

Dear readers, we suggest you to get acquainted with further amendments to the legislation published during February, 2012.

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Entrepreneurship

It was approved the *Regulation on the distribution of subsidies to farmers*. The regulation sets out the measures to support the fund's means to subsidize farmers and the way to administrate the fund so that to ensure and guarantee correctness in allocating means, including the prerequisites for obtaining means, eligibility criteria of beneficiaries, the amount of the allocated financial support, modalities of authorization, execution, and accounting of payments, as well as of control of the effectiveness in using the financial support. At the same time, it was published the List of risks for which insurance there are subsidized crop, horticulture, viticulture, and animal insurance premiums from the fund for subsidization of farmers for 2012, and the List of crops and species of animals and birds for the insurance of which insurance premiums are subsidized from this fund for 2012. (Government Decision No. 57 of January 31, 2012, Official Monitor of the Republic of Moldova, No. 25-28 issued on February 3, 2012).

Labor legislation

1. Changes and additions to the most important legislative acts regulating labor relations were made: *Labor legislation* of the Republic of Moldova No. 154-XV of March 28, 2003

- the employer was required to provide the employer a nominal permit of access to work (Article 10, paragraph (2), letter d)), and the employee was required to always wear the mentioned permit provided by the employer (Article 9, paragraph (2) letter c));
- the employer was required to approve, in the first month of the unit's activity, and further – in the first month of each calendar year, the staff structure of the unit and, within 2 months, to present a copy of the staff structure (in written or electronic form), except for central and local authorities, to the territorial labor inspectorate under the competence of which the unit is located (Art. 10, par. (2), letter c));

- Art. 111 "Official holidays" was subject to new modifications. It was specified that full time employees, as well as part time employees can benefit from average salary for non-working holidays. This created a legislative gap regarding remuneration (maintenance of average salary) for non-working holidays of full time employees;
- it was established that the monthly total salary of an employee, calculated on the basis of tariff wage system, cannot be less than the minimum guaranteed wage in the real sector, established by the Government (Art. 136, par. 5). According to the Government Decision No. 165 of March 9, 2010, the minimum guaranteed wage in the real sector is MDL 1100 per month;
- there were made changes in the provisions regarding remuneration of part time employees. If before the changes, according to the Labor Code, the size of wage, awards, bonuses, etc, for part time employees was established in the same manner provided for the other employees, then after the changes the size of wage, awards, bonuses, etc., for part time employees shall be regulated by collective or individual labor agreement and cannot exceed the sizes set for other employees in that unit (Art. 155, par. 2);
- referring to the remuneration of temporary absent employees it was established to calculate it according to the real volume of works performed, without exceeding 100% of the absent employee's tariff wage. In case when the obligations of the absent employee are met by several employees, the amount of gain is determined proportionally to the volume of works performed by each of them, within the limits of the tariff wage of the absent employer (Art. 156, par. 3);
- changes were introduced in Chapter IX of the Labor Code "Safety and Health at Work". Wage Law No. 847 of February 14, 2002: it was changed the definition of tariff wage (Art. 3). It was established that the amount of total monthly salary of an employee calculated on the basis of the tariff wage system cannot be less than the minimum guaranteed wage in the real sector (Article 14), etc. (Law No. 254 of December 9, 2011, Official Monitor of the Republic of Moldova No. 25-28 of February 3, 2012).

2. In order to comply with the requirements of work safety on construction sites performing construction or civil engineering works, the Government issued the Decision on the minimum safety and health requirements for temporary or mobile construction sites. (Government Decision No. 80 of February 9, 2012, Official Monitor of the Republic of Moldova No. 34-37 of February 17, 2012).

Regulations of various fields

1. The *Regulation on registration of objects protected by copyright and neighboring rights* was published. The regulation established the conditions for applying for registration of objects protected by copyright and related rights, manner of filling in the application form, rules applied to documents to be attached to the application and the procedure of registering objects protected by copyright and related rights in the State Register. Application for registration of objects protected by copyright and related rights whose examination procedures were not

completed by the entry into force of the mentioned Regulation will be examined as required by it. At the same time, certificates of registration of objects of copyright and related rights issued by State Agency of Intellectual Property of the Republic of Moldova (abbreviated AGEPI) by the entry into force of this Regulation shall be equivalent to certificates of registration of objects according to the new Regulation. (Government Decision No. 89, of February 10, 2012, Official Monitor of the Republic of Moldova No. 34-37 issued on February 17, 2012).

2. In the result of the amendment and completion of *Customs Service Order No. 267-O as of October 2, 2009* on the form, the manner of filling it in using, it was approved the model and Instruction on filling in the form of the decision on regulation. Decision on regulation is a document of a form established by the Customs Service, prepared by the customs bodies, which serves as proof of customs duty and economic policy measures and which becomes mandatory since the approval of the management of customs authorities. (Order of Customs Service No. 37-O of January 26, 2012, Official Monitor of the Republic of Moldova No. 25-28 of February 3, 2012).

3. The Government approved the Good manufacturing practice rules for veterinary medicines. These rules regulate the principles of producing veterinary medicinal products, which need to be taken into account in their production. At the same time, there were approved the guidelines for good manufacturing practice for veterinary medicines, which set up the requirements for units storing and selling drugs and other veterinary products, as well as for units providing animal healthcare. (Government Decision No. 93 of February 15, 2012, Official Monitor of the Republic of Moldova No. 38-41 of February 24, 2012).