

**Requirements for application for issuing the authorization for
performing the foreign exchange operation**

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

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

„Hereby, _____ assumes
(applicant's name)

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

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

the responsibility for the compliance of the foreign exchange operation with the acting legislation, for the authenticity of submitted documents and information. Simultaneously, I undertake to meet obligations, including those of reporting, established in the Regulation on authorization of certain foreign exchange operations by the National Bank of Moldova. ";

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

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

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

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

15) contact person and his/her telephone number.

2. The application for issuing the authorization for performing the foreign exchange operation shall be signed by the applicant (the person authorized by him). In the event when, according to the acting legislation, the applicant has a stamp, the mentioned signature shall be certified by applying the stamp.

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

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

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

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

A. The documents identifying the applicant

1. The document confirming the state registration of the resident legal entity according to the acting legislation of the Republic of Moldova, issued by the entity entitled with right of the state registration (for instance, the registration decision issued by the State Registration Chamber) – for the persons to whom this document shall be issued under the legislation.

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

3. The extract from the State register issued by the entity entitled with right of the state registration, which reflects the current situation and which includes, depending on the category of the resident, the information on the name /name and surname, legal form, the state identification number /fiscal code, registration date, legal address /domicile, administrator, equity size, types of activities – for the persons who submit the document indicated in item 1 of this Attachment.

The incorporation documents of the resident legal entity (with all further modifications /completions), which reflect the current situation – for the persons to whom the above-mentioned extract shall not be issued under the legislation.

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

6. The identity document of the applicant.

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

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

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

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

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

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

12. The request for donation and /or the signed donation agreement.
13. The agreement for rendering the respective services by a non-resident signed by the parties.
14. The agreement signed by the parties or other documents that justify making the payments /transfers abroad in favor of residents.
15. The agreement signed by the parties or other documents related to exchange operation abroad.
- 15¹. Documents confirming the source of origin of the funds destined for donation by the individual in the amount exceeding 1000 Euro (or their equivalent).
16. Other documents which the applicant considers necessary to submit in order to obtain the authorization for performing foreign exchange operation.

II. Requirements for the documents indicated in this Attachment

1. The documents indicated in this Attachment shall be submitted to the National Bank of Moldova in originals or in copies, with the submission of their originals for verification. After the verification of the copies by the responsible person of the National Bank of Moldova, the originals of such documents shall be returned to the applicant and certified copies shall be kept at the National Bank of Moldova.
2. The documents issued by the competent authorities of the foreign states or with their participation, shall be legalized or apostilled according to the acting legislation.
3. At the request of the National Bank of Moldova, the documents in foreign languages shall be submitted with their translations into the official language, certified by a notary.

(Attachment no.2 amended by the Decision of the NBM no.201 of 17.10.2013)
(Attachment no.2 amended by the Decision of the NBM no.9 of 28.01.2010)

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

(the reverse of the NBM authorization)

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

(to be completed by the NBM)

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

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

Letter-head (in case of the resident legal entity)

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

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

requests issuing the amendment to the authorization no. _____ of _____
for performing the foreign exchange operation _____

_____,
(name of the foreign exchange operation)

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

Data on the documents attached to the application

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

Administrator /Individual

(signature)

(name and surname)

Contact phone number:
Date of compiling the
application

Stamp

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

Form Code 04102/1

(code of the resident)

Model code	Periodicity	Form type	Correct no.
	D		

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

(name/name and surname of the resident)

**Report
on the performance of authorized foreign exchange operation**

for _____
(month and year)

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

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

6. This report contains the information specified in the NBM authorization no. _____ of _____ (____pages).

Administrator /individual _____ *(signature, name and surname)*
 Chief-accountant _____ *(signature, name and surname)*
 Executor and the phone number _____ *(name and surname, telephone number)*
 Date of compiling the report _____

Stamp

NOTE: This report is compiled according to:

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

(Form in the wording of the Decision of the NBM no.9 of 28.01.2010)

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

Chapter I. General provisions

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

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

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

2. This report shall contain:

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

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

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

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

Chapter II. Introductory part of the report

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

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

Chapter III. Filling in the report

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

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

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

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

well as the amount that reflects the situation regarding the payments /transfers made by the resident according to the NBM authorization at the beginning of reporting period. The amount from the rubric 4 shall be determined by summing up the amounts of all payments /transfers made by resident according to the NBM authorization, diminished by the amounts of the funds returned to the resident, reflected in previous reports (all the amounts are recalculated, if necessary, in the currency indicated in the NBM authorization, by applying the exchange rate provided for in item 33 of this Regulation). This amount can not exceed the amount indicated in the NBM authorization. In the event when several amounts in different currencies are indicated in the NBM authorization, the amounts in rubric 4 shall be indicated separately for each currency.

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

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

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

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

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

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

b) columns 3 and 4 "Data on the payment /transfer: recalculated in the currency of the authorization" shall indicate the alphabetical code of the currency indicated in the NBM authorization and the amount of the payment /transfer recalculated in the currency of the authorization, by applying the exchange rate provided for in item 33 of this Regulation. In the event when the currency of the payment /transfer does not differ from the currency indicated in the NBM authorization, columns 3 and 4 shall repeat the information from the columns 1 and 2;

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

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

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

Chapter IV. Final provisions

13. The Report shall be signed by the resident (the authorized persons of the resident). In the event when, according to the acting legislation, the resident has the stamp, the mentioned signatures shall be certified by applying the stamp.

(Attachment no.5 amended by the Decision of the NBM no.201 of 17.10.2013)
(Attachment no.5 amended by the Decision of the NBM no.9 of 28.01.2010)