

## 2. Establishing a company. Business Travel Regulations

### 2.1 Registration formalities

The company is considered established from the moment of its state registration with the registration authority.

The state registration procedure lasts 24 hours (ordinary procedure)

The expedited term for registration is 4 hours (expedited procedure)

#### *(1) Phase No 1 – Submission of documents to the Registration Authority*

The application for company registration shall be submitted to the Registration Authority.

The following documents shall be attached to the application for company registration:

- Founders' decision regarding establishment of the legal entity (a template can be downloaded [here](#)).
- Identity card (for natural persons) or articles of incorporation. Excerpt from the Commercial State Register of the founder's home jurisdiction confirming registration if the founder is a foreign legal entity.
- Identification of the person to be registered as administrator of the future entity. If the administrator is not physically present for the registration decision, the person will empower someone to this effect and will thus submit to the registration body the specimen signature authenticated by a notary.
- Information on the ultimate beneficiary of the company (a template can be downloaded [here](#))

Registration Authority is the Public Services Agency

<http://www.asp.gov.md/en>

The Registration Authority's specialists verify the capacity of founders and the documents submitted. If the documents are compliant with the applicable legislation, the application is received, and the applicant shall pay the state registration fee.

Registration fee – 1149 MDL (ordinary procedure)

4596 MDL (expedited procedure)

The Registration Authority provides a number of services related to company registration and some intermediation services. Fees for all services can be found at:

[http://asp.gov.md/sites/default/files/pdf/acte-institutionale/Anexa\\_2\\_Lista\\_serviciilor\\_CIS\\_08\\_07\\_2019.pdf](http://asp.gov.md/sites/default/files/pdf/acte-institutionale/Anexa_2_Lista_serviciilor_CIS_08_07_2019.pdf)

The specialist of the Registration Authority will set the day and time when founders and the administrator must appear before the State Registrar for the actual registration.

## *(2) Phase No 2 – Registration of the company*

The founders, administrator of the future entity, or their representatives, appear before the state registrar at the date and time established. The registrar further reviews the documents submitted for registration, as well as the founders' and administrator's capacity.

The registrar assigns a unique identification number (IDNO) and releases the excerpt from the State Register of Legal Entities and Individual Entrepreneurs, together with the decision on registration, articles of incorporation and stamp (if requested).

Founders or their authorized representatives shall sign the articles of incorporation and the registrar shall authenticate them. The law also provides that the articles of incorporation be authenticated by a notary before company registration and have them attached to the application for registration.

Once registered with the Public Services Agency, the entity obtains full legal capacity

### **2.2 The procedure for issuance/granting the permit**

Permits are issued under the procedure of a one stop shop authorisation. This was introduced lately and is a mechanism allowing parties involved in a business activity to file documents for registration, licensing and authorization purposes through a one stop shop.

The one stop shop mechanism is optional for entrepreneurs, as they can use the traditional way of authorizing their business activity in Moldova.

The procedure of issuing the permit consists in the declaration of the applicant and the confirmation of the issuing authority regarding the compliance with requirements and conditions established by the legislation for the performance of the licensed activity or for granting the certificate.

In order to obtain a permit, the following steps should be observed.

#### *1. Submitting the application to the state issuing authority*

The applicant fills in the application form and submits it along with the documents required by the relevant regulations for the issuance of the permit.

The application can be submitted by one of the following ways:

- Direct submission at the “one-stop-shop” of the competent authority assisted by the receiving officer,
- Sending to the competent authority by mail in original hardcopies or by e-mail in the electronic form signed through a digital signature,
- Using information systems and the digital government platform.

The main platform for issuing the permit electronically is available on the following website:  
<https://actpermisiv.gov.md/>.

The authentication in the system is done by using the digital signature through the governmental services (MPass).

In case of an electronic submission of the application, attached original documents should be provided in original hardcopy for verification purposes to the competent authority upon the issuance of the permit or no later than 30 days as of the issuance day.

## *2. Payment of the fee for the issuance*

The applicant pays the fee through the governmental service (MPay) or the bank. If the fee is paid through the bank, the applicant shall provide the payment confirmation to the receiving officer.

As a rule, a fee is paid in full upon the issuance of the permit. For certain categories of permits, fees and payment conditions are different. The amount of fees applied for each permit is provided by the Nomenclature.

Some permits are available free of charge.

## *3. Receipt of the application by the issuing authority*

Upon obtaining of the application, the receiving officer of the competent authority registers the application and conveys to the applicant the confirmation even though some documents required by law may be missing.

The application is returned to the applicant only when it does not contain the identification data of the applicant. Incomplete information, missing documents or unpaid fee are not grounds to refuse the registration and return the application.

## *4. Examination of the application*

The authority opens the case, reviews the application and confirming documents, verifies compliance with conditions. During the process of examination the competent authority will request and obtain the relevant approval/ reports from another authority involved in the issuance procedure, through the interoperability platform (MConnect), without requesting it from the applicant.

If the application has not been duly completed, the documents/information required by law are missing, the authority shall suspend the examination of the application and notify the applicant about the suspension, specifying and describing the grounds for suspension, the deadline and the remedial actions needed to initiate the examination of application.

The term of suspension shall not exceed 30 days.

## *5. Issuance of permit*

The general term of issuance of a permit is 10 business days as of the confirmation of receipt, unless special terms are provided in the relevant regulations.

The special term may be set for 1 day, 20 days, but not exceeding 30 days.

The competent authority can refuse the issuance of the permit in one of the following cases:

- The applicant does not meet the requirements and/or conditions, directly established by law concerning the relevant permit, and does not observe them;
- Applicant does not prove the compliance with requirements or does not provide the missing information/documents during the suspension period of the case.

The applicant shall be duly notified about the refusal regarding the issuance, with appropriate justification under the law, no later than the expiry of the term for the review.

If the competent authority fails to issue the permit in due time or fails to notify the applicant on the refusal, the permit is deemed to be issued by default.