and safety standards, and intellectual property rights, among other means). This will allow the integration of Moldova with the EU common market. The idea is to stimulate free trade between the EU and Moldova, and to improve the investment climate. Consequently, this should translate into economic growth and also open up business in EU countries to new opportunities for working with Moldova

### *Trade policies*

The trade policies promoted by the Republic of Moldova are mostly geared towards attracting investments in the national economy which are capable of innovation, transfer of know-how and competitive goods for domestic and foreign markets, high added value and creating efficient technical and economic infrastructures in order to maximise the existing economic potential.

Due to its favourable geographical position, Moldova is an attractive location for international organisations and transnational corporations, and becoming increasingly important as a place to conduct business between western and eastern markets.

### *Autonomous Trade Preferences (ATP)*

Since 1 March 2008 the Republic of Moldova has been benefitting from the new scheme of trade preferences granted unilaterally by the European Union, known as the Autonomous Trade Preferences (ATP) scheme. Trade preferences have been granted as a result of Moldova's implementation of sustainable development, good governance policies and efficient customs administration.

ATP offer free access to the EU market without quantitative restrictions and customs fees, withdrawal of tariff caps for industrial products and improved access to the EU market for agricultural products, with the only exception being a small number of goods which are sensitive for the EU and subject to annual duty-free tariff quotas, and fruit and vegetables, fresh or chilled, for which the import duty is applied excluding the ad valorem component. The main condition for

entitlement to preferential arrangements is compliance with the EU rules of origin of products. ATP have offered a basis for increasing the competitiveness of Moldovan products exported to the EU and have also stimulated the efforts of Moldovan exporters to penetrate alternative markets to those in the CIS.

The EU has adopted a Decision amending and extending the ATP until December 2015, increasing the quota for wine products and a number of sensitive agricultural products.

Consequently, Moldova will be able to further benefit from the EU Autonomous Trade Preferences prior to the entry into force of the DCFTA.

### *CIS*

Moldova is part of the CIS Free Trade Area (FTA). The respective FTA Agreement entered into force on 20 September 2012 and repealed the previous bilateral free trade agreements within the CIS. The CIS FTA is currently applicable for six CIS countries.

The aim of this Agreement is to establish conditions for a free transfer of goods and services, to provide mutual trade balance, to stabilise domestic economic conditions and to promote growth of the economic potential of the member states on the basis of mutual cooperation.

Although the FTA provides for a free tax trade regime, there are still certain exceptions, usually asymmetric in nature.

In 2002, Georgia, Ukraine, Azerbaijan and Moldova signed the GUAM agreement regarding the creation of a free trade zone. Its scope is to eliminate customs fees and other taxes with equivalent effect and quantitative limitations on trade, as well as to eliminate the barriers for free movement of goods and services.

### *Central European Free Trade Agreement (CEFTA)*

In 2006 Moldova signed the Central European Free Trade Agreement (CEFTA 2006), which came into force for our country on 1 May 2007. CEFTA allows duty free access to the market of countries from the South-Eastern part of Europe. The CEFTA agreement has radically evolved since Romania and Bulgaria left and joined the EU. At this stage, the present signing parties are Moldova, Albania, Bosnia and Herzegovina, Croatia, Macedonia, Serbia, Montenegro and Kosovo.

CEFTA contains extensive provisions on services trading, government procurement, customs administration and preferential rules of origin, the procedure and conditions for the application of safeguarding measures and instruments for trade protection. It aims to eliminate barriers and distortions of trade and facilitate the movement of goods in transit and



cross-border movement of goods and services between the members. CEFTA also provides an individual mechanism for trade disputes settlement or usage of the instrument provided by the WTO.

Although the exports from Moldova to CEFTA countries are fairly low, they have an important role in supporting Moldova's efforts to be included in the Western Balkans perspective of joining the EU, thus reinforcing the relevance of the CEFTA agreement in achieving the objective of Moldova's accession to the EU.

The commercial relations of Moldova with CEFTA countries are governed by the preferential trade arrangements provided by CEFTA, which require almost total liberalisation of imports of industrial and agricultural products from CEFTA countries.

## Double Tax Treaties and Mutual Protection of Investments Treaties

Moldova has signed comprehensive double taxation agreements with 49 countries, of which 47 are in force.

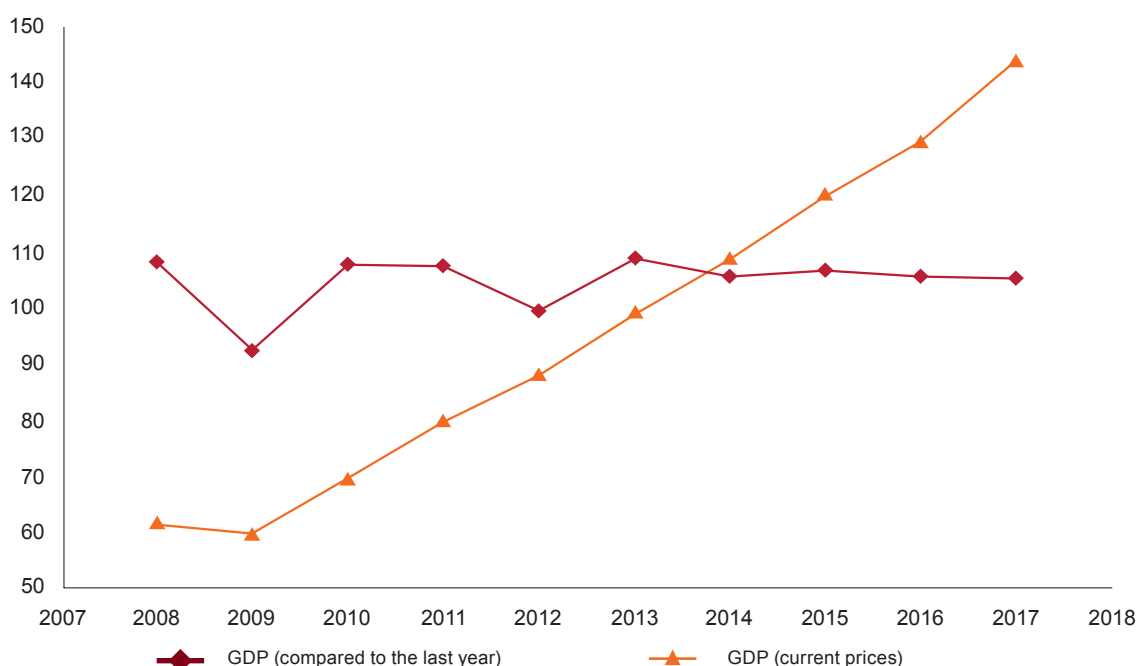
The Double Tax Treaties may provide for more favourable tax regimes than those provided by the local legislation. As guidance on the interpretation of Double Tax Treaties and, correspondingly, for tax administration purposes, the Commentaries to the OECD Model Tax Convention on Income and on Capital are used by the tax authorities and taxpayers.

Additional guarantees and support to investors are offered by 39 bilateral treaties signed between Moldova and various countries for the mutual protection of investments.

*The Republic of Moldova has been a full member of the Energy Community Treaty since 2010.*

## Economic overview

*In 2013, Gross Domestic Product (GDP) totalled MDL 99,879 million (EUR 5,448 million), with an increase of 8.9% (in compared prices) from the level in 2012. Thus, the Moldovan economy enjoyed a revival in 2013, following the 2012 recession.*



\*Preliminary forecast of GDP for 2014-2017  
(source: Ministry of Economy)

The economy of Moldova is highly dependent of remittances, which are around 24% of GDP<sup>1</sup>.

Production of goods in 2013 contributed to increasing the GDP with around 26%, while services contributed with around 58.9% (i.e. the main branches being transport and

<sup>1</sup> National Bureau of Statistics (Main macroeconomic indicators 1995 - 2013)

communication services, wholesale and retail trade services, construction activities, etc.).

The export volume for the last 10 years has increased by more than three times to USD 2,399 million, with an increase of 11% in 2013 from the 2012 level.

In 2013, exports of goods to EU countries totalled USD 1,140.9 million (i.e. 12.5% more than in 2012), accounting for 47.6% of total exports (compared to 46.9% in 2012). Export of domestic goods constituted USD 1,617.3 million (67.4% of total exports), registering an increase of 16.4% compared to 2012. Exports of goods to CIS countries totalled USD 924 million, accounting for 38.5% of total exports, with a decrease of 0.4% compared with 2012.

Import volume has increased four times in the last 10 years, while in 2013 it registered an increase of 5.4% compared with 2012 and constituted USD 5,492.7 million. Moldova had a negative trade balance in 2013 (amounting to USD 3,093.7 million).

The annual inflation rate in Moldova was 5.2% for 2013.

The unemployment rate was 5.1% in 2013 (a decrease from 5.6% in 2012). The total amount of unemployed people includes:

- 60.2% men and 39.8% women;
- 58.3% urban population and 41.7% rural population.

## Legal framework

### General provisions



### Legal system

The Republic of Moldova is a civil law country. Its legal framework is based mainly on statutory law. The leading legal acts are the Constitution, organic and ordinary laws approved by the Parliament, as well as other normative acts issued by the Government and other public authorities.

Under the Constitution, the Republic of Moldova undertakes to respect the treaties and conventions to which it is a party. In the event of any discrepancies between the national and international legislation applicable for the Republic of Moldova, the latter prevails.

### Investment climate

*Foreign and domestic investors are treated equally under the Moldovan legislation and the legal framework is the same for foreign investments.*

One of the primary tasks of the Government is to attract investments and create a favourable business climate for all investors, both foreign and local. Moldovan law generally allows investments in any field of entrepreneurial activity on the entire territory of the Republic of Moldova, provided that national security interests, anti-trust legislation, norms of environmental protection, people's health and public order are respected.

Free economic zones, whose residents are provided with a range of tax and customs incentives and state guarantees, are attractive for industry investment projects.

### Foreign investors' guarantees and rights

According to the Moldovan Constitution, the state must ensure the inviolability of foreign investments. The Government is keen to establish coordinated policies and well-balanced legislation in order to stimulate both domestic and foreign investments.

The legal framework for the protection of foreign investments consists of the Law on investments in entrepreneurial activity and international bilateral treaties for the facilitation and mutual protection of investments.

The law prohibits discrimination against investments based on citizenship, domicile, residence, place of registration, place of activity, state of origin or any other grounds. The law provides for equitable and level-field conditions for all investors. It rules out discriminatory measures hindering the management, operation, maintenance, utilisation, acquisition, extension or disposal of investments. At the same time, certain restrictions are provided for residents of off-shore zones (e.g. limited



amount of shares in banks and prior approval from Moldovan National Bank before acquisition) and for the acquisition of agricultural and forested land.

Public authorities intending to develop a new investment policy are required to organise public consultations before implementing such policies.

Investments cannot be subject to expropriation or to any other similar measures which can directly or indirectly deprive investors of their property right or the right to control investments, unless the following conditions are met:

- The measure is undertaken for the general public good;
- The measure is not discriminatory;
- Preliminary and equivalent compensation of damages is given.

Investors have the right to sue public authorities for damages caused due to illegal actions and decisions. Compensation is paid in the currency of the investment.

## ICSID Convention

By ratifying the Convention on the Settlement of Investment Disputes between States and Nationals of Other States (ICSID Convention) in 2011, Moldova undertook to recognise any decision (award) issued by ICSID as being mandatory and committed to ensuring the enforcement of the pecuniary sanctions imposed by the award on its territory.

## Privatisation

The privatisation process began in 1991 with mass privatisation of residential housing, most small-scale traders and over half of small-scale enterprises. After 1996 privatisation moved to cash privatisation with the goal of selling most of the remaining state assets, in particular large-scale enterprises in the energy and telecommunication sector. Several larger Moldovan firms have been sold for cash and debt assumption to strategic investors. The sale of a cement mill to a leading producer, leather processing firm, several textile producers, several wineries and a hotel in the capital topped the list of transactions.

New provisions concerning privatisation were approved in 2007 by the Law on public property management and its privatisation. Under the law, the Agency for Public Property is the authority which carries out the state policy in the field of management and privatisation of public property, post-privatisation activity and exercises the functions of the owner of state property.

The implementation of this law has marked the beginning of a new stage in the privatisation process, characterised by widening the types of enterprises subject to privatisation, also

including those in infrastructure; diversification of the privatisation methods, as well as shifting the privatisation deals to the capital market and restructuring privatised enterprises.

## Public-private partnership

One of the growing-interest programmes lead by the Government is the Public-Private Partnership (PPP). The new legal framework for PPP has been recently approved, of which the most important are the Law on public-private partnerships and the Law on concessions.

Since the adoption of the necessary framework, the Government has turned to the private sector and promoted the PPP concept to provide a wide range of public services previously delivered solely by the public sector. Public services and infrastructure in the Republic of Moldova are underdeveloped, while public financial resources for their rehabilitation and modernisation are insufficient. Thus the Government is eager to join forces with the ideas, projects and resources of the private sector to increase the quality and efficiency of public services.

## Establishing a business

### Forms of business entities

The following forms of business legal entities (for-profit) may currently be incorporated in Moldova:

- Limited liability company (SRL / LLC);
- Joint-stock company (SA / JSC);
- General partnership;
- Limited partnership;
- Co-operatives.



In general, the form of business organisation does not influence the type of activity to be carried out by a legal entity. On the other hand, certain types of activity expressly provided by the law may be carried out only based on a license, issued by the public authorities. In some cases, the specific form of business organisation is regarded as a special requirement for obtaining a licence (e.g. only JSC may obtain licences for banking, insurance activities, etc).

The most widespread forms are limited liability companies and joint stock companies. From a foreign investor's perspective, the choice usually tends to be either an LLC or a JSC. In specific circumstances for non-commercial activities a representative office may be considered.

Foreign legal entities and individuals may incorporate companies in Moldova (both LLC and JSC), either as sole shareholders owning 100% of the statutory capital or in partnership with a local company or individual.

Both LLC and JSC are legal entities liable for their obligations with all the assets they own. The shareholders are not liable for the company's obligations. Accordingly, the company is not liable for the obligations of its shareholders. The JSC shares are regarded as securities and may be traded on regulated capital markets.

The minimum capital requirement for a JSC cannot be less than MDL 20,000 (approximately EUR 1,091). The share capital of a limited liability company is established by its shareholders in its articles of association and may be deposited within a period of six months.

Under Moldovan legislation, there is no concept of a registered commercial branch of a foreign entity. A representative office established in the Republic of Moldova by a non-resident company is not a legal entity and may not carry out entrepreneurial activity.

## Registration procedure

Establishing a business entity in Moldova involves registration with the State Register of Legal Entities held by the State Registration Chamber of the Ministry of Justice.

The State Registration Chamber registers LLC / JSC within five business days (general term) or four hours - one day (speed-up procedure) of submitting all the required documents.

The fees to be paid to the State Registration Chamber for the incorporation of an LLC vary between EUR 60 and EUR 130, depending on the procedure applied (general or speed-up). The costs for the incorporation of a JSC accordingly vary between EUR 75 and EUR 170<sup>2</sup>.

- *Legislation allows incorporation of a wide range of business entities, including wholly foreign-owned companies*
- *The most widespread forms are Limited Liability Companies (LLC) followed by Joint Stock Companies (JSC)*
- *For a 100% investment, using an LLC tends to be more convenient. It is easier to establish and operate an LLC than a JSC*

The JSC shares need to be subsequently registered with the National Commission for Financial Market (NCFM). It takes 15 business days from the required documents being submitted. The fee for the registration of JSC shares is 0.4% of the amount of stock issue.

The “one-stop-shop” principle was introduced in 2010, under which the State Registration Chamber transfers the information on newly-incorporated entities to statistical and tax authorities, as well as to social and medical insurance authorities.

## Authorisations and permits

Certain types of activity may be carried out only based on a licence, issued by the public authorities. The list of activities subject to licensing is expressly provided by the Law on regulation by licensing of entrepreneurial activity. A licence may be obtained through an online platform recently launched by the Moldovan Licensing Chamber ([www.servicii.gov.md](http://www.servicii.gov.md)).

The Nomenclature of permission documents has recently been approved. It is now forbidden to issue or to request any form of permission not included in the Nomenclature. The legal framework regarding the set-up and implementation of the one-stop-shop for entrepreneurs has also been approved. The purpose of setting up the one-stop-shop is to allow parties involved in entrepreneurial activity to receive standardised information and permission through a single point of reception.

<sup>2</sup> The terms and fees above do not include the time / costs necessary for the preparation, apostillation and translation of documents, nor the timing necessary for the transfer of share capital.



# Regulations for business

## Competition policy

The competition legal framework is formed by the newly-adopted Law on competition and the Law on state aid.

The Law on competition provides the legal framework for the protection of competition. It particularly covers the allowance and / or control of mergers, abuse of dominant position, unfair competition, as well as being aimed at preventing and countering anti-competitive practices. The secondary legislation supporting the implementation of the law was approved in 2013.

The Law on state aid entered into force in August 2013. It provides for the legal framework for the methods of authorising, monitoring and reporting state aid granted to individuals and legal entities in all areas of the national economy, except agriculture, in order to maintain a normal competitive environment. Any state aid is offered subject to preliminary approval of the Competition Council.

The Competition Council is entitled to supervise compliance with competition and state-aid provisions, initiate the examination of any alleged breaches of competition legislation, by its own motion or at the request of any individual or enterprise affected by the alleged infringement. Upon the violation of the Law, the Competition Council is entitled to request termination of the infringement to prescribe behavioural or structural remedies and / or apply fine.

The aim of the new legal framework is to maintain a competitive market and is particularly intended to implement EU provisions into national law.

## Consumer protection

Consumer legislation contains provisions on the safety of consumers, liability of producers and sellers for breaches of the law and their contractual obligations, procedure for concluding contracts, establishing the shelf-life of food and non-food products, replacement of products or reimbursement of their cost, etc.

The Agency for Consumers Protection is the competent authority in this field. The recent amendments to the Moldovan competition legislation transposed certain provisions of the EU legislation, e.g. concerning unfair business-to-customer commercial practices, unfair terms in consumer contracts.

*Moldovan legislation is under continuous modification with the aim of harmonisation with EU regulations*

## Price controls

There are certain areas in which the Government establishes a limit on the prices for products and services, such as for state-owned land and mineral resources, transport and post services, medicines, natural gas, heating and electrical energy, etc. The state usually intervenes in the formation of prices by limiting the trade mark-up.

## Patents, trademarks and copyrights

The laws regulating intellectual property in Moldova mainly cover patents on inventions, copyright and other related rights, industrial design protection, trademarks and appellations of the origin of goods, plant variety protection and the protection of integrated circuit topographies.

The state regulatory body in charge of the legal protection of trademarks, patents and copyrights on the territory of the Republic of Moldova is the State Agency for the Intellectual Property (AGEPI).

The national legal framework in this area has been recently amended in order to achieve harmonisation with the provisions of European legislation. Moldova is a signatory to the International Convention Establishing the World Intellectual Property Organisation.

## Real estate

The ownership title and other real rights over immovable assets (e.g. servitude, usufruct, mortgage, etc.) are subject to registration in the Real Estate Register, held by the Cadastral Office. Information from the Real Estate Register is public and registrations performed in the Register are presumed to be authentic and complete, until the contrary is proved.

The ownership title over immovable assets is transferred from the seller to the buyer as of the registration of the transfer in the Real Estate Register.

Agricultural and forested lands can be bought only by the state, Moldovan citizens and Moldovan companies without any foreign investments in their statutory capital.

# Tax framework

*From the tax perspective, there are 47 operational Tax Treaties for Avoidance of Double Taxation concluded by Moldova with other jurisdictions.*

*Although not a member of the Organisation for Economic co-operation and Development (OECD), Moldova applies commentaries on the Articles of the OECD Model Tax Convention in interpreting Double Tax Treaties.*

## Corporate Income Tax

*Moldova has a competitive general corporate income tax (CIT) rate in the region – 12%. Also, the following rates are applicable:*

| Taxpayer   | CIT rate*  |
|--|------------|
| Individual entrepreneurs                               | 7% and 18% |
| Farming enterprises                                    | 7%         |
| Legal entities   | 12%        |
| Legal entities (small & medium businesses enterprises) | 3% **      |

\* For legal entities whose income is estimated through indirect methods, the 15% CIT rate is applied to the value of income in excess of the amount of gross income recorded in accounting.

\*\* The tax rate applies to income which arises from the operational activity, if conditions for applying this special regime are met (e.g. for small and medium enterprises which fulfil certain conditions).

### Deductible expenses

As a general rule, expenses incurred by a company are deductible for CIT purposes, providing these expenses:

- are deemed as ordinary and necessary;
- are aimed at deriving taxable income;
- are justified with adequate supporting documentation

#### Annual compliance to be considered

Full CIT deductibility of R&D costs

CIT depreciation based on diminishing balance method (5% to 30%)

Three-year fiscal losses carry forward, in equal instalments

Expenses incurred and determined by employers for employee transportation, meals and professional studies are deductible under specific conditions

Amount paid by taxpayers in the form of union dues and fees are deductible, being capped at 0.15% of the labour remuneration fund

As of 2015\* - TP documentation requirements in line with OECD are expected

\* Based on the information available on Medium Term Budgetary Framework for 2014 – 2016 and a draft law containing express provisions for implementing the transfer pricing regime in Moldova.

Among others, the following expenses are generally CIT deductible:

- Depreciation of fixed assets calculated using the diminishing balance method;
- Amortisation of intangible assets calculated using the straight-line method;
- Research and development expenses incurred during the fiscal year as current expenses, (certain conditions should be met);
- Business trip expenses, representation expenses and expenses on insurance of business entities, within the limits established by the Government;
- Waste, spoilage and expiration expenses, within the annual limitation established by the company's manager;
- Bad debts, under certain conditions;
- Charity and sponsorship expenses borne for the benefit of specific beneficiaries, up to 10% of taxable income;
- Interest payable, in specific conditions;
- Fiscal losses are carried forward in equal instalments for the following three years under specific conditions.



## Capital gains

Taxable gains are generally calculated as 50% of the difference between the sale price and the fiscal value of the capital assets (i.e. all costs related to the acquisition of capital assets). This taxable portion of the capital gain is then taxed at the normal tax rates.

This capital gain should be included in the total gross amount of income for the year in which the assets were sold (alienated). Capital gains may be decreased by capital losses registered in the

current or previous year. Some examples of capital assets include: shares, plots of land, options to purchase or sell capital assets, etc.

### Capital Gain

50% of the difference between the fiscal value and the sale price is considered taxable

## Withholding (WHT) taxes

### Residents

Dividends received by Moldovan legal entities from foreign legal entities have to be included in the tax return and taxed accordingly at the applicable general 12% CIT rate. The beneficiary of such dividends is entitled to credit the tax paid in the foreign country, within certain limits.

Resident legal entities making payments to individuals (other than salary payments) should withhold and pay WHT at the following rates:

|     |   |
|-----|---|
| 7%  | preliminary WHT of payments made for the benefit of resident individuals, unless such payments are tax exempt or represent employment income. The beneficiary deducts (i.e. recovers) the 7% WHT from the annual income tax due |
| 10% | final WHT of an individual's income derived from leasing, rent and usufruct of movable and immovable property, and advertising campaigns.   |
| 6%  | for dividend payouts, except for dividends for the profits received in 2008 – 2011, for which the withholding rate is 15%   |
| 15% | preliminary WHT from interest paid to individuals. The beneficiary deducts (i.e. recovers) the 15% WHT from annual income tax due.  |
| 12% | preliminary WHT from royalties paid to individuals. The beneficiary deducts (i.e. recovers) the 12% WHT from annual income tax due.   |
| 15% | preliminary WHT from interest paid to individuals. The beneficiary deducts (i.e. recovers) the 15% WHT from annual income tax due.  |

### Non-residents

Under the 2014 domestic tax provisions, the following WHT rates apply upon payments to non-residents:

|                  |  |
|------------------|--|
| 6%               | for dividend payouts, except for dividends for the profits received in 2008 – 2011, for which the withholding rate is 15%; |
| 7%<br>and<br>18% | employment related income;   |
| 12%              | for other income.  |

## Value-added tax (VAT)

| VAT    |  |
|--------|--|
| 20%    | standard VAT   |
| 8%     | certain types of supplies (e.g. bread, bakery products, milk, gas, certain pharmaceutical products, sugar, phytotechnical products, etc.)  |
| 0%*    | certain supplies (e.g. export of goods / services), international transportation, supplies to and from the territory of Free Economic Zones, import and / or supply of goods and services destined for technical assistance projects under specific conditions, etc. |
| exempt | certain supplies (e.g. financial services, passenger transportation services, etc.).   |

\* With the right to exercise the input VAT deduction

The standard VAT rate is generally applied to local supplies of goods and services as well as to goods subject to import and services subject to the reverse charge mechanism. The reverse charge refers to services rendered by a non-resident supplier to a Moldovan company, with place of supply deemed to be in Moldova (e.g. consulting services, supply of information, supply of staff, etc.) and which do not fall under any specific VAT exemption. Such reverse charge VAT is due by Moldovan company and payable to the Moldovan budget at the date of external payment.

The VAT exemption for long-term assets intended to be included in the statutory (social) capital has been reintroduced, as of January 2014, provided certain conditions are met.

Input VAT incurred on acquisitions of goods and / or services may be deducted, provided it is incurred by a VAT registered payer to perform VAT-able supplies within its business activity.

A company is required to register for VAT purposes if the total turnover within the last 12 consecutive months reached the threshold of MDL 600,000 (approximately EUR 32,700). The optional registering as a VAT payer may be performed when the threshold of MDL 100,000 (approximately EUR 5,500) is reached and other compliance requirements are observed.

Should the company register a deductible input VAT exceeding its output VAT, this balance could be partially refunded, only if the company carries out a specific range of business activities (e.g. export supplies, international transportation services, production of bakery and dairy products, leasing activity, etc.). Otherwise, this VAT amount may be carried forward to the following months and offset against the Company's future output VAT liabilities.

In addition, VAT payers performing capital investments in Moldova may be entitled to refund the recoverable VAT related to this kind of capital investment. Note that specific conditions should be met and there are a few exceptions to this rule (e.g. buildings and certain transport items). Legal entities not registered as VAT payers and performing capital investments (expenses) related to vehicles for transportation, are entitled to benefit from a refund of VAT under certain conditions.





# Taxation of resident individuals

| Resident individuals |   |
|----------------------|---|
| 7% *                 | annual income up to MDL 27,852 (EUR 1,519)  |
| 18%                  | annual income exceeding MDL 27,852 (EUR 1,519)                                      |
| 6%                   | dividend income (15% for the period 2008-2011; non-taxable prior to 1 January 2008) |
| 6%**                 | social security contribution at the level of employee                               |
| 23%                  | social security contribution at the level of employer                               |
| 4%                   | health insurance contributions at the level of both employee and employer           |
| exempt               | interest incomes from deposits placed in Moldova until 1 January 2015               |

\* In the Republic of Moldova, there are two progressive Personal income tax ("PIT") rates 7% and 18%.

\*\* The 6% employee social security contribution rate is applied to a base capped at five times the national average salary for the year, i.e. MDL 21,125 (approximately EUR 1,152) multiplied by 12.

The legislation provides an annual fixed social security contribution for other categories of taxpayers of MDL 5,748 (approximately EUR 310) and for an annual fixed amount of medical insurance contribution paid by other categories of taxpayers, which constitutes MDL 4,056 (approximately EUR 220).

## Taxation of foreign individuals

According to Moldovan tax law, foreign citizens (individuals) become Moldovan tax residents if they stay for at least 183 days during the fiscal year (which corresponds to the calendar year).

The income derived by foreign individuals falls under the same PIT rates as for resident individuals.

Based on Moldovan tax law, the object of taxation for:

- foreign citizens being Moldovan residents is the gross income, derived from (i) any source within Moldova and from (ii) abroad related to the work performed in Moldova;
- foreign citizens being non-residents of Moldova is the gross income, derived from any source within Moldova.

Employee gross remuneration income (both resident and non-resident) includes basic pay, overtime pay, supplementary pay, awards and bonuses, compensation from unused holiday or vacation time, as well as benefits in kind (e.g. housing allowances, compensation for school fees, food, personal expenses etc.).

Considering the provision of the domestic law applicable in 2014, no Moldovan social security contributions are due for foreigners seconded to Moldova and working with no local labour agreements in Moldova.

Income obtained by the individual is taxed on a cash basis.

Additionally, for foreign citizens and stateless people employed under labour agreements in Moldova, social security contributions are calculated in a similar way as for Moldovan citizens (i.e. 6% at the employee level and 23% at the employer level).

No health insurance contributions are required for foreign citizens seconded to Moldova (i.e. no local labour agreement). The respective foreigners may benefit from private optional health insurance.

Foreign individuals with local labour agreements have to pay health insurance contributions as Moldovan citizens (4% for each payer category - employers and employees).

## Other tax issues

### Rulings

Even though the law does not provide for the possibility of obtaining binding rulings, comfort letters can be obtained. Taxpayers that inadequately calculated tax liabilities due to incorrect written explanations issued by the Moldovan Tax Authorities are not subject to sanctions (i.e. fines and late-payment penalties).

### Tax inspections

Under the general tax rule, the Moldovan Tax Authorities can assess tax liabilities no later than four years after the last date established for the submission of the relevant tax report or for the settlement of that tax liability (when the submission of the tax report is not required). This limitation term does not apply in cases of tax evasion-related crimes. According to the tax law, taxpayers that erroneously calculated taxes and / or duties, and this fact has not been identified during a previous tax inspection, are exempted, under a repeated tax inspection, from fines and penalties for identified tax violations related to the periods under the repeated tax inspection.

### Transfer Pricing (TP)

TP regulations are currently at the initial stage of development, as the applicable law does not list any specific TP methods. According to the tax law in force, transactions carried out between related parties should observe the arm's length principle. Those that do not follow this rule are disregarded for tax purposes.

In accordance with the draft Moldovan tax law, a company is considered a taxpayer's related party if it controls the taxpayer, is controlled by the taxpayer, or both the company and the taxpayer are under the common control of a third party.

From a tax perspective, control is the ownership (either directly or through one or more related parties) of 50% or more in value of the capital or voting power of one of the companies. In this case, an individual is treated as owning all equity interest owned directly or indirectly by members of one's family. Two individuals are related parties if they are spouses or relatives up to the fourth degree. Losses incurred in dealings between related parties carried out directly or through intermediaries are treated as non-deductible for CIT purposes.

According to current Moldovan tax law, there are no formal TP documentation requirements. It is expected, however, that such requirements may be introduced starting 2015.

### Permanent establishments (PEs)

Under the applicable legislation, a PE is not considered as a form of legal organisation. A PE represents a purely tax concept, being registered with the MTA.

A PE may be deemed to exist if a non-resident entity carries out, wholly or partly, entrepreneurial activity on the territory of Moldova either:

- directly through a fixed place of business;
- indirectly through a dependent agent.

Under Moldovan tax law, PEs are treated as local legal entities. In general, a PE would be subject to the same tax liabilities / reporting requirements as those applicable to Moldovan companies.

Profits attributable to PEs are taxed with 12% CIT in Moldova (rate applied in 2014). Some specific CIT deductibility rules are applicable for PEs in Moldova (e.g. limited deduction for management and general administrative expenses, non-deduction of royalty and interest-related expenses etc.).

Based on the recent amendments to the VAT legislation, PEs have to follow the same VAT procedure as applicable for registered legal entities.







PASSPORT REQUIRED

US Customs and Border  
Protection requires this  
Customs Declaration  
card to be completed  
before check-in

PHOTO FACE UP

PASSPORT HERE



# Customs Framework

Moldova has been a WTO member since 2001. In general, any kind of goods and means of transport may enter and leave the territory of Moldova without any restrictions (certain limitations specifically provided by the legislation are in force, however, which cover goods and means of transport crossing the border by breaching state security, public order, environment, etc).

Both definitive and suspensive customs regimes are provided under Moldovan law. Definitive customs regimes refer to import and export, while suspensive customs regimes comprise: transit, bonded warehouse, inward processing relief (with suspension), processing under customs control, temporary admission, and outward processing relief.

Of these customs regimes, the following are deemed to have economic impact: bonded warehouse, inward processing relief, processing under customs control, temporary admission, and outward processing relief. The suspensive customs regimes allow for suspension of import duties payment, usually for a specific (limited) period and provided that certain conditions are fulfilled, whilst a customs regimes with economic impact triggers a specific economic advantage to the benefit of the company applying it (e.g. repayment of customs duties paid upon importation, application of lower customs duty rates or customs duties exemption).

There are also some environmental pollution taxes related to specific packaging and goods that importers should pay.

The Law on Customs Tariff establishes standard customs duty rates applicable upon import of goods into Moldova, depending on their specific customs tariff classification code. The Moldovan Customs Tariff is based on the Harmonised Commodity Description and Coding System (2007 edition).

Customs duty rates are generally indicated as percentages to be applied to the customs value (i.e. ad valorem duty rates) of goods imported into Moldova. The maximum ad valorem standard customs duty rate is 30%. There are also specific customs duty rates established, as well as combined rates.

The customs valuation is generally performed in accordance with the customs valuation principles in the General Agreement on Tariffs and Trade (GATT).

The customs value is determined based on one of the six provided valuation methods (i.e. transaction value, transaction value of identical goods, transaction value of similar goods, deductive value, computed value, and reserve method). If the first method is not applicable, then the second method should be applied and so forth.

A preferential tariff treatment presumes a reduction of or exemption from customs duty, which may also be applied within a specific allowance (settled either as value or quantity).

A preferential tariff treatment is granted for specific categories of goods depending on their origin and in accordance with the free trade arrangements (FTAs) to which Moldova is a party. Moldova has concluded FTAs to date with most of the Commonwealth of Independent States (CIS) countries and is also a Central European Free Trade Agreement (CEFTA) contracting state.

A favourable tariff treatment presumes a reduction or an exemption from customs duty upon import of specific goods into Moldova, depending on their type or final destination, according to domestic customs law or international agreements to which Moldova is a party.

Moldovan customs law provides the following exemptions, among others, from customs duty:

- Goods imported by individuals for personal use, not exceeding a specific threshold
- Goods released in Moldova under transit, bonded warehouse, or inward processing relief regimes
- Moldovan goods previously exported and released back within a three-year term in the same status, as well as compensatory products obtained under outward processing relief
- Certain movable goods imported by legal entities carrying out leasing activities for the purpose of paying off their contractual liabilities derived from lease agreements concluded with Moldovan individuals or legal entities.

Moldovan customs legislation also provides for:

- The concepts and procedures of post-clearance inspection;
- The obligation of individuals and companies to maintain the necessary documents for customs inspection for six years; and
- The obligation of individuals and companies that perform external trade transactions to maintain the related documents for the purposes of post-clearance inspection for five years.



# Foreign Direct Investment

## Total FDI

Net flow of foreign direct investment into the national economy increased considerably in 2013, amounting to USD 231.3 million (net value), with an increase of 32.1% compared to 2012. Net foreign direct investment flow is differentiated by sector.

The inflow of net direct foreign investments into the economy of Moldova amounted to USD 348.1 million in 2013, compared to USD 350.1 million in 2012. The biggest portion was allocated towards share capital - 52.8% (USD 183.9 million). Outflows related to FDI were valued at USD 116.7 million, compared to USD 177.4 million in 2012, mainly due to repayments of loans previously contracted from foreign investors (65.1% of total outflows).

Total stock of foreign direct investment gained by 31 December 2013 was valued at USD 3,668.3 million, consisting of: equity in the share capital and reinvested income amounting to USD 2,709.5 million and intercompany loans (other capital) - USD 958.8 million.

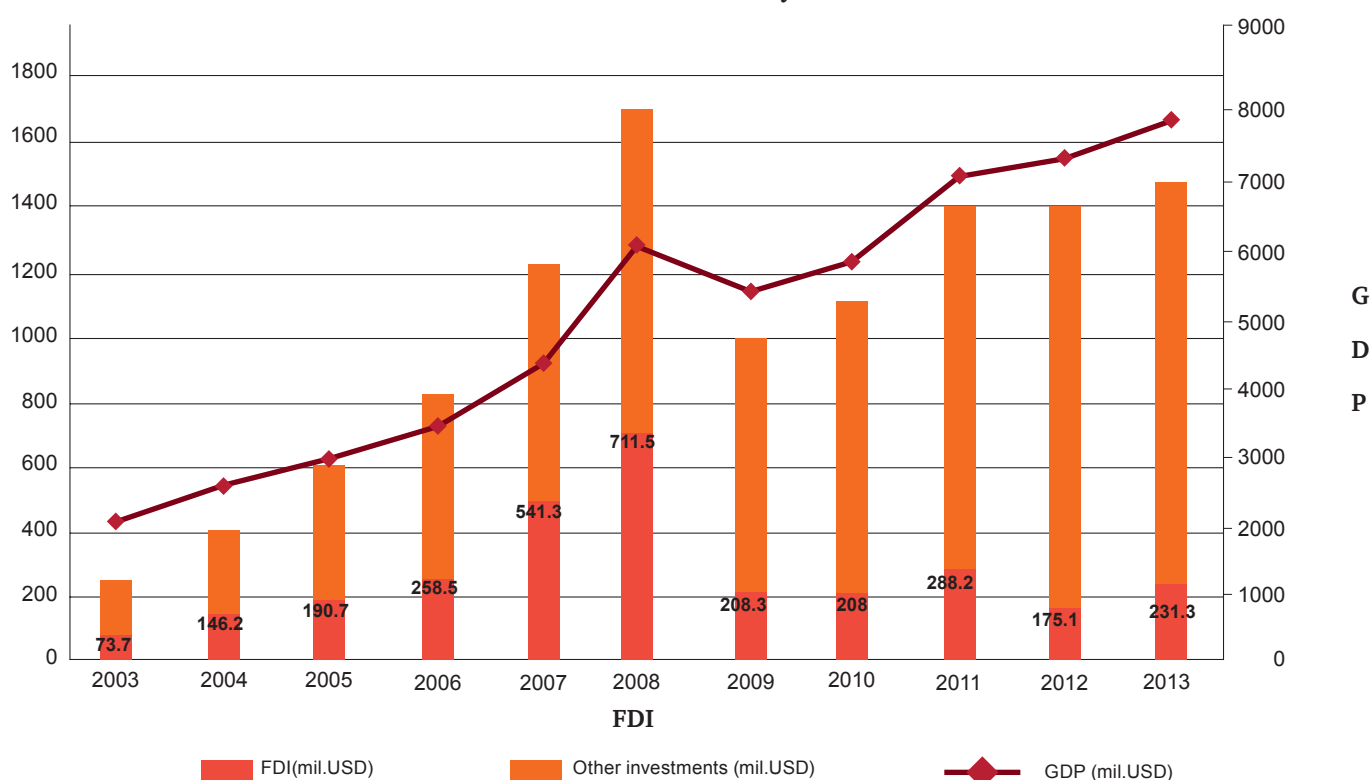
Two thirds of the foreign capital present in the Republic of Moldova is invested in joint venture companies, while the rest belongs to companies in foreign ownership. From the

perspective of the total capital value and also from the numerical perspective, companies with foreign capital are concentrated in the category of companies with a large share of foreign capital (75 - 100%), indicating that foreign investors prefer to control the management of companies as much as possible, or even integrally.

Companies with foreign capital are larger than the local ones and promote a more active investment policy in comparison to companies with domestic capital. Large-scale production, better economic performances and greater access to external financial sources has made it possible for companies with foreign capital to register essentially bigger inflows of tangible and intangible assets during recent years. During that period it has also been demonstrated that, with some exceptions, companies oriented towards satisfying internal demand promote a more active investment policy compared with those oriented mainly towards exports.

The ratio of FDI flow into the economy of Moldova in GDP was 2.9% in 2013.

Investment activity



Source: National Bureau of Statistics

## Major Foreign Investments



**BCR**



**LUKOIL**



**DANUBE  
LOGISTICS**



**MEGAPOLIS MALL**  
CENTRUL COMERCIAL - DISTRACTIV



Dräxlmaier




**METRO**



**GG**

**Gebauer & Griller**

DEZVOLTĂM ÎMPREUNĂ SPIRITUL DE ECHIPĂ



**MOBIAS  
BANCA**  
GROUPE SOCIÉTÉ GÉNÉRALE



**EFES**  
MOLDOVA



**Moldcell**



gasNatural  
fenosa



**orange™**



**KNAUF**



**ProCredit Bank**



**LAFARGE**  
dam *viata* materialelor™



**Raiffeisen  
LEASING**



**LEAR**  
CORPORATION



**SÜDZUCKER**

*Western NIS Enterprise Fund*



# Incentives for investors

## Information technology (IT) industry

During 2012 - 2016 Moldovan companies whose main activity is software development (IT companies) and their employees may benefit from a range of tax incentives (subject to specific conditions being met).

Employees of IT companies may benefit from personal income tax (PIT) incentives for employment salaries earned from such companies – standard taxation being limited to certain monthly amounts (i.e. two national average forecasted salaries). PIT incentives are applicable only for salary income. Other types of income that do not refer to salary remuneration (e.g. benefits in kind, material aids, etc) are taxed at the standard rates.

Monthly social security contributions at the level of IT companies are also limited to the income capped at two national average forecasted salaries.

## Incentives for the residents of Free Economic Zones and Industrial Parks

For details, please refer to the Success Stories section..



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# Investment support

## Openness to Foreign Investment

Moldova continues to take steps towards developing a stronger economy, reforming a cumbersome regulatory framework, combating corruption and adopting reforms aimed at improving the business climate. Poor physical infrastructure, cumbersome licensing procedures, excessive permit requirements and proliferation of fee-for-services to public authorities and commercial organisations all contribute to a business environment that remains among the most challenging in the region. For example, in the Doing Business Dealing with Construction Permits indicator, Moldova ranks 168th out of 185 countries and has twice as many procedures as the average for OECD countries.

After a prolonged recession in the 1990s, GDP has grown for seven straight years and inflation has decreased. Moldova, which is consistently ranked among the poorest countries in Europe, relies heavily on investments, foreign trade and remittances sent by Moldovans working abroad for economic growth. Recent years have seen an increase in foreign direct investment (FDI) as investors have taken advantage of the eastward expansion of the European Union (EU), which has bordered Moldova since the accession of Romania on 1

January 2007. The Government of Moldova has made efforts to tackle some obstacles to investment, such as corruption and red tape. Furthermore, Moldova has declared European integration a strategic objective. The country had an Action Plan with the EU that set out a roadmap for democratic and economic reforms and the harmonisation of Moldovan laws and regulations with European standards.

The Government has created an adequate legal base, including favourable tax treatment for investors. Under Moldovan law, foreign companies enjoy the same treatment as local companies (national treatment principle). The Government views investments as vital for sustainable economic growth and poverty reduction. The amount of foreign direct investment (FDI) is far below the country's needs, however, so the Government continues to add incentives to attract FDI.

In July 2012 the Moldovan Parliament approved the National Development Strategy (NDS) "Moldova 2020". The NDS "Moldova 2020" was developed through broad-based consultations with stakeholders and civil society. Attracting FDI is critical to enhancing several pillars of the NDS.

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# Human capital

## Demographic data

### Population

The Republic of Moldova has a population of 3.5576 million. Moldovans represent the largest ethnic group (75.8%), followed by Ukrainians and Russians (8.4% and 5.9% respectively) and smaller minorities such as the Gagauz minority (an ethnic group of Turkish origin, 4.4%) and Bulgarians (1.9%).

According to the latest data, 42.2% of the population live in urban areas. Chisinau municipality has a population of 804.5 thousand people and the Balti municipality has 149.8 thousand people.

### Language

The main language spoken in Moldova is Romanian, although Russian is also commonly spoken and business is often conducted in one of these two languages. In addition, many Moldovans speak English, French and / or Italian.

### Education

The Moldovan state education system includes primary, secondary, technical and higher education institutions. Education is mandatory for Moldovan citizens up until the age of sixteen. The Government ensures free access to education at all levels according to approved quotas. There are 1,545 educational institutions in Republic of Moldova, with the majority of them being State owned.

During 2013, the economically active population was around 1.2359 million people. Of the total occupied population of 1.1728 million, 25.4% have completed higher education studies, 14.6% have completed technical education, with 22.2% having completed secondary, 19.2% lyceum, 17.8% gymnasium and 0.7% primary education.

| <i>Students by Indicators, Types of institution and Years</i> |                                 |                |                |                |                |                |
|---|---------------------------------|----------------|----------------|----------------|----------------|----------------|
|   |                                 | <i>2008/09</i> | <i>2009/10</i> | <i>2010/11</i> | <i>2011/12</i> | <i>2012/13</i> |
| Thousand  | Total                           | 607.9          | 579.8          | 557.9          | 537.1          | 518.8          |
|   | General schools                 | 436.1          | 415.5          | 396.5          | 381.4          | 366.0          |
|   | Vocational schools              | 24.3           | 22.2           | 21.4           | 20.3           | 19.6           |
|   | Colleges                        | 32.7           | 32.2           | 32.2           | 31.4           | 30.7           |
|   | Higher educational institutions | 114.9          | 109.9          | 107.8          | 103.9          | 102.5          |
| Per 10,00 inhabitants   | Total                           | 1,704          | 1,627          | 1,566.9        | 1,508          | 1,461          |
|   | General schools                 | 1,222          | 1,166          | 1,113.6        | 1,071          | 1,032          |
|   | Vocational schools              | 68             | 62             | 60.2           | 57             | 55             |
|   | Colleges                        | 82             | 90             | 90.3           | 88             | 86             |
|   | Higher educational institutes   | 322            | 308            | 302.8          | 292            | 288            |

## Labour costs

### Employment income

Employee gross income includes:

- basic pay;
- overtime pay;
- supplementary pay;
- awards and bonuses;
- compensation from unused holiday or vacation time; and
- benefits in kind (e.g. housing allowances, compensation for school fees, food and personal travel expenses).

Moldovan tax law provides for special rules (i.e. tax exemption) regarding income obtained by members of diplomatic missions, and other missions accredited as such, and their personnel.

The annual personal allowance provided for Moldovan residents is MDL 9,516 (approximately EUR 520). Individuals can also benefit from a spouse's exemption of the same amount, provided the spouse does not use it in the respective year.

In addition, individuals benefit from an annual allowance of MDL 2,124 (approximately EUR 120) for every dependant (except for those disabled since childhood, who are entitled to MDL 9,516 (approximately EUR 520) exemption per year)). If a dependant has several carers, exemptions for dependants will be given to every carer.

### Social security contributions

Contributions to the Social Fund are mandatory for Moldovan citizens, but unlike taxes they have an exact destination and are available for refund to the taxpayer in the form of pensions, allowances, etc.

For more details on social security contributions, please refer to the "Taxation of individuals" section above.

### Health insurance contributions

The mandatory health insurance contribution, calculated as a percentage of wages and other forms of payment and remuneration.

For more details on health insurance contribution please refer to the "Taxation of individuals" section above.

### Temporary work incapacity related costs

Allowances for temporary work incapacity due to common illnesses or accidents unrelated to work (with some exceptions) are paid as follows:

- the first five calendar days - paid by the employer;
- starting with the sixth calendar day – paid by the social security state budget.





## Salary inflation history and forecasts

PwC Moldova annually (since 2007) performs a Salary and Benefits Survey – PayWell Moldova. The participants in the PayWell Moldova Survey are companies from different industries (i.e. IT&C, FMCG & Industries, Pharma, and Banking) including the leaders on the Moldovan market.

The table below describes the average monthly salary in the Republic of Moldova for the period 2010-2012 from the data from the National Bureau of Statistics in comparison with the PayWell Moldova Salary and Benefits Survey.

|                                   | 2011                             | 2012                              | 2013                | 2014                           |
|-----------------------------------|----------------------------------|-----------------------------------|---------------------|--------------------------------|
| The National Bureau of Statistics | MDL 3,193 (EUR 174)              | MDL 3,478 (EUR 190)               | MDL 3,765 (EUR 205) | MDL 4,225 (EUR 230) forecasted |
| PayWell Moldova                   | MDL 5,578 (EUR 304) (75% higher) | MDL 5,560 (EUR 303), (66% higher) | MDL 6,714 (EUR 366) | N/A                            |

## Labour regulation

Labour relations in Moldova are regulated by the Labour Code (effective as of 1 October 2003), Collective Labour Conventions (at national, territorial, branch and company level) and other special laws (e.g. Law on wages). Labour legislation provides employees with minimum guarantees which cannot be worsened or limited by an employment contract. Certain aspects of employer - employee relations are governed by internal regulations adopted at the company level by the employer (e.g. staff handbook).

### Trade unions

Traditionally, trade unions were very tough in labour relations negotiations. They are currently effective in obtaining minimum wage legislation, as well as other basic rights for employees. They also conclude annual collective labour agreements at different branch and company levels.

Union membership for employees is not compulsory, but unions still have a high level of influence in large and state-owned enterprises. In small private companies they tend to be less active.

Employers should ensure the necessary conditions for the activity of unions. Unions have no right to participate in the management of a company and its commercial activity. Nevertheless, sometimes the employer should take the opinion

of the trade union into account when adopting internal regulations (i.e. internal policies) or dismissing trade union members.

### Salaries and wages

An employer may not negotiate and establish a basic salary lower than the national minimum gross salary. This is currently MDL 1,650 (about EUR 90) per month for privately-owned companies.

The national average monthly salary is MDL 3,765 (about EUR 200) in 2013, having increased by 8.3% from the previous year. Currency regulations demand that salary payments be made in local currency (MDL), including those to foreign staff.

### Employment contracts

The conclusion of written individual employment contracts with all employees is compulsory. The contract should contain provisions concerning the employee position, salary level, working conditions and other mandatory issues.

As a general rule, employment contracts are concluded for an indefinite period. Fixed-term employment contracts may be concluded only in specific situations provided for by the Labour Code. Employment contracts may provide for a trial period of employment up to six months.

## Working Hours

The standard working week stated in the Labour Code is 40 hours, over five or six working days a week, but generally from Monday to Friday.

The law defines limits and rates for overtime, holiday / weekend and night work. Working hours on weekends or holidays can be either compensated with free time or paid. Overtime is generally paid as 150% of the hourly rate for up to a specified number of hours and 200% beyond that.

## Paid Holidays

Annual paid vacations are established at a minimum of 28 calendar days a year. Additional paid leave can be given to employees for special occasions such as a marriage, birth of a child, death of relatives, study, etc. Sick and maternity leaves are paid from the Social Insurance Budget.

## Termination of Employment

An individual employment contract may be terminated at the initiative of the employers on the specific grounds stipulated by the Labour Code (e.g. failure of trial period, staff redundancy, systematic non-compliance with regulations / requirements or absence of the employee from the working place, theft, etc).

The Labour Code gives additional protection to specific categories of employees, including minors, female employees, employees with children, union members and various other categories. There are specific situations in which employment cannot be terminated by the employer (e.g. during sick leave or maternity leave).

Severance payments may appear in specific situations such as termination of the contract due to liquidation of the employer, staff redundancy or when the employee's health situation restricts his performance in the position held, or the employee is insufficiently qualified based on a decision of the attestation commission.

## Foreign workers

Foreign citizens who work in Moldova based on a local labour contract or those seconded to Moldova have to obtain a work permit. Specific incentives in obtaining the work permits are provided for the management of large companies with foreign investments.

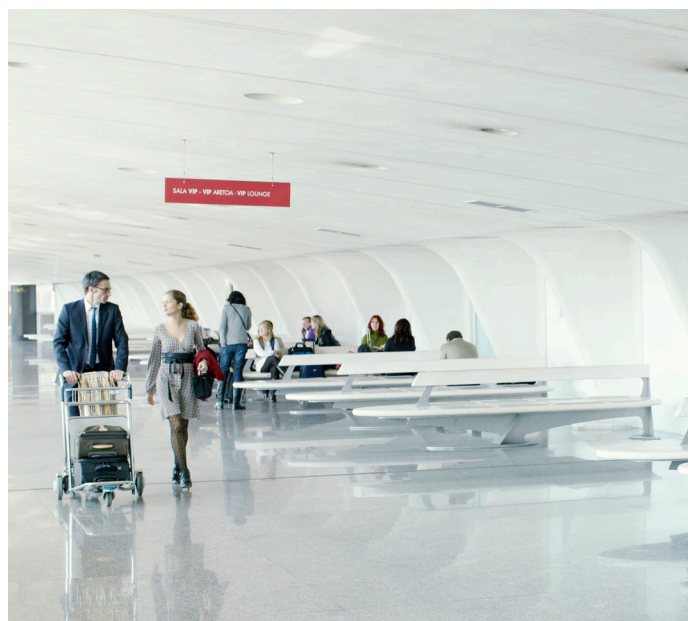
# Infrastructure

| 2013  |          |  |           |
|---|----------|--|-----------|
| Volume of goods transported by public transport enterprises (thousand tonnes) |          | Number of transported passengers by public transport enterprises (thousands) |           |
| railway   | 5,431.4  | railway*   | 3,768.2   |
| auto  | 8,184.1  | bus and micro-bus  | 114,644.8 |
| naval   | 162.6    | naval  | 116.4     |
| air   | 1.3      | air  | 655.0     |
| Total transported goods   | 13,779.4 | Total transported passengers   | 120,101.6 |

\*January – November 2013  
Source: National Bureau of Statistics

## Air Transportation

Ten air carriers operate in Moldova and perform regular flights. The biggest air carriers are the public enterprise “Air Moldova” and the private company “Moldavian Airlines”. Foreign airline companies present in Moldova are: Austrian Airlines, Carpatair, Air Baltic, Turkish Airlines, Wizzair, FlyDubai, Tandem Aero, S7 Airlines, Tarom, Meridiana, Lufthansa, Atlasjet, AeroSvit and Utair.



| Commercial air transport |            |                          | Scheduled flights |                          |
|--------------------------|------------|--------------------------|-------------------|--------------------------|
| Year                     | Passengers | Freight and mail, tonnes | Passengers        | Freight and mail, tonnes |
| 2005                     | 480,785    | 1,726                    | 447,593           | 1,540                    |
| 2006                     | 546,633    | 1,838                    | 511,315           | 1,652                    |
| 2007                     | 687,221    | 2,262                    | 647,361           | 2,136                    |
| 2008                     | 845,926    | 2,469                    | 834,084           | 2,225                    |
| 2009                     | 806,583    | 2,021                    | 797,586           | 1,865                    |
| 2010                     | 936,226    | 2,398                    | 928,761           | 2,305                    |
| 2011                     | 1,044,785  | 2,710                    | 1,036,587         | 2,646                    |
| 2012                     | 1,220,496  | 2,766                    | 1,209,490         | 2,662                    |
| 2013                     | 1,321,362  | 2,819                    | n/a               | n/a                      |

Source: National Bureau of Statistics



## Road transportation

The country has more than 9,500 km of roads, but only 8,700 km have rigid surfacing: 3,300 km of national roads and 6,100 km of local ones. 93% of roads need repair. There are no motorways and in winter snow can make some areas temporarily impassable.



## Railway transportation

The State Enterprise “Calea Ferata” runs Moldova’s railroad. The railway network, totalling 1,138 km (707 mi) of track, still needs considerable investment.

The entire length of the Moldovan railway network is single track and not electrified. Much of the railroad infrastructure is still in a poor state, with all of the rolling stock being inherited from the former Soviet Union. The average speed for commercial passenger trains is 35 – 40 km/h (22 – 25 mph including stops).

Substantial investments have been made in building new railway lines since 2003, however, with the goal of connecting Chisinau to southern Moldova and eventually to the Giurgiulesti terminal. The first such segment was the 40 km (25 mi) Revaca–Cainari line, which opened in 2006.

Connections exist to Ukraine at Kuchurhan, Mohilyv-Podil’s’ky, Ocnita. The track between Basarabeasca and Reni crosses the border back and forth. Note that the Kuchurhan crossing as well as the Tighina–Tiraspol–Kuchurhan segment are under the control of the Transnistrian separatist authorities, the circulation of trains on the route depend on the level of political tensions between the separatists and the Government of Moldova.



Between Moldova and Romania there is a break-of-gauge (Romania employing standard gauge). The most important crossing (including gauge changing equipment) is Ungheni-Iasi, with another two at Cantemir-Falciu and Giurgiulesti-Galați. International passenger trains run to Bucharest, Kiev, Minsk, Saint Petersburg and Moscow.



## Naval transportation

Giurgiulesti International Free Port (GIFP), Moldova’s only port accessible to sea-going vessels, is situated 133.8 km up the River Danube in the South of Moldova. GIFP serves as the only direct sea / river-borne transshipment and distribution point to and from Moldova.

# Key locations for investments

*Moldova has designated areas where domestic and foreign investors can carry out entrepreneurial activities under preferential terms and conditions (i.e. favourable tax, customs and other regimes).*

*These designated areas are the Free Economic Zones (FEZ) and Industrial Parks (IP).*

## Free Economic Zones

FEZ are parts of the Moldovan customs territory, separate from the economic perspective, in which local and foreign investors may carry out entrepreneurial activities under a preferential regime, i.e. benefiting from special guarantees and facilities (tax, customs, regulatory, immigration, etc.).

FEZ are created for a period of at least 20 years. Moldova currently has seven FEZ, established between 1996 and 2011, located all over the country's regions. There is also an international free port (South) and airport (North-East), with status similar to FEZ.

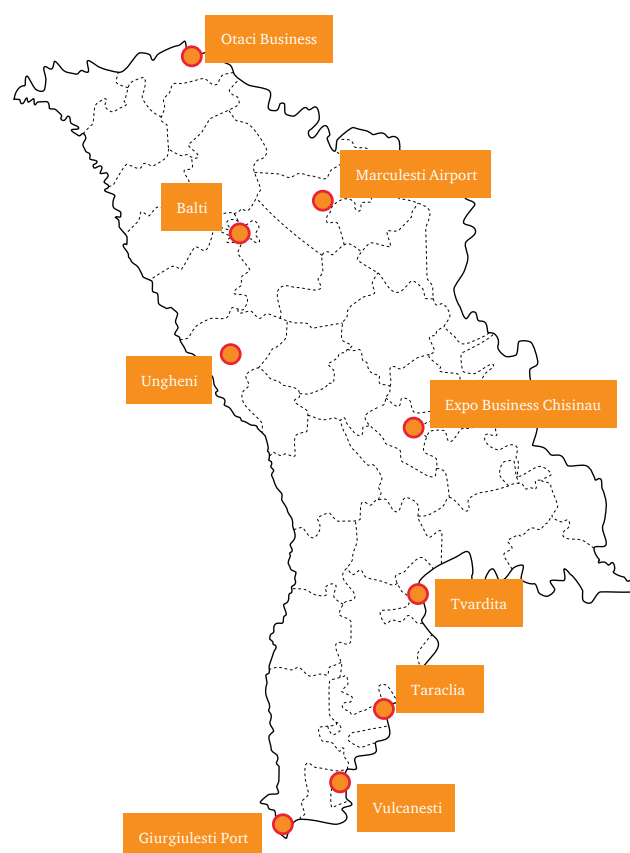
FEZ residents should be registered in Moldova (legal entities with local, mixed or foreign capital) and are selected by FEZ Administration, based on the investment amount and type, infrastructure available / to be created, type of activities to be carried out, etc.

The following types of activities may be carried out in FEZ:

- Industrial production of goods for export (apart from ethylic alcohol and alcohol products);
- Sorting, packing, labelling and other similar operations for goods which transit through Moldovan customs territory;
- Other auxiliary activities necessary for the basic activities above (e.g. utility services, warehousing, construction, catering etc.);
- External commercial activity (i.e. wholesale of goods imported into FEZ outside Moldova and offered for export).

Each type of activity within FEZ is subject to a separate time-limited authorisation issued by FEZ Administration.

Investments within Free Economic Zones in Moldova now total up to USD 197.9 million, with USD 28.5 million being invested in 2013 (an increase of 14.6% from 2012). As of 1 January 2014, 158 residents were registered in the seven Free Economic Zones. The number of employees working in the FEZ as at the end of 2013 amounted to 6,896 people, an increase of 5.9% from the number in 2012.



**FEZ “Expo-Business-Chisinau”** operates in Chisinau, for the period 1995 - 2025. Area managed as free zone – 23.6 ha (the land is used 100%). In 2013 it had 41 registered residents from 14 countries. Total investments since the establishment of the FEZ amount to USD 53.9 million.

**FEZ “Balti”** operates near Balti City, in the northern part of the country. It was created in 2010 for a period of 25 years. FEZ “Balti” is composed of four areas: subzone 1 (2.02 ha), subzone 2 (10.35 ha), subzone 3 (110 ha) and subzone 4 (12 ha). In 2013, it had 28 residents, including key investor “Draexlmaier Automotive” Ltd and, as of late 2012, “Gebauer & Griller”, one of the leading providers of cables and wires, with an investment of around USD 28 million. Total investments since the establishment of the FEZ amount to USD 39.3 million.

**FEZ “Ungheni-Business”** is located near the city of Ungheni, in the central region of Moldova, on the west border with Romania. It was established in 2002 for a period of 42 years. The total area of the FEZ is 42.34 ha divided into the main territory and four sub zones. In 2013, there were 35 residents registered. Total investments since the establishment of the FEZ amount to USD 55.8 million.

**FEZ “Otaci-Business”** was established in 1998 for a period of 25 years. FEZ “Otaci-Business” is located in Otaci, Ocnita District. It has two sub-zones, of 32.17 ha and 1.02 ha respectively. In 2013, nine companies were registered as residents of FEZ “Otaci-Business”. Total investments since the establishment of the FEZ amount to USD 3.4 million.

**FEZ “Taraclia”** was established in 1998 for a period of 25 years. Taraclia FEZ is located in the south region of Moldova, in Taraclia District. The Free Zone is located along the railway Chisinau-Besarabka-Reni, on the territory of several industrial enterprises, its total area being of 36 ha. In 2013 there were 10 residents registered. Total investments since the establishment of the FEZ amount to USD 15 million.

**FEZ “Valkanes”** was created in 1998 for a period of 25 years. It is the only FEZ located in the Gagauzia region, 6 km from Vulcanesti. FEZ “Valkanes” has an area of 122.3 ha divided in two sectors (78 ha and 44.3 ha respectively). In 2013 there were 30 residents registered. Total investments since the establishment of the FEZ amount to USD 15.1 million.

**FEZ “Tvardita”** is situated on the south of the Republic of Moldova. It was created in 2001 for a period of 30 years. The FEZ area is 3.57 ha. In 2013, five residents were registered. Total investments since the establishment of the FEZ amount to USD 15.5 million.

**Marculesti International Free Airport** was established in 2008 for a period of 25 years. It operates on the territory of the ex-military aerodrome of Marculesti. It has a dual-purpose

airfield, used for military and civil air transportation, international passenger and freight transportation, and for the fulfilment of requirements for national defence, security and international commitments of the Republic of Moldova.

The land within the limits of the Free Airport has an area of 265.23 ha, consisting of the airfield and the development region. The land is managed by the State Enterprise “Marculesti International Airport” as general investor.

**Giurgiulesti International Free Port (GIFP)** was established in 2005 for a period of 25 years. It is located 133.8 km up the river Danube, which is included in the Rhine-Main-Danube waterway corridor, in the South of Moldova with its territory bordering directly with Romania and the Ukraine. It has a territory of 120 ha, including a petroleum terminal, a cargo port and an industrial free zone. GIFP is capable of receiving both inland and sea-going vessels.

GIFP is within the private ownership of its general investor and operator ICS Danube Logistics SRL, a company owned by Danube Logistics Holding BV and EBRD. Unlike those of FEZ, the residents of GIFP may carry out any activity ordinarily allowed throughout the Republic of Moldova, including: port and transport services; manufacture of industrial products, including oil products; transportation, processing, packaging and finishing of goods; wholesale trade; paid services, etc. There is no minimum investment requirement to become a GIFP resident. In 2013, there were 41 residents registered.



# Industrial parks

An industrial park is a defined area with technical and production infrastructure, where economic activities, mainly industrial production, provision of services, employment of scientific researches and / or technological development, may be carried out, benefitting from specific incentives. The law on industrial parks was adopted in 2010.

An industrial park may be created for 30 years either on the territory of state or private enterprises, through green field investments or by means of public private partnerships. In practice, an industrial park is created by means of obtaining the title of industrial park by an enterprise on the basis of Government decision. This enterprise becomes the administrator of the industrial park, i.e. it can also act as the resident of the industrial park.

Any legal entity registered in Moldova (legal entities with local, mixed or foreign capital) can become an industrial park resident on the basis of a contract concluded with the administrator-enterprise, aiming to carry out such activities as industrial production, service provision, implementation of the scientific researches and / or technological development within the industrial park.

During 2010 - 2011 three enterprises obtained the title of industrial park on the basis of Government decisions:

**Industrial park “Bioenergagro”** is in Tarigrad, Drochia District in the northern part of Moldova. The area of this industrial park is 13.49 ha. It is a private industrial park. The title of industrial park was offered by the Government to “Bioenergagro” LLC, including the plot of land in their private ownership, in order to implement the first investment project on the Biogas production complex by the “Bioenergagro” LLC.

**Industrial park “Tracom”** is located in Chisinau on a territory with an area of 32.26 ha. It has the necessary infrastructure for residents to be able to perform their activities in the following areas: manufacturing of machinery and equipment, electrical and electronic production, manufacture of metal articles and IT.

**Industrial Park “Cimişlia”** is located in Cimişlia city on a territory with an area of 40 ha. It is currently under construction. According to the project, the areas of specialisation of this Industrial Park will mainly be the following: manufacture of dairy products, oil production, manufacture of starch and starch products, and meat production, processing and preserving.

Based on the objective of creating a network of industrial parks throughout the country, four additional enterprises obtained the title of industrial park in 2013:

**Industrial park “S.A. Raut”** is located in Balti, specialising in machinery and equipment production, electrical and electronic equipment manufacture. The total value of the investment proposed for this project amounts to about EUR 25 million, including renovation of the technical and production infrastructures, with connection to the industrial park, and the construction / renovation of production facilities by the future residents of the park.

**Industrial park “S.A. CAAN”** is located in Straseni, specialising in manufacture of metal pieces / parts, refrigeration equipment and also winemaking equipment and packaging. Total value of investments for the development and production rehabilitation of the industrial park is expected to reach EUR 27 million.

**Industrial park “SRL Eco Garant”** is located in Edinet. The investment project provides an investment of more than EUR 25 million for the construction of a factory (production of concentrated juice from fruits and vegetables), as well as the establishment of at least 1,000 permanent and seasonal jobs.

**Industrial park “La Triveneta Cavi Development”**, located in Straseni, specialising in the production of low and medium voltage cables, optical fiber manufacturing and other. A value of about EUR 25 million is provided for investments in the creation and development of technical and production infrastructure of the industrial park.

There are also other places, identified on the basis of feasibility studies (all the studies are available at the address: <http://mec.gov.md/studii-de-fezabilitate/>), suitable for the establishment of industrial parks (Edinet, Falesti, Balti, Hincesti, Cantemir, Cainari).

# FEZ and IP incentives overview

With the aim of attracting investment, Moldova offers incentives for the residents of FEZ and Industrial parks.

## FEZ incentives

### *Protection of FEZ residents against legal acts worsening the applicable regimes*

Should newly-adopted laws ("New Law") worsen the conditions of FEZ residents' activity in respect of customs, tax and other regimes provided for by the previous laws concerning FEZ ("Old Law"), FEZ residents may benefit from the regimes provided by the Old Law for:

- 10 years as of entry into force of the New Law, but not more than the period of FEZ operation (general rule);
- The whole period of operation within FEZ, but not more than 20 years of entry into force of the New Law (special rule applicable to residents whose investments in the fixed assets of FEZ-company or in the development of FEZ infrastructure exceed USD 200 million).
- The Old Law will be applicable for the mentioned period to FEZ residents' activity within the investment projects registered before the entry into force of the New Law.

### *Special tax and customs regimes*

For 2014, the following CIT incentives for FEZ investors are applicable:

- Entities established in the FEZ and which export goods and services from FEZ to outside the customs territory of the Republic of Moldova or deliver the produced goods to other FEZ residents for goods to be exported are entitled to apply 50% of the applicable CIT rate on such income. For other cases, the CIT rate is 75% of the established one;
- The income obtained from exports of goods (services) originating from the FEZ to outside the customs territory of the Republic of Moldova or from supply of the produced goods to other FEZ residents for goods to be exported is CIT exempted for a period of three years, provided the FEZ residents invested a capital equivalent of at least USD 1 million in the fixed assets of their enterprises and / or in the development of the infrastructure of the FEZ;
- The income obtained from the export of goods (services) originating from the FEZ to outside the customs territory

of the Republic of Moldova or from supply of the produced goods to other FEZ residents for goods to be exported is CIT exempted for a period of five years, provided that the FEZ residents invested in the fixed assets of their enterprises and / or in development of the infrastructure of FEZ capital equivalent to at least 5 million USD.

From a VAT perspective, goods and services supplied in the FEZ from abroad, from FEZ outside the customs territory of the Republic of Moldova, in the FEZ from other areas of Moldova and those supplied to residents of other FEZ are subject to 0% VAT.

According to the customs provisions, goods are introduced into the FEZ with no import VAT or customs duty and are not subject to economic policy measures, according to specific criteria. Certain taxes in specific situations might be incurred by residents of the FEZ, however. Investors in the FEZ are guaranteed and protected from changes in legislation for a general period of up to ten years, while under certain conditions this period may be extended to 20 years.

### *Transfer of profits, currency repatriation rules*

Monetary means obtained by foreign investors as profits (dividends) or from the sale of their shareholding in companies - FEZ residents, or resulting from reorganisation / winding up of companies - FEZ residents may be freely transferred outside of the Moldovan territory, after fulfilling tax liabilities.

The provisions on foreign currency repatriation are applicable to the export-import transactions between FEZ residents and foreign entities. These rules do not apply to transactions between FEZ residents and other Moldovan legal entities operating outside FEZ, however

### *Special visa and work permits regime for foreign workers of FEZ residents*

A simplified procedure of work permits issuance is provided for the foreign workers of FEZ residents. No consular fee is required for the issuance of business visas for foreign workers of FEZ residents.



## Industrial Parks incentives



IP Residents and IP Administration may benefit from the following real estate facilities and Government support:

- Free of charge change of the category of land with agricultural destination;
- Entitlement to privatise public property land associated with constructions, at the price land established by law;
- Free of charge transfer of public property assets with the purpose of industrial parks establishment upon owner's decision;
- Application, by the administrating enterprise, of the reduction coefficient down to 0.3 of the tariff set for the annual lease payment for the public property land;
- Optimisation of state inspections.

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## Labour & education overview

Most of the FEZ and IP are located near or within the biggest cities in Moldova (Chisinau, Balti, Ungheni, Drochia).

Most of the universities, professional and vocational schools are located in Chisinau.

FEZ “Balti” is located near the Balti City in the north region of Moldova. In Balti there are several higher and medium education institutions, including Balti State University, Dniester Institute of Economics and Law, Balti Polytechnic College, Medical College, Technical-Railway College, Light Industry College, a lyceum, professional and vocational schools, etc.

FEZ “Valkanes” is located near the town of Vulcanesti. There are two high schools, two secondary schools and a gymnasium.

Ungheni City is located in the east-central part of Moldova, on the border with Romania. Its population is 38,400 people, with 62% being economically active. There are six high schools, two secondary schools, two primary schools, a boarding school, a multipurpose school, Medicine College, Agribusiness College, two sports schools, a hospital and two medical centres.

The district where FEZ “Taraclia” is located has 21 schools, a State University and a vocational college.

The Free International Airport Marculesti is located close to former military-industrial complex. In the surrounding areas (Floresti and the neighbouring villages) there are three vocational schools, which prepare workers in different fields (construction workers, mechanics, electricians, operators, etc.).

# Local transportation

Most of the FEZ are located at the intersection of national roads and do have access to railways.

## **FEZ “Expo-Business Chisinau”**

- 1 km to International Airport Chisinau
- International road Chisinau-Odessa
- 150 km to Free International Airport Marculesti
- 240 km to Giurgiulesti International Free Port

## **FEZ „BALTI”**

- International route – 1 km from E583 European road (Vienna-Uzhgorod-Chisinau-Odessa-Rostov/Don)
- National route – location at the crossroads of the international road M4 (Balti-Floresti-Soroca) and the ring road with direct access to the national road Balti-Chisinau and the international road M14 (Balti-Edinet-Cernauti)
- Railway – located at the intersection of three railway lines (Balti-Rabnita, Balti-Ungheni, Balti-Ocnita), there are two stations (Balti-Slobozia Station, called the North Station, and Balti-City Station, called the West Station)
- Balti International Airport (Leadoveni) at 10 km and Marculesti International Airport
- Railway at a distance of 1 km

## **FEZ „Otaci-Business”**

- The national route is located at a distance of 500 m from the FEZ and the nearest railway station – Valcinet – is situated at a distance of 1 km
- Access through the routes Otaci-Ocnita, Otaci-Soroca, Otaci-Balti

## **FEZ „Valkanes”:**

- Proximity to the Romanian border (Giurgiulesti customs) – 50 km, and to Ukraine - 1 km
- Main railway linking the FEZ with the Danube port of Reni (Odessa region, Ukraine) – 38 km
- Distance to Galati (Romania) – 60 km, to Odessa – 260 km, to Ismail – 60 km, to Chisinau – 180 km
- The closest airports are located in Chisinau – 180 km, and Cahul - 35 km
- Located close to the international route M3 Giurgiulesti-Chisinau







### ***FEZ „Ungheni-Business”***

- Access to the Russian-type railway, the European-type railway is located at 2 km
- Chisinau International Airport is located at 140 km
- Marculesti International Free Airport is located at 105 km
- The distance to the national road is 1 km.

### ***FEZ „Taraclia”***

- Access to railway and roads
- Access to local and international routes
- Developed communication system
- 150 km from Chisinau
- 75 km from Giurgiulesti International Free Port
- 35 km from the border with Ukraine
- 55 km from the border with Romania.

### ***FEZ „Tvardita”***

Existing infrastructure:

- National highway (Chişinău-Cimişlia-Basarabeasca-Ceăldâr-lunga)
- International Airport at a distance of 125 km (Chişinău)



# Success stories

## Lafarge

A world leader in building materials, Lafarge employs 64,000 people in 62 countries and posted sales of EUR 15.2 billion in 2013. As a top-ranking player in the Cement, Aggregates and Concrete sectors, it contributes to the construction of cities around the world, providing through its innovative solutions housing which is more compact, more durable, more beautiful and better connected. With the world's leading building materials research facility, Lafarge places innovation at the heart of its priorities in order to contribute to more sustainable construction and to better serve architectural creativity.

Lafarge has been operating in Moldova since the acquisition of the Rezina cement plant in 1999 and to date has invested almost EUR 50 million in modernising the plant.

In 2010, the company launched a new product line aligned with European quality standards to replace the previous product range. The new product line was innovative for the Moldavian market, designed to benefit final customers by making their choice and work easier.

Lafarge is the market leader in cement in Moldova. The company brings to the market differentiated and innovative cements (CEMPLAST, CEMFORT, CEMFORTEXTTRA and hydraulic binders for road infrastructure projects), with a wide range of solutions and services for its customers in the construction industry.

In 2011, the company extended its presence in the country by opening of a new operation in Chisinau to better understand the needs of its partner concrete producers. Lafarge opened a new railway terminal in Comrat in 2013 to bring cement in bags closer to its customers in the south of the country.

Lafarge currently operates from three locations: Rezina cement plant, Chisinau Concrete Test Centre and Comrat railway terminal, employing a total of 247 people.

In recognition of its commitment to its customers, the company won the top prize of “The Golden Mercury” for brand promotion in the national “Trademark of the year” competition in 2010, “The Golden Mercury” in 2011 (new product line) and “The Gold Medal” in 2012 (Concrete Test Centre). In 2013 and 2014, Lafarge Cement Moldova won the top prize of “The Golden Mercury” for its social responsibility projects.



## Dräxlmaier Group Automotive

The main resident in subzones 1 and 2 of the free economic zone “Balti” is the foreign capital company “Draexlmaier Automotive” Ltd., which produces electric coaxial cables for major companies like BMW, Daimler-Benz and Volkswagen. Being an international partner to the automotive industry, the Dräxlmaier Group has a global presence with 45,000 employees working at 57 sites spread over 20 countries and four continents.

## Gebauer&Griller

“GG Cables & Wires EE” Ltd. became a FEZ “Balti” resident in 2013, based in subzone 2. It’s a foreign capital company, forming part of the Austrian corporation Gebauer&Griller, which works in such areas as manufacturing of insulated electrical cable for the automotive industry, electronics and high-speed trains (TGV). With its headquarters in Vienna (Austria), Gebauer&Griller has five plants across Austria, Czech Republic, India and Republic of Moldova, and a commercial office in the USA. The total number of employees across those five plants is about 2200 people.

## Lear Corporation

One of the most dynamic residents of the free economic zone “Ungheni-Business” is the foreign capital company “Lear Corporation” Ltd., the original capital for which came from the Netherlands. This resident is part of the Lear organization founded in Detroit, USA, in 1917. With its headquarters in Southfield, Michigan, Lear maintains 207 locations in 35 countries around the globe and employs approximately 100,000 people. Over 50% of the corporation’s plants are located in the US and Canada. The company’s key customers include Ford, Opel, Jaguar, Volvo, Mazda, Fiat, Volkswagen, Peugeot and General Motors. Car seats, electronic equipment and interior elements make up over 80% of its product range.

“Lear Corporation” Ltd. has been producing equipment for motor vehicles in the free economic zone of “Ungheni-Business” since 12 January 2010. The company currently has over 1,603 employees, with invested capital of over USD 8.4 million. The company makes products from textiles, vinyl and leather, with net annual sales reaching MDL 722.8 million in late 2013.

The company has investments of USD 30 million in the Republic of Moldova, with around 2,900 employees and annual sales exceeding MDL 435 million. The company plans to expand, with an expected 15,000 sq. meters increase in production and warehouse spaces, investments of USD 18 million and employing an additional 2,000 people.

The company has investments of USD 12.5 million in the Republic of Moldova, with around 90 employees and annual sales exceeding MDL 400 million. Within the FEZ “Balti”, the company manufactures insulated electrical cables for the automotive industry. As a Draexlmaier supplier, about 50% of G&G production is used within the FEZ “Balti”, with the other 50% being exported.





# How can we help?

## *The Ministry of Economy*

The Ministry of Economy is the Government's central public administration body. The basic functions and objectives of the Ministry of Economy are to direct and promote state economic policies, to ensure economic reform implementation and to raise the population's living standards.

The Ministry's mission is to ensure national economic growth by optimising the regulation framework for entrepreneurial activity, creating prerequisites for business environment development, developing technologies, ensuring competitiveness, creating an attractive investment environment, contributing to de-monopolisation of the domestic market and removing anti-competitive practices, and promoting international economic cooperation.

The Ministry has the following responsibilities with regard to investment and export promotion policies:

- participate in the development and promotion of state investment policies (including attraction of direct foreign investment), free economic zones and export promotion of domestic production;
- improve legal framework in order to stimulate investment activity;
- ensure the harmonisation of national legislation with EU rules on investment;
- participate in policies promoting venture capital investments in companies with high degrees of innovation;
- help the creation of a favourable investment climate for foreign and local investors, and improve tools for attracting domestic and foreign investment and export promotion;
- monitor and analyse the process of free economic zones establishment and development, implementation of strategic investment projects and projects beneficial to the national economy;
- analyse processes and factors influencing investment activity, the increase of national economic competitiveness and export promotion, and determine state policy priorities in the area.



### **Moldovan Investment and Export Promotion Organisation (MIEPO) – Your Reliable Partner**

The Moldovan Investment and Export Promotion Organisation (MIEPO) is a public non-profit institution coordinated by the Ministry of Economy of the Republic of Moldova. MIEPO can be considered as a reliable partner for all potential investors and importers of Moldovan products.

MIEPO was created under Government Decision no. 105 on 2 February 1999 and its services are provided free of charge. Its main objectives are:

- Export Promotion;
- Foreign Direct Investment Attraction.

In order to realise these objectives, MIEPO collaborates with local and foreign public and private institutions, associations, international organisations, etc. MIEPO is a member of the World Association of Investment Promotion Agencies (WAIPA).

MIEPO uses the following tools to implement Government investment attraction and export promotion policy:

- Support in identification of partners and investment site locations in Moldova.
- Organisation of local and foreign Business Missions, Forums, B2B Meetings, Matchmaking, Training for local businesses, participation of local companies at international trade fairs.
- Moldovan investment climate promotion.
- Development of promotional materials.
- Identification of constraints faced by investors / exporters in setting up their business in Moldova, by means of questioning companies, with further development and submission of relevant proposals to the Government in order to overcome the problems.
- Coordinates feasibility studies for investment projects to be implemented in the Republic of Moldova, marketing analysis at the national level.
- Development of proposals for national programmes, strategies, etc. according to its competencies.

MIEPO can be considered a “One-Stop-Shop” information point for investors to provide them with a broad spectrum of information at all stages of the investment process: pre-investment (including the organisation of study visits for potential investors), investment and post-investment. MIEPO also identifies partners at

the request of local companies seeking to promote their products on foreign markets and at the request of foreign companies that intend to buy Moldovan products.

MIEPO is always available to assist potential investors and foreign importers of Moldovan products examine, establish and develop business opportunities in the Republic of Moldova by use of modern tools of foreign investment attraction and export promotion.

PwC has been serving its clients in Moldova for more than 15 years. We take great pride in our capability to think global and act local for your long-term success. This is achieved through a combination of domestic expertise based on in-depth knowledge of the local business environment and international PwC network experience, which ensures that neither our resources nor our expertise are limited by national boundaries.

PwC Moldova provides a full range of Tax and Legal, Advisory and Assurance Services.

Our team comprises the largest tax, legal and advisory practice in Moldova, and is well suited to solving the complex issues you may face. Our areas of specialisations are as follows:

## **Tax Services**

- Corporate Taxation - being highly qualified in all aspects of inward investments and structuring investments in terms of corporate income tax, WHT and local tax regulations.
- Indirect Taxation - with extensive experience in solving complex issues related to indirect taxes, customs procedures and foreign trade.
- HR Services - covering individual and corporate advice, ranging from assistance with obtaining work and residence permits, advising and assisting with all matters regarding income taxation legislation, salary surveys, outplacement and human resources audit.
- Tax compliance, accounting and payroll assistance - maintaining accounting records, preparing and submitting financial statements based on NAS / tax returns, as well as ensuring the payroll process.



## **Legal Services**

The Legal team of PwC Moldova is a member of an international network of PwC Legal firms which includes more than 2,000 business lawyers in over 75 countries. PwC Legal in Moldova has been included in the top positions in the rankings of Legal500 and IFLR1000.

PwC Moldova provides a full range of legal services, including:

- Regulatory compliance;
- Investments;
- Corporate and commercial;
- Mergers and acquisitions;
- Competition;
- Employment and immigration;
- Banking and financing;
- Litigation (commercial, tax and administrative), etc.

## **Advisory Services**

The Moldovan Advisory practice, in cooperation with Romanian Advisory team, provides a full range of consulting and deals services, including in such areas as Strategy, Finance & Accounting, Operations, People and Change, Technology, Governance, Risk and Compliance, Dispute Analysis and Investigations (Forensic), Business Recovery Services, Corporate Finance, Transaction Services, Valuation and Strategy.

## **Assurance services**

- Audits in accordance with the International Standards on Auditing (ISA) or with other audit standards recognised and generally accepted
- Preparation of financial statements in accordance with International Financial Reporting Standards (IFRS) or with other recognised accounting standards (US or UK GAAP).
- IFRS induction, operational audit, internal audits, business planning, analysis of security systems, market penetration, investigations and accounting expertise.



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*The Investing Guide was prepared by PwC Moldova in cooperation with the Ministry and Economy and the Moldovan Investment and Export Promotion Organisation.*

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