

# LEGAL ALERT

# JANUARY 2026





## CONTENT

### Corporate

### Tax

### Customs

### Environment

### Digitalization

### Labour

### Other Amendments

## LEGAL MONITORING REPORT – JANUARY 2026

This legislative monitoring report focuses on the following areas:

- Tax Regime Applicable to Independent Entrepreneurs;
- New Prudential Capital Rules for Investment Companies;
- Tax Policy Adjustments for 2026;
- Alignment of Direct Tax Rules upon EU Accession;
- Digital System for Customs Decisions;
- Customs Duty Exemption for Goods Donated to Public Authorities.

Additionally, the document provides information on:

- New Mandatory Soil Protection Obligations for Agricultural Landholders;
- Launch of the e-Consulat Digital System;
- Expanded Powers of Labour Inspectors;
- Revised Framework for Occupational Health Monitoring;
- Fixed State Social Insurance Contributions for 2026;
- Fixed Mandatory Health Insurance Contribution for 2026;
- Simplified Procedures for Urban Planning and Construction.

## Corporate

### LAW

#### Tax Regime Applicable to Independent Entrepreneurs

Independent entrepreneurs benefit from a simplified tax regime based on a single tax applied to their income. Annual income of up to MDL 1,200,000 is taxed at a rate of 15%, while any income exceeding this threshold is subject to a 35% rate.

The single tax consolidates the entrepreneur's key tax obligations, including the following:

- income tax;
- mandatory state social insurance contributions;
- mandatory health insurance contributions; and
- local taxes.

This simplified regime applies from the date of registration with the Public Services Agency. Tax registration is free of charge and completed within 24 hours of submitting the required documents, through the issuance of a state identification number (IDNO). This IDNO is used in interactions with public authorities, institutions, third parties, and relevant information systems.

Independent entrepreneurs are not required to maintain accounting records, or submit tax and statistical reports. However, they are required to use cash register equipment for cash transactions.

The single tax is calculated automatically by the State Tax Service, with payment notices issued by the 10th day of the month following the reporting period. The tax is payable by the 25th day of the same month.

### DRAFT LAW

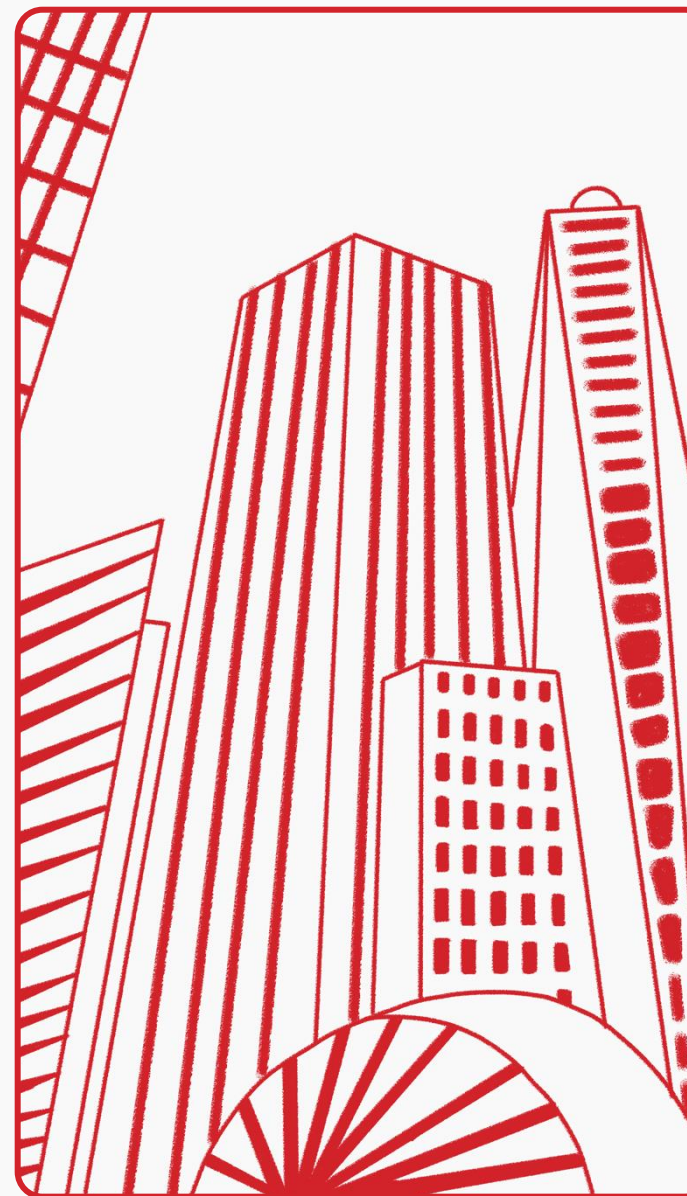
#### New Prudential Capital Rules for Investment Companies

The draft law introduces EU-aligned prudential supervision of investment companies, placing them under the oversight of the National Commission for the Financial Market.

An initial capital of EUR 750,000 is required for investment companies engaging in higher-risk activities, including proprietary trading, underwriting or placing financial instruments on a firm-commitment basis, as well as operating an organized trading facility.

The same capital requirement applies to companies providing investment services without holding clients' funds or financial instruments, such as reception and transmission of orders, execution of orders on behalf of clients, portfolio management, investment advice, and placing financial instruments without a firm commitment.

For all other investment services and activities, the minimum initial capital is set at EUR 150,000.



## Tax

### DRAFT LAW

#### Tax Policy Adjustments for 2026

The income tax deferral for small and medium-sized entities (SMEs) retaining undistributed profits is extended through the 2026 tax period.

As of 1 January 2026, this mechanism no longer applies to entities carrying out financial and insurance activities, as well as entities engaged in wholesale and retail trade, or in maintenance and repair of motor vehicles and motorcycles, which on the last day of the tax period have more than 49 employees and either an annual turnover exceeding MDL 50 million or total assets exceeding MDL 50 million.

Additionally, expenses incurred by individuals during the tax period for their own education or professional development, as well as for the education of dependents, are deductible up to MDL 20,000. This limit applies cumulatively across all types of education and professional development and to all beneficiaries.

### DRAFT LAW

#### Alignment of Direct Tax Rules upon EU Accession

Upon the Republic of Moldova's accession to the European Union (EU), the Tax Code will be amended to include controlled foreign entities (CFE) rules, designed to tax profits transferred by corporate groups to controlled subsidiaries in low-income jurisdictions.

These rules aim to discourage profit shifting by attributing certain passive and artificial income of foreign entities to the parent company for taxation in Moldova, in line with EU standards on combating tax evasion.

Additionally, income in the form of dividends or other forms of profit distribution received by companies governed by the laws of EU Member States and the United Kingdom will not be subject to withholding tax, except as otherwise provided by law..



## Customs

### DRAFT LAW

#### Digital System for Customs Decisions

Moldova will implement a national digital system for customs decisions, equivalent to the EU Customs Decisions System (CDS), ensuring full interoperability upon EU accession. The platform will centralise and automate the submission, processing, issuance, amendment, suspension, and revocation of customs decisions, enhancing uniform application of customs law, transparency, and administrative efficiency.

### DRAFT LAW

#### Customs Duty Exemption for Goods Donated to Public Authorities

The draft law proposes a customs duty exemption for goods, including vehicles, donated to local public authorities and institutions established by them, provided they are used for local public interest activities. This exemption applies regardless of the goods' age or condition.

Beneficiaries and third parties may not sell, donate, lease, or otherwise transfer the goods, except as otherwise provided by law. Failure to comply with these rules will result in customs duties being calculated and paid in accordance with the rules applicable to imports.

## Environment

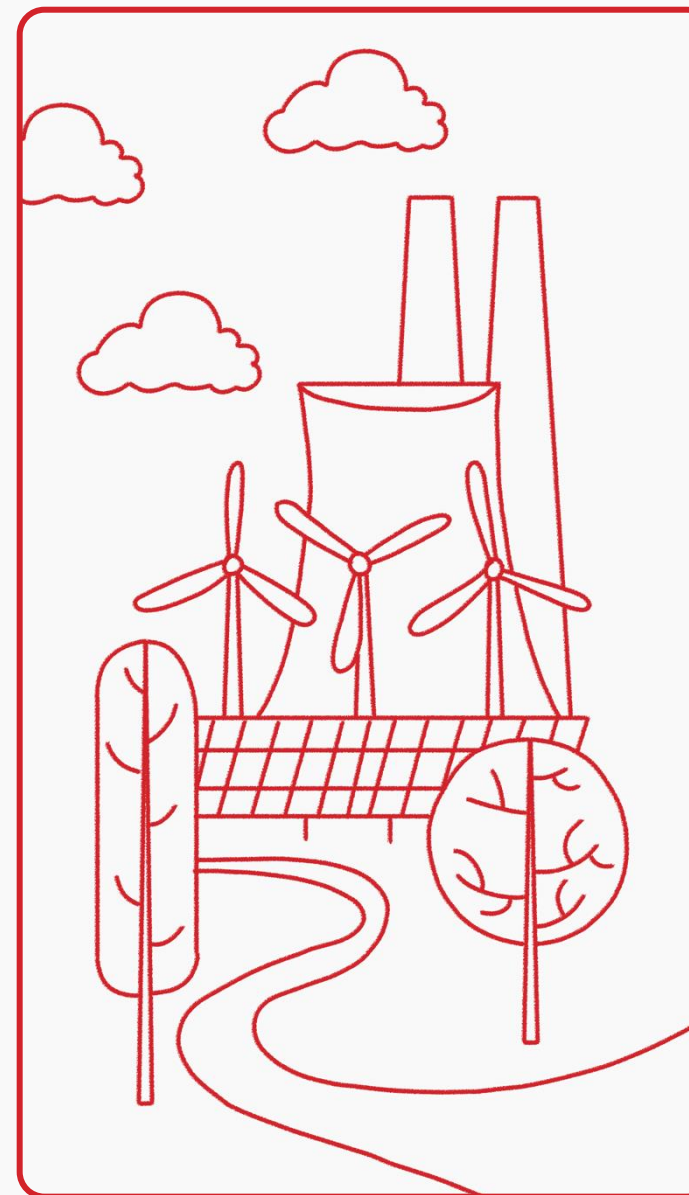
### LAW

#### New Mandatory Soil Protection Obligations for Agricultural Landholders

Agricultural landholders will be required to protect and conserve soil, including preventing degradation, controlling erosion and landslides, adopting environmentally friendly farming practices, and maintaining soil fertility. Authorities will have access for land monitoring, and landholders will be responsible for covering remediation costs for any soil damage.

Breaches will incur civil, administrative, or criminal liability, and sanctions will not exempt landholders from repairing the damage. Revenues from fines will be allocated to the restoration and enhancement of soil fertility.

The Law will enter into force on 6 January 2027.





## Digitalization

DRAFT LAW

### Launch of the e-Consulat Digital System

Moldova will implement the e-Consulat system to fully digitalise consular services for citizens abroad. The system will enable online appointment booking, electronic submission and tracking of applications, and digital delivery of consular services, improving accessibility, transparency, and processing times through integration with the government's digital infrastructure.

## Labour

LAW

### Expanded Powers of Labour Inspectors

Under the amended law, labour inspectors may issue warnings and require employers to remedy identified breaches through a remediation plan, impose fines for labour and occupational health and safety violations, and temporarily suspend activities that pose a serious and imminent risk to workers, subject to court confirmation.

Employers may challenge any temporary suspension directly before the competent court.

Additionally, in cases of repeated and intentional non-compliance, labour inspectors may request the withdrawal of the employer's authorisation to carry out its activities.

DRAFT LAW

### Revised Framework for Occupational Health Monitoring

The draft proposes adjusting the frequency of medical surveillance for workers exposed to occupational risks by extending the interval between periodic medical examinations, depending on the specific risks associated with each workplace. The measure aims to ensure more efficient use of medical resources, align health monitoring with actual risk exposure, and reduce administrative burdens for employers, without lowering the level of worker health protection.

The draft also provides for the expansion of the network of occupational health service providers by diversifying the methods through which such services may be delivered. In this context, employers will be allowed to establish in-house occupational health units to monitor the health of their own employees.

In addition, where an employee has undergone a medical examination in another country, the employer will be required to ensure that the assessment is equivalent to the work fitness certificate recognized in the Republic of Moldova, prior to assigning the employee to their position.



## Other Amendments

LAW

### Fixed State Social Insurance Contributions for 2026

For 2026, the fixed annual health insurance contribution is set at MDL 22,878 for sole proprietorship founders, patent holders, certain self-employed persons, taxi operators employing drivers, and individuals insured on a voluntary basis. Legal professionals in the justice sector are subject to a higher fixed contribution of MDL 30,966, while individual agricultural landowners or tenants working land independently benefit from a reduced annual contribution of MDL 5,827 calculated on a minimum monthly pro rata basis.

DRAFT LAW

### Fixed Mandatory Health Insurance Contribution for 2026

The fixed mandatory health insurance contribution for 2026 is set at MDL 12,636 and must be paid individually within the first three months of the year by uninsured persons. Eligible categories benefit from an 80% reduction, paying MDL 2,527, while certain liberal professionals remain liable for the full amount.

Failure to pay by the statutory deadline will result in payment of the full contribution, plus a daily penalty for each day of delay.

DRAFT LAW

### Simplified Procedures for Urban Planning and Construction

Project documentation or technical specifications for routine road repairs and sidewalk construction, prepared in accordance with technical standards, shall not require additional approval from the owners or managers of utility networks in the area.

Contractors shall notify the relevant system operators or network managers at least 10 days before starting the work, attaching the project documentation or specifications.

Additionally, investors shall support the development of technical construction standards by transferring 0.5% of their fixed capital investment for projects not financed from the national public budget to the State Budget, excluding individual investors for construction of private residential houses.

## OTHER AMENDMENTS

