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Title I
NORMATIVE ACTS OF THE GOVERNMENT AND OTHER LOCAL AND CENTRAL PUBLIC ADMINISTRATIVE AUTHORITIES

Chapter I
GENERAL PROVISIONS

Article 1. Scope of the law
(1) This law stipulates the rules of initiation, elaboration, submission of the advisory notes, expertise, editing and publication of the normative acts of the Government and other central and local public administrative authorities.
(2) This law does not apply to the elaboration of individual normative acts, with political or other features which do not contain legal provisions, nor to the working papers of the Government.

Article 2. Normative act
In compliance to this law, as normative shall be considered the legal act, elaborated by the Government or other central or local public administrative authority, based on the legal and constitutional provisions, which stipulates mandatory rules for repeated application, envisaging an undefined number of identical situations.

Article 3. Legal framework
The normative acts shall be initiated, elaborated, issued and applied in compliance with the provisions of the Constitution of the Republic of Moldova, the Law on the Government, provisions of this law and other normative acts, adhering to the general principles of the law.

Article 4. General principles
At the initiation, elaboration, submission of advisory notes, expertise, editing, issuing and implementation of the normative act the following principles shall apply:

a) consistency, correlation and subordination of the normative act to the law and the higher normative regulation;
b) sequence and balance of the provisions;
c) scientific substantiation;
d) consistency and stability of the legal provisions;
e) transparency, publicity and approachability.

**Article 5. General mandatory conditions for the normative act**

(1) Normative act shall be incorporated organically into the legal system, and thus:

a) its draft shall be compared to the provisions of the higher or equal connected normative acts, the provisions of the *acquis communitair*, and the international treaties the Republic of Moldova is a party to;
b) the draft normative act shall be elaborated in compliance with the higher legal act and shall not exceed the limits of authority established by that legal act or conflict with its purpose, principles and provisions.

(2) As a rule, equal regulations, with the same subject, as well as regulations from other related areas, shall be contained by the same normative act, in case these provisions are instrumental for attaining the purpose of this legal act.

(3) A regulation with the same issue and of the same level shall be included into different normative act, in case it displays different features than the legal act of general substance.

(4) The special character of a regulation shall be determined based on its subject, related to certain categories of situations and the specifics of the normative solutions it proposes.

(5) The regulation is derivate if the normative solutions regarding a certain issue contain provisions that differ from the framework regulation on this issue, with the normative act preserving its general mandatory authority for all other circumstances.

(6) Protection of the rights, liberties, legal interests of the citizens, of equality and social equity, and of the compliance with the *acquis communitair* shall be a governing condition of every normative act.

(61) The normative act regarding the entrepreneurial activity shall be in compliance with the principles of decision-making and regulatory transparency. In this regard, the authorities and institutions of public administration having regulatory and control powers in compliance with the law shall:

a) provide information on the draft normative legislation and ensure the participation of the private sector, civil society and physical entities at the elaboration of normative acts and in the decision-making process;
b) ensure free access to the draft normative acts by publishing these in mass-media and displaying them on the webpage of the public administrative authority or the relevant institution with the regulatory and control powers given by law.

(7) The normative act shall contain the conditions of legality, approachability, precision and, once in force, become applicable and binding for all legal entities.

(8) The normative act shall be drafted in compliance with the legislative technique and literary language standards.

*Art.5 supplemented by the Law No.281-XVI from 14.12.2007, in force since 10.06.2008*

*Art.5 supplemented by the Law No.168-XVI from 15.06.2006, in force since 01.09.2006*
Article 6. Legislative technique standards
(1) Legislative technique standards ensure systematizing, unification and coordination of the normative acts, the adequacy its legal content and form.
(2) Legal technique standards define the constituent parts of the normative act, the structure, form and procedure for systematizing of its content, technical procedures for amendment, supplementing, repealing and the language and style of the normative act.

Article 7. Observance of the legislative technique standards
Legislative technique standards are mandatory for the elaboration of the draft normative acts of the Government, other central public administrative authorities, of the authorities of the autonomous territorial units with special legal status and other local public administrative authorities.

Chapter II
HIERARCHY, CORRELATION AND CLASSIFICATION OF THE NORMATIVE ACTS

Article 8. Hierarchy of the normative acts
(1) Hierarchy of the normative acts shall be structured depending on their category and the competent issuing public authority.
(2) Types of normative acts and the limits of issuing authority are stipulated by the Constitution of the Republic of Moldova, by the Law on the Government, by this law and other normative acts.
(3) Normative acts for the enforcement of laws, decisions and regulations of the Government shall be issued in compliance with the provisions stipulating them.

Article 9. Correlation of normative acts
(1) Correlation of different by their legal power normative acts shall be established based on the jurisdiction and status of the issuing public authority, and on the normative acts'substance.
(2) Normative acts of the central and local public administrative authorities shall comply strictly with the constitutional, legal provisions and Governmental decisions and regulations.
(21) Limits of regulating authority of the Government and/or other public administrative authorities and institutions authorised by the law to exercise control and regulation powers shall be established, in each case, by laws. Normative acts of these authorities cannot be applied in case of conflict with the legislation provisions.
(3) In compliance with the legislation, the Government may suspend or repeal, depending on the case, ministerial regulations, the acts of the chairmen of other subordinated bodies, that do not comply with the laws, decisions and ordinances of the Government and which hinder the legal acts of autonomous public institutions and authorities and of the local public administration, shall they conflict with the legislation.

[Art.9 complemented by the Law No.281-XVI from 14.12.2007, in force 10.06.2008]

Article 10. Types of normative acts
In compliance with this law, normative acts in the hierarchical order are as follows:
  a) decisions and ordinances of the Government;
  b) normative acts of central public administrative authorities;
c) normative acts of the authorities of the autonomous territorial units with a special legal status and of the local public administrative authorities of the first and second level.

**Article 11. Normative acts of the Government**

(1) For the exercise of constitutional powers and functions resulting from the Law on the Government, for the organization of enforcement of the laws, the Government shall adopt decisions and ordinances.

(2) Ordinances are issued in compliance with the art.106/2 of the Constitution of the Republic of Moldova.

(3) Decisions regarding adoption of international treaties, decisions for adoption of the draft legislation regarding ratification, confirmation of and adhering to the international treaties shall be subjected to a special procedure of initiation, elaboration, adoption, entering into force or denunciation, in compliance with this law and the Law on the international treaties of the Republic of Moldova.

(4) The Government shall establish in its regulation the procedure for examining draft normative acts.

**Article 12. The form of the Governmental draft decision**

(1) Normative or general decisions of the Government shall be issued in the form of decision.

(2) The draft of the Decision of the Government shall take the form of an:
   a) act which contains legal provisions on the exercise of its powers and organization of the enforcement of the laws;
   b) act regarding amendment, supplementing or repealing of the prior issued act or acts;
   c) act regarding the extension or limiting of authority of the act to one or several provisions in force;
   d) act of unification (consolidation) of several acts in force into a new one;
   e) act of interpretation of a provision from a normative act;
   f) act of approval of draft laws and decrees of the President of the Republic of Moldova.

(3) As a rule, issues that need detailed regulation shall take the form of draft regulations, instructions, statutes, rules that shall be further adopted by a Decision of the Government.

**Article 13. Normative acts of the central (departmental) public administrative authorities, of the authorities of autonomous territorial units with a special legal status, of other local public administrative authorities.**

(1) Central public administrative authorities, autonomous public authorities and institutions, authorities of the autonomous territorial units with special legal status and other local public administrative authorities shall issue, in compliance with the legislation, normative acts (ordinances with normative character, regulations, directives, rules, decisions, orders and other similar acts).

(2) Ordinances with a normative character, regulations, directives, rules and other normative acts shall be issued only based on and for the enforcement of the legislation, the decisions and ordinances of the Government.

(3) In the preamble of the normative act, starting with paragraph (2), the higher normative acts upon which it is based shall be mentioned.
(4) Regulations, directives, rules and other normative acts shall be adopted by ordinances, decisions or decisions.

Article 14. Transfer of authority
In case of restructuring of the public authority empowered to issue normative acts, the powers to amend, supplement and abrogate (repeal) prior normative acts shall be transferred to the successor of the restructured authority.

Chapter III
OFFICIAL INTERPRETATION OF THE NORMATIVE ACTS
Article 15. Interpretation
(1) Interpretation of the normative acts is a system of logical operations used to explain in a precise and complete manner the meaning of normative provisions.
(2) Interpretation shall provide legal solutions for the enforcement of the legal provision in its narrow meaning.
(3) Interpretation is considered official when it’s performed through the interpretative normative acts.

Article 16. Bodies authorised with the interpretation of normative acts
Official interpretation of the normative acts is under the jurisdiction of the issuing authorities.

Article 17. Interpretative normative acts
Attempts to clarify the meaning of some provisions shall be performed through an interpretative normative act of the same level with the interpreted act.

Chapter IV
TEMPORAL, TERRITORIAL AND PERSONAL SCOPE OF APPLICABILITY OF THE NORMATIVE ACT

Section 1
Temporal scope of applicability of the normative act
Article 18. Temporal scope of applicability of the normative act
(1) The normative act shall apply unlimitedly, if not stipulated otherwise.
(2) The normative act or a part of it may have a temporary applicability. In this case, the normative act shall contain the timeline of its application or the event upon which the normative act shall cease entirely or partially.
(3) Until the expiry of the term established in par. (2), the issuing authority may decide to extend or limit the temporal scope of applicability of the normative act or of its part.
(4) As a rule, the normative act does not have retroactive action.

Article 19. Termination of the temporal scope of applicability of the normative act
The action of the normative act shall be terminated if the act:
  a) is repealed;
  b) is declared unconstitutional or illegal by a final decision of a competent authority;
  c) has expired;
  d) is consummated;
e) is void and null.

Section 2

Territorial and personal scope of applicability of the normative act

Article 20. Territorial scope of applicability of the normative act

(1) Normative acts adopted by the Government and other central public administrative authorities shall be enforceable on the entire territory of the Republic of Moldova, in case they don’t stipulate otherwise.

(2) Normative acts of autonomous territorial units with a special legal status and other local public administrative authorities are enforced within their jurisdiction.

Article 21. Personal scope of applicability

(1) The normative act shall apply to:
   a) the citizens and legal entities from the Republic of Moldova;
   b) Foreign citizens and persons without citizenship from the Republic of Moldova;
   c) foreign legal entities residing in the Republic of Moldova;
   d) persons that practice entrepreneurial activity.

(2) Exceptions from the application of the normative acts to the entities stipulated in par. (1) shall be stipulated by the international treaties the Republic of Moldova is a party to, and which result from the general principles of international law.

Chapter V

SYSTEMATIZING AND RECORD KEEPING OF NORMATIVE ACTS

Section 1

Systematizing of normative acts

Article 22. Reviewing of normative acts

(1) Reviewing of normative acts shall consist of the analysis of their content to assess their compliance with the Constitution of the Republic of Moldova, with the legal and normative acts for the enforcement of which they’ve been issued, and with the provisions of the acquis communitair.

(2) The frequency of review of the normative acts shall be at least once in 2 years.

(3) Reviewing of the normative acts shall be performed by the Government, by the central and local public administrative authorities and other bodies having in their scope of activity the systematizing of the legislation function.

(4) Following the review, it is possible to present proposals for amendment and supplementing of the normative acts for their updating.

[Art.22 completed by the Law No.168-XVI from 15.06.2006, in force since 01.09.2006]

Article 23. General principles regarding the systematizing of the normative acts

(1) Systematizing of normative acts shall mean their structuring based on certain criteria for facilitation of the use of legal provisions and their uniform application.

(2) The main form of systematizing of the normative acts is incorporation, which is a simple systematizing of the legal acts based upon the chronological, alphabetical order, legal branch, legal institution, normative acts body.

Section 2
Official record keeping of normative acts

Article 24. Number and date of the normative act
(1) At the issuing of the normative act, an official number for its identification, cited together with the act’s name, is assigned.
(2) Official numbers shall be assigned starting with the cipher 1 in each calendar year.
(3) In case it didn’t enter into force, the normative act shall keep its official number, which cannot be assigned in the same calendar year to another normative act.
(4) The date of the normative act is the date of its issuance.

Article 25. State registration of the normative acts
(1) All normative acts of the Government shall be registered in its registry of normative acts.
(2) The original version of normative acts of the Government shall be preserved in its archive with the note “To be kept permanently”.
(3) The central and local public administrative authorities shall register their normative acts into the registry of normative acts kept by them.
(4) Normative acts of the central public administrative authorities shall be registered by the Ministry of Justice into the State Registry of departmental normative acts, as provided by the law.

Article 26. Forms of record keeping of normative acts
(1) Record keeping of normative acts is performed by the Government, by the central and local public administrative authorities.
(2) The record shall be kept in one or several formats simultaneously:
   a) in files;
   b) in registries;
   c) on electronic devices;
   d) in compliance with the Official Classifier of the legislation.

Article 27. Official record keeping of normative acts
Record keeping of the normative acts of the central public administrative authorities, if provided by the legislation, shall be performed by the Ministry of Justice, as stipulated.

Title II
RULES OF INITIATION, ELABORATION, SUBMISSION OF THE ADVISORY NOTE, EXPERTISE, EDITING AND ISSUING OF NORMATIVE ACTS OF THE GOVERNMENT AND OTHER CENTRAL AND LOCAL PUBLIC ADMINISTRATIVE AUTHORITIES

Chapter VI
ELABORATION OF THE NORMATIVE ACT

Article 28. Elaboration programs
(1) To organize the enforcement of the legislative regulations, the Government adopts annual (quarterly) programs for the drafting of normative acts.
(2) Programs for drafting of normative acts enlist the names of legal acts to be elaborated, areas of regulation, authorities, institutions and persons for their elaboration, drafting timeframe and, depending on the case, references to acquis communautaire provisions, other issues related to their enforcement.
(3) At the elaboration of programs for drafting the provisions of the normative acts regarding organising the enforcement of legal provisions, the proposals from the legal subjects with legislative initiative powers, from scientific institutions and citizens and their associations shall be taken into consideration.

(4) Programs for elaboration of draft normative regulations may be amended and completed by the Government, upon the request from the authorities and interested institutions.

[Art.28 supplemented by the Law No.168-XVI from 15.06.2006, in force since 01.09.2006]

Article 29. Elaboration initiation

(1) Draft normative acts shall be elaborated ex-officio by the authorities having the powers of legislative initiative or based on a commission from the Parliament, President of the Republic of Moldova or the Government.

(2) The right to initiate elaboration of normative acts, in compliance with the powers and responsibilities and their area of activity, is exercised by the following public authorities:
   a) ministries, departments and other authorities subordinated to the Government, autonomous public authorities and institutions;
   b) specialized bodies subordinated to or coordinated by the ministries, or departments, through the aforementioned authorities;
   c) authorities of the autonomous territorial units with a special legal status and other local public authorities of the first and second degree.

Article 30. Elaboration procedure

(1) The Governmental draft normative act shall be elaborated by one or several ministries, departments and other bodies in Government’s subordination.

(2) If the elaboration of the draft normative act has been entrusted to several central public administrative authorities, the drafting process shall be coordinated by the body empowered by the Government to do so or by the body that is enlisted as the first.

(3) Ministries, departments, other bodies that participate at the elaboration of the draft normative act shall:
   a) appoint experts to work on the draft;
   b) make proposals regarding the issues in their competence;
   c) present to the drafting body the necessary documents and substantiation.

(4) The chairperson of the ministry, department, other body that elaborates the draft normative act shall convene for assessment of main issues contained in the draft the chairpersons of the ministry, department, other body participating at the drafting, mentioned in the commission.

(5) If during the elaboration of the draft normative act arise new circumstances or the draft is elaborated ex-officio, the ministry, department, another body which elaborates the draft shall determine the ministries, departments, other bodies interested in examined issues and involve them into the elaboration of the draft.

(6) Central public administrative authorities, authorities of the autonomous territorial units with a special status, other local public administrative authorities shall order the elaboration of the draft normative act to a subdivision or shall create a working group composed of the experts from different subdivisions.

(7) At the elaboration of draft normative acts may be involved experts from various domains of science, and scientific institutions and scientific co-workers, or
may be hired experts, special commissions, scientific institutions, scientists, including from abroad.

(8) At the elaboration of the draft normative act the participation of the representatives of the legal departments of the drafting bodies is mandatory.

(9) The body empowered to issue a normative act could request several authorities, as well as organizations, to elaborate alternative draft legislation, on contract base or through competition.

**Article 31. Elaboration timeframe**

(1) The draft normative act shall be elaborated within a reasonable term, in compliance with the provision stipulating it or in compliance with its elaboration program.

(2) Elaboration timeframe of the draft normative act could be extended by the competent authority. In case of elaboration based on the commission from the Government, the term could be extended by the Governmental Administration pursuant to the written request of the chairperson of the interested body or institution.

(3) As a rule, elaboration of the draft normative acts shall be performed within the following terms:
   a) up to 3 months – drafts of the statutes, regulations, directives, rules and other similar acts;
   b) up to a month – drafts of other normative acts.

(4) the elaboration timeframe shall also include the time allotted for the submission of advisory notes and expertise.

*Art.31 amended by the Law No.195-XVI from 28.07.05, in force since 16.09.05*

**Article 32. Main stages of elaboration**

(1) The draft normative act shall be elaborated within several consecutive stages, in compliance with the rules and standards of legislative technique.

(2) Elaboration of the draft normative act shall include the following:
   a) reviewing the proposals, documentation and taking the decision to elaborate it;
   b) technical, logistic and financial assistance of the elaboration process;
   c) establishing the concepts and definitions to be used in the draft;
   d) wording;
   e) substantiation;
   f) advisory notes and expertise;
   g) finalizing.

**Article 33. Assessment of proposals, documentation and taking of relevant decision**

(1) The normative act shall stipulate the necessary rules, sufficient and possible, leading to the utmost stability and efficiency of the regulation. The stipulated solutions shall be thoroughly substantiated, taking into consideration the social interest, state’s policy and the requirements of correlation with the body of the national legislation, and the alignment of the normative acts to the regulations of the *acquis communautaire* and the international treaties the Republic of Moldova is a party to.

(2) In order to substantiate a new legal provision, the current social desiderates and prospective, shortcomings of the legal acts in force shall be taken into consideration.
(3) The elaboration of the draft normative acts shall be preceded, given its importance and complexity, by the documentation and scientific and sociologic analysis to ensure a thorough knowledge of economic-social realities subjected to regulation, of historic background of the related legislation, of the enforcement practice of the normative acts in force, and of the similar foreign legislative provisions, including the *acquis communautaire*.

(4) Within the documentation activity for substantiation of the draft normative act, the judicial practice in this area of the Constitutional Court, the jurisprudence, including that of the European Court, the relevant legal doctrine shall be examined.

[Art.33 supplemented by the Law No.168-XVI from 15.06.2006, in force since 01.09.2006]

**Article 34.** Technical, logistic and financial assistance of the drafting process

(1) The body which elaborates the draft normative act shall ensure technical, logistic and financial assistance of the drafting process.

(2) If at the elaboration of the draft normative act participate experts from various branches of science, scientific institutions and also scientific co-workers or, on contractual base, the experts, special commissions, scientific institutions, scientists, including from abroad are hired, relevant documents and the exact sums and budgetary and special means to be allocated shall be stipulated.

[Art.34 amended by the Law No.154-XVI from 21.07.05, in force since 23.09.05]

**Article 35.** Establishing the concepts and definitions to be used in the draft

Based on the provisions of the legislative act, on initial proposals, the results of the scientific researches, on compared studies, on documentation activity, the working group shall establish the concepts and definitions to be used within the draft. The established concepts and definitions shall be in compliance with or similar to those used in the European Union body of legislation.

[Art.35 supplemented by the Law No.168-XVI from 15.06.2006, in force since 01.09.2006]

**Article 36.** Text formulation

(1) Based on the documentation activity, the working group shall draft the initial text of the draft normative act.

(2) The draft normative act may include the definition of the legal terms, technical, economic and other special terms of narrow application, which shall be compatible or similar to those used in the European Union body of legislation.

[Art.36 supplemented by the Law No.168-XVI from 15.06.2006, in force since 01.09.2006]

**Article 37.** Substantiation

Simultaneously with the elaboration of the draft normative act, the working group shall draft the substantiation (informative) note, signed by the person in charge, which shall contain:

- a) conditions that lead to the elaboration of the draft, necessary reasoning, social-economic prognosis and the effects of resolving these issues;
- b) main provisions, the place of the legal act within the system of normative acts, emphasising of new elements;
- c) substantiation and the degree of compatibility of the draft normative act with the European Union legislation;
- d) references to the relevant provisions of the European Union legislation;
- e) economic-financial substantiation in case the implementation of new provisions shall require financial and other expenditures;
- f) informative and analytical documents;
f) the analysis regarding the impact of the regulation, in case of the draft normative acts stipulating the entrepreneurial activity. Impact analysis of the regulation is the substantiation, based on the evaluation of its costs and benefits, of the necessity to adopt the normative act and the analysis of the impact upon the entrepreneurial activity, including the guarantee for the protection of the rights and interests of the entrepreneurs and the state;

g) name of participants at the drafting process and the names of the authorities and institutions that have submitted opinions and expertise on the draft.

[Art.37 supplemented by the law No.281-XVI from 14.12.2007, in force since 10.06.2008]
[Art.37 supplemented by the Law No. 168-XVI from 15.06.2006, in force since 01.09.2006]

Article 38. Submission of advisory notes (opinions)

(1) Prior to the presentation to the competent authority for approval, the draft normative act shall receive mandatory advisory notes from the authorities and institutions directly involved into solving of the issues included in the draft and by other interested authorities and institution, and by the authorities charged with submission of mandatory advisory notes.

(2) After receiving the advisory notes in compliance with par. (1), the draft normative act shall mandatorily receive opinions of the Ministry of Justice, prior to presentation for Governmental review.

(3) Submission of advisory notes by interested authorities and institutions shall be performed also regarding the compliance of the draft normative act to the relevant provisions of the European legislation.

[Art.38 supplemented by the Law No.168-XVI from 15.06.2006, in force since 01.09.2006]

Article 39. Timeline for submission of advisory notes

(1) The draft normative act, accompanied by an informative note, presented for submission of advisory notes, shall be examined within 10 days. If the draft is large or complex or if the studying of additional documents is required, the timeframe shall be of up to one month, in case the chairmen of the interested authorities and institutions did not provide otherwise. The established timeframe does not include non-working days. The flow of the term starts from the date of the entry and registration of the draft with the authority or institution issuing the advisory note.

(2) If the response of the interested authority or institution was not received within the term established in par. (1) and a further extension of the term for submission of the advisory note has not been requested, it shall be considered that the draft normative received the opinions, without objections and proposals.

Article 40. The advisory note of the interested authorities and institutions

Interested authorities and institutions that received the draft normative act for submission of advisory note shall present to the drafting body or the Government, in case the draft normative act has been presented to the Government and the regulation does not contain other directions, an advisory note containing objections and substantiated proposals, attaching upon necessity the edited version of the draft or only of some provisions from it, or shall state the lack of objections and proposals.

Article 41. Expertise

(1) Draft normative act shall be mandatorily subjected to a legal expertise for checking of its compliance with the Constitution of the Republic of Moldova, *acquis communautaire*, international treaties the Republic of Moldova is a party to, and to legislative technique standards.
(2) The draft normative act of the Government shall be mandatorily subjected to an anti-corruption expertise for checking its compliance to the national and international anti-corruption standards, and to prevent issuing of new regulations which favour or may favour corruption.

(3) At the decision of the drafting authority, and of the entitled issuing authority, the draft normative act could be also subjected to a financial, economic, ecological expertise etc. As experts shall participate the organizations and citizens that did not participate directly at the elaboration of the draft, foreign experts and international organizations.

[Art.41 amended by the Law No.332-XVI from 10.11.2006, in force since 08.12.2006]
[Art.41 amended by the Law No.168-XVI from 15.06.2006, in force since 01.09.2006]

Article 42. Finalizing
(1) The authority that has elaborated the draft normative act shall finalize it in compliance with the submitted opinions.

(2) In case of conflicts, the authority which has drafted the draft normative act shall organize a debate with the participation of interested institutions and authorities for making the decision based on mutually acceptable principles. Otherwise the draft shall contain the point of view of the authority that has elaborated it and the list of conflicts shall be attached in a form of a table, containing the substantiation of the rejection of the proposals and the advisory notes.

Article 43. Final version
After receiving the advisory notes and performing the expertise of the draft normative act, the working group shall elaborate the final version and the accompanying file.

Article 44. Presentation of the draft normative act to the public authority for publication.
(1) The draft shall be presented to the competent public authority for issuance within the established in the dispositive part or in the elaboration plan term.

(2) To the draft normative act, depending on its category and type, shall be attached the accompanying file, which shall contain the:
   a) results of the scientific research;
   b) substantiation (informative) note;
   c) advisory notes and expertise reports;
   d) table of conflicts and reasoning;
   e) list of conditioned regulations which have to be elaborated or reviewed in connection to the adoption of the normative act;
   f) final report of the working group;
   g) other necessary acts.

(3) Documents from par. (2) shall include:
   a) depending on the case, references to the main regulation, for the enforcement of which the normative act is adopted;
   b) references to the relevant regulations of the acquis communitair;
   c) results of the researches, statistical evaluations, efforts for legislation harmonization;
   d) economic-financial reasoning in case the implementation of the normative acts shall require financial or other expenditures.
(4) Draft normative act performed in Moldovan language with Russian translation shall be presented for review to the issuing authority.

(5) Draft normative act is presented in written format, and in case of complexity, on electronic devices.

[Art.44 supplemented by the Law No.168-XVI from 15.06.2006, in force since 01.09.2006]

**Article 45.** Additional conditions of presentation of the draft normative act for review.

(1) Prior to presenting the draft normative act for review to the competent authority, it shall receive the advisory notes from the chairpersons of the bodies that have participated in the drafting process.

(2) The coordination shall be accompanied by a confirmation note from the relevant chairperson or its deputy performing chairperson’s duties, to be written on the draft or in a separate letter, containing the name and surname of the confirming authority, and the date of coordination. Each page of the first version of the draft shall contain the confirmation note. Objections and completions shall be expressed in writing on a separate page.

(3) If during the finalizing process essential amendments were made, the draft shall receive a repeated opinion from the persons mentioned in par. (1). A new advisory note is not necessary if during the finalizing were made statements that did not modify the content of the draft.

**Article 46.** Language and legal expression

(1) The text of the draft normative act shall be elaborated in Moldovan language, accompanied by a translation into other language in compliance with the legislation and in compliance with the rules presented in this article.

(2) The content of the draft shall be written in a simple language, clearly and concise, to exclude any ambiguity, in strict compliance with the grammar and orthographical rules. The use of archaisms and regionalisms shall be prohibited. The text of the articles shall have a dispositive substance, presenting the stipulated provision without explanations or reasoning.

(3) The use of neologisms shall be prohibited, if synonyms of large use exist. In cases when necessary to use some foreign terms and expressions, the Moldovan equivalent, depending on the case, shall be also included.

(4) If possible, the monosemantic notions shall be used, in compliance with the legal terminology. If a term is polisemantic, its meaning shall result clearly from the text.

(5) Specialized terms shall be used only if known in the domain of activity to which they refer.

(6) In normative legal language the same notions shall be expressed by the same terminology.

(7) In case a definition or a term is not well-known or could have various meanings, its meaning in the context shall be established by the normative act stipulating it, within the general definitions or in an annex, and becomes mandatory for the normative acts from the same domain.

(8) Expression through abbreviation of some definitions or terms may be made only after explaining them in the text, at their first use.

(9) As a rule, verbs shall be used in the present simple tense.
Chapter VII
EDITING OF NORMATIVE ACTS

Article 47. Editing of normative acts
(1) The normative act shall firstly contain general provisions, followed by specific ones, in a logical sequence.
(2) The normative act provision shall be expressed laconically, avoiding both generalized, vague expressions and those excessively detailed.
(3) The name of the normative act, names of its parts, titles, chapters and sections shall be formulated laconically, in order to mirror the meaning of the regulations.

Article 48. Reference to other normative acts, transcription of some of its provisions or reference to other points from the same act.
(1) Reference to another normative act shall be made by a formula, which shall contain the legal category of the act, title, including the number and issuing date or only the legal category and the number of the legal act, if by this any confusion is excluded.
(2) Reference to provisions of the specific normative act shall be made by an express provision, envisaging the entire regulation or its part.
(3) When a reference made to an international treaty, its complete name and also the name of the ratification, acceptance, and confirmation or adherence legal act shall be included.
(4) Within the normative act may be reiterated, for detailed explanations, provisions from a higher normative act. In case reiteration of some provisions from a higher normative act is needed, for a correct and comprehensive understanding of the normative act, these shall be reiterated precisely.
(5) As necessary, reference to other segments of the same legal act shall be made to mention the relationship between the legal acts or to avoid repetition.

Chapter VIII
STRUCTURE AND CONTENT OF THE NORMATIVE ACT

Section 1
Constituent parts of the normative act
Article 49. Constituent parts of the normative act
(1) The structure of the normative act shall ensure ordered and systematized, consecutive development of the subject matter of the legal regulation, and the correct understanding and application of the legal act.
(2) The normative act shall have the following structure:
a) title;
b) preamble, if necessary;
c) issuance clause;
d) dispositive part;
e) annexes, if necessary;
f) statement attesting the authenticity of the act.
(3) In case of a short regulation, the text may be edited without naming separately all the elements stipulated in the par. (2).

Article 50. The name of the normative act
(1) The name of the normative act comprises the general definition of the legal act, depending on the legal category, on the issuing authority and the subject matter of the regulation, expressed synthetically.

(2) It is prohibited to name the draft normative act identically to the normative act in force.

(3) In case of amendment, supplementing or repealing of a number of parts of the normative acts in force, the title of the amending, supplementing or repealing regulation shall contain:
   a) exhaustive enlisting of the regulations, the contents of which are subjected to amendment, supplementing or repealing (with indication of the number and date of issuance); or b) a general statement regarding the amendment, supplementing or repealing of some normative acts.

(4) The title of the legal act shall mandatorily contain the number of order and year of issuance of the legal act.

Article 51. Preamble
(1) In case of normative acts of enhanced importance, of the necessity to explain the goal and the reason for issuance of the legal act, and of the main objectives that shall be mirrored in the act, the enlisting of legal provisions shall be preceded by the introduction part, defined as the preamble.

(2) The preamble shall precede the issuance clause and shall not contain directions or interpretation rules.

(3) The preamble does not have legal power and is not the part of the content of the normative act.

Article 52. Issuance clause
(1) Issuance clause expresses the legal reasoning of the drafting of the normative act. Issuance clause consists of a sentence which comprises the title of the issuing authority and expresses the decision to elaborate the envisaged normative act. In the legal acts of the Government the reason for elaboration of the law shall also be stipulated.

(2) Issuance clause is mandatory for all the normative acts.

Article 53. Dispositive part
(1) The dispositive part of the normative acts is the content itself of the regulation, containing the summing up of the legal provisions stipulating the sphere of social relationships which represent the subject matter of the regulation.

(2) Normative acts shall be expressed in a sequence which ensures the correct understanding of the normative act.

Article 54. Annexes
(1) The normative act may contain its components, named annexes, which comprise ciphers, drawings, tables, charts or other similar elements. As annexes to a normative act could serve the regulations that need approval from the competent public authority, such as statutes, regulations, rules, methodologies or norms with prevailing technical features.

(2) The annex is the component part of a normative act and it has legal nature and power.
(3) If a normative act has several annexes, these shall be numbered with Arabic ciphers in the order of their insertion into the text of the legal act.

**Article 55.** Statement for attesting the authenticity of the normative act

(1) The statement for attesting the authenticity of the issued normative act shall be composed of the signature of the legal representative of the issuing authority, date and numbering of the legal act, place of its issuance.

(2) Governmental Decisions shall be signed by the Prime Minister. In compliance with the Constitution of the Republic of Moldova and the Law on the Government, some decisions shall be counter-signed by the ministers entitled to enforce them.

**Section 2**

The content of the normative act and the structure of its provisions

**Article 56.** The point

(1) The main element in the structure of the dispositive part of the normative act is the point.

(2) The point shall contain a finished thought and, as a rule, shall contain just one normative regulation applicable to a certain situation.

(3) Several normative regulations could be included into one point only if needed for their correct understanding and application. Unification into one point of divided or poorly related normative acts is not allowed.

(4) Points shall be arranged in the logical sequence of ideas.

(5) Points shall be expressed without the use of the word “article” and shall be numbered from the beginning and up to the end of each normative act, by placing the dot after the numbering cipher.

(6) For a correct interpretation and comfortable application, the points shall be divided into subpoints and paragraphs. Subpoints shall be numbered with Arabic ciphers and a bracket and could have subdivisions numbered with Latin letters and a bracket.

[Art.56 amended by the Law No.425-XVI from 22.12.2006, in force since 02.02.2007]

**Article 57.** Paragraph

(1) In case from one point result several legal prescriptions, these shall be structured into separate paragraphs, ensuring the logical sequence of the ideas and the consistency of the regulation.

(2) As a rule, the paragraph shall be composed of a sole sentence or phrase, which stipulates the legal hypothesis relevant for the point. If the provision cannot be expressed by one sentence or phrase, new sentences or phrases could be added, divided by a coma or a dot. The paragraph shall be emphasised by a slight deviation to the right from the vertical alignment of the text.

**Article 58.** Systematizing and the structure of the normative act

(1) Depending on the proportions of the normative act, the text components shall be organized as follows:
   a) points may be organized into sections;
   b) sections can be organized into chapters;
   c) chapters organized into titles;
   d) in case of the large or complex normative acts, the titles can be organized into parts, which shall be numbered with ordinary numbers written in letters.

(2) As a rule, the titles, chapters and sections shall get a name.

(3) The greater dividing degree shall follow a smaller dividing degree.
Chapter IX
TECHNICAL PROCEDURES APPLICABLE TO THE NORMATIVE ACTS

Section 1
Amendment and supplementing of the normative act

Article 59. Amendment of the normative act
Amendment of the normative act consists of the express change of the text, of some articles or paragraphs from it and editing them in a new wording.

Article 60. Procedures for the amendment of the normative act
(1) In order to express legally the intent to amend the normative act, the envisaged text shall be mentioned expressly, with all the necessary elements of identification, and the targeted provision shall be formulated by using the collocation “is amended and shall have the following content”, followed by the new text. In a new wording can be put only some parts (paragraphs, subparagraphs) of the points. At the same time, the normative act can be reformulated entirely.
(2) If it is not necessary that the amended points are entirely reworded, in their text shall be made assignations by omission, substitution or introduction of some words or phrases.
(3) For a correct understanding of the provisions of the new wording, this provision shall be placed immediately after the motivation part of the adopted decision.
(4) In case the entire text of one part, a title, chapter, section, point, subpoint or its subdivision is excluded, their numbering is not allotted to other structural elements.
(5) If it is necessary to perform amendments and completions in several parts of the legal act or if this act has been amended or completed substantially or if it is outdated, then the draft of a new normative act or the draft of the act in a new wording shall be elaborated.

[Art. 60 amended by the Law No. 425-XVI from 22.12.2006, in force since 02.02.2007]

Article 61. Supplementing of the normative act
(1) Supplementing of the normative act consists of inclusion of new provisions providing legal solutions and additional hypotheses.
(2) In case of supplementing the normative act with one or more structural elements, these shall receive the numbering of the part, title, chapter, section, point, subpoint or its subdivisions, according to which the relevant indexes are also included. If the normative act is completed by a new paragraph, the order of the further paragraphs shall be amended accordingly.

[Art. 61 amended by the Law No. 425-XVI from 22.12.2006, in force since 02.02.2007]

Article 62. The conditions for amendment and supplementing of the normative act
(1) Amending and supplementing of a normative act is allowed only if the general concept or the unitary format of the relevant act is not altered, or if the entire
act or the largest part of the envisaged legal act is not involved. Otherwise, the legal act shall be replaced by a new regulation, followed by a complete repealing.

(2) The amended provisions or supplementing the normative act shall merge organically with the amended or supplemented normative act, preserving the unity of the style and terminology, of natural sequence of the points.

(3) The normative act with a limited applicability or with the operative or dispositive character may not be amended or supplemented.

**Article 63.** The effects of the provisions for amendment and supplementing
(1) The provisions regarding the amendment and supplementing shall be inserted, at the date of their entering into force, into the main regulation, being identified with these. Further interventions for amending and supplementing these shall refer to the main regulation.

(2) The proposals regarding amendment and supplementing of the issued normative act shall not be presented without a proper reasoning earlier than 6 months after the issuance of the legal act.

**Article 64.** Consolidated normative act
(1) For removal of the existing shortcomings from the normative acts or for the improvement of the legal regulations of the envisaged social relationships by performing radical amendments in this area, a consolidated normative act shall be elaborated.

(2) The consolidated normative act is officially replacing the previous regulations and their parts, takes over their legal authority and becomes the official source of legal effects of the provisions included into it, irrelevant of the fact that they have been adopted earlier. The legal acts and their parts inserted completely or partially into the consolidated legal regulation shall be officially repealed.

(3) The consolidated regulation shall be adopted for a long term. It shall include provisions and legal acts the term of validity of which expires shortly.

**Section 2**
**Repealing of the normative act**

**Article 65.** Repealing of the normative act
(1) Provisions contained in a normative act in conflict with the new regulation of the same or higher level shall be abrogated.

(2) Repealing could be total or partial.

(3) In case of partial abrogations, adopted one after another, the last repealing shall refer to the entire normative act.

(4) The repealing of a provision or of a normative act is always final. It shall not be allowed that through the repealing of a previous normative act repealing, the initial act is reinforced.

(5) If the normative act was not expressly repealed by the higher normative act, this duty shall be performed by the authority which has issued the normative act in the first place.

**Article 66.** General repealing conditions
(1) As a rule, the repealing may be stipulated by a separate provision at the end of the normative act.
(2) Within the systematizing and unification procedures of the legislation may be elaborated and issued separate normative acts of repealing, having as their exclusive goal repealing of several normative acts.

(3) Simultaneously with the draft normative act, as necessary, there shall be presented proposals for the repealing of the earlier issued normative acts, regarding the envisaged issues or for amendment or supplementing of these.

(4) In case the elaboration of some proposals needs time, and the enforcement of the actions stipulated in the draft normative act is an urgent matter, or if a certain timeline has been established for this purpose, the proposals shall be presented, as provided, after the issuing of the new normative act.

(5) During the elaboration of repealing, amendment and supplementing proposals to the earlier adopted normative acts or their parts it shall be established if their applicability has not been extended by later normative acts also to other categories of organizations, entities and individuals. If the extension happened and the legal provision shall maintain its validity, the draft shall provided a solution that will take into account this extension and the further regulations regarding the extension shall be included into the list of acts to be abrogated.

(6) Among the normative acts to be repealed shall be included not only acts or their parts which conflict with the new provision or which have been inserted into it, but also the legal regulations or their parts which have lost earlier their practical value, but were not abrogated legally.

(7) Normative acts or their parts with a temporary value, the validity term of which has expired, shall not be included into the list of acts to be repealed. If the connection of the legal act or its parts to the category of temporary acts is doubtful, the acts or its parts are included into the list.

(8) If in the normative act, simultaneously with the temporary provisions the term of validity of which has expired, exist permanent provisions in force and all these provisions are to be repealed, the entire normative act is included into the list of the acts to be repealed.

(9) In case it has lost its value, the normative act is included entirely into the list of the acts for repealing, irrelevant of the fact if it contains paragraphs by which previously adopted acts have been abrogated.

(10) If more than two normative acts shall be abrogated, amended or completed, their list is attached as an annex to the draft.

Article 67. The moment of repealing

(1) If a previous normative act is repealed entirely, within the act envisaged for repealing shall be made express statements that at its entry into force the earlier legal act shall be repealed.

(2) If the provisions of the new normative act enter into force on different days, it shall contain the express provision that the abrogation shall be performed properly, following the stages of the entry into force of the new normative act.

Section 3

Publication, republishing and correction of the normative acts

Article 68. Publication

(1) All normative acts shall be made public through publication or posting in authorised places, in compliance with the legislation.

(2) All the normative acts of the Government and of other central public administrative authorities shall be published, in compliance with the legislation,
holding accountable their chairmen, in the Official Monitor of the Republic of Moldova.

Article 69. Republishing

(1) The substantially amended or completed normative act shall be republished, in compliance with the law, based on the provision contained in the regulation stipulating the amendment or completion.

(2) For the republishing of the normative act, the incorporation of amended or completed provisions into the body of regulations shall be performed, by updating also the names which have changed, such as those of the institutions or places, giving a new numbering to the points, sections, chapters and other elements of the legal act, in case it is expressly provided.

(3) Republishing of the normative acts shall be performed within the same official publication they’ve been initially published, the responsibility for this being given to the public authority which has issued the amending or supplementing act. The date of the republishing could be simultaneous with the publication date of the amendment act or, in reasoned cases, after this.

Article 70. Corrections

(1) In case after the publication of the normative act substantial errors in its contents shall be revealed, the publication of a notification containing relevant corrections shall follow.

(2) The correction shall be made in compliance with the law, at the request of the public authority which has issued the legal regulation.

Chapter X
PROVISIONS REGARDING ELABORATION OF THE NORMATIVE ACTS FOR CONFIRMATION OF THE INTERNATIONAL TREATIES

Article 71. The provisions regarding elaboration of draft normative acts for confirmation of international treaties

(1) In case of the international treaties, the confirmation of which, in compliance with the law, falls into the jurisdiction of the Government, the draft decisions of the Government shall be elaborated.

(2) The draft of the Governmental Decision is presented for adoption, accompanied by the text of the international regulation in the original language and the official translation into Moldovan language, authenticated in compliance with the law.

(3) The texts of the international treaties that require confirmation shall be stamped on each page, and on the last page shall be attested, by the signature of the authorised person and by the application of the stamp, the conformity of the document to the original.

(4) The provisions of the par. (1)- (3) shall apply also in case of approval by the Government of the draft laws for the ratification, acceptance, confirmation or adhering to the international treaties.

Article 72. Application of the legislative technique standards

(1) The legislative technique standards shall be applied accordingly also to the draft normative acts regarding the ratification, acceptance, confirmation or adhering to the international treaties.
The name of the draft normative act shall contain the entire name of the international treaty, date and place of its signature. Depending on the case, the title shall express the idea of ratification, acceptance, approval or adherence to the envisaged international treaty.

Ratification, acceptance or confirmation of two or several international treaties, the adherence to them shall be accomplished through one legal act; the decision to ratify, accept, approve or adhere shall be expressed through a separate provision, for each treaty.

Legal acts of ratification, acceptance, approval or adherence shall be accompanied by the texts of the international treaties.

Chapter XI
PROVISIONS REGARDING THE ELABORATION OF THE NORMATIVE ACTS OF THE CENTRAL PUBLIC ADMINISTRATIVE AUTHORITIES (DEPARTMENTAL REGULATIONS)

Article 73. Elaboration of ordinances, directives and other normative acts of the central public administrative bodies

1. Ordinances, directives and other legal acts of the ministries and other central public administrative bodies (departmental regulations) shall be adopted for the enforcement of the laws, decisions of the Parliament, decrees of the President of the Republic of Moldova, Governmental decisions and ordinances.

2. The normative acts shall be elaborated within the terms stipulated by the superior legal regulation or within a reasonable term for their elaboration and enforcement.

3. The normative acts shall be limited strictly to the established by the superior legal acts framework, being adopted for the enforcement of the aforementioned and shall not conflict with their provisions.

Article 74. Conditions of elaboration of normative acts

Normative ordinances, directives and other legal acts shall be elaborated in compliance with the legislative technique stipulated by this law, with consultations from specialized departments of the relevant public authorities and shall receive mandatory advisory note from its internal legal department.

Article 75. Expertise of the normative acts

The normative acts of the central public administrative authorities shall receive, according to the procedure established by the Government, the legal expertise from the Ministry of Justice.

Article 76. Signature of normative acts

Normative ordinances, directives and other legal acts shall be signed only by the issuing authorities.

Chapter XII
PROVISIONS REGARDING THE NORMATIVE ACTS OF THE AUTONOMOUS TERRITORIAL UNITS WITH SPECIAL LEGAL STATUS AND OTHER LOCAL PUBLIC ADMINISTRATIVE AUTHORITIES

Article 77. Normative acts of the autonomous territorial units authorities with special legal status
(1) Normative acts of the autonomous territorial units with special legal status shall be issued within the limits of authority established by the Constitution of the Republic of Moldova, by the Law on the Government, laws regarding the special legal status of the autonomous territorial units and other normative acts.

(2) At adoption of the normative acts of the autonomous territorial units with special legal status the manner of their subordination to superior legal regulations and ensuring they’re not in conflict shall be taken into consideration.

Article 78. Normative acts of the local public administrative authorities

(1) Normative acts of the local public administrative authorities are issued for regulation of activities of local interest, in compliance with the Constitution of the Republic of Moldova, Law on the local public administrative, other laws, decisions of the Parliament, decrees of the President of the Republic of Moldova, decisions and ordinances of the Government and only within the domain included into their jurisdiction.

(2) If the normative acts of the local public administrative authorities are not in compliance with the legislation in force, the Government or the other authorised body shall subject them to the contestation procedure, in compliance with the law.

Title III
FINAL PROVISIONS

Article 79
The Government shall, within 3 months:

present to the Parliament the draft Regulation regarding the procedure of publication and republication in the Official Monitor of the Republic of Moldova of the normative acts and of the corrections to them;

bring its normative acts into compliance with this law.

CHAIRMAN OF THE PARLIAMENT
Eugenia OSTAPCIUC

Chisinau, 18 July 2003.
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