

Moldova: Law of 1990 on Migration

Publisher [National Legislative Bodies / National Authorities](#)

Publication Date 19 December 1990

Cite as *Moldova: Law of 1990 on Migration* [], 19 December 1990, available at: <http://www.refworld.org/docid/3ae6b4f520.html> [accessed 18 March 2015]

Comments This is an unofficial translation. This Law was signed by the President of the Republic of Moldova on 19 December 1990. Modified by Law nr.278-XIII dated 10.11.94, by Law nr.606-XIII dated 13.10.95, by Law nr.1396-XIII dated 05.12.97, by Law nr.263-XIV dated 24.12.98, by Law nr.474-XIV dated 25.06.99, by Law nr.684-XIV dated 19.11.99

Disclaimer This is not a UNHCR publication. UNHCR is not responsible for, nor does it necessarily endorse, its content. Any views expressed are solely those of the author or publisher and do not necessarily reflect those of UNHCR, the United Nations or its Member States.

The Law of the Republic of Moldova "On Migration" governs and regulates processes of population immigration and emigration on the territory of the republic.

The present Law is elaborated on the basis of the Constitution of the Republic of Moldova, the Declaration on Sovereignty of the Republic of Moldova, the Universal Declaration of Human Rights, conventions of the International Labour Organisation and other republican and international legislative documents.

I. GENERAL PROVISIONS

Article 1. Law Subjects and Migration Forms

1. Subjects of the Law of the Republic of Moldova "On Migration" are : an individual or a family on the one hand and the Ministry of Labour, Social Protection and Family and Ministry of Interior of the Republic of Moldova on the other.

[section 1. art.1. modified by Law nr.474-XIV dated 25.06.99]

2. Migration is subdivided into: family migration, labour migration, migration connected with education and special migration. One of the types of labour migration is the pendulum one.

Article 2. The competence of the public administration authorities

1. The Law of the Republic of Moldova "On Migration" is implemented by the Government through the Ministry of Labour, Social Protection and Family, the Ministry of Interior and the local public administration authorities of the Republic of Moldova.

2. The immigrant statute is determined by the Ministry of Labour, Social Protection and Family of the Republic of Moldova.

3. The migration connected with the residence in the Republic of Moldova is regulated by the Ministry of Interior of the Republic of Moldova.

4. Ministry of Labour, Social Protection and Family of the Republic of Moldova together with the other interested ministries and departments, enterprises, institutions and organisations, sends to the Ministry of Interior for the evidence, the information about migrants.

[art.2 modified by Law nr474-XIV dated 25.06.99]

Article 3. Responsibilities of enterprises, educational institutions, organisations (including cooperative, tenant and public), legislative bodies, institutions of civil status registering and of local public administration authorities before the Ministry of Interior and the Ministry of Labour, Social Protection and Family of the Republic of Moldova

[title modified by Law nr.474-XIV dated 25.06.99]

The enterprises, educational institutions, organisations (including cooperative, tenant and public), legislative bodies institutions of civil status registering and of local public administration authorities are obliged in order to avoid the violation of human rights and to provide help to immigrants, to inform in ten days the Ministry of Interior and the Ministry of Labour, Social Protection and Family about the following:

[section modified by Law nr.474-XIV dated 25.06.99]

- enterprises, institutions and organisations (including cooperative, tenant and public ones) -about the interruption ahead of time of a labour contract with the immigrant;
- educational institutions -about the graduation or suspension of studies, about the transfer to another educational institution or about the expulsion of pupils and students;
- legislative bodies -about the delinquencies committed by the immigrant and about the court decision regarding his family status changes;
- institutions of civil status registering -about the family status changes of the immigrant;
- institutions of local public administration authorities -about the departure of the immigrant from the territory within their jurisdiction ahead of time.

[section modified by Law nr.474-XIV dated 25.06.99]

II. QUOTA AND REGULATION OF IMMIGRATION

Article 4. Immigration Quota

1. The Law of the Republic of Moldova "On Migration" regulates the settlement of the immigrants in the Republic of Moldova in accordance with immigration quota what represents the maximum number of immigrants.

2. The immigration year quota all over the country is 0,05% of the permanent population total number of the Republic of Moldova. The distribution of the immigration quota within districts, Gagauzian self-government territorial district, Transnistrian localities and Chisinau municipality is provided by the Government in base of the Ministry of Labour, Social Protection and Family's proposal, according to necessities.

3. Quota comprises all immigrants who settle in the Republic of Moldova, except for the persons

who obtained a repatriate statute in the Republic of Moldova.

[art.4 modified by Law nr.684-XIV dated 19.11.99]

[section 1. modified by Law nr.474-XIV dated 25.06.99]

Article 5. Regulation of Family Immigration

1. Regulation of family immigration provides for the family reunification and its integrity. Family of an immigrant may include: husband (wife), children, father and mother who depend on he or she.

2. In conditions of immigration quota observance the preference is given to the minors who move in order to reside with their parents and to the aged persons or parents who need help in case they have no children or guardians outside the frontiers of the Republic of Moldova.

3. The persons nominated in section 1. except minor children and wife (husband) can immigrate in the Republic of Moldova only in case that they settle for living at persons who are citizens of the Republic of Moldova and who resided within the territory of the Republic of Moldova at least for three years.

[section 3. introduced by Law nr.1396-XIII dated 05.12.97]

Article 6. Regulation of Labour Immigration

1. Labour immigration is regulated on the basis of the Republic of Moldova state policy in the domain of human resources use.

2. Pendulum migration of population near the frontier zones of the republic is regulated in accordance with the procedure established by the Government of the Republic of Moldova.

Article 7. Regulation of Immigration for Obtaining Education

1. Immigration for obtaining education is regulated in conformity with agreements concluded by the Republic of Moldova with other states together with the contracts concluded between high education institution and foreign natural or legal persons.

[section 1. modified by Law nr.606-XIII dated 13.10.95]

2. Persons sent to studies in the Republic of Moldova from other states have to show document of assignment or invitation to studies of respective organisation or educational institution.

Article 8. Regulation of Special Immigration

1. Problems of repatriation in the Republic of Moldova of native servicemen retired or transferred from active military service to the reserve, and of former permanent inhabitants of the Republic of Moldova discharged from the places of detention are the problems of special immigration.

[section 1. modified by Law nr.474-XIV dated 25.06.99]

2. Settling and staying in the Republic of Moldova of military unit personnel of the USSR Armed Forces, of embassies, consulates and missions staff, of refugees and persons who solicit for granting political asylum is regulated by special legislation of the Republic of Moldova.

Article 9. Suspension of Immigration

By virtue of objective reasons the Parliament of the Republic of Moldova may limit or suspend the immigration. Suspension or limitation of immigration does not hinder settling in the Republic of Moldova of persons enumerated in article 4, section 3 (a) and (b).

Note of the author: Article 4 was modified and points (a) and (b) of the section 3 were excluded.

III. IMMIGRANT CERTIFICATE AND THE WORKING AUTHORISATION.

STATE DUTY FOR IMMIGRANTS

[chapter III title modified by Law nr.474-XIV dated 25.06.99]

Article 10. The immigrant certificate and the working authorisation

1. The immigrant certificate and the working authorisation is issued and annulled by the Ministry of Labour, Social Protection and Family of the Republic of Moldova according to the provisions established by the Government of the Republic of Moldova.

2. Working authorisation is subdivided into:

a. fixed-date working authorisation;

b. permanent working authorisation;

3. Fixed-date working authorisation is issued to immigrants who have a written contract for work or for another activity in the Republic of Moldova for a period of maximum 3 (three) years.

4. Permanent working authorisation is issued to immigrants who possess specialities extremely necessary to the republic as well as specialists of high qualification, at the same time the preference is given to persons who previously used to be citizens of the Republic of Moldova and of their descendants.

5. Immigrant, whose working authorisation has expired can request for a new working authorisation.

[art.10 modified by Law nr.474-XIV dated 25.06.99]

[art.10 modified by Law nr.263-XIV dated 24.12.98]

[art.10 modified by Law nr.278-XIII dated 10.11.94]

[art.11 excluded by Law nr.474-XIV dated 25.06.99]

Article 12. State Duty for Immigrants

Rate of the state duty for immigrants is established by legislation of the Republic of Moldova.

[art.13 excluded by Law nr.474-XIV dated 25.06.99]

Article 14. Immigrants Assistance Fund

With the purpose of rendering assistance to immigrants and to emigrants in case of need, under the Ministry of Labour, Social Protection and Family of the Republic of Moldova a budget fund is created, property and means of which are formed by the assignments from state and local budgets and

by means of enterprises, educational institutions and organizations (including cooperative, tenant and public) -which were the initiators of the above persons settling in the Republic of Moldova. Rate of assignments from state budget is established by Parliament of the Republic of Moldova. Procedure of assistance fund use is determined by the Government of the Republic of Moldova.

IV. EMIGRATION FROM THE REPUBLIC OF MOLDOVA

Article 15. Right of Citizens to Emigration

1. Citizens of the Republic of Moldova have the right to change their place of residence and to remove to a new job in any locality outside the frontiers of the Republic of Moldova.
2. Interests of citizens of the Republic of Moldova who are outside the frontiers of the republic are protected by the Republic of Moldova.
3. Problems of granting facilities to emigrants in case of leaving the Republic of Moldova at their own choice are regulated by agreements included by Government of the Republic of Moldova with governments of other states with the support of organisations which protect human rights.
4. The recognizing emigrants' status of persons who had to emigrate outside the Republic of Moldova because of natural calamities, attempts upon the personal immunity or upon the inviolability of dwelling as well as granting of compensations and facilities as regards the removing to a new place of residence are in the competence of the Government.
5. Departure of citizens of the Republic of Moldova to provisional work in foreign countries is regulated by legislation of the Republic of Moldova.

Article 16. Provisional Emigrants

1. Provisional emigrants are the persons:
 - a) who leaved the Republic of Moldova due to military service. Their evidence is carried out according to the procedure established by Military Department of the Republic of Moldova;
 - b) who are imprisoned outside the frontiers of the Republic of Moldova. Their evidence is carried out according to the procedure established by Ministry of Interior of the Republic of Moldova.

V. OTHER LEGAL PROBLEMS REGARDING THE MIGRATION

Article 17. Responsibilities of Immigrants

1. The immigrants who arrived in the Republic of Moldova for a period longer than 90 (ninety) days are obliged to address to the Department for Migrations under the Ministry of Labour, Social Protection and Family for receiving an immigrant certificate and the work authorisation in the Republic of Moldova.
2. Immigrants have to respect the law in force of the Republic of Moldova.
3. Upon leaving the Republic of Moldova in purpose for settlement out of its borders, immigrants have to restore to Department for Migrations under the Ministry of Labour, Social Protection and Family the immigrant certificate and work authorisation in the Republic of Moldova.

[art.17 modified by Law nr.684-XIV dated 19.11.99]

[art.17 modified by Law nr.474-XIV dated 25.06.99]

Article 18. Operations with Real Estate and Rent Contracts of Lodging

1. Only the person who has permanent residence permit in the Republic of Moldova has a right to make transactions of real estate buying and selling (with the exception of production purposes).
2. The fact that a person has purchased real estate on the territory of the Republic of Moldova or has received it on the basis of a donation contract does not give any privilege in case of his solicitation for issue of residence permit.
3. Only the persons who have residence permit can conclude rent contracts of lodging in the Republic of Moldova.

VI. LEGAL AND ORGANIZATION ENSURING OF THE IMPLEMENTATION OF THE LAW OF THE REPUBLIC OF MOLDOVA "ON MIGRATION"

Article 19. Responsibility for the Violation of Law of the Republic of Moldova "On Migration"

1. Persons who broke the present Law are held answerable in accordance with the procedure established by legislation of the Republic of Moldova.
2. Implementation of the present Law is under the control of the Government of the Republic of Moldova.

Article 20. Settlement of Disputes

Disputes that appear during the process of application of the present Law, in cases specified by legislation of the Republic of Moldova in force are settled by legal means.

Article 21. Application Procedure of the Law of the Republic of Moldova "On Migration"

Upon entering into force of the Law of the Republic of Moldova "On Migration" the legislative documents in force on the territory of the Republic of Moldova remain valid to the extent in which they do not contradict the present Law.

Search Refworld

by keyword

and / or country

[Advanced Search](#) | [Search Tips](#)

Countries

- [Moldova, Republic of](#)

Topics

- [Immigration law](#)