



Republic of Moldova

**parliament**

**CODE No. 985**  
**of 18-04-2002**

**CRIMINAL CODE OF THE REPUBLIC OF MOLDOVA\***

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*Note:*

In the content of the code, the word "telecommunications", in any grammatical form, is replaced by the words "electronic communications" in the corresponding grammatical form by *LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24*

Parliament adopts this code.

**GENERAL PART**

**Chapter I**

**THE CRIMINAL CODE**

**AND THE PRINCIPLES OF ITS APPLICATION**

**Article 1.** Criminal law of the Republic of Moldova

(1) This code is the only criminal law of the Republic of Moldova.

(2) The criminal code is the legislative act that includes legal norms that establish the general and special principles and provisions of criminal law, determine the facts that constitute crimes and provide for the punishments applied to criminals.

(3) This code is applied in accordance with the provisions of the Constitution of the Republic of Moldova and the international acts to which the Republic of Moldova is a party. If there are inconsistencies with international acts regarding fundamental human rights, international regulations take precedence and apply directly.

**Article 2. Purpose of the criminal law**

(1) The criminal law protects, against crimes, the person, his rights and freedoms, property, the environment, the constitutional order, the sovereignty, independence and territorial integrity of the Republic of Moldova, the peace and security of mankind, as well as the entire legal order.

(2) The criminal law also aims to prevent the commission of new crimes.

**Article 3. The principle of legality**

(1) No one can be declared guilty of a crime or subject to a criminal penalty, except on the basis of a court decision and in strict accordance with the criminal law.

(2) Extensive unfavorable interpretation and application by analogy of the criminal law are prohibited.

**Article 4. The principle of humanism**

(1) The entire legal regulation is intended to protect, as a priority, the person as the supreme value of society, his rights and freedoms.

(2) The criminal law does not aim to cause physical suffering or harm human dignity. No one can be subjected to torture, nor to cruel, inhuman or degrading treatment or punishment.

**Article 5. The principle of democracy**

(1) Persons who have committed crimes are equal before the law and are subject to criminal liability regardless of sex, race, color, language, religion, political opinions or any other opinions, national or social origin, belonging to a national minority, wealth, birth or any other situation.

(2) The defense of the rights and interests of a person cannot be achieved by violating the rights and interests of another person or a community.

**Article 6. The principle of personal character  
of criminal liability**

(1) The person is subject to criminal liability and criminal punishment only for acts committed with guilt.

(2) Only the person who intentionally or imprudently committed an act provided for by the criminal law is subject to criminal liability and criminal punishment.

**Article 7. Principle of individualization of liability  
criminal and criminal punishment**

(1) When applying the criminal law, the character and prejudicial degree of the crime committed, the person of the guilty person and the circumstances of the case that mitigate or aggravate the criminal liability are taken into account.

(2) No one can be subjected twice to criminal prosecution and criminal punishment for one and the same deed.

**Article 8. Action of the criminal law in time**

The criminal character of the deed and the punishment for it are established by the criminal law in force at the time of the commission of the deed.

**Article 9.** Time of committing the act

The time of the commission of the deed is considered the time when the prejudicial action (inaction) was committed, regardless of the time of the occurrence of the consequences.

**Article 10.** Retroactive effect of the criminal law

(1) The criminal law that removes the criminal character of the act, that eases the punishment or, in another way, improves the situation of the person who committed the crime has a retroactive effect, i.e. it extends to the people who committed the respective acts before the entry into force of this law , including on people who are serving a sentence or who have served a sentence but have a criminal record.

(2) The criminal law that stiffens the punishment or worsens the situation of the person guilty of committing a crime does not have retroactive effect.

**Article 10<sup>1</sup>.** Application of the more favorable criminal law  
in the case of definitive punishments

(1) If, after the conviction remains final and until the full execution of the custodial sentence, unpaid work for the benefit of the community or the fine, a law has intervened that provides for one of these types of punishment, but with a maximum lower, the sanction applied is reduced to this maximum if it exceeds the maximum provided by the new law for the offense committed.

(2) If, after the decision to sentence to life imprisonment has become final and until its execution, a law has intervened that provides for the same deed only a prison sentence, the sentence of life imprisonment is replaced by the maximum prison sentence, provided for by the new law for that crime.

(3) If the new law provides instead of imprisonment only the penalty of unpaid work for the benefit of the community or a fine, the applied penalty is replaced by unpaid work for the benefit of the community, if there are no prohibitions for its application, without being able to exceed the maximum provided by the law nine. If the new law stipulates only a fine instead of imprisonment, the imposed penalty is replaced by a fine, without exceeding the maximum provided for in the new law. Taking into account the executed part of the prison sentence, the execution of the sentence of unpaid work for the benefit of the community or, as the case may be, the fine may be removed in whole or in part.

(4) Complementary punishments, security measures not provided for in the new law are no longer enforced, and those that have a counterpart in the more favorable new law are enforced within the content and limits provided by this law.

(5) If a provision of the new law refers to definitively applied punishments, in the case of punishments executed before the date of its entry into force, the reduced or replaced punishment is taken into account according to the provisions of paragraphs (1)-(4).

(6) If the act for which the person is serving the punishment is no longer considered a crime in accordance with the provisions of the new law, but constitutes a misdemeanor, the contraventional sanction is no longer applied, regardless of the category and size of the prescribed

sanction.

(7) If, based on the retroactive effect of the criminal law, it is necessary to reclassify the deed established by an irrevocable court decision, the court, solving the issue regarding the execution of the respective decision, will reclassify the deed and apply the penalty by setting the maximum penalty provided by the criminal law more favorable to the convict, if the punishment established by the irrevocable decision is greater than the maximum provided by the new criminal law, or will maintain the punishment established by the irrevocable decision.

**Article 11.** Application of criminal law in space

(1) All persons who have committed crimes on the territory of the Republic of Moldova shall be held criminally liable in accordance with this code.

(2) Citizens of the Republic of Moldova and stateless persons with permanent residence on the territory of the Republic of Moldova who have committed crimes outside the territory of the country are liable to criminal liability in accordance with this code.

(3) Foreign citizens and stateless persons who have committed crimes outside the territory of the country bear criminal liability in accordance with this code and are held criminally liable on the territory of the Republic of Moldova if the crimes committed are directed against the interests of the Republic of Moldova, against the rights and freedoms of citizens of the Republic of Moldova, against the rights and freedoms of the stateless person with permanent residence on the territory of the Republic of Moldova, against the legal entity registered in the Republic of Moldova, against the peace and security of mankind or if they constitute war crimes, also for the crimes provided for by the international treaties to which the Republic of Moldova is a party and if a final judgment of conviction, acquittal or termination of the criminal process has not been issued in the foreign state regarding them. Foreign citizens and stateless persons who have committed crimes on the territory of another state are liable to criminal liability in accordance with this code, but their extradition is not possible.

(4) Offenses committed by diplomatic representatives of foreign states or other persons who, in accordance with international treaties, are not subject to the criminal jurisdiction of the Republic of Moldova do not fall under the criminal law.

(5) Offenses committed in the territorial waters and in the airspace of the Republic of Moldova are considered committed on the territory of the Republic of Moldova. The person who committed a crime on a sea or air vessel, registered in a port or airport of the Republic of Moldova and located outside the water or air space of the Republic of Moldova, may be subject to criminal liability in accordance with this code if in the international treaties at to which the Republic of Moldova is a party, it is not decided otherwise.

(6) On the basis of this code, persons who have committed crimes on board a military maritime or air vessel belonging to the Republic of Moldova are also subject to criminal liability, regardless of its location.

(7) Penalties and criminal antecedents for crimes committed outside the territory of the Republic of Moldova are taken into account, according to this code, when individualizing the punishment for a new crime committed by the same person on the territory of the Republic of

Moldova, as well as when resolving issues regarding amnesty under conditions of reciprocity based on the court decision.

**Article 12.** Place of commission of the act

(1) The place where the deed was committed is considered to be the place where the prejudicial action (inaction) was committed, regardless of when the consequences occurred.

(2) The place of the commission of the transnational crime is considered as such if:

a) the crime was committed on the territory of the Republic of Moldova and on the territory of at least one other state;

b) the crime was committed on the territory of the Republic of Moldova, but a substantial part of its organization and control took place in another state, and vice versa;

c) the crime was committed on the territory of the Republic of Moldova, with the involvement of an organized criminal group or a criminal organization (association) that carries out criminal activity in more than one state, and vice versa;

d) the crime was committed on the territory of the Republic of Moldova, but has serious consequences in another state, and vice versa.

**Article 13.** Extradition

(1) Citizens of the Republic of Moldova and persons who have been granted political asylum in the Republic of Moldova, in case of committing a crime abroad, cannot be extradited and are subject to criminal liability according to this code.

(2) Foreign citizens and stateless persons who have committed crimes outside the territory of the Republic of Moldova, but are in the territory of the country can be extradited only on the basis of an international treaty to which the Republic of Moldova is a party or under conditions of reciprocity based on the court decision, only if there are no serious reasons to believe that they risk being subjected to the death penalty, torture or other inhuman or degrading treatment.

## **Chapter II** **crime**

**Article 14.** The notion of crime

(1) The offense is a prejudicial deed (action or inaction), provided by the criminal law, committed with guilt and liable to criminal punishment.

(2) The action or inaction which, although, formally, contains the signs of a fact provided for by this code, but, being unimportant, does not present the prejudicial degree of a crime does not constitute a crime.

**Article 15.** Prejudicial degree of the crime

The prejudicial degree of the crime is determined according to the signs that characterize the elements of the crime: the object, the objective side, the subject and the subjective side.

**Article 16.** Classification of crimes

(1) Depending on the character and degree of prejudice, the crimes provided for by this code are classified into the following categories: light, less serious, serious, particularly serious and exceptionally serious.

(2) The acts for which the criminal law stipulates as the maximum punishment the prison sentence for a term of up to 2 years inclusive, are considered minor crimes.

(3) Less serious crimes are considered the acts for which the criminal law provides the maximum penalty of imprisonment for a term of up to 5 years inclusive.

(4) The acts for which the criminal law stipulates the maximum penalty of imprisonment for a term of up to 12 years are considered serious crimes.

(5) Crimes committed with intent are considered particularly serious crimes for which the criminal law provides the maximum penalty of imprisonment for a term exceeding 12 years.

(6) Exceptionally serious crimes are considered crimes committed with intent for which the criminal law provides for life imprisonment.

**Article 17.** The crime committed with intent

It is considered that the crime was committed with intent if the person who committed it realized the harmful nature of his action or inaction, foresaw its harmful consequences, wanted them or consciously admitted the occurrence of these consequences.

**Article 18.** The crime committed due to imprudence

It is considered that the crime was committed recklessly if the person who committed it realized the harmful nature of his action or inaction, foresaw its harmful consequences, but easily considered that they could be avoided or did not realize of the prejudicial nature of his action or inaction, he did not foresee the possibility of its prejudicial consequences, although he should and could foresee them.

**Article 19.** The crime committed with two forms  
of guilt

If, as a result of the intentional commission of the crime, there are more serious consequences which, according to the law, attract the tightening of the criminal penalty and which were not covered by the intention of the perpetrator, the criminal responsibility for such consequences arises only if the person foresaw the harmful consequences, but considered easily that they could be avoided or if the person did not foresee the possibility of these consequences occurring, although he should and could foresee them. Consequently, the crime is considered intentional.

**Article 20.** Deed committed without guilt (fortuitous case)

The act is considered to have been committed without guilt if the person who committed it did not realize the prejudicial character of his action or inaction, did not foresee the possibility of its prejudicial consequences and, according to the circumstances of the case, he neither had to or could not foresee them.

**Article 21.** The subject of the crime

(1) Responsible natural persons who, at the time of committing the crime, have reached the age of 16 are liable for criminal liability.

(2) Natural persons between the ages of 14 and 16 are liable to criminal liability only for committing the crimes provided for in art. 145, 147, 151, 152 paragraph (2), art. 164, 166 paragraph (2) and (3), art. 171, 172, 175, 186-188, 189 para. (2)–(6), art. 190 para. (2)–(5), art. 192

para. (2)–(4), art. 192<sup>1</sup> para. (2) and (3), 196 paragraph (4), art. 197 paragraph (2), art. 212 paragraph (3), art. 217 paragraph (4) letter b), art. 217<sup>1</sup> paragraph (3) and paragraph (4) letters b) and d), art. 217<sup>3</sup> paragraph (3) letters a) and b), art. 217<sup>4</sup>, art. 217<sup>6</sup> paragraph (2), art. 260, 268, 270, 271, art. 275, 280, 281, 283-286, 287 paragraph (2) and (3), art. 288 paragraph (2), art. 290 paragraph (2), art. 292 paragraph (2), art. 317 paragraph (2), art. 342.

(3) A legal person, with the exception of public authorities, is liable for criminal liability for an act provided for by the criminal law if it has not fulfilled or has fulfilled improperly the direct provisions of the law that establish duties or prohibitions regarding the performance of a certain activity and it is found at least one of the following circumstances:

a) the act was committed in the interest of the respective legal entity by a natural person empowered with management functions, who acted independently or as part of an organ of the legal entity;

b) the act was admitted or authorized, or approved, or used by the person empowered with management functions;

c) the act was committed due to the lack of supervision and control on the part of the person empowered with management functions.

(3<sup>1</sup>) A natural person is considered empowered with management functions if he has at least one of the following functions:

a) representing the legal person;

b) making decisions on behalf of the legal entity;

c) exercising control within the legal entity.

(4) Legal entities, with the exception of public authorities, are criminally liable for crimes for the commission of which a sanction is provided for legal entities in the special part of this code.

(5) The criminal liability of the legal person does not exclude the liability of the natural person for the crime committed.

## **Article 22. Liability**

Responsibility is the psychological state of the person who has the ability to understand the prejudicial nature of the act, as well as the ability to manifest his will and direct his actions.

## **Article 23. Irresponsibility**

(1) The person who, during the commission of a prejudicial act, was in a state of irresponsibility, i.e. could not realize his actions or inactions or could not direct them due to a mental illness, is not liable to criminal liability chronic, temporary mental disorder or other pathological condition. Against such a person, on the basis of the court's decision, coercive measures of a medical nature, provided by this code, may be applied.

(2) The person who, although he committed the crime in a state of responsibility, before the sentence was pronounced by the court fell ill with a mental illness that deprived him of the possibility of realizing his actions, is not liable to punishment. or his inactions or to direct them. Against such a person, based on the decision of the court, coercive medical measures may be applied, and after recovery - he may be subject to punishment.

## **Article 23<sup>1</sup>. Reduced liability**

(1) The person who committed a crime as a result of a mental disorder, ascertained by the medical expertise carried out in the established manner, because of which he could not fully realize the character and legality of his actions or could not fully direct them is subject to reduced criminal liability.

(2) The court, when determining the punishment or safety measures, takes into account the existing mental disorder, which does not exclude criminal liability.

*[Art. 24 repealed by LP136 of 06.06.24, MO245-246/07.06.24 art. 353; in force 07.09.24]*

#### **Article 25.** Stages of criminal activity

(1) The crime is considered consummated if the committed deed meets all the constitutive signs of the criminal composition.

(2) The preparation of a crime and the attempt of a crime are considered unconsummated crimes.

(3) Liability for crime preparation and attempted crime is established, according to the corresponding article in the Special Part of this code, as well as for the consummated crime, with reference to art. 26 and 27, respecting the provisions of art. 81.

#### **Article 26.** Preparation of crime

(1) The prior agreement to commit a crime, the procurement, manufacture or adaptation of the means or tools, or the intentional creation, in another way, of conditions for its commission is considered crime preparation if, for reasons independent of the will of the perpetrator, the crime does not and - produced the effect.

(2) Only persons who have committed the preparation of a less serious, serious, particularly serious or exceptionally serious crime are subject to criminal liability and criminal punishment.

#### **Article 27.** Attempted crime

The intentional action or inaction aimed directly at the commission of a crime is considered an attempted crime if, for reasons independent of the will of the perpetrator, it did not produce its effect.

#### **Article 28.** Single offence

The single crime represents an action (inaction) or a system of actions (inactions) that qualifies according to the provision of a single rule of the criminal law.

#### **Article 29.** The offense continues

(1) The deed characterized by the uninterrupted, indefinite period of the criminal activity is considered a continuous crime. In the case of continuous crime, there is no plurality of crimes.

(2) The continuous offense is consummated from the moment the criminal activity ceases or due to the occurrence of some events that prevent this activity.

#### **Article 30.** Prolonged offence

(1) The deed committed with a single intention, characterized by two or more identical criminal actions, committed with a single purpose, constituting a crime as a whole, is considered a prolonged crime.

(2) The prolonged offense is consumed from the moment of the last criminal action or inaction.



**Article 32.** Plurality of crimes

The plurality of crimes constitutes, as the case may be, a series of crimes or recidivism.

**Article 33.** Competition of crimes

(1) The commission of two or more crimes by a person is considered to be concurrent crimes if the person has not been definitively convicted for any of them and if the statute of limitations for bringing criminal liability has not expired.

*[Art. 33 para. (1) amended by LP136 of 06.06.24, MO245-246/07.06.24 art. 353; in force 07.09.24]*

(2) The contest of crimes can be real and ideal.

(3) Real competition exists when the person, through two or more actions (inactions), commits two or more crimes.

(4) The ideal contest exists when the person commits an action (inaction) that combines elements of several crimes.

**Article 34.** Recidivism

(1) The intentional commission of one or more crimes by a person with a criminal record for an intentional crime is considered a recidivism.

(2) Recidivism is considered dangerous:

b) if the person previously convicted for a serious or particularly serious intentional crime committed again with intent a serious, particularly serious or exceptionally serious crime.

(3) Recidivism is considered particularly dangerous:

b) if the person previously convicted for an exceptionally serious crime committed a serious, particularly serious or exceptionally serious crime again.

(4) When determining the state of recidivism in the cases provided for in paragraphs (1)-(3), account shall also be taken of the final convictions pronounced abroad, recognized by the court of the Republic of Moldova.

(5) When determining the state of recidivism, criminal antecedents are not taken into account:

a) for the offenses committed during the minor;

b) for crimes committed due to imprudence;

b<sup>1</sup>) for crimes for which the sentence was suspended and if it was not canceled and the person was not sent to serve the sentence in prison;

c) for acts that do not constitute crimes according to this code;

d) extinguished or in case of rehabilitation, in accordance with the provisions of art. 111 and 112.

e) if the person was sentenced with conditional suspension of the execution of the sentence.

**Chapter III**

**CAUSES THAT REMOVE CHARACTER**

**PENALTY OF THE DEED**

**Article 35.** Cases that remove the criminal character  
of the fact

Causes that remove the criminal character of the act are considered:

- a) legitimate defense;
- b) apprehension of the offender;
- c) state of extreme necessity;
- d) physical or mental coercion;
- e) well-founded risk.
- f) executing the superior's order or disposition.

**Article 36.** Legitimate defense

(1) The deed, provided by the criminal law, committed in a state of legitimate defense does not constitute a crime.

(2) The person who commits the act in order to repel a direct, immediate, material and real attack, directed against him, another person or against a public interest, is in a state of legitimate defense and which seriously endangers the person or the rights of the person attacked or public interest.

(3) The person who commits the act, provided for in paragraph (2), is also in self-defense in order to prevent the entry, accompanied by violence dangerous to the person's life or health or by the threat of such violence, into a living space or in another room.

**Article 37.** Apprehension of the offender

The deed, provided by the criminal law, committed for the purpose of detaining the person who committed a crime and handing him over to the law enforcement bodies does not constitute a crime.

**Article 38.** State of extreme necessity

(1) The act provided by the criminal law, committed in a state of extreme necessity, does not constitute a crime.

(2) The person who commits the act is in a state of extreme necessity in order to save his life, bodily integrity or health, that of another person or a public interest from an imminent danger that cannot be removed otherwise.

(3) The person is not in a state of extreme necessity who, at the time of committing the act, realizes that he is causing consequences that are obviously more serious than those that could have occurred if the danger was not removed.

**Article 39.** Physical or mental coercion

(1) The act provided by the criminal law, which caused damage to the interests protected by the law as a result of physical or mental coercion, does not constitute a crime, if as a result of this coercion the person could not direct his actions.

(2) Criminal liability for causing damage to the interests protected by the criminal law through mental or physical coercion, as a result of which the person maintains the possibility of directing his actions, is established under the conditions of art. 38.

**Article 40.** The well-founded risk

(1) The act, provided by the criminal law, which caused damage to the interests protected by the law in the case of the risk founded for the achievement of socially useful purposes, does not constitute a crime.

(2) The risk is considered justified if the socially useful purpose pursued could not be achieved without a certain risk and if the person who admitted it took the necessary measures to prevent damage to interests protected by law.

(3) The risk cannot be considered justified if it was knowingly combined with the danger to the person's life or the danger of causing an ecological or social disaster.

**Article 40<sup>1</sup>** . Execution of the order or provision

**SUPERVISOR**

(1) The act provided by the criminal law, committed by a person in order to execute an order or disposition of the superior, which are binding for him, does not constitute a crime, if the order or disposition is not clearly illegal and if the person who executed it does not knew that the order or disposition was illegal. The person who issued the illegal order or disposition is subject to criminal liability for the committed act.

(2) The person who intentionally committed a crime in order to execute the clearly illegal order or provision of the superior is criminally liable on general grounds. Failure to execute the clearly illegal order or provision excludes criminal liability.

(3) For the purposes of this article, the superior's order or disposition to commit genocide or a crime against humanity is clearly illegal.

**Chapter IV**  
**PARTICIPATION**

**Article 41.** Participation

The intentional cooperation of two or more persons in the commission of an intentional crime is considered participation.

**Article 42.** Participants

(1) Participants are persons who contribute to the commission of a crime as an author, organizer, instigator or accomplice.

(2) The perpetrator is the person who directly commits the act provided for by the criminal law, as well as the person who committed the crime through persons who are not liable to criminal liability due to age, irresponsibility or other causes provided by this code.

(3) The person who organized the commission of a crime or directed its execution, as well as the person who created an organized criminal group or a criminal organization or directed their activity, is considered an organizer.

(4) The person who, by any means, causes another person to commit a crime is considered an instigator.

(5) The person who contributed to the commission of the crime by giving advice, instructions, providing information, providing means or tools or removing obstacles, as well as the person who promised in advance to favor the criminal, to hide the means or the instruments of

committing the crime, its traces or the objects obtained through criminal means, or the person who promised in advance to procure or sell such objects.

(6) Participants must meet the signs of the subject of the crime.

#### **Article 43.** Forms of participation

Depending on the degree of coordination of the participants' actions, the following forms of participation are distinguished:

- a) simple participation;
- b) complex participation;
- c) organized criminal group;
- d) criminal organization (association).

#### **Article 44.** Simple participation

The crime is considered to have been committed with simple participation if two or more people participated in its commission jointly, as co-authors, each performing the objective side of the crime.

#### **Article 45.** Complex participation

(1) The offense is considered committed with complex participation if the participants contributed to its commission as author, organizer, instigator or accomplice.

(2) The objective side of the crime with complex participation can be achieved:

- a) by a single author;
- b) by two or more authors.

#### **Article 46.** Organized criminal group

The organized criminal group is a stable gathering of people who have organized in advance to commit one or more crimes.

#### **Article 47.** Criminal organization (association).

(1) A criminal organization (association) is considered a meeting of organized criminal groups in a stable community, whose activity is based on the division, between the members of the organization and its structures, of the functions of administration, assurance and execution of the criminal intentions of the organization in order to influence the economic and other activity of natural and legal persons or to control it, in other forms, in order to obtain advantages and achieve economic, financial or political interests.

(2) The offense is considered to have been committed by a criminal organization if it was committed by a member of it in its interest or by a person who is not a member of the respective organization, on its behalf.

(3) Organizer or leader of the criminal organization is considered the person who created the criminal organization or directs it.

(4) The organizer and leader of the criminal organization bears responsibility for all crimes committed by this organization.

(5) The member of the criminal organization bears criminal responsibility only for the crimes in the preparation or execution of which he participated.

(6) The member of the criminal organization may be released from criminal liability if he voluntarily declared the existence of the criminal organization and helped to discover the crimes committed by it or contributed to the unmasking of the organizers, leaders or members of the respective organization.

**Article 48. Author excess**

The commission by the author of some criminal actions that were not covered by the intention of the other participants is considered an excess of authorship. For the author's excess, the other participants are not liable for criminal liability.

**Article 49. Favoritism**

Favoring the criminal, as well as concealing the means or instruments of committing the crime, its traces or objects obtained through criminal means attract criminal liability, under the terms of art. 323, only if they were not promised ahead of time.

## **Chapter V**

### **CRIMINAL LIABILITY**

**Article 50. Criminal liability**

The public condemnation, in the name of the law, of the criminal acts and of the persons who committed them, is considered criminal responsibility, which can be preceded by the coercive measures provided by the law.

**Article 51. Basis of criminal liability**

(1) The real basis of criminal liability is the prejudicial act committed, and the composition of the crime, stipulated in the criminal law, represents the legal basis of criminal liability.

(2) Only the person guilty of committing the offense provided for by the criminal law is subject to criminal liability.

**Article 52. Composition of the crime**

(1) The totality of the objective and subjective signs, established by the criminal law, which qualifies a prejudicial act as a concrete crime, is considered a component of the crime.

(2) The composition of the offense represents the legal basis for qualifying the offense according to a specific article of this code.

## **Chapter VI**

### **RELEASE FROM CRIMINAL LIABILITY**

**Article 53. Release from criminal liability**

The person who committed an act that contains the elements of a crime can be released from criminal liability by the prosecutor during the criminal investigation and by the court at the trial of the case in the following cases:

- a) minors;
- b) criminal prosecution;
- c) voluntary renunciation of committing the crime;
- d) active repentance;
- e) change of situation;
- f) conditional release;

g) the prescription for criminal liability.

**Article 54.** Release from criminal liability  
of minors

(1) The person under the age of 18 who has committed a minor or less serious crime for the first time may be released from criminal liability in accordance with the provisions of the criminal procedure if it has been found that correction is possible without being subject to criminal liability .

(2) Persons released from criminal liability, in accordance with paragraph (1), shall be subject to the coercive measures of an educational nature, provided for in art. 104.

**Article 55.** Release from criminal liability  
with accountability

CONTRAVENTION

(1) The person who committed for the first time a light or less serious crime, except for the crimes provided for in art. 181 <sup>1</sup> , 256, art. 264 paragraph (2), art. 264 <sup>1</sup> , 303, 314, art. 326 para. (1 <sup>1</sup> ), art. 328 para. (1), art. 332 para. (1), art. 333 para. (1), art. 334 para. (1) and (2), art. 335 para. (1) and art. 335 <sup>1</sup> para. (1), may be released from criminal liability and held liable for contravention in cases where he admitted his guilt, repaired the damage caused by the crime and it was found that its correction is possible without being subject to criminal liability.

(2) The following contraventional sanctions shall be applied to persons released from criminal liability in accordance with paragraph (1):

- a) fine up to 150 conventional units;
- b) deprivation of the right to carry out a certain activity for a period of 3 months to a year;
- c) deprivation of the right to hold certain positions for a period of 3 months to a year;
- d) deprivation of the special right to drive vehicles for a period of 6 months to 3 years;
- e) deprivation of the special right to own a weapon and to carry a weapon for a period of 3 months to one year;
- f) unpaid work for the benefit of the community for a duration of 10 to 60 hours;
- g) contravention arrest for up to 30 days.

(3) Deprivation of the right to carry out a certain activity, deprivation of the right to hold certain positions, deprivation of a special right can also be applied as complementary sanctions.

**Article 56.** Release from criminal liability  
in connection with the waiver of good  
permission to commit the crime

(1) The cessation by the person of the preparation of the crime or the cessation of the actions (inactions) directly aimed at the commission of the crime, if the person was aware of the possibility of the consummation of the crime, is considered voluntary renunciation of the crime.

(2) The person cannot be subject to criminal liability for the crime if he, voluntarily and definitively, renounced to complete it

(3) The person who willingly renounced the completion of the crime is subject to criminal liability only if the committed deed contains another consummated crime.

(4) The organizer and the instigator of the crime are not subject to criminal liability if these persons, through a timely notification of the legal authorities or through other measures undertaken, have anticipated the completion of the crime by the author. The accomplice of the crime is not subject to criminal liability if he took all the measures that depended on him to prevent the commission of the crime.

**Article 57.** Release from criminal liability  
in connection with active repentance

(1) The person who for the first time committed a minor or less serious crime can be released from criminal liability if, after committing the crime, he voluntarily reported himself, actively contributed to its discovery, compensated the value of the material damage caused or, in another way, repaired the damage caused by the crime.

(2) The person who, under the conditions of paragraph (1), has committed a crime of another category can be released from criminal liability only in the cases provided for in the corresponding articles of the Special Part of this code.

**Article 58.** Release from criminal liability  
in relation to the change in the situation

The person who for the first time committed a light or less serious crime can be released from criminal liability if, due to the change in the situation, it will be established that the person or the committed act no longer presents a social danger.

**Article 59.** Conditional release from liability  
criminal law of the natural person

Regarding the person accused of committing a minor or less serious crime, who admits his guilt and does not present a social danger, the criminal prosecution may be suspended conditionally, with the subsequent release from criminal liability in accordance with the criminal procedure, if the correction of this person is possible without the application of a criminal penalty.

**Article 59<sup>1</sup>.** Conditional release from liability  
criminal law of the legal person

Regarding the legal person with whom a judicial agreement of public interest was concluded, confirmed by the court, the criminal prosecution may be suspended conditionally, with the subsequent release from criminal liability in accordance with the criminal procedure, if the conditions of the agreement have been fulfilled by the person legal and the monitoring period fixed in the agreement has expired.

**Article 60.** Prescription of criminal liability

(1) The person is released from criminal liability if the following terms have expired from the day of the commission of the crime:

- a) 3 years from the commission of a minor crime;
- b) 5 years from the commission of a less serious crime;
- c) 15 years after committing a serious crime;
- d) 20 years from the commission of a particularly serious crime;
- e) 25 years from the commission of an exceptionally serious crime.

(1<sup>1</sup>) In the case of the crimes provided for in art. 159, 160, 167, 171, 172, 206, 208<sup>1</sup> committed against minors, the limitation period begins to run from the date on which the minor reached the age of 18. If the minor died before reaching the age of 18, the limitation period begins to run from the date of death.

(2) In the case of continuous crime, the limitation period runs from the date of cessation of the criminal activity or from the date of the occurrence of an event that prevents this activity. In the case of a prolonged crime, the limitation period runs from the date of the last action or inaction.

(3) If the person commits a new crime, the statute of limitations is calculated for each crime separately.

(4) Prescription is interrupted if, until the expiration of the terms provided for in par. (1), the criminal case arrives at the court for substantive examination. From the moment the criminal case is registered in court, a new limitation period begins to run.

(5) The statute of limitations is suspended if the person who committed the crime evades prosecution. The running of the prescription is also suspended if the release of the agreement regarding the initiation of criminal prosecution or the lifting of the immunity granted by law is requested. In these cases, the statute of limitations begins to run from the moment of the person's arrest, from the moment of self-denunciation, from the moment of issuing the agreement regarding the initiation of criminal prosecution or from the moment of lifting the immunity.

(5<sup>1</sup>) The limitation period is suspended during the suspension of the criminal prosecution.

(5<sup>2</sup>) A new limitation period begins to run in the case of admission, according to art. 465<sup>6</sup> of the Criminal Procedure Code no. 122/2003, of the request to resume the examination of the criminal case tried in the absence of the convicted person.

(6) The application of the prescription to the person who committed an exceptionally serious crime is decided by the court. If the court does not find it possible to apply the statute of limitations and release from criminal liability, life imprisonment will be replaced by 30 years imprisonment.

(7) The statute of limitations for bringing criminal liability is reduced by half for persons who were minors at the time of the commission of the crime.

(8) The statute of limitations does not apply to persons who have committed crimes against the peace and security of mankind, war crimes, crimes of torture, inhuman or degrading treatment or other crimes provided for by international treaties to which the Republic of Moldova is a party, regardless of the date on which they were committed.

## Chapter VII

### CRIMINAL PUNISHMENT

**Article 61.** The notion and purpose of criminal punishment

(1) Criminal punishment is a measure of state coercion and a means of correction and re-education of the convicted, which is applied by the courts, in the name of the law, to people who have committed crimes, causing certain shortages and restrictions of their rights.

(2) The purpose of the punishment is to restore social equity, correct and resocialize the convict, as well as prevent the commission of new crimes both by the convicts and by other persons. The execution of the sentence must not cause physical suffering nor degrade the dignity of



the convicted person.

**Article 62.** Categories of penalties applied

natural persons

(1) The following penalties may be applied to natural persons who have committed crimes:

a) fine;

b) deprivation of the right to occupy certain positions or to exercise a certain activity;

b<sup>1</sup>) deprivation of the right to drive means of transport or cancellation of this right;

c) withdrawal of the military or special rank, a special title, the degree of qualification (classification) and state awards;

d) unpaid work for the benefit of the community;

f) prison;

g) life imprisonment.

(2) Imprisonment and life imprisonment are applied only as main punishments.

(3) Unremunerated work for the benefit of the community can be applied as the main punishment or in the case of a conviction with a conditional suspension of the execution of the punishment - as an obligation for the probation period or, as the case may be, for the probationary period.

(4) The fine, the deprivation of the right to occupy certain positions or to exercise a certain activity are applied both as main punishments and as complementary punishments.

(5) Withdrawal of a military or special rank, a special title, qualification degree (classification) and state awards is applied only as a complementary punishment.

(6) The deprivation of the right to drive means of transport or the cancellation of this right can only be applied as a complementary punishment.

**Article 63.** Categories of penalties applied

legal persons

(1) The following penalties may be applied to legal entities:

a) fine;

b) deprivation of the right to exercise a certain activity;

c) liquidation.

(2) The fine is applied as the main punishment.

(3) Depriving the legal person of the right to exercise a certain activity and its liquidation are applied both as main punishments and as complementary punishments.

**Article 64.** Fine

(1) The fine is a pecuniary sanction that is applied by the court in the cases and within the limits provided by this code.

(2) The fine is established in conventional units. The conventional fine unit is equal to 50 lei.

(3) The size of the fine for natural persons is set within the limits of 500 to 3000 conventional units, and for crimes committed for material interest - up to 20000 conventional units, taking as a basis the size of the conventional unit at the time of the crime. The size of the fine is

determined according to the seriousness of the crime committed and the material situation of the guilty party and his family. Taking into account the circumstances of the case, the court may order the payment of the fine in installments for up to 5 years.

(3<sup>1</sup>) In the case of light or less serious crimes, the convicted person is entitled to pay half of the established fine if he pays it in no more than 3 working days from the moment the decision becomes enforceable. In this case, it is considered that the penalty of the fine is fully executed.

(4) In the cases provided for in art. 21 para. (3), the size of the fine for legal entities is set within the limits of 1,500 to 60,000 conventional units, depending on the nature and gravity of the offense committed, the size of the damage caused, taking into account the economic and financial situation of the legal entity. In case of malicious evasion of the legal entity from paying the fixed fine, the court may replace the unpaid amount of the fine with the pursuit of the patrimony.

(5) In case of willful evasion of the convicted person from paying the fine established as the main or complementary punishment, the court may replace the unpaid amount of the fine with imprisonment within the limits of the terms of the maximum punishment, provided by the respective article of the Special Part of of this code. The amount of the fine is replaced by imprisonment, calculating one month of imprisonment for 100 conventional units.

(6) The fine as a complementary punishment can be applied only in cases where it is provided as such for the corresponding crime.

(7) If the convicted person is not able to pay the fine established as the main or complementary punishment, the court may, according to the provisions of art. 67, replace the unpaid amount of the fine with unpaid work for the benefit of the community, calculating 60 hours of unpaid work for the benefit of the community for 100 conventional fine units.

**Article 65.** Deprivation of the right to occupy  
certain functions or to exercise  
a certain activity

(1) Deprivation of the right to occupy certain positions or to exercise a certain activity consists in the prohibition to occupy a position or to exercise an activity of the nature that the convicted person used to commit the crime.

(2) Deprivation of the right to hold certain positions or to exercise a certain activity can be established by the court for a period of 1 to 5 years, and in the cases expressly provided for in the Special Part of this code - for a period from one year to 15 years.

(3) Deprivation of the right to occupy certain positions or to exercise a certain activity can be applied as a complementary punishment in cases where it is not provided as a punishment for the crimes in the Special Part of this code, if, taking into account the character the crime committed by the guilty party during the performance of his duties or during the exercise of a certain activity, the court will consider it impossible for him to retain the right to occupy certain positions or to exercise a certain activity.

(4) When applying the penalty of deprivation of the right to hold certain positions or to exercise a certain activity as a complementary penalty to the fine, unpaid work for the benefit of the community, sentence with conditional suspension of the execution of the sentence or postponement

of the execution of the sentence for pregnant women and people who have children aged up to 8 years, its term is calculated from the date of the decision becoming final, and upon its application as complementary punishment to the conditional release of the punishment before the term or to the replacement of the unexecuted part of the punishment with a milder punishment, its term is calculated from the moment of the effective execution in the penitentiary of the term established by the court, under the conditions of art. 91 and 92.

*[Art.65 para.(4) in the wording of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

(5) In the case of a conviction with a partial suspension of the execution of the prison sentence, the term of the deprivation of the right to hold certain positions or to exercise a certain activity as a complementary punishment is calculated from the moment of the execution of the first part of the sentence in the penitentiary, and when applying the penalty of deprivation of the right to hold certain positions or to exercise a certain activity as a complementary punishment to imprisonment, its term is calculated from the moment of execution the main punishment.

*[Art. 65 para. (5) introduced by LP136 of 06.06.24, MO245-246/07.06.24 art. 353; in force 07.09.24]*

**Article 65<sup>1</sup>** . Deprivation of the right to drive means  
of transport or cancellation of this right

(1) The deprivation of the right to drive means of transport or the cancellation of this right consists in the prohibition of driving any type of means of transport on public roads.

(2) Deprivation of the right to drive means of transport can be applied by the court for a period of 1 to 5 years.

(3) Cancellation of the right to drive means of transport can be applied by the court, with the subsequent renewal of the driver's license, in the manner established by law.

(4) Upon application of the penalty of deprivation of the right to drive means of transport or upon the cancellation of this right as a complementary penalty to a fine or unpaid community service, its term is calculated from the date of finality of the decision, and upon its application as a complementary prison sentence, its term is calculated from the moment of execution of the main sentence.

**Article 66.** Withdrawal of military or special rank,  
of a special title, of the degree of qualification  
(classification) and state awards

In case of conviction for a serious, particularly serious or exceptionally serious crime, the court, taking into account the circumstances of the crime, may revoke the military or special rank, the special title, the degree of qualification (classification) and the state awards.

**Article 67.** Unpaid work for the benefit of the community

(1) Unpaid work for the benefit of the community consists in training the convict, outside the time of basic service or studies, to work, determined by the local public administration authorities.

(1<sup>1</sup>) In the case of servicemen and servicemen with a reduced term, the unpaid work for the benefit of the community consists in training the convicts during the free time of meetings, established in accordance with the requirements of military regulations, to work, determined by the commander of the military unit.

(2) Unpaid work for the benefit of the community is established for a period of 60 to 240 hours and is performed from 2 to 4 hours a day, and in the case of the convict who is not trained in basic activities or studies, upon request or with his agreement - up to 8 hours a day.

(2<sup>1</sup>) After the pronouncement of the judge's decision, the president of the court session explains the essence of the punishment with unpaid work for the benefit of the community, a fact that it is recorded in the minutes of the court session.

(2<sup>2</sup>) The person sentenced to unpaid work for the benefit of the community signs an undertaking in the court by which he obliges himself to present himself, within 5 days from the moment the court decision becomes final, to the probation body in whose territorial scope has its domicile or, as the case may be, with the commander of the military unit.

(3) In the case of the convict's malicious avoidance of unpaid work for the benefit of the community, it shall be replaced by imprisonment, calculating one day of imprisonment for 4 hours of unpaid work for the benefit of the community. In this case, the prison term may be less than 3 months.

(4) Unremunerated work for the benefit of the community cannot be applied to contract soldiers and persons who have not reached the age of 16.

(5) Unremunerated work for the benefit of the community will be provided for a maximum of 18 months, which time is calculated from the date of finality of the court decision.

(6) Servicemen serving the term and servicemen with a reduced term sentenced to unpaid work for the benefit of the community serve this sentence in the military unit.

#### **Article 70. Prison**

(1) Imprisonment consists in depriving the person guilty of a crime of his freedom by isolating him from the normal life environment and placing him, based on the court's decision, for a certain period, in a penitentiary.

(2) Imprisonment is established for a term from 3 months to 20 years.

(3) When determining the prison sentence for the person who, on the date of the crime, did not reach the age of 18, the prison term is determined from the maximum sentence, provided by the criminal law for the crime committed, reduced by half.

(3<sup>1</sup>) When imposing the penalty on persons who have reached the age of 18, but have not reached the age of 21, who have committed a crime between the ages of 18 and 21, the maximum penalty is reduced by one third, and in the case of life imprisonment, it is commuted to prison for a term of 30 years. If the court, taking into account the personality of the offender, reaches the conclusion that only by applying the punishment within the general limits will the goal of the criminal punishment be achieved, it can order a punishment within the limits provided by the criminal law for the crime committed. The need to apply the punishment within the general limits is to be argued by the court.

*[Art. 70 para. (3<sup>1</sup>) modified by LP136 of 06.06.24, MO245-246/07.06.24 art. 353; in force 07.09.24]*

*[Art. 70 para. (4) repealed by LP136 of 06.06.24, MO245-246/07.06.24 art. 353; in force 07.09.24]*

(5) In the case of replacing the sentence of life imprisonment with a milder sentence, by way of pardon, imprisonment for a term of 25 years shall be applied .

*[Art.70 para.(5) amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

**Article 71. Life imprisonment**

(1) Life imprisonment consists in depriving the convict of his freedom for the rest of his life.

(2) Life imprisonment is established only for exceptionally serious crimes.

(3) Life imprisonment cannot be applied to minors.

*[Art. 71 para. (3) amended by LP136 of 06.06.24, MO245-246/07.06.24 art. 353; in force 07.09.24]*

**Article 72. Categories of penitentiaries in which  
the prison sentence is executed**

(1) The prison sentence is executed in the following penitentiaries:

a) open type;

b) semi-closed type;

c) closed type.

(2) In open type penitentiaries, persons sentenced to prison for crimes committed out of imprudence and for light crimes committed with intent serve their sentences .

*[Art. 72 para. (2) amended by LP136 of 06.06.24, MO245-246/07.06.24 art. 353; in force 07.09.24]*

(3) Persons sentenced to prison for less serious and serious crimes, committed with intent, serve their sentences in semi-closed penitentiaries.

*[Art.72 para.(3) amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

(4) Persons sentenced to prison for particularly serious and exceptionally serious crimes serve their sentences in closed penitentiaries.

(5) Juveniles serve the prison sentence in the detention centers for minors and young people, taking into account the personality of the convict, the criminal antecedents and the prejudicial degree of the crime committed.

*[Art. 72 para. (5) amended by LP136 of 06.06.24, MO245-246/07.06.24 art. 353; in force 07.09.24]*

(6) Convicted women serve their prison sentences in women's penitentiaries.

(7) The change of the penitentiary category is carried out by the court in accordance with the legislation.

**Article 73. Deprivation of a legal person  
of the right to exercise a certain**

activity

(1) Depriving a legal person of the right to exercise a certain activity consists in establishing the prohibition to conclude certain transactions, to issue shares or other securities, to receive subsidies, facilities and other advantages from the state or to perform other activities.

(2) Deprivation of the right to exercise a certain activity can be limited to a certain territory or to a certain period of the year and is established for a term of up to 5 years or for an unlimited term.

**Article 74.** Liquidation of the legal entity

(1) The liquidation of the legal person consists in its dissolution, with the occurrence of the consequences provided by the civil legislation.

(2) The liquidation of the legal person is established if the court finds that the seriousness of the crime committed makes it impossible to keep such a legal person and prolong its activity.

**Chapter VIII**

**INDIVIDUALIZATION OF PUNISHMENTS**

**Article 75.** The general criteria for individualization  
of punishment

(1) A fair punishment shall be applied to the person found guilty of committing a crime within the limits set in the Special Part of this Code and in strict accordance with the provisions of the General Part of this Code. When establishing the category and term of the punishment, the court takes into account the seriousness of the crime committed, its motive, the person of the guilty party, the circumstances of the case that mitigate or aggravate the liability, the influence of the punishment applied on the correction and re-education of the guilty party, as well as the conditions of life of his family.

(2) In the case of the punishment alternatives provided for the crime committed, the prison sentence has an exceptional character and is applied when the seriousness of the crime and the personality of the criminal make it necessary to apply the prison sentence, and another punishment is insufficient and would not achieve its purpose . A harsher punishment, from the number of alternatives provided for the commission of the crime, is established only if a milder punishment, from the number of those mentioned, will not ensure the achievement of the purpose of the punishment. The exceptional nature of the application of the prison sentence is to be argued by the court.

(3) For the commission of a minor or less serious crime, the punishment is applied to the minor only if it is assessed that taking the educational measure is not sufficient to correct the minor.

**Article 76.** Extenuating circumstances

(1) When determining the punishment, mitigating circumstances are considered:

- a) committing a minor or less serious crime for the first time;
- b) the commission of the crime by a minor or by a person who has reached the age of 18, but has not reached the age of 21;
- c) the commission of the crime as a result of a competition of difficult personal or family circumstances;

- d) committing the act by a person with reduced responsibility;
- e) the prevention by the culprit of the harmful consequences of the crime committed, the voluntary repair of the damage caused or the removal of the damage caused;
- f) self-denunciation, active contribution to the discovery of the crime or to the identification of criminals or the recognition of guilt;
- g) the illegality or immorality of the victim's actions, if they caused the crime;
- h) the commission of the crime as a result of physical or mental coercion, which does not remove the criminal character of the act, or given the material dependence, service or other nature;
- i) the commission of the crime by a person in a state of intoxication, caused by the involuntary or forced consumption of alcohol, drugs, precursors, ethnobotanicals or their analogues or by the consumption of these substances without being aware of their effect;

*[Art.76 para.(1), letter i) amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

j) committing the crime by exceeding the legal limits of legitimate defense, apprehension of the offender, state of extreme necessity, justified risk or as a result of the execution of the superior's order or disposition;

k) the serious damage, by the crime committed, of the perpetrator or the weight of the burden of the punishment, applied for him, due to his advanced age, his state of health or other circumstances;

l) the expiration of at least 2/3 of the statute of limitations for bringing criminal liability, provided for this offense, from the moment of the commission of the crime, or the exceeding of the reasonable term for the examination of the case, taking into account the nature of the act, if the delay does not was provoked by the perpetrator.

(2) The court may consider as extenuating circumstances also other circumstances, not provided for in paragraph (1).

(3) When determining the punishment, the court does not consider as mitigating the circumstance that is provided by law as a constitutive element of the crime.

#### **Article 77. Aggravating circumstances**

(1) When determining the penalty, the following are considered aggravating circumstances:

a) the commission of the crime by a person who was previously convicted for a similar crime or for other facts that are relevant to the case;

*[Art.77 para.(1), letter b) repealed by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

c) committing the crime through any form of participation;

d) committing the crime for reasons of prejudice;

e) knowingly committing the crime against a minor or a pregnant woman or taking advantage of the known or obvious state of helplessness of the victim, which is due to advanced age, illness, disability or another factor;

f) the commission of the crime against a person in connection with the fulfillment by him of his service or public obligations;

g) committing the crime through or in the presence of minors, persons in difficulty, mentally retarded persons or dependent on the perpetrator;

h) committing the crime by acts of particular cruelty or by mocking the victim;

i) committing the crime by means that present an increased social danger;

j) the commission of the crime by a person in a state of intoxication, caused by the consumption of alcohol, drugs, precursors, ethnobotanicals or their analogues . The court is entitled, depending on the nature of the crime, not to consider this as an aggravating circumstance;

*[Art.77 para.(1), letter j) amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

k) committing the crime with the use of weapons, ammunition, explosive materials or devices imitating them, specially prepared technical means, harmful and radioactive substances, medicinal preparations and other chemical-pharmacological preparations, as well as with the application of physical coercion or psychic;

*[Art.77 para.(1), letter k) amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

m) committing the crime taking advantage of the exceptional state, natural calamities, as well as mass disturbances;

n) committing the crime using the trust granted.

(2) If the circumstances mentioned in paragraph (1) are provided for in the corresponding articles of the Special Part of this code as signs of these components of crimes, they cannot simultaneously be considered as aggravating circumstances.

#### **Article 78.** Effects of mitigating circumstances and aggravating

(1) If the court finds mitigating circumstances when the crime was committed, the main punishment is reduced or changed as follows:

a) if the minimum prison sentence provided for in the corresponding article of the Special Part of this code is less than 10 years, the sentence can be reduced to this minimum;

b) if the fine is applied, it can be reduced to the lower limit;

c) if the crime committed is punishable by life imprisonment, it shall be replaced by imprisonment from 15 to 25 years.

(2) If the court finds mitigating circumstances when the crime was committed, the complementary punishment, provided by law for the crime committed, can be removed.

(3) If there are aggravating circumstances, the maximum penalty provided for in the corresponding article of the Special Part of this code may be applied.

(4) In case of concurrence of aggravating and mitigating circumstances, lowering the penalty to the minimum or raising it to the maximum provided for in the corresponding article of the Special Part of this code is not mandatory.

(5) If there are exceptional mitigating circumstances, the penalty can be applied according to the provisions of art.79.

#### **Article 79.** Application of the milder punishment



than that provided by law

(1) Taking into account the exceptional circumstances of the case, related to the purpose and reasons of the deed, the role of the culprit in committing the crime, his behavior during and after the consummation of the crime, other circumstances that essentially reduce the seriousness of the deed and its consequences, as well as of the active contribution of the participant of a crime committed in a group to its discovery, the court may impose a penalty below the limit minimum, provided by the criminal law for the respective crime, or a milder one, of another category, or may not apply the mandatory complementary punishment. Minority of the person who committed the crime is considered an exceptional circumstance. The commission of the crime by persons who have reached the age of 18 but have not reached the age of 21 can be appreciated by the court as an exceptional circumstance.

(1<sup>1</sup>) Both a mitigating circumstance and an accumulation of such circumstances related to the situations mentioned in paragraph (1) can be considered exceptional.

(3) In case of conviction of adults for committing particularly serious crimes, the court may impose a punishment below the minimum limit provided by the criminal law, but constituting at least two thirds of the minimum punishment provided by this code for the crime committed.

(4) The provisions of paragraph (1) do not apply to adults in the case of life imprisonment, in the case of recidivism or the commission of crimes provided for in art. 166<sup>1</sup> para. (2)–(4).

**Article 80.** Application of the penalty in case of termination  
the plea agreement  
and the cooperation agreement

(1) If the accused person enters into an agreement to admit guilt, and the court accepts this agreement, the punishment limits provided in the Special Part of this code are reduced by one third.

(2) If the accused person concludes a cooperation agreement, and the court accepts this agreement, the punishment limits provided by the norm of the special part of this code are reduced by two fifths. When establishing a prison sentence, the conditional suspension of the execution of the sentence or the partial suspension of the execution of the sentence shall be applied, in the manner provided by law.

(3) By way of derogation from para. (1), if the person accused of committing the crimes provided for in art. 264 para. (2), (4), (6) and art. 264<sup>1</sup> concludes a plea agreement, and the court accepts this agreement, the reduction mentioned in par. (1) applies only to the maximum penalty limit provided in the Special Part of this Code.

*[Art.80 para.(3) introduced by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

**Article 80<sup>1</sup>.** Application of penalty in case of judgment  
based on the samples administered in the phase  
prosecution

(1) In the event that the defendant admitted to committing the acts indicated in the indictment and requested that the judgment be made on the basis of the evidence administered during the criminal investigation phase, he benefits from the reduction by one fourth of the

punishment limits provided for in the Special Part of this code in the case of a fine, unpaid community work or imprisonment.

(2) In the event that the defendant admitted to committing the acts indicated in the indictment for the crimes provided for in art. 181<sup>1</sup> -182, 239-240, 242<sup>1</sup>, 242<sup>2</sup>, 256, art. 264 para. (2), (4), (6), art. 264<sup>1</sup>, 324–335<sup>1</sup>, 370 and requested that the judgment be made on the basis of the evidence administered during the criminal investigation phase, he benefits from the reduction by one fourth only of the maximum penalty limit provided in the Special Part of this code in the case of the penalty with a fine, unpaid community work or imprisonment.

*[Art.80<sup>1</sup> para.(2) amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

**Article 81.** Application of the penalty for the crime  
unconsummated

(1) When applying the punishment for the unconsummated crime, the circumstances under which the crime was not completed are taken into account.

(2) The size of the punishment for the preparation of a crime that does not constitute a recidivism cannot exceed half of the maximum of the harshest punishment provided for in the corresponding article of the Special Part of this code for the consummated crime.

(3) The size of the punishment for an attempted crime that does not constitute a recidivism cannot exceed three quarters of the maximum of the harshest punishment provided for in the corresponding article of the Special Part of this code for the consummated crime.

(4) Life imprisonment does not apply to crime preparation and crime attempt.

**Article 82.** Application of punishment for recidivism  
of crimes

(1) When applying the punishment for recidivism, the number, nature, seriousness and consequences of previously committed crimes are taken into account, the circumstances by virtue of which the previous punishment was insufficient to correct the culprit, as well as the nature, seriousness and consequences of the new crime.

*[Art.82 para.(1) amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

(2) The size of the punishment for dangerous and particularly dangerous recidivism cannot be less than two thirds of the maximum punishment provided for in the corresponding article of the Special Part of this code. If only mitigating circumstances are established, the court may establish the punishment within the limits provided for the crime in the Special Part of this Code.

*[Art.82 para.(2) amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

**Article 83.** Application of punishment for participation

The organizer, instigator and accomplice of a crime, provided for by the criminal law, committed with intent is sanctioned with the punishment provided by law for the author. When determining the punishment, each person's contribution to the crime is taken into account, as well as the provisions of art. 75.

**Article 84.** Application of the penalty in the case of a  
crime contest

(1) If a person is declared guilty of committing two or more crimes without having been convicted for any of them, the court, pronouncing the punishment for each separate crime, establishes the definitive punishment for the concurrent crimes by cumulation, total or partially, of the penalties applied, but for a term not exceeding 25 years of imprisonment, and with regard to persons who have reached the age of 18 but not reached the age of 21 - for a term not exceeding 20 years and in the case of minors – for a term not exceeding 12 years and 6 months. If the person is found guilty of committing two or more light and/or less serious crimes, the final sentence can also be determined by absorbing the lighter sentence from the harsher sentence.

*[Art.84 para.(1) in the wording of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

(1<sup>1</sup>) If a person is declared guilty of committing two or more crimes without having been convicted for any of them, the court, pronouncing the punishment, other than imprisonment, for each separate crime, establishes the definitive punishment for competition of crimes through the cumulative, total or partial, of the penalties applied, the final penalty being within the maximum penalties provided in the General Part of this code.

*[Art. 84 para. (1<sup>1</sup>) introduced by LP136 of 06.06.24, MO245-246/07.06.24 art. 353; in force 07.09.24]*

(2) Any of the complementary penalties provided for in the corresponding articles of the Special Part of this Code, which establish liability for the crimes of which the person was declared guilty, can be added to the main punishment applied in the case of a criminal contest. The definitive complementary punishment established by the cumulative, total or partial, of the applied complementary punishments cannot exceed the term or the maximum size provided by the General Part of this code for this category of punishments.

(3) If main punishments of different categories are established for the crimes included in the contest, the cumulation of which is not provided for by art.87, and the court will not find grounds for the absorption of one punishment by another, they shall be executed by themselves stagnant.

(4) According to the provisions of paragraphs (1)-(3), the punishment is also determined if, after the sentence is pronounced, it is found that the convicted person is also guilty of committing another crime committed before the sentence was pronounced in the first case. In this case, the term of the sentence includes the duration of the sentence executed, fully or partially, based on the first sentence.

(5) In the case of a series of crimes, when a sentence of life imprisonment and one or more prison sentences or other categories of punishments has been established, life imprisonment shall be applied as the definitive sentence.

**Article 85.** Application of the penalty in the case of a  
the sum of sentences

(1) If, after the sentencing, but before the full execution of the sentence, the convicted person has committed a new crime, the court adds, in whole or in part, to the punishment imposed by the new sentence, the unexecuted part of the sentence established by the previous sentence. In this case, the final punishment cannot exceed 30 years of imprisonment, and in the case of persons who have reached the age of 18 but have not reached the age of 21 - the term of 20 years and in the case of minors - the term for 15 years.

*[Art.85 para.(1) in the wording of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

(1<sup>1</sup>) If, after the sentencing, but before the full execution of the sentence, the convict committed a new crime, the court adds, in whole or in part, to the punishment imposed by the new sentence, the unexecuted part of the sentence established by the previous sentence. In this case, the definitive punishment, other than imprisonment, cannot exceed 40,000 conventional units, 480 hours of unpaid work in the community, 20 years in the case of deprivation of the right to hold certain positions or exercise a certain activity, 10 years in case of deprivation of the right to drive means of transport and for an unlimited term in case of deprivation of a legal person of the right to exercise a certain activity.

*[Art.85 para.(1<sup>1</sup>) introduced by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

(2) Cumulation of complementary punishments in the case of a cumulation of sentences is carried out under the conditions of art. 84 paragraph (2).

(3) The final sentence in case of a cumulation of sentences must be greater than the sentence established for the commission of a new crime and than the unexecuted part of the sentence pronounced by the previous sentence of the court.

(4) When the punishments are cumulated, if one of the sentences establishes the punishment of life imprisonment, the final punishment will be life imprisonment.

**Article 86. Application of the penalty in case of execution  
the decision of a foreign state**

(1) When executing the decision of a foreign state, the court replaces the custodial sanction pronounced in the foreign state with a sanction provided by its own criminal law for the same act, without aggravating the criminal situation of the convicted person established by the foreign state's decision. If the law of the foreign state provides a lower penalty than the minimum provided in the domestic law, the court will not be bound by this minimum and will apply a penalty corresponding to the penalty pronounced in the foreign state.

(2) Any part of the sentence pronounced in the foreign state and any period of provisional detention served by the convict shall be deducted in full by the court's decision regarding the recognition of the foreign state's decision.

(3) When executing the foreign state's decision regarding the imposition of a fine or the confiscation of a sum of money, the court will establish its amount in national currency, applying the official rate of the Moldovan leu valid at the time of the pronouncement of the decision

regarding the recognition of the foreign state's decision, without exceeding the maximum the sanction set by the foreign state for such an act.

(4) Fines and asset confiscations resulting from the execution of the decisions of a foreign state fall to the Republic of Moldova, without prejudice to the rights of third countries.

**Article 87.** The method of determining the term of the punishment  
definitive in the case of the cumulation of different  
PUNISHMENT

(1) Upon the accumulation of the various main penalties applied in the case of a contest of crimes or a cumulation of sentences, one day of imprisonment corresponds to 4 hours of unpaid work for the benefit of the community.

(2) The other penalties combined with imprisonment shall be executed independently.

**Article 88.** Calculation of punishment terms  
and calculating the preventive detention

(1) The terms of deprivation of the right to hold certain positions or to exercise a certain activity and imprisonment are calculated in days, months and years , and those of unpaid work for the benefit of the community - in hours.

*[Art. 88 para. (1) amended by LP136 of 06.06.24, MO245-246/07.06.24 art. 353; in force 07.09.24]*

(2) When calculating or cumulating the punishments mentioned in paragraph (1), with the exception of unpaid work for the benefit of the community, as well as when replacing the punishment, it is allowed to calculate them in days.

(3) The time the person is under preventive detention until the trial of the case is included in the prison term, calculating one day for one day, and in the term of unpaid work for the benefit of the community - calculating one day of preventive detention for 4 hours of work unpaid for the benefit of the community.

(4) The duration of the preventive arrest and the execution of the prison sentence, applied by court decision, for the crime committed abroad are included in the term of the punishment, in the case of extradition of the person under the law, calculating one day for one day.

(5) For the convicted person who was under preventive detention until the case was called for trial, when establishing as the main punishment the fine, the deprivation of the right to hold certain positions or to exercise a certain activity, the court, taking into account of the term of being under preventive detention, mitigates the established punishment or completely frees him from its execution.

(6) The time during which the convict, during the execution of the sentence, undergoes hospital treatment is included in the duration of the execution of the sentence, except for the case in which he caused the illness himself, a fact that was found during the execution of the sentence. During the execution of the sentence with unpaid work for the benefit of the community, the time during which the convict is absent from the workplace is not included.

**Chapter IX**  
**RELEASE FROM CRIMINAL PUNISHMENT**

**Article 89.** The notion and categories of release  
of criminal punishment

(1) Release from criminal punishment means the release of the person who committed a crime from the actual, partial or total execution of the criminal punishment pronounced by the court decision.

(2) Release from criminal punishment is carried out by:

- a) sentencing with conditional suspension of the execution of the sentence;
- b) conditional release from punishment before the term;
- b<sup>1</sup>) exemption from punishment in case of committing the crime for the first time and repairing the damage;
- c) replacing the unexecuted part of the punishment with a milder punishment;
- d) release of minors from punishment;
- e) exemption from punishment due to the change in the situation;
- f) the release from the execution of the sentence of seriously ill persons;
- g) postponing the execution of the sentence for pregnant women and people who have children under the age of 8.

(3) Probation is applied to persons freed from criminal punishment, and to military personnel - the term of probation.

**Article 90.** Sentence with suspension  
conditional on the execution of the sentence

(1) If, when determining the prison sentence for a term of no more than 5 years for crimes committed with intent and no more than 7 years for crimes committed recklessly, the court, taking into account the circumstances of the case and the person of the guilty party, will come to the conclusion that it is not rational for him to carry out the established punishment, she can order the conditional suspension of the execution of the punishment applied to the culprit, indicating immediately in the decision the reasons for the conditional suspension of the execution of the sentence and the probation period or, as the case may be, the probation period. In this case, the court orders the non-execution of the imposed punishment if, during the probation period or, as the case may be, the probationary period it has fixed, the convicted person will not commit a new crime and, by complying with the conditions of the probation or, as the case may be, the term of proof, will justify the trust that has been given to him. Control over the behavior of those convicted with conditional suspension of the execution of the sentence is exercised by the probation bodies, and over the behavior of the military - the respective military command.

*[Art.90 para.(1) amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

(2) The probationary period or, as the case may be, the probationary term is established by the court within the limits of 1 year to 3 years.

*[Art.90 para.(2) amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

(2<sup>1</sup>) By way of derogation from para. (2), if a cooperation agreement was concluded, the probationary period or, as the case may be, the probationary term cannot be less than half of the sentence established by the court and more than 6 years.

(4) Persons who have committed particularly serious or exceptionally serious crimes, persons who have committed the crimes provided for in art. 165 para. (1), art. 166<sup>1</sup> para. (2) and (3), art. 171 para. (2), art. 172 para. (2), art. 174 para. (1<sup>1</sup>), art. 175 para. (2), art. 175<sup>1</sup> para. (2), art. 201<sup>1</sup> para. (3), art. 206 para. (1), art. 264 para. (4) and (6), as well as in the case of dangerous or particularly dangerous recidivism, the sentence with conditional suspension of the execution of the sentence does not apply.

*[Art.90 para.(4) in the wording of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

(4<sup>1</sup>) By way of derogation from para. (1) and (4), if a cooperation agreement has been concluded, the sentence with conditional suspension of the execution of the sentence is also applied to persons who have committed particularly serious crimes.

(5) In case of conviction with conditional suspension of execution of the sentence, complementary punishments may be established.

(6) Applying the sentence with the conditional suspension of the execution of the sentence, the court obliges the convicted person to fulfill one or more of the following:

- a) to appear at the probation body on the dates fixed by it;
- b) to announce in writing, in advance, about the change of address or any travel that exceeds 5 days;
- c) not to attend certain places, established by the court, being subject to electronic monitoring, but not more than 12 months;
- d) to undergo treatment in case of alcoholism, drug addiction, drug addiction, HIV virus or venereal disease;
- e) to repair the damages caused to the victim and/or the victim's family in the amount and within the terms set by the court;
- f) to complete compulsory education, follow a training or professional qualification course;
- g) participate in probationary programs;
- h) to perform unpaid work for the benefit of the community, but only with its consent.

*[Art.90 para.(6) in the wording of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

(6<sup>1</sup>) In case the minor is sentenced with a conditional suspension of the execution of the sentence, participation in the probationary program is mandatory.

*[Art.90 para.(6<sup>1</sup>) introduced by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

(7) During the probation period or, as the case may be, the probationary period, the court, at the request of the body that exercises control over the behavior of the convicted person with conditional suspension of the execution of the sentence, may cancel, in whole or in part, the obligations previously established for the convicted person or add new ones.

*[Art.90 para.(8) repealed by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

*[Art. 90 para. (8<sup>1</sup>) repealed by LP136 of 06.06.24, MO245-246/07.06.24 art. 353; in force 07.09.24]*

(9) If the person convicted with conditional suspension of the execution of the sentence, during the probation period or, as the case may be, the probationary period, systematically violates the established obligations or, until the probationary period expires, has not executed -will the obligation to repair the damage caused, the court, at the proposal of the body that exercises control over the behavior of those convicted with the suspension of the execution of the sentence, can pronounce a conclusion regarding the annulment of the conviction with the conditional suspension of the execution of the sentence and the sending of the convict to execute, in full or in part, but not less than 1/3 of the sentence established by the court decision.

(10) If the person convicted with the conditional suspension of the execution of the sentence commits a new intentional crime during the probation period or, as the case may be, the probation period, the court determines a punishment under the conditions of art. 85, if, as the case may be , the provisions of para. (11) of this article.

(11) If the person convicted with a conditional suspension of the execution of the sentence commits during the probation period or, as the case may be, the probationary period, a crime due to imprudence or a less serious intentional crime, the issue of canceling or maintaining the conviction with a conditional suspension of the execution the punishment is resolved by the court, at the proposal of the body that supervises the behavior of those convicted with the suspension of the execution of the punishment.

(12) In the event that the person convicted with the conditional suspension of the execution of the prison sentence did not fulfill the obligation of cooperation assumed on the basis of the cooperation agreement, the court, at the request of the prosecutor, pronounces a decision regarding the cancellation of the conviction based on the cooperation agreement cooperation and sending the convict to serve the sentence established by the court decision.

**Article 90<sup>1</sup> . Conviction with partial suspension  
of the execution of the prison sentence**

(1) If the court, taking into account the circumstances of the case and the personality of the culprit, reaches the conclusion that it is not rational for him to serve the entire prison sentence in the penitentiary, it may order the partial suspension of the execution of the punishment applied to the culprit, indicating in the decision the period of execution of the sentence in prison and the period of probation or, as the case may be, the term of probation, as well as the reasons for the conviction with the partial suspension of the execution of the sentence. The first part of the sentence is executed in the penitentiary, and the rest of the sentence is suspended.

(2) In the case of light or less serious crimes, the part of the sentence that must be served in the penitentiary can be reduced to the minimum provided by this code.



(3) In the case of serious crimes, the part of the sentence to be served in the penitentiary must not be less than half of the sentence established by the court. In the case of the cooperation agreement, the part of the sentence to be served in the penitentiary can be reduced up to one year.

(4) This article does not apply in the case of particularly serious and exceptionally serious crimes, as well as the crimes provided for in art. 166<sup>1</sup> para. (2) and (3), art. 171 para. (2), art. 172 para. (2), art. 174 para. (1<sup>1</sup>), art. 175 para. (2), art. 201<sup>1</sup> para. (3), art. 206 para. (1), art. 264 para. (4) and (6).

*[Art.90<sup>1</sup> para.(4) in the wording of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

(5) Upon the release of the person for the execution of the conditionally suspended part of the sentence, the obligations provided for in art. 90 paragraph (6) may be applied.

(6) If the person convicted with the partial suspension of the execution of the prison sentence commits a new intentional crime during the probation period or, as the case may be, during the probationary period or systematically violates the established obligations, the court shall determine a punishment under the conditions of art. 85 if, as the case may be, the provisions of para. (7) of this article.

(7) If the person convicted with the partial suspension of the execution of the prison sentence commits during the probation period or, as the case may be, during the probationary period, a crime due to imprudence or a light or less serious intentional crime, the issue of canceling or maintaining the conviction with the partial suspension of the execution of the prison sentence is resolved by the court, at the initiative of the body that exercises supervision over the behavior of the convicted with the suspension of the execution of the sentence.

(8) If the person convicted with a partial suspension of the execution of the prison sentence has not fulfilled the obligation of cooperation assumed on the basis of the cooperation agreement, the court, at the request of the prosecutor, pronounces a decision regarding the annulment of the conviction based on the cooperation agreement cooperation and sending the convict to fully execute the sentence established by the court decision.

#### **Article 91. Conditional release from punishment before the deadline**

(1) The person who is serving a prison sentence may be granted conditional release from the sentence before the deadline if he has completed the individual sentence execution program, fully repaired the damages caused by the crime for which he was convicted, unless he proves that he did not she had no possibility to fulfill them, and if it is found that her correction is possible without the full execution of the sentence. The person can be freed, in whole or in part, from the complementary punishment.

(2) Applying conditional release from punishment before the deadline, the court obliges the convicted person to fulfill one or more of the obligations provided for in art. 90 para. (6) in the remaining unexecuted sentence. In the case of unpaid community service, the convict's consent is not required.

*[Art.91 para.(2) in the wording of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

(3) Conditional release from punishment before the term is applied to convicts by the court at the place of execution of the punishment, based on the approach of the institution that executes the punishment, at the request of the convict or his defense attorney under the conditions provided for in art. 266 and 267 of the Execution Code and only after compliance with the established extrajudicial procedure.

(4) Conditional release from punishment before the deadline can be applied if the convict, who at the time of the crime was 21 years old, has actually executed:

a) at least half, but not less than 90 days of imprisonment, of the penalty term established for the commission of a minor or less serious crime;

b) at least two thirds of the punishment term established for the commission of a serious crime, particularly serious or exceptionally serious crimes, as well as of the punishment applied to the person previously released on parole, if the parole was canceled under the conditions of paragraph (8).

(5) The person who is serving a sentence of life imprisonment may be conditionally released from the sentence before the deadline if the court considers that there is no longer a need to continue serving the sentence and if this person has effectively served at least 25 years of imprisonment , without taking into account the privileged compensation of working days.

*[Art. 91 para. (5) amended by LP136 of 06.06.24, MO245-246/07.06.24 art. 353; in force 07.09.24]*

(6) Conditional release from punishment before the term can be applied to minors, to persons who have reached the age of 18 but not yet reached the age of 21 and to persons who have reached the age of 60, if they have effectively executed:

a) at least one third of the penalty term established for the commission of a minor or less serious crime;

b) at least half of the punishment term established for the commission of a serious crime;

c) at least two thirds of the penalty term established for the commission of a particularly serious or exceptionally serious crime.

(7) Control over the behavior of those released conditionally from punishment before the deadline is exercised by the probation bodies, and over the behavior of the military - the respective military command.

(8) If, in the remaining unexecuted penalty term:

a) the convicted person intentionally evades the fulfillment of the obligations established by the court for the application of the conditional release from the sentence before the deadline, the court, upon the proposal of the body indicated in paragraph (7), may pronounce a conclusion regarding the cancellation of the release conditioned by punishment before the term and when the convict is sent to serve the unexecuted sentence;

*[Art.91 para.(8), letter a) amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

b) the convict recklessly commits a new crime, the annulment or maintenance of conditional release from punishment before the term is decided by the court;

c) the convict intentionally commits a new crime, the court determines his punishment under the conditions of art. 85. In the same way, the punishment is applied in case of committing a new crime due to imprudence if the court cancels the conditional release from the punishment before the deadline.

**Article 91<sup>1</sup>**. Release from criminal punishment in the case  
committing the crime for the first time  
and the repair of the damage

(1) The person is released from criminal punishment in the case of committing a crime provided for in art. 241, 242, 244, 244<sup>1</sup>, 246, 246<sup>1</sup>, 250, 257, 258 and 262 of the Special Part of this code if he cumulatively meets the following conditions :

a) was not previously released from criminal punishment for committing the same act;

b) removed the violations and repaired the damage caused by the crime;

c) paid to the state budget an amount equal to the value of the material damage caused, but not less than twice the maximum limit of the fine provided by the sanction of the corresponding article in the Special Part of the code.

(2) The person is released from criminal punishment under the conditions of para. (1) only if the act was not committed by applying physical or mental coercion, did not result in harm to the person's life and health or was not committed by a criminal group organized or by a criminal organization.

**Article 92**. Substitution of the unexecuted part of the sentence  
with a milder punishment

(1) With regard to persons serving a prison sentence, the court, taking into account their behavior during the execution of the sentence, may pronounce a conclusion regarding the replacement of the unexecuted part of the sentence with a milder sentence. At the same time, the person can be released, in whole or in part, from the complementary punishment.

*[Art.92 para.(1) amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

(2) The replacement of the unexecuted part of the punishment with a milder punishment can be applied only after the convict has effectively served at least one third of the punishment term for a light or less serious crime , half of the punishment term for a serious crime and at least two thirds of the sentence for a particularly serious or exceptionally serious crime .

*[Art.92 para.(2) amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

(3) When replacing the unexecuted part of the punishment with a milder punishment, the court may choose any milder punishment, from those specified in art. 62, within the limits provided for each category of punishment.

(3<sup>1</sup>) With respect to persons serving life imprisonment, the replacement of the unexecuted part of the sentence with a lighter sentence may be applied only after the convict has served at least 25 years of imprisonment.

*[Art.92 para.(3<sup>1</sup>) introduced by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

(4) When replacing the unexecuted part of the punishment with a milder punishment, the court can oblige the convicted person to fulfill the obligations provided for in art. 90 paragraph (6) during the term of the punishment, to which he was sentenced, remaining unexecuted.

**Article 93.** Release of minors from punishment

Minors convicted for committing a light, less serious or serious crime are released from punishment by the court if it is found that the goals of the punishment can be achieved by applying coercive measures of an educational nature provided for in art. 104.

**Article 94.** Release from punishment due to change

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The person who committed a minor or less serious crime can be released from punishment if it is established that, on the date of the trial of the case, due to the change in the situation, the committed deed has lost its prejudicial character and, by virtue of the irreproachable behavior after the commission of the crime, the person that can be corrected without the execution of the penalty.

**Article 95.** Release from the execution of the sentence  
of seriously ill people

(1) The person who, during the execution of the sentence, fell ill with a mental illness, which deprives him of the possibility to realize his actions or to direct them, is released from the execution of the sentence. The court can apply coercive medical measures to this person.

(2) The person who, before the sentencing or during the execution of the sentence, fell ill with a serious illness, other than the one specified in paragraph (1), which prevents the execution of the sentence, may be released from the execution of the sentence by the court .

(4) The persons mentioned in paragraphs (1) and (2), in the case of their recovery, may be subject to punishment if the prescription terms provided for in art. 60 and 97 have not expired. Changing the conditional release of the persons mentioned in paragraph (1) and (2) with the execution of the sentence in the penitentiary is carried out at the initiative of the representative of the body that executes the sentence, based on a check carried out at least once every 12 months.

**Article 96.** Postponement of the execution of the sentence for  
pregnant women and people who have children  
aged up to 8 years

(1) Convicted pregnant women and persons who have children up to 8 years of age, except for those sentenced to prison for a term greater than 5 years for serious, particularly serious and exceptionally serious crimes, crimes provided for in ch. I, II, III, VII, VIII, XIII and XVII, the court can postpone the execution of the sentence until the child reaches the age of 8.

(1<sup>1</sup>) When postponing the execution of the sentence under the conditions of para. (1) of this article, the court may compel the convicted person to fulfill the obligations provided for in art. 90 para. (6).

(2) In the event that any of the convicted persons, referred to in paragraph (1), refuses to exercise their parental rights and obligations or violates the conditions of probation after the warning given by the body that exercises control over the behavior of the convicted person against whom the execution of the sentence was postponed, the court, at the proposal of the nominated body, may cancel the postponement of the execution of the sentence and send the convicted person for the execution of the sentence to the place established in the court decision.

(3) When the child reaches the age of 8, the court, at the request of the probation body:

- a) releases the convicted person from the execution of the unexecuted part of the sentence;
- b) replaces the unexecuted part of the punishment with a milder punishment;
- c) sends the convicted person to the appropriate institution for the execution of the unexecuted part of the sentence.

(4) If during the suspension of the execution of the sentence, the convicted person commits a new crime, the court determines a punishment under the conditions of art. 85.

**Article 96<sup>1</sup>.** Disposition of forced internment in a  
phthisiopneumological institution

If the person in respect of whom the question of release from punishment is being examined according to art. 91-96 is sick with tuberculosis, the court may order, based on the approach of the administration of the penitentiary institution, his forced hospitalization in a phthisiopneumological institution.

**Article 97.** Prescription for the execution of the sentence of conviction

(1) The sentence of conviction shall not be enforced if this has not been done within the following terms, calculated from the day on which it became final:

- a) 2 years, in case of conviction for a minor crime;
- b) 6 years, in case of conviction for a less serious crime;
- c) 10 years, in case of conviction for a serious crime;
- d) 15 years, in case of conviction for a particularly serious crime;
- e) 20 years, in case of conviction for an exceptionally serious crime.

(2) The statute of limitations for the execution of the sentence is reduced by half for persons who, at the time of the commission of the crime, were minors.

(3) The prescription is interrupted if the person evades the execution of the punishment or if, until the expiration of the terms provided for in paragraphs (1) and (2), he intentionally commits a new crime. In the case of evading the execution of the punishment, the limitation period starts from the moment the person is presented for the execution of the punishment or from the moment of his arrest, and in case of committing a new crime - from the moment of its commission.

(4) The statute of limitations does not remove the execution of the main punishments established for crimes against the peace and security of mankind or for war crimes, provided for in art. 135-137, 139 and 143.

## **Chapter X**

### **SAFETY MEASURES**

#### **Article 98.** Purpose and types of security measures

(1) Safety measures are aimed at removing a danger and preventing the commission of the acts provided for by the criminal law.

(2) Safety measures are:

- a) coercive measures of a medical nature;
- b) coercive measures of an educational nature;
- c) expulsion;
- d) special confiscation.
- e) extended confiscation.

#### **Article 99.** Application of coercive measures of a medical nature

Persons who have committed acts provided for by the criminal law in a state of irresponsibility or who have committed such acts in a state of responsibility, of reduced responsibility, but, before the sentence was pronounced or during the execution of the sentence, fell ill with a mental illness, from which cause they are unable to realize their actions or direct them, the court can apply the following coercive measures of a medical nature, which are carried out by the curative institutions of the health protection bodies:

- a) hospitalization in a psychiatric institution with regular supervision;
- b) hospitalization in a psychiatric institution with rigorous supervision.

#### **Article 100.** Admission to a psychiatric institution

(1) Internment in a psychiatric institution with regular supervision may be applied by the court to an insane person who, due to the mental state and the nature of the prejudicial act committed, needs hospital care and treatment under conditions of regular supervision.

(2) Internment in a psychiatric institution with strict supervision may be applied by the court to an insane person who, due to his mental state and the nature of the prejudicial act committed, presents a particular danger to society and needs hospital care and treatment under strict supervision.

(3) Persons hospitalized in psychiatric institutions with rigorous supervision are held in conditions that exclude the possibility of them committing a new prejudicial act.

#### **Article 101.** Establishment, change, extension and the cessation of the application of the measures of coercion of a medical nature to aliens

(1) The court, considering that it is necessary to apply a coercive measure of a medical nature, chooses its form depending on the mental illness of the person, on the nature and degree of prejudicial nature of the act committed. The person subjected to forced treatment or his representative has the right to ask an independent medical institution for an opinion on the state of health of the person to whom coercive medical measures are applied.

(2) The court, on the basis of the opinion of the medical institution, orders the cessation of the application of coercive measures of a medical nature in the case of the recovery of the person or of such a change in the character of the disease that excludes the need to apply these measures.

(3) The change of the coercive measure of a medical nature or the extension of the term of its application is also done by the court, both *ex officio* and at the request of the person in question or his representative, based on a control, carried out on at least once every 6 months, regarding the need to apply this measure.

(4) If the court does not find it necessary to apply coercive medical measures to an alienated person, as well as in the case of ceasing the application of such measures, it may entrust him to the care of relatives or guardians, but under mandatory medical supervision.

**Article 102.** Deduction of the duration of application of the measures  
medical coercion

(1) To the person who, after the commission of the crime or during the execution of the punishment, fell ill with a mental illness, due to which he is unable to realize his actions or direct them, the court may impose the punishment upon recovery if the statute of limitations has not expired or if there are no other reasons for her release from criminal liability and punishment.

(2) In case of application of the punishment after recovery, the duration of the application of coercive medical measures is deducted from the term of the punishment.

**Article 103.** Application of coercive measures  
of a medical nature to people who  
suffers from alcohol or addiction  
of drugs and the establishment of a measure  
of judicial castration

(1) In the case of the commission of the crime by a person suffering from alcohol addiction or drug addiction, if there is a corresponding medical opinion, the court, *ex officio* or at the request of the prosecutor or the health protection body, simultaneously with the punishment for the crime committed, can apply forced medical treatment to this person.

(2) The persons mentioned in paragraph (1), sentenced to non-custodial sentences, will be subjected to forced treatment in medical institutions with a special regime.

(3) If the persons mentioned in paragraph (1) have been sentenced to imprisonment, during the execution of the sentence they will be subjected to forced medical treatment, and after release from the places of detention, if it is necessary to continue such treatment, they will be treated in medical institutions with a special regime.

(4) The cessation of forced medical treatment is ordered by the court, upon the proposal of the medical institution where the person in question is being treated.

(5) If the crime was committed by a person who abuses alcohol and thereby puts his family in a difficult material situation, the court, at the same time as applying the non-custodial sentence for the committed crime, is entitled, at the request of the prosecutor or close relatives of the person in question, to establish a judicial protection measure.

**Article 104.** Application of coercive measures

educational in nature

(1) Persons released from criminal liability in accordance with art. 54 or criminal punishment in accordance with art. 93, the following coercive measures of an educational nature are applied to them:

a) the warning;

b) entrusting the minor for supervision to the parents, the persons who replace them or the specialized state bodies;

c) forcing the minor to repair the damage caused. When applying this measure, the material condition of the minor is taken into account;

d) forcing the minor to attend a psychological rehabilitation course;

e) obliging the minor to follow the compulsory education course;

f) obliging the minor to participate in a probationary program;

g) forcing the minor to attend a professional qualification course.

*[Art.104 para.(1), letter g) introduced by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

(2) The list from paragraph (1) is exhaustive.

(3) Several coercive measures of an educational nature may be applied to the minor at the same time.

(4) In the case of the minor's systematic evasion of coercive measures of an educational nature, upon the proposal of the specialized state body, the prosecutor cancels the measures applied and sends the case to the court, and in the event that the respective measures have been established by the court of court, it annuls them and orders the referral of the criminal case to the prosecutor or, as the case may be, establishes a punishment provided by law for the committed act.

(5) Coercive measures of an educational nature are applied to minors until they reach the age of majority, depending on the nature and degree of prejudicial nature of the act committed.

#### **Article 105. Expulsion**

(1) Foreign citizens and stateless persons who have been convicted of crimes may be prohibited from remaining on the territory of the country.

(2) If the expulsion accompanies the prison sentence, the execution of the expulsion takes place after the execution of the sentence.

(3) When taking the decision regarding the expulsion of the persons referred to in paragraph (1), the right to respect their private life will be taken into account.

#### **Article 106. Special confiscation**

(1) The special confiscation consists in the transfer, forced and free of charge, to the property of the state of the goods indicated in para. (2). If these goods no longer exist, cannot be found or cannot be recovered, their value is confiscated.

(2) The goods (including currency values) are subject to special confiscation:

a) used or intended to commit a crime;

b) results from crimes, as well as any income from the capitalization of these assets;

c) data to determine the commission of a crime or to reward the criminal;



e) held contrary to legal provisions.

f) converted or transformed, partially or fully, from the assets resulting from crimes and from the income from these assets;

g) which constitute the object of money laundering or terrorist financing crimes.

(2<sup>1</sup>) If the goods resulting from crimes and the income from these goods were merged with the legally acquired goods, that part of the goods or their counter value that corresponds to the value of the goods resulting from crimes and the income from these goods is confiscated.

(3) If the goods mentioned in para. (2) lit. a) and b) belong to or were transferred for a fee to a person who did not know and should not have known about the purpose of use or the origin of the goods, their value is confiscated. If the said goods were transferred free of charge to a person who did not know and should not have known about the purpose of their use or their origin, the goods are confiscated.

(4) The special confiscation can be applied even if the perpetrator is not given a criminal penalty.

(5) The special confiscation does not apply in the case of crimes committed through a press organ or any other means of mass information.

#### **Article 106<sup>1</sup>. Extended confiscation**

(1) Assets other than those indicated in art. are subject to confiscation. 106, if the person is convicted of committing the crimes provided for in art. 158, 165, 168, 186–189, 191, 192, 206, 208<sup>1</sup>, 208<sup>2</sup>, 214<sup>1</sup>, 217–217<sup>4</sup>, 218–220, 236–240, 242<sup>1</sup>, 242<sup>2</sup>, 243, 248–253, 256, 260<sup>3</sup>, 260<sup>4</sup>, 260<sup>6</sup>, 279, 280, 283, 284, 289, 290, 292, 302, 324–328, 330<sup>2</sup>, 332–335<sup>1</sup>, 352<sup>1</sup>, art. 361 and 362<sup>1</sup>, if the act was committed for material interest.

*[Art. 106<sup>1</sup> para. (1) amended by LP136 of 06.06.24, MO245-246/07.06.24 art. 353; in force 07.09.24]*

(2) Extended confiscation is ordered if the following conditions are cumulatively met:

a) the value of the assets acquired by the convicted person in the last 5 years before the crime was committed exceeds by more than 20 average monthly wages for the forecasted economy, established by a decision of the Government, the income legally acquired by him. If a continuous crime is committed, the period until the end of the criminal activity is also taken into account;

b) the court is convinced that the respective goods may come from illegal activities. The court's conviction can also be based on the difference between the lawfully acquired income and the value of the assets acquired in the same period;

c) the crimes indicated in para. (1) for which the law provides a maximum penalty of imprisonment for a term greater than 4 years.

(2<sup>1</sup>) Extended confiscation can also be ordered on assets fictitiously transferred to third parties, acquirers in bad faith, as well as in the case of third parties who knew or should have known that the purpose of the transfer was to avoid confiscation.

(3) When applying the provisions of para. (2) the value of the assets transferred by the convicted person or a third party to a family member, legal entities over which the convicted person has control or other persons who knew or should have known about the illegal acquisition of the

assets will also be taken into account.

(4) When determining the difference between the lawful income and the value of the assets acquired, the value of the assets at the date of their acquisition and the expenses incurred by the convicted person, including the persons provided for in para. (3).

(5) If the goods subject to confiscation are not found or have been merged with the legally acquired goods, money and goods covering their value are confiscated in their place.

(6) Assets and money obtained from the exploitation or use of the assets subject to confiscation are also confiscated, including the assets into which the assets derived from criminal activities were transformed or converted, as well as the income or benefits obtained from these assets.

(6<sup>1</sup>) If the convicted person has money, it will be confiscated as a matter of priority. If the money held is not enough, the other assets are confiscated.

(7) The confiscation cannot exceed the value of the assets acquired during the period provided for in paragraph. (2) lit. a), which exceeds the level of the lawful income of the convicted person.

## **Chapter XI**

### **THE CAUSES THAT REMOVE CRIMINAL LIABILITY OR THE CONSEQUENCES OF CONVICTION**

#### **Article 107. Amnesty**

(1) Amnesty is the act that has the effect of removing criminal liability or punishment, or reducing or commuting the imposed punishment.

(2) The amnesty has no effect on the safety measures and on the rights of the injured person.

(3) The amnesty does not apply in the case of committing crimes provided for in art. 166<sup>1</sup> para. (2)–(4), as well as to persons who have committed crimes against minors provided for in art. 171-175<sup>1</sup>, 201, 206, 208, 208<sup>1</sup> and 208<sup>2</sup>.

#### **Article 108. Pardon**

(1) Pardon is the act by which the convicted person is freed, in whole or in part, from the established punishment or the established punishment is commuted.

(2) The pardon is granted by the President of the Republic of Moldova individually.

(3) The pardon has no effect on the complementary punishments, unless otherwise ordered by the act of pardon.

(4) The pardon has no effect on the safety measures and on the rights of the injured person.

(5) The pardon does not apply to persons who have committed crimes against minors provided for in art. 171-175<sup>1</sup>, 201, 206, 208, 208<sup>1</sup> and 208<sup>2</sup>.

#### **Article 109. Reconciliation**

(1) Conciliation is the act of removing criminal liability for light or less serious crimes, provided for in chapters II–III, V–VI and in art. 264 paragraph (1) of the Special Part, as well as in the cases provided by the procedure criminal case, if the person has no criminal record for similar crimes committed with intent or if the termination of the criminal process has not been ordered regarding him, as a result of reconciliation, for similar crimes committed with intent in the last five

years. In the case of minors, reconciliation of the parties can also be applied for light or less serious crimes, provided for in chapter IV of the Special Part, as well as for serious crimes, provided for in chapters II–III and V–VI of the Special Part.

(2) Conciliation is personal and produces legal effects from the moment the criminal prosecution starts and until the withdrawal of the panel of judges for deliberation.

(3) For persons lacking legal capacity, reconciliation is done by their legal representatives. Those with limited exercise capacity can come to terms with the approval of the persons provided by law.

(4) Reconciliation does not apply in the case of persons who have committed the crimes against minors provided for in art. 171–175<sup>1</sup>, with the exception of light or less serious crimes, if they were committed by minors, or in the case of crimes committed against minors provided for in art. 201, 206, 208, 208<sup>1</sup> and 208<sup>2</sup>.

**Article 110.** The notion of criminal antecedents

The criminal antecedents represent a legal state of the person, which appears from the moment the conviction remains final, generating unfavorable legal consequences for the convicted until the erasure of the criminal antecedents or rehabilitation.

**Article 111.** Erasure of criminal records

(1) The following persons are considered to have no criminal record:

- a) released from criminal punishment;
- b) released, according to the amnesty act, from criminal liability;
- c) freed, according to the act of amnesty or pardon, from the execution of the sentence pronounced by the sentence of conviction;
- d) convicted with a conditional suspension of the execution of the sentence if, during the probationary period, the conviction with a conditional suspension of the execution of the sentence was not cancelled;
- e) sentenced to a milder punishment than prison - after serving the sentence;
- f) - *excluded*.
- g) sentenced to prison for committing a minor or less serious crime - if 2 years have expired after the execution of the sentence;
- h) sentenced to prison for committing a serious crime - if 6 years have expired after the execution of the sentence;
- i) sentenced to prison for committing a particularly serious crime - if 8 years have expired after the execution of the sentence;
- j) sentenced to prison for committing an exceptionally serious crime - if 10 years have expired after the execution of the sentence.

(2) If the convicted person, in the manner established by law, was released before the term of execution of the sentence or the unexecuted part of the sentence was replaced by a milder sentence, the term of erasure of the criminal record is calculated starting from the actual term of the sentence executed, from the moment of release from the execution of the main and complementary punishment.

(3) Erasing the criminal record cancels all incapacities and forfeitures of rights related to the criminal record.

**Article 112.** Judicial rehabilitation

(1) If the person who served the criminal penalty has shown irreproachable behavior, at his request, the court may cancel the criminal records until the expiry of the terms for their extinguishment. As conditions for receiving the request for judicial rehabilitation can be:

a) the convict has not committed a new crime;

b) at least half of the term provided for in art. 111 para. (1) and (2) has expired;

c) the convict had irreproachable behavior;

d) the convicted person has fully paid the civil compensation, the payment of which he was obliged by court decision, as well as court costs;

e) the convict has ensured his existence through work or other honest means, has reached retirement age or is unable to work.

(2) Rehabilitation cancels all incapacities and forfeitures of rights related to criminal antecedents.

(3) In case of rejection of the rehabilitation request, a new request can only be made after one year.

(4) The cancellation of the judicial rehabilitation is carried out if, after it was granted, it was discovered that the person rehabilitated had another conviction which, if it had been known, would have led to the rejection of the rehabilitation request.

## **Chapter XII**

### **CLASSIFICATION OF THE CRIME**

**Article 113.** The notion of qualification of the crime

(1) The determination and legal finding of the exact correspondence between the signs of the prejudicial act committed and the signs of the composition of the crime, provided by the criminal law, is considered a qualification of the crime.

(2) The official classification of the crime is carried out at all stages of the criminal procedure by the persons who carry out the criminal investigation and by the judges.

**Article 114.** Classification of crimes in the case

a crime contest

The classification of crimes in the case of a contest of crimes, determined in art. 33, is carried out by invoking all the articles or paragraphs of a single article of the criminal law that provide for the prejudicial acts committed.

**Article 115.** Classification of crimes in the case

the competition of criminal rules

(1) The concurrence of criminal norms implies the commission by a person or a group of persons of a prejudicial act, fully covered by the provisions of two or more criminal norms and constituting a single crime.

(2) The choice of one of the competing norms that most accurately reflects the legal nature of the prejudicial act committed is carried out under the conditions of art. 116-118.

**Article 116.** Classification of offenses in the case of competition  
between general and special norms

(1) The general rule is considered the criminal rule that provides for two or more prejudicial acts, and the special rule - the criminal rule that provides only for the particular cases of these acts.

(2) In case of competition between the general and the special norm, only the special norm applies.

**Article 117.** Classification of offenses in the case  
the competition between two norms  
special

The competition between two special rules has the following varieties:

a) between the crime component with mitigating circumstances and another with aggravating circumstances - the crime is qualified based on the one with mitigating circumstances;

b) between two components of crimes with mitigating circumstances - the crime qualifies on the basis of the criminal law that provides for a milder punishment;

c) between two components of crimes with aggravating circumstances - the crime qualifies on the basis of the criminal law that provides for a harsher punishment.

**Article 118.** Classification of crimes in the case  
competition between a party and a  
whole

(1) The competition between a part and a whole represents the existence of two or more criminal norms, one of them covering the prejudicial act in its entirety, and the others - only some parts of it.

(2) The classification of crimes in the case of competition between a part and a whole is carried out on the basis of the rule that includes in its entirety all the signs of the prejudicial act committed.

**Chapter XIII**  
**MEANING OF SOME TERMS OR EXPRESSIONS**  
**IN THE PRESENT CODE**

**Article 119.** General provisions

Whenever the criminal law uses a term or an expression among those defined in this chapter, their meaning is that provided in the following articles.

**Article 120.** Territory

The territory of the Republic of Moldova and the territory of the country mean the land and waters between the borders of the Republic of Moldova, with its subsoil and airspace.

**Article 121.** State secret

State secret means the information defined as such by Law no. 245-XVI of November 27, 2008 regarding state secrets.

**Article 122.** The person who enjoys protection  
International

A person enjoying international protection means:

a) the head of the foreign state, including each member of the collegial body that exercises the functions of the head of state according to the constitution of the respective state, either the head of the government or the foreign minister of the foreign state, as well as the members of their families who accompany them;

b) any representative or person with a position of responsibility of the foreign state or any person with a position of responsibility or other agent of the international intergovernmental organization who, according to international law, has the right to special protection against any attack on his person, freedom and dignity, such as and their family members who live with them.

**Article 123.** The responsible person,  
public person and person with  
function of public dignity

(1) A responsible person means the person who, in an enterprise, institution, state organization or local public administration or in a subdivision thereof, is granted, permanently or temporarily, by the stipulation of the law, by appointment, election or by virtue of an assignment, certain rights and obligations in order to exercise the functions of the public authority or the administrative disposition or organizational-economic actions.

(2) By public person is meant: the public servant, including the public servant with special status (collaborator of the diplomatic service, customs service, defense, national security and public order bodies, other person holding special or military ranks); the employee of autonomous or regulatory public authorities, of state or municipal enterprises, of other legal entities under public law; the employee from the cabinet of persons with positions of public dignity; the person authorized or vested by the state to provide public services on its behalf or to perform activities of public interest.

(3) A person holding a position of public dignity means: a person whose method of appointment or election is regulated by the Constitution of the Republic of Moldova or who is vested in the position, by appointment or by election, by the Parliament, the President of the Republic of Moldova or the Government , another person with a position of public dignity established by law; the person to whom the person with a position of public dignity has delegated his powers.

**Article 123<sup>1</sup>.** The foreign public person and the official  
international

(1) Foreign public person means: any person, appointed or elected, who holds a legislative, executive, administrative or judicial mandate of a foreign state; the person exercising a public function for a foreign state, including for a public body or a foreign public enterprise; the person who exercises the function of juror in the judicial system of a foreign state.

(2) By international official is understood: the official of an international or supranational public organization or any person authorized by such an organization to act on its behalf; member of a parliamentary assembly of an international or supranational organization; any person exercising judicial functions within an international court, including the person with registry duties.

**Article 124.** The person who manages an organization

commercial, public or other organization  
non-state

A person who manages a commercial, public or other non-state organization means the person who, in the indicated organization or in a subdivision thereof, is granted, permanently or temporarily, by appointment, election or by virtue of an assignment, certain rights and obligations in order to exercise administrative functions or disposition or organizational-economic actions.

**Article 126.** Particularly large proportions, large proportions,  
considerable damages and essential damages

(1) The value of goods acquired, received, manufactured, destroyed, polluted, used, transported, kept, sold, crossed over the customs border, the value of the damage caused by a person or a group of people, which exceeds 20 salaries, is considered large proportions forecasted monthly averages for the economy, established by the Government decision in force at the time of the act.

*[Art.126 para.(1) amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

(1<sup>1</sup>) The value of goods acquired, received, manufactured, destroyed, polluted, used, transported, kept, traded, passed over the customs border, the value of the damage caused by a person or a group of persons, which exceeds 40 average monthly salaries for the forecasted economy, established by the Government decision in force at the time of the act.

*[Art.126 para.(1<sup>1</sup>) amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

(2) Considerable or essential proportions are the value of goods stolen, acquired, received, manufactured, destroyed, polluted, used, transported, kept, traded, the value of the damage caused by a person or a group of people, which exceeds 10 average monthly salaries on the forecasted economy, established by the Government decision in force at the time of the commission of the act.

*[Art.126 para.(2) in the wording of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

**Article 126<sup>1</sup>.** Means from external funds

By means of external funds are understood the financial and material resources allocated as grants, subsidies, credits, donations, loans, humanitarian aid by other states, the European Community or international institutions, organizations and associations, foreign natural or legal persons, guaranteed or contracted by the state, as well as non-refundable ones.

**Article 126<sup>2</sup>.** Substantial overshoot

By substantial excess, in the sense of art. 330<sup>2</sup>, it is understood the difference that exceeds 40 forecasted average salaries for the economy, established by the Government decision in force at the time of the commission of the act, between the wealth held at the time of accession to the position and the income obtained during the exercise of the position, including the income of family members or of the cohabitant/concubine, on the one hand, and the property owned, including the expenses incurred during this period, on the other hand.

*[Art.126<sup>2</sup> introduced by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

**Article 127.** Time of war

War time means the interval from the date of the declaration of mobilization or the start of war operations until the date of the army's transition to a state of peace.

**Article 127<sup>1</sup>.** The person protected by the right  
international humanitarian

A person protected by international humanitarian law means:

a) in an international armed conflict: any person protected within the meaning of the Geneva Conventions of August 12, 1949 regarding the protection of war victims and Additional Protocol I of June 8, 1977 regarding the protection of victims of international armed conflicts, especially the sick, the wounded, shipwrecked, prisoners of war and civilians;

b) in an armed conflict without an international character: any protected person within the meaning of art. 3 common of the Geneva Conventions of August 12, 1949 and in the sense of Additional Protocol II of June 8, 1977 regarding the protection of victims of armed conflicts of non-international character (sick, wounded, shipwrecked, persons who do not directly participate in military operations and who are under the power enemy side);

c) in an armed conflict with or without an international character: members of the armed forces and combatants of the enemy side who have laid down their arms or who, for any other reason, can no longer defend themselves and who are not under the power of the enemy side.

**Article 128.** Military crimes

(1) By military crimes are meant the crimes, provided by this code, against the established way of performing the military service, committed by the persons who perform the military service by contract, within the term, with a reduced term or as concentrated or mobilized reservists.

(2) Military personnel who have committed crimes are held criminally liable in accordance with the provisions of the general and special parts of this code.

**Article 129.** Weapons

(1) Weapons mean the instruments, parts or devices declared as such by legal provisions.

(2) Weapons are assimilated to any other objects that could be used as weapons or that were used for an attack.

**Article 130.** Mercenary

By mercenary is meant the person specially recruited, in the country or abroad, to fight in an armed conflict, who takes part in military operations in order to obtain a personal advantage or a promised remuneration by or on behalf of a party to the conflict, who is neither a citizen of a party to the conflict nor a resident of the territory controlled by a party to the conflict, is not a member of the armed forces of a party to the conflict and has not been sent by a state other than a party to the conflict, in official mission as a member of the armed forces of the respective state.

**Article 131.** The act committed in public

By act committed in public is meant the act committed:



a) in a place which, by its nature or destination, is always accessible to the public, even if at the time of the act no person was present in that place, but the perpetrator realized that the act could become known to the public;

b) in any other place accessible to the public if two or more people were present at the time of the act;

c) in a place inaccessible to the public, but with the intention that the deed be heard or seen, if it happened to two or more people;

d) in a gathering or meeting of several people, with the exception of meetings that can be considered of a family nature, due to the nature of the relationships between the participating people;

e) by any means resorting to which the perpetrator realized that the deed could become known to the public.

**Article 132.** Means of transport

Means of transport means all types of automobiles, tractors and other types of self-propelled machines, trams and trolleybuses, as well as motorcycles and other mechanical means of transport.

**Article 132<sup>1</sup>.** Goods

Through goods, in the sense of art. 106, 106<sup>1</sup>, 243 and 279, means financial means, any category of tangible or intangible, movable or immovable, tangible or intangible values (assets), as well as documents or other legal instruments in any form, including in electronic or digital format, which certifies a title or a right, including any quota (interest) regarding these values (assets).

**Article 132<sup>2</sup>.** Sexual acts or acts of character  
sexually non-consensual

(1) By sexual act is understood the action of vaginal, anal or oral penetration of a sexual nature with any body part or object.

(2) Actions of a sexual nature mean any other ways of obtaining sexual satisfaction other than those indicated in paragraph (1), as well as actions other than those falling under art. 173 and 287 of this code or of art. 354 of the Criminal Code.

(3) The sexual act or action of a sexual nature that is accompanied by physical or mental coercion, applied to the victim or another person, or in which the person's inability to defend themselves or to express their will is taken advantage of, is considered non-consensual.

**Article 132<sup>3</sup>.** Non-cash means of payment

(1) Non-cash means of payment means a non-cash payment instrument, an electronic payment instrument, an electronic currency or a virtual currency.

(2) By non-cash payment instrument is meant a device, an object or a record, which is protected/protected, immaterial/immaterial or material/material or a combination thereof, other than legal currencies, and which, alone /alone or together with a procedure or set of procedures, allows the holder or user to transfer money or monetary value, including by electronic currency or virtual currency.

(3) By electronic payment instrument is meant an instrument that allows cash withdrawals, loading and unloading of electronic currency, as well as fund transfers, other than those executed by financial institutions.

(4) Electronic currency means a monetary value stored electronically, including magnetically, representing a claim on the issuer, which is issued upon receipt of funds (other than electronic currency), for the purpose of carrying out payment operations, and which is accepted by a person other than the electronic money issuer.

(5) Virtual currency means a digital representation of value that is not issued or guaranteed by a central bank or a public authority, is not necessarily linked to a legally established currency and does not have the legal status of currency or money, but is accepted by natural or legal persons as a medium of exchange and can be transferred, stored and traded electronically.

*[Art.132<sup>3</sup> introduced by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

### **Article 133.** Cultural values

Cultural values of a religious or secular character mean the values indicated in the Convention of the United Nations Organization for Education, Science and Culture of November 14, 1970 regarding the measures aimed at prohibiting and preventing the illegal introduction, removal and transmission of ownership rights over cultural values.

### **Article 133<sup>1</sup>.** Family member

Family member means:

a) in the condition of cohabitation: persons in marriage, in divorce, persons in respect of whom a judicial protection measure has been instituted, their relatives, relatives, spouses of relatives, persons in relationships similar to those between spouses (cohabitation) or between parents and children;

b) in the condition of living separately: married or divorced persons, their relatives, relatives, adopted children, persons in respect of whom a judicial protection measure has been instituted, persons who are or have been in relationships similar to those between spouses (cohabitation).

### **Article 134.** Kinship

(1) By kinship is understood the connection based on the descent of a person from another person or on the fact that several people have a common ancestor. In the first case, the kinship is in the direct line, and in the second case – in the collateral line.

(2) The degree of kinship is determined by the number of births.

(3) The relatives of one of the spouses are relatives of the other spouse. Line and degree of affinity are assimilated to line and degree of kinship.

(4) Close relatives are parents, children, adoptive parents, adopted children, brothers and sisters, grandparents and their grandchildren.

### **Article 134<sup>1</sup>.** Drugs, precursors, ethnobotanicals and their analogues

(1) Drugs mean plants or narcotic or psychotropic substances, or mixtures containing such plants or substances, established by the Government.

(2) By narcotics are meant the substances listed in the annexes to the United Nations Single Convention on Narcotic Substances of 1961, modified by the Protocol of 1972, and provided for in the normative acts of the Government.

(3) By psychotropic substances are meant the substances listed in the annexes to the Convention on Psychotropic Substances from 1971 and provided for in the normative acts of the Government.

(4) Precursor means the substance of natural or synthetic origin used as a raw material in the production of narcotic or psychotropic substances.

(5) Ethnobotanical (ethnobotanical) products mean mixtures of dusts and/or plants or mixtures of herbs and various parts of plants sprinkled with chemical substances, which produce changes that induce physiological and/or mental effects, hallucinogenic and/or psychoactive actions .

(6) Analogue of a narcotic or psychotropic substance means any substance or combination of substances of natural or synthetic origin, in any physical state, or any product, plant, mushroom, or parts thereof, which has the ability to produce psychoactive effects and which, regardless of its content, its name, its method of administration, presentation or the publicity that is done to it, is or can be used instead of a substance or a narcotic, psychotropic or psychotropic effect or instead of a plant or substance under national and/or international control.

(7) The lists of narcotic, psychotropic and precursor substances are approved, modified and completed by the Government.

(8) In the case of theft, appropriation, extortion or other illegal actions with drugs, precursors, ethnobotanicals or their analogues, their proportions - small, large or particularly large - are determined according to the small, large or particularly large quantities established by Government.

(9) The circulation of drugs, precursors, ethnobotanicals and their analogues means any operations such as experimentation, elaboration, production (manufacturing), preparation, cultivation, extraction, processing, transformation, possession, storage, preservation, delivery, release, distribution, dispatch , their transport, procurement (buying), trading, destruction, import, export, use, promotion and other related activities.

**Article 134<sup>2</sup> . Aircraft in flight and aircraft  
in operation**

(1) An aircraft is considered to be in flight from the moment when, boarding being completed, all the outer doors of that ship have been closed and until the moment when one of these doors is opened for disembarkation. In the event of a forced landing, the flight is considered to continue until the competent authorities receive the aircraft, as well as the persons and goods on board.

(2) An aircraft is considered to be in operation from the moment when the ground staff or the crew start preparing it for a certain flight and until the expiration of a period of 24 hours after any landing. The operating period includes, in any case, the entire time the aircraft is in flight.

**Article 134<sup>3</sup> . Fixed platform**

Fixed platform means an artificial island, an installation or a work permanently attached to the seabed for the purpose of exploring and exploiting resources or for other economic purposes.

**Article 134<sup>4</sup>** . Explosive device or other device  
with lethal effect

Explosive device or other device with lethal effect means:

- a) the weapon or the explosive or incendiary device intended or capable of causing death, serious injury to bodily integrity or health or essential material damage;
- b) the weapon or device intended or capable of causing death, serious injury to bodily integrity or health or essential material damage through the release, dissemination or action of toxic chemical substances, biological agents or toxins or other similar substances, radiation or radioactive substances.

**Article 134<sup>5</sup>** . State or government object

By state or government object is meant the permanent or temporary object or the means of transport that is used or occupied by the representatives of the state, members of the Government, of the legislative or judicial body, or by persons with a position of responsibility or officials of a public authority or of any another body or public institutions, either by officials or responsible persons of an intergovernmental organization, in connection with the performance of the duties.

**Article 134<sup>6</sup>** . Infrastructure object

Infrastructure object means any object in public or private ownership that offers or distributes services to the population, such as: sewage, water, energy, fuel or electronic communications .

**Article 134<sup>7</sup>** . Place of public use

By place of public use is understood the parts of the building, of the land, of the street, of the navigable channel or of another place that are accessible or open to the public permanently, periodically or occasionally and that include any commercial, business, cultural, historical, educational place , religious, state, entertainment, recreation or any other similar place accessible or open to the public.

**Article 134<sup>8</sup>** . Nuclear material

(1) Nuclear material means: plutonium, with the exception of plutonium whose isotopic concentration in plutonium 238 exceeds 80%; uranium 233; uranium enriched in uranium 235 or 233; uranium containing the mixture of isotopes found in nature other than in the form of ore or ore residue; any material containing one or more of the elements mentioned in this paragraph.

(2) Uranium enriched in uranium 235 or uranium 233 means uranium that contains either uranium 235 or uranium 233, or these two isotopes in such a quantity that the ratio between the sum of these two isotopes and the isotope 238 is higher than the ratio between isotope 235 and isotope 238 from natural uranium.

**Article 134<sup>9</sup>** . Nuclear installation

A nuclear facility means:

a) the installation, including the related buildings and equipment, in which nuclear material is produced, processed, used, handled, intermediately stored or permanently stored and which, if it is damaged or if interventions are made on it, may lead to the release of significant amounts of radiation or radioactive material;

b) any nuclear reactor, including reactors installed on air, sea, car or railway means of transport or on space objects to be used as a source of energy for the purpose of propulsion of such means of transport or space objects or for any other purposes;

c) any building or any type of transport used for the production, storage, processing or transport of radioactive material.

**Article 134<sup>10</sup>** . Radioactive device

Radioactive device means:

a) any nuclear explosive device;

b) any device for dispersing radioactive material or emitting radiation which, due to its radiological properties, can cause death, serious injury to bodily integrity or health, or essential damage to property or the environment.

**Article 134<sup>11</sup>** . Terrorist crime

Terrorist crime means one of the crimes provided for in art. 140<sup>1</sup> , 142, 275, 278, 278<sup>1</sup> , 279<sup>1</sup> , 279<sup>2</sup> , 279<sup>3</sup> , 280, 284 par. (2), art. 289<sup>1</sup> , 292 par. (1<sup>1</sup>) and para. (2) in the part concerning the facts provided for in para. (1<sup>1</sup>), art. 295, 295<sup>1</sup> , 295<sup>2</sup> , 342 and 343.

**Article 134<sup>12</sup>** . State of intoxication

Intoxication means the state of psychofunctional disorder of the body caused by the consumption of alcohol, drugs and/or other substances with similar effects.

*[Art.134<sup>12</sup> in the wording of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

**Article 134<sup>13</sup>** . Bank administrator

By the administrator of the bank, in the sense of art. 191 para. (2<sup>1</sup>), art. 197 para. (3), art. 239<sup>1</sup> para. (2) and art. 239<sup>2</sup> , means the person defined as such by the Financial Institutions Law no. 550-XIII of July 21, 1995.

**Article 134<sup>14</sup>** . Doctor

By doctor, in the sense of art. 160, 161, 212, 213 and 287 of this code, means the person who meets the conditions established in art. 4 of Law no. 264/2005 regarding the exercise of the medical profession, including the resident doctor, under the conditions of art. 41 of Law no. 264/2005 regarding the exercise of the medical profession.

**Article 134<sup>15</sup>** . Medical worker

By medical worker, in the sense of art. 212 para. (4), art. 213 and 287 of this code, it means any other person, with the exception of a doctor, who has medical education and the status of an employee of a public or private medical institution and who provides health services to the population, as defined by Law no. 263/2005 regarding the patient's rights and responsibilities.

**Article 134<sup>16</sup>** . Toxic substances

By toxic substances we mean substances with a drastic action, which are under national and international control, in accordance with the international treaties to which the Republic of Moldova is a party, and which are included in the lists approved by the Government.

**Article 134<sup>17</sup>** . Strategic goods

Strategic goods mean:

- a) products, technologies and services that have dual use (civilian and military);
- b) armaments, ammunition, military equipment, technologies and related services;
- c) products, technologies and services that are used in the manufacture and use of nuclear, chemical, biological weapons and missiles that can carry such weapons;
- d) other products, technologies and services that require special control in the interest of national security or foreign policy, in accordance with international agreements and arrangements to which the Republic of Moldova is a party.

**Article 134<sup>18</sup>** . Organization and symbols with character

fascist, racist or xenophobic

(1) Fascist, racist or xenophobic organization means any group consisting of three or more persons who carry out their activity, temporarily or permanently, with the aim of promoting fascist, racist or xenophobic ideas, conceptions or doctrines, such as hatred and violence on ethnic, racial or religious grounds, the superiority of some races and the inferiority of others, anti-Semitism, incitement to xenophobia and extremism. This category may include organizations with or without legal personality, political parties and movements, associations and foundations, commercial companies, as well as any other legal entities that meet the conditions of this paragraph.

(2) By fascist, racist and xenophobic symbols is meant the flags, emblems, badges, uniforms, slogans, salutations, as well as any other such signs that promote the ideas, conceptions or doctrines referred to in paragraph (1).

**Article 134<sup>19</sup>** . Holocaust

The Holocaust refers to the systematic state-supported persecution, annihilation and extermination of a large number of members of the Jewish community by Nazi Germany, as well as its allies and collaborators, during the period 1933-1945.

**Article 134<sup>20</sup>** . Negligence in service in banking

In the banking field, through non-fulfillment or improper fulfillment of service obligations, in the sense of art. 329, it is understood the non-fulfilment or improper fulfillment by the members of the management bodies of the National Bank of Moldova or by its staff of the obligations stipulated by the law, which led to:

- a) insolvency of the bank;
- b) application of bank resolution instruments;
- c) application of public financial stabilization instruments;
- d) granting extraordinary public financial support to the bank.

**Article 134<sup>21</sup>** . Reasons for prejudice

(1) Prejudicial grounds mean preconceived ideas of the perpetrator based on considerations of race, color, ethnic, national or social origin, citizenship, sex, gender, language, religion or religious beliefs, political opinions, disability, sexual orientation, identity gender, state of health, age, marital status, regardless of whether the act is committed in relation to the person possessing such protected characteristics, in relation to his or her assets or associated with him or with regard to the person who supports the persons possessing such protected characteristics or associates with them, this association being real or perceived as real.

(2) The presence in the victim's profile of certain protected characteristics will not in itself constitute a sufficient basis to conclude that a crime motivated by prejudice has been committed.

(3) It is considered that the crime was committed for reasons of prejudice, regardless of whether the perpetrator was driven entirely or only partially by such reasons, other reasons being present.

**Article 134<sup>22</sup>** . Disabled person

By person with disabilities is meant the person defined as such in Law no. 60/2012 on the social inclusion of people with disabilities.

**Article 134<sup>23</sup>** . Unconstitutional entity

By unconstitutional entity is meant an alleged authority created on the territory of a state, outside the constitutional regulations of that state and which is not recognized in accordance with the provisions of international treaties.

**Article 134<sup>24</sup>** . Illegal information structure

Illegal information structure means the organization created outside the constitutional and legal regulations of the state, for the purpose of gathering, processing information containing state secrets, other information that can be used to commit actions to the detriment of sovereignty, independence, territorial inviolability, security of state or the defense capacity of the Republic of Moldova or for the purpose of recruiting people in order to provide support in such actions.

**Article 134<sup>25</sup>** . Computer system

By computer system is meant any isolated device or set of interconnected or connected devices that ensure or one or more elements of which ensure, through the execution of a program, the automatic processing of data.

*[Art.134<sup>25</sup> introduced by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

## **THE SPECIAL PART**

### **Chapter I**

#### **CRIMES AGAINST PEACE AND SECURITY**

#### **HUMANITY, WAR CRIMES**

**Article 135.** Genocide

Committing, with the intention of destroying, in whole or in part, a national, ethnic, racial or religious group, of one of the following acts:

- a) murder of group members;
- b) harming the bodily integrity or health of group members;

c) subjecting the group to conditions of existence likely to lead to its physical destruction, total or partial;

d) imposing measures aimed at preventing births within the group;

e) forced transfer of children belonging to one group to another group,  
is punishable by imprisonment from 15 to 20 years or life imprisonment.

**Article 135<sup>1</sup>** . Crimes against humanity

(1) Committing, within a generalized or systematic attack launched against a civilian population and with knowledge of this attack, one of the following acts:

a) submission to slavery, adult trafficking or child trafficking;

b) forced deportation or transfer, in violation of the general rules of international law, of persons legally located in the territory where the attack was launched;

c) arrest or other form of deprivation of physical freedom in violation of the general rules of international law;

d) torturing a person under the care of the perpetrator or over whom he exercises control in any other way, causing serious injuries to his bodily integrity or health, pain or mental suffering, which exceed the consequences of the sanctions allowed by international law;

e) rape, sexual exploitation, coercion into prostitution, illegal detention of a woman forcibly pregnant, in order to change the ethnic composition of a population, forced sterilization or any other violent act of a sexual nature;

f) persecution of a specific group or collective, by depriving them of fundamental human rights or by restricting the exercise of these rights, for political, racial, national, ethnic, cultural, religious, sexual reasons or according to other criteria recognized as inadmissible in international law;

g) provoking the forced disappearance of a person, in order to escape from the protection of the law, by kidnapping, arrest or detention, at the order of a state or political organizations or with their authorization, support or permission, followed by the refusal to admit that this the person is deprived of freedom or of providing real information regarding the fate reserved for him or where he is, as soon as this information has been requested;

h) application of apartheid practices;

i) other inhuman acts of a similar nature that intentionally cause serious physical or mental suffering or serious injuries to the person's bodily integrity or health, shall be punished with imprisonment from 10 to 20 years.

(2) Completion, under the conditions indicated in para. (1), of one of the following facts:

a) the murder of one or more persons;

b) subjecting a population or part of it, in order to destroy it in whole or in part, to living conditions intended to determine its physical destruction,  
is punishable by imprisonment from 15 to 20 years or life imprisonment.

**Article 135<sup>2</sup>** . Genocide propaganda or a  
crimes against humanity



(1) Propaganda of genocide or crimes against humanity, i.e. public dissemination of information, including through a computer system, or any other public actions aimed at total or partial denial, approval or justification of crimes of genocide or crimes against humanity, recognized by -a decision of an international tribunal established by international instruments and whose competence is recognized by the Republic of Moldova, made in a manner that may cause the commission of crimes with the application of violence,

shall be punished with a fine in the amount of 500 to 1000 conventional units or with imprisonment of 1 to 3 years applied to the natural person, the legal person shall be punished with a fine in the amount of 2000 to 5000 conventional units with the deprivation of the right to exercise a certain activity for a period of 1 to 5 years or with its liquidation.

(2) The act committed within the objective scientific research activity and the presentation of factual arguments for the purpose of scientific debate or artistic expression are not considered propaganda of genocide or crimes against humanity.

**Article 136. Ecocide**

The intentional mass destruction of flora or fauna, the poisoning of the atmosphere or aquatic resources, as well as the commission of other actions that can cause or have caused an ecological catastrophe, are punishable by imprisonment from 10 to 15 years.

**Article 137. War crimes against persons**

(1) Committing, within the framework of an international armed conflict, one of the following acts:

a) the coercion, by violence or threat, of one or more persons provided for in art. 127<sup>1</sup> lit. a) upon enlistment in the enemy armed forces;

b) forcing the citizens of the enemy party to take part in military operations directed against their country, even if they were enlisted in the armed forces of this enemy party before the start of the armed conflict;

c) illegal detention or unjustified delay in the repatriation of one or more persons provided for in art. 127<sup>1</sup> lit. a);

d) the transfer, directly or indirectly, by an agent of the occupying party, of a part of the civilian population to which he belongs, in the occupied territory, the deportation or transfer by him inside or outside the occupied territory of the entire civilian population of this territory or part thereof,

is punishable by imprisonment from 3 to 10 years.

(2) Exposure, within an armed conflict with or without an international character, of a person protected by international humanitarian law to a danger of death or serious injury to health through:

a) carrying out experiences of any kind, which are not determined by a medical, therapeutic, hospital treatment, regarding which the person has not voluntarily, expressly and beforehand consented and which are not carried out in his interest;

b) the sampling of tissues or organs for the purpose of transplantation, with the exception of the sampling of blood or skin carried out for therapeutic purposes in accordance with generally recognized medical principles and with the voluntary, express and prior consent of the person;

c) submission to medically unrecognized treatment methods, without them being necessary for the person's health and without the person's voluntary, express and prior consent, shall be punished with imprisonment from 8 to 12 years with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 3 to 5 years.

(3) Committing, within an armed conflict with or without an international character, against one or more persons protected by international humanitarian law, one of the following acts:

a) intentionally causing serious physical or mental suffering or serious injury to bodily integrity or health;

b) the application of torture or subjection to inhuman or degrading treatments, as well as mutilation;

c) rape, sexual exploitation, coercion into prostitution, illegal detention of a woman forcibly pregnant, in order to change the ethnic composition of a population, forced sterilization or any other violent action of a sexual nature;

d) taking hostages;

e) forced deportation or transfer, in violation of the general rules of international law, of persons legally located in the territory where the armed conflict takes place;

f) recruiting and incorporating children who have not reached the age of 18 in the national armed forces, as well as determining them, by any means, to actively participate in military operations;

g) the deprivation of the right to be judged by a legally constituted and impartial court, the pronouncement of the conviction or its execution without observing a legal and impartial procedure, which would provide the guarantees imposed by international law,

is punishable by imprisonment from 10 to 20 years.

(4) Committing, within an armed conflict with or without an international character, the killing of one or more persons protected by international humanitarian law

is punishable by imprisonment from 15 to 20 years or life imprisonment.

**Article 137<sup>1</sup>** . War crimes against

property and other rights

(1) Committing, within an armed conflict with or without an international character, one of the following acts:

a) the destruction, appropriation or confiscation of assets of the enemy party, in violation of international law and without this being justified by military needs;

b) looting a locality, including the stormed one,  
is punishable by imprisonment from 3 to 10 years.

(2) Declaring, in the framework of an international armed conflict, that the rights and actions of one or more citizens of the enemy party are extinguished, suspended or inadmissible in court  
is punishable by imprisonment from 5 to 10 years.

(3) Looting on the battlefield of the dead or wounded committed during an armed conflict with or without an international character

is punishable by imprisonment from 8 to 15 years.

**Article 137<sup>2</sup>** . Use of prohibited means  
of the conduct of war

The use, in the framework of an armed conflict with or without an international character, of:

- a) poison or poisonous weapons;
- b) asphyxiating, toxic or assimilated gases and any liquids, substances or similar processes;
- c) weapons, projectiles, materials likely to cause unnecessary physical suffering;
- d) bullets that expand or flatten easily in the human body, such as bullets whose hard shell

does not completely cover the middle or are perforated by cuts,

is punishable by imprisonment from 7 to 15 years.

**Article 137<sup>3</sup>** . Use of prohibited methods  
of the conduct of war

(1) Injury to a person referred to in art. 127<sup>1</sup> lit. c) or wounding by resorting to perfidy a member of the enemy armed forces or a combatant of the enemy forces, committed within an armed conflict with or without an international character,

is punishable by imprisonment from 5 to 8 years.

(2) Declaring, within an armed conflict with or without an international character, that there will be no mercy for the vanquished

is punishable by imprisonment from 7 to 12 years.

(3) Launching, within an armed conflict with or without an international character, an attack:

a) against the civilian population or some civilians who do not directly participate in the hostilities;

b) against civil assets protected by international humanitarian law, in particular buildings dedicated to religious worship, education, art, science or charitable actions, against historical monuments, hospitals and places where the sick or wounded are gathered, as well as against localities, homes or constructions that are not defended and that are not used as military objectives;

c) against the personnel of the humanitarian aid or peacekeeping mission, against the installations, material, units or vehicles used within it according to the United Nations Charter, provided that they have the right to the protection that international humanitarian law guarantees to civilians and property of a civil nature;

d) against the buildings, material, units and means of sanitary transport and personnel using the distinctive signs provided for by the Geneva Conventions of August 12, 1949;

e) knowing that it will cause loss of human life among the civilian population, injuries to civilians, damage to civilian property or extensive, lasting and serious damage to the environment, which would be clearly disproportionate in relation to the overall concrete military advantage and directly expected,

is punishable by imprisonment from 8 to 15 years.

(4) The use, within an armed conflict with or without an international character, of:

a) some fighting methods likely to cause unnecessary physical suffering;

b) intentionally starving civilians by depriving them of the goods indispensable for survival or intentionally preventing them from receiving aid, contrary to international humanitarian law;

c) to a person protected by international humanitarian law in order to avoid that certain points, areas or military forces become the target of the military operations of the enemy party is punishable by imprisonment from 8 to 15 years.

(5) The murder of one or more persons provided for in art. 127<sup>1</sup> lit. c), committed by resorting to treachery within an armed conflict with or without an international character is punishable by imprisonment from 15 to 20 years or life imprisonment.

**Article 137<sup>4</sup>.** Unauthorized use of signs  
distinctive international law  
humanitarian

Unauthorized use of the distinctive signs provided for by the Geneva Conventions of August 12, 1949, of the parliamentary flag, flag, military insignia or uniform of the enemy or the United Nations Organization, as a means of protection in an armed conflict with or without character international, if this caused:

- a) serious injury to the bodily integrity or health of one or more persons;
  - b) the death of one or more persons,
- is punishable by imprisonment from 7 to 15 years.

**Article 138.** Giving or executing an order  
clearly illegal. Non-exercise or exercise  
inadequate due control

(1) Execution of an obviously illegal order aimed at the commission of the crimes provided for in art. 135–137<sup>4</sup> is punishable by imprisonment from 5 to 10 years.

(2) Giving, by the hierarchical superior or by the person holding the command of the armed forces, in the framework of an armed conflict with or without an international character, an obviously illegal order aimed at the commission of the crimes provided for in art. 135–137<sup>4</sup> is punishable by imprisonment from 8 to 15 years.

(3) Non-exercise or improper exercise of due control by a military chief or by the person in command of the armed forces, which led to the commission of the crimes provided for in art. 135–137<sup>4</sup> is punishable by imprisonment from 6 to 12 years.

**Article 139.** Planning, preparation, triggering  
or waging war

(1) Planning, preparation or initiation of war is punishable by imprisonment from 8 to 15 years.

(2) Conduct of war is punishable by imprisonment from 10 to 20 years or life imprisonment.

**Article 140.** War propaganda

(1) Propaganda of war, spreading tendentious or fabricated information, instigating war or any other actions aimed at starting a war, carried out verbally, in writing, through radio, television, cinema or other means,

are punished with a fine of up to 1500 conventional units or with imprisonment of up to 6 years, in both cases with the deprivation of the right to occupy certain positions or to exercise a certain activity for a period of up to 5 years.

(2) The performance of the actions provided for in paragraph (1) by a person holding a position of public dignity

is punished with a fine from 1500 to 2000 conventional units or with imprisonment from 3 to 7 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a term of up to 5 years.

**Article 140<sup>1</sup>**. The use, development, production,  
otherwise obtaining, processing,  
possession, storage or preservation,  
direct or indirect transfer,  
keeping, transporting weapons  
of mass destruction

(1) Using, developing, producing, otherwise acquiring, processing, possessing, storing or preserving, directly or indirectly transferring, keeping, transporting chemical weapons, biological weapons, nuclear weapons, nuclear explosive devices or other weapons of mass destruction in violation of the provisions of national legislation or international treaties to which the Republic of Moldova is a party

are punished with a fine in the amount of 3000 to 5000 conventional units or with imprisonment from 8 to 12 years, in both cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a period of to 2 to 5 years, and the legal person is punished with a fine in the amount of 5000 to 8000 conventional units with the deprivation of the right to exercise a certain activity for a period of 2 to 5 years or with its liquidation.

(2) The same actions:

b) committed by two or more persons;

c) committed by an organized criminal group or a criminal organization;

d) resulting in causing damages in particularly large proportions;

e) resulting in the death of the person

are punished with imprisonment from 16 to 20 years, and the legal person is punished with a fine in the amount of 8000 to 10000 conventional units with its liquidation.

(3) Designing, producing, otherwise acquiring, owning, keeping, transferring or transporting equipment, material, software or related technology that essentially contributes to the design, production or delivery of weapons of mass destruction knowing that this equipment, material, software or technology are intended for this purpose

is punished with a fine in the amount of 1000 to 3000 conventional units or with imprisonment of up to 5 years, in both cases with (or without) the deprivation of the right to occupy certain positions or to exercise a certain activity for a term of up to to 5 years, with a fine, applied

to the legal entity, in the amount of 3000 to 5000 conventional units with the deprivation of the right to exercise a certain activity for a period of up to 5 years or with the liquidation of the legal entity.

(4) Designing, producing, acquiring in another way, holding, keeping, transferring or transporting raw material, special fissile material, equipment or material designed or prepared for the processing, use or production of special fissile material knowing that this material, this material or equipment is intended to be used in the activity of nuclear explosions or in other nuclear activity that contravenes the international treaties to which the Republic of Moldova is a party

shall be punished with imprisonment of up to 5 years with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years, with a fine, applied to the legal entity, in the amount of 4000 to 7000 conventional units with the deprivation of the right to exercise a certain activity for a period of 2 to 5 years or with the liquidation of the legal entity.

**Article 141.** Activity of mercenaries

(1) Participation of the mercenary in an armed conflict, in military actions or in other violent actions aimed at overthrowing or undermining the constitutional order or violating the territorial integrity of the state

is punishable by imprisonment from 5 to 10 years.

(2) Hiring, training, financing or other provision of mercenaries, as well as their use in an armed conflict, in military actions or in other violent actions aimed at overthrowing or undermining the constitutional order or violating the territorial integrity of the state,

are punishable by imprisonment from 10 to 15 years.

**Article 142.** Attack on the beneficiary  
of international protection

(1) Committing an act of violence on the office, residence or means of transport of the person benefiting from international protection, if this act may endanger the life, health or freedom of the person in question,

is punishable by imprisonment from 5 to 10 years.

(2) Kidnapping or committing another attack on the person benefiting from international protection or on his freedom

is punishable by imprisonment from 7 to 15 years.

(3) Murder of the person benefiting from international protection

is punishable by imprisonment from 16 to 20 years or life imprisonment.

(4) The actions provided for in para. (1) or (2), committed for the purpose of provoking war or international conflict,

are punishable by imprisonment from 8 to 15 years or life imprisonment.

(5) The threat of committing an action provided for in para. (1), (2), (3) or (4), if there was a danger of carrying out this threat,

is punishable by imprisonment from 3 to 7 years.

**Article 144.** Cloning

Creation of human beings by cloning  
is punishable by imprisonment from 7 to 15 years.

## Chapter II

### CRIMES AGAINST PERSONAL LIFE AND HEALTH

#### **Article 145.** Intentional murder

(1) Murder of a person  
is punishable by imprisonment from 10 to 15 years.

(2) Murder committed:

a) with premeditation;

b) for material interest;

d) in relation to the victim's fulfillment of service or public obligations;

e) knowingly on a minor or a pregnant woman or taking advantage of the known or obvious state of helplessness of the victim, which is due to advanced age, illness, disability or another factor;

e<sup>1</sup>) on a family member;

f) with kidnapping or taking the person as a hostage

g) on two or more people;

h) on a representative of the public authority or a military officer, or their close relatives, during or in connection with the performance by the representative of the public or military authority of the service obligations;

i) by two or more people;

j) with particular cruelty, as well as for sadistic reasons;

k) with the aim of concealing another crime or facilitating its commission;

l) for reasons of prejudice;

m) by dangerous means for the life or health of several people;

n) with the aim of taking and/or using or selling the victim's organs or tissues;

*[Art.145 para.(2), letter o) repealed by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

p) to order

is punishable by imprisonment from 15 to 20 years or life imprisonment.

#### **Article 146.** Murder committed in a state of affect

Murder committed in a state of affection that occurred suddenly, caused by acts of violence or serious insults or other illegal or immoral acts of the victim,

is punishable by imprisonment of up to 5 years.

#### **Article 147.** Infanticide

The murder of the newborn child, committed during the birth or immediately after the birth by the mother who was in a state of physical or mental disorder, with the diminution of discernment, caused by the birth,

is punishable by imprisonment of up to 5 years.

#### **Article 148.** Deprivation of life at the person's wish

(euthanasia)

The death of the person due to an incurable illness or the unbearable nature of the physical suffering, if there was the wish of the victim or, in the case of minors, of their relatives, is punishable by imprisonment of up to 6 years.

**Article 149.** Deprivation of life due to imprudence

(1) Loss of life due to imprudence

is punishable by imprisonment of up to 3 years.

(1<sup>1</sup>) Loss of life due to imprudence by a person who manages a commercial, public or other non-state organization or who works for such an organization, in the exercise of the function, is punishable by imprisonment of up to 4 years, with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years.

*[Art. 149 para. (1<sup>1</sup>) introduced by LP136 of 06.06.24, MO245-246/07.06.24 art. 353; in force 07.09.24]*

(1<sup>2</sup>) Loss of life due to imprudence by a public figure or by a person holding a position of public dignity in the exercise of the position

is punishable by imprisonment of up to 5 years, with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years.

*[Art.149 para.(1<sup>2</sup>) introduced by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

(2) The facts provided for in para. (1), (1<sup>1</sup>) or (1<sup>2</sup>), committed against two or more persons

*[Art.149 para.(2) provision in the wording of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

is punishable by imprisonment from 2 to 6 years.

**Article 150.** Determination or facilitation of suicide

(1) Determining or intentionally facilitating suicide, including through electronic communication networks, resulting in suicide

is punishable by imprisonment from 2 to 5 years.

(2) The actions provided for in paragraph (1), carried out:

a) knowingly on a minor;

b) on a person who is in material dependence or other dependence on the perpetrator;

c) for reasons of prejudice,

are punishable by imprisonment from 5 to 9 years.

(3) The actions provided for in paragraph (1), carried out on:

a) to a minor under the age of 14;

b) two or more people,

are punishable by imprisonment from 9 to 12 years.

(4) If the actions provided for in paragraphs (1)–(3) resulted in attempted suicide, the minimum limit of the punishment is reduced to half.

**Article 150<sup>1</sup>.** Public justification of suicide



Public justification of suicide, i.e. distributing or otherwise making available to the public a message regarding the recognition of suicide as just, worthy of following or requiring support, shall be punished with unpaid work for the benefit of the community from 180 to 240 hours or with imprisonment of up to 4 years.

**Article 151.** Intentional serious damage to integrity

body or health

(1) Serious intentional injury to bodily integrity or health, which is life-threatening or which caused the loss of sight, hearing, speech or another organ or the cessation of its functioning, a mental illness or other health injury, accompanied by the stable loss of at least one third of the work capacity, or which led to the interruption of the pregnancy or to an irreparable disfigurement of the face and/or adjacent regions,

is punishable by imprisonment from 5 to 10 years.

(2) The same action performed:

b) knowingly on a minor or a pregnant woman or taking advantage of the known or obvious state of helplessness of the victim, which is due to advanced age, illness, disability or another factor;

c) on a person in connection with his performance of service or public obligations;

d) by two or more people;

e) with particular cruelty, as well as for sadistic reasons;

f) by dangerous means for the life or health of several people;

g) for material interest;

i) for reasons of prejudice;

j) on two or more people;

k) by an organized criminal group or a criminal organization;

l) with the aim of taking and/or using or selling the victim's organs or tissues;

m) to order

is punishable by imprisonment from 10 to 12 years.

(4) The actions provided for in paragraph (1) or (2), which caused the death of the victim, they are punished with imprisonment from 12 to 15 years.

**Article 152.** Average intentional damage to integrity

body or health

(1) Average intentional injury to bodily integrity or health, which is not dangerous to life and did not cause the consequences provided for in art. 151, but which was followed either by a long-term disorder of health, or by a considerable and stable loss of less than a third of the working capacity,

shall be punished with unpaid work for the benefit of the community from 200 to 240 hours or with imprisonment of up to 5 years.

(2) The same action performed:

b) on two or more people;

c<sup>1</sup>) knowingly on a minor or a pregnant woman or taking advantage of the known or obvious state of helplessness of the victim, which is due to advanced age, illness, disability or another factor;

d) on a person in connection with his performance of service or public obligations;

e) by two or more people;

f) with particular cruelty, as well as for sadistic reasons;

g) by dangerous means for the life or health of several people;

h) for material interest;

j) for reasons of prejudice;

k) to order

is punishable by imprisonment from 5 to 7 years.

**Article 155.** The threat of death or injury  
serious bodily integrity or health

(1) The threat of death or serious injury to bodily integrity or health, made including through an IT system, if there was a danger of carrying out this threat,

shall be punished with a fine in the amount of 550 to 750 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment from 1 to 3 years.

(2) The same deed committed for reasons of prejudice

is punishable by a fine from 650 to 850 conventional units or by unpaid community service from 200 to 240 hours, or by imprisonment from 2 to 4 years.

**Article 156.** Serious or average damage to integrity  
bodily or health in a state of affect

Serious or moderate injury to bodily integrity or health in a state of affect that occurred suddenly, caused by acts of violence, serious insults or other illegal or immoral acts of the victim,

shall be punished with a fine in the amount of 550 to 850 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 3 years.

**Article 157.** Serious or average damage to integrity  
physical or health damage caused by  
imprudence

(1) Serious or moderate injury to bodily integrity or health caused by imprudence

is punished with a fine of up to 650 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 2 years.

(2) The same act committed by a public person or by a person holding a position of public dignity in the exercise of the position

is punishable by a fine in the amount of 750 to 1050 conventional units or by imprisonment for up to 3 years.

*[Art.157 para.(2) introduced by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24; single paragraph becomes para. (1)]*

**Article 158.** Trafficking in human organs, tissues and cells

(1) Illicit sampling of human tissues and/or cells by extracting them from the body of a living or deceased person by unauthorized persons and/or in unauthorized institutions in this sense according to the legislation or without observing the legal provisions that refer to the person's consent to their donation , or for the purpose of obtaining income from it, as well as selling, procuring, stealing, using, keeping, holding, transmitting, receiving, importing, exporting or their illegal transportation

are punished with imprisonment from 2 to 5 years with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years, with a fine, applied to the legal person, in the amount of 2000 to 4000 of conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

(2) The same actions performed with human organs or their parts

are punished with imprisonment from 5 to 12 years with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years, with a fine, applied to the legal entity, in the amount of 4000 to 6000 of conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

(3) The actions provided for in para. (1) or (2), committed:

*[Art.158 para.(3), letter a) repealed by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

b) by physical or mental coercion;

c) on two or more people;

d) on a pregnant woman or a child;

e) by two or more people;

f) by a public person, by a person with a position of responsibility, by a person with a position of public dignity, by a foreign public person or by an international official using the service situation ;

*[Art.158 para.(3), letter f) amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

g) for reasons of prejudice

are punished with imprisonment from 7 to 15 years with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years, with a fine, applied to the legal person, in the amount of 6000 to 8000 of conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

(4) The actions provided for in para. (1), (2) or (3):

a) committed by an organized criminal group or a criminal organization;

b) resulting in serious injury to bodily integrity or health, the death of the person or his/her suicide,

are punished with imprisonment from 10 to 20 years, with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 3 to 5 years, with a fine, applied to the legal entity, in the amount of 8000 to 10,000 conventional units with the deprivation of the right

to exercise a certain activity or with the liquidation of the legal entity.

**Article 159.** Illegal provocation of abortion

(1) Interruption of the course of pregnancy, by any means, carried out:

- a) outside medical institutions or medical offices authorized for this purpose;
- b) by a person who does not have special higher medical education;
- c) in the case of pregnancy exceeding 12 weeks, in the absence of medical indications, established by the Ministry of Health;
- d) in the case of medical contraindications for performing such an operation;
- e) in unsanitary conditions

shall be punished with a fine in the amount of 550 to 850 conventional units or with the deprivation of the right to occupy certain positions or to exercise a certain activity for a term of up to 3 years, or with imprisonment of up to 2 years.

(2) The same action:

- b) who recklessly caused a serious or moderate injury to bodily integrity or health;
- c) who recklessly caused the death of the victim

shall be punished with imprisonment from 1 to 6 years with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 5 years.

**Article 160.** Illegal performance of surgical sterilization

(1) Illegal performance of surgical sterilization by the doctor

is punished with a fine of up to 550 conventional units with (or without) the deprivation of the right to occupy certain positions or to exercise a certain activity for a period of up to 3 years.

(2) The same action performed:

- a) in non-specialized medical and sanitary units;
- b) by a person without special higher medical education

shall be punished with a fine in the amount of 550 to 850 conventional units or with imprisonment of up to 3 years, in both cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 5 years.

(3) The actions provided for in paragraph (1) or (2), which:

b) have recklessly caused a long-term disorder of health or a serious injury to bodily integrity or health;

- c) recklessly caused the death of the patient;
- d) were committed for reasons of prejudice,

are punished with imprisonment from 3 to 6 years with (or without) deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 5 years.

**Article 161.** Performing artificial fertilization or  
of embryo implantation without  
the patient's consent

The doctor performing artificial fertilization or embryo implantation without the written consent of the patient

is punished with a fine of up to 650 conventional units or with unpaid work for the benefit of the community from 150 to 240 hours, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 3 years.

**Article 162.** Failure to provide aid to a sick person

(1) Failure to provide help, without good reason, to a sick person by a person who, by virtue of the law or special rules, was obliged to provide it

shall be punished with a fine in the amount of 550 to 850 conventional units or with unpaid work for the benefit of the community from 100 to 240 hours.

(1<sup>1</sup>) The same deed committed for reasons of prejudice

is punishable by a fine in the amount of 600 to 900 conventional units or with unpaid work for the benefit of the community from 150 to 240 hours.

(2) The same deed that recklessly caused:

a) a serious injury to bodily integrity or health;

b) death of the patient

shall be punished with imprisonment of up to 5 years with the deprivation of the right to occupy certain positions or to exercise a certain activity for a period of up to 3 years.

**Article 163.** Leaving in danger

(1) Knowingly leaving without help a person who is in a life-threatening condition and is deprived of the possibility of saving himself due to young or advanced age, illness or incapacity, if the guilty party knew of the danger and had the opportunity to render aid to the injured party, even though he himself placed him in a life-threatening situation,

is punished with a fine of up to 550 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 2 years.

(1<sup>1</sup>) The same deed committed for reasons of prejudice

shall be punished with a fine of 500 to 650 conventional units or with unpaid work for the benefit of the community from 200 to 240 hours, or with imprisonment from 1 to 3 years.

(2) The same deed that recklessly caused:

a) a serious injury to bodily integrity or health;

b) the death of the victim

is punishable by imprisonment of up to 4 years.

### **Chapter III**

## **CRIMES AGAINST FREEDOM, HONESTY AND THE DIGNITY OF THE PERSON**

**Article 164.** Kidnapping of a person

(1) Abduction of a person

is punishable by imprisonment from 3 to 6 years.

(2) The same action performed:

b) on two or more people;

c) knowingly on a minor or a pregnant woman or taking advantage of the known or obvious state of helplessness of the victim, which is due to advanced age, illness, disability or another factor;

e) by two or more people;

f) for material interest;

g) with the application of the weapon or other objects used as a weapon;

h) for reasons of prejudice

is punishable by imprisonment from 6 to 10 years.

(3) The actions provided for in paragraph (1) or (2), which:

a) were committed by an organized criminal group or a criminal organization;

b) have recklessly caused a serious injury to the body or health or the death of the victim, are punished with imprisonment from 10 to 13 years.

**Article 164**<sup>1</sup>. Abduction of the minor by close relatives

Abduction of the minor by close relatives

shall be punished with a fine of up to 650 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 6 months.

**Article 165.** Human trafficking

(1) Recruiting, transporting, transferring, harboring or receiving an adult person, with or without their consent, for the purpose of commercial or non-commercial sexual exploitation, exploitation through forced labor or services, begging, appropriation of aid, allowances or social benefits, of illegal use in medical or scientific tests or experiments, of exploitation in slavery or in conditions similar to slavery, of use in armed conflicts or in criminal activities, of taking organs, tissues and/or human cells, as well as of using women as a surrogate mother or for the purpose of reproduction, carried out by:

a) the application of violence that is not dangerous for the life or health of the person or with the threat of violence;

b) kidnapping;

c) evasion, concealment, degradation or destruction of documents;

d) holding in servitude, for the purpose of returning a debt;

e) threatening to disclose confidential information to the victim's family or other natural or legal persons;

f) deception;

g) abuse of a position of vulnerability or abuse of power, giving or receiving payments or benefits to obtain the consent of a person who has control over another person,

is punished with imprisonment from 6 to 10 years, with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years, and the legal person is punished with a fine in the amount of 4000 to 6000 conventional units, with the deprivation of the right to carry out a certain activity, or with the liquidation of the legal entity.

*[Art.165 para.(1) the sanction modified by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

(2) The same actions performed:

*[Art.165 para.(2), letter a) repealed by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

b) on two or more people;

c) on a pregnant woman;

d) by two or more people;

e) by a public person, by a person with a position of responsibility, by a person with a position of public dignity, by a foreign public person or by an international official using the service situation ;

*[Art.165 para.(2), letter e) amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

f) with the application of violence dangerous to the life, physical or mental health of the person;

g) with particular cruelty to ensure the subordination of the person or by using rape, physical dependence, weapons;

h) for reasons of prejudice,

are punished with imprisonment from 7 to 12 years , with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years, and the legal person is punished with a fine in the amount of 6000 to 8000 conventional units, with the deprivation of the right to carry out a certain activity, or with the liquidation of the legal entity.

*[Art.165 para.(2) the sanction modified by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

(3) The actions provided for in paragraph (1) or (2):

a) committed by an organized criminal group or a criminal organization;

a<sup>1</sup>) accompanied by contamination with a venereal disease or the HIV virus;

b) resulting in serious bodily injury or mental illness of the person, death or suicide,

are punished with imprisonment from 10 to 20 years, with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 3 to 5 years, and the legal person is punished with a fine in the amount of 8000 to 10,000 conventional units, with the deprivation of the right to carry out a certain activity, or with the liquidation of the legal entity.

(4) The victim of human trafficking is absolved of criminal liability for the crimes committed by him in connection with this procedural quality.

**Article 165<sup>1</sup>** . Using the results of your work  
to the services of a person who is  
victim of human trafficking

(1) The use of products and/or services that constitute the result of exploitation in the crimes of human trafficking or child trafficking , provided by a person whom the beneficiary knows is the victim of these crimes, if this act does not meet the elements of human trafficking or child trafficking,

*[Art.165<sup>1</sup> para.(1) the sanction modified by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

is punishable by imprisonment from 2 to 5 years, with a fine, applied to the legal entity, in the amount of 2000 to 4000 conventional units with the deprivation of the right to exercise a certain activity.

(2) The person who committed the act provided for in para. (1) is released from criminal liability if he/she has voluntarily declared the commission of crimes of trafficking in human beings or child trafficking by other persons, helped to discover those crimes or actively contributed to the investigation of these cases.

*[Art.165<sup>1</sup> para.(2) amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

**Article 166.** Illegal deprivation of liberty

(1) Illegal deprivation of liberty of a person, if the action is not related to his kidnapping, shall be punished with unpaid work for the benefit of the community from 120 to 240 hours or with imprisonment of up to 2 years.

(2) The same action performed:

b) on two or more people;

c) knowingly on a minor or a pregnant woman or taking advantage of the known or obvious state of helplessness of the victim, which is due to advanced age, illness, disability or another factor;

d) by two or more people;

d<sup>1</sup>) for reasons of prejudice;

e) with the application of violence dangerous to the life or health of the person;

f) with the application of the weapon or other objects used as a weapon

is punishable by imprisonment from 3 to 7 years.

(3) The actions provided for in paragraph (1) or (2), if they recklessly caused serious injury to the bodily integrity or health or the death of the victim, are punishable by imprisonment from 7 to 12 years.

**Article 166<sup>1</sup>.** Torture, inhuman or degrading treatment

(1) The intentional infliction of physical or mental pain or suffering, which represents inhuman or degrading treatment, by a public person or by a person who, de facto, exercises the powers of a public authority, or by any other person who acts in an official capacity or with the express or tacit consent of such a person

shall be punished with imprisonment from 2 to 6 years with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 3 to 5 years.

(2) The actions provided for in para. (1):

a) knowingly committed against a minor or a pregnant woman or taking advantage of the known or obvious state of helplessness of the victim, which is due to advanced age, illness, disability or another factor;

b) committed against 2 or more people;



- c) committed by 2 or more people;
- d) committed by using a weapon, special tools or other objects adapted for this purpose;
- e) committed by a person with a position of responsibility or by a person with a position of public dignity using the service situation ;

*[Art.166<sup>1</sup> para.(2), letter e) amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

f) who recklessly caused a serious or moderate injury to bodily integrity or health;

g) who due to imprudence caused the person's death or suicide;

h) committed for reasons of prejudice,

are punished with imprisonment from 3 to 8 years with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 5 to 10 years.

(3) Torture, i.e. any intentional act by which a person is inflicted with severe physical or mental pain or suffering with the aim of obtaining information or confessions from this person or a third person, to punish them for an act that this or a third person committed or is suspected of committing, to intimidate or exert pressure on them or on a third person, or for any other reason, based on any form of discrimination, whatever it may be, when such pain or suffering is caused by a public person or by a person de facto exercising the powers of a public authority, or by any other person acting in an official capacity or with the express or tacit consent of such a person

shall be punished with imprisonment from 6 to 10 years with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 8 to 12 years.

(4) The actions provided for in para. (3):

a) knowingly committed against a minor or a pregnant woman or taking advantage of the known or obvious state of helplessness of the victim, which is due to advanced age, illness, disability or another factor;

b) committed against 2 or more people;

c) committed by 2 or more people;

d) committed by using a weapon, special tools or other objects adapted for this purpose;

e) committed by a person with a position of responsibility or by a person with a position of public dignity using the service situation ;

*[Art.166<sup>1</sup> para.(4), letter e) amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

f) who recklessly caused a serious or moderate injury to bodily integrity or health;

g) who due to imprudence caused the person's death or suicide

are punished with imprisonment from 8 to 15 years with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 10 to 15 years.

**Article 167.** Slavery and conditions similar to slavery

(1) Placing or keeping a person in conditions where another person exercises control over him or determining him, through the use of deception, coercion, violence or the threat of violence, to enter into or remain in a relationship of cohabitation or marriage

shall be punished with imprisonment from 3 to 10 years with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 5 years.

(2) The same deed committed for reasons of prejudice

is punishable by imprisonment from 5 to 12 years with (or without) deprivation of the right to hold certain positions or exercise a certain activity for a term of up to 5 years.

**Article 168. Forced labor**

(1) Obtaining work from a person against their will, by coercion or deception, if this action does not meet the elements of human trafficking or child trafficking,

is punishable by imprisonment from 2 to 6 years.

(2) The same action performed:

a) on two or more persons;

b) on a child with working capacity or a pregnant woman;

c) by two or more people;

d) by a public person, by a person with a position of responsibility, by a person with a position of public dignity, by a foreign public person or by an international official using the service situation ;

*[Art.168 para.(2), letter d) amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

e) for reasons of prejudice,

is punishable by imprisonment from 6 to 10 years with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years, with a fine, applied to the legal person, in the amount of 2000 to 3500 of conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

(3) The actions provided for in para. (1) or (2):

a) committed by an organized criminal group or a criminal organization;

b) resulting in serious injury to the body or health or death of the victim,

are punished with imprisonment from 7 to 15 years, with a fine, applied to the legal entity, in the amount of 2500 to 4000 conventional units with the liquidation of the legal entity.

**Article 169. Illegal internment in a psychiatric institution**

(1) Illegal hospitalization in a psychiatric institution of an obviously mentally healthy person shall be punished with imprisonment of up to 3 years with the deprivation of the right to hold certain positions or to exercise a certain activity for a term of up to 3 years.

(2) The same action:

a) who recklessly caused serious injury to bodily integrity or health;

b) who recklessly caused the death of the victim;

c) committed for reasons of prejudice

shall be punished with imprisonment from 3 to 7 years with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 3 to 5 years.

**Chapter IV**

**CRIMES REGARDING SEXUAL LIFE**

## **Article 171. Rape**

(1) Rape, i.e. non-consensual sexual act,  
is punishable by imprisonment from 3 to 7 years.

(2) Rape:

- a) knowingly committed against a minor;
  - b) knowingly committed against a pregnant woman;
  - c) committed against a family member;
  - d) committed by two or more persons;
  - e) accompanied by intentional contamination with a venereal disease;
  - f) committed with the application of a weapon or other objects used as a weapon;
  - g) committed with particular cruelty, as well as for sadistic reasons,
- is punishable by imprisonment from 7 to 12 years.

(3) Rape:

- a) the person who is in the care, protection, protection, education or treatment of the perpetrator;
  - b) knowingly committed against a person who has not reached the age of 14;
  - c) accompanied by intentional contamination with the HIV virus;
  - d) who recklessly caused serious injury to bodily integrity or health;
  - e) who recklessly caused the death of the victim,
- is punishable by imprisonment from 10 to 20 years or life imprisonment.

## **Article 172. Actions of a sexual nature without consent**

(1) Non-consensual sexual acts  
are punishable by imprisonment from 2 to 5 years.

(2) The same actions:

- a) knowingly committed against a minor;
  - b) knowingly committed against a pregnant woman;
  - c) committed against a family member;
  - d) committed by two or more persons;
  - e) committed with the use of weapons or other objects used as weapons;
  - f) committed with particular cruelty, as well as for sadistic reasons,
- are punishable by imprisonment from 5 to 10 years.

(3) The actions provided for in para. (1) or (2), which:

- a) were knowingly committed against a person who has not reached the age of 14;
  - b) were committed against a person who was under the care, protection, protection, education or treatment of the perpetrator;
  - c) have recklessly caused serious injury to bodily integrity or health;
  - d) recklessly caused the death of the victim,
- are punishable by imprisonment from 10 to 20 years.

## **Article 173. Sexual harassment**

(1) Sexual harassment, i.e. the pretense of a sexual act or other action of a sexual nature through physical, verbal or non-verbal behavior, if this creates an unpleasant, hostile, degrading, humiliating, discriminatory or insulting atmosphere for the victim, carried out taking advantage by the state of dependence of the victim or by threat, provided that the deed does not meet the elements of rape or non-consensual sexual acts,

is punishable by a fine in the amount of 500 to 650 conventional units or by unpaid community service from 120 to 180 hours, or by imprisonment for up to 2 years.

(2) The same action knowingly committed against a minor is punishable by imprisonment from 3 to 7 years.

**Article 174.** Sexual intercourse with a person who  
has not reached the age of 16

(1) The consensual sexual act, knowingly committed with a person who has not reached the age of 16,

is punishable by imprisonment from 2 to 5 years.

(1<sup>1</sup>) Same action:

a) committed against a person who is under the care, protection, protection, education or treatment of the perpetrator;

b) committed by two or more persons;

c) accompanied by intentional contamination with the HIV virus,

is punishable by imprisonment from 4 to 8 years.

(2) The person who committed the act provided for in paragraph (1) is not liable to criminal liability if he is at a close level with the victim in terms of age and physical and mental development.

**Article 175.** Actions of a sexual nature committed  
with a person who has not fulfilled  
the age of 16 years

(1) Consensual sexual acts, committed knowingly with a person who has not reached the age of 16,

are punishable by imprisonment from 1 to 3 years.

(2) The same actions performed:

a) on a person who is under the care, protection, protection, education or treatment of the perpetrator;

b) by two or more people;

c) on a family member

are punishable by imprisonment from 3 to 6 years.

(3) The person who committed the act provided for in para. (1) is not liable to criminal liability if it is at a level close to that of the victim in terms of age and physical and mental development.

**Article 175<sup>1</sup>.** Enticing the minor for sexual purposes

(1) Proposal, persuasion, manipulation, threat, promise to offer advantages in any form, carried out including through information technologies or electronic communications, in order to establish a meeting with a minor, including through electronic communications networks, with the aim of committing against him of any offense provided for in art. 171–175, 208<sup>1</sup>, if these actions were followed by material facts leading to such a meeting,

*[Art. 175<sup>1</sup> para. (1) amended by LP136 of 06.06.24, MO245-246/07.06.24 art. 353; in force 07.09.24]*

are punishable by imprisonment from 2 to 6 years.

(2) The same actions performed:

a) against a minor in a situation of helplessness, which is due to an illness or disability;

b) by a member of the minor's family, by a person who lived with the minor or by the person in whose care, under whose protection or under whose education or treatment the minor is;

*[Art.175<sup>1</sup> para.(2), letter c) repealed by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

are punishable by imprisonment from 3 to 8 years.

## **Chapter V**

### **OFFENSES AGAINST RIGHTS**

#### **POLITICAL, LABOR AND OTHER RIGHTS**

##### **CONSTITUTIONAL CITIZENS**

**Article 176.** Violation of equal rights of citizens

(1) Any distinction, exclusion, restriction or preference in the rights and freedoms of a person or a group of persons, any support of discriminatory behavior in the political, economic, social, cultural and other spheres of life, based on the criterion of race, nationality, ethnic origin, language, religion or beliefs, sex, age, disability, opinion, political affiliation or on any other criterion:

a) committed by a person in a responsible position;

b) which caused damage in large proportions;

c) committed by placing discriminatory messages and symbols in public places;

d) committed on the basis of two or more criteria;

e) committed by two or more persons,

shall be punished with a fine in the amount of 750 to 950 conventional units or with unpaid work for the benefit of the community from 150 to 240 hours, or with imprisonment of up to 2 years, in all cases with (or without) deprivation of the right to hold certain positions or exercise a certain activity for a period of 2 to 5 years.

(2) Promoting or supporting the actions specified in para. (1), carried out through mass media,

is punished with a fine in the amount of 950 to 1200 conventional units or with unpaid work for the benefit of the community from 160 to 240 hours, with a fine, applied to the legal person, in the amount of 2000 to 4000 conventional units with the deprivation of the right to exercise a certain activity for a period of 1 to 3 years.

(3) The actions specified in para. (1) and (2) that recklessly caused the person's death or suicide

are punished with imprisonment from 2 to 6 years, with a fine, applied to the legal entity, in the amount of 2000 to 4000 conventional units with the deprivation of the right to exercise a certain activity for a period of 1 to 5 years or with the liquidation of the person legal.

**Article 176<sup>1</sup>** . Violation of citizens' rights by  
the propagation of fascism, of racism  
and xenophobia and through denial  
Holocaust

(1) Establishing, joining or supporting, in any form, an organization with a fascist, racist or xenophobic character

is punished with imprisonment from 5 to 10 years with the deprivation of the right to hold certain positions or to exercise a certain activity for a term of up to 10 years, and the legal person is punished with a fine in the amount of 1000 to 3000 units conventional with the liquidation of the legal entity.

(2) Public denial or contestation of the Holocaust or its effects

is punishable by imprisonment from 6 months to 5 years with the deprivation of the right to hold certain positions or to exercise a certain activity for a term of up to 5 years.

(3) Making, selling, spreading, possessing with a view to spreading fascist, racist or xenophobic symbols, as well as their public use

are punished with a fine in the amount of 500 to 1000 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment from 3 months to 3 years, in all cases with the deprivation of the right to occupy certain functions or to exercise a certain activity for a period of up to 5 years, and the legal person is punished with a fine in the amount of 1000 to 3000 conventional units with the deprivation of the right to exercise a certain activity for a period of 3 to 5 years or with the liquidation of the legal entity.

(4) The deed provided for in para. does not constitute a crime. (3) if it is carried out in the interest of art or science, research or education.

(5) The promotion of fascist, racist or xenophobic ideology or the promotion of the cult of persons definitively convicted, by a national or international court, for committing crimes against the peace and security of mankind or for war crimes and crimes against humanity, through propaganda, committed by any means , in public,

shall be punished with a fine in the amount of 500 to 1000 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment from 3 to 5 years, in all cases with the deprivation of the right to occupy certain positions or to exercise a certain activity for a period of up to 5 years, and the legal person is punished with a fine in the amount of 1000 to 3000 conventional units with the deprivation of the right to exercise a certain activity for a period of 3 to 5 years or with the liquidation of the legal entity.

**Article 177.** Violation of the inviolability of personal life

(1) Illegal collection or knowingly spreading information, protected by law, about the personal life of another person, which constitutes a personal or family secret, without their consent is punished with a fine of up to 650 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours.

(1<sup>1</sup>) Illegal gathering of the information mentioned in paragraph (1), without the person's consent, with the use of special technical means intended for covertly obtaining information, is punishable by a fine in the amount of 550 to 750 conventional units or unpaid work in community service from 200 to 240 hours.

(2) Dissemination of the information mentioned in paragraph (1):

a) in a public speech, through mass media;

b) by the intentional use of the service situation;

c) for reasons of prejudice;

d) through information technologies or electronic communications,

*[Art.177 para.(2), letter d) introduced by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

is punished with a fine in the amount of 550 to 850 conventional units or with the deprivation of the right to occupy certain positions or to exercise a certain activity for a period of 1 year, or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 2 years, with a fine, applied to the legal entity, in the amount of 2000 to 3000 conventional units.

*[Art.177 para.(2) the sanction modified by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

(3) Dissemination of information of a sexual nature, including images and recordings with sexual content, including through information technologies, for the purpose of revenge, hatred, humiliation or damage to the honor and dignity of the person

is punishable by a fine in the amount of 550 to 850 conventional units or by unpaid community service from 180 to 240 hours, or by imprisonment for up to 2 years.

### **Article 177<sup>1</sup>. False identity**

Illegal presentation under a false identity or attribution of such an identity to another person by using official documents in the name of another person, by registering and/or using user accounts on social media platforms, web portals, e-mail addresses, telephone numbers, of access cards or other information society services, with the exception of the use of pseudonyms that do not affect the identity or pseudonyms of other data subjects, in order to induce or maintain error with the aim of producing a legal consequence

is punishable by a fine in the amount of 500 to 2000 conventional units or by imprisonment from 6 months to 1 year, in both cases with the deprivation of the right to hold certain positions or exercise certain activities for a period of up to 5 years.

*[Art.177<sup>1</sup> introduced by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

### **Article 178. Violation of the right to secrecy of correspondence**

(1) Violation of the right to secrecy of letters, telegrams, parcels and other postal items, telephone conversations , telegraphic notices or other types of communications , in violation of the legislation,

*[Art.178 para.(1) amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

is punished with a fine of up to 550 conventional units or with unpaid work for the benefit of the community from 120 to 180 hours.

(2) The same action performed:

a) using the service situation;

b) by using special technical means intended for covertly obtaining information;

c) in the interest of an organized criminal group or a criminal organization;

d) for reasons of prejudice,

shall be punished with a fine from 550 to 750 conventional units or with unpaid work for the benefit of the community from 100 to 240 hours, or with imprisonment of up to 3 years, or with the deprivation of the right to hold certain positions or to carry out a certain activity for a period of up to 3 years.

**Article 179.** Violation of domicile

(1) Illegal entry or stay in a person's home or residence without their consent or refusal to leave at their request, as well as illegal searches and investigations,

they are punished with a fine of up to 650 conventional units or with unpaid work for the benefit of the community from 100 to 200 hours, or with imprisonment of up to 2 years.

(2) The same actions committed with the application of violence or with the threat of its application

are punished with a fine in the amount of 550 to 950 conventional units or with unpaid work for the benefit of the community from 140 to 240 hours, or with imprisonment of up to 3 years .

(3) The actions provided for in paragraph (1) or (2), carried out:

a) using the service situation;

b) by an organized criminal group or a criminal organization,

are punishable by imprisonment from 2 to 5 years.

**Article 180.** Intentional violation of the legislation

regarding access to information

Intentional violation by a person in a position of responsibility of the legal procedure for ensuring and realizing the right of access to information, a violation that caused considerable damage to the rights and interests protected by law of the person who requested information related to the protection of the population's health , to public security, to environmental protection,

is punished with a fine from 500 to 650 conventional units with (or without) deprivation of the right to occupy certain positions or to exercise a certain activity for a period of up to 3 years.

**Article 180<sup>1</sup>.** Intentional obstruction of activity

mass media or intimidation for

CRITICAL



(1) Intentional obstruction of media or journalist activity, as well as intimidation of media or journalist for criticism

are punished with a fine in the amount of 500 to 650 conventional units with (or without) deprivation of the right to hold certain public positions for a term of up to 2 years.

(2) The same actions performed with the use of the service situation

are punished with a fine in the amount of 650 to 850 conventional units with (or without) deprivation of the right to hold certain public positions for a term of up to 4 years.

(3) The actions provided for in para. (1) and (2):

a) committed with the application of violence or with the threat of its application;

b) committed by two or more persons;

c) accompanied by the theft or damage of the journalist's materials or equipment in order to prevent the journalistic activity,

are punished with a fine in the amount of 750 to 1350 conventional units with (or without) deprivation of the right to hold certain public positions for a term of up to 5 years.

### **Article 180<sup>2</sup> . Censorship**

(1) The unjustified distortion of the journalistic material or the unjustified ban on spreading certain information, imposed by the management of the public mass media,

is punished with a fine from 650 to 850 conventional units with (or without) the deprivation of the right to occupy certain positions or to exercise a certain activity for a period of up to 5 years.

(2) The indication of the public official or the person exercising a function of public dignity regarding the editorial activity given to the mass media or mass media employees, as well as any other form of preventing the circulation or dissemination of information

are punished with a fine from 650 to 1350 conventional units with (or without) the deprivation of the right to occupy certain positions or to exercise a certain activity for a term of up to 5 years.

### **Article 181. Obstruction of free exercise**

of the electoral right or the activity

electoral bodies

(1) Preventing by any means the free exercise of the electoral right or preventing the activity of electoral bodies:

a) committed by blocking or attacking the premises of the polling stations by any means and in any form;

b) committed by stealing ballot boxes or electoral documents;

c) committed endangering the person's life;

d) accompanied by serious injury to bodily integrity or health;

e) which caused damage in large proportions,

*[Art.181 para.(1), letter e) in the wording of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

it is punishable by a fine in the amount of 650 to 1050 conventional units or by unpaid community service from 180 to 240 hours, or by imprisonment of up to 4 years.

(2) The same action carried out by electoral competitors, members of the initiative group, national observers, representatives of electoral competitors, trusted persons of electoral competitors or electoral officials

it is punishable by a fine in the amount of 850 to 1350 conventional units or by unpaid community service from 200 to 240 hours, or by imprisonment from 1 to 5 years.

**Article 181<sup>1</sup>** . Electoral corruption

(1) Offering or giving money, goods, services or other benefits for the purpose of determining the voter or supporter to exercise or not to exercise their electoral rights during the elections, including the regional ones,

is punished with a fine in the amount of 750 to 1150 conventional units or with imprisonment from one year to 5 years, and the legal person is punished with a fine in the amount of 6000 to 8000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

(1<sup>1</sup>) The same action carried out by electoral competitors, members of the initiative group, national observers, representatives of electoral competitors, trusted persons of electoral competitors or electoral officials

shall be punished with a fine in the amount of 850 to 1350 conventional units or with imprisonment of 3 to 5 years, and the legal person shall be punished with a fine in the amount of 9000 to 13000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

(2) In the category of goods provided for in para. (1) alcoholic beverages, tobacco products and food products are also included.

(3) It does not fall into the category of goods provided for in para. (1) electoral agitation materials and objects, paid for from the electoral fund, bearing the name and surname of the candidate, respectively the name of the political party, signs or symbols of the electoral contestants, such as: posters, leaflets, postcards, calendars, illustrated notebooks, pens , lighters, matchboxes, badges, badges, CDs, DVDs, USB storage media, pennants, flags, books, bags, T-shirts, pins, scarves, scarves, the value of which per unit does not exceed two units conventional.

**Article 181<sup>2</sup>** . Violation of management mode  
of the financial means of the parties  
political or electoral funds

(1) Falsification of reports on the financial management of initiative groups and political parties and/or reports on the financing of electoral campaigns with the intention of substituting or hiding the identity of donors, the volume of funds accumulated or the destination or volume of funds used, as well as the use of undeclared, non-compliant funds or funds coming from abroad, committed in large proportions

are punishable by a fine in the amount of 750 to 1150 conventional units or by imprisonment of up to 5 years, in both cases with the deprivation of the right to hold certain positions or to exercise certain activities for a term of up to 5 years, and the legal person is punished with a fine in

the amount of 6000 to 8000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal person.

(2) The use of administrative resources, including favoring or consenting to the illegal use of administrative resources during the electoral period, if large amounts of damage were caused

is punishable by a fine in the amount of 6000 to 8000 conventional units or by imprisonment of up to 5 years, in both cases with the deprivation of the right to hold certain positions or to exercise certain activities for a term of up to 5 years, and the legal person is punished with a fine in the amount of 13,000 to 15,000 conventional units with the deprivation of the right to exercise a certain activity or with liquidation the legal person.

(3) Extortion or obtaining by extortion of donations for political parties, for electoral funds and/or funds intended for initiative groups

is punishable by a fine in the amount of 750 to 1150 conventional units or by unpaid work in the community benefit from 180 to 240 hours, or by imprisonment from 1 to 5 years, in all cases with the deprivation of the right to occupy certain functions or to exercise certain activities for a period of 1 to 5 years, and the legal person is punished with a fine in the amount of 6000 to 8000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

(4) The use contrary to the destination of the allocations from the state budget for political parties or the means from the electoral fund, if this has caused damage in large proportions,

is punishable by a fine in the amount of 6000 to 8000 conventional units or by imprisonment from 2 to 5 years, in both cases with the deprivation of the right to hold certain positions or to exercise certain activities for a term of 2 to 5 years, and the legal person is punished with a fine in the amount of 13,000 to 15,000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

(5) Knowingly accepting the financing of the political party, initiative group or electoral competitor from an organized criminal group or a criminal organization (association)

shall be punished with imprisonment from 6 to 10 years with a fine in the amount of 6000 to 8000 conventional units and with the deprivation of the right to hold certain public positions or to exercise a certain activity for a period of 7 to 10 years, and the legal person is punished with a fine in the amount of 15,000 to 40,000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

(6) The person who for the first time carried out the actions provided for in para. (1) or (5) as an accomplice may be released from criminal liability at the criminal investigation stage if he has self-declared or denounced the author, organizer or instigator of the crime and actively contributed to the discovery or countering of the crime.

**Article 181<sup>3</sup>**. Illegal financing of political parties,  
of initiative groups, of competitors  
electoral or referendum participants

Large-scale financing of political parties, initiative groups, electoral competitors or referendum participants from sources prohibited by law

is punished with a fine in the amount of 850 to 1350 conventional units or with imprisonment from 3 to 6 years, and the legal person is punished with a fine in the amount of 9000 to 13000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

**Article 182.** Falsification of voting results

(1) Voting of a person: without having this right, either two or more times, or by inserting more ballots than he is entitled to, or by using a false identity document or a ballot false, either in the place of another person

it is punishable by a fine in the amount of 650 to 1050 conventional units or by unpaid community service from 160 to 200 hours, or by imprisonment of up to 3 years.

(2) Falsification, by any means, of the voting results

is punishable by a fine in the amount of 850 to 1150 conventional units or by unpaid community service of 200 to 240 hours, or by imprisonment of up to 5 years.

**Article 183.** Violation of labor protection rules

(1) Violation by a person with a responsible position or by a person who manages a commercial, public or other non-state organization of safety techniques, industrial hygiene or other labor protection rules, if this violation caused accidents with people

*[Art.183 para.(1) amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

shall be punished with a fine in the amount of 550 to 850 conventional units or with unpaid work for the benefit of the community from 100 to 200 hours, or with imprisonment of up to 2 years.

(2) The same action that recklessly caused the death of a person

shall be punished with imprisonment from 2 to 6 years with the deprivation of the right to occupy certain positions or to exercise a certain activity for a term of up to 3 years.

**Article 184.** Violation of the right to freedom of assembly

(1) Violation of the right to freedom of assembly by illegally preventing the rally, demonstration, demonstration, procession or any other assembly or the participation of citizens in them, either by forcing them to participate:

a) committed by a person in a responsible position;

b) committed by two or more persons;

c) accompanied by violence not dangerous to life or health,

shall be punished with a fine in the amount of 550 to 750 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 2 years.

(2) The same action:

a) committed with the use of a weapon or other objects that served as a weapon or were specially adapted for harming bodily integrity or health;

b) accompanied by violence dangerous to life or health;

b<sup>1</sup>) committed for reasons of prejudice;

c) resulting in the causing of damages in large proportions;

[Art.184 para.(2), letter d) repealed by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]

is punishable by imprisonment of up to 5 years.

**Article 185.** Attack on the person and the rights  
citizens in the form of preaching  
of religious beliefs and fulfillment  
of religious rites

Organizing, leading or actively participating in a group whose activity, carried out in the form of preaching religious beliefs and performing religious rites, is accompanied either by causing damage to citizens' health, or by other attacks on the person or his rights, or inciting citizens to refuse to fulfill their civic obligations

is punished with a fine in the amount of 650 to 1050 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 5 years.

**Article 185<sup>1</sup>.** Copyright infringement  
and related rights

(1) Appropriation without right, in whole or in part, of the quality of author, co-author, or interpreter of the work or an object of related rights to another author and publishing it as one's own creation or coercion of authorship or co-authorship or coercion upon renouncing authorship or co-authorship

shall be punished with a fine in the amount of 1150 to 1350 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, and the legal person shall be punished with a fine in the amount of 3000 to 4000 conventional units with deprivation of the right to exercise a certain activity for a period of 1 to 5 years.

(2) Violation of copyright or related rights, if it caused extensive damage, committed by:

a) unlawfully making available to the public or public communication, including in electronic form, of the work, an object of the related rights or the *sui generis* rights of the producer of a database;

b) reproduction of works or objects of related rights for the purpose of commercialization or offering for sale, import, export, as well as storage, transport, rental of copies of works or phonograms for the aforementioned purposes or any other form of exploitation of copyright objects or related rights for the purpose of obtaining profit, without the consent of the rights holder;

c) broadcasting, retransmission by cable, retransmission of the work, as well as by making derivative works, without the consent of the author, the copyright holder or the holder of related rights;

d) distributing, fixing copies of phonograms, audiovisual works, computer programs or electronic databases, without control markings and without holding the contract with the rights holder,

shall be punished with a fine in the amount of 1150 to 1350 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, and the legal person shall be punished with a fine in the amount of 3000 to 4000 conventional units with deprivation of the right to exercise a certain activity for a period of 1 to 5 years.

(3) The actions provided for in para. (1) and (2) committed:

- a) by an organized criminal group or a criminal organization;
- b) by physical or mental coercion;
- c) in particularly large proportions

are punished with a fine in the amount of 5000 to 6000 conventional units or with imprisonment from 3 to 5 years, and the legal person is punished with a fine in the amount of 9000 to 11000 conventional units with the deprivation of the right to exercise a certain activity for a period of 1 to 5 years or with the liquidation of the legal entity.

(4) The person who committed the actions provided for in para. (1)–(3) is released from criminal liability if he actively contributed to the discovery or countering of the crime by self-denunciation, by denouncing and facilitating the prosecution of other persons who committed or contributed to the commission of the crime, by voluntarily surrendering works or objects of related rights, control markings, technical equipment or their components, by indicating the source of procurement of the works or objects of related rights, by indicating the monetary means and/or goods or proceeds from the crime, if compensated the value of the material damage caused or otherwise repaired the damage caused by the crime. It cannot be considered as voluntary surrender of the works or objects of related rights, their removal upon apprehension of the person, as well as during the performance of criminal prosecution actions for the detection and removal of the respective objects.

*[Art.185<sup>1</sup> in the redaction of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

**Article 185<sup>2</sup>** . Violation of the right to objects  
of industrial property

(1) Dissemination of information regarding the invention, utility model, design or industrial model, plant variety, topography of the integrated circuit without the consent of the author (creator) or his successor in rights, until the official publication of the data from the registration application, by a person to whom this information was entrusted or otherwise became known, as well as the fraudulent appropriation by a third party of the authorship of the invention, utility model, design or industrial model, variety plant, of the topography of the integrated circuit or the co-authorship coercion, which caused large amounts of damage,

they are punished with a fine from 1150 to 1350 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours.

(2) The use without the owner's consent of the protected trademark or of a sign which, due to the identity or similarity with the registered trademark and the identity or similarity of the products or services covered by the sign and the trademark, generates the risk of confusion in the perception of the consumer, the application of the sign on products or on packaging, as well as its use as

packaging in the case of three-dimensional brands, offering products under this sign for sale or selling or storing them for this purpose, or, as the case may be, offering or providing services under this sign, import or export products under this sign, using the sign in advertising, multiplying, storing or selling the sign for the mentioned purposes, as well as encouraging third parties to carry out these actions, which caused damage in large proportions,

are punishable by a fine from 1150 to 1350 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, with a fine, applied to the legal entity, from 4500 to 6000 conventional units with the deprivation of the right to exercise a certain activity for a period of 1 to 5 years.

(2<sup>1</sup>) Direct or indirect commercial use of a registered designation of origin/geographical indications for products not covered by registration to the extent that these products are comparable to those registered under this name or to the extent that this use allows to take advantage of the reputation of the protected name, as well as impersonating, imitating or evoking associations related to a registered designation of origin/geographical indication, even if the true origin of the product is indicated or if the protected name is used in translation or is accompanied by an expression, such as "of the kind", "of the type", "of the style", "imitation", or other similar expressions, the false or misleading indication regarding the provenance, origin, nature or essential qualities of the product, which appears on the product or on its packaging, in advertising, as well as the use as packaging of a container likely to create a false impression regarding the origin of the product, carrying out practices likely to mislead the consumer regarding the true origin of the product, as well as encouraging third parties when carrying out these actions, which caused large amounts of damage,

are punished with a fine from 1150 to 1350 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, with a fine, applied to the legal person, from 4500 to 6000 conventional units with the deprivation of the right to exercise a certain activity for a period of 1 to 5 years.

(2<sup>2</sup>) Any practice likely to mislead the consumer regarding a name of the guaranteed traditional specialty, any imitation of a name registered and reserved according to the legislation regarding the protection of geographical indications, designations of origin and guaranteed traditional specialties, any commercial use of product names that could be confused with the names of traditional guaranteed specialties registered with the reservation of the name according to the legislation regarding the protection of geographical indications, designations of origin and guaranteed traditional specialties, any abusive or misleading usurpation of the mention "Traditional specialty guaranteed" and the national symbol associated with it, as well as urging third parties to carry out these actions, which caused large amounts of damage,

are punished with a fine from 1150 to 1350 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, with a fine, applied to the legal person, from 4500 to 6000 conventional units with the deprivation of the right to exercise a certain activity for a period of 1 to 5 years.

(2<sup>3</sup>) Illegal use within the meaning of para. (2<sup>1</sup>) of an unregistered designation of origin/geographical indication, protected on the basis of bilateral agreements to which the Republic of Moldova is a party, as well as urging third parties to carry out these actions, carried out in large proportions,

are punished with a fine from 1150 to 1350 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, with a fine, applied to the legal person, from 4500 to 6000 conventional units with the deprivation of the right to exercise a certain activity for a period of 1 to 5 years.

(3) Manufacturing, importing, exporting, transporting, offering for sale, selling, other way of putting into economic circulation or storing for these purposes the product, the use of processes, which constitutes inventions or utility models or includes the object of the invention or the protected utility model, for which, in accordance with the legislation, authorization from the owner is required, carried out without this authorization, as well as urging third parties to carry out these actions, which caused large amounts of damage,

are punished with a fine from 1150 to 1350 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, with a fine, applied to the legal person, from 4500 to 6000 conventional units with the deprivation of the right to exercise a certain activity for a period of 1 to 5 years.

(4) The manufacture, import, export, offer for sale, sale, other way of putting into economic circulation or storage for these purposes of the product obtained by applying the protected design or industrial model, if this product, in full or to a substantial extent, is a copy of the protected design or industrial model, for which, in accordance with the legislation, authorization from the owner is required, carried out without this authorization, as well as urging third parties to carry out these actions, which have caused large amounts of damage,

are punished with a fine from 1150 to 1350 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, with a fine, applied to the legal person, from 4500 to 6000 conventional units with the deprivation of the right to exercise a certain activity for a period of 1 to 5 years.

(5) Producing, reproducing, conditioning for the purpose of propagation, offering for sale, selling or other forms of commercialization, importing, exporting or storing for these purposes the material of the plant variety for which, in accordance with the legislation, authorization from the the owner, carried out without this authorization, as well as urging third parties to carry out these actions, which caused large amounts of damage,

are punished with a fine from 1150 to 1350 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, with a fine, applied to the legal person, from 4500 to 6000 conventional units with the deprivation of the right to exercise a certain activity for a period of 1 to 5 years.

(6) Reproducing the topography of the integrated circuit or a part of it, importing, exporting, offering for sale, selling or distributing in any other way for commercial purposes the topography of the integrated circuit for which, in accordance with the legislation, authorization from the owner



is required, carried out without this authorization, as well as urging third parties to carry out these actions, which caused large amounts of damage,

are punished with a fine from 1150 to 1350 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, with a fine, applied to the legal person, from 4500 to 6000 conventional units with the deprivation of the right to exercise a certain activity for a period of 1 to 5 years.

(7) Actions from paragraph (1), (2), (2<sup>1</sup>), (2<sup>2</sup>), (2<sup>3</sup>), (3), (4), (5) and (6) carried out:

b) by two or more people;

c) by an organized criminal group or a criminal organization;

d) by physical or mental coercion;

e) in particularly large proportions

are punished with a fine from 4000 to 6000 conventional units or with imprisonment from 3 to 5 years, with a fine, applied to the legal person, from 8000 to 11000 conventional units with deprivation of the right to exercise a certain activity for a term from 1 to 5 years or with its liquidation.

(8) The person who committed the actions provided for in paragraphs (1)–(7) is released from criminal liability if he actively contributed to the discovery or countering of the crime by self-denunciation, by denouncing and facilitating the prosecution of other persons who have committed or contributed to the commission of the crime, by voluntarily handing over objects of industrial property, by indicating the means of money and/or goods or income resulting from the crime, if he compensated the value of the material damage caused or repaired, in another way, the damage caused by crime. Picking them up when the person is detained, as well as when carrying out criminal prosecution actions to detect and pick up the respective objects, cannot be considered as voluntary surrender of industrial property objects.

**Article 185<sup>3</sup>**. Intentionally false statements  
in the registration documents  
regarding property protection  
intellectual

Intentionally false statements, intentional operation with false entries in documents related to the protection of intellectual property, as well as falsification of documents necessary for the issuance of the title of protection, intentional completion of falsified documents or the intentional presentation of documents with data that undermine the authority of the applicant for protection of the property object intellectual

are punished with a fine from 1150 to 1350 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, with a fine, applied to the legal person, from 4500 to 6000 conventional units with the deprivation of the right to exercise a certain activity for a period of 1 to 5 years.

**Article 185<sup>4</sup>**. Violation regarding technical measures  
and management information  
copyright and related rights

(1) Illegal removal or modification of symbols or signs protecting copyright and related rights, rights management information, including in electronic format, or manufacturing, importing, keeping, for the purpose of placing in circulation or placing in circulation of devices that allow their removal or modification, which caused damage in large proportions

shall be punished with a fine in the amount of 1150 to 1350 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, and the legal person shall be punished with a fine in the amount of 3000 to 4000 conventional units with deprivation of the right to exercise a certain activity for a period of 1 to 5 years.

(2) The falsification, production, destruction, use or illegal sale of control markings, which caused damage in large proportions,

is punished with a fine in the amount of 3000 to 5000 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, and the legal person is punished with a fine in the amount of 3000 to 7000 conventional units with the deprivation of the right to exercise a certain activity for a period of 1 to 5 years.

(3) The actions provided for in para. (1) and (2) committed:

- a) by an organized criminal group or a criminal organization;
- b) by physical or mental coercion;
- c) in particularly large proportions

are punished with a fine in the amount of 5000 to 6000 conventional units or with imprisonment from 3 to 5 years, and the legal person is punished with a fine in the amount of 9000 to 11000 conventional units with the deprivation of the right to exercise a certain activity for a period of 1 to 5 years or with the liquidation of the legal entity.

(4) The person who committed the actions provided for in para. (1) and (2) is released from criminal liability if he actively contributed to the discovery or countering of the crime by self-denunciation, by denouncing and facilitating the prosecution of other persons who committed or contributed to the commission of the crime, by voluntarily surrendering works or objects of related rights, control markings, technical equipment or their components, by indicating the source of procurement of the works or objects of related rights, by indicating the monetary means and/or goods or proceeds from the crime, if compensated the value of the material damage caused or otherwise repaired the damage caused by the crime. It cannot be considered as voluntary surrender of the works or objects of related rights, their removal upon apprehension of the person, as well as during the performance of criminal prosecution actions for the detection and removal of the respective objects.

*[Art.185<sup>4</sup> introduced by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

## **Chapter VI**

### **CRIMES AGAINST PROPERTY**

#### **Article 186. Theft**

(1) Theft, i.e. covert theft of another person's property,

shall be punished with a fine of up to 650 conventional units or with unpaid work for the benefit of the community from 120 to 240 hours, or with imprisonment of up to 2 years.

(2) Theft committed:

a) - *excluded*

b) by two or more people;

c) by entering the room, another place for storage or the home;

d) causing considerable damage

shall be punished with a fine in the amount of 650 to 1350 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 4 years.

(2<sup>1</sup>) Theft of cultural heritage assets from archaeological sites or areas with archaeological potential

is punished with a fine in the amount of 1350 to 2350 conventional units or with imprisonment from 2 to 5 years.

(3) Theft committed:

a) during a calamity;

b) by an organized criminal group or a criminal organization

is punishable by imprisonment from 2 to 6 years with (or without) a fine in the amount of 1350 to 3350 conventional units.

(4) The actions provided for in para. (1)–(3), if the value of the goods exceeds 40 average monthly wages for the forecasted economy, established by the Government decision in force at the time of the act,

are punishable by imprisonment from 5 to 10 years.

(5) The actions provided for in para. (1)–(3), if the value of the goods exceeds 100 average monthly wages for the forecasted economy, established by the Government decision in force at the time of the act,

are punishable by imprisonment from 7 to 12 years.

### **Article 187. Robbery**

(1) Robbery, i.e. the open theft of another person's property,

is punished with a fine in the amount of 550 to 850 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment from 2 to 5 years.

(2) Robbery committed:

b) by two or more people;

c) by a masked, disguised or transvestite person;

d) by entering the room, another place for storage or the home;

e) with the application of non-dangerous violence for the life or health of the person or with the threat of applying such violence;

f) causing considerable damage;

g) for reasons of prejudice,

is punishable by imprisonment from 5 to 7 years with (or without) a fine in the amount of 850 to 1350 conventional units.

(2<sup>1</sup>) Robbery of cultural heritage assets from archaeological sites or areas with archaeological potential

is punishable by imprisonment from 6 to 8 years with a fine in the amount of 1350 to 2350 conventional units.

(3) Robbery committed:

a) during a calamity;

b) by an organized criminal group or a criminal organization

is punishable by imprisonment from 7 to 10 years.

(4) The actions provided for in para. (1)–(3), if the value of the goods exceeds 40 average monthly wages for the forecasted economy, established by the Government decision in force at the time of the act,

are punishable by imprisonment from 8 to 12 years.

(5) The actions provided for in para. (1)–(3), if the value of the goods exceeds 100 average monthly wages for the forecasted economy, established by the Government decision in force at the time of the act,

they are punished with imprisonment from 12 to 15 years.

**Article 188.** Theft

(1) Robbery, i.e. an attack on a person for the purpose of stealing goods, accompanied by violence dangerous to the life or health of the person attacked or by the threat of such violence,

is punishable by imprisonment from 5 to 8 years with (or without) a fine in the amount of 950 to 1350 conventional units.

(2) The robbery committed:

b) by two or more people;

c) by a masked, disguised or transvestite person;

d) by entering the room, another place for storage or the home;

e) with the application of the weapon or other objects used as a weapon;

f) causing considerable damage;

g) for reasons of prejudice,

is punishable by imprisonment from 8 to 10 years.

(2<sup>1</sup>) Theft for the purpose of stealing cultural heritage assets from archaeological sites or areas with archaeological potential

is punishable by imprisonment from 8 to 10 years with a fine in the amount of 1350 to 2350 conventional units.

(3) The robbery committed:

a) during a calamity;

b) by an organized criminal group or a criminal organization;

c) with serious injury to bodily integrity or health;

d) with particular cruelty;

is punishable by imprisonment from 10 to 12 years.

(4) The actions provided for in para. (1)–(3), if the value of the goods exceeds 40 average monthly wages for the forecasted economy, established by the Government decision in force at the time of the act,

are punishable by imprisonment from 11 to 14 years.

(5) The actions provided for in para. (1)–(3), if the value of the goods exceeds 100 average monthly wages for the forecasted economy, established by the Government decision in force at the time of the act,

they are punished with imprisonment from 12 to 15 years.

**Article 189. Blackmail**

(1) Blackmail, i.e. the request to hand over the assets to the owner, possessor or holder or the right over them or to commit other actions of a patrimonial nature, threatening the person, their relatives or those close to them with violence, with spreading defamatory news about them, with damage or destruction of the property of the owner, possessor, possessor or kidnapping of the owner, possessor, possessor, relatives or relatives them,

shall be punished with a fine in the amount of 750 to 950 conventional units or with imprisonment of 3 to 5 years.

(2) Blackmail committed:

b) by two or more people;

c) with the application of violence not dangerous for life or health;

d) by threat of death;

e) with damage or destruction of goods

f) against political party donors or electoral competitors.

is punishable by imprisonment from 5 to 7 years with a fine in the amount of 850 to 1350 conventional units.

(3) The actions provided for in paragraph (1) or (2):

a) committed by an organized criminal group or a criminal organization;

b) committed with a weapon or other objects used as a weapon;

c) accompanied by violence dangerous to life or health;

d) committed with particular cruelty;

e) followed by the acquisition of the requested goods,

*[Art.189 para.(3), letter f) repealed by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

are punished with imprisonment from 7 to 10 years with a fine ranging from 1850 to 2350 conventional units.

(4) The actions provided for in paragraph (1), (2) or (3), accompanied by the kidnapping of the owner, possessor or possessor, their relatives or relatives,

is punishable by imprisonment from 10 to 13 years.

(5) The actions provided for in para. (1), (2), (3) or (4), if the value of the goods exceeds 40 average monthly wages for the forecasted economy, established by the Government decision in force at the time of the act,

they are punished with imprisonment from 11 to 13 years.

(6) The actions provided for in para. (1), (2), (3) or (4), if the value of the goods exceeds 100 average monthly wages for the economy, established by the Government decision in force at the time of the act,

they are punished with imprisonment from 13 to 15 years.

#### **Article 190. Fraud**

(1) Fraud, i.e. embezzlement of another person's assets by abuse of trust, misrepresentation or misrepresentation,

it is punishable by a fine in the amount of 550 to 1000 conventional units or by unpaid community service of 120 to 240 hours, or by imprisonment of up to 3 years.

(2) Fraud committed:

a) with the use of false documents, false documents;

b) by two or more people;

c) causing considerable damage;

d) with the use of the service situation

is punishable by a fine in the amount of 850 to 1350 conventional units or by imprisonment from 1 to 5 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a term of up to 3 years.

(3) The facts provided for in para. (1) or (2), carried out for the purpose of acquiring movable national cultural heritage assets from archaeological sites or areas with archaeological potential,

are punished with a fine in the amount of 1850 to 2350 conventional units or with imprisonment from 4 to 7 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 5 years.

(4) The facts provided for in para. (1)–(3), committed by an organized criminal group or a criminal organization,

they are punished with imprisonment from 4 to 8 years with a fine in the amount of 5000 to 9000 conventional units .

*[Art.190 para.(4) the sanction modified by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

(5) The actions provided for in para. (1)–(4), if the value of the goods exceeds 40 average monthly wages for the forecasted economy, established by the Government decision in force at the time of the commission of the act,

are punished with imprisonment from 7 to 10 years, with a fine in the amount of 9000 to 16000 conventional units and with the deprivation of the right to occupy certain positions or to exercise a certain activity for a term of up to 5 years.

*[Art.190 para.(5) the sanction in the wording of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

(6) The actions provided for in para. (1)–(4), if the value of the goods exceeds 100 average monthly wages for the economy, established by the Government decision in force at the time of the act,

are punished with imprisonment from 8 to 15 years, with a fine in the amount of 15,000 to 20,000 conventional units and with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 5 years.

*[Art.190 para.(6) the sanction in the wording of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

**Article 191.** Embezzlement of foreign property

(1) The embezzlement of foreign property, i.e. the theft , disposal or illegal use of the assets of another or other persons by the person to whom they were entrusted on the basis of a title and with a certain purpose or the refusal to return them,

*[Art.191 para.(1) provision amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

is punishable by a fine of up to 850 conventional units or by imprisonment of up to 3 years, in both cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a term of up to 3 years.

(2) Embezzlement of foreign property, committed:

b) by two or more people;

c) causing considerable damage;

d) using the service situation,

is punished with a fine in the amount of 850 to 1350 conventional units or with imprisonment from 2 to 6 years, in both cases with the deprivation of the right to occupy certain positions or to exercise a certain activity for a term of up to 5 years .

(2<sup>1</sup>) Embezzlement of foreign assets committed by the administrator of a bank,

shall be punished with a fine in the amount of 1350 to 2350 conventional units or with imprisonment from 3 to 7 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a term of up to 5 years .

(2<sup>2</sup>) The embezzlement of cultural heritage assets from archaeological sites or areas with archaeological potential

shall be punished with a fine in the amount of 1,850 to 2,350 conventional units or with imprisonment from 3 to 7 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 5 years .

(3) The actions provided for in para. (1)–(2<sup>2</sup>), committed by an organized criminal group or a criminal organization,

are punished with imprisonment from 4 to 8 years with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years.

(4) The actions provided for in para. (1)–(3), if the value of the goods exceeds 40 average monthly wages for the forecasted economy, established by the Government decision in force at the time of the act,

are punishable by imprisonment from 7 to 12 years.

(5) The actions provided for in para. (1)–(3), if the value of the goods exceeds 100 average monthly wages for the forecasted economy, established by the Government decision in force at the time of the act,

are punishable by imprisonment from 8 to 15 years.

#### **Article 192. Bagging**

(1) Pickpocketing, i.e. the action for the purpose of stealing another person's property from pockets, bags or other objects present on the person,

shall be punished with a fine in the amount of 650 to 850 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 2 years.

(2) The crime committed:

b) by two or more people,

is punishable by imprisonment of up to 4 years with a fine ranging from 550 to 1350 conventional units.

(3) The actions provided for in para. (1) or (2), if the value of the goods exceeds 40 average monthly wages for the forecasted economy, established by the Government decision in force at the time of the act,

are punishable by imprisonment from 4 to 7 years.

(4) The actions provided for in para. (1) or (2), if the value of the goods exceeds 100 average monthly wages for the forecasted economy, established by the Government decision in force at the time of the commission of the act,

are punishable by imprisonment from 6 to 10 years.

#### **Article 192<sup>1</sup>. Carjacking**

(1) Hijacking the means of transport without the purpose of appropriation

is punished with a fine in the amount of 850 to 1350 conventional units or with imprisonment from 1 to 3 years.

(2) The same action:

a) committed by two or more persons;

b) accompanied by non-dangerous violence for the victim's life or health or by the threat of such violence;

c) committed by breaking into the garage, other rooms or fenced or guarded spaces

is punishable by imprisonment from 3 to 5 years.

(3) The actions provided for in paragraph (1) or (2) accompanied by violence dangerous to the life or health of the victim or by the threat of such violence

they are punished with imprisonment from 5 to 7 years.

#### **Article 192<sup>2</sup>. Hijacking the means of transport with traction**



animal, as well as draft animals

The kidnapping of the means of transport with animal traction, as well as of the draft animals, without the purpose of appropriation, followed by:

- a) destruction of property;
- b) serious illness or death of kidnapped animals,

shall be punished with a fine in the amount of 650 to 1050 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours.

**Article 193.** Possession disorder

(1) Occupying, in whole or in part, without right, a building in the possession of another with the use of violence or with the threat of use of violence or by destroying or displacing boundary signs

is punished with a fine in the amount of 1150 to 1850 conventional units or with unpaid work for the benefit of the community from 150 to 240 hours, or with imprisonment from 2 to 4 years, and the legal person is punished with a fine in the amount of 2000 to 4000 conventional units with the deprivation of the right to carry out a certain activity.

*[Art.193 para.(1) the sanction in the wording of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

(2) The same deed committed for reasons of prejudice

shall be punished with a fine in the amount of 1350 to 2350 conventional units or with unpaid work for the benefit of the community of 200 to 240 hours, or with imprisonment of 2 to 5 years, and the legal person shall be punished with a fine in the amount of 4000 to 6000 conventional units with the deprivation of the right to carry out a certain activity.

*[Art.193 para.(2) the sanction in the wording of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

**Article 194.** Appropriation or illicit use of energy

electric, thermal or natural gas

(1) Appropriation of electricity, thermal energy or natural gas or their illicit use avoiding the evidence systems installed in the established manner or through them, but damaged by the consumer, if this has caused extensive damage,

is punished with a fine in the amount of 850 to 1850 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours.

(2) The same actions that caused damages in particularly large proportions

they are punished with a fine ranging from 1,850 to 3,350 conventional units or with unpaid community service from 200 to 240 hours, or with imprisonment of up to 3 years.

*[Art.194 para.(2) the sanction in the wording of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

**Article 196.** Causing material damage through

fraud or breach of trust

(1) Causing material damage in large proportions to the owner through deception or abuse of trust, if the act does not constitute evasion ,

*[Art.196 para.(1) provision amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

is punished with a fine of up to 550 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, in both cases with (or without) deprivation of the right to hold certain positions or to exercise a certain activity on a term from 2 to 5 years.

(2) The same action performed:

b) by two or more people

shall be punished with a fine in the amount of 550 to 850 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 2 years.

(3) The actions provided for in paragraph (1) or (2), carried out:

a) by an organized criminal group or a criminal organization;

they are punished with a fine in the amount of 850 to 1350 conventional units or with imprisonment of up to 3 years.

(4) Causing material damages in particularly large proportions by deception or abuse of trust, if the act does not constitute evasion ,

*[Art.196 para.(4) provision amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

shall be punished with a fine in the amount of 1350 to 2350 conventional units or with imprisonment of up to 3 years.

**Article 197.** Destruction or damage

intended use of the goods

(1) Deliberate destruction or damage to goods, if this caused extensive damage,

is punished with a fine of up to 1350 conventional units or with unpaid work for the benefit of the community for 240 hours.

(2) The same actions:

a) committed by arson, explosion or in another dangerous way;

b) committed for reasons of prejudice;

c) perpetrated on a person in connection with his performance of service or public obligations;

d) who recklessly caused the death of the person

are punishable by imprisonment of up to 6 years.

(3) The destruction or waste of the bank's assets by its administrator in the administration process,

is punished with a fine in the amount of 850 to 1350 conventional units or with imprisonment of up to 5 years, in both cases with (or without) deprivation of the right to hold certain positions or to exercise a certain activity for a term of up to at 8 years old.

**Article 199.** Acquisition or sale

goods that are known to

were obtained by criminal means

(1) The acquisition or sale, without a prior promise, of goods known to have been obtained by criminal means

is punished with a fine of 550 to 750 conventional units or unpaid work for the benefit of the community from 120 to 180 hours.

(2) The same actions performed:

- a) by two or more people;
- b) in the form of employment;
- c) in large proportions

they are punished with a fine in the amount of 650 to 950 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 3 years.

(3) The actions provided for in paragraph (1) or in paragraph (2) letters a) and b), committed in particularly large proportions,

are punished with a fine in the amount of 850 to 1350 conventional units or with imprisonment of up to 5 years.

**Article 199<sup>1</sup>** . Damage or destruction of goods  
of cultural heritage

(1) Damage to cultural heritage assets

is punished with a fine in the amount of 850 to 1350 conventional units or with imprisonment of up to 1 year, and the legal person is punished with a fine in the amount of 1350 to 3350 conventional units or with the deprivation of the right to exercise a certain activity for a period of 1 to 3 years.

(2) Destruction of cultural heritage assets

is punished with a fine of 3350 to 6350 conventional units or with imprisonment from 1 to 3 years, and the legal person is punished with a fine of 6350 to 10350 conventional units with (or without) the liquidation of the legal person.

(3) The action provided for in para. (1) or (2):

- a) committed by arson, explosion or in another dangerous way;
- b) committed for reasons of prejudice;
- c) who recklessly caused the person's death

is punishable by imprisonment of up to 6 years.

*[Art.199<sup>1</sup> para.(3) introduced by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

**Article 199<sup>2</sup>** . Carrying out unauthorized work  
in archaeological sites or areas  
with archaeological potential

(1) Carrying out unauthorized excavations or searching for treasures in archaeological sites or in areas with archaeological potential

are punished with a fine from 850 to 1350 conventional units or with imprisonment of up to 1 year.

(2) Carrying out construction works, as well as other intervention activities on the soil in archaeological sites or in areas with archaeological potential, without a certificate of discharge of archaeological burden

is punished with a fine from 3350 to 4350 conventional units or with imprisonment of up to 2 years, and the legal person is punished with a fine from 7350 to 10350 conventional units with (or without) the liquidation of the legal person.

**Article 199<sup>3</sup>** . Illegal concealment or retention  
of movable archaeological assets

Concealment or illegal keeping of movable archaeological assets, including treasures, discovered by chance or during intervention works on the ground or with the help of metal detectors or other remote sensing devices, as well as failure to notify the public authorities in time regarding the accidental discovery of assets movable archaeological objects, including treasures, are punished with a fine from 850 to 1350 conventional units or with imprisonment of up to 1 year, and the legal person is punished with a fine from 3350 to 5350 conventional units with deprivation of the right to to exercise a certain activity for a term of up to 2 years.

**Article 199<sup>4</sup>** . Unauthorized sale of goods  
movable archaeological and cultural assets  
classified mobiles

(1) Unauthorized commercialization of movable archaeological assets and classified movable cultural assets

is punished with a fine in the amount of 750 to 850 conventional units, with the deprivation of the right to occupy certain positions or to exercise a certain activity for a period of up to 1 year, and the legal person is punished with a fine in the amount of to 2350 to 3350 conventional units with the deprivation of the right to exercise a certain activity for a term of up to 3 years.

(2) The same action:

- a) committed by an organized criminal group or a criminal organization;
- b) committed with the use of the service situation;
- c) which caused damage in large proportions

is punished with a fine in the amount of 1000 to 1350 conventional units or with imprisonment from 1 to 3 years, and the legal person is punished with a fine in the amount of 6350 to 10350 conventional units with the deprivation of the right to exercise a certain activity for a period of 3 to 5 years.

*[Art. 199<sup>5</sup> repealed by LP136 of 06.06.24, MO245-246/07.06.24 art. 353; in force 07.09.24]*

## **Chapter VII**

### **CRIMES AGAINST FAMILY AND MINORS**

**Article 201.** Incest

(1) The sexual relationship between relatives on the direct line up to the third degree inclusive, as well as between relatives on the collateral line (brothers, sisters), is punishable by imprisonment of up to 5 years.

(2) The persons referred to in paragraph (1) are not liable to criminal liability if, at the time of committing the act, they are minors and the age difference between them is not greater than 2 years.

*[Art. 201 para. (2) amended by LP136 of 06.06.24, MO245-246/07.06.24 art. 353; in force 07.09.24]*

**Article 201<sup>1</sup>**. Violence in the family

(1) The intentional action or inaction committed by a family member regarding another family member, manifested by:

- a) mistreatment, other violent actions, resulting in slight injury to bodily integrity or health;
  - b) isolation, intimidation for the purpose of imposing personal will or control over the victim;
  - c) deprivation of economic means, including lack of primary means of existence, neglect, if they caused the victim slight injury to bodily integrity or health,
- shall be punished with unpaid work for the benefit of the community from 150 to 180 hours or with imprisonment of up to 4 years.

(2) The facts provided for in para. (1):

- a) committed against two or more family members;
  - a<sup>1</sup>) knowingly committed against a minor or a pregnant woman or taking advantage of the known or obvious state of helplessness of the victim, which is due to advanced age, illness, disability or another factor;
  - b) committed in connection with the request or application of protection measures;
  - c) which caused average damage to bodily integrity or health,
- they are punished with unpaid work for the benefit of the community from 180 to 240 hours or with imprisonment from 1 to 6 years.

(3) The facts provided for in para. (1) or (2) which:

*[Art. 201<sup>1</sup> para. (3) amended by LP136 of 06.06.24, MO245-246/07.06.24 art. 353; in force 07.09.24]*

- a) have caused serious injury to bodily integrity or health;
  - b) they determined the suicide or attempted suicide
- are punishable by imprisonment from 6 to 12 years.

(4) The facts provided for in para. (1) or (2) which caused serious injury to the body integrity or health resulting in the death of the victim

they are punished with imprisonment from 12 to 15 years.

*[Art.201<sup>2</sup> repealed by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

*[Art.204 repealed by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

**Article 205**. Abuse of parents and other persons

to the adoption of children

(1) Receipt by the parent, guardian (curator) or other legal representative of the child, by another person of a reward in any form for consent to adoption or for other purposes related to adoption

is punished with a fine in the amount of 500 to 750 conventional units or with imprisonment of up to 3 years.

(2) Mediating, facilitating or encouraging the adoption of a child for the purpose of profit, material benefit or other benefit

is punishable by a fine from 550 to 750 conventional units or by imprisonment from 1 to 3 years, with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years, with a fine , applied to the legal person, from 3000 to 5000 conventional units with the deprivation of the right to exercise a certain activity.

(3) Exercising in any form of coercion on the child's parent, guardian (curator) in order to obtain consent for adoption or presenting false data for approval of adoption, establishing guardianship (guardianship), placement of the child in a residential institution, in a family or family-type children's home

is punishable by a fine from 600 to 750 conventional units or by imprisonment from 3 to 5 years, with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years, with a fine , applied to the legal entity, from 3500 to 5500 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

(4) The actions provided for in paragraphs (1)-(3), carried out:

b) regarding two or more children;

c) by a person with a position of public dignity using the service situation ;

*[Art.205 para.(4), letter c) amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

d) by two or more people;

e) by an organized criminal group or a criminal organization,

are punished with imprisonment from 3 to 7 years with (or without) deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years, with a fine, applied to the legal person, from 4000 to 7000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

### **Article 206. Child trafficking**

(1) Recruiting, transporting, transferring, sheltering or receiving a child, as well as giving or receiving payments or benefits for obtaining the consent of a person who has control over the child, in order to:

a) commercial or non-commercial sexual exploitation;

b) exploitation through forced labor or services;

b<sup>1</sup>) practicing begging or for other vile purposes;

b<sup>2</sup>) the appropriation of aids, allowances or social benefits;

b<sup>3</sup>) illegal use in medical or scientific tests or experiments;

c) exploitation in slavery or in conditions similar to slavery;

d) use in armed conflicts;

e) use in criminal activity;

- f) sampling of human organs, tissues and/or cells;
- h) sale or purchase;
- i) use as a surrogate mother or for reproductive purposes;
- j) illegal adoption,

shall be punished with imprisonment from 10 to 12 years, with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years, and the legal person shall be punished with a fine in the amount of 4000 to 6000 conventional units, with the deprivation of the right to carry out a certain activity, or with the liquidation of the legal entity.

(2) The same actions accompanied:

- a) physical and/or mental violence, using a firearm or threatening to use it;
- b) abuse and/or sexual violence;
- c) taking advantage of abuse of authority or the child's vulnerable situation, threatening to disclose confidential information to the child's family or other persons;
- f) sampling of human tissue organs and/or cells;
- g) for reasons of prejudice,

are punished with imprisonment from 10 to 15 years, with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years, and the legal person is punished with a fine in the amount of 6000 to 8000 conventional units, with the deprivation of the right to carry out a certain activity, or with the liquidation of the legal entity.

(3) The actions provided for in paragraph (1) or (2):

*[Art.206 para.(3), letter a) repealed by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

- b) committed against two or more children;
- b<sup>1</sup>) committed by two or more persons;
- c) committed by a public figure, by a person with a position of responsibility, by a person with a position of public dignity, by a foreign public figure or by an international official using the service situation ;

*[Art.206 para.(3), letter c) amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

- d) committed by an organized criminal group or a criminal organization;
- d<sup>1</sup>) accompanied by contamination of the child with a venereal disease or the HIV virus;
- e) resulting in serious bodily injury or a mental illness of the child, with his death or suicide;
- e<sup>1</sup>) committed against the child who is in the care, protection, protection, education or treatment of the perpetrator;
- f) committed against a child under the age of 14.

are punished with imprisonment from 15 to 20 years, with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 3 to 5 years or with life imprisonment, and the legal person is punished with a fine in size from 8000 to 10000 conventional units, with the deprivation of the right to carry out a certain activity, or with the liquidation of the legal entity.

(4) The victim of child trafficking is absolved of criminal liability for the crimes committed by him in connection with this procedural quality.

**Article 206<sup>1</sup>**. Use of work results

or the services of a person who  
is a victim of child trafficking

(1) The use of products and/or services that constitute the result of exploitation in the crime of child trafficking, provided by a person whom the beneficiary knows is the victim of this crime, if this act does not meet the elements of human trafficking or child trafficking,

shall be punished with imprisonment from 3 to 5 years, with a fine, applied to the legal entity, in the amount of 3000 to 5000 conventional units with the deprivation of the right to exercise a certain activity.

(2) The person who committed the act provided for in para. (1) is released from criminal liability if he voluntarily declared the commission of crimes of human trafficking or child trafficking by other persons and helped to discover those crimes.

*[Art.206<sup>1</sup> introduced by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

**Article 207.** Illegal removal of children from the country

(1) Taking the child out of the country on the basis of false documents or by evading the control carried out at the border crossing, for purposes other than those mentioned in art. 206, is punishable by imprisonment of up to 3 years.

(2) The same act committed with the abandonment of the minor abroad is punishable by imprisonment from 2 to 6 years.

*[Art.207 in the redaction of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

**Article 208.** Attracting minors to criminal activity

or their determination to commit some  
immoral acts

(1) Attracting minors to criminal activity or instigating them to commit crimes, as well as causing minors to commit immoral acts (begging, gambling, debauchery), committed by a person who has reached the age of 18,

they are punished with a fine in the amount of 550 to 850 conventional units or with unpaid work for the benefit of the community from 150 to 200 hours, or with imprisonment of up to 5 years.

(2) The same actions performed by the child's parents or other legal guardians, as well as by his pedagogues

they are punished with a fine in the amount of 650 to 1050 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 6 years.

(3) The actions provided for in paragraph (1) or (2), carried out:

a) with the application of violence or with the threat of its application;



- b) by attracting minors to an organized criminal group or a criminal organization,
  - c) by attracting the minor to commit a crime of a terrorist nature,
- are punishable by imprisonment from 3 to 7 years.

**Article 208<sup>1</sup>** . Child pornography

Producing, distributing, broadcasting, importing, exporting, offering, selling, procuring, exchanging, using or possessing images or other representations of one or more children involved in explicit, real or simulated sexual activities, or images or other representations of organs of a child, represented in a lewd or obscene manner, including in electronic form,

is punished with imprisonment from 1 to 3 years, with a fine, applied to the legal person, from 3000 to 5000 conventional units with the deprivation of the right to exercise a certain activity.

**Article 208<sup>2</sup>** . Resorting to practiced prostitution  
of a child

Benefiting, against any material advantages, of sexual services provided by a person who was known with certainty to have not reached the age of 18

is punishable by imprisonment from 3 to 7 years.

**Article 209**. Attracting minors to illegal consumption  
of narcotic, psychotropic substances  
and/or other substances with similar effects

(1) The attraction by a person who has reached the age of 18 of minors to the illegal consumption of narcotic, psychotropic and/or other substances with similar effects

shall be punished with a fine in the amount of 550 to 950 conventional units or with imprisonment of up to 5 years.

(2) The same action performed:

b) with the application of violence or with the threat of its application

it is punishable by a fine in the amount of 750 to 1150 conventional units or by imprisonment from 3 to 6 years.

**Chapter VIII**  
**CRIMES AGAINST PUBLIC HEALTH**  
**AND SOCIAL COVENANTS**

**Article 211**. Transmission of a venereal disease

(1) The person who, knowing that he suffers from a venereal disease, transmits it to another person

shall be punished with a fine in the amount of 500 to 850 conventional units or with unpaid work for the benefit of the community from 120 to 200 hours, or with imprisonment of up to 1 year.

(2) The same action performed:

b) on two or more people;

c) knowingly on a minor;

d) for reasons of prejudice,

is punished with a fine in the amount of 550 to 1050 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 2 years.

**Article 212.** Contamination with the HIV virus

(1) Intentionally putting another person at risk of contamination with the HIV virus is punishable by imprisonment of up to 1 year

(2) Contamination with the HIV virus by a person who knew he was suffering from this disease

is punishable by imprisonment from 1 to 5 years.

(3) The action provided for in paragraph (2), carried out:

a) on two or more persons;

b) knowingly on a minor;

c) for reasons of prejudice,

is punishable by imprisonment from 3 to 8 years.

(4) Contamination with the HIV virus as a result of the non-fulfilment or improper fulfillment by a doctor or medical worker of his professional obligations

shall be punished with imprisonment of up to 5 years with the deprivation of the right to occupy certain positions or to exercise a certain activity for a period of up to 3 years.

(5) The person who committed the actions provided for in paragraph (1) or (2) is not liable to criminal liability if he communicated in advance to the person at risk of being contaminated about the existence of the HIV virus in the first place or if the person put in risk of being contaminated, he knew about the existence of this disease, but voluntarily performed actions that constituted a risk of contamination.

**Article 213.** Negligent violation of the rules  
and methods of providing assistance  
physician

Negligent violation by the doctor or another medical worker of the rules or methods of providing medical assistance, if this caused:

a) serious injury to bodily integrity or health;

b) death of the patient,

shall be punished with imprisonment of up to 3 years with (or without) deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years.

**Article 213<sup>1</sup>.** Advertising for the purpose of illegal acquisition  
of human organs, tissues and cells or  
regarding their illicit donation

Advertising for the purpose of illegally obtaining human organs, tissues and/or cells, as well as advertising or mediating announcements regarding the illegal donation of human organs, tissues and/or cells

are punished with a fine in the amount of 500 to 750 conventional units or with unpaid work in the community from 180 to 240 hours, with a fine, applied to the legal entity, in the amount of 1300 to 1600 conventional units.

**Article 214.** Illegal practice of medicine or  
of pharmaceutical activity

(1) Practicing medicine as a profession or pharmaceutical activity by a person who does not have a license or other authorization, if this has recklessly caused an injury to health, shall be punished with a fine in the amount of 550 to 850 conventional units or with imprisonment of up to 2 years.

(2) The same actions that recklessly caused the death of the victim are punishable by imprisonment from 1 to 5 years .

*[Art.214 para.(2) the sanction modified by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

**Article 214<sup>1</sup>.** Production or marketing  
counterfeit medicines

(1) Production or sale of counterfeit medicines

are punished with a fine in the amount of 1350 to 2350 conventional units with (or without) deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 3 years, with a fine, applied to the legal entity, in size from 4000 to 6000 conventional units with (or without) deprivation of the right to exercise a certain activity for a term of up to 3 years.

(2) The same actions if they recklessly caused serious or moderate health damage or the death of the person

are punished with imprisonment of up to 5 years, with a fine, applied to the legal entity, in the amount of 4000 to 6000 conventional units with the deprivation of the right to exercise a certain activity for a period of up to 5 years or with the liquidation of the enterprise.

**Article 215.** Spread of epidemic diseases

(1) Failure to comply with measures to prevent or combat epidemic diseases, if this has caused or contributed to the spread of such a disease,

*[Art. 215 para. (1) provision amended by LP136 of 06.06.24, MO245-246/07.06.24 art. 353; in force 07.09.24]*

shall be punished with a fine in the amount of 1000 to 1500 conventional units or with imprisonment of up to 5 years, and the legal person shall be punished with a fine in the amount of 2000 to 3000 conventional units with (or without) the liquidation of the legal entity.

*[Art.215 para.(1) the sanction in the wording of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

(2) The same acts resulting from imprudence in serious or moderate health damage, in the death of the person or committed for reasons of prejudice

are punished with imprisonment of up to 7 years, with a fine, applied to the legal person, from 2000 to 3000 conventional units with the liquidation of the enterprise.

**Article 216.** Production, transportation, storage,  
commercialization, offering for consideration  
or free of charge of the products (goods),  
provision of services, dangerous for

life or health of consumers

(1) Producing, transporting, keeping, selling, offering for a fee or free of charge products (goods), providing services, dangerous for the life or health of consumers, carried out in large quantities,

are punished with a fine in the amount of 950 to 1150 conventional units, and the legal person is punished with a fine in the amount of 2000 to 6000 conventional units with the deprivation of the right to exercise a certain activity for a period of up to 2 years or with liquidation of the legal entity.

(2) The same actions:

- b) if they recklessly caused serious or average damage to the health or death of the person,
- c) committed in particularly large proportions

are punished with a fine in the amount of 1150 to 1350 conventional units or with imprisonment of up to 3 years, and the legal person is punished with a fine in the amount of 6000 to 9000 conventional units with the deprivation of the right to exercise a certain activity on a term of up to 3 years or with the liquidation of the legal entity.

(3) The actions provided for in paragraph (1) or (2):

- b) committed by an organized criminal group or a criminal organization;
- c) if they caused the death of two or more people,

are punished with a fine in the amount of 1350 to 1850 conventional units or with imprisonment from 3 to 7 years, and the legal person is punished with a fine in the amount of 9000 to 11000 conventional units with the deprivation of the right to exercise a certain activity on a term of up to 5 years or with the liquidation of the legal entity.

**Article 217.** Illegal circulation of drugs, ethnobotanicals

or their analogues without alienation purpose

(1) The illegal sowing or cultivation of plants containing drugs or ethnobotanicals, the processing or use of such plants, carried out in large proportions and without the purpose of alienation,

are punished with a fine in the amount of 200 to 400 conventional units or with unpaid work for the benefit of the community of up to 100 hours, and the legal person is punished with a fine in the amount of 3000 to 5000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

(2) Producing, preparing, experimenting, extracting, processing, transforming, procuring, keeping, shipping, transporting drugs, ethnobotanicals or their analogues, carried out in large proportions and without the purpose of alienation,

are punished with a fine in the amount of 400 to 700 conventional units or with unpaid work for the benefit of the community of up to 150 hours, or with imprisonment of up to 1 year, and the legal person is punished with a fine in the amount of 5000 to 7000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

(3) The actions provided for in paragraph (1) or (2), carried out:

- b) by two or more people;

b<sup>1</sup>) by a person who has reached the age of 18 with the involvement of minors;

c) with the use of drugs, ethnobotanicals or their analogues, the circulation of which for medicinal purposes is prohibited;

d) using the service situation;

e) on the territory of educational institutions, social rehabilitation institutions, penitentiaries, military units, in places of leisure, in places where educational actions are carried out, training of minors or youth, other cultural or sports actions or in their immediate vicinity ,

are punished with imprisonment of up to 4 years with the deprivation of the right to occupy certain positions or to exercise a certain activity for a period of 2 to 5 years, and the legal person is punished with a fine in the amount of 6000 to 8000 units conventional with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

(4) The actions provided for in paragraph (1), (2) or (3), carried out:

b) in particularly large proportions,

are punished with imprisonment from 1 to 6 years with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years, and the legal person is punished with a fine in the amount of 6000 to 10000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

(5) The person who committed the actions provided for in art. 217 or 217<sup>1</sup> is released from criminal liability if he actively contributed to the discovery or countering of the crime related to the illegal circulation of drugs, ethnobotanicals or their analogues, as the case may be, by self-denunciation, surrender voluntary supply of drugs, ethnobotanicals or their analogues, indication of the source of procurement of these substances, disclosure of the persons who contributed to the commission of the crime, indication of the money, goods or income resulting from the crime. It cannot be considered voluntary handing over of drugs, ethnobotanicals or their analogues if they are picked up during the arrest of the person, as well as during the criminal prosecution actions to detect and pick them up.

**Article 217<sup>1</sup>.** Illegal drug trafficking,  
ethnobotanicals or analogues  
them for alienation purposes

(1) The sowing or cultivation of plants containing drugs, the processing or use of such plants without authorization or the sowing or cultivation of plants for the manufacture of ethnobotanical products, carried out for the purpose of alienation,

are punished with a fine in the amount of 950 to 1250 conventional units or with imprisonment of up to 2 years, and the legal person is punished with a fine in the amount of 4000 to 6000 conventional units, with the deprivation of the right to exercise certain activities or with the liquidation of the legal entity.

(2) Producing, preparing, experimenting, extracting, processing, transforming, procuring, keeping, shipping, transporting, distributing or other illegal operations with drugs or their analogues, carried out for the purpose of alienation, or the illegal alienation of drugs or their analogues ,

are punished with imprisonment from 2 to 5 years, and the legal person is punished with a fine in the amount of 5000 to 7000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal person.

(3) The actions provided for in paragraph (1) or (2), carried out:

a) by a person who previously committed the same actions;

b) by two or more people;

b<sup>1</sup>) by a person who has reached the age of 18 with the involvement of minors;

c) with the use of drugs or their analogues, the circulation of which for medicinal purposes is prohibited;

d) using the service situation;

e) on the territory of educational institutions, social rehabilitation institutions, penitentiaries, military units, in places of leisure, in places where educational actions are carried out, training of minors or youth, other cultural or sports actions or in their immediate vicinity ;

f) in large proportions,

are punished with imprisonment from 3 to 7 years with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 3 to 5 years, and the legal person is punished with a fine in the amount of 7000 to 9000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

(4) The actions provided for in paragraph (1), (2) or (3), carried out:

b) by an organized criminal group or a criminal organization or in favor of them;

d) in particularly large proportions,

are punished with imprisonment from 7 to 15 years with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years, and the legal person is punished with a fine in the amount of 9000 to 11,000 conventional units with its liquidation.

**Article 217<sup>2</sup>** . Illegal circulation of precursors

for the purpose of production or processing

drugs, ethnobotanicals or

their analogues

Producing, preparing, processing, experimenting, procuring, keeping, shipping, transporting, alienating or performing any other operations with precursors for the purpose of producing or processing drugs, ethnobotanicals or their analogues,

are punished with a fine in the amount of 1150 to 1350 conventional units or with imprisonment of up to 2 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a term of up to 5 years, and the legal person is punished with a fine from 8000 to 11000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the person legal.

**Article 217<sup>3</sup>** . Illegal circulation of materials

and production equipment

or drug processing,

ethnobotanicals or their analogues

(1) Producing, manufacturing, procuring, keeping, sending, transmitting, transporting or alienating materials or equipment intended for the production, preparation or processing of drugs, ethnobotanicals or their analogues or the cultivation of plants containing these substances

are punished with a fine in the amount of 500 to 650 conventional units or with imprisonment of up to 2 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a term of up to 5 years, and the legal person is punished with a fine from 2000 to 4000 conventional units with the deprivation of the right to exercise a certain activity.

(2) The same actions performed:

b) by two or more people;

c) using the service situation

are punished with a fine in the amount of 850 to 1350 conventional units or with imprisonment of up to 3 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years , and the legal person is punished with a fine from 3000 to 6000 conventional units with the deprivation of the right to exercise a certain activity.

(3) The actions provided for in paragraph (1) or (2), carried out:

a) by an organized criminal group or a criminal organization or in favor of them;

b) on the territory of educational institutions, social rehabilitation institutions, penitentiaries, military units, in places of leisure, in the places where educational actions are carried out, training of minors or youth, other cultural or sports actions or in their immediate vicinity ,

are punished with imprisonment from 2 to 5 years with the deprivation of the right to occupy certain positions or to exercise a certain activity for a period of 2 to 5 years, and the legal person is punished with a fine in the amount of 7000 to 10000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity .

**Article 217<sup>4</sup> . Stealing or extorting drugs  
or ethnobotany**

(1) Stealing or extorting drugs or ethnobotanicals

is punished with a fine in the amount of 850 to 2350 conventional units or with unpaid work for the benefit of the community from 200 to 240 hours, or with imprisonment from 3 to 5 years.

(2) The same actions performed:

b) by two or more people;

c) using the service situation;

d) by entering the room, another place for storage or the home;

e) with the application of non-dangerous violence for the life or health of the person or with the threat of applying such violence;

f) in large proportions,

are punished with imprisonment from 5 to 10 years with (or without) a fine of 2000 to 3000 conventional units.

(3) The actions provided for in paragraph (1) or (2), carried out:

a) by an organized criminal group or a criminal organization or in favor of them;  
b) with the application of violence dangerous for the life or health of the person or with the threat of application of such violence;  
c) in particularly large proportions,  
are punished with imprisonment from 10 to 15 years with the application of a fine in the amount of 4000 to 6000 conventional units.

**Article 217<sup>5</sup>** . Illegal public consumption or organization  
the illegal use of ethnobotanical drugs  
or their analogues

(1) Illegal consumption of drugs, ethnobotanicals or their analogues, committed publicly or on the territory of educational institutions, social rehabilitation institutions, penitentiaries, military units, in places of recreation, in places where educational actions are carried out, training of minors or youth, other cultural or sporting events or in their immediate vicinity,

it is punished with a fine in the amount of 750 to 1050 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours.

(2) Organizing the illegal consumption of drugs or ethnobotanicals  
is punishable by a fine in the amount of 750 to 1050 conventional units or by imprisonment from 2 to 5 years.

**Article 217<sup>6</sup>** . Intentional illegal entry  
in another person's body, against  
its will, drugs, ethnobotanicals  
or their analogues

(1) Intentional illegal introduction, regardless of the method, into the body of another person, against their will, of drugs, ethnobotanicals or their analogues

is punished with a fine in the amount of 950 to 1150 conventional units or with unpaid work for the benefit of the community from 150 to 200 hours, or with imprisonment of up to 3 years.

(2) The same action performed:

b) towards two or more people;  
c) knowingly towards a minor or a pregnant woman or taking advantage of the known or obvious state of helplessness of the victim, which is due to advanced age, illness, disability or another factor;

e) with drugs or ethnobotanicals whose circulation for medicinal purposes is prohibited  
is punishable by imprisonment from 2 to 7 years.

**Article 218**. Illegal prescription or violation  
drug circulation rules

(1) Unnecessary prescription of drugs

is punished with a fine in the amount of 550 to 1150 conventional units or with imprisonment of up to 3 years, in both cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a term of up to 5 years, and the legal person



is punished with a fine from 2000 to 4000 conventional units with the deprivation of the right to exercise a certain activity.

(2) Forging the prescription or other documents that allow obtaining drugs

is punished with a fine in the amount of 550 to 750 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 1 year, and the legal person is punished with a fine in the amount of 4000 to 6000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

(3) The actions provided for in paragraph (1) or (2), carried out:

b) by two or more people;

c) with the aim of obtaining preparations or drugs in particularly large proportions,

are punished with a fine in the amount of 850 to 1350 conventional units or with imprisonment of up to 5 years, in both cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a term of up to 5 years, and the legal person is punished with a fine ranging from 6000 to 11000 conventional units with the liquidation of the legal person.

(4) Violation of the established rules for the production, preparation, processing, procurement, keeping, records, release, alienation, distribution, transportation, dispatch, use, import, export, destruction of drugs or materials or equipment intended for the production or processing of drugs, cultivation of plants containing drugs, which caused their loss, committed by the person whose obligations include compliance with the mentioned rules,

shall be punished with a fine in the amount of 650 to 950 conventional units or with imprisonment of up to 2 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a term of up to 5 years, and the legal person is punished with a fine in the amount of 3000 to 5000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal person.

(5) The actions provided for in paragraph (4), carried out out of material interest or which recklessly caused injury to the person's health or led to the person's death ,

*[Art.218 para.(5) amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

are punished with a fine in the amount of 950 to 1350 conventional units or with imprisonment of up to 5 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 3 to 5 years , and the legal person is punished with a fine in the amount of 5000 to 7000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal person.

**Article 219.** Organization or maintenance of caves  
for drug use or  
ethnobotany

(1) The organization or maintenance of caves for the consumption of drugs or ethnobotanicals, as well as the provision of premises for these purposes,

they are punished with a fine ranging from 550 to 1150 conventional units or with imprisonment of up to 4 years.

(2) The same actions committed by an organized criminal group or a criminal organization they are punished with a fine from 850 to 1350 conventional units or with imprisonment from 3 to 7 years.

**Article 220. Pimping**

(1) Inciting or encouraging prostitution or facilitating the practice of prostitution, or profiting from the practice of prostitution by another person, if the act does not meet the elements of human trafficking,

are punished with a fine of 650 to 1350 conventional units or with imprisonment of 2 to 5 years

(2) The same actions performed:

a) on two or more persons;

b) on a pregnant woman;

c) by two or more people;

d) by a public figure, by a person with a position of responsibility, by a person with a position of public dignity, by a foreign public figure or by an international official using the service situation

*[Art.220 para.(2), letter d) amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

are punishable by imprisonment from 4 to 7 years.

(3) The same actions committed by an organized criminal group or a criminal organization are punishable by imprisonment from 5 to 10 years.

**Article 220<sup>1</sup>. Urging, determining, or facilitating  
when providing online sexual services**

(1) Encouraging, determining or facilitating the provision by another person of online sexual services consisting in the presentation of the person engaged in explicit sexual activities or in the representation of sexual organs, transmitted as video images through information technologies or electronic communications, for the purpose of obtaining direct or indirect loss of income, if the act does not meet the elements of human trafficking or child pornography,

is punished with a fine in the amount of 650 to 3000 conventional units or with unpaid work for the benefit of the community from 160 to 200 hours, or with imprisonment of up to 2 years, and the legal person is punished with a fine in the amount of 2000 to 10,000 conventional units with the deprivation of the right to carry out a certain activity or with the liquidation of the legal entity.

(2) The same actions performed:

a) on a pregnant woman;

b) by two or more people;

c) on two or more people

are punished with a fine in the amount of 1000 to 5000 conventional units or with unpaid work for the benefit of the community from 200 to 240 hours, or with imprisonment of up to 3 years, and the legal person is punished with a fine in the amount of 2000 to 15,000 conventional units with the deprivation of the right to carry out a certain activity or with the liquidation of the legal entity.

(3) The actions provided for in paragraph (1) or (2), resulting in obtaining a profit in large proportions,

are punished with a fine in the amount of 10,000 to 15,000 conventional units or with imprisonment of up to 4 years, and the legal person is punished with a fine in the amount of 20,000 to 40,000 conventional units with the deprivation of the right to carry out a certain activity or with liquidation of the legal entity.

(4) The actions provided for in para. (1) or (2), resulting in obtaining a profit in particularly large proportions,

are punished with a fine in the amount of 15,000 to 20,000 conventional units or with imprisonment from 2 to 6 years, and the legal person is punished with a fine in the amount of 30,000 to 50,000 conventional units with the deprivation of the right to carry out a certain activity or with the liquidation of the legal entity.

(5) The actions provided for in para. (1) or (2), committed by an organized criminal group or a criminal organization,

are punished with imprisonment from 3 to 7 years, and the legal person is punished with a fine in the amount of 40,000 to 60,000 conventional units or with the liquidation of the legal person.

#### **Article 222.** Desecration of graves and monuments

(1) Desecration by any means of a grave, a funerary or public monument, a funeral urn or a corpse, as well as the appropriation of objects in or on the grave,

they are punished with a fine in the amount of 750 to 950 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 2 years.

(2) The same actions performed:

- a) by two or more people;
- b) for reasons of prejudice,
- c) causing large amounts of damage

are punished with a fine in the amount of 1050 to 1250 conventional units or with unpaid work in the community benefit from 200 to 240 hours, or with imprisonment from 1 to 4 years.

#### **Article 222<sup>1</sup>.** Cruelty to animals

(1) Cruel treatment or torture of animals that caused their mutilation or death shall be punished with a fine in the amount of 500 to 750 conventional units or with unpaid work for the benefit of the community from 100 to 180 hours, or with imprisonment of up to 1 year.

(2) The same acts committed:

- a) in public or in the presence of minors;
  - b) by a person responsible for the care, protection and well-being of animals, training or providing veterinary medical assistance;
  - c) for sadistic reasons
- they are punished with a fine in the amount of 750 to 1350 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment from 1 to 3 years.

## **Chapter IX**

### **ENVIRONMENTAL CRIMES**

*[Chapter IX the name in the redaction of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

#### **Article 223.** Violation of environmental security requirements

(1) Violation of environmental safety requirements in the design, assessment, approval, location, construction, reconstruction, installation, liquidation, demolition or commissioning, as well as in the operation of waste management infrastructure, including hazardous waste, substances and chemical, radioactive products, of industrial, transport, hydrotechnical, agricultural, scientific, housing, educational, cultural, social or other objectives by the persons responsible for their compliance, if this has caused damage in large proportions,

is punishable by a fine in the amount of 650 to 950 conventional units or by imprisonment of up to 3 years, in both cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 3 years, and the legal person is punished with a fine in the amount of 2000 to 4000 conventional units with the deprivation of the right to exercise a certain activity for a period of up to 5 years or with the liquidation of the legal person.

(2) The facts provided for in para. (1), if they caused:

- a) exceeding the radiation level;
- b) damage to the health of the population;
- c) destruction of animals;
- d) damages in particularly high proportions,

are punishable by a fine in the amount of 1000 to 2000 conventional units or by imprisonment from 2 to 5 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 5 years, and the legal person is punished with a fine in the amount of 4000 to 9000 conventional units with the deprivation of the right to exercise a certain activity for a period of 2 to 5 years or with the liquidation of the legal person.

(3) The facts provided for in para. (1) or (2), if they caused:

- a) extinction of animals included in the Red Book of the Republic of Moldova;
- b) damage in the areas protected by the state,

are punishable by a fine in the amount of 1500 to 2000 conventional units or by imprisonment from 3 to 5 years, in both cases with the deprivation of the right to occupy certain positions or to exercise a certain activity for a period of up to 5 years, and the legal person is

punished with a fine in the amount of 6000 to 9000 conventional units with the deprivation of the right to exercise a certain activity for a period of 2 to 5 years or with the liquidation of the legal person.

(4) The facts provided for in para. (1)–(3), if they recklessly caused the death of the person, are punished with a fine in the amount of 2000 to 3000 conventional units or with imprisonment from 2 to 5 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 5 years, and the legal person is punished with a fine in the amount of 7000 to 10000 conventional units with the deprivation of the right to exercise a certain activity for a period of 5 years or with the liquidation of the legal person.

*[Art.223 in the redaction of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

**Article 223<sup>1</sup>** . Non-fulfilment or fulfillment  
inadequate of the attributions  
of compliance with the legislation regarding  
to environmental protection

(1) Non-fulfilment or improper fulfillment by a public person or by a person holding a position of public dignity of duties and service obligations regarding compliance with the legislation on environmental protection, if this caused:

- a) soil, water, air pollution in proportions that exceed the admissible limits;
- b) depopulation or reduction through contamination of biodiversity;
- c) collapses and/or landslides;
- d) fires;
- e) damages in large proportions,

shall be punished with a fine in the amount of 1000 to 2000 conventional units or with imprisonment of 1 to 3 years, and the legal person shall be punished with a fine in the amount of 5000 to 7000 conventional units with the deprivation of the right to exercise a certain activity for a period of 2 to 5 years.

(2) The facts provided for in para. (1), if they caused:

- a) damages in particularly large proportions;
- b) death of the person due to imprudence,

are punished with a fine in the amount of 2000 to 3000 conventional units or with imprisonment from 2 to 5 years, and the legal person is punished with a fine in the amount of 7000 to 10000 conventional units with the deprivation of the right to exercise a certain activity for a period of 5 years or with the liquidation of the legal entity.

*[Art.223<sup>1</sup> introduced by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

**Article 224.** Violation of management rules  
of chemical substances and products,  
of waste, including those  
dangerous and radioactive

(1) Violation of the established rules related to the manufacture, import, export, storage, storage, burial, preservation, transportation or use, treatment and utilization of hazardous substances and chemical products, waste, including hazardous waste, if this has put danger to the life or health of the population or if there was a danger of causing large amounts of damage,

is punished with a fine in the amount of 1000 to 1500 conventional units or with imprisonment of up to 3 years, and the legal person is punished with a fine in the amount of 5000 to 7000 conventional units with the deprivation of the right to exercise a certain activity for a period of up to 5 years.

(2) Violation of the established rules regarding the collection, transportation, recovery or disposal of waste, including hazardous waste, the control of these operations and the subsequent maintenance of the disposal premises, if there was a danger of causing:

- a) damage to the health of the population;
- b) damage to air, soil, water quality;
- c) reduction of the animal and/or plant kingdom;
- d) damages in large proportions,

shall be punished with a fine in the amount of 1500 to 2000 conventional units or with imprisonment of 1 to 3 years, and the legal person shall be punished with a fine in the amount of 5000 to 7000 conventional units with the deprivation of the right to exercise a certain activity for up to 5 years.

(3) The facts provided for in para. (1) or (2):

- a) committed in the area of a natural calamity;
- b) committed in a natural area protected by the state;
- c) resulting in the death of animals;
- d) which caused damage in particularly large proportions

are punished with a fine in the amount of 2000 to 3000 conventional units or with imprisonment from 1 to 4 years, and the legal person is punished with a fine in the amount of 6000 to 8000 conventional units with the deprivation of the right to exercise a certain activity for a period of 2 to 5 years or with the liquidation of the legal entity.

(4) The facts provided for in para. (1)–(3) which recklessly caused the death of the person are punished with imprisonment from 2 to 5 years, and the legal person is punished with a fine in the amount of 9000 to 12000 conventional units with the deprivation of the right to exercise a certain activity for a period of 5 years or with the liquidation of the legal person.

*[Art.224 in the redaction of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

**Article 225.** Concealment of data or presentation  
intended by inauthentic data  
about environmental pollution

(1) Concealment of data or intentional presentation by a person in a position of responsibility, by a public person or a person in a position of public dignity or by a person who manages a commercial, public or other non-state organization of inauthentic data about accidents

with environmental pollution, with radioactive, chemical, bacteriological or other dangerous consequences for the life or health of the population, as well as about the state of health of the population affected by the pollution the environment, if it recklessly caused:

- a) damage to the health of the population;
- b) the destruction of animals,

is punishable by a fine in the amount of 1000 to 2000 conventional units or by imprisonment from 1 to 3 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years, and the legal person is punished with a fine in the amount of 5000 to 7000 conventional units with the deprivation of the right to exercise a certain activity on a term of up to 5 years.

(2) The same actions resulting in damages in particularly large proportions or in the death of the person due to imprudence

are punished with imprisonment from 2 to 5 years, and the legal person is punished with a fine in the amount of 7000 to 10000 conventional units with the deprivation of the right to exercise a certain activity for a period of 5 years or with the liquidation of the legal person.

*[Art.225 in the redaction of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

#### **Article 226. Non-fulfillment of liquidation obligations**

of the consequences of environmental violations

(1) Evasion or improper performance by a person with a position of responsibility, by a public person or a person with a position of public dignity or by a person who manages a commercial, public or other non-state organization of the liquidation obligations of the consequences of environmental violations, if this has recklessly caused:

- a) damage to the health of the population;
- b) the destruction of animals;
- c) damages in large proportions,

is punishable by a fine in the amount of 1000 to 2000 conventional units or by imprisonment from 1 to 3 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years, and the legal person is punished with a fine in the amount of 5000 to 7000 conventional units with the deprivation of the right to exercise a certain activity for a period of 2 to 5 years.

(2) The same acts resulting in particularly large damages or the death of the person due to imprudence

are punished with imprisonment from 2 to 5 years, and the legal person is punished with a fine in the amount of 7000 to 10000 conventional units with the deprivation of the right to exercise a certain activity for a period of 5 years or with the liquidation of the legal person.

*[Art.226 in the redaction of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

#### **Article 227. Soil pollution**

(1) Chemical, physical or biological pollution of the soil with dangerous products, including those resulting from economic or other activities, as a result of violating the rules and regulations for the management of chemicals and dangerous chemical products, waste, of biocidal products, plant growth stimulants and other hazardous, radioactive or biological chemicals during their transport, use or storage, in quantities and/or concentrations that changed the characteristics or properties of the soil, if this caused:

- a) damage to the health of the population;
- b) damages in large proportions;
- c) damage to the environment,

is punished with a fine in the amount of 1150 to 1850 conventional units or with imprisonment of up to 4 years, and the legal person is punished with a fine in the amount of 5000 to 7000 conventional units with the deprivation of the right to exercise a certain activity for a period of up to 5 years.

(2) The facts provided for in para. (1) soldiers with:

- a) damages in particularly large proportions;
- b) death of the person due to imprudence

are punished with a fine in the amount of 2000 to 3000 conventional units or with imprisonment from 2 to 5 years, and the legal person is punished with a fine in the amount of 8000 to 10000 conventional units with the deprivation of the right to exercise a certain activity for a period of 2 to 5 years or with the liquidation of the legal entity.

*[Art.227 in the redaction of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

### **Article 227<sup>1</sup>** . Unauthorized exploitation of the soil

(1) Illegal exploitation of the soil, manifested by compaction, uncovering, swamping or manufactured or natural mixture that contributes to the morphological change of the soil, resulting in the decrease of fertility, if this caused:

- a) environmental damage whose value is greater than or equal to 500 conventional units;
- b) erosion, collapses or landslides;
- c) damages in large proportions,

shall be punished with a fine in the amount of 850 to 1350 conventional units or with imprisonment of up to 4 years, and the legal person shall be punished with a fine in the amount of 3000 to 5000 conventional units with the deprivation of the right to exercise a certain activity for a period of up to 5 years or with the liquidation of the legal entity.

(2) The facts provided for in para. (1) Soldiers:

- a) with damages in particularly high proportions;
- b) with the death of the person due to imprudence

are punished with a fine in the amount of 2000 to 3000 conventional units or with imprisonment from 2 to 5 years, and the legal person is punished with a fine in the amount of 8000 to 10000 conventional units with the deprivation of the right to exercise a certain activity for a period of 2 to 5 years or with the liquidation of the legal entity.



*[Art.227<sup>1</sup> introduced by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

**Article 228. Violation of basement protection requirements**

(1) Violation of the requirements for the protection of the subsoil, deposits of useful mineral substances or other resources of the subsoil, as well as unauthorized underground construction or unauthorized storage of waste on land with deposits of useful mineral substances, including the discharge of polluting substances into the subsoil, if they caused extensive damage,

are punished with a fine in the amount of 1150 to 1850 conventional units or with imprisonment of up to 3 years, and the legal person is punished with a fine in the amount of 5000 to 7000 conventional units with the deprivation of the right to exercise a certain activity for a period of up to 5 years.

(2) The facts provided for in para. (1), if they caused:

- a) landslides or landslides;
- b) groundwater pollution;
- c) damages in particularly high proportions;
- d) death of the person due to imprudence,

are punished with a fine in the amount of 2000 to 3000 conventional units or with imprisonment from 2 to 5 years, and the legal person is punished with a fine in the amount of 8000 to 10000 conventional units with the deprivation of the right to exercise a certain activity for a period of 2 to 5 years or with the liquidation of the legal entity.

*[Art.228 in the redaction of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

**Article 228<sup>1</sup>. Unlawful use of the basement**

(1) Illicit use and/or unauthorized exploitation of the underground, i.e. extracting and/or stealing deposits of useful mineral substances and/or useful mineral substances in the absence of permissive acts, by violating the limits of the mining perimeter, by carrying out works contrary to the coordinated technical projects and approved technological schemes, mining development plans, land recultivation projects and change of destination, in violation of the technical design, in violation of the technological scheme, as well as by unauthorized storage of waste above deposits of useful mineral substances and/or substances useful minerals, if it has caused damage in large proportions,

are punished with a fine in the amount of 800 to 1500 conventional units or with imprisonment from 1 to 3 years, and the legal person is punished with a fine in the amount of 5000 to 7000 conventional units with the deprivation of the right to exercise a certain activity for up to 5 years.

(2) The actions provided for in para. (1), if they caused:

- a) collapses or landslides of large proportions of the land;
- b) pollution of underground and subsoil water;
- c) damages in particularly high proportions;
- d) death of the person due to imprudence;

e) damage to the environment,

are punished with a fine in the amount of 1350 to 2350 conventional units or with imprisonment from 2 to 5 years, and the legal person is punished with a fine in the amount of 8000 to 10000 conventional units with the deprivation of the right to exercise a certain activity for a period of 2 to 5 years or with the liquidation of the legal entity.

(3) The actions provided for in para. (1) or (2):

a) committed by an organized criminal group or a criminal organization;

b) resulting in the death of two or more people

shall be punished with a fine of 2000 to 3000 conventional units and/or imprisonment of 3 to 7 years, and the legal person shall be punished with a fine of 9000 to 12000 conventional units with deprivation of the right to exercise a certain activity for a period of 7 years or with the liquidation of the legal entity.

*[Art.228<sup>1</sup> introduced by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

### **Article 229. Water pollution**

(1) Pollution of surface or underground waters with waste water or other waste from enterprises, institutions and industrial, agricultural, communal or other organizations, exceeding the microbiological and chemical parameters and/or the maximum permissible concentrations of polluting substances,

is punished with a fine in the amount of 1000 to 2000 conventional units or with imprisonment of up to 3 years, and the legal person is punished with a fine in the amount of 2000 to 4000 conventional units with the deprivation of the right to exercise a certain activity for a period of up to 5 years.

(2) The facts provided for in para. (1), if they created the danger of causing:

a) damage to the health of the population;

b) the destruction of animals;

c) damages in large proportions;

d) damage to the environment,

are punished with a fine in the amount of 2000 to 3000 conventional units or with imprisonment from 1 to 3 years, and the legal person is punished with a fine in the amount of 5000 to 7000 conventional units with the deprivation of the right to exercise a certain activity for a period of 2 to 5 years.

(3) The facts provided for in para. (1) or (2) which caused:

a) damages in particularly large proportions;

b) death of the person due to imprudence

are punished with imprisonment from 2 to 5 years, and the legal person is punished with a fine in the amount of 9000 to 12000 conventional units with the deprivation of the right to exercise a certain activity for a period of 5 years or with the liquidation of the legal person.

*[Art.229 in the redaction of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

**Article 229<sup>1</sup>** . Illegally blocking or altering the course of water

(1) Blocking or modifying the naturally flowing water course, over a length of more than 10 km, if there was a danger of causing:

- a) drying up, total or partial, of one or more bodies of water;
- b) reducing the volume of water that would affect the population's water supply, animal watering and/or irrigation;
- c) reduction of the animal and/or plant kingdom;
- d) damages in large proportions;
- e) damage to the environment,

is punished with a fine in the amount of 1000 to 2000 conventional units or with imprisonment of up to 3 years, and the legal person is punished with a fine in the amount of 5000 to 7000 conventional units with the deprivation of the right to exercise a certain activity for a period of up to 5 years.

(2) The actions provided for in para. (1), if there was a danger of causing:

- a) collapses and/or landslides;
- b) death of the person due to imprudence;
- c) damages in particularly high proportions,

are punished with a fine in the amount of 2000 to 3000 conventional units or with imprisonment from 1 to 3 years, and the legal person is punished with a fine in the amount of 7000 to 9000 conventional units with the deprivation of the right to exercise a certain activity for a period of 2 to 5 years.

(3) The actions provided for in para. (1) or (2) which caused the death of the person through imprudence

are punished with imprisonment from 2 to 5 years, and the legal person is punished with a fine in the amount of 9000 to 12000 conventional units with the deprivation of the right to exercise a certain activity for a period of 5 years or with the liquidation of the legal person.

*[Art.229<sup>1</sup> introduced by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

**Article 229<sup>2</sup>** . Unauthorized use of water

(1) Unauthorized use of water, if there was a danger of causing damage to the environment, is punished with a fine in the amount of 1150 to 1850 conventional units or with imprisonment from 1 to 3 years, and the legal person is punished with a fine in the amount of 5000 to 7000 conventional units with the deprivation of the right to exercise a certain activity for a period of 2 to 5 years.

(2) Unauthorized use of water, if it caused:

- a) collapses and/or landslides;
- b) the total or partial drying up of one or more bodies of water;
- c) death of the person due to imprudence;
- d) damages in particularly high proportions,

shall be punished with a fine in the amount of 2000 to 3000 conventional units or with imprisonment of 2 to 5 years, and the legal person shall be punished with a fine in the amount of 8000 to 10000 conventional units with the deprivation of the right to exercise a certain activity for a period of 5 years or with the liquidation of the legal entity.

*[Art.229<sup>2</sup> introduced by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

**Article 230.** Atmospheric air pollution

*[Art.230 the name in the redaction of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

(1) Atmospheric air pollution as a result of exceeding the limited admissible emissions and/or the maximum admissible concentrations, as a result of the emission or evacuation of pollutants into the atmosphere or the violation of the operating rules or as a result of the non-use of the equipment, apparatus, purification installations and control of emissions into the atmosphere, if there was a danger of causing damage to the environment or the health of the population,

*[Art. 230 para. (1) provision in the wording of LP136 of 06.06.24, MO245-246/07.06.24 art. 353; in force 07.09.24; single paragraph becomes paragraph (1) ]*

is punished with a fine in the amount of 850 to 1500 conventional units or with imprisonment of up to 2 years, and the legal person is punished with a fine in the amount of 2000 to 4000 conventional units with the deprivation of the right to exercise a certain activity.

*[Art.230 para.(1) the sanction modified by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

(2) The facts provided for in para. (1), if they caused:

- a) destruction of animals;
- b) damages in large proportions;
- c) depopulation and/or contamination of flora, fauna, biodiversity;
- d) damage to the health of the population,

are punished with a fine in the amount of 1350 to 2350 conventional units or with imprisonment from 1 to 3 years, and the legal person is punished with a fine in the amount of 3000 to 5000 conventional units with the deprivation of the right to exercise a certain activity for a period of 2 to 5 years.

*[Art. 230 para. (2) introduced by LP136 of 06.06.24, MO245-246/07.06.24 art. 353; in force 07.09.24 ]*

(3) The facts provided for in para. (1) soldiers with:

- a) damages in particularly large proportions;
- b) death of the person due to imprudence

are punished with a fine in the amount of 2000 to 3000 conventional units or with imprisonment from 2 to 5 years, and the legal person is punished with a fine in the amount of 8000 to 10000 conventional units with the deprivation of the right to exercise a certain activity for a period of 5 years or with the liquidation of the legal entity.

*[Art.230 para.(3) introduced by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24 ]*

**Article 231.** Illegal cutting of forest vegetation

(1) Cutting, breaking or uprooting trees or shrubs from the forest floor, forest vegetation outside the forest floor or from green spaces, as well as forest vegetation outside the forest floor or from green spaces, carried out:

a) in proportions exceeding 500 conventional units;

b) by persons with a position of responsibility, public persons or persons responsible for the protection and guarding of forest vegetation,

shall be punished with a fine in the amount of 850 to 1350 conventional units or with unpaid work in the community benefit from 180 to 240 hours, or with imprisonment of up to 3 years, in all cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 3 years, and the legal person is punished with a fine in the amount of 2000 to 4000 conventional units with the deprivation of the right to exercise a certain activity for a term of up to 5 years.

(2) The same actions carried out in large proportions

are punished with a fine in the amount of 1350 to 2000 conventional units or with imprisonment from 2 to 5 years, with the deprivation of the right to hold certain positions or to exercise a certain activity for a term of up to 5 years, and the legal person is punished with a fine in the amount of 4000 to 8000 conventional units with the deprivation of the right to exercise a certain activity for a period of 2 at 5 years.

(3) The actions provided for in para. (1) committed in particularly large proportions

are punished with a fine in the amount of 2000 to 3000 conventional units or with imprisonment from 3 to 7 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 5 years, and the legal person is punished with a fine in the amount of 8000 to 10000 conventional units with the deprivation of the right to exercise a certain activity for a period of 5 years.

(4) Illegal cutting of forest vegetation in the natural areas protected by the state, if this has caused damage whose value is greater than or equal to 250 conventional units,

is punishable by a fine in the amount of 2000 to 3000 conventional units or by imprisonment from 3 to 5 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 5 years, and the legal person is punished with a fine in the amount of 6000 to 9000 conventional units with the deprivation of the right to exercise a certain activity for a period of 5 years.

*[Art.231 in the redaction of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

**Article 231<sup>1</sup>.** The reduction of the areas of the forest fund

Illegal use of forest fund land and forest vegetation outside the forest fund through unauthorized occupation, in whole or in part, reduction, fragmentation, diminution of land in green zones, including green spaces, protection zones and sanitary zones, as well as fund lands forestry

and waterbed lands,

shall be punished with a fine in the amount of 850 to 1350 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 5 years, and the legal person shall be punished with a fine in the amount of 2500 to 4000 conventional units, in both cases with the deprivation of the right to exercise a certain activity for a period from 2 to 5 years.

*[Art.231<sup>1</sup> introduced by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24*

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**Article 232.** Destruction or damage to forest massifs

(1) Destruction or damage in proportions exceeding 500 conventional units of forest massifs and/or forestry sectors and green spaces, protection zones and sanitary zones

shall be punished with a fine in the amount of 550 to 950 conventional units or with unpaid work for the benefit of the community from 120 to 240 hours, or with imprisonment of up to 3 years, and the legal person shall be punished with a fine in the amount of 2000 to 4000 conventional units with the deprivation of the right to exercise a certain activity for a term of up to 5 years.

(2) The actions provided for in para. (1) committed in large proportions

are punished with a fine in the amount of 1000 to 2000 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment from 3 to 5 years, and the legal person is punished with a fine in the amount of 4000 to 7000 conventional units with the deprivation of the right to exercise a certain activity for a period of 2 to 5 years or with the liquidation of the legal entity.

(3) The actions provided for in para. (1) committed in particularly large proportions

are punished with a fine in the amount of 2000 to 3000 conventional units or with imprisonment from 3 to 7 years, and the legal person is punished with a fine in the amount of 7000 to 10000 conventional units with the deprivation of the right to exercise a certain activity for a period of 5 years or with the liquidation of the legal entity.

(4) The actions provided for in para. (1) committed in natural areas protected by the state

are punished with a fine in the amount of 2000 to 3000 conventional units or with imprisonment from 3 to 7 years, and the legal person is punished with a fine in the amount of 7000 to 10000 conventional units with the deprivation of the right to exercise a certain activity for a period of 5 years or with the liquidation of the legal entity.

*[Art.232 in the redaction of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

**Article 233.** Illegal hunting

(1) Hunting without the appropriate authorization either during the prohibited period, or in prohibited places, or with non-permitted tools and methods (poaching), if it has caused damage exceeding 200 conventional units,

is punished with a fine in the amount of 550 to 850 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 3 years, and the legal person is punished with a fine in the amount of 2000 to 4000 conventional units with the deprivation of the right to exercise a certain activity.

(2) The same action committed by a person with a position of responsibility, a public person or a person with a position of public dignity using the service situation

*[Art.233 para.(2) provision amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

shall be punished with a fine in the amount of 700 to 1000 conventional units or with the deprivation of the right to hold certain positions for a term of up to 3 years, or with imprisonment from 3 to 5 years.

**Article 234.** Illegal occupation with fishing,  
hunting or with other water exploitations

Illegal fishing, hunting or other water exploitation, with the use of explosive and poisonous materials or other means of mass destruction of fauna, if this has caused damage exceeding 200 conventional units,

is punished with a fine in the amount of 550 to 1050 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 1 year, and the legal person is punished with a fine in the amount of 2000 to 4000 conventional units with the deprivation of the right to exercise a certain activity.

*[Art. 234 amended by LP136 of 06.06.24, MO245-246/07.06.24 art. 353; in force 07.09.24]*

**Article 235.** Violation of the administration regime  
and protection of the fund of natural areas  
protected by the state

Violation of the administration and protection regime of the fund of natural areas protected by the state, if this creates the danger of causing damage in large proportions or has caused damage in large proportions,

is punished with a fine in the amount of 850 to 1350 conventional units or with imprisonment of up to 3 years, in both cases with (or without) deprivation of the right to hold certain positions or to exercise a certain activity for a period of 3 to 5 years, and the legal person is punished with a fine in the amount of 2000 to 4000 conventional units with the deprivation of the right to exercise a certain activity.

## **Chapter X**

### **ECONOMIC CRIMES**

**Article 236.** Manufacturing or putting into circulation  
of counterfeit banknotes or titles  
of false value

(1) Manufacturing for the purpose of putting into circulation or putting into circulation monetary signs (banknotes and metallic coins, including jubilee and commemorative ones, issued by the National Bank of Moldova or by the authorized body of a foreign state or of a monetary

union of states foreign), of state securities or other false securities, used for making payments,  
is punished with imprisonment from 5 to 10 years, and the legal person is punished with a fine in the amount of 2000 to 5000 conventional units with the deprivation of the right to exercise a certain activity.

(2) The same actions performed:

b) by an organized criminal group or a criminal organization;

c) in particularly large proportions,

are punished with imprisonment from 7 to 15 years, and the legal person is punished with a fine in the amount of 4000 to 7000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal person.

**Article 237.** Manufacturing or putting into circulation  
of cards or other instruments  
false payment

(1) Manufacturing for the purpose of putting into circulation or putting into circulation cards, meal vouchers or other false payment instruments, which do not represent money or securities, but which confirm, establish or grant patrimonial rights or obligations,

is punished with a fine in the amount of 550 to 1050 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 5 years, and the legal person is punished with a fine in the amount of 2000 to 4000 conventional units with the deprivation of the right to exercise a certain activity.

(2) The same actions performed:

b) by an official or other employee in the exercise of the function;

c) by an organized criminal group or a criminal organization;

d) in particularly large proportions

are punished with imprisonment from 4 to 8 years, and the legal person is punished with a fine in the amount of 4000 to 7000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal person.

**Article 238.** Acquisition of credit, loan or  
insurance compensation/indemnity  
by deception

(1) Knowingly presenting false information for the purpose of obtaining a credit, loan or compensation / insurance indemnity or increasing their amount, or obtaining a credit or loan under advantageous conditions, if by this they were caused to the financial institution, financial organization non-banking, savings and loan association or damage insurer in a size greater than or equal to 500 conventional units,

is punished with a fine in the amount of 1,850 to 3,350 conventional units or with imprisonment from 2 to 6 years, and the legal person is punished with a fine in the amount of 2,000 to 4,000 conventional units with the deprivation of the right to exercise a certain activity.

(2) The same actions that caused damages in particularly large proportions,



are punished with a fine from 2350 to 3350 conventional units or with imprisonment from 3 to 8 years with the deprivation of the right to occupy certain positions or to exercise a certain activity for a term of up to 5 years, and the legal person is punished with a fine ranging from 4000 to 7000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

**Article 239.** Violation of lending rules,  
lending policies  
or the rules for granting compensation  
/ insurance compensation

(1) Granting a credit, loan or compensation / insurance indemnity in intentional violation of the law, lending rules, lending policies or financial prudence rules, if thereby they were caused to the financial institution, non-banking financial organization, association of savings and loan or to the damage insurer in an amount greater than or equal to 500 conventional units,

is punished with a fine in the amount of 1350 to 2350 conventional units or with imprisonment of up to 2 years, in both cases with the deprivation of the right to occupy certain positions or to exercise a certain activity for a term of up to 5 years.

(2) The same actions that:

a) have caused the financial institution, the savings and loan association, the non-banking financial organization or the insurer damages in particularly large proportions;

b) led to the insolvency of the financial institution, the savings and loan association, the non-banking financial organization or the insurer,

are punished with a fine in the amount of 2350 to 3350 conventional units or with imprisonment from 2 to 7 years, in both cases with the deprivation of the right to occupy certain positions or to exercise a certain activity for a term of up to 5 years .

**Article 239<sup>1</sup>** . Faulty or fraudulent management  
of the bank, of the investment company, a  
the insurance company

(1) Failure to take the necessary actions provided by the law, by the decisions of the National Bank of Moldova, by the decisions of the National Commission of the Financial Market, by the statute of the bank, by the statute of the investment company, of the insurance company, in the event of recording financial losses or the existence of the danger of such losses, by members of management bodies, shareholders, beneficial owners and affiliated persons of shareholders and beneficial owners,

is punished with a fine in the amount of 750 to 1150 conventional units or with imprisonment of up to 1 year, in both cases with (or without) the deprivation of the right to occupy certain positions or to exercise a certain activity for a period of up to at 3 years.

(2) Falsification or destruction of bank documents, misleading, presentation or use of false data, distortion or concealment of truthful data by the persons referred to in paragraph (1), in the process of administering the bank, the investment company, the insurance company,

are punished with a fine in the amount of 850 to 1350 conventional units or with imprisonment of up to 3 years, in both cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years.

(3) The actions performed or the admitted omissions, provided in art. 238, 239 and 2391, by the members of the bank's management bodies, the bank's shareholders, the beneficial owners of the bank's shareholders, as well as the affiliated persons of the shareholders and beneficial owners, which led to the bank's insolvency or the initiation of its resolution process, as is provided for in the Bank Recovery and Resolution Law, including as a result of the insolvency of the parent entity,

are punished with a fine in the amount of 1000 to 2000 conventional units or with imprisonment of up to 6 years, in both cases with (or without) deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years.

(4) For the purposes of this article, the term affiliated person will have the meaning provided in art. 31 of the Financial Institutions Law no. 550-XIII of July 21, 1995.

#### **Article 239<sup>2</sup>**. Obstruction of banking supervision

Committing by the shareholder, administrator or any other bank employee of one of the following acts:

a) does not respond to the information requests of the National Bank of Moldova, in the manner provided by it, for the purpose of exercising its powers provided by law;

b) submits erroneous reports or information to the National Bank of Moldova, does not ensure the implementation of corrective, remedial measures or restrictions imposed by the National Bank of Moldova;

c) prevents the National Bank of Moldova's inspections or the auditor's checks or refuses to present the necessary documents for the inspections and checks;

d) obstructs in any other way the exercise of supervision by the National Bank of Moldova, is punishable by a fine from 750 to 1150 conventional units or by imprisonment from 6 months to 1 year.

#### **Article 240.** Use of funds contrary to their intended purpose

from internal loans or funds  
outer

(1) The use contrary to the destination of the means from internal loans or from external funds, if the act does not constitute evasion ,

*[Art.234 para.(1) provision amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

is punished with a fine in the amount of 3000 to 4000 conventional units or with imprisonment of up to 3 years, and the legal person is punished with a fine in the amount of 4000 to 5000 conventional units with the deprivation of the right to exercise a certain activity for a term of up to 3 years.

(2) Using subsidies, donations or humanitarian aid in large proportions contrary to their intended purpose, if the act does not constitute evasion ,

*[Art.234 para.(2) provision amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

is punished with a fine in the amount of 4000 to 5000 conventional units or with imprisonment from 2 to 6 years, in both cases with the deprivation of the right to hold certain positions for a period of 2 to 5 years, and the legal person punishes with a fine in the amount of 5000 to 6000 conventional units with the deprivation of the right to exercise a certain activity for a period of 2 to 5 years.

(3) Using internal loans, grants, credits, as well as external loans, in large proportions, contrary to their intended purpose, if the act does not constitute evasion ,

*[Art.234 para.(3) provision amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

is punished with a fine in the amount of 5000 to 6000 conventional units or with imprisonment from 3 to 6 years, in both cases with the deprivation of the right to hold certain positions for a period of 3 to 6 years, and the legal person punishes with a fine in the amount of 6000 to 7000 conventional units with the deprivation of the right to exercise a certain activity for a period of 3 to 5 years or with the liquidation of the legal entity.

(4) The actions provided for in para. (2) and (3) performed:

*[Art.234 para.(4), letter a) repealed by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

b) in particularly large proportions;

c) by a public figure, by a person with a position of responsibility, by a person with a position of public dignity, by a foreign public figure or by an international official using the service situation

*[Art. 234 para. (4), letter c) amended by LP136 of 06.06.24, MO245-246/07.06.24 art. 353; in force 07.09.24]*

are punished with a fine in the amount of 6000 to 8000 conventional units or with imprisonment from 6 to 10 years, in both cases with the deprivation of the right to hold certain positions for a period of 4 to 7 years, and the legal entity punishes with a fine in the amount of 7000 to 9000 conventional units with the deprivation of the right to exercise a certain activity for a period of 4 to 5 years or with the liquidation of the legal entity.

**Article 241. Illegal practice of the activity  
enterprising**

(1) Illegal practice of entrepreneurial activity, resulting in obtaining a profit in large proportions, carried out by:

a) carrying out the activity without registration (re-registration), license and/or without the mandatory authorization, according to the law, for carrying out the activity in question;

b) carrying out some types of activity prohibited by law,

is punished with a fine in the amount of 1350 to 2350 conventional units or with unpaid work for the benefit of the community of up to 200 hours, and the legal person is punished with a fine in the amount of 2000 to 4000 conventional units with deprivation of the right to to exercise a

certain activity.

(2) The same action performed:

b) by two or more people;

c) using the service situation;

f) with obtaining a profit in particularly large proportions

is punished with a fine in the amount of 2350 to 3350 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, and the legal person is punished with a fine in the amount of 4000 to 6000 conventional units with deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

**Article 241<sup>1</sup>** . Illegal practice of financial activity

(1) Practicing the financial activity without registration and/or without authorization (licensing), in the manner provided by the legislation, if it caused damages in large proportions is punished with a fine in the amount of 1000 to 1500 conventional units.

(2) The same action that caused damages in particularly large proportions is punishable by a fine in the amount of 1700 to 2700 conventional units or by imprisonment from 2 to 5 years.

**Article 242**. Pseudo-activity as an entrepreneur

Pseudo-entrepreneurial activity, i.e. the creation of enterprises without the intention of carrying out entrepreneurial or banking activity to cover the types of illegal entrepreneurial activity, if this has caused damage in large proportions,

is punished with a fine in the amount of 2025 to 3525 conventional units or with imprisonment of up to 3 years, and the legal person is punished with a fine in the amount of 2000 to 4000 conventional units with the deprivation of the right to exercise a certain activity.

**Article 242<sup>1</sup>** . Handling an event

(1) Encouraging, influencing or instructing a participant in a sports event or a betting event to undertake actions that would produce a vitiated effect on the respective event, with the aim of obtaining goods, services, privileges or advantages in any form, which they are not due to him, for himself or for another person,

shall be punished with a fine from 2350 to 4350 conventional units or with imprisonment from 1 to 3 years, in both cases with the deprivation of the right to occupy certain positions or to exercise a certain activity for a term of up to 3 years, and the legal person is punished with a fine from 6000 to 9000 conventional units with the deprivation of the right to exercise a certain activity.

(2) The same actions committed by a coach, an agent of the athlete, a member of the jury, a sports club owner or a person who is part of the management of a sports organization

are punished with a fine from 3350 to 5350 conventional units or with imprisonment from 2 to 6 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 4 to 7 years .

**Article 242<sup>2</sup>** . Fixed bets

(1) Betting on a sports event or another betting event or informing other people about the existence of an agreement regarding the rigging of that event with the intention of causing them to participate in the respective bet, carried out by a person who knows with certainty about the

existence of an agreement regarding the rigging of that event,

is punished with a fine from 2350 to 4350 conventional units, and the legal person is punished with a fine from 6000 to 8000 conventional units with the deprivation of the right to exercise a certain activity.

(2) The actions provided for in para. (1):

a) committed by an organized criminal group or a criminal organization;

b) which caused damages in particularly high proportions,

are punished with a fine from 3350 to 5350 conventional units or with imprisonment of up to 3 years, and the legal person is punished with a fine from 9000 to 11000 conventional units with the deprivation of the right to exercise a certain activity.

**Article 242<sup>3</sup>**. Violation of organization legislation

and the conduct of games of chance which

constitutes a state monopoly

(1) The organization and conduct on the territory of the Republic of Moldova of activities in the field of gambling that constitute a state monopoly, by unauthorized persons, as well as any import, promotion, support, intermediation, facilitation or encouragement of these activities, including the provision of payment services or electronic payment under the terms of Law no. 114/2012 regarding payment services and electronic currency in favor of persons not authorized to organize and carry out on the territory of the Republic of Moldova gambling activities that constitute a state monopoly,

are punished with a fine in the amount of 2000 to 4000 conventional units, and the legal person is punished with a fine in the amount of 6000 to 8000 conventional units with the deprivation of the right to exercise a certain activity.

(2) The actions provided for in para. (1):

a) committed by two or more persons;

b) resulting in obtaining a profit in large proportions,

are punished with a fine in the amount of 2500 to 6000 conventional units or with imprisonment of up to 2 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a term of up to 3 years, and the legal person is punished with a fine ranging from 4000 to 7500 conventional units.

(3) The actions provided for in para. (1):

a) resulting in obtaining a profit in particularly high proportions;

b) committed by an organized criminal group or a criminal organization;

c) committed for the purpose of money laundering or terrorism financing,

are punished with a fine in the amount of 6500 to 9000 conventional units or with imprisonment of up to 5 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a term of up to 5 years, and the legal person is punished with a fine ranging from 8000 to 10000 conventional units.

**Article 243.** Money laundering

(1) Money laundering committed by:

a) the conversion or transfer of assets by a person who knows or should have known that they constitute illicit income, in order to conceal or disguise the illicit origin of the assets or to help any person, involved in the commission of the main crime, to avoid the legal consequences of these actions;

b) concealing or disguising the nature, origin, location, disposition, transmission, movement of the real property of goods or related rights by a person who knows or should have known that they constitute illicit income;

c) the acquisition, possession or use of goods by a person who knows or should have known that they constitute illegal income;

d) participating in any association, agreement, complicity by providing assistance, help or advice in order to commit the actions provided for in letters a)-c)

shall be punished with a fine in the amount of 2350 to 4350 conventional units or with imprisonment of up to 6 years, in both cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a period of from 2 to 5 years, with a fine, applied to the legal entity, from 10,000 to 13,000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

*[Art.243 para.(1) the sanction modified by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

(2) The same actions performed:

*[Art.243 para.(2), letter b) repealed by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

c) using the service situation

are punished with a fine in the amount of 4350 to 7350 conventional units or with imprisonment from 4 to 7 years, with a fine, applied to the legal person, in the amount of 14000 to 18000 conventional units with deprivation of the right to exercise certain activities or with the liquidation of the legal entity.

*[Art.243 para.(2) the sanction amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

(3) The actions provided for in paragraph (1) or (2), carried out:

a) by an organized criminal group or a criminal organization;

b) in particularly large proportions,

are punished with imprisonment from 5 to 10 years, with a fine in the amount of 13,000 to 20,000 conventional units, and the legal entity is punished with a fine in the amount of 40,000 to 60,000 conventional units or with the liquidation of the legal entity.

*[Art.243 para.(3) the sanction in the wording of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

(4) Acts committed outside the territory of the country also constitute illegal actions if they contain the constituent elements of a crime in the state where they were committed and can constitute the constituent elements of a crime committed on the territory of the Republic of Moldova.

**Article 244.** Tax evasion of enterprises,  
institutions and organizations

(1) Fiscal evasion of companies, institutions and organizations by intentionally including in the accounting, fiscal and/or financial documents, including electronic ones, clearly distorted data on income or expenses that are not based on real operations or that are based on operations that did not exist, either through the intentional concealment of taxable objects, accounting, fiscal and/or financial documents, if the cumulative amount of the tax, the tax provided for by the Fiscal Code, the mandatory state social insurance contribution or the mandatory assistance insurance premium medical related to a fiscal year exceeds 50 average monthly wages for the economy, established by the Government decision in force at the time of the act,

shall be punished with a fine in the amount of 9000 to 13000 conventional units or with imprisonment of up to 6 years, with the deprivation of the right to hold certain positions or to exercise a certain activity for a term of up to 5 years, and the person legal offense is punishable by a fine in the amount of 15,000 to 20,000 conventional units with the deprivation of the right to exercise a certain activity.

*[Art.244 para.(1) the sanction in the wording of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

(2) The same action:

b) if the cumulative amount of the tax, the fee provided for by the Fiscal Code, the mandatory state social insurance contribution or the mandatory health care insurance premium related to a fiscal year exceeds 100 average monthly wages for the economy, established by the Government decision in force at the time of the act,

shall be punished with a fine in the amount of 13,000 to 20,000 conventional units or with imprisonment of 3 to 7 years with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years, and the legal person is punished with a fine in the amount of 20,000 to 40,000 conventional units with the deprivation of the right to exercise a certain activity or with liquidation of the legal entity.

*[Art.244 para.(2) the sanction in the wording of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

**Article 244<sup>1</sup>.** Tax evasion of natural persons

(1) Tax evasion of natural persons who do not practice entrepreneurial activity by evading the presentation of the income tax declaration or by including distorted data in the declaration, if the amount of income tax that had to be paid exceeds 2500 units conventional,

it is punishable by a fine in the amount of 5000 to 9000 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours.

*[Art.244<sup>1</sup> para.(1) the sanction modified by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

(2) The same action that led to the failure to pay the tax in particularly large proportions is punished with a fine in the amount of 9000 to 13000 conventional units or with imprisonment of up to 1 year.

*[Art.244<sup>1</sup> para.(2) the sanction modified by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

**Article 244<sup>2</sup>** . Manipulation on the natural gas market  
and electricity

*[Art.244<sup>2</sup> name modified by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

The act of manipulation on the natural gas and electricity market through at least one of the following ways, if it caused damage in particularly large proportions:

*[Art.244<sup>2</sup> provision amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

a) making a transaction or issuing a trading order with wholesale energy products that provides or is likely to provide false or misleading indications regarding the supply, demand or price of wholesale energy products;

b) carrying out a transaction or issuing a trading order with wholesale energy products that establishes or attempts to establish, artificially, through the action of one or more persons acting in concert, the price of one or more energy products wholesale;

c) carrying out a transaction or issuing an order to trade in wholesale energy products that uses a fictitious instrument or another form of fraud or abuse of confidence, which transmits or is likely to transmit false or misleading information regarding the offer, request or the price of wholesale energy products;

d) dissemination, through mass media, including the Internet, or through any other means, of information that provides or is likely to provide false messages regarding the supply, demand or price of wholesale energy products, if the person who disseminated the information knew or should have known that it was false,

shall be punished with a fine in the amount of 2350 to 3350 conventional units or with imprisonment of up to 3 years, in both cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a period of from 2 to 5 years, and the legal person is punished with a fine in the amount of 5000 to 7000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

**Article 244<sup>3</sup>** . Misuse of information  
privileged on the natural gas market

The use by any person of privileged information with the intention of acquiring or alienating, directly or indirectly, for himself or for a third person, wholesale energy products to which this information refers, if this has caused particularly large damages ,

shall be punished with a fine in the amount of 1350 to 3350 conventional units or with imprisonment of up to 2 years, in both cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a period of from 2 to 5 years, and the legal person is punished with a fine in the amount of 4000 to 7000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

**Article 245.** Abuses when issuing instruments



## Finance

(1) Inclusion in the issue prospectus or in other documents, on the basis of which the issue of financial instruments is registered, of unauthentic or misleading information, knowingly approving the issue prospectus containing unauthentic or misleading information, as well as approving the results of the clearly inauthentic emission, if these actions caused large amounts of damage,

are punished with a fine in the amount of 3000 to 6000 conventional units or with imprisonment of up to 3 years, in both cases with (or without) the deprivation of the right to occupy certain positions or to exercise a certain activity for a term of up to 5 years, and the legal person is punished with a fine from 2000 to 4000 conventional units with the deprivation of the right to exercise a certain activity.

(2) The same actions:

b) committed by two or more persons;

c) which caused damages in particularly large proportions

are punished with a fine in the amount of 2350 to 3350 conventional units or with imprisonment from 1 to 6 years, in both cases with the deprivation of the right to occupy certain positions or to exercise a certain activity for a term of up to 5 years, and the legal entity is punished with a fine ranging from 4000 to 7000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

### **Article 245<sup>1</sup>** . Manipulation on the capital market

(1) Manipulation actions on the capital market through at least one of the following actions, if this caused damage in large proportions:

a) transactions or trading orders that provide or may provide false information or that are misleading regarding the demand, supply or price of financial instruments, or that, through the action of one or more persons acting in concert, influence the setting of the price one or more financial instruments at an abnormal or artificial level;

b) making fictitious or fraudulent transactions;

c) application of fictitious trading orders;

d) broadcasting and/or spreading, through mass media, including the Internet or any other means, information that provides or may provide false indications about financial instruments, if the person who disseminated the information knew or should have to know that the information in question is false,

are punished with a fine in the amount of 1350 to 2350 conventional units or with imprisonment of up to 3 years, in both cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a term of up to 2 years, and the legal person is punished with a fine in the amount of 3000 to 5000 conventional units with the deprivation of the right to exercise a certain activity or with liquidation the legal person.

(2) The same actions that caused damages in particularly large proportions,

are punished with a fine in the amount of 2350 to 3350 conventional units or with imprisonment from 1 to 6 years, in both cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a period of from 2 to 5 years, and the legal

person is punished with a fine in the amount of 5000 to 7000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

**Article 245<sup>2</sup>** . Violation of the legislation when keeping the register  
holders of securities/units  
background

(1) Allowing unauthorized persons access to the data from the accounts of the holders of securities/fund units and/or the intentional inclusion in the accounts of the holders of securities/fund units of inauthentic, distorted, false information, followed by the transfer of ownership to a another person and/or the release by the entity that keeps the records of the holders of securities of the list of shareholders in cases other than those provided by the legislation, and/or the refusal to release the list of shareholders, the account statement, and/or the use of the list of shareholders by any person for the purpose of acquiring or alienating shares of the company, if these actions have caused damages in large proportions,

is punished with a fine in the amount of 1350 to 2350 conventional units or with imprisonment of up to 3 years, in both cases with (or without) the deprivation of the right to occupy certain positions or to exercise a certain activity for a term of up to to 5 years, and the legal person is punished with a fine in the amount of 2000 to 4000 conventional units with the deprivation of the right to exercise a certain activity or with liquidation the legal person.

(2) The same actions committed due to imprudence, which caused damages in particularly large proportions,

shall be punished with a fine of up to 500 conventional units or with imprisonment of up to 2 years.

(3) The actions described in paragraph (1):

b) which caused damages in particularly high proportions,

is punished with a fine in the amount of 2350 to 3350 conventional units or with imprisonment from 1 to 6 years, in both cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 5 years, and the legal person is punished with a fine in the amount of 4000 to 7000 conventional units with the deprivation of the right to exercise a certain activity or with liquidation of the legal entity.

**Article 245<sup>3</sup>** . Misuse of information  
privileged on the capital market

(1) The use by any person of privileged information with the intention of acquiring or alienating, on his own account or on the account of a third person, directly or indirectly, financial instruments to which this information refers, if these actions have caused damages in proportions large,

is punished with a fine in the amount of 1350 to 2350 conventional units or with imprisonment of up to 2 years, in both cases with (or without) the deprivation of holding certain positions or to exercise a certain activity for a period of up to 5 years, and the legal person is punished with a fine in the amount of 3000 to 5000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal person.

(2) The same actions:

followed by the acquisition or disposal of financial instruments; which caused damage in particularly large proportions,

are punished with a fine in the amount of 1350 to 3350 conventional units or with imprisonment from 1 to 6 years, in both cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a period of from 2 to 5 years, and the legal person is punished with a fine in the amount of 4000 to 7000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

**Article 245<sup>4</sup>** . Violation of provisions regarding  
to the way of concluding some transactions  
with the goods of the commercial company

(1) Violation of the manner of concluding large-scale transactions and/or transactions with a conflict of interest within the commercial company, if these actions caused large-scale damages, is punishable by a fine of up to 3000 conventional units or by imprisonment of up to 2 years, in all cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a term of up to 3 years.

(2) The same actions that caused damages in particularly large proportions, are punished with a fine in the amount of 3000 to 9000 conventional units or with imprisonment from 4 to 6 years, in all cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a period of at 2 to 5 years.

**Article 245<sup>5</sup>** . Intentional refusal to disclose  
and/or present the prescribed information  
by the legislation on the financial market  
non-bank or bank

(1) Intentional refusal to disclose and/or present information regarding the economic-financial activity of the joint-stock company, share holdings, reports, declarations, articles of incorporation or events that influence the issuer, information whose presentation or disclosure is mandatory, or the intentional presentation of inauthentic, distorted or false information, if these actions have caused large amounts of damage,

is punished with a fine in the amount of 2350 to 3350 conventional units, and the legal person is punished with a fine in the amount of 4000 to 7000 conventional units.

(2) The same actions that caused damages in particularly large proportions or led to the filing of the insolvency process,

are punished with a fine in the amount of 2350 to 3350 conventional units or with imprisonment from 1 to 6 years, in both cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a period of from 2 to 5 years, and the legal person is punished with a fine in the amount of 4000 to 7000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

**Article 245<sup>6</sup>** . Practicing activities on the financial market  
non-bank in violation of the conditions of

licensing (authorization)

(1) Non-compliance by the participant in the non-banking financial market with the licensing conditions (authorization), with the prudential rules established by law and by the normative acts of the National Commission of the Financial Market, if these actions caused damages in large proportions,

is punishable by a fine in size from 850 to 2350 conventional units with (or without) deprivation of the right to occupy certain positions or to exercise a certain activity for a term of up to 5 years, and the legal person is punished with a fine in the amount of 2000 to 4000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal person.

(2) The same actions that caused damages in particularly large proportions or led to the filing of the insolvency process,

are punished with a fine in the amount of 1350 to 3350 conventional units or with imprisonment of up to 3 years, in both cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years, and the legal person is punished with a fine in the amount of 4000 to 7000 conventional units with the deprivation of the right to exercise a certain activity or with liquidation of the legal entity.

**Article 245<sup>8</sup>** . Violation of the legislation during the development  
securities evaluation activity  
and the assets that refer to them

(1) Carrying out the activity of evaluating the securities and the assets that refer to them in violation of the requirements established in the legislation, if these actions caused damages in large proportions,

are punished with a fine in the amount of 850 to 2350 conventional units with (or without) the deprivation of the right to hold certain positions or to carry out a certain activity for a term of up to 5 years, and the legal person is punished with a fine in size from 3000 to 5000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

(2) The same actions that caused damages in particularly large proportions or led to the filing of the insolvency process,

are punished with a fine in the amount of 1350 to 3350 conventional units or with imprisonment of up to 3 years, in both cases with (or without) the deprivation of the right to hold certain positions or to carry out a certain activity for a period of 2 to 5 years, and the legal person is punished with a fine in the amount of 5000 to 7000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal person.

**Article 245<sup>9</sup>** . Impeding the exercise of rights  
associates (shareholders) of the company  
commercial and illegitimate deprivation  
of these rights

(1) Violation of the legislation regarding the convening and holding of the general assembly of the associates (shareholders) of the commercial company that caused large amounts of damage, committed by:

a) refusal or avoidance of convening the general meeting of the associates (shareholders) of the commercial company;

b) failure to inform in the manner established by law regarding the conduct of the general meeting of associates (shareholders) or the council meeting or the disclosure of obviously false information regarding the date, time and place of the general meeting or the council meeting;

c) the illegal refusal to register the persons who have the right to participate in the general meeting of associates (shareholders),

d) holding the general assembly of associates (shareholders) in the absence of the necessary quorum;

e) preventing the free exercise of the right to vote in the context of approving the decision at a general meeting of associates (shareholders) or the meeting of the board of a commercial company or the intentional distortion of the voting results by inserting in the minutes, in the extract from the minutes of the general meeting or of the council meeting, as well as in other documents that include information on the voting method and results of obviously false information about the number of votes, quorum or voting results; by drawing up an obviously false list of persons who have the right to participate in the general assembly of associates (shareholders) or in the council meeting, by obviously falsely calculating the votes or ballots;

f) blocking or limiting the access of the associate (shareholder) of the commercial company or a member of the board to exercise the right to vote;

g) voting in the name of the associate (shareholder) of the commercial company or in the name of a member of the board based on an obviously false power of attorney (mandate) or in the obvious absence of powers of attorney;

h) approving decisions regarding the modification and/or completion of the act of incorporation (statute) of the commercial company, or regarding the change in the composition of the management bodies of the commercial company, or regarding the designation of a management organization or regarding the appointment of an administrator, or regarding the increase of the share capital of the commercial company or regarding the reorganization or dissolution of the commercial company in violation of the legislation;

i) any other actions carried out in order to establish an illegal control over the commercial company,

is punished with a fine in the amount of 850 to 3350 conventional units or with unpaid work for the benefit of the community from 160 to 240 hours, in all cases with (or without) the deprivation of the right to occupy certain positions or to exercise a certain activity for a term of up to 3 years.

(2) The same actions, if they were committed by forcing an associate (shareholder) or a member of the board of the commercial company to vote in a certain way or to refuse to vote and are related to blackmail, as well as the threat of violence, destruction or damage his assets, caused

damages in particularly large proportions or that led to the insolvency of the commercial company, are punished with a fine in the amount of 2350 to 5350 conventional units or with imprisonment up to 2 years, in all cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 up to 5 years.

**Article 245<sup>10</sup>** . Unlawful Obtaining and/or Disclosure

the information that constitutes  
commercial, banking or fiscal secret

(1) Collecting information that constitutes a commercial, banking or fiscal secret by evading information, including by using special technical means, by extortion or by threatening to apply violence

is punishable by a fine in the amount of 1350 to 4350 conventional units or by imprisonment of up to 4 years, in both cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 5 years.

(2) The illegal disclosure or use of information that constitutes a commercial, banking or fiscal secret by the person to whom it was entrusted or became known by virtue of the attributions held, without the consent of the owner of the information,

is punishable by a fine from 1350 to 3350 conventional units or by imprisonment from 1 to 3 years, in both cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a term up to 3 years.

(3) The same actions that caused damage in particularly large proportions are punishable by a fine in the amount of 4350 to 5350 conventional units or by imprisonment from 2 to 5 years, in both cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a term from 2 to 5 years.

*[Art.245<sup>10</sup> in the wording of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

**Article 245<sup>11</sup>** . **Violation of the legislation regarding the activity  
optional pension funds**

(1) Violation of the legislation regarding the activity of optional pension funds that caused large amounts of damage by:

a) presenting erroneous information or refusing to present information about the state of the personal asset;

b) the inclusion of erroneous data in the reports presented in accordance with the provisions of the legislation;

c) presentation by the beneficiary of false or wrongly prepared documents in order to receive the accumulated funds before the deadline;

d) appropriation, on the basis of false or wrongly prepared documents, of the funds accumulated in the fund;

e) - *repealed*;

f) disclosure to third parties of information regarding the state of personal assets of participants or beneficiaries;

g) the intentional action of the administrator, the custodian of the fund's assets or the audit entity;

h) the use of the assets of optional pension funds for purposes other than those provided for by law,

is punished with a fine in the amount of 850 to 3350 conventional units or with unpaid work for the benefit of the community from 160 to 240 hours, in both cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a term of up to 5 years, and the legal person is punished with a fine in the amount of 2000 to 4000 conventional units with deprivation of the right to exercise a certain activity.

(2) The same actions that caused damages in particularly large proportions:

are punished with a fine in the amount of 2350 to 3350 conventional units or with imprisonment of up to 2 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a term of up to 5 years, and the legal person is punished with a fine in the amount of 4000 to 7000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the person legal.

**Article 245** <sup>12</sup>. Violation of the legislation regarding the activity  
credit bureaus

(1) Obtaining, using for other purposes or in a different way than provided by law and / or disclosure in any form by credit history bureaus, credit history users, sources of credit history formation, as well as by persons with their responsibility function of the information that constitutes a trade secret of the credit history bureau, of the source of formation of the credit history, of the subject of the credit history or of the user of the credit history, if these actions have caused extensive damage,

is punished with a fine in the amount of 850 to 2350 conventional units with the deprivation of the right to occupy certain positions or to exercise a certain activity for a period of up to 5 years, and the legal person is punished with a fine in the amount of 2000 to 5000 conventional units with the deprivation of the right to exercise a certain activity.

(2) Intentional non-presentation of information in the volume established by law or its intentional erroneous presentation to the credit history bureau by the sources of credit history formation, as well as by their responsible persons, if these actions caused extensive damage,

is punished with a fine in the amount of 850 to 2350 conventional units with (or without) deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 5 years, and the legal person is punished with a fine in size from 2000 to 4000 conventional units with the deprivation of the right to exercise a certain activity.

(3) The provision and/or use, and/or illegal administration of information that characterizes the debtors' compliance with the obligations assumed by credit contracts and/or loan contracts by legal entities that do not hold licenses for the activity of the credit bureau, as well as by their responsible persons, if these actions caused damage in large proportions,

are punished with a fine in the amount of 850 to 2350 conventional units with (or without) deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 5 years, and the legal person is punished with a fine in size from 2000 to 4000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

(4) The actions provided for in para. (1), (2) or (3) which have caused damage in particularly large proportions

are punished with a fine in the amount of 1350 to 3350 conventional units or with imprisonment of up to 3 years, in both cases with (or without) deprivation of the right to hold certain positions or to exercise a certain activity for a period of from 2 to 5 years, and the legal person is punished with a fine of 4000 to 7000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal person.

#### **Article 246.** Limitation of free competition

(1) Limitation of free competition by concluding a horizontal anti-competitive agreement that constitutes a hard cartel prohibited by competition law, the object of which is to fix the sale prices of products to third parties, limit production or sales, share markets or customers or participate with rigged bids at auctions or other forms of bid competition, if a particularly large profit was obtained by this or particularly large damages were caused to a third person,

it is punishable by a fine in the amount of 3000 to 4000 conventional units or by imprisonment for up to 6 years .

*[Art.246 the sanction modified by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

(2) The person who committed the act provided for in paragraph (1) is released from criminal liability if he benefits from leniency according to the legislation in the field of competition.

#### **Article 246<sup>1</sup>.** Unfair competition

Any act of unfair competition, including:

a) creating, by any means, confusion with the enterprise, with the products or with the industrial or commercial activity of a competitor;

b) spreading, in the trade process, false statements that discredit the company, products or entrepreneurial activity of a competitor;

c) misleading the consumer regarding the nature, manufacturing method, characteristics, usability or quantity of the competitor's goods;

d) using the company name or trademark in a way that causes confusion with those used legitimately by another economic agent;

e) comparing for advertising purposes the goods produced or sold by an economic agent with the goods of other economic agents

are punished with a fine from 3000 to 4000 conventional units or with imprisonment of up to 1 year, with a fine, applied to the legal person, from 3500 to 5000 conventional units with deprivation of the right to exercise a certain activity for a period of at 1 to 5 years.



**Article 246<sup>2</sup>** . Falsification and counterfeiting of products

(1) Falsification of products, i.e. their manufacture for the purpose of marketing without accompanying documents, provenance, quality and compliance, as well as urging third parties to carry out this action, carried out in large proportions,

are punished with a fine in the amount of 1350 to 2350 conventional units or with imprisonment of up to 1 year, with a fine, applied to the legal person, of 4500 to 6000 conventional units with the deprivation of the right to exercise a certain activity on a term from 1 to 5 years.

(2) Counterfeiting of products, i.e. the actions specified in para. (1) with reference to the products that constitute or include a protected intellectual property object, as well as the urging of third parties to carry out this action, carried out in large proportions,

are punished with a fine in the amount of 1350 to 2350 conventional units or with imprisonment of up to 1 year, with a fine, applied to the legal person, of 4500 to 6000 conventional units with the deprivation of the right to exercise a certain activity on a term from 1 to 5 years.

(3) The person who committed the actions provided for in paragraphs (1) and (2) is released from criminal liability if he actively contributed to the discovery or countering of the crime by self-denunciation, by denouncing and facilitating the prosecution of other persons who have committed or contributed to the commission of the crime.

**Article 247.** Compulsion to conclude a transaction  
or to refuse its conclusion

(1) Coercion to conclude a transaction or to refuse to conclude it, accompanied by threats of violence, destruction or damage to property, as well as the dissemination of information that would cause considerable damage to the rights and interests protected by law of the person or relatives close to them, in the absence of signs of blackmail,

shall be punished with a fine in the amount of 3000 to 4000 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 2 years.

(2) The same action performed:

b) with the application of violence, with the destruction or damage of property;

c) by an organized criminal group or a criminal organization

is punished with a fine of 6000 to 7000 conventional units or with imprisonment of up to 5 years.

**Article 248.** Smuggling

(1) The introduction into or removal from the territory of the Republic of Moldova of goods, through places established for customs control, by hiding from customs control, by hiding in places specially prepared or adapted for this purpose, or with the fraudulent use of documents or means of customs identification, or by non-declaration or inauthentic declaration in the customs documents or in other border crossing documents, if the value of the goods is greater than 8000 conventional units,

is punished with a fine in the amount of 2500 to 3000 conventional units or with imprisonment of up to 3 years, and the legal person is punished with a fine in the amount of 5000 to 6000 conventional units with the deprivation of the right to exercise a certain activity.

(2) The introduction or removal from the territory of the Republic of Moldova of goods through places other than those established for customs control, if the value of the goods is greater than 4000 conventional units,

is punished with a fine in the amount of 3500 to 4500 conventional units or with imprisonment of up to 3 years, and the legal person is punished with a fine in the amount of 5500 to 6500 conventional units with the deprivation of the right to exercise a certain activity.

(3) Alienation or release into free circulation, without payment of import duties, of goods under customs supervision, if the value of the goods is greater than 8000 conventional units,

is punished with a fine in the amount of 4000 to 5000 conventional units or with imprisonment of up to 3 years, and the legal person is punished with a fine in the amount of 6000 to 7000 conventional units with the deprivation of the right to exercise a certain activity.

(4) Removing goods from the territory of the Republic of Moldova by falsely declaring the origin of the goods as having been obtained entirely in the Republic of Moldova, if their value is greater than 8000 conventional units,

is punished with a fine in the amount of 4500 to 5500 conventional units or with imprisonment of up to 3 years, and the legal person is punished with a fine in the amount of 6500 to 7500 conventional units with the deprivation of the right to exercise a certain activity.

(5) The introduction into or removal from the territory of the Republic of Moldova of cultural values, both through places established for customs control, and through places other than those established for customs control, by hiding in places specially prepared or adapted for this purpose, or with fraudulent use of documents or means of customs identification, or by non-declaration or inauthentic declaration in customs documents, as well as non-return to the territory of the Republic of Moldova of cultural values in case their return is mandatory

are punished with a fine in the amount of 4500 to 5500 conventional units or with imprisonment of up to 5 years, and the legal person is punished with a fine in the amount of 6000 to 8000 conventional units with the deprivation of the right to exercise a certain activity.

(6) Introduction into or removal from the territory of the Republic of Moldova, both through places established for customs control, and through places other than those established for customs control, by hiding in places specially prepared or adapted for this purpose, or with the fraudulent use of documents or means of customs identification, or by non-declaration or inauthentic declaration in customs documents, of drugs, precursors, ethnobotanicals or their analogues, of toxic and harmful substances, of weapons and ammunition prohibited in the civilian circuit or subject to authorization, of the essential components of firearms, strategic goods, military devices, explosive, nuclear or radioactive materials

*[Art.248 para.(6) provision amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

is punished with a fine in the amount of 5500 to 6500 conventional units or with imprisonment from 3 to 8 years, and the legal person is punished with a fine in the amount of 7000 to 11000 conventional units with the deprivation of the right to exercise a certain activity.

(7) The actions provided for in para. (1)–(6):

a) committed by two or more persons;

b) committed with the use of the service situation;

c) if the value of the goods is greater than 16,000 conventional units,

are punished with imprisonment from 4 to 10 years, and the legal person is punished with a fine in the amount of 8000 to 12000 conventional units with the deprivation of the right to exercise a certain activity.

#### **Article 248<sup>1</sup>** . Smuggling with excise goods

(1) The introduction into or removal from the territory of the Republic of Moldova of goods subject to excise duties, through places established for customs control, by hiding from customs control, by hiding in places specially prepared or adapted for this purpose, or with the fraudulent use of documents or means of customs identification, or by non-declaration or inauthentic declaration in customs documents or in other border crossing documents, if the value of the goods is greater than 4000 conventional units, and in the case of cigarettes with or without a filter - a greater amount of 60000 pieces,

is punished with a fine in the amount of 2500 to 3000 conventional units or with imprisonment of up to 3 years, and the legal person is punished with a fine in the amount of 5000 to 6000 conventional units with the deprivation of the right to exercise a certain activity.

(2) The introduction or removal from the territory of the Republic of Moldova of goods subject to excise duties, through places other than those established for customs control, if their value is greater than 2000 conventional units, and in the case of cigarettes with or without a filter - a quantity more than 30000 pieces,

is punished with a fine in the amount of 3500 to 4500 conventional units or with imprisonment of up to 3 years, and the legal person is punished with a fine in the amount of 5500 to 6500 conventional units with the deprivation of the right to exercise a certain activity.

(3) Alienation or putting into free circulation without payment of import duties of excise goods under customs supervision, if their value is greater than 4,000 conventional units, and in the case of cigarettes with or without a filter - a quantity greater than 60,000 of pieces,

is punished with a fine in the amount of 4000 to 5000 conventional units or with imprisonment of up to 3 years, and the legal person is punished with a fine in the amount of 6000 to 7000 conventional units with the deprivation of the right to exercise a certain activity.

(4) The actions provided for in para. (1)–(3):

a) committed by two or more persons;

b) committed with the use of the service situation;

c) if the value of the excised goods is greater than 8,000 conventional units, and in the case of cigarettes with or without a filter – a quantity greater than 120,000 pieces,

are punished with imprisonment from 4 to 10 years, and the legal person is punished with a fine in the amount of 8000 to 12000 conventional units with the deprivation of the right to exercise a certain activity.

**Article 248<sup>2</sup>.** Collection, possession, production,  
transportation, collection, storage,  
delivery, disposal and sale  
smuggled goods

Collecting, holding, producing, transporting, receiving, storing, handing over, dealing and selling goods to be placed under a customs destination, knowing that they have been smuggled in, if their value is greater than 2000 conventional units in the case of goods subject to excise duties, in the case of cigarettes with or without a filter - a quantity greater than 60,000 pieces, and in the case of other goods – greater than 4000 conventional units,

are punished with a fine in the amount of 3000 to 4000 conventional units or with imprisonment of up to 3 years, and the legal person is punished with a fine in the amount of 4500 to 5500 conventional units with the deprivation of the right to exercise a certain activity.

**Article 249.** Evasion from payment of rights  
of import

(1) Evading the payment of import duties by including in the customs, commercial, transport, accounting, financial documents, including in electronic format, some inauthentic data regarding the value of the goods, the classification of the goods, the customs regime or destination, the favorable tariff treatment or preferential, if the amount of unpaid import duties is greater than 8000 conventional units,

is punishable by a fine in the amount of 3500 to 5000 conventional units or by imprisonment of up to 2 years and 6 months with the deprivation of the right to hold certain positions or to exercise a certain activity for a term of up to 5 years, and the legal person is punished with a fine in the amount of 5000 to 8000 conventional units with the deprivation of the right to exercise a certain activity.

(2) The actions provided for in para. (1):

- a) committed by two or more persons;
- b) committed with the use of the service situation;
- c) if the amount of unpaid import duties is greater than 16,000 conventional units,

shall be punished with a fine in the amount of 5000 to 7000 conventional units or with imprisonment of up to 5 years with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years, and the legal person shall be punished with a fine in the amount of 10,000 to 16,000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the person legal.

**Article 250.** Transportation, storage or sale  
goods subject to excise duty, without their marking  
with control stamps or excise stamps

(1) Transporting, keeping or selling goods subject to excise duty without marking them with control stamps or excise stamps of the established model, if this has caused damage in large proportions,

is punished with a fine in the amount of 850 to 1350 conventional units, and the legal person is punished with a fine in the amount of 2000 to 4000 conventional units with the deprivation of the right to exercise a certain activity.

(2) The same actions accompanied by:

a) marking with stamps other than those of the established model;

b) causing damages in particularly large proportions

are punished with a fine in the amount of 1350 to 1850 conventional units, and the legal person is punished with a fine in the amount of 4000 to 7000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal person.

**Article 250<sup>1</sup>**. Illegal manufacture of markings

state, putting into circulation and use

THEIR

(1) Falsification of state markings, putting them into circulation and using them, as well as the manufacture, sale of articles made of precious metals and precious stones with false markings

are punished with a fine ranging from 2025 to 3525 conventional units or with imprisonment of up to 3 years, in both cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a period of from 2 to 5 years, with a fine, applied to the legal entity, in the amount of 8000 to 11000 conventional units or with the deprivation of exercising a certain activity, or with the liquidation of the legal entity.

(2) The same actions performed:

a) by an organized criminal group or a criminal organization;

b) in particularly large proportions

are punished with imprisonment from 5 to 10 years, and the legal person is punished with a fine in the amount of 10,000 to 13,000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal person.

**Article 251**. Appropriation, alienation in impermissible cases

by law the concealment of pledged assets, frozen,

leased, seized or confiscated

Appropriation, alienation in cases not permitted by law, concealment of pledged, frozen, leased, seized or confiscated assets, in large proportions, or their use for other purposes, committed by a person to whom these assets were entrusted or who was obliged, according to the law, to ensure their integrity,

*[Art.251 provision in the wording of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

is punished with a fine in the amount of 1350 to 1850 conventional units or with imprisonment of up to 3 years, in both cases with (or without) the deprivation of the right to occupy certain positions or to exercise a certain activity for a term of up to to 3 years, and the legal person

is punished with a fine from 1000 to 3000 conventional units with the deprivation of the right to exercise a certain activity.

**Article 252.** Intentional insolvency

(1) Intentional insolvency that has caused large damages to the creditor is punishable by a fine in the amount of 650 to 850 conventional units or by imprisonment of up to 2 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 5 years.

(2) The same action performed:

a) by two or more people;

b) with causing damages in particularly large proportions

is punished with a fine in the amount of 850 to 1350 conventional units or with imprisonment of up to 3 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a term of up to 5 years.

(3) Causing the bank's insolvency, through intentional actions or inactions of its administrator, including by carrying out excessive expenses, selling the bank's assets at a price below their real value, assuming unreasonable obligations, engaging in business relations with an insolvent person, omitting the collection the bank's receivables at maturity or in any other way contrary to good administration, which intentionally diminishes the bank's patrimony,

is punishable by imprisonment from 4 to 6 years and a fine in the amount of 2350 to 3350 conventional units.

(4) The actions provided for in para. (3) committed:

a) by a group of administrators and/or shareholders;

b) with the aim of avoiding the payment of debts and restarting the banking business,

they are punished with imprisonment from 5 to 6 years and a fine from 2850 to 3350 conventional units.

**Article 253.** Fictitious insolvency

(1) The fictitious insolvency which caused the creditor damages in large proportions, is punished with a fine in the amount of 650 to 950 conventional units or with imprisonment of up to 3 years, in both cases with the deprivation of the right to occupy certain positions or to exercise a certain activity for a period of up to 5 years.

(2) The same action performed:

a) by two or more people;

b) with causing damages in particularly large proportions

is punished with a fine in the amount of 850 to 1350 conventional units or with imprisonment of up to 4 years, in both cases with the deprivation of the right to occupy certain positions or to exercise a certain activity for a term of up to 5 years.

*[Art. 255 repealed by LP136 of 06.06.24, MO245-246/07.06.24 art. 353; in force 07.09.24]*

**Article 256.** Receiving an illegal remuneration

for the performance of related works  
of serving the population

(1) The receipt, through extortion, by an employee of an enterprise, institution or organization, of remuneration or other patrimonial advantages for the performance of works or for the provision of services in the sphere of trade, public catering, transport, social services, communal, medical or other, works and services related to the service obligations of this employee, is punished with a fine of 550 to 750 conventional units or unpaid work for the benefit of the community from 120 to 180 hours.

(2) The same action performed:

b) by two or more people;

c) in large proportions

is punished with a fine in the amount of 750 to 1350 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 2 years.

#### **Article 257. Low-quality execution of constructions**

(1) Commissioning of residential houses, industrial facilities, constructions in the field of transport and energy, other constructions in poor quality, unfinished or not in accordance with the project conditions by the leaders of construction organizations, site managers and persons with the position of responsibility that exercises quality control in constructions

is punished with a fine in the amount of 650 to 950 conventional units with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years, and the legal person is punished with a fine in the amount of 2000 to 4000 conventional units with the deprivation of the right to exercise a certain activity.

(2) Continuation by the responsible persons of the works executed improperly and stopped by control documents

is punished with a fine of up to 550 conventional units, and the legal person is punished with a fine of 4000 to 6000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal person.

(3) The design, verification, expertise, realization by the responsible persons of an urban complex or a construction or the execution of their modifications without complying with the provisions of the normative documents regarding safety, resistance and stability, if this resulted in:

a) serious injury to the person's bodily integrity or health or the loss of the person's ability to work;

b) total or partial destruction of the construction;

c) destruction or breakdown of important installations or equipment;

d) damages in large proportions,

is punished with a fine in the amount of 550 to 950 conventional units or with imprisonment of up to 5 years, and the legal person is punished with a fine in the amount of 6000 to 11000 conventional units with the deprivation of the right to exercise a certain activity or with liquidation of the legal entity.

(4) The actions provided for in paragraph (3), which caused the person's death,

are punished with imprisonment from 5 to 10 years, and the legal person is punished with a fine in the amount of 6000 to 11000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal person.

**Article 257<sup>1</sup>**. Violation of construction execution rules  
with five or more floors

(1) The design, verification, expertise, authorisation, execution or reception of constructions with five or more floors in violation of construction regulations, urban planning and land development documentation, the provisions of the urban planning certificate regimes for design or the authorization of build on:

- a) height regime;
- b) street alignment;
- c) indices of standard population density;
- d) normative distance between buildings

is punishable by a fine in the amount of 850 to 1350 conventional units or by imprisonment of up to 5 years with (or without) deprivation of the right to hold certain positions or to exercise a certain activity for a term of 2 to 5 years, and the legal person is punished with a fine in the amount of 6000 to 11000 conventional units with (or without) the deprivation of the right to exercise a certain activity for a period of up to 5 years.

(2) The facts provided for in para. (1) carried out in the context of construction works located in the protection zones

are punished with a fine in the amount of 1500 to 2500 conventional units or with imprisonment from 2 to 6 years with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years, and the legal person is punished with a fine of 15,000 to 25,000 conventional units with the deprivation of the right to exercise a certain activity for a period of up to 5 years.

(3) The facts provided for in para. (1) or (2) who recklessly caused:

- a) serious injury to the person's health;
- b) death of the person

are punished with imprisonment from 5 to 10 years with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 3 to 5 years, and the legal person is punished with a fine in the amount of 30,000 to 40,000 of conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

*[Art.257<sup>1</sup> introduced by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

**Article 258.** Violation of exploitation rules,  
repairs and modification of housing  
from a block of flats

Violation by the owners or tenants of the rules of operation, repair and modification of the dwellings in a block of flats, as well as of their internal communications, a fact that causes particularly great damage to the structural integrity of the block of flats or the dwellings of other



owners or tenants or worsens their housing conditions,

is punished with a fine ranging from 850 to 1350 conventional units.

## Chapter XI

### COMPUTER CRIMES AND CRIMES

#### IN THE FIELD OF ELECTRONIC COMMUNICATIONS

**Article 259.** Illegal access to a computer system

(1) Illegal access to a computer system by a person who is not authorized under the law or a contract, who exceeds the limits of the authorization or does not have the permission of the competent person to use, administer or control a computer system or to conduct research scientific or perform any other operation in a computer system

shall be punished with a fine in the amount of 550 to 850 conventional units or with unpaid work for the benefit of the community of 150 to 200 hours, or with imprisonment of up to 1 year, and the legal person shall be punished with a fine in the amount of 2000 to 4000 conventional units with the deprivation of the right to exercise a certain activity for a term of up to 5 years.

(2) The same action performed:

a) with the violation of protection systems;

b) by connecting to electronic communication channels;

c) with the use of special technical means;

d) with the illegal use of the computer, system or computer network, in order to commit one of the crimes provided for in art. 260<sup>1</sup> - 260<sup>3</sup>, 260<sup>5</sup> and 260<sup>6</sup>;

e) regarding information protected by law;

f) causing damage in large proportions

is punished with a fine in the amount of 850 to 1350 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 3 years, and the legal person is punished with a fine in the amount of 4000 to 7000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

(3) The actions provided for in para. (1) or (2) which have caused damage in particularly large proportions

are punished with imprisonment from 3 to 5 years or with a fine in the amount of 1500 to 3000 conventional units, and the legal entity is punished with a fine of 10000 to 30000 conventional units and with the liquidation of the legal entity.

*[Art.259 in the redaction of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

**Article 260.** Production, import, commercialization

or the illegal provision of

technical means or program products

Producing, importing, selling or making available, in any other form, illegally, technical means or software products, a password, an access code or similar computer data that allow access, in whole or in part part, of an IT system, designed or adapted, in order to commit one of the crimes provided for in art. 237, 259, 260<sup>1</sup> -260<sup>3</sup>, 260<sup>5</sup> -260<sup>7</sup>,

*[Art.260 provision amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

is punished with a fine in the amount of 850 to 1350 conventional units or with imprisonment from 2 to 5 years, with a fine, applied to the legal person, in the amount of 4000 to 7000 conventional units with deprivation of the right to exercise a certain activity or with the liquidation of the enterprise.

**Article 260<sup>1</sup>** . Illegal interception of a transmission  
of computer data

Illegal interception of a computer data transmission (including an electronic or electromagnetic emission ) that is not public and that is intended for a computer system, comes from such a system or is carried out within a computer system

*[Art.260<sup>1</sup> provision amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

is punished with a fine in the amount of 850 to 1350 conventional units or with imprisonment of up to 5 years , with a fine, applied to the legal person, in the amount of 4000 to 7000 conventional units with deprivation of the right to exercise a certain activity or with liquidation of the enterprise.

*[Art.260<sup>1</sup> sanction modified by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

**Article 260<sup>2</sup>** . Altering the integrity of computer data  
kept in a computer system

(1) The intentional and unlawful modification, deletion or damage of computer data kept in a computer system or the illegal restriction of access to these data, the unauthorized transfer of computer data from a computer system, from a storage medium, the acquisition, the sale or making available, in any form, of computer data with limited access

*[Art. 260<sup>2</sup> al. (1) provision amended by LP136 of 06.06.24, MO245-246/07.06.24 art. 353; in force 07.09.24; single paragraph becomes paragraph (1) ]*

they are punished with a fine from 850 to 1350 conventional units or with imprisonment from 2 to 5 years.

(2) The same actions:

- a) committed for material interest;
- b) which caused damage in large proportions

are punishable by a fine of 1500 to 3000 conventional units or imprisonment of 3 to 7 years.

*[Art.260<sup>2</sup> para.(2) introduced by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24 ]*

(3) The actions provided for in para. (1) or (2):

- a) committed by an organized criminal group or a criminal organization;
  - b) which caused damage in particularly large proportions
- are punishable by imprisonment from 5 to 10 years.

*[Art.260<sup>2</sup> para.(3) introduced by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24 ]*

**Article 260<sup>3</sup> . Disturbance of system operation**

**INFORMATION**

(1) Disrupting the functioning of an IT system by introducing, transmitting, modifying, deleting or intentionally and without right damaging IT data or by restricting access to these data

*[Art. 260<sup>3</sup> para. (1) provision amended by LP136 of 06.06.24, MO245-246/07.06.24 art. 353; in force 07.09.24 ]*

is punished with a fine in the amount of 1050 to 1350 conventional units or with unpaid work for the benefit of the community from 150 to 200 hours, or with imprisonment from 2 to 5 years, with a fine, applied to the legal entity, in the amount of 4000 to 7000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the enterprise.

(2) The same action:

a) committed for material interest;

*[Art.260<sup>3</sup> para.(2), letter b) repealed by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

c) committed by an organized criminal group or a criminal organization;

d) which caused damage in large proportions

*[Art.260<sup>3</sup> para.(2), letter d) amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

is punished with a fine in the amount of 1050 to 1350 conventional units or with imprisonment from 3 to 7 years, with a fine, applied to the legal person, in the amount of 4000 to 7000 conventional units or with the liquidation of the enterprise.

(3) The actions provided for in para. (1) or (2) which have caused damage in particularly large proportions

are punished with imprisonment from 5 to 10 years, and the legal person is punished with a fine from 10,000 to 30,000 conventional units with the liquidation of the legal person.

*[Art.260<sup>3</sup> para.(3) introduced by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

**Article 260<sup>4</sup> . Production, import, marketing**

or illegal provision of passwords,  
access codes or similar data

(1) Producing, importing, selling or making available, in any other form, illegally, a password, an access code or similar data that allow full or partial access to a computer system for the purpose of committing a among the crimes provided for in art. 237, 259, 260<sup>1</sup> - 260<sup>3</sup> , 260<sup>5</sup> and 260<sup>6</sup>

*[Art. 260<sup>4</sup> para. (1) provision amended by LP136 of 06.06.24, MO245-246/07.06.24 art. 353; in force 07.09.24 ]*

are punished with a fine in the amount of 850 to 1350 conventional units or with imprisonment from 2 to 5 years, with a fine, applied to the legal person, in the amount of 2000 to 4000 conventional units with deprivation of the right to exercise a certain activity.

(2) The same actions:

a) committed for material interest;

*[Art.260<sup>4</sup> para.(2), letter b) repealed by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

c) committed by an organized criminal group or a criminal organization;

d) which caused damage in large proportions

*[Art.260<sup>4</sup> para.(2), letter d) amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

are punished with a fine in the amount of 1350 to 1850 conventional units or with imprisonment from 3 to 7 years, with a fine, applied to the legal person, in the amount of 4000 to 7000 conventional units with deprivation of the right to exercise a certain activity or with the liquidation of the enterprise.

(3) The actions provided for in para. (1) or (2) which have caused damage in particularly large proportions

are punished with imprisonment from 5 to 10 years, and the legal person is punished with a fine from 10,000 to 30,000 conventional units with the liquidation of the legal person.

*[Art. 260<sup>4</sup> para. (3) introduced by LP136 of 06.06.24, MO245-246/07.06.24 art. 353; in force 07.09.24]*

**Article 260<sup>5</sup>** . False informatics

The illegal introduction, modification or deletion of computer data or the illegal restriction of access to these data, resulting in untrue data, in order to be used in order to produce a legal consequence

shall be punished with a fine in the amount of 1500 to 2000 conventional units or with imprisonment of 3 to 5 years, and the legal person shall be punished with a fine in the amount of 2000 to 4000 conventional units with the deprivation of the right to exercise a certain activity.

*[Art.260<sup>5</sup> sanction in the wording of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

**Article 260<sup>6</sup>** . Computer fraud

(1) Entering, modifying or deleting computer data, restricting access to these data or preventing in any way the operation of an computer system, in order to obtain a material benefit for oneself or for another, if these actions have caused considerable damage,

*[Art. 260<sup>6</sup> para. (1) the provision in the wording of LP136 of 06.06.24, MO245-246/07.06.24 art. 353; in force 07.09.24]*

they are punished with a fine in the amount of 1350 to 1850 conventional units or with unpaid work for the benefit of the community from 150 to 200 hours, or with imprisonment from 2 to 5 years.

(2) The same actions:

a) committed by an organized criminal group or a criminal organization;

b) which caused damage in large proportions

*[Art.260<sup>6</sup> para.(2), letter b) amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

are punishable by imprisonment from 4 to 9 years.

(3) The actions provided for in para. (1) or (2) which have caused damage in particularly large proportions

are punishable by imprisonment from 5 to 10 years.

*[Art.260<sup>6</sup> para.(3) introduced by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

### **Article 260<sup>7</sup> . Identity theft**

The act of obtaining the identity of another person fraudulently through computer or telecommunication systems by misleading the user of the computer system due to the creation of an appearance intended to induce the user to provide personal data in an electronic communication

is punished with a fine in the amount of 200 to 500 conventional units or with unpaid work for the benefit of the community from 150 to 200 hours, or with imprisonment of up to 2 years, and the legal person is punished with a fine in the amount of 1000 to 3000 conventional units with the deprivation of the right to exercise a certain activity.

*[Art.260<sup>7</sup> introduced by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

### **Article 260<sup>8</sup> . Illegal transactions with non-cash means of payment**

(1) Accepting a cash withdrawal, fund transfer, electronic currency or virtual currency loading or unloading operation knowing that the operation is carried out using a non-cash payment instrument or an electronic payment instrument that is falsified or used without the owner's consent

shall be punished with a fine in the amount of 1100 to 2400 conventional units or with imprisonment of 1 to 3 years, and the legal person shall be punished with a fine in the amount of 4000 to 6000 conventional units with the deprivation of the right to exercise a certain activity.

(2) Acquiring for oneself or for another or possessing for the purpose of fraudulent use a non-cash means of payment appropriated by committing a crime

is punishable by a fine of 1300 to 2400 conventional units or imprisonment of 2 to 4 years.

(3) Carrying out a cash withdrawal, fund transfer, loading or unloading operation of electronic currency or virtual currency by using, without the holder's consent, a non-cash payment instrument, an electronic payment instrument or identification data that allow its use

shall be punished by a fine in the amount of 1300 to 2600 conventional units or imprisonment of 2 to 5 years.

(4) The actions provided for in para. (1)–(3):

a) committed by using fictitious identification data;

b) committed by an organized criminal group or a criminal organization;

c) which caused damage in large proportions

are punished with imprisonment from 4 to 6 years, and the legal person is punished with a fine of 6000 to 8000 conventional units with the deprivation of the right to exercise a certain activity.

(5) The actions provided for in para. (1)–(3) which caused damage in particularly large proportions

are punished with imprisonment from 5 to 10 years, and the legal entity is punished with a fine in the amount of 8000 to 10000 conventional units with the deprivation of the right to exercise a certain activity.

*[Art.260<sup>8</sup> introduced by LP136 of 06.06.24, MO245-246/06.07.24 art.353; in force 07.09.24]*

**Article 261.** Violation of security rules  
of the IT system

Violation of the rules of collection, processing, storage, dissemination, distribution of information or the rules of protection of the information system, provided in accordance with the status of the information or its degree of protection, if this action contributed to the misappropriation, distortion or destruction of the information,

*[Art.261 provision amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

shall be punished with a fine of up to 750 conventional units or with unpaid work for the benefit of the community from 200 to 240 hours, or with imprisonment of up to 2 years, in all cases with (or without) deprivation of the right to occupy certain functions or to exercise a certain activity for a period of 2 to 5 years, and the legal person is punished with a fine in the amount of 2000 to 4000 conventional units with the deprivation of the right to exercise a certain activity.

**Article 261<sup>1</sup>.** Unauthorized access to networks  
and electronic communications services

(1) Unauthorized access to electronic communications networks and/or services using the networks and/or electronic communications services of other operators, if this has caused considerable damage ,

*[Art. 261<sup>1</sup> para. (1) provision amended by LP136 of 06.06.24, MO245-246/07.06.24 art. 353; in force 07.09.24]*

is punished with a fine in the amount of 850 to 1350 conventional units or with imprisonment of up to 1 year, and the legal person is punished with a fine in the amount of 2000 to 4000 conventional units with the deprivation of the right to exercise a certain activity.

(2) The same action:

b) committed by two or more persons;

c) committed with the violation of protection systems;

d) committed with the use of special technical means;

e) which caused damage in large proportions

*[Art.261<sup>1</sup> para.(2), letter e) amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

is punished with a fine in the amount of 1350 to 3350 conventional units or with imprisonment of up to 5 years, and the legal person is punished with a fine in the amount of 4000 to 7000 conventional units with the deprivation of the right to exercise a certain activity.

(3) The actions provided for in para. (1) or (2) which have caused damage in particularly large proportions

are punished with imprisonment from 3 to 7 years, and the legal person is punished with a fine from 10,000 to 30,000 conventional units with the liquidation of the legal person.

*[Art.261<sup>1</sup> para.(3) introduced by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

## **Chapter XII**

### **CRIMES IN THE FIELD OF TRANSPORTATION**

#### **Article 262.** Violation of flight rules

Entry, exit or aerial transit of the territory of the Republic of Moldova without the established authorization, non-compliance with the airways indicated in the authorization, the landing places, the entry points, the flight height without the authorization of the respective bodies or other violation of the rules regarding the execution of flights in space air of the Republic of Moldova

is punished with a fine in the amount of 650 to 1150 conventional units or with imprisonment of up to 2 years.

#### **Article 263.** Violation of security rules

of circulation or exploitation a  
railway, naval transport or  
AERIAL

(1) Violation by a railway, naval or air transport worker of traffic safety or transport operation rules, a violation that recklessly caused a serious or moderate injury to bodily integrity or health or material damage in large proportions ,

is punished with a fine in the amount of 650 to 1350 conventional units or with imprisonment of up to 4 years, in both cases with (or without) deprivation of the right to drive means of transport for a term of up to 2 years.

(2) The same action that caused:

a) the death of a person;

*[Art.263 para.(2), letter b) repealed by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

shall be punished with imprisonment from 3 to 7 years with (or without) deprivation of the right to drive means of transport for a term of up to 5 years.

#### **Article 264.** Violation of security rules

of circulation or exploitation of means  
of transport by the person driving  
means of transport

(1) Violation of traffic safety rules or the use of means of transport by the person who drives the means of transport, a violation which recklessly caused a moderate injury to bodily integrity or health,

is punished with a fine of up to 650 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 3 years, in all cases with (or without) deprivation of the right to drive means of transport for up to 2 years.

*[Art.264 para.(1) the sanction modified by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

(2) The same action committed while intoxicated

shall be punished with a fine from 2500 to 3000 conventional units or with imprisonment from 2 to 5 years, in both cases with the cancellation of the right to drive means of transport.

*[Art.264 para.(2) the sanction in the wording of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

(3) The action provided for in paragraph (1), which caused:

a) serious injury to bodily integrity or health;

b) the death of a person,

shall be punished with imprisonment from 3 to 7 years with the cancellation of the right to drive means of transport.

(4) The action provided for in para. (3) committed by exceeding the permissible alcohol limits or in a state of intoxication produced by narcotic substances and/or other substances with similar effects or committed by a person who does not hold a driving license or who is deprived of the right to drive vehicles of transport or in respect of which the right to drive means of transport has been cancelled

is punishable by imprisonment from 4 to 8 years.

*[Art.264 para.(4) in the wording of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

(5) The action provided for in paragraph (1), which caused the death of two or more persons, is punishable by imprisonment from 6 to 10 years with the cancellation of the right to drive means of transport.

(6) The action provided for in para. (5) committed by exceeding the permissible alcohol limits or in a state of intoxication produced by narcotic substances and/or other substances with similar effects or committed by a person who does not hold a driving license or who is deprived of the right to drive vehicles of transport or in respect of which the right to drive means of transport has been cancelled

is punishable by imprisonment from 8 to 12 years with the cancellation of the right to drive means of transport.

*[Art.264 para.(6) in the wording of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

**Article 264<sup>1</sup>** . Driving the means of transport  
exceeding the alcohol limit



admissible or intoxicated  
produced by other substances

(1) Driving the means of transport by a person who has a blood alcohol concentration exceeding 0.7 g/l or alcohol vapors in exhaled air exceeding 0.35 mg/l or who is in a state of intoxication caused by narcotic substances and/or other substances with similar effects

shall be punished with a fine in the amount of 1500 to 2500 conventional units or with imprisonment from 1 to 3 years, in both cases with the cancellation of the right to drive means of transport.

(2) Knowingly handing over the driving of the means of transport to a person who is in the state mentioned in para. (1), if this action caused the consequences indicated in art. 264,

is punishable by a fine from 1500 to 2500 conventional units or by imprisonment from 1 to 3 years, in both cases with the cancellation of the right to drive means of transport.

(3) The refusal, resistance or evasion of the driver of the means of transport from alcohol testing and/or drug testing, from the medical examination in order to establish the state of intoxication and its nature, or from the collection of biological samples as part of this medical examination

is punishable by a fine from 2000 to 3000 conventional units or by imprisonment from 1 to 4 years, in both cases with the cancellation of the right to drive means of transport.

(4) The consumption of alcohol, narcotic substances and/or other substances with similar effects, with the exception of the consumption of drugs with effects similar to psychotropic substances, by the driver of the means of transport involved in a road accident, until the breathalyzer test and/or the test anti-drug or until the collection of biological samples in order to establish the state of intoxication and its nature,

it is sanctioned with a fine from 2000 to 3000 conventional units or with imprisonment from 1 to 4 years, in both cases with the cancellation of the right to drive means of transport.

(5) The facts provided for in para. (1)–(4) committed by a person who does not hold a driving license or who is deprived of the right to drive means of transport or in respect of whom the right to drive means of transport has been canceled

is punishable by a fine from 2500 to 3000 conventional units or by imprisonment from 2 to 5 years.

*[Art.264 <sup>1</sup> in the redaction of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

**Article 264 <sup>2</sup> . Conducting illegal races**

(1) Participation of the driver of the means of transport in unauthorized races, contests or training on public roads

shall be punished with a fine of up to 650 conventional units or with unpaid work in the community from 180 to 240 hours, with or without the deprivation of the right to drive means of transport for a term of up to 2 years.

(2) Organizing unauthorized races, contests or training on public roads

it is punishable by a fine in the amount of 1350 to 1500 conventional units or by unpaid community service from 180 to 240 hours or by imprisonment from 1 to 2 years.

**Article 265.** Putting the means into operation

transport with obvious technical defects

Putting into operation the means of transport with obvious technical defects or other serious violation of the rules of their operation, which ensure traffic safety, committed by a person responsible for the technical condition or for the operation of the means of transport, as well as the violation by a person with a position of responsibility or by a person who manages a commercial, public organization or another non-state organization of the working regime of drivers or mechanists, if these actions caused the consequences indicated in art. 264,

are punished with a fine in the amount of 550 to 1050 conventional units or with imprisonment of up to 3 years, in both cases with (or without) the deprivation of the right to hold positions of responsibility related to ensuring the technical condition or the exploitation of means of transport for a period of 2 to 5 years.

**Article 266.** Leaving the scene of the road accident

Leaving the scene of the road accident by the person who was driving the means of transport and who violated the rules of traffic safety or operation of the means of transport, if this caused the consequences indicated in art. 264 para. (1), (3) and ( 5),

shall be punished with a fine in the amount of 550 to 850 conventional units or with unpaid work for the benefit of the community from 200 to 240 hours, or with imprisonment of up to 2 years.

**Article 267.** Non-qualitative repair of roads

of communication, means of transport

rail, sea or air or their installation

in operation with technical defects

Low-quality repair of communication routes, installations on them, means of electronic communication or signaling or means of railway, naval, air transport, as well as putting them into operation with technical defects, or serious violation of the rules of operation of to them, actions carried out by a person responsible for their technical condition or for their exploitation, if they caused the consequences indicated in art. 263,

is punished with a fine in the amount of 650 to 1050 conventional units or with imprisonment of up to 3 years , in both cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a term of up to at 5 years.

*[Art.267 sanction in the wording of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

**Article 268.** Intentional damage or destruction

of communication channels and means

of transport

Deliberate damage or destruction of communication paths, the installations on them, the means of electronic communication or signaling or other equipment for transport, as well as the means of transport, if this caused the consequences indicated in art. 263 or art. 264 paragraph (5), is punishable by a fine from 550 to 1350 conventional units or by imprisonment for up to 7 years

**Article 269.** Violation of the rules regarding maintenance  
order and traffic security

Violation by a passenger, pedestrian or other traffic participant of the rules regarding maintaining order and traffic safety, if this caused the consequences indicated in art. 264, is punished with a fine in the amount of 650 to 1050 conventional units or with imprisonment of up to 5 years.

**Article 270.** Voluntary stop, without necessity,  
of the train

Voluntary, unnecessary stopping of the train by disconnecting the general brake pipe or by other means, if this caused:

- a) accidents with people;
- b) derailment or damage to rolling stock;
- c) damages in particularly high proportions,

*[Art.270 letter c) in the wording of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

is punished with a fine in the amount of 650 to 1350 conventional units or with imprisonment of up to 7 years.

**Article 271.** Intentional blocking of transport arteries

Intentional blocking of transport arteries by creating obstacles, by setting up posts or by other means, if this has caused:

- a) accidents with people;
- b) damages in particularly high proportions,

*[Art.271 letter b) in the wording of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

is punished with a fine in the amount of 650 to 1350 conventional units or with imprisonment from 2 to 6 years.

**Article 272.** Coercion of the transport worker  
rail, sea, air or car not to  
fulfill service obligations

(1) Forcing the railway, naval, air or car transport worker not to fulfill his service obligations by threatening him with death, with serious bodily injury or health, with the destruction of his property or that of his close relatives, if he there was a danger of carrying out such a threat,

shall be punished with a fine of up to 550 conventional units or with unpaid work for the benefit of the community from 140 to 200 hours, or with imprisonment of up to 1 year.

(2) The same action performed:

b) by two or more people

shall be punished with a fine in the amount of 550 to 1050 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 3 years.

**Article 275. Misappropriation or capture of a seal**

by train, of an airship, sea or  
river

(1) Misappropriation, capture or illegal exercise of control over a train set, an air, sea or river ship or the occupation of the station, airport, port or other enterprise, institution, transport organization, as well as the seizure of cargo, without the purpose of appropriation, are punishable by imprisonment from 5 to 10 years.

(2) The same actions:

a) committed by two or more persons;

b) accompanied by violence or the threat of violence or another form of intimidation;

b<sup>1</sup>) committed on an aircraft in flight;

c) resulting in damage to a train, an air, sea or river ship;

d) which caused damage in particularly large proportions

*[Art.275 para.(2), letter d) in the wording of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

are punishable by imprisonment from 7 to 15 years.

(3) The actions provided for in paragraph (1) or (2), which caused:

a) serious injury to bodily integrity or health;

b) the death of a person,

are punishable by imprisonment from 10 to 15 years.

**Article 276. Forgery of identification elements**

of vehicles

(1) Falsification of the series, identification number of the chassis, body or car engine by deletion, replacement or modification

shall be punished with a fine in the amount of 650 to 950 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 1 year.

(2) The same action performed:

b) by two or more people;

c) using the service situation

is punished with a fine in the amount of 1150 to 1850 conventional units or with imprisonment of up to 3 years, in both cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a term of up to at 3 years.

**Chapter XIII**

**CRIMES AGAINST PUBLIC SECURITY  
AND PUBLIC ORDER**

**Article 278.** The terrorist act

(1) Terrorist act, i.e. causing an explosion, a fire or committing another act that creates the danger of causing death or injury to bodily integrity or health, essential damage to property or the environment, if this act is committed with the aim of intimidating the population a state or a part of it, to draw society's attention to the political, religious or other ideas of the perpetrator or to force a state, an international organization, a legal or natural person to commit or refrain from committing any action, as well as the threat to commit such acts for the same purposes,

*[Art.278 para.(1) provision amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

is punishable by imprisonment from 6 to 12 years.

(2) The same act committed:

b) by an organized criminal group;

c) with the use of firearms or explosive materials ;

*[Art.278 para.(2), letter c) amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

d) with serious or moderate injury to bodily integrity or health;

e) with causing material damage in particularly large proportions

is punishable by imprisonment from 8 to 15 years.

(3) The facts provided for in paragraph (1) or (2):

a) committed by a criminal organization;

b) resulting in the death of a person due to imprudence

are punishable by imprisonment from 12 to 20 years.

(4) The terrorist act committed by killing one or more persons for the purposes provided in paragraph (1)

is punishable by imprisonment from 16 to 20 years or life imprisonment.

(5) The person who committed the act of terrorism, other participants may be subject to the minimum criminal penalties provided for in this article, if they informed the authorities about the respective facts and thereby contributed to avoiding the death of people, injury to bodily integrity or health or unmasking other perpetrators.

*[Art.278 para.(5) amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

(6) The person who participated in the preparation of the act of terrorism is released from criminal liability if he, by notifying the authorities in time or by other means, contributed to the prevention of the act of terrorism and if his actions do not contain another component of the crime .

**Article 278<sup>1</sup>** . Delivery, placement, commissioning  
or the detonation of an explosive device  
or another device with a lethal effect

(1) Delivering, placing, putting into operation or detonating an explosive device or other device with a lethal effect in a place of public use, within a state or governmental object, an infrastructure object or the public transport system or committing these actions against the

mentioned place or objects with the aim of causing:

- a) death or serious injury to bodily integrity or health;
  - b) essential damage to this place, object or system
- is punishable by imprisonment from 5 to 10 years.

(2) The same actions performed:

- a) with serious or moderate injury to bodily integrity or health;
  - b) with causing damages in large or particularly large proportions
- are punishable by imprisonment from 8 to 15 years.

(3) The actions provided for in para. (1) lit. b), who recklessly caused the death of a person, are punishable by imprisonment from 8 to 12 years.

(4) The actions provided for in para. (1), (2) or (3), committed by an organized criminal group or a criminal organization, are punishable by imprisonment from 12 to 18 years.

(5) The actions provided for in para. (1), accompanied by intentional murder, are punished with imprisonment from 16 to 20 years or with life imprisonment.

#### **Article 279.** Financing of terrorism

(1) Terrorism financing, i.e. the intentional provision or collection by any person, by any method, directly or indirectly, of goods of any nature obtained by any means, or the provision of financial services for the purpose of using these goods or services or knowing that they will be used, in whole or in part:

a) when organizing, preparing or committing a terrorist crime;

b) for any purpose, by an organized criminal group, a criminal organization or by a separate person who commits or undertakes attempts to commit a crime of a terrorist nature or who organizes, directs, associates, agrees in advance, instigates or participates as an accomplice in the commission of this crime,

is punishable by imprisonment from 5 to 10 years with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years, with a fine, applied to the legal entity, in the amount of 8000 to 11000 conventional units with the liquidation of the legal entity.

(2) The crime of financing terrorism is considered consummated regardless of whether the terrorist crime was committed, if the assets were used to commit this crime by the group, organization or person mentioned in paragraph (1) lit. b) or if the crime was committed on the territory or outside the territory of the Republic of Moldova.

#### **Article 279<sup>1</sup>.** Recruitment, training, benefits of training or the granting of other support for terrorist purposes

(1) Recruitment for terrorist purposes, i.e. the request addressed to a person to commit or participate in the preparation or commission of a crime of a terrorist nature, or to associate with an organization or group, with the intention or knowledge that this request is made in order to contribute to the commission of one or more crimes of a terrorist nature,

is punishable by imprisonment from 3 to 8 years with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years, with a fine, applied to the legal person, in the amount of 4000 to 8000 conventional units with the liquidation of the legal entity.

(2) Training for terrorist purposes, i.e. providing instructions regarding the manufacture or use of explosive materials, weapons of mass destruction, radioactive devices or materials, firearms or other harmful or dangerous weapons or substances or regarding to other specific methods or techniques, with the intention or knowledge that this provision is made in order to contribute to the commission of one or more crimes of a terrorist nature,

*[Art.279<sup>1</sup> para.(2) amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

is punishable by imprisonment from 4 to 9 years with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 3 to 5 years, with a fine, applied to the legal person, in the amount of 6000 to 9000 conventional units with the liquidation of the legal entity.

(2<sup>1</sup>) Self-training or receiving training for terrorist purposes, i.e. obtaining knowledge or practical skills regarding the manufacture or use of explosive devices or substances, weapons of mass destruction, radioactive devices or materials, firearms or other weapons or harmful or dangerous substances or regarding other specific methods or techniques that may contribute to the commission of one or more crimes of a terrorist nature,

shall be punished with imprisonment from 4 to 8 years with or without the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 3 to 5 years.

(3) Procuring, keeping, producing, transporting or supplying weapons, ammunition, other devices or destructive means, biological weapons, harmful or dangerous substances, facilitating the crossing of the state border, hosting, facilitating entry into areas with limited access, collecting, holding for the purpose of transmitting or making available data about target objectives, as well as providing other support, in any form, with the intention or knowing that these actions are carried out in order to contribute to the commission of one or more crimes of a terrorist nature,

are punished with imprisonment from 5 to 10 years with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 3 to 5 years, with a fine, applied to the legal entity, in the amount of 8000 to 11000 conventional units with the liquidation of the legal entity.

(4) The actions provided for in para. (1), (2) or (3), committed using the service situation, are punishable by imprisonment from 7 to 15 years.

**Article 279<sup>2</sup>** . Incitement for terrorist purposes or  
public justification of terrorism

(1) Incitement for terrorist purposes, i.e. distributing or otherwise making available to the public a message with the intention of inciting or knowing that such a message may incite the commission of a terrorist offence,

shall be punished with a fine in the amount of 650 to 950 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 5 years, in all cases with (or without) deprivation of the right to hold certain positions or exercise a certain activity for a period of up to 5 years, with a fine, applied to the legal entity, in the amount of 2000 to 4000 conventional units with the deprivation of the right to exercise a certain activity for a period of 2 to 5 years or with the liquidation of the legal entity.

(2) Public justification of terrorism, i.e. distributing or otherwise making available to the public a message about the recognition of an ideology or practice of committing terrorist crimes as just, which needs to be supported or is worthy of following,

shall be punished with a fine in the amount of 550 to 850 conventional units or with unpaid work for the benefit of the community from 140 to 200 hours, or with imprisonment of up to 4 years, in all cases with (or without) deprivation of the right to occupy certain positions or to exercise a certain activity for a period of up to 5 years, with a fine, applied to the legal entity, in the amount of 1800 to 3000 conventional units with the deprivation of the right to exercise a certain activity for a period of 2 to 5 years or with the liquidation of the legal entity.

(3) The actions provided for in para. (1) or (2), committed:

- a) through a means of mass information;
- b) using the service situation,

are punished with a fine in the amount of 850 to 1350 conventional units or with imprisonment from 2 to 5 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years, with a fine, applied to the legal entity, in the amount of 4000 to 6000 conventional units with (or without) the deprivation of the right to exercise a certain activity for a period of 3 to 5 years or with the liquidation of the legal entity.

### **Article 279<sup>3</sup>** . Traveling abroad for terrorist purposes

(1) Traveling abroad for terrorist purposes, i.e. traveling to a state that is not the person's state of residence, nor the state whose citizenship the person holds, for the planning, preparation, commission or participation in crimes of a terrorist nature or to instruct for terrorist purposes or to receive training for terrorist purposes,

is punishable by imprisonment from 3 to 7 years.

(2) Organizing or facilitating travel abroad for terrorist purposes

is punishable by imprisonment from 3 to 6 years with or without the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 3 to 5 years, with a fine, applied to the legal entity, in the amount of 3000 to 7000 conventional units with the liquidation of the legal entity.

### **Article 280**. Taking hostages

(1) Taking or detaining the person as a hostage and threatening to kill, with injury to bodily integrity or health, or with further detaining the person in this capacity with the aim of coercing the state, international organization, legal or natural person or a group of persons to perform or refrain from performing any action as a condition for the release of the hostage



is punishable by imprisonment from 5 to 10 years.

(2) Taking hostages:

b) on two or more people;

c) knowingly with regard to a minor or a pregnant woman or taking advantage of the known or obvious state of helplessness of the victim, which is due to advanced age, illness, disability or another factor;

d) - *excluded*.

e) for material interest;

f) with the application of violence dangerous to the life or health of the person;

is punishable by imprisonment from 6 to 12 years with (or without) a fine in the amount of 850 to 1350 conventional units.

(3) Taking hostages:

a) by an organized criminal group or a criminal organization;

b) with serious injury to bodily integrity or health;

c) causing the victim's death due to imprudence;

*[Art. 280 para. (3), letter d) repealed by LP136 of 06.06.24, MO245-246/07.06.24 art. 353; in force 07.09.24]*

is punishable by imprisonment from 8 to 15 years.

**Article 281.** Knowingly false communication

about the terrorist act

(1) Knowingly falsely communicating about the preparation of explosions, arson or other actions that endanger people's lives or that resulted in preventing the activity of an enterprise, institution or organization

is punishable by a fine of 1000 to 2000 conventional units or imprisonment of 2 to 5 years.

(2) The action provided for in para. (1):

a) which caused large amounts of damage to the rights and interests protected by law of natural or legal persons;

b) which caused damage to state security;

c) committed by an organized criminal group or a criminal organization;

d) committed under the conditions of a state of emergency, siege or war;

e) committed at the direction of a foreign state, a foreign organization, an unconstitutional entity or their representatives

is punishable by imprisonment from 5 to 8 years.

*[Art.281 in the redaction of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

**Article 282.** Organization of a paramilitary formation

illegal or participation in it

(1) Organizing or leading a paramilitary formation not provided for by the legislation of the Republic of Moldova, as well as participating in such a formation,

are punishable by imprisonment from 2 to 7 years.

(1<sup>1</sup>) The same deed committed for reasons of prejudice is punishable by imprisonment from 6 to 9 years.

(2) The person who voluntarily withdrew from an illegal paramilitary formation and surrendered the weapon is released from criminal liability if his actions do not contain another criminal element.

**Article 283. Banditry**

The organization of armed gangs for the purpose of attacking legal or natural persons, as well as participating in such gangs or in the attacks carried out by them, are punishable by imprisonment from 7 to 15 years.

**Article 284. Creation or management of an organization  
crime**

(1) The creation or management of a criminal organization, that is, the foundation of such an organization and the organization of its activity, or the search for and employment of members in the criminal organization, or the holding of meetings of its members, or the creation of monetary and other funds for the support their financial and criminal activity of the organization, either providing the criminal organization with weapons and tools for committing crimes, or organizing the collection of information about potential victims and about the activity of law enforcement bodies, or the coordination of criminal plans and actions with other criminal organizations and groups or separate criminals from the country and abroad, is punishable by imprisonment from 8 to 15 years.

(2) Creation or management of a criminal organization or an organized criminal group with the aim of committing one or more crimes of a terrorist nature is punishable by imprisonment from 15 to 20 years or life imprisonment.

(3) Joining one of the criminal organizations or organized criminal groups provided for in para. (1) or (2) is punishable by imprisonment from 3 to 7 years.

*[Art. 284 para. (3) introduced by LP136 of 06.06.24, MO245-246/07.06.24 art. 353; in force 07.09.24]*

**Article 285. Disorders in the table**

(1) Organizing or leading mass disturbances, accompanied by the application of violence against people, pogroms, arson, destruction of property, the use of firearms or other objects used as weapons, as well as violent resistance or army to the representatives of the authorities, are punishable by imprisonment from 4 to 8 years.

(2) Active participation in carrying out the actions provided for in paragraph (1) is punishable by imprisonment from 3 to 7 years.

(3) Calls for active violent disobedience to the legitimate demands of the representatives of the authorities and for mass disorder, as well as for committing acts of violence against individuals, they are punished with a fine in the amount of 550 to 850 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 2 years.

**Article 286.** Disorganizing actions

the activity of penitentiaries

Persons who, while serving a prison sentence, terrorize convicts on the path of correction either commit violent attacks on the administration, or organize criminal groups for these purposes or actively participate in such groups

are punishable by imprisonment from 3 to 10 years.

**Article 287.** Hooliganism

(1) Hooliganism, i.e. the intentional actions that violate public order, accompanied by the use of violence against people or the threat of such violence, the opposition of violent resistance to the representatives of the authorities or other persons who put an end to the hooligan acts, as well as the actions that, through the content they are distinguished by a special audacity,

*[Art. 287 para. (1) amended by LP136 of 06.06.24, MO245-246/07.06.24 art. 353; in force 07.09.24]*

shall be punished with a fine in the amount of 550 to 1050 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 3 years.

(2) The same action performed:

*[Art.287 para.(2), letter a) repealed by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

b) by two or more people;

c) on the territory or in the premises of a public or private medical-sanitary institution;

d) against the doctor or the medical worker in the exercise of the function;

e) for reasons of prejudice,

is punished with a fine in the amount of 750 to 1350 conventional units or with imprisonment of up to 5 years.

(3) Aggravated hooliganism, i.e. the actions provided for in paragraph (1) or (2), if they were committed with the use or attempt to use a weapon or other objects to injure bodily integrity or health,

is punishable by imprisonment from 3 to 7 years

**Article 288.** Vandalism

(1) Vandalism, i.e. defiling buildings or other rooms, as well as destroying goods in public transport or in other public places,

shall be punished with a fine in the amount of 550 to 850 conventional units or with unpaid work for the benefit of the community from 140 to 200 hours, or with imprisonment of up to 1 year.

(2) The same action performed:

b) by two or more people;

c) on assets that have historical, cultural or religious value;

d) for reasons of prejudice,

shall be punished with a fine in the amount of 550 to 1050 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 3 years.

**Article 289.** Piracy

(1) Robbery committed for personal purposes by the crew or passengers of a ship against the persons or goods found on this ship or against another ship, if the ships are on the high seas or in a place that is not subject to the jurisdiction of any state ,

is punishable by imprisonment from 5 to 10 years.

(2) The same action:

b) committed by an organized criminal group or a criminal organization;

c) committed with the use of weapons or other objects used as weapons;

d) resulting in the death of the person due to imprudence;

e) resulted in other particularly serious consequences,

is punishable by imprisonment from 8 to 15 years.

**Article 289<sup>1</sup>.** Offenses against aviation security  
and against airport security

(1) The facts that may endanger aeronautical security and airport security, i.e.:

a) committing an act of violence against a person on board an aircraft in flight, if this act can endanger the security of the ship;

b) committing an act of violence against a person in an airport that serves civil aviation, if this act can endanger the security of the airport;

c) destroying an aircraft in operation or causing damage to this ship that puts it out of service or that may endanger the safety of the aircraft during flight;

d) placing or any other act that led to placing on board an aircraft in operation, by any method, a device or a substance capable of destroying this aircraft or causing damage to it that puts it out of operation or that can jeopardizes the security of the aircraft during the flight;

e) destroying or damaging the installation or air navigation service, or disrupting their operation, if these actions can endanger the safety of an aircraft in flight;

f) destroying or damaging the facility or the building of an airport that serves civil aviation or an aircraft located in the airport and not in operation, or disrupting the operation of the airport service, if these actions can endanger the security of the airport;

g) communicating information knowing that it is false, if this creates a danger for the security of an aircraft in flight;

h) illegal overflight of the airspace of the Republic of Moldova by objects used for military purposes,

are punishable by imprisonment from 3 to 12 years.

(2) The same facts that recklessly caused:

a) serious injury to bodily integrity or health;

b) the death of a person;

*[Art.289<sup>1</sup> para.(2), letter c) repealed by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

are punishable by imprisonment from 10 to 20 years.

(3) The acts provided for in paragraph (1) or (2), committed by an organized criminal group or a criminal organization,

are punished with imprisonment from 15 to 20 years or with life imprisonment.

**Article 289<sup>2</sup>** . Offenses against security  
naval transport

(1) Facts that may jeopardize the security of naval transport, that is:

a) committing an act of violence against a person on board a maritime or river vessel, if this act may endanger the safe navigation of the vessel;

b) destroying a maritime or river vessel or causing damage to this vessel or its cargo that may endanger the safe navigation of the vessel;

c) placing or any other act that led to placing on board a maritime or river vessel, by any method, a device or a substance capable of destroying the vessel or causing damage to it or its cargo that may endanger the safe navigation of ships;

d) destroying or damaging the installation or the navigation service, or disrupting their operation, if these actions can endanger the safe navigation of the maritime or river vessel;

e) communicating information knowing that it is false, if this creates a danger for the safe navigation of the maritime or river vessel,

are punishable by imprisonment from 3 to 12 years.

(2) The same facts that recklessly caused:

a) serious injury to bodily integrity or health;

b) the death of a person;

*[Art.289<sup>2</sup> para.(2), letter c) repealed by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

are punishable by imprisonment from 10 to 20 years.

(3) The facts provided for in para. (1) or (2), committed by an organized criminal group or a criminal organization,

are punished with imprisonment from 15 to 20 years or with life imprisonment.

**Article 289<sup>3</sup>** . Offenses against security  
fixed platforms

(1) Facts endangering the security of fixed platforms, i.e.:

a) illegal capture or exercise of control over a fixed platform accompanied by violence, the threat of its application or another form of intimidation;

b) committing an act of violence against a person on a fixed platform, if this act can endanger the security of the platform;

c) destroying a fixed platform or causing damage to this platform that may endanger the security of the platform;

d) the placement or another act that led to the placement on a fixed platform, by any method, of a device or a substance capable of destroying this platform or jeopardizing its security, are punishable by imprisonment from 3 to 12 years.

(2) The same facts that recklessly caused:

a) serious injury to bodily integrity or health;

b) the death of a person;

*[Art.289<sup>3</sup> para.(2), letter c) repealed by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

are punishable by imprisonment from 10 to 20 years.

(3) The facts provided for in para. (1) or (2), committed by an organized criminal group or a criminal organization,

are punished with imprisonment from 15 to 20 years or with life imprisonment.

**Article 289<sup>4</sup>** . Unauthorized entry into the territory

restricted military areas or al

restricted military objectives

(1) Unauthorized entry into the territory of restricted military areas or restricted military objectives

is punishable by a fine in the amount of 500 to 1000 conventional units or by unpaid community service from 60 to 240 hours.

(2) The same action performed:

a) with the aim of gathering information on the location of buildings, warehouses, military equipment and weaponry located in restricted military areas or restricted military objectives;

b) by penetrating the group with the aim of capturing or illegally exercising control over restricted military areas or restricted military objectives, accompanied by violence, the threat of its application or another form of intimidation;

c) by committing an act of violence against a military member who is trying to prevent unauthorized entry, if this act may endanger the security of restricted military areas or restricted military objectives;

d) by committing an act of violence against a military man on day/guard/operational duty, if this act may endanger the security of restricted military areas or restricted military objectives;

e) by destroying or damaging military installations or disrupting their operation, if these actions may endanger the security of restricted military areas or restricted military objectives;

f) by placing or another act that led to the placement on the territory of the restricted military zone or the restricted military objective, by any method, of a device or substance capable of destroying or jeopardizing the security of the restricted military zone or the restricted military objective

is punishable by imprisonment from 3 to 12 years.

(3) The facts provided for in para. (1) or (2) which caused the death of a person are punishable by imprisonment from 10 to 20 years.

(4) The facts provided for in para. (1)–(3) committed by an organized criminal group or a criminal organization or at the direction of a foreign state or an unconstitutional entity are punishable by imprisonment from 15 to 20 years or life imprisonment.

*[Art.289<sup>4</sup> introduced by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

**Article 290.** Carrying, keeping, procuring, manufacturing, repair, modification of construction or marking or the illegal sale of weapons or a ammunition, essential components of weapons, as well as their evasion

(1) Carrying, keeping or procuring prop weapons, replica airsoft weapons, pneumatic weapons, Flaubert cartridge weapons, gas weapons, starting weapons, signal weapons or old weapons for the purpose of converting them into firearms, as well as their transformation

they are punished with a fine in the amount of 500 to 650 conventional units or with unpaid community service from 180 to 240 hours, or with imprisonment of up to 2 years.

(2) Carrying, keeping, procuring, manufacturing, repairing, modifying the construction or the marking or the illegal sale of weapons or ammunition prohibited in the civilian circuit or subject to authorization, essential components of the firearm, as well as their theft

are punishable by imprisonment from 2 to 6 years with (or without) a fine in the amount of 1150 to 1350 conventional units.

(3) The facts provided for in para. (1) or (2) committed by two or more persons are punishable by imprisonment from 3 to 7 years.

(4) The facts provided for in para. (1) or (2) committed by an organized criminal group or by a criminal organization

are punishable by imprisonment from 5 to 10 years.

(5) The person who voluntarily surrendered the weapon, the essential components of the firearm or the ammunition that he possessed illegally is released from criminal liability.

*[Art.290 in the redaction of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

**Article 291.** Careless storage of firearms and ammunition

Careless storage of firearms and ammunition, as well as their transfer to other persons, are punished with a fine of up to 850 conventional units or with imprisonment of up to 3 years.

**Article 292.** Manufacturing, procurement, processing, keeping, transporting, using or neutralization of explosive materials or radioactive

*[Art.292 the name modified by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

(1) Manufacturing, procuring, processing, keeping, transporting, using or neutralizing explosive, radioactive or nuclear materials without the appropriate authorization or any other illegal operation regarding their circulation

*[Art. 292 para. (1) amended by LP136 of 06.06.24, MO245-246/07.06.24 art. 353; in force 07.09.24]*

is punished with a fine in the amount of 650 to 1150 conventional units or with imprisonment of up to 5 years, with a fine, applied to the legal person, in the amount of 3000 to 6000 conventional units with deprivation of the right to exercise a certain activity or with liquidation of the legal entity.

(1<sup>1</sup>) The same acts committed with nuclear material, if they create the danger of causing death or serious injury to bodily integrity or health, essential damage to property or the environment,

are punished with a fine in the amount of 950 to 1350 conventional units or with imprisonment from 3 to 7 years, with a fine, applied to the legal person, in the amount of 7000 to 9000 conventional units with deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

(2) The facts provided for in para. (1) or (1<sup>1</sup>), which recklessly caused:

a) the death of a person;

b) damages in particularly high proportions,

*[Art. 292 para. (2), letter b) in the wording of LP136 of 06.06.24, MO245-246/07.06.24 art. 353; in force 07.09.24]*

are punished with imprisonment from 5 to 10 years, with a fine, applied to the legal entity, in the amount of 8000 to 11000 conventional units with the liquidation of the legal entity.

**Article 293.** Violation of the rules of evidence,  
storage, transportation and use  
of easily flammable substances  
or corrosive

Violation of the rules for recording, storing, transporting and using easily flammable or corrosive substances, as well as the illegal shipment of these substances by mail or luggage,

shall be punished with a fine in the amount of 850 to 1350 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 3 years

**Article 295.** Theft of materials or devices  
radioactive or nuclear installations, the threat  
to evade or the request to transmit  
these materials, devices or installations

(1) Stealing the material or the radioactive device or the nuclear installation

shall be punished with imprisonment from 4 to 8 years with (or without) deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years.



(2) The request to transmit radioactive material or device or a nuclear installation accompanied by the threat of violence or other form of intimidation is punishable by imprisonment from 3 to 7 years.

(3) The actions provided for in para. (1) or (2), committed:

a) by two or more people;

b) using the service situation;

c) with the application of non-dangerous violence for the person's life or health,

are punished with imprisonment from 6 to 12 years with (or without) deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years.

(4) The attack committed on a person with the aim of stealing the material or the radioactive device or the nuclear installation, accompanied by violence dangerous for the life or health of the person attacked or by the threat of applying such violence,

is punishable by imprisonment from 6 to 12 years.

(5) The actions provided for in para. (4), committed:

a) by two or more people;

b) with the application of the weapon or other objects used as a weapon;

c) with serious injury to bodily integrity or health,

are punishable by imprisonment from 10 to 17 years.

(6) The actions provided for in para. (1), (2), (3), (4) or (5), committed:

a) by an organized criminal group or a criminal organization or in favor of them;

b) in large or particularly large proportions,

are punishable by imprisonment from 12 to 20 years.

(7) The threat to steal radioactive material or device or a nuclear installation with the aim of forcing the state, international organization, legal or natural person to perform or refrain from performing any action

is punishable by imprisonment from 2 to 5 years.

**Article 295<sup>1</sup>** . Possession, manufacture or use  
radioactive materials or devices  
or nuclear installations

(1) Possession of radioactive material, manufacture or possession of a radioactive device with the aim of causing death or serious injury to bodily integrity or health, essential damage to property or the environment

are punished with imprisonment from 10 to 15 years with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years.

(2) The use by any method of the material or the radioactive device or the nuclear installation, accompanied by the release or the danger of the release of the radioactive material, carried out with the aim of:

a) to cause death or serious injury to bodily integrity or health, essential damage to property or the environment;

b) to force the state, international organization, legal or natural person to perform or refrain from performing any action,

shall be punished with imprisonment from 15 to 20 years with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 3 to 5 years.

(3) The threat to commit an act provided for in para. (2)

is punishable by imprisonment from 2 to 5 years.

**Article 295<sup>2</sup>**. The attack on a nuclear installation

(1) Committing an action directed against a nuclear installation or that disrupts the functioning of a nuclear installation

is punishable by imprisonment from 5 to 10 years.

(2) The same action performed:

a) by two or more people;

b) with the application of violence dangerous to the life or health of the person;

c) with the application of the weapon or other objects used as a weapon

is punishable by imprisonment from 7 to 15 years.

(3) The actions provided for in para. (1) or (2):

a) accompanied by exposure to radiation or the release of radioactive substances;

b) which caused damage in large proportions

*[Art.295<sup>2</sup> para.(3), letter b) in the wording of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

are punishable by imprisonment from 12 to 20 years.

(4) The threat to commit an action provided for in para. (1)

is punished with a fine in the amount of 650 to 950 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment from 2 to 5 years.

(5) The threat to commit an action provided for in para. (1) with the aim of forcing the state, international organization, legal or natural person to perform or refrain from performing any action is punishable by imprisonment from 2 to 5 years.

**Article 296.** Violation of the rules of protection against  
arson

Failure to comply with the provisions of the state anti-fire supervision bodies, as well as willful violation of fire protection rules, if they endangered the life or health of the population or if there was a danger of causing large amounts of damage ,

*[Art. 296 amended by LP136 of 06.06.24, MO245-246/07.06.24 art. 353; in force 07.09.24]*

they are punished with a fine ranging from 550 to 850 conventional units or with imprisonment of up to 2 years.

**Article 297.** Failure to comply with the provisions of the bodies  
state supervision in the field  
civil protection

Failure to comply with the provisions of the state supervisory bodies in the field of civil protection, as well as maliciously violating the norms and rules in the field of civil protection, if they caused:

- a) the death of a person;
- b) damages in particularly high proportions,

*[Art.297 letter b) in the wording of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

are punished with a fine in the amount of 550 to 950 conventional units or with imprisonment of up to 5 years.

**Article 298.** Violation of exploitation rules  
of energy objectives

Violation of the operating rules of the production stations, the electric and thermal energy transmission and distribution lines, the fuel transportation pipelines, if this caused:

- a) the death of a person;
- b) damages in particularly high proportions,

*[Art. 298 letter b) in the wording of LP136 of 06.06.24, MO245-246/07.06.24 art. 353; in force 07.09.24]*

is punishable by imprisonment from 3 to 7 years.

**Article 299.** - *excluded.*

**Article 300.** Violation of the rules when performing  
mining operations or works  
mining construction

Violation of safety, construction, sanitary or fire protection rules when carrying out mining operations or mining construction works, as well as violation of the rules of operation of construction mechanisms, if they caused:

- a) the death of a person;
- b) damages in particularly high proportions,

*[Art.300 letter b) in the wording of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

are punishable by imprisonment from 3 to 10 years.

**Article 301.** Violation of security rules  
in the enterprises or subordinate sections  
explosion hazard

Violation of technical and production discipline or the rules ensuring production safety in enterprises or sections subject to the danger of explosion, if this caused:

- a) the death of a person;
- b) damages in particularly high proportions,

*[Art.301 letter b) in the wording of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

is punishable by imprisonment from 3 to 10 years.

**Article 301**<sup>1</sup>. Production, marketing  
or procuring for the purpose of  
commercialization of technical means  
special intended for obtaining  
hidden information, committed illegally

The production, sale or procurement for the purpose of sale of special technical means intended for the covert obtaining of information, carried out illegally,

are punished with a fine in the amount of 650 to 850 conventional units or with unpaid work for the benefit of the community from 200 to 240 hours, or with imprisonment of up to 3 years, in all cases with (or without) deprivation of the right to occupy certain positions or to exercise a certain activity for a period of 1 to 3 years, and the legal person is punished with a fine in the amount of 2000 to 4000 conventional units with the deprivation of the right to exercise a certain activity for a period of at 1 to 3 years.

**Article 302.** Organization of begging

(1) The organization of begging with the aim of obtaining unfair material benefits for oneself or for another, if the act does not meet the elements of human trafficking,

is punished with a fine in the amount of 650 to 1350 conventional units or with imprisonment of up to 3 years, with a fine, applied to the legal person, in the amount of 2000 to 3500 conventional units with deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

(2) The same action performed:

- a) on two or more persons;
- b) by two or more people

is punished with a fine in the amount of 850 to 2850 conventional units or with imprisonment of up to 5 years, with a fine, applied to the legal person, in the amount of 3500 to 6000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

## **Chapter XIV**

### **CRIMES AGAINST JUSTICE**

**Article 303.** Interference in the administration of justice  
and in the criminal investigation

(1) Interference, in any form, in the adjudication of cases by national or international courts with the aim of preventing the multilateral, full and objective examination of the concrete case or obtaining the pronouncement of a court decision

*[Art. 303 para. (1) amended by LP136 of 06.06.24, MO245-246/07.06.24 art. 353; in force 07.09.24]*

shall be punished with a fine in the amount of 550 to 850 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 2 years.

(2) Interference, in any form, in the activity of the criminal investigation bodies or the staff of international courts with the aim of preventing the rapid, complete and objective investigation of the criminal case

is punished with a fine of up to 700 conventional units or unpaid work for the benefit of the community from 180 to 240 hours.

(3) The actions provided for in paragraph (1) or (2), committed using the service situation, are punished with a fine in the amount of 750 to 950 conventional units or with imprisonment of up to 4 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a term of up to 3 years.

**Article 303<sup>1</sup>** . The interference in the activity of the lawyer  
or the trainee lawyer

(1) Interference, in any form, in the activity of the lawyer or trainee lawyer with the aim of preventing the representation and/or defense of the client

is punishable by a fine in the amount of 500 to 850 conventional units or by unpaid community service from 180 to 240 hours, or by imprisonment for up to 2 years.

(2) The act provided for in para. (1) committed using the service situation is punishable by a fine in the amount of 750 to 950 conventional units or by imprisonment of up to 4 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a term of up to 3 years .

*[Art.303<sup>1</sup> introduced by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

**Article 306.** Knowingly being held liable  
criminal offense of an innocent person

(1) Knowingly bringing an innocent person to criminal liability by the person conducting the criminal investigation

is punished with a fine in the amount of 650 to 1150 conventional units or with imprisonment of up to 5 years, in both cases with the deprivation of the right to occupy certain positions or to exercise a certain activity for a term of up to 5 years.

(2) The same action:

a) pursuing the accusation of committing a serious, particularly serious or exceptionally serious crime;

*[Art.306 para.(2), letter c) repealed by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

shall be punished with imprisonment from 2 to 7 years with the deprivation of the right to occupy certain positions or to exercise a certain activity for a term of up to 5 years.

**Article 307.** Pronouncing a decision,  
sentences, decisions, conclusions or  
ordinances in violation of the law

(1) The knowingly pronouncement by the judge of a decision, sentences, decisions, conclusions or ordinances in violation of mandatory legal norms, with the aim of favoring or disfavoring a person,

shall be punished by a fine in the amount of 1000 to 3000 conventional units or by imprisonment from 2 to 6 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 5 to 10 years.

(2) The same action:

a) related to the accusation of committing a serious, particularly serious or exceptionally serious crime;

b) which caused damage in particularly large proportions

shall be punished by imprisonment from 6 to 10 years with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 10 to 15 years.

*[Art.307 in the redaction of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

### **Article 308.** Illegal detention or arrest

(1) Illegal detention knowingly carried out by the person carrying out the criminal investigation or by the person making the documents of ascertainment,

*[Art. 308 para. (1) the provision in the wording of LP136 of 06.06.24, MO245-246/07.06.24 art. 353; in force 07.09.24]*

shall be punished with imprisonment of up to 2 years with the deprivation of the right to hold certain positions or to exercise a certain activity for a term of up to 5 years.

(2) Preventive arrest or house arrest in violation of mandatory legal norms, knowingly applied by the judge,

*[Art.308 para.(2) provision in the wording of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

shall be punished with imprisonment of up to 3 years with the deprivation of the right to occupy certain positions or to exercise a certain activity for a term of up to 5 years.

(4) The facts provided for in para. (1) or (2) who recklessly caused serious injury to the body or health, death or suicide of the victim,

*[Art. 308 para. (4) the provision in the wording of LP136 of 06.06.24, MO245-246/07.06.24 art. 353; in force 07.09.24]*

are punished with imprisonment from 3 to 7 years with the deprivation of the right to occupy certain positions or to exercise a certain activity for a term of up to 5 years.

### **Article 309.** Compulsion to make statements

Forcing the person, through threats or other illegal acts, to make statements, to enter into an agreement to admit guilt, forcing, in the same way, the expert to make the conclusion or the translator, or the interpreter to make a translation or incorrect interpretation by the person who ascertains the crime, the criminal investigation officer, prosecutor or judge, if this does not constitute torture, inhuman or degrading treatment,

are punished with imprisonment from 2 to 6 years or with a fine in the amount of 1150 to 1350 conventional units, in both cases with the deprivation of the right to occupy certain positions or to exercise a certain activity for a period of 5 years.

**Article 310.** Falsification of evidence

(1) Falsification of evidence in the civil process by a participant in the process or by his representative

is punished with a fine in the amount of 850 to 1150 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours in both cases with (or without) the deprivation of the right to occupy certain positions or to exercise a certain activity for a period of 2 to 5 years.

(2) Falsification of evidence in the criminal process by the person conducting the criminal investigation, prosecutor or by the defense attorney admitted in the criminal process

is punishable by a fine in the amount of 850 to 1350 conventional units or by imprisonment of up to 3 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years .

**Article 311.** False denunciation or false complaint

(1) Knowingly false reporting in order to accuse someone of the commission of a crime, or knowingly false complaint about the commission of a crime, made to a responsible body or person, who are entitled to initiate the prosecution criminal,

is punished with a fine of up to 650 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 2 years.

(2) The same action:

a) related to the accusation of committing a serious, particularly serious or exceptionally serious crime;

b) committed for material interest;

c) accompanied by the artificial creation of incriminating evidence

is punished with a fine in the amount of 550 to 1150 conventional units or with imprisonment of up to 5 years.

**Article 312.** False statement, false conclusion

or incorrect translation

(1) The presentation, knowingly, of the false statement by the witness , victim or injured party, of the false conclusion by the specialist or expert, of the incorrect translation or interpretation by the translator or interpreter, if this action was committed in within the framework of the civil process, the criminal process, the contravention process or in the court or international court

*[Art.312 para.(1) provision amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

shall be punished with a fine of up to 650 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 3 years , in all cases with (or without) deprivation of the right to occupy certain functions or to exercise a certain activity for a term of up to 2 years.

*[Art.312 para.(1) the sanction modified by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

(2) The same actions:

a) related to the accusation of committing a serious, particularly serious or exceptionally serious crime;

b) committed for material interest;

c) accompanied by the artificial creation of incriminating evidence

are punished with a fine in the amount of 550 to 1150 conventional units or with imprisonment of up to 5 years, in both cases with (or without) deprivation of the right to hold certain positions or to exercise a certain activity for a term of up to at 3 years.

**Article 313.** Refusal or evasion of the witness,  
of the victim or the injured party  
to make statements

Refusal or avoidance of the witness, the victim or the injured party to make statements in the criminal or contravention process

is punishable by a fine of up to 850 conventional units or imprisonment of up to 3 years.

*[Art.313 in the redaction of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

**Article 314.** Determination upon submission

of false statements, when making

of false conclusions or when making

of incorrect translations

(1) Determination, by coercion or by promise, by offering or giving goods, services or other patrimonial or non-patrimonial advantages, of the witness, the victim or the injured party when submitting false statements, of the expert or the specialist when formulating false conclusions or statements, of the interpreter or translator when making incorrect interpretations or translations, as well as avoiding submitting statements, formulating conclusions or statements, making interpretations or translations, corresponding to the truth, in the civil process , of the criminal process, of the contravention process or in the international court,

is punishable by a fine in the amount of 500 to 750 conventional units or by imprisonment of up to 3 years.

(2) The determination, by coercion or by promise or giving of money, goods or other patrimonial or non-patrimonial advantages, of the suspect, the accused, the defendant to the submission of false statements, as well as to the evasion of the submission of statements in the criminal investigation or the trial of the criminal case in the national or international court,

is punishable by a fine in the amount of 650 to 950 conventional units or by imprisonment of up to 4 years.

(3) The actions provided for in para. (1) or (2) committed by an organized criminal group or a criminal organization or in respect of a minor



they are punished with a fine in the amount of 850 to 1350 conventional units or with imprisonment from 2 to 5 years.

(4) It does not constitute a criminal offense the understanding of a patrimonial nature between the suspect, the accused or the defendant and the injured person, intervened in the case of a deed for which the criminal investigation was started on the basis of the complaint or for which reconciliation intervenes.

*[Art.314 in the redaction of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

**Article 315.** Disclosure of criminal investigation data

(1) Disclosure of criminal prosecution data contrary to the prohibition of the persons carrying out the criminal prosecution

is punishable by a fine ranging from 550 to 850 conventional units or by imprisonment of up to 3 years .

*[Art.315 para.(1) the sanction modified by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

(2) Intentional disclosure of criminal investigation data by the person conducting the criminal investigation, the investigating judge, the investigating officer or by the person authorized to control the conduct of the criminal investigation

is punishable by a fine in the amount of 1000 to 2000 conventional units or by imprisonment from 3 to 7 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a term of up to 10 years.

*[Art. 315 para. (2) in the wording of LP136 of 06.06.24, MO245-246/07.06.24 art. 353; in force 07.09.24]*

**Article 316.** Disclosure of data on measures

for ensuring the applied security  
towards the judge, the bailiff,  
the participant in the criminal process or the employee  
the body authorized with witness protection

(1) Disclosure of data regarding the security measures applied to the judge, the bailiff, the participant in the criminal trial or the employee of the body authorized to protect witnesses, as well as to their close relatives,

shall be punished with a fine in the amount of 550 to 750 conventional units or with imprisonment of up to 2 years.

(2) The same act:

- a) committed by a person to whom these data were entrusted by virtue of his duties;
- b) resulting in serious injury to the body or health or death of the victim

*[Art.316 para.(2), letter b) in the wording of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

shall be punished with imprisonment from 3 to 5 years with the deprivation of the right to occupy certain positions or to exercise a certain activity for a term of up to 5 years.

**Article 317.** Escape from places of detention

(1) Escape from places of detention, committed by the person serving a prison sentence, as well as by the person under preventive arrest, is punishable by imprisonment of up to 3 years.

(2) The same action:

a) - *excluded*;

b) committed by two or more persons;

c) accompanied by the application of violence;

d) committed with the use of a weapon or other objects used as weapons

is punishable by imprisonment of up to 6 years.

(3) It does not constitute a crime, in the sense of this article, the escape from places of detention of the person in respect of whom, at the time of the escape, the legal basis for detention did not exist or has ceased.

**Article 318.** Facilitating escape

(1) Facilitating escape by any means

shall be punished with imprisonment from 1 to 5 years with (or without) deprivation of the right to hold certain positions or to exercise a certain activity for a term of up to 5 years.

(2) Facilitating the escape of a person with a responsible position by using the service situation

*[Art.318 para.(2) provision amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

shall be punished with imprisonment from 2 to 5 years with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 5 years.

**Article 319.** Evading the execution of the sentence

with prison

Evading the execution of the sentence of the convict who was allowed to leave the places of detention for a short time

is punishable by imprisonment of up to 2 years.

**Article 320.** Non-execution of the court decision

(1) Intentional non-execution or evasion of the execution of the court decision, if it was committed after the application of the contraventional sanction,

shall be punished with a fine in the amount of 550 to 650 conventional units or with unpaid work for the benefit of the community from 150 to 200 hours, or with imprisonment of up to 2 years.

(2) Intentional non-execution or avoidance of execution by a person in a responsible position of the court decision, as well as preventing its execution, if these facts were committed after the application of the contraventional sanction,

are punished with a fine in the amount of 650 to 850 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 3 years, in all cases with the deprivation of the right to hold certain positions or to exercise a certain activity

for a period of 2 to 5 years.

**Article 320<sup>1</sup>.** Non-execution of the measures in the ordinance  
of protection of the victim of domestic violence

Intentional non-execution or evasion from the execution of the measures established by the  
court in the order for the protection of the victim of domestic violence

shall be punished with unpaid work for the benefit of the community from 160 to 200 hours  
or with imprisonment of up to 4 years.

**Article 321.** Disobeying the requirements through violence  
the penitentiary administration

Violent disobedience to the legitimate requirements of the prison administration, committed  
by a person serving a sentence in the prison,

is punishable by imprisonment of up to 5 years.

**Article 322.** Illegal transmission of objects or substances  
prohibited to persons held in institutions  
penitentiaries, possession or use on the territory  
the penitentiary by the inmates of some  
such objects or substances

(1) The transmission of mobile phones, SIM cards and other remote communication devices  
(radio telephones, radio stations, computers, tablets) as well as sub-assemblies or accessories for  
them,

shall be punished with a fine of 600 to 800 conventional units or with unpaid community  
service of 180 to 240 hours, or with imprisonment of up to 3 years.

(2) The action provided for in para. (1) committed using the service situation  
shall be punished with a fine of 1000 to 1500 conventional units or with imprisonment of up  
to 5 years, in both cases with deprivation of the right to hold certain positions for a term of up to 3  
years.

(3) The receiving or use in penitentiary institutions by the inmates of mobile phones, SIM  
cards and other remote communication devices (radio telephones, radio stations, computers,  
tablets), as well as their subassemblies or accessories,

is punishable by imprisonment of up to 5 years.

(4) The transmission of alcoholic beverages, drugs, ethnobotanicals or their analogues  
without control, by any means, to persons held in penitentiary institutions

is punishable by a fine of 1500 to 2000 conventional units or imprisonment of up to 5 years.

(5) The action provided for in para. (4) committed using the service situation  
is punishable by a fine in the amount of 2000 to 2500 conventional units or by imprisonment  
from 5 to 7 years, in both cases with the deprivation of the right to hold certain positions or to  
exercise a certain activity for a period of up to 5 years.

(6) The hidden transmission of weapons, explosive, toxic, incendiary or radioactive  
substances to persons detained in penitentiary institutions, by any means

is punishable by imprisonment from 5 to 7 years.

(7) The action provided for in para. (6) committed using the service situation shall be punished by imprisonment from 6 to 8 years with the deprivation of the right to hold certain positions or to exercise a certain activity for a term of up to 5 years.

(8) Production or keeping of weapons, explosive, toxic, incendiary or radioactive substances on the territory of penitentiary institutions is punishable by imprisonment from 6 to 8 years.

*[Art.322 in the redaction of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

**Article 323.** Favoring the crime

(1) Advance unpromised favoring of a serious, particularly serious or exceptionally serious crime

shall be punished with a fine in the amount of 550 to 850 conventional units or with imprisonment of up to 3 years.

(2) The husband (wife) and close relatives of the person who committed the crime are not criminally liable for facilitating the crime.

## **Chapter XV**

### **CRIMES AGAINST PROPER DEVELOPMENT OF ACTIVITY IN THE PUBLIC SPHERE**

**Article 324.** Passive corruption

(1) Claiming, accepting or receiving, personally or through an intermediary, by a public person or by a foreign public person goods, services, privileges or advantages in any form not due to him, for himself or for another person, or accepting their offer or promise to fulfill or not or to delay or speed up the fulfillment of an action in the exercise of the function or contrary to it

is punishable by a fine in the amount of 1000 to 2000 conventional units with the deprivation of the right to hold certain public positions or to exercise a certain activity for a term of up to 5 years.

(2) The facts provided for in para. (1) committed by a person holding a position of public dignity or by an international official

are punished with a fine in the amount of 2000 to 3000 conventional units or with imprisonment of up to 3 years, in both cases with the deprivation of the right to hold certain public positions or to exercise a certain activity for a period of 2 to 5 years.

(3) The facts provided for in para. (1) or (2) committed in proportions exceeding 100 conventional units

are punishable by imprisonment from 3 to 7 years with a fine in the amount of 6000 to 8000 conventional units and with the deprivation of the right to hold certain public positions or to exercise a certain activity for a period of 5 to 10 years.

(4) The facts provided for in para. (1), (2) or (3) committed:

- a) with extortion of goods or services;
- b) in large proportions

are punishable by imprisonment from 5 to 10 years with a fine in the amount of 8000 to 10000 conventional units and with the deprivation of the right to hold certain public positions or to exercise a certain activity for a period of 7 to 10 years.

(5) The facts provided for in para. (1)–(3) or (4) committed:

a) in particularly large proportions;

b) in the interest of an organized criminal group or a criminal organization

shall be punished with imprisonment from 7 to 15 years with a fine in the amount of 13,000 to 20,000 conventional units and with the deprivation of the right to hold certain public positions or to exercise a certain activity for a period of 10 to 15 years.

*[Art.324 in the redaction of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

#### **Article 324<sup>1</sup> . Passive political corruption**

(1) Claiming, accepting or receiving, personally or through an intermediary, by a public person in the exercise of the mandate obtained following the elections of goods, services, privileges or advantages in any form, which are not due to him, in order to depart from (a leave) a political formation and/or to join another political formation

is punishable by imprisonment from 3 to 7 years with a fine in the amount of 4000 to 6000 conventional units.

(2) The same actions performed:

a) with extortion of goods or services listed in para. (1);

b) in large proportions

are punished with imprisonment from 5 to 10 years with a fine of 6000 to 8000 conventional units and with the deprivation of the right to hold certain public positions or to exercise a certain activity for a period of 7 to 10 years.

(3) The actions provided for in para. (1) or (2), committed:

a) by a person with a position of public dignity;

b) in particularly large proportions;

c) in the interest of an organized criminal group or a criminal organization,

are punished with imprisonment from 7 to 15 years with a fine of 8,000 to 10,000 conventional units and with the deprivation of the right to hold certain public positions or to exercise a certain activity for a period of 10 to 15 years.

#### **Article 325. Active corruption**

(1) The promise, offering or giving, personally or through an intermediary, to a public person or a foreign public person of goods, services, privileges or advantages in any form that do not belong to him, for this or for another person, in order to fulfill or not or to delay or speed up the performance of an action in the exercise of the function or contrary to it

is punished with a fine in the amount of 500 to 1500 conventional units, and the legal person is punished with a fine in the amount of 3000 to 5000 conventional units with the deprivation of the right to exercise a certain activity.

(2) The acts provided for in paragraph (1) committed in relation to a person holding a position of public dignity or an international official

are punished with a fine in the amount of 1000 to 2000 conventional units or with imprisonment of up to 2 years, and the legal person is punished with a fine in the amount of 4000 to 7000 conventional units with the deprivation of the right to exercise a certain activity .

(3) The facts provided for in para. (1) or (2) committed in proportions exceeding 100 conventional units

are punished with imprisonment of up to 6 years with a fine of 4000 to 6000 conventional units, and the legal person is punished with a fine of 10000 to 14000 conventional units with the deprivation of the right to exercise a certain activity.

(4) The facts provided for in para. (1) or (2) committed on a large scale

are punished with imprisonment from 3 to 7 years with a fine in the amount of 6000 to 8000 conventional units, and the legal person is punished with a fine in the amount of 14000 to 18000 conventional units with the deprivation of the right to exercise a certain activity .

(5) The facts provided for in para. (1)–(3) or (4) committed:

a) in particularly large proportions;

b) in the interest of an organized criminal group or a criminal organization

are punished with imprisonment from 6 to 12 years with a fine in the amount of 12,000 to 18,000 conventional units, and the legal person is punished with a fine in the amount of 20,000 to 40,000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

(6) The person who promised, offered or gave goods or services listed in art. 324 is released from criminal liability if they were extorted from him or if the person reported himself without knowing that the criminal investigation bodies are aware of the crime he committed

*[Art.325 in the redaction of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

### **Article 325<sup>1</sup> . Active political corruption**

(1) The promise, offering or giving, personally or through an intermediary, to a public person in the exercise of the mandate obtained as a result of the elections of goods, services, privileges or advantages in any form, which are not due to him, in order to depart from (to leave) a political party and/or to join another political party

shall be punished with imprisonment of up to 6 years with a fine in the amount of 2000 to 4000 conventional units, and the legal person shall be punished with a fine in the amount of 6000 to 10000 conventional units with the deprivation of the right to exercise a certain activity.

(2) The same actions performed:

a) by two or more people;

b) in large proportions

are punished with imprisonment from 3 to 7 years with a fine in the amount of 4000 to 6000 conventional units, and the legal person is punished with a fine in the amount of 10000 to 14000 conventional units with the deprivation of the right to exercise a certain activity .

(3) The actions provided for in para. (1) or (2), committed:

a) in particularly large proportions;

b) in the interest of an organized criminal group or a criminal organization,  
are punished with imprisonment from 6 to 12 years with a fine in the amount of 6000 to 8000 conventional units, and the legal person is punished with a fine in the amount of 14000 to 18000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

(4) The person who promised, offered or gave goods or services listed in art. 324<sup>1</sup> is released from criminal liability if they were extorted from him or if the person reported himself without knowing that the criminal investigation bodies are aware of the crime he committed.

**Article 326. Trafficking in influence**

(1) Claiming, accepting or receiving, personally or through an intermediary, money, securities, services, privileges, other goods or advantages, for himself or for another person, by a person who has influence or who claims to have influence on a public person, persons with a position of public dignity, foreign public persons, international official, in order to make him perform or not or to delay or speed up the performance of an action in the exercise of his function, regardless of whether such actions were performed or not ,

is punished with a fine in the amount of 2000 to 3000 conventional units or with imprisonment of up to 6 years, and the legal person is punished with a fine in the amount of 4000 to 6000 conventional units with the deprivation of the right to exercise a certain activity.

(1<sup>1</sup>) The promise, offer or giving to a person, personally or through an intermediary, of goods, services, privileges or advantages listed in para. (1), for this or for another person, when the said person has or claims to have an influence on a public person, persons with a position of public dignity, foreign public persons, international official, for the purpose indicated in para. (1)

is punished with a fine in the amount of 2000 to 3000 conventional units or with imprisonment of up to 3 years, and the legal person is punished with a fine in the amount of 3000 to 5000 conventional units with the deprivation of the right to exercise a certain activity.

(2) The actions provided for in para. (1) or (1<sup>1</sup>):

*[Art.326 para.(2), letter b) repealed by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

c) committed with the receipt of goods or advantages in large proportions;

d) followed by the promised influence or the achievement of the desired result

are punished with a fine in the amount of 3000 to 4000 conventional units or with imprisonment from 2 to 7 years, and the legal person is punished with a fine in the amount of 5000 to 10000 conventional units with the deprivation of the right to exercise a certain activity.

(3) The actions provided for in para. (1), (1<sup>1</sup>) or (2) committed:

a) with the receipt of goods or advantages in particularly large proportions;

b) in the interest of an organized criminal group or a criminal organization,

are punished with a fine in the amount of 4000 to 6000 conventional units or with imprisonment from 3 to 8 years, and the legal person is punished with a fine in the amount of 7000 to 12000 conventional units with deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

(4) The person who promised, offered or gave goods or services listed in para. (1) is released from criminal liability if they were extorted from him or if the person reported himself without knowing that the criminal investigation bodies are aware of the crime he committed.

**Article 326<sup>1</sup>** . Exercise of duties in the public sector  
in a situation of conflict of interest

(1) The act of the public person who, in the exercise of his duties, resolved requests, approaches or complaints, adopted an administrative act, concluded, directly or through a third person, a legal act, made a decision or participated when taking a decision in order to obtain, directly or indirectly, a patrimonial advantage whose value exceeds 10,000 conventional units, for himself or for a close person within the meaning of the Law no. 133/2016 regarding the declaration of wealth and personal interests, if the conflict of interests has not been declared and resolved in accordance with the legislation regarding the declaration and control of wealth and personal interests,

is punished with a fine in the amount of 10,000 to 15,000 conventional units or with imprisonment of up to 3 years, in both cases with the deprivation of the right to hold public positions for a term of 5 to 7 years.

(2) The fact provided for in paragraph (1):

a) committed by a person holding a position of public dignity;  
b) committed in connection with the negotiation, management or execution of financial means from public or external funds,

is punished with a fine in the amount of 15,000 to 20,000 conventional units or with imprisonment from 2 to 6 years, in both cases with the deprivation of the right to hold public positions for a period of 5 to 10 years.

(3) The provisions of this article do not apply in the case of issuing, approving or adopting normative acts.

**Article 327**. Abuse of power or abuse of office

(1) Intentional performance or non-performance, in the exercise of the function, by a public person, of an action in violation of the law, carried out for material interest, for other personal interest or in the interest of a third person, if this has caused considerable damage to the rights and the legally protected interests of natural or legal persons,

is punishable by a fine in the amount of 1150 to 1850 conventional units or by imprisonment of up to 6 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years.

(2) The same act :

b) committed by a person holding a position of public dignity;

b<sup>1</sup>) - *repealed*;

c) which caused damage in large proportions ;

d) - *repealed*;



shall be punished with a fine in the amount of 1350 to 2350 conventional units or with imprisonment from 2 to 7 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 5 to 10 years.

(3) Abuse of power or abuse of office, committed in the interest of an organized criminal group or a criminal organization,

shall be punished with imprisonment from 3 to 8 years with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 10 years and 15 years.

(4) The facts provided for in paragraphs (1)–(3) which caused damages in particularly large proportions

are punished with imprisonment from 5 to 10 years with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 10 to 15 years.

**Article 328.** Excess of power or overreach  
job duties

(1) The performance by a public person of actions that clearly exceed the limits of the rights and attributions granted by law, if this has caused considerable damage to the rights and interests protected by law of natural or legal persons,

is punishable by a fine in the amount of 650 to 1150 conventional units or by imprisonment of up to 3 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a term of 2 to 5 years.

(2) The same actions:

- a) committed by a person holding a position of public dignity;
- b) committed with the use of a weapon;
- c) which caused damage in large proportions

are punished with imprisonment from 2 to 5 years with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 5 to 10 years.

(3) The actions provided for in para. (1) or (2) committed in the interest of an organized criminal group or a criminal organization

are punished with imprisonment from 2 to 7 years with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 10 to 15 years.

(4) The actions provided for in para. (1)–(3) which caused damage in particularly large proportions

are punished with imprisonment from 5 to 10 years with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 10 to 15 years.

(5) The unfounded refusal to issue the permissive act that led to the restriction of the right to carry out the activity as an entrepreneur, including the unfounded carrying out of controls, if this caused damage to the rights and interests protected by law of natural or legal persons exceeding 10 salaries forecasted monthly averages for the economy, established by the Government decision in force at the time of the act,

is punishable by a fine from 500 to 850 conventional units or by imprisonment of up to 6 months, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years.

**Article 329.** Negligence in service

(1) The non-fulfillment or improper fulfillment by a public person of the service obligations, provided by law, as a result of a negligent or unconscionable attitude towards them, if this caused damage in large proportions to the rights and interests protected by law of natural persons or legal, is punishable by a fine of up to 850 conventional units or by imprisonment of up to 2 years, in both cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 at 5 years.

(2) The same facts:

a) committed by a person holding a position of public dignity;

b) which caused damage in particularly large proportions

are punished with imprisonment from 2 to 6 years with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 5 to 10 years.

**Article 330<sup>1</sup>.** Violation of the confidentiality regime

of the information from the wealth declarations  
and personal interests

(3) Intentional disclosure or publication of information from declarations of assets and personal interests by the persons to whom this information became known in the process of fulfilling their duties or exercising control

is punished with a fine in the amount of 500 to 650 conventional units, with (or without) deprivation of the right to occupy certain positions or to exercise a certain activity for a period of 1 to 5 years.

**Article 330<sup>2</sup>.** Illicit enrichment

(1) Intentional possession, by a public person or by a person holding a position of public dignity, personally or through third parties, of goods whose value substantially exceeds the means acquired, if it has been established, based on the evidence, that they are not they could be obtained legally,

is punishable by a fine in the amount of 6000 to 8000 conventional units or by imprisonment from 3 to 7 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 10 to 15 years.

(2) The same action carried out in case the substantial excess constitutes a difference greater than 60 average monthly salaries for the forecasted economy, established by the Government decision in force at the time of the commission of the act, between the assets held at the time of accession to the position and the incomes obtained during the exercise of the position, including the income of the family members or of the concubine, on the one hand, and the property owned, including the expenses incurred during this period, on the other hand,

shall be punished by a fine in the amount of 8000 to 10000 conventional units or by imprisonment from 7 to 15 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 10 to 15 years.

*[Art.330<sup>2</sup> in the redaction of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

**Article 332.** Forgery in public documents

(1) The entry by a public person in official documents of obviously false data, as well as the falsification of such documents, if these actions were carried out for material or other personal interests,

are punished with a fine in the amount of 850 to 1350 conventional units or with imprisonment of up to 2 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years .

(2) The same actions performed:

b) by a person with a position of public dignity;

c) in the interest of an organized criminal group or a criminal organization

are punished with a fine in the amount of 1350 to 2350 conventional units or with imprisonment from 1 to 6 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 5 to 10 years.

**Article 332<sup>1</sup>.** Fraudulent obtaining of funds

from external funds

(1) The use or presentation of obviously false, inaccurate or incomplete documents, records or data for receiving the necessary approvals or guarantees for the granting of financing obtained or guaranteed from external funds, as well as the omission to provide the data required by law for obtaining means from external funds , if the act results in the fraudulent obtaining of these financial means,

are punished with a fine in the amount of 4000 to 5000 conventional units or with imprisonment from 2 to 5 years, in both cases with the deprivation of the right to hold certain positions for a period of 2 to 5 years, and the legal person punishes with a fine in the amount of 5000 to 6000 conventional units with the deprivation of the right to exercise a certain activity for a term of up to 3 years.

(2) The same actions:

*[Art.332<sup>1</sup> para.(2), letter a) repealed by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

b) which caused damage in large proportions;

c) committed by a public figure, by a person with a position of responsibility, by a person with a position of public dignity, by a foreign public figure or by an international official using the service situation

*[Art.332<sup>1</sup> para.(2), letter c) amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

are punished with a fine in the amount of 4000 to 6000 conventional units or with imprisonment from 3 to 7 years, in both cases with the deprivation of the right to hold certain positions for a period of 3 to 7 years, and the legal person punishes with a fine in the amount of 6000 to 8000 conventional units with the deprivation of the right to exercise a certain activity for a period of 3 to 5 years or with the liquidation of the legal entity.

(3) The actions provided for in para. (1) and (2) which caused damages in particularly large proportions

are punished with a fine in the amount of 7000 to 9000 conventional units or with imprisonment from 4 to 8 years, in both cases with the deprivation of the right to hold certain positions for a period of 5 to 8 years, and the legal person punishes with a fine in the amount of 8000 to 10000 conventional units with the deprivation of the right to exercise a certain activity for a period of 3 to 5 years or with the liquidation of the legal entity.

**Article 332<sup>2</sup>**. Embezzlement of funds from external funds

(1) Embezzlement of means from foreign funds, i.e. their theft, disposal or illegal use by the person to whom they were entrusted on the basis of a title and with a certain purpose or the refusal to return them,

*[Art.332<sup>2</sup> para.(1) the provision in the wording of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

is punished with a fine in the amount of 3000 to 4000 conventional units or with imprisonment from 2 to 5 years, and the legal person is punished with a fine in the amount of 4000 to 5000 conventional units with the deprivation of the right to exercise a certain activity for a term of up to 3 years.

(2) The same action performed:

a) by two or more people;

b) in large proportions;

c) by a public person, by a person with a responsible position, by a foreign public person or by an international official using the service status

*[Art.332<sup>2</sup> para.(2), letter c) amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

is punished with a fine in the amount of 4000 to 6000 conventional units or with imprisonment from 7 to 10 years, in both cases with the deprivation of the right to hold certain positions for a period of 3 to 6 years, and the legal person punishes with a fine in the amount of 5000 to 7000 conventional units with the deprivation of the right to exercise a certain activity for a period of 2 at 5 years.

(3) The actions provided for in para. (1) and (2) committed:

a) by a person with a position of public dignity using the service situation ;

*[Art.332<sup>2</sup> para.(3), letter a) amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

b) in particularly large proportions;

c) in the interest of an organized criminal group or a criminal organization

are punished with a fine in the amount of 6000 to 8000 conventional units or with imprisonment from 10 to 15 years, in both cases with the deprivation of the right to hold certain positions for a period of 6 to 8 years, and the legal entity punishes with a fine in the amount of 7000 to 9000 conventional units with the deprivation of the right to exercise a certain activity for a period of 2 to 5 years.

## Chapter XVI

### CRIMES OF CORRUPTION IN THE PRIVATE SECTOR

#### Article 333. Bribery

(1) Claiming, accepting or receiving, personally or through an intermediary, an arbitrator chosen or appointed to settle a dispute by arbitration, by a person who manages a commercial organization, public or other non-state organization or by a person who works for such an organization, by a participant in a sports event or a betting event goods, services, privileges or advantages in any form not due to him, for himself or for another person, or the acceptance of offers or promises from them to fulfill or not, to delay or speed up the fulfillment of an action being in the exercise of the function or contrary to it or within a sports event or a betting event

is punishable by a fine in the amount of 850 to 1850 conventional units with the deprivation of the right to occupy certain positions or to exercise a certain activity for a period of up to 3 years.

(2) The facts provided for in para. (1) carried out in proportions exceeding 100 conventional units

are punishable by a fine in the amount of 1350 to 3350 conventional units or by imprisonment of up to 3 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years.

(3) The facts provided for in para. (1) or (2) committed:

a) with bribery extortion;

b) in large proportions

shall be punished with a fine in the amount of 2350 to 4350 conventional units or with imprisonment from 2 to 7 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 5 to 7 years.

(4) The facts provided for in para. (1)–(3) performed:

a) in particularly large proportions;

b) in the interest of an organized criminal group or a criminal organization

are punished with a fine in the amount of 4350 to 6350 conventional units or with imprisonment from 3 to 10 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 5 to 7 years.

*[Art.333 in the redaction of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

#### Article 334. Bribery

(1) The promise, offer or giving, personally or through an intermediary, to an arbitrator chosen or appointed to settle a dispute by arbitration, to a person who manages a commercial organization, public or other non-state organization or to a person who works for such an

organization , to a participant in a sporting event or a betting event of goods, services, privileges or advantages in any form not due to him or to another person, to perform or not, to delay or hasten the performance of an action being in the exercise of the function or contrary to it or within a sports event or a betting event

is punishable by a fine in the amount of 850 to 1850 conventional units with the deprivation of the right to occupy certain positions or to exercise a certain activity for a period of up to 3 years.

(2) The facts provided for in para. (1) carried out in proportions exceeding 100 conventional units

are punished with a fine in the amount of 1350 to 2350 conventional units or with imprisonment of up to 3 years, and the legal person is punished with a fine in the amount of 5000 to 9000 conventional units with the deprivation of the right to exercise a certain activity .

(3) The facts provided for in para. (1) and (2) committed in large proportions are punished with a fine in the amount of 2350 to 4350 conventional units or with imprisonment of up to 5 years, and the legal person is punished with a fine in the amount of 9000 to 13000 conventional units with the deprivation of the right to exercise a certain activity .

(4) The facts provided for in para. (1)–(3) performed:

a) in particularly large proportions;

b) in the interest of an organized criminal group or a criminal organization

are punished with a fine in the amount of 6350 to 8350 conventional units or with imprisonment from 3 to 7 years, and the legal person is punished with a fine in the amount of 13000 to 15000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

(5) The person who paid the bribe is released from criminal liability if the bribe was extorted from him or if the person reported himself without knowing that the criminal investigation bodies are aware of the crime he committed.

*[Art.334 in the redaction of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

### **Article 335. Abuse of office**

(1) Intentional performance or non-performance, in the exercise of the function, by a person who manages a commercial, public or other non-state organization or who works for such an organization of an action contrary to the duties, in material interest, in other personal interests or in the interest of third parties, directly or indirectly, if this has caused considerable damage to the rights and interests protected by law of natural or legal persons,

is punishable by a fine in the amount of 650 to 1150 conventional units or by imprisonment of up to 3 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a term of 2 to 5 years.

(2) The same act which caused damage in large proportions

is punishable by a fine in the amount of 1350 to 2350 conventional units or by imprisonment from 2 to 6 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years.

(3) The facts provided for in para. (1) or (2) committed in the interest of an organized criminal group or a criminal organization or committed by the administrator of a bank are punished with imprisonment from 3 to 7 years with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 10 to 15 years.

(4) The facts provided for in para. (1)–(3) which caused damage in particularly large proportions

are punished with imprisonment from 4 to 10 years with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 10 to 15 years.

*[Art.335 in the redaction of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

#### **Article 335<sup>1</sup>. Falsification in accounting documents**

(1) The drawing up or use of an invoice or any other document or accounting record containing false information, as well as the malicious omission of accounting for a payment, made for the purpose of dissimulating or concealing acts of corruption, if the act does not constitute complicity,

are punished with a fine of up to 1350 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 3 years, in all cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 5 years, and the legal person is punished with a fine in the amount of 1350 to 2850 units conventional with the deprivation of the right to carry out a certain activity for a period of 2 to 5 years.

(2) The same actions carried out in the interest of an organized criminal group or a criminal organization

are punished with a fine of up to 1850 conventional units or with imprisonment from 3 to 7 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years, and the legal person is punished with a fine in the amount of 3000 to 5000 conventional units with the deprivation of the right to carry out a certain activity for a period of 2 to 5 years.

## **Chapter XVII CRIMES AGAINST PUBLIC AUTHORITIES AND STATE SECURITY**

#### **Article 337. Treason**

(1) Treason, i.e. the act committed intentionally by a citizen of the Republic of Moldova against the sovereignty, independence, unity, indivisibility, security or defense capacity of the Republic of Moldova, in the interest of a foreign state, a foreign organization, an entity unconstitutional or of their representatives, expressed by:

- a) passing over to the side of the enemy during war or armed conflict;
- b) espionage;
- c) disclosure of state secrets;
- d) granting aid in order to carry out hostile activities against the security of the state,

is punishable by imprisonment from 12 to 20 years.

(2) The facts provided for in para. (1) committed for material interest or by a public person, by a person with a position of responsibility, by a person with a position of public dignity are punished with imprisonment from 15 to 20 years with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 10 to 15 years.

(3) The facts provided for in para. (1) or (2) which caused the person's death are punished with imprisonment from 16 to 20 years with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 10 to 15 years.

(4) The citizen of the Republic of Moldova who entered into contact with a foreign state, a foreign organization, an anti-constitutional entity or their representatives to carry out a hostile activity against the Republic of Moldova is released from criminal liability for treason against the Republic of Moldova if he has not committed any of actions to carry out the criminal task received, voluntarily declared to the authorities about his connection with the foreign state, foreign organization, unconstitutional entity or with their representatives and actively contributed to the discovery or prevention of the crime by identifying the persons with whom he established and maintained contact.

**Article 338.** Espionage

The transmission, as well as the theft or collection of information that constitutes a state secret for the purpose of its transmission to a foreign state, a foreign organization, an unconstitutional entity or their agency, as well as the transmission or collection, on behalf of a foreign intelligence service or an unconstitutional entity, of other information to be used to the detriment of the interests of the Republic of Moldova, if the espionage is carried out by a foreign citizen or a stateless,

is punishable by imprisonment from 12 to 20 years.

**Article 338<sup>1</sup>.** Establishing an informative structure unlawfully

Initiating the establishment, organizing, setting up on the territory of the Republic of Moldova of an illegal information structure or recruiting, instigating the recruitment of people for the purpose of committing actions to the detriment of the sovereignty, independence, territorial inviolability, state security or defense capacity of the Republic of Moldova

are punished with imprisonment from 7 to 10 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years, with a fine, applied to the legal entity, in the amount of to 4000 to 8000 conventional units with the liquidation of the legal entity.

**Article 338<sup>2</sup>.** The plot against the Republic of Moldova

(1) Establishing, maintaining ties with a foreign state, with a foreign organization, with an unconstitutional entity or with their representatives for the purpose of committing the crimes provided for in art. 337, 338, 338<sup>1</sup> and 340<sup>1</sup> or expressing agreement to engage in such activity is punishable by imprisonment for a term of 2 to 7 years.



(2) The actions provided for in para. (1), committed by a public person, by a person with a position of responsibility, by a person with a position of public dignity,  
are punished with imprisonment for a term of 5 to 10 years, with the deprivation of the right to hold certain positions or to exercise a certain activity for a term of 5 to 10 years.

**Article 338<sup>3</sup>** . Unauthorized collection of information

(1) Collecting or stealing information for the purpose of storing or using it to the detriment of the sovereignty, independence, territorial inviolability, state security or defense capacity of the Republic of Moldova, if the act does not constitute treason or espionage,

is punishable by a fine in the amount of 850 to 1350 conventional units or by imprisonment for a term of 2 to 5 years.

(2) The actions provided for in para. (1), committed by a person to whom the respective information became known in connection with the performance of official duties,

are punishable by a fine in the amount of 1050 to 1850 conventional units or by imprisonment from 3 to 7 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a term of up to 5 years .

**Article 339**. Usurpation of state power

(1) Actions committed for the purpose of usurping or forcibly maintaining state power in violation of the provisions of the Constitution of the Republic of Moldova

are punishable by imprisonment from 10 to 15 years.

(2) The same actions that caused:

a) violent change of the constitutional order of the Republic of Moldova;

b) the death of a person;

*[Art.339 para.(2), letter c) repealed by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

are punishable by imprisonment from 12 to 20 years.

**Article 340**. Armed rebellion

Organizing or leading an armed rebellion, as well as participating in it, for the purpose of overthrowing or violently changing the constitutional order or for the purpose of violating the territorial integrity of the Republic of Moldova

are punishable by imprisonment from 12 to 20 years.

**Article 340<sup>1</sup>** . Separatism

(1) Separatism, i.e. the actions carried out with the aim of separating a part of the territory of the Republic of Moldova,

shall be punished with imprisonment from 2 to 6 years, with a fine, applied to the legal entity, in the amount of 3000 to 5000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

(2) Inciting separatism, as well as distributing objects, producing and/or distributing, in any form and by any means, materials and/or information that incite separatism

are punished with a fine in the amount of 700 to 1500 conventional units or with imprisonment of up to 3 years, with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years, with a fine, applied to the legal entity, in the amount of 2000 to 3000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

(3) The actions provided for in para. (1) or (2), committed by a public person, a person with a position of responsibility, a person with a position of public dignity, a foreign public person or an international official,

are punished with imprisonment from 3 to 7 years, with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 5 to 10 years.

(4) The actions provided for in para. (1):

a) accompanied by the application of violence dangerous to the life and health of the person;

b) accompanied by the use of firearms or explosive substances;

c) accompanied by causing material damage in particularly large proportions;

d) committed at the direction of a foreign state, an unconstitutional entity or their representatives,

are punished with imprisonment from 7 to 12 years, with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 7 to 15 years.

(5) Financing separatism, i.e. the intentional provision or collection, by any means, directly or indirectly, of goods of any nature, acquired by any means for the purpose of using them, in whole or in part, in the organization, preparation or execution separatist actions or the provision of financial services for the purpose of using the respective goods or services, or knowing that they will be used, in whole or in part, in the organization, preparation or execution of separatist actions separatism,

is punishable by imprisonment from 5 to 10 years with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 6 to 12 years, with a fine, applied to the legal entity, in the amount of 12,000 to 15,000 conventional units with the liquidation of the legal entity.

**Article 341.** Calls for overthrow or change

by violence of the constitutional order a

Republic of Moldova

(1) Public calls for the overthrow or violent change of the constitutional order, as well as the dissemination in various forms, for this purpose, of materials with such calls,

are punished with a fine in the amount of 550 to 950 conventional units or with imprisonment of up to 3 years.

(2) The same actions performed:

b) of two or more persons

they are punished with a fine from 650 to 1350 conventional units or with imprisonment from 1 to 4 years.

(3) The actions provided for in paragraph (1) or (2), carried out on behalf of a foreign organization or its representatives,

are punishable by imprisonment from 3 to 7 years.

**Article 342.** Attempt on the life of the President  
of the Republic of Moldova, of the President  
Parliament or the Prime Minister

The attempt on the life of the President of the Republic of Moldova, the Speaker of the Parliament or the Prime Minister, committed in order to stop their state activity or other political activity or in revenge for such activity,

is punishable by imprisonment from 12 to 20 years or life imprisonment.

**Article 343.** Diversion

Committing, in order to weaken the economic base and defense capacity of the country, explosions, arson or other actions aimed at the mass extermination of people, at harming the bodily integrity or health of several people, at destroying or damaging businesses, buildings, ways and means of communication, electronic means of communication or other state or public goods, as well as causing, for the same purposes, some poisoning or the spread of epidemics or epizootics,

are punishable by imprisonment from 12 to 20 years.

**Article 344.** Disclosure of state secrets

(1) The disclosure of information that constitutes a state secret by a person to whom this information was entrusted or became known in connection with his service or work, if it does not constitute treason or espionage,

shall be punished with a fine in the amount of 550 to 950 conventional units or with imprisonment of up to 4 years, in both cases with the deprivation of the right to occupy certain positions or to exercise a certain activity for a term of up to 5 years.

(2) The same deed resulted in:

- a) publication of the document containing information classified as a state secret;
- b) the obtaining by a foreign state, a foreign organization, an unconstitutional entity or by their representatives of information classified as a state secret;
- c) uncovering people who provide confidential support to law enforcement bodies;
- d) damages in large proportions

shall be punished by imprisonment from 3 to 7 years with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years.

*[Art.344 para.(2) in the wording of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

**Article 345.** Loss of the documents they contain  
information classified as a state secret

The loss of documents containing information assigned to state secrets, as well as objects whose data constitute state secrets, by a person to whom these documents or objects were entrusted, as a result of the violation of the rules for the protection of state secrets, if this led to:

a) publication of the document containing information classified as a state secret or making the information classified as a state secret known to the general public;

b) the obtaining by a foreign state, a foreign organization, an unconstitutional entity or by their representatives of information classified as a state secret;

c) uncovering people who provide confidential support to law enforcement bodies;

d) causing damages in large proportions,

is punishable by a fine in the amount of 500 to 1000 conventional units or by imprisonment of up to 3 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a term of up to 5 years .

*[Art.345 in the redaction of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

**Article 346.** Incitement to violent actions on grounds  
of prejudice

Incitement to hatred or violence, manifested through public incitements, dissemination of information or other forms of public information, including through the mass media, in written form, drawing or image, or through a computer system, against a category of persons on reasons for prejudice

shall be punished with a fine of 500 to 600 conventional units or with unpaid community service from 180 to 240 hours, or with imprisonment from 1 year to 3 years.

**Article 347.** Desecration of state symbols

(1) Desecration of state symbols (flag, coat of arms, anthem) of the Republic of Moldova or of another state displayed, used or sung publicly

is punished with a fine of up to 850 conventional units or unpaid work for the benefit of the community from 100 to 200 hours.

(2) The same action performed:

b) of two or more persons

shall be punished with a fine in the amount of 500 to 1050 conventional units or with unpaid work for the benefit of the community from 150 to 220 hours, or with imprisonment of up to 1 year.

*[Art.347 para.(2) the sanction modified by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

(3) The actions provided for in para. (1) or (2), carried out by the person with responsibility responsible for observing the way of using state symbols,

are punished with a fine in the amount of 850 to 1150 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 3 years, in all cases with the deprivation of the right to occupy certain positions or to exercise a certain activity for a term of up to 5 years.

**Article 349.** Threat or committed violence  
on a person with a position  
liability or of a person

who fulfills his public duty

(1) The threat of death, injury to bodily integrity or health, or the destruction of the assets of the responsible person, his close relatives, in order to stop his work activity or change his character in the interest of the person making the threat or of another person, as well as the same threat against the person who fulfills his public duty or his close relatives in connection with the participation of this person in the prevention or elimination of a crime or an antisocial act

are punished with a fine in the amount of 650 to 1350 conventional units or with unpaid work for the benefit of the community of up to 180 hours, or with imprisonment of up to 2 years.

(1<sup>1</sup>) The application of violence that is not dangerous for life or health towards the person with a responsible position or his close relatives, or the destruction of their property in order to stop their work activity or to change its character in the interest of the one who applies the violence or of another person, as well as the same actions applied against the person who fulfills his public duty or his close relatives in connection with the participation of this person in preventing or solving a crime or of an antisocial act

they are punished with a fine in the amount of 850 to 1350 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 3 years.

(2) The actions provided for in paragraph (1) or (1<sup>1</sup>) accompanied by:

a) applying violence dangerous to the life or health of the persons mentioned in paragraph (1);

b) destruction of goods by dangerous means for the life or health of several people;

c) material damages in large proportions;

*[Art.349 para.(2), letter d) repealed by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

are punishable by imprisonment from 4 to 8 years.

#### **Article 351. Usurpation of official qualities**

(1) Unauthorized use of an official capacity involving the exercise of state authority, accompanied or followed by the performance of any act related to that capacity

*[Art.351 para.(1) provision in the wording of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

shall be punished with a fine of up to 950 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 3 years.

*[Art. 351 para. (2) repealed by LP136 of 06.06.24, MO245-246/07.06.24 art. 353; in force 07.09.24]*

#### **Article 352. Self-will**

(1) Arbitrary, i.e. the exercise of a legitimate or presumed right arbitrarily and in violation of the established order, if damages have been caused in large proportions to the rights and interests protected by law of natural or legal persons,

*[Art.352 para.(1) provision amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

is punished with a fine of up to 850 conventional units or with unpaid work for the benefit of the community from 100 to 240 hours

(2) The same action:

c) accompanied by the threat of death or injury to bodily integrity or health;

d) accompanied by the application of violence not dangerous to life or health;

e) accompanied by the destruction of goods

is punishable by a fine in the amount of 850 to 1350 conventional units or by imprisonment from 3 to 5 years.

(3) The actions provided for in paragraph (1) or (2):

b) accompanied by the application of violence dangerous to life or health;

c) committed with the use of a weapon;

d) resulted in damages in particularly high proportions;

*[Art.352 para.(3), letter e) repealed by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

are punishable by imprisonment from 3 to 8 years.

**Article 352<sup>1</sup>** . False statements

(1) The statement that is not true, made to a competent body in order to produce legal consequences, for oneself or for a third person, when, according to the law or the circumstances, the statement serves to produce these consequences,

shall be punished with a fine of up to 950 conventional units or with imprisonment of up to 1 year with the deprivation of the right to occupy certain positions or to exercise a certain activity for a period of up to 5 years.

(2) Intentional inclusion of incomplete or false data, intentional non-inclusion of data in the declaration of assets and personal interests

are punished with a fine in the amount of 500 to 600 conventional units or with imprisonment of up to 1 year, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years .

*[Art.352<sup>1</sup> para.(2) the sanction modified by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

**Article 352<sup>2</sup>** . Failure to report crimes against

public authorities and state security

(1) The act of the person who, knowing about the preparation, attempt or commission of the crimes provided for in art. 337–340<sup>1</sup> , 343, do not notify the public authorities

is punishable by a fine in the amount of 500 to 1000 conventional units or by imprisonment of up to 3 years, in all cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years .

(2) They are not liable for criminal liability according to para. (1) from this article the husband (wife) and close relatives of the person who prepares or has committed one of the crimes provided for in art. 337–340<sup>1</sup> , 343.

*[Art.353 repealed by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

**Article 354.** Evasion from mobilization

Wartime evasion of mobilization in the ranks of the Armed Forces is punishable by imprisonment from 2 to 5 years.

*[Art.355 repealed by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

**Article 356.** Evasion in time of war

from the fulfillment of the benefits

Wartime evasion from mobilization to work or from the fulfillment of other benefits is punishable by imprisonment of up to 5 years.

*[Art. 357 repealed by LP136 of 06.06.24, MO245-246/07.06.24 art. 353; in force 07.09.24]*

**Article 359.** Buying or selling official documents

Buying or selling official documents that grant rights or release from obligations is punished with a fine of up to 550 conventional units.

**Article 360.** Taking, embezzlement, concealment, degradation  
or the destruction of documents, prints,  
stamps or seals

(1) Taking, stealing, concealing, degrading or destroying documents, prints, stamps or seals belonging to companies, institutions, organizations, regardless of the type of property or legal form of organization, if this act was committed for material interest or for other reasons vile,

is punished with a fine of up to 750 conventional units or with unpaid work for the benefit of the community from 150 to 200 hours or with imprisonment for up to 3 years.

(2) Taking, stealing, concealing, degrading, destroying or keeping identity cards or other important documents of natural persons, with the intention of limiting the person's freedom, including freedom of movement, or depriving him of it,

shall be punished with a fine of up to 850 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 5 years.

**Article 361.** Manufacturing, possession or use

official documents, printed materials,

fake stamps or seals

*[Art.361 the name modified by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

(1) Making, holding or using fake official documents, including fake electronic documents, which grant rights or release from obligations, making fake prints, stamps or seals of some companies, institutions, organizations, regardless of the type of ownership and legal form organization,

*[Art.361 para.(1) provision amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

they are punished with a fine in the amount of 750 to 950 conventional units or with unpaid work for the benefit of the community from 200 to 240 hours, or with imprisonment of up to 3 years.

*[Art.361 para.(1) the sanction in the wording of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

(2) The same actions:

b) committed by two or more persons;

*[Art.361 para.(2), letter c) repealed by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

d) resulting in large damages to the rights and interests protected by law of natural or legal persons;

*[Art.361 para.(2), letter d) amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

e) performed as a business

*[Art.361 para.(2), letter e) introduced by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

are punished with a fine in the amount of 950 to 1500 conventional units or with imprisonment from 3 to 6 years.

*[Art.361 para.(2) the sanction in the wording of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

(3) The actions provided for in para. (1) and (2) committed for the purpose of alienating or alienating false official documents, including false electronic documents,

are punishable by a fine of 5000 to 8000 conventional units or imprisonment of 5 to 7 years.

*[Art.361 para.(3) introduced by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

### **Article 362.** Illegal crossing of the state border

(1) Crossing the state border of the Republic of Moldova, by evading or evading the control carried out upon crossing it

is punished with a fine of up to 750 conventional units or with unpaid work for the benefit of the community from 150 to 200 hours, or with imprisonment for up to 2 years.

(3) The actions provided for in para. (1):

a) accompanied by violence;

b) committed with the use of a weapon,

are punishable by imprisonment from 5 to 8 years.

(4) The action of this article does not extend to foreign citizens who came to the Republic of Moldova, without the established passport or without authorization, in order to use the right of asylum granted by the Constitution of the Republic of Moldova, as well as to persons who are victims of human trafficking .

### **Article 362<sup>1</sup>.** Organization of illegal migration

(1) Organizing, for the purpose of obtaining, directly or indirectly, a financial or material benefit, the entry, stay, illegal transit of the state territory or the exit from this territory of the person who is neither a citizen nor a resident of this state



is punishable by imprisonment from 2 to 5 years with a fine in the amount of 1000 to 4000 conventional units and with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 1 to 3 years, and the legal entity is punished with a fine in the amount of 7000 to 10000 conventional units with the deprivation of the right to carry out a certain activity or with the liquidation the legal person.

*[Art.362<sup>1</sup> para.(1) the sanction in the wording of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

(2) The same actions performed:

a) on two or more persons;

b) by two or more people;

c) by a public person, by a person with a position of responsibility, by a person with a position of public dignity, by a foreign public person or by an international official using the service status

are punishable by imprisonment from 3 to 7 years with a fine in the amount of 4000 to 6000 conventional units and with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 1 to 3 years, and the legal person is punished with a fine in the amount of 9000 to 13000 conventional units with the deprivation of the right to carry out a certain activity or with the liquidation of the legal person.

*[Art.362<sup>1</sup> para.(2) in the wording of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

(3) The actions provided for in para. (1) or (2):

a) committed by an organized criminal group or a criminal organization;

b) if they caused particularly large damages to the rights and interests protected by law of natural and legal persons;

c) committed with the preparation of false identity documents;

d) if there was a danger of causing serious injury to bodily integrity or health or the death of the person,

shall be punished with imprisonment from 5 to 12 years with a fine in the amount of 6000 to 8000 conventional units and with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 3 to 5 years, and the legal person is punished with a fine of 12,000 to 20,000 conventional units with the deprivation of the right to carry out a certain activity or with the liquidation of the legal person.

*[Art.362<sup>1</sup> para.(3) in the wording of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

(4) The victim of illegal migration is absolved of criminal liability for the fact of entering, staying, illegally transiting the territory of the state or leaving this territory, as well as for the facts of possession and use of false official documents for the purpose of organizing his illegal migration.

**Article 363.** Illegal use of Red Cross insignia

The use of the emblem of the Red Cross and the name "Red Cross" by persons who are not empowered with this right, as well as insignia that can be confused with the emblem of the Red Cross, if this action had serious consequences,

is punished with a fine of 500 to 600 conventional units or unpaid work for the benefit of the community from 180 to 240 hours.

## **Chapter XVIII** **MILITARY CRIMES**

### **Article 364.** Intentional non-execution of the order

(1) Intentional non-execution of the boss's order given in the established manner, if this caused considerable damage to the interests of the service,

shall be punished with unpaid work for the benefit of the community from 60 to 240 hours or with imprisonment of up to 2 years.

*[Art.364 para.(2) repealed by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

(3) The actions provided for in paragraph (1), carried out:

*[Art.364 para.(3) provision amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

a) during wartime;

b) in combat conditions,

are punishable by imprisonment from 5 to 10 years.

(4) Non-execution of the order due to negligence or lack of conscientiousness:

*[Art. 364 para. (4), letter a) repealed by LP136 of 06.06.24, MO245-246/07.06.24 art. 353; in force 07.09.24]*

b) during wartime;

c) in combat conditions

shall be punished with unpaid work for the benefit of the community from 60 to 240 hours or with imprisonment of up to 3 years.

### **Article 365.** Resistance to the boss

or its coercion to

violation of service obligations

(1) Resisting the boss, another person who fulfills the obligations related to military service or forcing them to violate these obligations, accompanied by the application of violence, is punishable by up to 5 years in prison.

(2) The same actions:

a) committed by two or more persons;

b) committed with the use of a weapon;

*[Art.365 para.(2), letter c) repealed by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

are punishable by imprisonment from 3 to 8 years.

(3) The actions provided for in paragraph (1) or (2):

- b) committed during wartime;
  - c) committed in combat conditions,
- are punishable by imprisonment from 7 to 13 years.

*[Art.366 repealed by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

**Article 367.** Threatening the military

(1) The threat of a military officer by a superior or subordinate with death, injury to bodily integrity or health, or a beating during the fulfillment of obligations related to military service shall be punished with unpaid work for the benefit of the community from 60 to 240 hours or with imprisonment of up to 2 years.

(2) The same action performed:

- a) during wartime;
  - b) in combat conditions
- is punishable by imprisonment from 3 to 8 years.

**Article 368.** Acts of violence committed against the military

(1) Intentional slight injury to bodily integrity or health or hitting the subordinate by the boss, as well as the boss by the subordinate during the time when they fulfill the obligations related to military service

is punishable by imprisonment of up to 5 years.

(2) The same actions:

- a) committed by two or more persons;
- b) committed with the use of a weapon;

*[Art.368 para.(2), letter c) repealed by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

- d) committed during wartime;
  - e) committed in combat conditions
- are punishable by imprisonment from 3 to 12 years.

**Article 369.** Violation of the statutory rules regarding

to the relations between the military if not between them  
there are subordination relationships

(1) Violation of statutory rules regarding relations between military personnel, during military service, if there are no subordinate relationships between them and if this violation was manifested through acts of violence,

shall be punished with unpaid work for the benefit of the community from 60 to 240 hours or with imprisonment of up to 3 years.

(2) The same action:

- b) committed against two or more persons;
  - c) resulting in slight or medium damage to bodily integrity or health
- is punishable by imprisonment of up to 5 years.

(3) The actions provided for in paragraph (1) or (2):

- a) committed by two or more persons;

b) committed with the use of a weapon;

*[Art. 369 para. (3), letter c) repealed by LP136 of 06.06.24, MO245-246/07.06.24 art. 353; in force 07.09.24]*

are punishable by imprisonment from 4 to 8 years.

**Article 370.** Abuse of power, excess of power

or inaction in the exercise of power

(1) Abuse of power or service, excess of power or exceeding of service attributions by the boss or by a person with a position of responsibility, inaction in the exercise of power, if these have caused considerable damage to the victim or service interests,

are punished with a fine in the amount of 850 to 950 conventional units or with imprisonment of up to 3 years, in both cases with (or without) deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 5 years.

(2) The same acts resulting in damages in particularly large proportions

are punished with imprisonment from 3 to 7 years with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years.

*[Art.370 para.(2) in the wording LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

(3) The actions provided for in paragraph (1) or (2), carried out:

a) during wartime;

b) in combat conditions,

are punishable by imprisonment from 7 to 12 years.

**Article 371.** Desertion

(1) Desertion, i.e. leaving the military unit, the training center or the place of duty for the purpose of avoiding military service, concentration or mobilization, as well as failure to appear for the same reason at service or concentration or mobilization in cases of permission from the military unit or from the training center, assignment, transfer, return from mission, from leave or from the curative institution, which exceeds 3 days, committed by a military or reservist,

*[Art.371 para.(1) provision amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

shall be punished with a fine in the amount of 850 to 950 conventional units or with imprisonment of up to 5 years.

(2) The same action performed:

a) with a weapon;

b) by two or more people,

is punishable by imprisonment from 3 to 7 years.

(3) The actions provided for in paragraph (1) or (2), carried out:

a) during wartime;

b) in combat conditions,

are punishable by imprisonment from 6 to 12 years.

(5) The soldier who deserted for the first time under the conditions of paragraph (1) shall be released from criminal liability if the desertion was committed following a contest of difficult circumstances.

**Article 372.** Evasion from military service

*[Art. 372 para. (1) repealed by LP136 of 06.06.24, MO245-246/07.06.24 art. 353; in force 07.09.24]*

Evasion of the military or reservist from fulfilling the obligations of military service or from concentration or mobilization by self-mutilation or by simulating an illness, by falsifying documents or by other deception, committed:

a) during wartime;

b) in combat conditions,

is punishable by imprisonment of up to 5 years.

*[Art.372 para.(2) in the wording of LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24; paragraph (2) becomes a single paragraph ]*

**Article 373.** Violation of weapon handling rules,

of handling substances and objects

which presents an increased danger to those around

(1) Violation of the rules for handling weapons, handling ammunition, explosive, radioactive substances and other substances and objects that present an increased danger to those around, if this caused slight or medium damage to bodily integrity or health ,

shall be punished with unpaid work for the benefit of the community from 60 to 240 hours or with imprisonment of up to 3 years.

(2) The same action that recklessly caused:

a) serious injury to bodily integrity or health;

b) the death of a person;

*[Art.373 para.(2), letter c) repealed by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

is punishable by imprisonment from 2 to 7 years.

(3) The same action that recklessly caused the death of two or more persons

is punishable by imprisonment from 3 to 8 years.

**Article 374.** Violation of the statutory rules regarding

on duty

(1) Violation of the statutory rules regarding the on-call service, of the orders and provisions issued in order to amend and supplement these rules, if this has caused considerable damage,

shall be punished with unpaid work for the benefit of the community from 60 to 240 hours or with imprisonment of up to 1 year .

*[Art.374 para.(1) the sanction modified by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24 ]*

*[Art. 374 para. (2) repealed by LP136 of 06.06.24, MO245-246/07.06.24 art. 353; in force 07.09.24]*

(3) The actions provided for in paragraph (1), carried out:

*[Art.374 para.(3) provision amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24 ]*

a) during wartime;

b) in combat conditions,

are punishable by imprisonment from 4 to 10 years.

**Article 375.** Violation of the rules regarding the service  
alarm (combat) of military troops

(1) Violation of the rules regarding the alarm (combat) service for the timely discovery and rejection of a surprise attack on the Republic of Moldova or for the defense and security of the Republic of Moldova, if it caused or could cause damage to the state's security interests ,

shall be punished with unpaid work for the benefit of the community from 60 to 240 hours or with imprisonment of up to 5 years.

*[Art.375 para.(2) repealed by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

(3) The actions provided for in paragraph (1), carried out:

*[Art.375 para.(3) provision amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24 ]*

a) during wartime;

b) in combat conditions,

are punishable by imprisonment from 7 to 12 years.

**Article 376.** Violation of statutory rules  
regarding internal service

(1) Violation of the statutory rules regarding the internal service by a person who is part of the daily staff of the military unit, with the exception of the guard and cart, if this has caused considerable damage,

shall be punished with unpaid work for the benefit of the community from 60 to 240 hours or with imprisonment of up to 1 year .

*[Art.376 para.(1) the sanction modified by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24 ]*

(2) The same action resulting in damages in considerable proportions, the prevention of which falls within the obligations of the person indicated in paragraph (1),

is punishable by imprisonment from 6 months to 2 years.

(3) The actions provided for in paragraph (1) or (2), carried out:

a) during wartime;

b) in combat conditions,

are punishable by imprisonment from 1 to 5 years.

**Article 377.** Violation of the rules regarding  
to maintain public order  
and ensuring public security

(1) Violation of the rules regarding the maintenance of order by a person from the military unit for maintaining public order and ensuring public security, accompanied by the violation of human rights and freedoms or the application of violence to him,

shall be punished with unpaid work for the benefit of the community from 60 to 240 hours or with imprisonment of up to 2 years.

*[Art.377 para.(2) abrogated by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

**Article 378.** Careless attitude towards military service

(1) The negligent attitude of the chief or another person with a position of responsibility towards the military service, if this caused damage in large proportions,

is punishable by imprisonment of up to 3 years.

*[Art.378 para.(2) repealed by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

(3) The actions provided for in paragraph (1), carried out:

*[Art.378 para.(3) provision amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24 ]*

a) during wartime;

b) in combat conditions,

are punishable by imprisonment from 3 to 7 years.

**Article 379.** Intentional destruction or damage

of the military heritage

(1) Deliberate destruction or damage of armaments, ammunition, means of locomotion, military equipment or other military heritage

shall be punished with unpaid work for the benefit of the community from 60 to 240 hours or with imprisonment of up to 2 years.

*[Art.379 para.(2) repealed by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

(3) The actions provided for in paragraph (1), carried out:

*[Art.379 para.(3) provision amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24 ]*

a) during wartime;

b) in combat conditions,

are punishable by imprisonment from 6 to 12 years.

**Article 380.** Destruction or damage

from the imprudence of the military heritage

(1) Destruction or reckless damage of military heritage in large proportions

shall be punished with unpaid work for the benefit of the community from 60 to 240 hours or with imprisonment of up to 2 years.

(2) The same actions performed:

a) during wartime;

b) in combat conditions

are punishable by imprisonment from 3 to 8 years.

**Article 381.** The dissipation or loss of military heritage

(1) The commercialization, pledging or putting into use by a military person of the equipment that was issued to him for personal use, as well as the loss or damage of these objects following the violation of the storage rules,

shall be punished with unpaid work for the benefit of the community from 60 to 240 hours or with imprisonment of up to 1 year .

*[Art.381 para.(1) the sanction modified by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24 ]*

(2) The same actions performed:

a) during wartime;

b) in combat conditions

are punishable by imprisonment of up to 3 years.

(3) The loss or damage, as a result of the violation of the storage rules, of weapons, ammunition, means of locomotion, technical supply items or other military heritage, entrusted to be used during the service,

shall be punished with unpaid work for the benefit of the community from 60 to 240 hours or with imprisonment of up to 3 years.

(4) The same actions performed:

a) during wartime;

b) in combat conditions

are punishable by imprisonment from 2 to 7 years.

**Article 382.** Violation of driving rules or  
of machine operation

(1) Violation of the rules for driving or operating combat, special or transport vehicles, if this caused an average injury to bodily integrity or health or damage in large proportions,

is punished with unpaid work for the benefit of the community from 60 to 240 hours or with imprisonment of up to 3 years, in both cases with (or without) deprivation of the right to drive the means of transport for a term of up to 2 years.

(2) The same action that caused:

a) serious injury to bodily integrity or health;

b) the death of a person

shall be punished with imprisonment from 3 to 7 years with (or without) deprivation of the right to drive the means of transport for a period of up to 5 years.

(3) The same action that caused the death of several persons

shall be punished with imprisonment from 5 to 10 years with the deprivation of the right to drive the means of transport for a term of up to 5 years.

**Article 383.** Violation of flight rules or of  
flight training



Violation of flight rules or flight training, if this caused a catastrophe, is punishable by imprisonment from 5 to 10 years.

*[Art.383 amended by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24 ]*

**Article 384.** Violation of navigation rules

Violation of navigation rules, if this caused:

- a) sinking or serious damage to the ship;
- b) the death of a person;

*[Art.384 letter c) repealed by LP136 of 06.06.24, MO245-246/07.06.24 art.353; in force 07.09.24]*

is punishable by imprisonment from 5 to 10 years.

**Article 385.** Surrendering or leaving assets  
of war to the enemy

Surrender by the chief of the military forces entrusted to him, as well as leaving, unjustified by the battle situation, fortifications, combat equipment and other means of war to the enemy, are punishable by imprisonment from 10 to 15 years

**Article 386.** Voluntary abandonment of the field  
of fighting or refusing to act  
with the gun

Voluntarily leaving the battlefield during combat or refusing to act with a weapon during combat

is punishable by imprisonment from 10 to 15 years.

**Article 387.** Voluntary surrender in captivity

Voluntary surrender in captivity

is punishable by imprisonment from 10 to 15 years.

**Article 388.** The criminal actions of the found soldiers  
in captivity

(1) Voluntary participation of the soldier in captivity in works of military importance or in other works known to cause damage to the Republic of Moldova or its allied states, if this does not constitute treason,

is punishable by imprisonment from 3 to 8 years.

(2) Acts of violence committed against other prisoners of war or cruel behavior towards them by a prisoner of war who is in a superior position are punishable by imprisonment from 10 to 15 years.

(3) Committing by a prisoner of war of some actions to the detriment of other prisoners of war for material interest or to ensure lenient behavior from the enemy is punishable by imprisonment from 5 to 10 years.

**PRESIDENT Eugenia OSTAPCIUC**  
**parliament**

**Chisinau, April 18, 2002.**

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