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**Republic of Moldova**

**THE PARLIAMENT**

**LAW No. 105 of 16/05/2008**

**On protection of witnesses and other participants in criminal proceedings**

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*AMENDED BY:*

*LP99 of 12/06/14, MO174-177/04.07.14 art. 407*

*LP66 of 07/04/11, MO110-112/08.07.11 art. 299*

The Parliament adopts this organic law.

**Chapter I**  
**GENERAL PROVISIONS**

**Article 1. Scope**

This Law provides for the security of participants in criminal proceedings when their life, physical integrity, freedom or property are endangered due to their knowledge of data that they agreed to provide to judicial authorities, which serve as a conclusive evidence of commission of serious, extremely serious or exceptionally serious offences.

**Article 2. Main concepts**

(1) For the purposes of this law, the following main concepts shall mean:

1) *protected person* – a person, who has entered into a protection agreement under this law and has the procedural status of:

a) a witness in a criminal case relating to serious, very serious or exceptionally serious offences, in the phase of a legal investigation or a court proceeding in compliance with art. 90 of the Code of Criminal Procedure;

b) an injured party in a criminal case relating to serious, very serious or exceptionally serious offences, in the phase of a legal investigation or a court proceeding in compliance with art. 59 of the Code of Criminal Procedure;

c) a victim in a criminal case relating to serious, very serious or exceptionally serious offences, in the phase of a legal investigation or a court proceeding, who agrees to cooperate before the commencement of criminal proceedings;

d) a suspect, an accused or an indicted person, who agrees to give testimony that could become conclusive evidence with respect to a serious, very serious or exceptionally serious offence, or who provides data relating to the preparation of serious, very serious or exceptionally serious offences;

e) a convicted person, while serving a custodial sentence, a sentence of imprisonment or life imprisonment, who agrees to give testimony that could become conclusive evidence with respect to a serious, very serious or exceptionally serious offence, or who provides data relating to the preparation of serious, very serious or exceptionally serious offences;

f) a person without procedural status, who agrees to provide data relating to the preparation of serious, very serious or exceptionally serious offences.

*Note.* Upon the request of a person listed under letters a-f above, close relatives and their family members may also be protected according to this law;

2) *state of danger* – a situation where the physical integrity, freedom or property of persons listed in para. 1 above is threatened due to their provision of data or agreement to cooperate in criminal proceedings;

3) *agreement to cooperate* – the consent of persons listed in para. 1 above to provide, before the commencement of criminal proceedings, data that amount to conclusive evidence of the commission of serious, very serious or exceptionally serious offences or other information.

4) *protection programme* – a set of protection measures, applied by the authority competent to protect witnesses and formulated with the consent of the protected person, which is aimed at protecting his/her life, physical integrity and health under this law, taking into account the personality of the witness, the information possessed by him/her and the existing or potential danger;

5) *protection measures* – measures provided for in articles 14 and 14<sup>1</sup>, applied as part of the protection programme exclusively by the authority competent for the protection of witnesses;

6) *emergency measures* – specific activities carried out by the criminal investigation authority, by the prosecutor conducting the legal proceedings or by a higher-ranking prosecutor, by the management of the detention facility or, when appropriate, by the authority competent to protect witnesses, as soon as a person's exposure to a state of danger is identified;

7) *protection agreement* – a written confidential agreement between the protected person and the competent authority for protection of witnesses regarding the measures to be applied for protection of the person, the duties of parties and the circumstances for cessation of protection;

8) *maximum confidentiality* – security of information in compliance with the Law No. 245-XVI of November 27, 2008 on the state secret;

9) *close relatives* – persons listed in art. 6, para. 41) of the Code of Criminal Procedure;

10) *family members* – direct relatives, relatives by affinity, guardian, trustee, person under guardianship or trusteeship, fiancé, fiancée, cohabitants;

11) *decision on application of protection measures* – an order of the prosecutor or a court decision on the application of protection measures with respect to participants in proceedings, issued in compliance with the Code of Criminal Procedure;

12) *decision of the competent authority* – a document issued by the head of the authority competent for the protection of witnesses.

13) *protected person in a detention facility* – a person subjected to detention, preventive measure in the form of preventive arrest or serving a sentence of imprisonment or life imprisonment, with whom a protection agreement was concluded under this law;

14) *detention facility* – a place where people are subjected to detention, preventive measure in the form of preventive arrest or where a person serves a sentence of imprisonment or life imprisonment;

15) *administration of the detention facility* – management of a detention facility.

(2) Other concepts and expressions used in this law shall have the meaning designated to them in the Criminal Code, the Code of Criminal Procedure and the Enforcement Code.

**Article 3.** Grounds for inclusion in the protection programme of participants in criminal proceedings

The following may serve as grounds for inclusion in the protection programme of participants in criminal proceedings:

- a) availability of a state of danger for persons listed in art. 2, para. 1);
- b) giving or agreeing to give testimony relating to serious, very serious or exceptionally serious offences or providing or agreeing to provide information before commencement of criminal proceedings;
- c) testimony amounting to conclusive evidence for detection of offenses or for the objective judgment of a criminal case relating to serious, very serious or exceptionally serious offences.

**Article 4.** Protection of information

(1) Information about the actual identity or other data about the protected person shall be stored in maximum confidentiality conditions, in compliance with this law and with the Law No. 245-XVI of November 27, 2008 on the state secret.

(2) Disclosure of information about the protected person shall be punished according to the effective legislation. Persons who take part in the protection programme shall sign a confidentiality statement to this end.

## **Chapter II**

### **AUTHORITIES COMPETENT FOR THE PROTECTION OF WITNESSES AND OTHER PARTICIPANTS IN CRIMINAL PROCEEDINGS**

**Article 5.** Authority competent for the protection of witnesses

The authority competent for the protection of witnesses and other participants in criminal proceedings shall operate as a subdivision of the Ministry of Home Affairs.

**Article 6.** Duties of the competent authority

- (1) The competent authority has the following duties:
- a) ensure enforcement of decisions on the application of protection measures, issued in compliance with art. 215 para. (2) of the Code of Criminal Procedure;
  - b) issue decisions on the application of protection measures;
  - c) identify solutions that are necessary and sufficient for the application of optimal protection measures;
  - d) develop the protection programme jointly with the protected person or his/her legal representative under art. 23, para. (2);
  - e) draft the protection agreement, which should be signed by the head of the competent authority and the protected person or his/her legal representative under art. 23, para. (2);
  - f) organize its own database relating to the persons included in the programme and protection measures applied and ensure the maximum confidentiality;
  - g) apply protection measures according to the protection programme;
  - h) carry out other actions stipulated in the protection programme;
  - i) apply, when appropriate, emergency or assistance measures stipulated in this law;
  - j) manage funds from the state budget and from external funds, which are needed for implementing the protection programme.
  - k) conduct special investigative measures in accordance with the effective law;

1) check, at any time, the execution of decisions on application of protective measures and the application of emergency measures and assistance measures by the administration of the detention facility under art. 9.

(2) if there is no other way to perform its duties, the competent authority may change the identity of its staff members or its movable and immovable property used by the staff, while implementing certain measures under this law.

(3) The competent authority shall cooperate with witness protection authorities of other states and shall ensure the continuing training of its staff.

(4) The competent authority shall issue internal documents relating to database management, procedures to ensure maximum confidentiality and other documents aimed at efficient application of protection measures. The internal documents prepared by the competent authority shall comply with the relevant universally recognized international documents, the Constitution of the Republic of Moldova and the Code of Criminal Procedure.

#### **Article 7. Duties of the criminal investigation authority**

(1) While conducting legal proceedings, the criminal investigation authority is empowered to apply ex officio emergency measures or assistance measures, as set forth in this law, by notifying the prosecutor and the competent authority immediately or within 24 hours.

(2) When identifying the need for application of protection measures, the criminal investigation authority shall propose to the prosecutor to issue a decision on the application of respective measures.

#### **Article 8. Prosecutor's duties**

(1) The prosecutor conducting the legal proceedings and the higher-ranking prosecutor are empowered to apply ex officio emergency measures and assistance measures, as set forth in this law, by notifying the competent authority immediately or within 24 hours.

(2) The prosecutor conducting the legal proceedings or the higher-ranking prosecutor shall issue a decision on the application of protection measures according to art. 215 of the Code of Criminal Procedure, at the proposal of the criminal investigation authority or ex officio.

(3) Upon a reasoned proposal of the competent authority, the prosecutor may authorize or submit for authorization to the investigative judge special investigative measures, in accordance with the effective law.

#### **Article 9. Duties of the management of the detention facility**

(1) The management of the detention facility is empowered to apply emergency measures and assistance measures as set forth in this law, by notifying the competent authority immediately or within 24 hours.

(2) The competent authority shall order protection measures for persons in detention facilities, which shall be carried out by the detention facility management jointly with the Department for Penitentiary Institutions of the Ministry of Justice.

### **Chapter III PROTECTED PERSONS**

#### **Article 10. Beneficiaries of the right to protection**

Persons listed in art. 2, para. 1 have a right to protection.

#### **Article 11. Rights of protected persons**

The protected person has the right to:

- a) request revision of the protection programme where reasonable grounds exist to believe that the person or his/her family members are threatened with death, violence, deterioration or destruction of property or other illegal action;
- b) propose to the representative of the competent authority the application of a certain protection measure;
- c) reject the application of a protection measure if it is contrary to his/her moral or religious convictions or ethical norms;
- d) enter into a protection agreement;
- e) be informed about any protection measure that may be applied to him/her and about his/her rights and obligations.

#### **Article 12. Obligations of the protected person**

- (1) The protected person is obliged to:
  - a) provide known information through statements or notifications submitted to the criminal investigation authorities or by giving testimony in court;
  - b) comply with the protection measures included in the protection programme and strictly observe them;
  - c) refrain from disclosing data about protection measures or other data referring to the protection programme mentioned in the protection agreement;
  - d) refrain from any action that could endanger the implementation of the protection programme, including communication with certain persons without the permission of the competent authority;
  - e) inform the competent authority about any change that occurred in his/her personal life, and about any new circumstances that could endanger the implementation of the protection programme.
  - f) not to commit actions contrary to the law in force;
  - g) to strictly abide by established rules, depending on their capacity under the current law, while staying in a detention facility;
  - h) not to create conflicts and/or conflict situations that would generate other dangers than those which threaten them.
- (2) Additional obligations of the participant in the programme may be included in the protection agreements by joint agreement of parties, when appropriate.

### **Chapter IV**

#### **EMERGENCY MEASURES, PROTECTION MEASURES AND ASSISTANCE MEASURES**

##### **Article 13. Emergency measures**

- (1) The criminal investigation authority may apply emergency measures to the participant in criminal proceedings who is exposed to danger, calling for immediate security measures.
- (2) When emergency actions are taken, the prosecutor conducting the legal proceedings shall be notified immediately or within 24 hours.
- (3) Emergency measures applicable to participants in the criminal proceedings by the criminal investigation authority are:
  - a) provision with a body-guard and a guard for the dwelling, residence or property;
  - b) interception of his/her communication in accordance with the provisions of the Code of Criminal Procedure;
  - c) supervision, using audio/video devices, in accordance with the provisions of the Code of Criminal Procedure;
  - d) temporary relocation in a safe place;

- e) protection of movement or restriction of movement;
- f) provision with special active and passive means for personal protection.

(5) When appropriate, the authority applying emergency measures may determine their duration.

(6) Emergency measures may be applied separately or cumulatively, together with assistance measures.

**Article 13<sup>1</sup>.** Emergency measures applicable to persons in detention facilities

(1) Emergency measures applicable to persons in detention facilities shall be applied by the detention facility management, provided that the prosecutor supervising the observance of law in detention facilities is notified immediately or within 24 hours;

(2) Emergency measures applicable to persons in detention facilities by the detention facility management are:

- a) placement in a specially arranged place;
- b) transfer to another detention facility;
- c) transportation by applying more rigorous protection measures;
- d) installation of a special alarm system in the detention facility;
- e) installation in detention facilities of a direct telephone connection (intercom) system with the guard unit of the detention facility and the competent authority.

(6) Emergency measures may be applied separately or cumulatively, together with assistance measures.

**Article 14.** Protection measures

(1) In criminal proceedings the following protection measures may be applied to the protected person:

- a) protection of identity data;
- b) hearing by using special means and methods;
- c) change of residence, workplace or place of study;
- d) change of identity, change of physical appearance;
- e) installation of an alarm system in a dwelling or residence;
- f) change of telephone number;
- g) protection of property.

(2) Emergency measures may be applied separately or cumulatively, together with assistance measures.

**Article 14<sup>1</sup>.** Protection measures applicable to protected persons in detention facilities

(1) Protection measures referred to in art. 14 para. (1) b) of this law may be applied in respect of protected persons in detention facilities.

(2) The protected person serving a sentence of imprisonment or life imprisonment may be transferred to another prison in the Republic of Moldova or to a prison in another country, on the basis of agreements on international legal assistance in criminal matters to which the Republic of Moldova is a party.

**Article 15.** Protection of identity data of the protected person

(1) Protection of identity data of the protected person shall be exercised by the non-disclosure of information relating to the person.

(2) The decision for application of the respective protection measures shall specify the proportion of non-disclosure of identity data and, when appropriate, the duration of such measures.

**Article 16.** Hearing of a person by using special methods

The hearing of a person by using special methods shall be conducted in compliance with the provisions of art. 110 of the Code of Criminal Procedure.

**Article 17.** Change of residence, workplace or place of study

(1) A change of residence is the transfer of the person from his/her permanent residence to another location in the Republic of Moldova. Based on interstate agreements on international legal assistance in criminal matters, the person may be transferred for residence in another country.

(3) When needed, the competent authority may propose to a person to change his/her workplace or place of study under the effective legislation. In such cases, the competent authority is obliged to help identify and provide such new workplace or place of study.

(4) The conditions for change of residence, workplace or place of study shall be included in the protection agreement.

**Article 18.** Change of identity, change of physical appearance

(1) A change of identity is a change of personal data and, when appropriate, a change of the social, legal, ethnic, and other data. The protected person or his/her legal representative under art. 23, para. (2) shall determine the amount of change in the identity.

(2) The new identity may have no impact on the status of the person, nor may it affect any other social, cultural and political rights of the person.

(3) Upon expiry of the application term for the protection measures, the person may assume the old identity or may maintain the new one.

(4) The protected person may not assume the initial identity, if his/her new identity has significantly affected the status of a third person through marriage, paternity, maternity, etc.

(5) Change of identity may occur only when the protected person has no obligation with respect to third parties. If, upon application of this measure, it is determined that the protected person has certain obligations with respect to third parties, which, while known to him/her, have not been communicated to the competent authority, the person shall be given a certain term to meet such obligations. If the person refuses to meet such obligations, he/she shall be granted other protection measures.

(6) If the protected person has committed an offense before a change of identity, the competent authority shall ensure his/her attendance of the court proceedings upon the request of the court with use of initial identity, while the court may use special means for hearing the person pursuant to art. 110 of the Code of Criminal Procedure.

(7) Change of physical appearance shall imply some surgery operations or other actions, accepted by the protected person or his/her legal representative under art. 23, para. (2) to change some visible parts of the body. The change of appearance should not affect the cultural and religious convictions of the person. The measure shall be applied only when all the other measures are deemed inefficient and only with the consent of the protected person or his/her legal representative under art. 23, para. (2).

**Article 19.** Installation of an alarm system

The installation of the alarm system means the equipment of a dwelling, residence or other premises with devices that ensure the rapid warning of the competent authority and/or of the police about a person's exposure to imminent danger.

**Article 20.** Change of telephone number

(1) The change of the telephone number shall be accomplished by changing the landline or mobile telephone number of the protected person.

(2) If the telephone number is changed, the name of the protected person may be deleted from the lists of the telephone operator by decision of the competent authority.

**Article 21.** Protection of property

Protection of the protected person's property shall be accomplished by guarding the property and by other legal actions included in the protection agreement.

**Article 22.** Assistance measures

The protection agreement may also include other assistance measures, such as:

- a) integration in another social environment;
- b) professional retraining;
- c) provision of a decent income pending employment;
- d) assistance in acquiring a new profession;
- e) healthcare;
- f) legal assistance;
- g) psychological and social assistance.

**Article 22<sup>1</sup>.** Assistance measures applicable to protected persons in detention facilities

(1) The protection agreement with the person in the detention facility may include the following assistance measures:

- a) healthcare;
- b) legal assistance;
- c) psychological and social assistance.

(2) Assistance measures for protected persons in detention facilities shall be applied by the administration of the detention facility under the Enforcement Code and other effective regulations with the consent of the competent authority.

## **Chapter V**

### **PROTECTION PROGRAMME**

**Article 23.** Conditions for inclusion in a protection programme

(1) Inclusion of a person in a protection programme shall happen if all of the following conditions are met:

- a) he/she submitted a written application;
- b) the person has the qualities set forth in art. 2 para. 1, subpara. (1);
- c) the person is exposed to danger as set forth in art. 2 para. 1, subpara. (2);
- d) there is a substantiated decision of the prosecutor or a court decision regarding the application of protection measures, issued based on art. 215 of the Code of Criminal Procedure.

(2) Inclusion in a protection programme of a minor or a person with limited capacity is possible upon the written consent of his/her legal representatives.

**Article 24.** Commencement of procedure for inclusion in a protection programme

(1) The person, who is exposed to danger, may apply to the prosecutor conducting legal proceedings or, when appropriate, to the court, for inclusion in a protection programme.

(2) The prosecutor, or, when appropriate, the court, shall review the application in a confidential manner, and shall issue a decision on the application of protection measures.

(3) Upon determining, *ex officio*, a state of danger, the prosecutor, or, when appropriate, the court, shall review the case in a confidential manner with participation of the person exposed to danger and shall issue a decision regarding application for protection measures.



(4) When the prosecutor refuses to review the application for inclusion in the programme or to issue a decision regarding the application of protection measures, the person may appeal the refusal with the investigative judge.

(5) When the court refuses to review the application for inclusion in the programme or to issue a decision regarding application of protection measures, the person may appeal the refusal based on art. 453 para. (2) of the Code of Criminal Procedure.

(6) The prosecutor or the court may recommend to the competent authority the application of some specific protection measures.

#### **Article 25.** Decision on the application of protection measures

(1) The decision on the application of protection measures, issued by the prosecutor or by the court should include the following:

a) personal data in compliance with art. 358 para. (1) of the Code of Criminal Procedure, which shall be applied accordingly. The criminal record shall be added to the data listed in art. 358 para. (1);

b) reference to the existence of a written application of the person to be protected;

c) the legal procedure status of the person or, when appropriate, the lack thereof;

d) the description of the case, which is in the phase of criminal proceedings or in court;

e) data and information provided by the person, their value as conclusive evidence, the circumstances by which the person obtained the data and evidence;

f) data that confirms the existence of a state of danger;

g) estimate of opportunities for recovering the damage incurred through the offence;

h) data relating to the financial condition of the person;

i) recommendations regarding the application of some specific protection measures, when appropriate.

(2) The prosecutor or the court may include in the decision other relevant data, as the case may require.

(3) The decision on the application of protection measures shall be immediately sent to the competent authority within 24 hours at the latest and its execution is binding as provided in art. 215 of the Code of Criminal Procedure.

#### **Article 26.** Decision of the competent authority

(1) The decision of the competent authority shall include:

a) the date of issue of the decision on the application of protection measures;

b) data relating to the person included in the programme;

c) information on the essence of the case that is in criminal proceedings or in court;

d) the possible danger to which the person is exposed and with respect to which protection measures are to be applied;

e) protection measures which are to be applied.

(2) The decision for application of protection measures with respect to a person exposed to danger shall be issued by the head of the competent authority within a reasonable time, but no later than within 30 days from the issue of the decision on the application of protection measures.

(3) When the decision on the application of protection measures does not meet the requirements stated in this law, the head of the competent authority shall request a correction of errors through a decision. The authority that has issued the decision is obliged to make corrections within three days.

#### **Article 27.** Protection agreement

(1) Within three days from the issue of the decision, the head of the competent authority shall conclude a written agreement with the person exposed to danger.

(2) When the family members of the protected person are also exposed to danger, the agreement is to be concluded individually with each person.

(2<sup>1</sup>) When the family members of the protected person are also exposed to danger, the agreement is to be concluded individually with each person.

When the person exposed to danger or his/her family member refuses to sign the protection agreement, he/she shall provide reasons for refusal in a written form.

(3) The person acquires the protected person status at the time the agreement is signed.

(4) The protection agreement relating to a minor is to be signed by the minor and by his/her legal representative. When the representative refuses to sign or, if in some circumstances is unable to sign the agreement, it is to be signed by the representative of the tutorship or the curatorship authority. When the legal representative or the representative of the tutorship or curatorship authority has objections to the contents of the agreement, including, with respect to the protection measure, the agreement shall not be signed before the disagreement is resolved. In such cases, the competent authority may transfer the decision for the application of protection measures to the prosecutor or to the court. In all cases, the interests of the minor shall prevail.

(5) The protection agreement shall include:

- a) general provisions on the parties to the agreement, date and place for signature;
- b) the applied protection measure and the conditions and duration of its application;
- c) the rights and obligations of the protected person established under this law;
- d) the obligations of the competent authority;
- e) the personal data or data about designated contact persons and the conditions under which such persons will operate;
- f) a clause stating that the agreement was signed in only one copy to be stored in the competent authority under conditions of maximum confidentiality.

(6) If new elements emerge after conclusion of the criminal or court proceedings, a new decision may be issued as set forth in this law, which may modify the existing protection agreement or conclude and create a new agreement.

#### **Article 28.** Protection programme

(1) The protection programme shall be carried out using confidential methods and techniques developed within the competent authority.

(2) The documents relating to inclusion of a person in the programme shall be stored under maximum confidentiality conditions.

#### **Article 29.** Cessation of the protection programme

(1) The protection programme shall cease in the event of any one of the following situations:

- a) the protected person submits a written application;
- b) the person refuses to give testimony in the criminal proceedings;
- c) the person gives false testimony in the criminal proceedings, which is confirmed by a final court decision on conviction for false testimony;
- d) the protected person does not observe the obligations stated in the protection agreement;
- e) the circumstances that gave rise to the inclusion of the person in the protection programme no longer exist;
- f) the protected person dies.

(2) In the cases set forth in para. (1) above, the protection programme shall terminate upon the issuance of a decision by the prosecutor or the court.

(3) In the cases set forth in para. (1) a), d), e) and f) above, the protection programme may terminate upon decision of the head of the competent authority.

(4) The prosecutor or the court shall notify the competent authority about the programme termination decision immediately or within three days of issuing the decision. Under the circumstances set forth in para. (1) letter f), the application of the programme with respect to family members may continue depending on circumstances of the case.

## **Chapter VI**

### **SUPERVISION OF PROTECTION MEASURES**

#### **Article 30.** Supervision by the prosecutor

(1) The Prosecutor General and his/her deputies with special competence in this respect shall exercise the supervision of the criminal investigation by competent authorities that have the authority to apply emergency measures, protection measures and assistance measures.

(2) The prosecutor with supervision authority has the right to access information, which is granted state secret status pursuant to the law.

#### **Article 31.** Supervision by the investigative judge

(1) In the case set forth in art. 24 para. (4), and in other cases when it is believed that rights were infringed, the person may file a complaint with the investigative judge within 10 days.

(2) The complaint shall be reviewed within 10 days in under confidentiality and in compliance with the provisions of art. 313 of the Code of Criminal Procedure.

(3) The decision of the investigative judge shall be binding on the competent authority, which has the right to apply emergency measures, protection measures and assistance measures.

## **Chapter VII**

### **NATIONAL AND INTERNATIONAL COOPERATION**

#### **Article 32.** National cooperation

(1) To ensure efficient witness protection, the competent authority shall cooperate with central and local public authorities, and with nongovernmental organizations.

(2) Central and local public authorities shall comply with notification issued by the competent authority aimed at protecting a specific person. The implementation deadline shall be shown in the notification. If the notification cannot be performed, the respective authority shall notify the competent authority immediately or within 72 hours explaining why.

(3) The nongovernmental organizations shall provide, within the limits of their authority, support in granting efficient protection and assistance.

#### **Article 33.** International cooperation

(1) International cooperation in the area of witness protection shall be carried out in compliance with the norms for international legal assistance in criminal matters.

(2) The competent authority may conclude agreements to send a protected person to another country or to accept foreign persons in the territory of the Republic of Moldova based on mutual agreements between the Republic of Moldova and other states.

## **Chapter VIII**

### **FINANCIAL COVERAGE OF THE WITNESS PROTECTION ACTIVITY**

**Article 34. Expenditures**

(1) The expenditures for the enforcement of this law shall be covered by the state budget, from external sources and from programmes for meeting the needs for the protection of witnesses.

(2) The fund management methods shall be determined by a regulation approved by the Government.

**Chapter IX  
FINAL AND TRANSITORY PROVISIONS**

**Article 35**

(1) This law shall enter into force three months after its publication in Monitorul Oficial al Republicii Moldova.

(2) On the day of entry into force of this law, the Law No. 1458-XIII of January 28, 1998 on state protection of the injured party, witnesses and other persons, who provide assistance in criminal proceedings with subsequent amendments, shall be repealed.

**Article 36.**

Within three months, the Government shall:

- submit to the Parliament proposals for ensuring the compliance of effective legislation with this law;
- approve the regulations that are necessary for the enforcement of this law and ensure the compliance of its regulations with this law;
- ensure approval or revision of the regulations of other ministries and other central public authorities.

**CHAIRMAN OF THE PARLIAMENT**

**Marian LUPU**

**No. 105-XVI. Chisinau, May 16, 2008**