

**Decision of the Parliament of the Republic of Moldova
Regarding the Enforcement of Law on Exit and
Entry into the Republic of Moldova**

No. 270-XIII of 09.11.1994

"Monitorul Oficial" of the Republic of Moldova, no. 6/55 of 26.01.1995

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The Parliament adopts this decision.

Art. 1 - The Law on Exit and Entry into the Republic of Moldova comes into force as of the date of its publication.

Art. 2 - The Government, within 3 months from the date of the publication of the above-mentioned law:

- shall submit to the Parliament proposals regarding bringing the legislation in force in line with the above-mentioned law;
- shall bring its normative acts in line with the mentioned law.

Art. 3 - The new and the old passport regimes will function simultaneously until 1997.

Speaker of the Parliament

Petru Lucinschi

Chisinau, 9 November 1994.

No. 270-XIII.

**LAW OF THE REPUBLIC OF MOLDOVA
on exit and entry into the Republic of Moldova**

No. 269-XIII of 09.11.94

"Monitorul Oficial of the Republic of Moldova" No. 6/54 of 26/01/1995

Date of Entry Into Force: 26/01/1995

Note: This is an unofficial translation.

This Law was signed by the President of the Republic of Moldova on 9 November 1994, modified by Law No. 263-XIV of 24.12.98; modified by Law No. 806-XIV of 11.02.2000; modified by Law No. 20-XV of 29.03.2001; *modified by Law No. 417-XV of 26.07.2001*; modified by Law No. 712-XV of 06.12.2001;

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The Parliament adopts this law.

This law guarantees the right to exit and entry into the Republic of Moldova to citizens of the Republic of Moldova, aliens and stateless persons, sets temporary restrictions with regard to this right, regulates the procedure of issuance of documents and settles disputes regarding the issuance of these documents.

Chapter I GENERAL PROVISIONS

Article 1. The right to exit and entry into the Republic of Moldova

- (1) Citizens of the Republic of Moldova and stateless persons residing in its territory have a right to exit and enter the Republic of Moldova on the basis of a passport issued by the competent organs.
- (2) Aliens may exit and enter the Republic of Moldova on the basis of national identity papers in force and documents by which the right to exit and entry is accorded in the Republic of Moldova.
- (3) The mode of entry into another state is regulated by this legislation.

Chapter II REQUIREMENTS OF EXIT AND ENTRY INTO THE REPUBLIC OF MOLDOVA

Article 2. Grounds for issuing the passport

Grounds for issuing a passport to citizens of the Republic of Moldova and stateless persons residing in the Republic of Moldova are their or their legal representatives' application submitted in accordance with the established procedure.

Article 3. Submission of the application

- (1) The written application, in accordance with the established pattern, regarding issuance of a passport is submitted in person to the domiciliary competent organs.
- (2) Children under the age of 18 and persons recognised incapable by court may enjoy the right to exit and enter the Republic of Moldova on the basis of an application of their legal representatives.

[Par. 2 art. 3 modified by Law No. 806-XIV of 11.02.2000]

- (3) Children at the age of 12-18 who leave to reside abroad with one of their parents present their notarially legalised consent.
- (4) Provisions of paragraphs (2) and (3) do not apply to the persons who have concluded legal marriage until the age of 18.

[Par. 4 art. 3 introduced by Law No. 806-XVI of 11.02.2000]

- (5) In case if either parent of children until the age of 18 does not accept his/her exit from the Republic of Moldova, the refusal is contested in court.

[Par. 5 of art. 3 introduced by Law No. 806-XIV of 11.02.2000]

Article. Examination of the application

- (1) An application of exit and entry into the Republic of Moldova is examined within the term of up to one month, but in case if the journey is related to an urgent treatment of the applicant, a seriously ill close relative abroad or the relative's death - within the term of 3 days.
- (2) The application of exit from the Republic of Moldova for domicile in another state is examined within the term of 3 months.
- (3) The results of the examination of the application are brought to the applicant's notice in writing. In case of rejection of the application a repeated application is examined after the removal of the causes that generated the refusal.

Chapter III
REQUIREMENTS OF ENTRY INTO THE REPUBLIC OF MOLDOVA

Article 5. Grounds for issuing an invitation

Citizens of the Republic of Moldova, aliens and stateless persons residing in its territory from the age of 18 have the right to invite private persons from abroad to the Republic of Moldova. The ground for issuance of the invitation constitutes his/her or their legal representatives' application submitted in accordance with the established procedure.

Article 6. Submission of the application

- (1) A written application, in accordance with the established pattern, regarding the submission of the invitation is submitted in person to the domiciliary competent organs.
- (2) The competent organs issue an invitation in accordance with the established pattern informing the applicant in writing. The invitation is valid in the course of one year from the date of issuance.
- (3) This procedure of issuing the invitation does not refer to aliens who enter the Republic of Moldova on official business, with state affairs, including as a member of an official delegation (diplomatic missions).

Article 7. Registration and issuance of documents to aliens and stateless persons

- (1) Aliens and stateless persons who have entered the Republic of Moldova for a term up to 90 days are obliged to get registered with the territorial organs of registration of the Department of Information Technologies, whereas the ones who have entered for a term of over 90 days may settle temporary or permanently only after the receipt of the immigrant identity document or confirmation of repatriation issued by the State Migration Service on the grounds of which the Department of Information Technologies grants them a residence permit.

[Par. 1 art. 7 modified by Law No. 712-XV of 06.12.2001]

[Par. 1 art. 7 modified by Law No. 417-XV of 26.07.2001]

- (2) The residence permit is issued in accordance with the established procedure of the legislation in force.
- (3) Staff members of diplomatic missions accredited to the Republic of Moldova, as well as members of their families who live together with them and hold certificates of accreditation issued by the Ministry of External Affairs have the right to enter and exit without visas during the whole period of the mission.

[Par. 3 art. 7 introduced by Law No. 806-XIV of 11.02.2000]

Chapter IV
REFUSAL TO ISSUE PASSPORTS, INVITATIONS
AND RESIDENCE PERMITS

Article 8. Refusal to issue a passport

Issuance of a passport or extension of its validity term is refused if the applicant:

- a) presents danger to the national security;
- b) committed a crime against humanity;
- c) serves a sentence on the ground of a sentence of a court of law or is called to criminal liability;

- d) has violated the rules of import-export and of transit of substances and objects on which restrictions are imposed;
- e) serves in foreign military or mercenary units;
- f) has deliberately conveyed false information about himself/herself;
- g) has patrimonial obligations to the state, natural and juridical persons in accordance with a decision of a court of law.

[Art. 8 modified by Law No. 20-XV of 29.03.2001]

[Let. g (f) modified by Law No. 806-XIV of 11.02.2000]

[Art. 8 modified by Law No. 263-XIV of 24.12.98]

Article 9. Refusal to issue an invitation and residence permit

An alien or a stateless person may be refused issuance of an invitation or residence permit in case if:

- a) presents danger to the national safety, public order, health and moral;
- b) has committed offences against peace, serious offences of different nature, including the military ones, or crimes against humanity if these actions have been defined in international acts;
- c) during the previous stay in the Republic of Moldova violated the legislation in force;
- d) has deliberately conveyed false information about himself/herself.

Article 10. Contesting of illegal actions of the officials.

A groundless refusal to receive applications of issuance of passports, invitations and residence permit may be contested by addressing a superior official or in court in accordance with the established procedure.

Chapter V LEGAL STATUS OF THE PERSONS WHO EXIT AND ENTER THE REPUBLIC OF MOLDOVA

Article 11. Rights and obligations of the persons who exit and enter the Republic of Moldova

- (1) Persons who exit and enter the Republic of Moldova for residence or temporary stay have the rights and obligations established by the legislation in force.
- (2) Any arbitrary limitation of civil rights, rights to labour and housing is prohibited.
- (3) Aliens are in the Republic of Moldova on the basis of national identity papers in force, residence permits issued by the competent organs and are obliged to leave the republic upon the expiry of the established term of residence.
- (4) Citizens of the Republic of Moldova and stateless persons residing in the Republic of Moldova who wish to reside in other countries receive the passport after they have fulfilled all the patrimonial duties to other natural and juridical persons in accordance with the legislation in force.
- (5) The persons responsible for life, health and insurance of the rights and interests of the persons under the age of 18 who have exited the country are their legal representatives. In the absence of legal representatives within an organised group the leaders of the group are responsible.

[Par. 5 art 11 introduced by Law No. 806-XIV of 11.02.2000]

Chapter VI FINAL PROVISIONS

Article 12. International treaties

In case if the international treaty to which the Republic of Moldova is a party sets other norms than those provided for in this law, the norms of the international treaty are applied.

SPEAKER OF
THE PARLIAMENT Petru Lucinschi

Chisinau, 9 November 1994.
No. 269-XIII.