

EBA Advocacy Digest 2024



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Draft law approved in second reading on 05.12.24

Accomplished/Amendment reinitiated

Law1540/1998 Extended Producer Responsibility (EPR)

Position Papers - 3 / Recommendations report - 1 Interview - 1 / Published article - 1 Regional workshops - 3 / Meetings - 6

Law 209/2016 Waste Management

Position Papers - 3 Public consultations - 3

Accomplished

- Amendments to the law 209 transposing the EU Directive by introducing the new mechanism on Deposit System for packaging - approved. To enter in force by 01.01.2027
- EBA DPs on draft GD on the Regulation regarding the depositary system and the administrator of the depositary system - submitted

EBA DP and EPR Recommendations Report - submitted to Parliament and Ministry of Environment

GD 938 Regulation regarding the mode of crossing state border of goods subject to ANSA control

Meetings - 3

Partially Accomplished

- The amendments were processed and enforced as of 01.01.2024, still the risk-based approach is not applied.
- The short list of issues on phytosanitary and veterinary aspects, legal changes and optimization of operational processes in the context of imports and exports submitted

GDPR law

Position Papers - 2 / Publiched article - 1 Public Consultations - 2 Meetings - 4 / Practical Workshop - 1

Accomplished

The new law approved and published on August 23, 2024 to enter in force as of 23 August 2026

GD 91/2019 on the state-owned public land **Regulation (superficies)**

Position Papers - 3 Meetings - 2

Partially Accomplished

EBA DP Submitted to Prime Minister Cabinet. GD - amended/discrepancies with real estate Cadaster Law

Renewables (GD 690/2018 for the approval of the Regulation on the tenders launching)

Position Papers - 6 / Interviews - 3 Public Consultations - 4 / Meetings - 7 / Events - 3

Accomplished

- Law on renewables 10/2016 and GD 401/2021 (18.01.24) regarding the approval of capacity limits amended
- Regulation on the conduct of tenders for the granting of the status of eligible producer (GD 690/2018) amended
- Tender Documentation approved
- Requests for clarification submitted

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7	Electricity Law (new)	Initiated • EBA DP reflecting a list of clarifications - submitted
8	Tax policy 2025 Position Papers – 4 Meetings - 9	Partially accomplished Among the 2024 fiscal policy priorities identified by EBA (147 proposals), and 24 proposal were accepted the following were accepted: Approval of the Stock Option (incentive) plan concept. Approval of benefits for employee sports subscriptions. Acceptance of the proposal to eliminate the deductibility cap of 5% from the wage fund for employer expenses related to compensating childcare services for employees' children, aiming to reduce legislative ambiguities and administrative burdens. Redefinition of the term "Promotional Campaign" to include various types of incentives. Acceptance of the proposal regarding equity titles and clarification of their tax regime. A series of proposed and accepted changes to Chapter VII on Local Taxes in the Fiscal Code.
9	Transfer Pricing Position Papers – 3 Meetings - 5	Partially accomplished Amending the Fiscal Code to exclude local transactions, revise definitions, and implement other significat changes, alongside modifying Ministry of Finance Order Nr. 9 regarding the Transfer Pricing Regulation Amendments to the Fiscal Code: As part of the 2025 fiscal policy exercise, a series of proposed amendments were presented, most of which were accepted and are reflected in the Law approving the 2025 Fiscal Policy. Amendments to Ministry of Finance Order No. 9 regarding the Transfer Pricing Regulation: Currently, the draft has been submitted by the Ministry of Finance for consultation, and EBA is in the stage of countering the provisions of the draft with the proposals it submitted in September.
10	Modification of state control Position Papers – 5 Meetings – 4	In process - Amending Law Nr. 131/2012 on state control of entrepreneurial activity, as well as the secondary regulatory framework related to each control authority. EBA sublimited six position papers with member proposals, some of which were partially accepted, and regularly participated in meetings organized by the Disputes Council and the State Control Council, where EBA is a member.
11	Amendment of the Law on Advertising No 62/2022 Position Papers – 3 Meetings – 3	In process In 2024, EBA submitted 4 Position Papers, and participated in the meeting organized with MDED and the municipality of Chişinău

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12	Amendment of labor legislation	In 2024, EBA submitted 2 Position Paper, and participated at the several meetings with MMPS.
13	Amendment of legislation related to	In process
	labor shortages and the attraction of foreign labor	EBA submitted two position papers and participated in meetings organized on the platforms of the commission for Social Protection, Health and Family, Ministry of Internal Affairs (MAI), and the Ministry of Economic Development and Digitalization (MDED).
	Position Papers – 3 Meetings - 5	
14	Amendment of the regulatory	In process
	framework for cash settlements	EBA submitted 2 Position Paper and participated at the meetings which was held by BNM.
	Position Papers – 2 Meetings - 1	
15	AML	In process
	Position Papers – 2 Meetings - 1	EBA submitted 2 Position Paper and participated at the meetings which was held by BNM.
16	Capital market development	In process
	Position Papers – <mark>2</mark> Meetings - 1	EBA submitted position paper and participated at 3 meeting organized by BNM and CNPF.
	Track and Trace system	In process
17	(tobacco)	EBA DP debated on the Parliamentary Committee "Social Protection, Health and Family Committee", underlying that proposed draft law provisions are not in line with the EU Directive 2014/40. In July, a meeting was held with the State Secretary Mrs. Cristina Ixari and the
	Position Papers – 1	Tobacco sector regarding the importance of swiftly developing the Track and Trace Concept and its phased implementation, allowing
	Meetings – 2	the sector to adjust its internal systems. Relevant position papers were previously submitted. Currently, the concept is at the
	Interview - 1 Only EBA submitted the Position Paper and	consultation stage.
	participated in public consultations	