



Republic of Moldova

parliament

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of 18.04.2002

CRIMINAL CODE OF THE REPUBLIC OF MOLDOVA*

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Parliament adopts this code.

GENERAL PART

Chapter I

PENAL CODE

AND THE PRINCIPLES OF ITS APPLICATION

Article 1. Criminal law of the Republic of Moldova

(1) This code is the only criminal law of the Republic of Moldova.

(2) The criminal code is the legislative act that includes legal norms that establish the general and special principles and provisions of criminal law, determine the facts that constitute crimes and provide for the punishments applied to criminals.

(3) This code is applied in accordance with the provisions of the Constitution of the Republic of Moldova and the international acts to which the Republic of Moldova is a party. If there are inconsistencies with international acts regarding fundamental human rights, international regulations take precedence and are directly applied.

Article 2. Purpose of the criminal law

(1) The criminal law protects, against crimes, the person, his rights and freedoms, property, the environment, the constitutional order, the sovereignty, independence and territorial integrity of the Republic of Moldova, the peace and security of mankind, as well as the entire legal order.

(2) The criminal law also aims to prevent the commission of new crimes.

Article 3. The principle of legality

(1) No one can be declared guilty of committing a crime or subject to a criminal penalty, except on the basis of a court decision and in strict accordance with the criminal law.

(2) Extensively unfavorable interpretation and application by analogy of the criminal law are prohibited.

Article 4. The principle of humanism

(1) The entire legal regulation is meant to protect, as a matter of priority, the person as the supreme value of society, its rights and freedoms.

(2) The criminal law does not pursue the goal of causing physical suffering or harming human dignity. No one can be subjected to torture, nor to cruel, inhuman or degrading treatment or punishment.

Article 5. The principle of democracy

(1) Persons who have committed crimes are equal before the law and are subject to criminal liability regardless of sex, race, color, language, religion, political opinions or any other opinions, national or social origin, belonging to a national minority, wealth, birth or any other situation.

(2) The defense of a person's rights and interests cannot be achieved by violating the rights and interests of another person or a group.

Article 6. The principle of personal character

of criminal liability

(1) The person is subject to criminal liability and criminal punishment only for acts committed culpably.

(2) Only the person who intentionally or imprudently committed an act provided for by the criminal law is subject to criminal liability and criminal punishment.

Article 7. The principle of individualization of responsibility

criminal and criminal punishment

(1) When applying the criminal law, the character and prejudicial degree of the committed crime, the person of the guilty party and the circumstances of the case that mitigate or aggravate the criminal liability are taken into account.

(2) No one can be subjected twice to criminal prosecution and criminal punishment for one and the same fact.

Article 8. The action of the criminal law in time

The criminal nature of the act and the punishment for it are established by law criminal law in force at the time of the act.

Article 9. Time of committing the act

The time of committing the deed is considered the time when the prejudicial action (inaction) was committed, regardless of the time of occurrence of the consequences.

Article 10. Retroactive effect of the criminal law

(1) The criminal law that removes the criminal character of the act, that lessens the punishment or, in another way, improves the situation of the person who committed the crime has a retroactive effect, i.e. it extends to the people who committed the respective acts until the entry into force of this law, including on the persons who are serving the sentence or who have served the sentence, but have a criminal record.

(2) The criminal law that directs the punishment or worsens the situation of the person guilty of committing a crime does not have retroactive effect.

Article 101 . Application of the more favorable criminal law

in the case of definitive punishments

(1) If, after the final conviction and until the full execution of the custodial sentence, unpaid work for the benefit of the community or the fine, a law has intervened that provides for one of these types of punishment, but with a maximum lower, the sanction applied is reduced to this maximum if it exceeds the maximum provided by the new law for the offense committed.

(2) If, after the decision to sentence to life imprisonment has become final and until its execution, a law has intervened that provides for the same fact only a prison sentence, the sentence of life imprisonment is replaced by the maximum prison sentence, provided for by the new law for that crime.

(3) If the new law provides instead of imprisonment only the penalty of unpaid work for the benefit of the community or a fine, the penalty applied is replaced by unpaid work for the benefit of the community, if there are no prohibitions for its application, without being able to exceed the maximum provided by the law new. If the new law only provides for a fine instead of imprisonment, the imposed penalty is replaced by a fine, without exceeding the maximum provided for in the new law. taking into account the executed part of the prison sentence, the execution of the sentence of unpaid work for the benefit of the community or, as the case may be, the fine may be removed in whole or in part.

(4) Complementary penalties, safety measures not provided for in the new law are no longer enforced, and those that have a more favorable counterpart in the new law are enforced within the content and limits provided by this law.

(5) If a provision of the new law refers to definitively applied penalties, in the case of penalties executed up to the date of its entry into force, the reduced or replaced penalty is taken into account according to the provisions of paragraph (1)(4).

(6) If the deed for which the person is serving the penalty is no longer considered a crime in accordance with the provisions of the new law, but constitutes a misdemeanor, the contraventional sanction is no longer applied, regardless of the category and amount of the foreseen sanction.

(7) If, based on the retroactive effect of the criminal law, it is necessary to reclassify the deed established by an irrevocable judicial decision, the court, solving the issue regarding the execution of the respective decision, will reclassify the deed and apply the penalty by setting the maximum penalty provided by the criminal law more favorable to the convicted, if the punishment established by the irrevocable decision is greater than the maximum provided by the new criminal law, or the punishment established by the irrevocable decision will remain.

Article 11. Application of criminal law in space

(1) All persons who have committed crimes on the territory of the Republic of Moldova will be held criminally liable in accordance with this code.

(2) Citizens of the Republic of Moldova and stateless persons with permanent residence on the territory of the Republic of Moldova who have committed crimes outside the territory of the country are liable to criminal liability in accordance with this code.

(3) Foreign citizens and stateless persons who have committed crimes outside the territory of the country are criminally liable in accordance with this code and are subject to criminal liability on the territory of the Republic of Moldova if the crimes committed are directed against the interests of the Republic of Moldova, against the rights and freedoms of citizens of the Republic of Moldova, against the rights and freedoms of the stateless person with permanent residence on the territory of the Republic of Moldova, against the legal entity registered in the Republic of Moldova, against the peace and security of mankind or if these constitute war crimes, also for the crimes provided for by the international treaties to which the Republic of Moldova is a party and if in the foreign state, a definitive judicial decision of conviction, acquittal or termination of the criminal process has not been pronounced in their regard. Foreign citizens and stateless persons who have committed crimes on the territory of another state are liable to criminal liability in accordance with this code, but their extradition is not possible.

(4) Crimes committed by diplomatic representatives of foreign states or by other persons who, in accordance with international treaties, are not subject to the criminal jurisdiction of the Republic of Moldova do not fall under the penal law.

(5) Offenses committed in the territorial waters and in the airspace of the Republic of Moldova are considered committed on the territory of the Republic of Moldova. The person who committed a crime on a sea or air vessel, registered in a port or airport of the Republic of Moldova and located outside the water or air space of the Republic of Moldova, may be subject to criminal liability in accordance with this code if in the international treaties at to which the Republic of Moldova is a party, it is not decided otherwise.

(6) Based on this code, the persons who have

committed crimes on board a military maritime or aerial ship belonging to the Republic of Moldova, regardless of its location.

(7) Penalties and criminal antecedents for crimes committed outside the territory of the Republic of Moldova are taken into account, according to this code, when determining the punishment for a new crime committed by the same person in the territory of the Republic of Moldova, as well as when resolving issues regarding amnesty under conditions of reciprocity based on the court decision.

Article 12. Place of committing the act

(1) The place where the deed was committed is considered the place where the prejudicial action (inaction) was committed, regardless of the time of occurrence of the consequences.

(2) The place of the commission of the transnational crime is considered as such if:

a) the crime was committed on the territory of the Republic of Moldova and on the territory of the little, to another state;

b) the crime was committed on the territory of the Republic of Moldova, but a substantial part of its organization and control took place in another state, and vice versa;

c) the crime was committed on the territory of the Republic of Moldova, with the involvement of an organized criminal group or a criminal organization (association) that carries out criminal activity in more than one state, and vice versa;

d) the crime was committed on the territory of the Republic of Moldova, but has serious consequences in another state, and vice versa.

Article 13. Extradition

(1) Citizens of the Republic of Moldova and persons who have been granted political asylum in the Republic of Moldova, in case of committing a crime abroad, cannot be extradited and are subject to criminal liability according to this code.

(2) Foreign citizens and stateless persons who have committed crimes outside the territory of the Republic of Moldova, but are in the territory of the country, may be extradited only on the basis of an international treaty to which the Republic of Moldova is a party or under conditions of reciprocity based on the decision of the court, only if there are no serious reasons to believe that they risk being subjected to the death penalty, torture or other inhuman or degrading treatment.

Chapter II

offense

Article 14. Notion of crime

(1) The offense is a prejudicial act (action or inaction), provided for by law criminal, culpable and liable to criminal punishment.

(2) The action or inaction which, although formally, contains the signs of an act provided for by this code, but, being unimportant, does not constitute a crime

prejudicial degree of a crime.

Article 15. Prejudicial degree of the crime

The prejudicial degree of the crime is determined according to the signs that characterize it the elements of the crime: the object, the objective side, the subject and the subjective side.

Article 16. Classification of crimes

(1) Depending on the character and degree of prejudice, the crimes provided for by this code are classified into the following categories: light, less serious, serious, particularly serious and exceptionally serious.

(2) The acts for which the criminal law provides as such are considered minor crimes maximum penalty of imprisonment for a term of up to 2 years inclusive.

(3) Less serious crimes are considered the acts for which the criminal law provides a maximum penalty of imprisonment for a term of up to 5 years inclusive.

(4) The acts for which the criminal law provides punishment are considered serious crimes maximum imprisonment for a term of up to 12 years inclusive.

(5) Crimes committed with intent are considered particularly serious crimes for which the criminal law provides a maximum penalty of imprisonment for a term exceeding 12 years.

(6) Intentionally committed crimes for which the criminal law provides for life imprisonment are considered exceptionally serious crimes.

Article 17. The offense committed with intent

It is considered that the crime was committed with intent if the person who committed it realized the harmful nature of his action or inaction, foresaw its harmful consequences, wanted them or consciously admitted the occurrence of these consequences.

Article 18. The offense committed recklessly

It is considered that the crime was committed recklessly if the person who committed it was aware of the harmful nature of his action or inaction, foresaw its harmful consequences, but he foolishly considered that they could be avoided or did not realize it of the prejudicial nature of his action or inaction, he did not foresee the possibility of its harmful consequences, although he should and could have foreseen them.

Article 19. The crime of whistling with two forms

of guilt

If, as a result of the intentional commission of the crime, there are more serious consequences that, according to the law, attract the increase of the criminal penalty and that were not covered by the intention of the perpetrator, the criminal liability for such consequences arises only if the person foresaw the harmful consequences, but considered intentionally that they could be avoided or if the person did not foresee the possibility of these consequences occurring, although he should and could have

I foresee them. Consequently, the offense is considered intentional.

Article 20. Deed committed without guilt (accidental case)

The act is considered to have been committed without guilt if the person who committed it did not realize the prejudicial nature of his action or inaction, did not foresee the possibility of its prejudicial consequences and, according to the circumstances of the case, he neither had to or could not foresee them.

Article 21. The subject of the crime

(1) Responsible natural persons who, in
at the time of the crime, they turned 16 years old.

(2) Natural persons between the ages of 14 and 16 are liable to criminal liability only for committing the crimes provided for in art. 145, 147, 151, 152 paragraph (2), art. 164, 166 paragraph (2) and (3), art. 171, 172, 175, 186-188, 189 par. (2)(6), art. 190 para. (2)(5), art. 192 para. (2)(4), art. 1921 para. (2) and (3), 196 paragraph (4), art. 197 paragraph (2), art. 212 paragraph (3), art. 217 paragraph (4) letter b), art. 2171 paragraph (3) and para. (4) letter b) id), art. 2173 para. (3) letter a) ib), art. 2174 art. 2176 para. (2), art. 260, 268, 270, 271, art. 275, 280, , 281, 283-286, 287 para. (2) and (3), art. 288 para. (2), art. 290 para. (2), art. 292 para. (2), art. 317 paragraph (2), art. 342.

(3) A legal person, with the exception of public authorities, is liable to criminal liability for an act provided for by the criminal law if it has not fulfilled or improperly fulfilled the direct provisions of the law that establish duties or prohibitions regarding the performance of a certain activity at least one of the following circumstances:

a) the deed was committed in the interest of the respective legal entity by a natural person empowered with management functions, who acted independently or as part of an organ of the legal entity;

b) the act was admitted or authorized, or approved, or used by the person empowered with management functions;

c) the act was committed due to the lack of supervision and control on the part of the person empowered with management functions.

(31) A natural person is considered empowered with management functions if he has the
at least one of the following functions:

a) representing the legal person;

b) making decisions on behalf of the legal entity;

c) exercising control within the legal entity.

(4) Legal entities, with the exception of public authorities, are criminally liable for the offenses for which a sanction is provided for legal entities in the special part of this code.

(5) The criminal liability of the legal person does not exclude the liability of the natural person

for the crime of whistling.

Article 22. Liability

Responsibility is the psychological state of the person who has the ability to understand the prejudicial character of the deed, as well as the ability to manifest his will and direct his actions.

Article 23. Irresponsibility

(1) The person who, during the commission of a prejudicial act, was in a state of irresponsibility, i.e. could not account for his actions or inactions or could not direct them due to a chronic mental illness, is not liable to criminal liability, of a temporary mental disorder or other pathological condition. Against such a person, based on the decision of the court, coercive measures of a medical nature, provided by this code, may be applied.

(2) The person who, although he committed the crime in a state of responsibility, before the sentencing by the court fell ill with a mental illness that deprived him of the possibility to account for his actions or inactions, is not liable to punishment his or to direct them. Against such a person, based on the decision of the court, coercive measures of a medical nature may be applied, and after the appointment, he may be subject to punishment.

Article 231 . Reduced liability

(1) The person who committed a crime as a result of a mental disorder, ascertained by the medical expertise carried out in the established manner, due to which he could not fully understand the character and legality of his actions or could not fully direct them is subject to reduced criminal liability.

(2) The court, when determining the punishment or security measures, takes into account by the existing mental disorder, which does not exclude criminal liability.

Article 24. - repealed.

Article 25. Stages of criminal activity

(1) The offense is considered consummated if the act committed meets all the signs constitutive of the crime component.

(2) The preparation of a crime and the attempt to commit a crime are considered unconsummated crimes.

(3) Liability for crime preparation and attempted crime is established, according to the corresponding article in the Special Part of this code, as well as for the consummated crime, with reference to art. 26 and 27, respecting the provisions of art. 81.

Article 26. Preparation of crime

(1) The prior agreement to commit a crime is considered criminal preparation

crime, procuring, manufacturing or adapting the means or instruments, or intentionally creating, in another way, the conditions for its commission if, for reasons independent of the will of the perpetrator, the crime did not produce its effect.

(2) Only persons who have completed the preparation of a less serious, serious, particularly serious or exceptionally serious crime are subject to criminal liability and criminal punishment.

Article 27. Attempted crime

The intentional action or inaction aimed directly at the commission of a crime is considered an attempted crime if, for reasons independent of the will of the perpetrator, it did not produce its effect.

Article 28. Single offence

The single crime represents an action (inaction) or a system of actions (inactions) that qualify according to the provision of a single rule of the criminal law.

Article 29. The offense continues

(1) It is considered a continuous crime the act that is characterized by the uninterrupted, indefinite period of the criminal activity. In the case of continuous crime, there is no plurality of crimes.

(2) The continuous crime is consummated from the moment the criminal activity ceases or due to the occurrence of events that prevent this activity.

Article 30. Prolonged offence

(1) An act committed with a single intention, characterized by two or more identical criminal actions, committed with a single purpose, constituting a crime as a whole, is considered a prolonged crime.

(2) The prolonged crime is consumed from the moment of the last criminal action or inaction.

Article 32. Plurality of crimes

The plurality of crimes constitutes, as the case may be, a series of crimes or recidivism.

Article 33. Competition of crimes

(1) The commission of two or more crimes by a person is considered concurrent crimes if the person has not been definitively convicted for any of them and if the statute of limitations for criminal prosecution has not expired.

(2) Concurrence of crimes can be real and ideal.

(3) The real contest exists when the person, through two or more actions (inactions), commits two or more crimes.

(4) The ideal contest exists when the person performs an action (inaction) which meet elements of several crimes.

Article 34. Recidivism

(1) The intentional commission of one or more crimes of o person with a criminal record for a crime committed with intent.

(2) Recidivism is considered dangerous:

b) if the person previously convicted for a serious or particularly serious intentional crime committed a serious, particularly serious or exceptionally serious crime again with intent.

(3) Recidivism is considered particularly dangerous:

b) if the person was previously convicted of an exceptionally serious crime a committed a serious, particularly serious or exceptionally serious crime again.

(4) When establishing the state of recidivism in the cases provided for in paragraphs (1)-(3), the final conviction decisions pronounced abroad, recognized by the court of the Republic of Moldova, are also taken into account.

(5) When determining the level of recidivism, the criminal record is not taken into account:

a) for crimes committed while a minor;

b) for crimes committed recklessly;

b¹) for crimes for which the sentence was suspended and if it was not canceled and the person was not sent to serve the sentence in prison;

c) for acts that do not constitute crimes according to this code;

d) extinguished or in case of rehabilitation, in accordance with the provisions of art. 111 and 112.

e) if the person was sentenced with conditional suspension of the execution of the sentence.

Chapter III

CAUSES THAT REMOVE CHARACTER

PENALTY OF THE DEED

Article 35. The causes that remove the criminal character of the deed

The following are considered causes that remove the criminal nature of the act:

a) legitimate defense;

b) apprehension of the offender;

- c) state of extreme necessity;
- d) physical or mental coercion;
- e) well-founded risk.
- f) executing the superior's order or disposition.

Article 36. Legitimate defense

(1) The deed, provided by the criminal law, committed in the state of does not constitute a crime legitimate defense.

(2) The person who commits the act is in a state of legitimate defense to repel a direct, immediate, material and real attack, directed against him, another person or against a public interest and which seriously endangers the person or the rights of the person attacked or public interest.

(3) The person who commits the act, provided for in paragraph (2), is in legitimate defense to prevent the entry, accompanied by violence dangerous to the person's life or health or by the threat of such violence, into a living space or in another room.

Article 37. Reinstatement of the offender

The deed, provided by the criminal law, committed for the purpose of restraining the person who committed a crime and handing him over to the law enforcement bodies does not constitute a crime.

Article 38. State of extreme necessity

(1) The deed, provided by the criminal law, committed in the state of, does not constitute a crime extremely necessary.

(2) The person who commits the act is in a state of extreme necessity in order to save his life, bodily integrity or health, that of another person or a public interest from an imminent danger that cannot be removed otherwise.

(3) The person is not in a state of extreme necessity who, at the time of the act, realizes that they are causing visible consequences that are more serious than those that could have occurred if the danger was not removed.

Article 39. Physical or mental coercion

(1) The act provided by the criminal law, which caused damage to interests protected by law as a result of physical or mental coercion, does not constitute a crime, if as a result of this coercion the person could not direct the actions.

(2) Criminal liability for causing damage to the interests protected by the criminal law through mental or physical coercion, as a result of which the person maintains the possibility of directing his actions, is established under the conditions of art. 38.

Article 40. The well-founded risk

(1) The act, provided by the criminal law, which caused damage to the interests protected by the law in the case of the risk founded for the achievement of socially useful purposes, does not constitute a crime.

(2) The risk is considered justified if the socially useful goal pursued could not be achieved without a certain risk and if the person who admitted it took the necessary measures to prevent damage to the interests protected by law.

(3) The risk cannot be considered justified if it was knowingly combined with danger for the life of the person or with the danger of causing an ecological or social disaster.

Article 401 . Execution of the order or provision

SUPERVISOR

(1) The deed, provided by the criminal law, committed by a person in order to execute an order or disposition of the superior, which are binding for this, does not constitute a crime, if the order or disposition is not seen as illegal and if the person who executed it does not knew that the order or disposition was illegal. The person who issued the illegal order or disposition is subject to criminal liability for the committed act.

(2) The person who intentionally committed a crime in order to execute the obviously illegal order or disposition of the superior is criminally liable on general grounds. Non-execution of the obviously illegal order or provision excludes criminal liability.

(3) For the purposes of this article, the superior's order or disposition to commit genocide or a crime against humanity are seen as illegal.

Chapter IV

PARTICIPATE

Article 41. Participation

The intentional cooperation of two or more people in the commission of an intentional crime is considered participation.

Article 42. Participants

(1) Participants are persons who contribute to the commission of a crime in their capacity author, organizer, instigator or accomplice.

(2) The perpetrator is considered the person who directly commits the deed provided for by the criminal law, as well as the person who committed the crime through persons who are not liable to criminal liability due to age, irresponsibility or other causes provided for by this code.

(3) The person who organized the commission of a crime or directed its accomplishment, as well as the person who created an organized criminal group or a criminal organization or directed their activity, is considered an organizer.

(4) The person who, by any means, determines another is considered an instigator

person to commit a crime.

(5) An accomplice is the person who contributed to the commission of the crime by giving advice, indications, providing information, providing means or tools or removing obstacles, as well as the person who promised in advance to favor the criminal, to keep the means or the instruments of committing the crime, its traces or objects obtained by criminal means or the person who promised in advance to procure or sell such objects.

(6) Participants must meet the signs of the subject of the crime.

Article 43. Forms of participation

Depending on the degree of coordination of the participants' actions, they differ the following forms of participation:

- a) simple participation;
- b) complex participation;
- c) organized criminal group;
- d) criminal organization (association).

Article 44. Simple participation

The crime is considered to be committed with simple participation if two or more people participated in its commission jointly, as co-authors, each performing the objective side of the crime.

Article 45. Complex participation

(1) The crime is considered committed with complex participation if when it is committed participants contributed as author, organizer, instigator or accomplice.

(2) The objective side of the crime with complex participation can be achieved:

- a) by a single author;
- b) by two or more authors.

Article 46. Organized criminal group

The organized criminal group is a stable gathering of people who have organized in advance to commit one or more crimes.

Article 47. Criminal organization (association).

(1) A criminal organization (association) is considered a meeting of criminal groups organized in a stable community, whose activity is based on the division, between the members of the organization and its structures, of the functions of administration, assurance and execution of the criminal intentions of the organization in order to influence the economic and other activity of natural and legal persons or to control it, in other forms, in order to obtain

of advantages and the achievement of economic, financial or political interests.

(2) The crime is considered to have been committed by a criminal organization if it was committed by a member of it in its interest or by a person who is not a member of the respective organization, upon its assignment.

(3) The organizer or leader of the criminal organization is considered the person who a created the criminal organization or directs it.

(4) The organizer and leader of the criminal organization bears responsibility for everything the crimes committed by this organization.

(5) The member of the criminal organization bears criminal responsibility only for crimes in whose preparation or execution he participated.

(6) The member of the criminal organization can be released from criminal responsibility if he voluntarily declared about the existence of the criminal organization, helped to discover the crimes committed by it or contributed to the unmasking of the organizers, leaders or members of the respective organization.

Article 48. Author excess

The perpetration by the author of some criminal actions that were not covered by the intention of the other participants is considered excess of authorship. For the author's excess, the other participants are not liable to criminal liability.

Article 49. Favoritism

Favoring the criminal, as well as keeping the means or instruments of committing the crime, its traces or objects obtained through criminal means attract criminal liability, under the conditions of art. 323, only if they were not promised ahead of time.

Chapter V

CRIMINAL LIABILITY

Article 50. Criminal liability

The public condemnation, in the name of the law, of the criminal acts and the persons who committed them is considered criminal responsibility, which can be preceded by the coercive measures provided for by the law.

Article 51. The basis of criminal liability

(1) The real basis of criminal responsibility is the prejudicial act committed, and the composition of the crime, stipulated in the criminal law, represents the legal basis of criminal responsibility.

(2) Only the person guilty of committing the offense provided for by the criminal law is subject to criminal liability.

Article 52. Component of the crime

(1) The totality of objective and subjective signs is considered a component of the crime, established by the criminal law, which qualifies a prejudicial fact as a specific crime.

(2) The component of the crime represents the legal basis for qualifying the crime according to a specific article of this code.

Chapter VI

RELEASE FROM CRIMINAL LIABILITY

Article 53. Release from criminal liability

The person who has committed an act that contains the signs of the composition of the crime can be released from criminal responsibility by the prosecutor in the framework of criminal investigations and by the trial court when judging the case in the cases:

- a) minors;
- b) criminal prosecution;
- c) voluntary renunciation of the commission of the crime;
- d) active dinners;
- e) change of situation;
- f) parole;
- g) the prescription for criminal prosecution.

Article 54. Release from criminal liability

of minors

(1) The person under the age of 18 who has committed a minor or less serious crime for the first time may be released from criminal liability in accordance with the provisions of the criminal procedure if it has been found that it is possible to correct it without being subject to criminal liability .

(2) Persons released from criminal liability, in accordance with paragraph (1), shall be subject to the coercive measures of an educational nature, provided for in art. 104.

Article 55. Release from criminal liability

with accountability

contravention

(1) The person who for the first time committed a light or less serious crime, with the exception of the crimes provided for in art. 1811 , 256, art. 264 paragraph (2), art. 2641 , 303, 314, art. 326 para. (11) , art. 328 para. (1), art. 332 para. (1), art. 333 para. (1), art. 334 para. (1) and (2), art. 335 para. (1) and art. 3351 para. (1), may be released from criminal liability and prosecuted for contravention in cases where he admitted his fault, repaired the damage

caused by the crime and it was found that its correction is possible without being subject to criminal liability.

(2) Persons released from criminal liability in accordance with paragraph (1) shall apply the following contravention sanctions:

- a) fine up to 150 conventional units;
- b) deprivation of the right to carry out a certain activity for a period of 3 months to one year;
- c) deprivation of the right to hold certain positions for a period of 3 months to a year;
- d) deprivation of the special right to drive vehicles for a period of 6 months to 3 years;
- e) the deprivation of the special right to hold weapons and carry weapons for a period from 3 months to one year;
- f) unpaid work for the benefit of the community for a duration of 10 to 60 hours;
- g) contravention arrest for up to 30 days.

(3) Deprivation of the right to carry out a certain activity, deprivation of the right to hold certain functions, deprivation of a special right can also be applied as complementary sanctions.

Article 56. Release from criminal liability

in connection with the relinquishment of property

permission to commit the crime

(1) The cessation by a person of the preparation of the crime or the cessation of the actions (inactions) directly aimed at the commission of the crime, if the person was aware of the possibility of the consummation of the crime, is considered voluntary renunciation upon the commission of the crime.

(2) The person cannot be subject to criminal liability for the crime if he, voluntarily and definitively, renounced to complete it

(3) The person who willingly renounced the completion of the crime is subject to criminal liability only if the act committed contains another consummated crime.

(4) The organizer and the instigator of the crime are not subject to criminal liability if these persons, through a timely notification of the legal authorities or through other measures undertaken, have prevented the completion of the crime by the author. The accomplice of the crime is not subject to criminal liability if he took all the measures that depended on him to prevent the commission of the crime.

Article 57. Release from criminal liability

in connection with the active dinner

(1) The person who for the first time committed a minor or less serious crime can be released from criminal liability if, after committing the crime, he voluntarily reported himself, actively contributed to its discovery, compensated the value of the material damage caused or, in another way, repaired the damage caused by the crime.

(2) The person who, under the conditions of paragraph (1), has committed a crime of another category can be released from criminal liability only in the cases provided for in the corresponding articles of the Special Part of this code.

Article 58. Release from criminal liability

in connection with the change of situation

The person who for the first time committed a light or less serious crime can be released from criminal responsibility if, due to the change in the situation, it will be established that the person or the act committed no longer presents a social danger.

Article 59. Conditional release from liability

criminal of the natural person

Regarding the person accused of committing a minor or less serious crime, who admits his guilt and does not present a social danger, the criminal prosecution may be suspended conditionally, with the subsequent release from criminal liability in accordance with the criminal procedure, if the correction of this person is possible without applying a criminal penalty.

Article 591 . Conditional release from liability

criminal law of the legal person

Regarding the legal person with whom a judicial agreement of public interest was concluded, confirmed by the court, the criminal prosecution can be suspended conditionally, with the subsequent release from criminal liability in accordance with the criminal procedure, if the conditions of the agreement were fulfilled by the person legal and the monitoring period fixed in the agreement has expired.

Article 60. Prescription of prosecution

(1) The person is released from criminal liability if the following terms have expired from the day of the crime:

- a) 3 years after committing a minor crime;
- b) 5 years after committing a less serious crime;
- c) 15 years after the commission of a serious crime;
- d) 20 years after the commission of a particularly serious crime;

e) 25 years after the commission of an exceptionally serious crime.

(11) In the case of the crimes provided for in art. 159, 160, 167, 171, 172, 206, 2081 applied to minors, the limitation period begins to run from the date on which the minor reached the age of 18. If the minor died before reaching the age of 18, the limitation period begins to run from the date of death.

(2) In case of continuous crime, the limitation period runs from the date of cessation of the criminal activity or from the date of the occurrence of an event that prevents this activity. In the case of a prolonged offense, the limitation period runs from the date of its occurrence the last action or inaction.

(3) In case the person commits a new crime, the statute of limitations is calculated for each crime separately.

(4) Prescription is interrupted if, until the expiration of the terms provided for in para. (1), the criminal case arrives at the court for substantive examination. From the moment the criminal case is registered in the court, a new limitation period begins to run.

(5) The statute of limitations is suspended if the person who committed the crime evades prosecution. The running of the prescription is suspended in the event that the release of the agreement regarding the initiation of the criminal prosecution or the lifting of the immunity granted by law is requested. In these cases, the statute of limitations begins to run from the moment of the person's arrest, from the moment of self-denunciation, from the moment of the release of the agreement regarding the initiation of the criminal prosecution or from the moment of the lifting of immunity.

(51) The limitation period is suspended during the suspension of the criminal prosecution.

(52) A new limitation period begins to run in the case of admission, according to art. 4656 of the Criminal Procedure Code no. 122/2003, of the request to resume the examination of the criminal case tried in the absence of the convicted person.

(6) The application of the prescription to the person who committed an exceptionally serious crime is decided by the court. If the court does not find it possible to apply the prescription and release from criminal liability, life imprisonment will be replaced by imprisonment for 30 years.

(7) The statute of limitations for prosecution shall be halved for persons who were minors when the crime was committed.

(8) The prescription does not apply to persons who have committed crimes against the peace and security of mankind, war crimes, crimes of torture, inhuman or degrading treatment or other crimes provided for by the international treaties to which the Republic of Moldova is a party, regardless of the date on which they were whistled.

Chapter VII

CRIMINAL PUNISHMENT

Article 61. The concept and purpose of criminal punishment

(1) Criminal punishment is a measure of state coercion and a means of correction and re-education of the convicted, which is applied by the courts, in the name of the law, to people who have committed crimes, causing certain shortages and restrictions of their rights.

(2) The aim of the punishment is to restore social equity, to correct and resocialize the convict, as well as to prevent the commission of new crimes both by the convicts and by other persons. The execution of the sentence must not cause physical suffering nor degrade the dignity of the convicted person.

Article 62. Categories of penalties applied

natural persons

(1) The following penalties may be applied to natural persons who have committed crimes:

a) fine;

b) deprivation of the right to occupy certain positions or to exercise a certain activity;

b¹) deprivation of the right to drive means of transport or cancellation of this right;

c) withdrawal of the military or special rank, of a special title, of the qualification degree (classification) and state awards;

d) unpaid work for the benefit of the community;

f) prison;

g) life imprisonment.

(2) Imprisonment and life imprisonment are applied only as main punishments.

(3) Unremunerated work for the benefit of the community can be applied as the main punishment or in the case of a conviction with a conditional suspension of the execution of the punishment - as an obligation for the probation period or, as the case may be, for the probation period.

(4) Fine, deprivation of the right to hold certain positions or exercise a certain activity are applied both as main punishments and as complementary punishments.

(5) Withdrawal of the military or special rank, of a special title, of the qualification degree (classification) and state awards are applied only as a complementary punishment.

(6) Deprivation of the right to drive means of transport or cancellation of this right it can only be applied as a complementary punishment.

Article 63. Categories of penalties applied

legal persons

(1) The following penalties may be applied to legal entities:

a) fine;

b) deprivation of the right to exercise a certain activity;

c) liquidation.

(2) The fine is applied as the main punishment.

(3) Depriving the legal person of the right to exercise a certain activity i
its liquidation is applied both as main punishments and as complementary punishments.

Article 64. Fine

(1) The fine is a pecuniary sanction applied by the court in the cases
and within the limits provided by this code.

(2) The fine is established in conventional units. The conventional fine unit is equal to 50 lei.

(3) The amount of the fine for natural persons is established within the limits of 500 to 3000 conventional units, and for crimes committed for material interest up to 20000 conventional units, based on the amount of the conventional unit at the time of the crime. The amount of the fine is determined according to the seriousness of the crime committed and the material situation of the guilty party and his family. Taking into account the circumstances of the case, the court may order the payment of the fine in installments for up to 5 years.

(31) In the case of light or less serious crimes, the convicted person is entitled to pay half of the established fine if he pays it in no more than 3 working days from the moment the decision becomes enforceable. In this case, it is considered that the penalty of the fine is executed in full.

(4) In the cases provided for in art. 21 para. (3), the amount of the fine for legal entities is established within the limits of 1,500 to 60,000 conventional units, depending on the nature and gravity of the offense committed, the amount of damage caused, taking into account the economic and financial situation of the legal entity. In case of willful evasion of the legal entity from paying the fixed fine, the court may replace the unpaid amount of the fine with the pursuit of the patrimony.

(5) In case of willful evasion of the convicted person from paying the fine established as the main or complementary punishment, the court may replace the unpaid amount of the fine with imprisonment within the limits of the terms of the maximum punishment, provided by the respective article of the Special Price of of this code. The amount of the fine is replaced by imprisonment, calculating one month of imprisonment for 100 conventional units.

(6) The fine as a complementary punishment can be applied only in cases where it is foreseen as such for the corresponding crime.

(7) If the convicted person is unable to pay the fine established as the main or complementary punishment, the court may, according to the provisions of art. 67, replace the unpaid amount of the fine with unpaid work for the benefit of the community, calculating 60 hours of unpaid work for the benefit of the community for 100 conventional fine units.

Article 65. Deprivation of the right to occupy

certain functions or to exercise

a certain activity

(1) Deprivation of the right to hold certain positions or to exercise a certain activity consists in the prohibition to hold a position or to exercise an activity of the nature that the convicted person used to commit the crime.

(2) Deprivation of the right to hold certain positions or to exercise a certain activity can be established by the court for a term of 1 to 5 years, and in the cases expressly provided for in the Special Part of this code for a term of one year to 15 years.

(3) Deprivation of the right to hold certain positions or to exercise a certain activity can be applied as a complementary punishment in cases where it is not provided as a punishment for the crimes in the Special Part of this code, if, taking into account the character of the crime committed by the guilty party during the performance of his duties or during the exercise of a certain activity, the court will consider it impossible for him to retain the right to occupy certain positions or to exercise a certain activity.

(4) When applying the penalty of deprivation of the right to hold certain positions or to exercise a certain activity as a complementary penalty to the fine, unpaid work for the benefit of the community, sentence with conditional suspension of the execution of the sentence or postponement of the execution of the sentence for pregnant women and people who have children up to 8 years old, their term is calculated from the date of the final stay of the decision, and when it is applied as a complementary punishment to the conditional release from the punishment before the term or to the replacement of the unexecuted part of the punishment with a milder punishment, its term is calculated from the moment of the effective execution in the penitentiary of the term established by the court, under the conditions of art. 91 and 92.

(5) In the case of a conviction with a partial suspension of the execution of the prison sentence, the term of the deprivation of the right to hold certain positions or to exercise a certain activity as a complementary punishment is calculated from the moment of the execution of the first part of the sentence in the penitentiary, and when applying the penalty of deprivation of the right to hold certain positions or to exercise a certain activity as a complementary penalty to imprisonment, its term is calculated from the moment of execution of the main penalty.

Article 651 . Deprivation of the right to drive means

of transport or cancellation of this right

(1) Deprivation of the right to drive means of transport or cancellation of this right consists in the prohibition of driving any type of means of transport on public roads.

(2) Deprivation of the right to drive means of transport can be applied by the court to be tried for a term of 1 to 5 years.

(3) Cancellation of the right to drive means of transport can be applied by the court to be tried, with the subsequent renewal of the driver's license, in the manner established by law.

(4) When applying the penalty of deprivation of the right to drive means of transport or canceling this right as a complementary penalty to a fine or unpaid work for the benefit of the community, its term is calculated from the date of the final stay of the decision, and upon its application as a complementary prison sentence, its term is calculated from the moment of execution of the main sentence.

Article 66. Withdrawal of military or special rank,

of a special title, of the degree of qualification

(classification) and state awards

In case of conviction for a serious, particularly serious or exceptionally serious crime, the court, taking into account the circumstances of the crime, may revoke the military or special rank, the special title, the degree of qualification (classification) and the state awards.

Article 67. Unpaid work for the benefit of the community

(1) Unremunerated work for the benefit of the community consists in training the convict, outside the time of basic service or studies, to work, determined by the authorities of the local public administration.

(11) In the case of term-time and short-term servicemen, unpaid work for the benefit of the community consists in training convicts during their free time, established in accordance with the requirements of military regulations, at work, determined by the commander of the military unit.

(2) The unpaid work for the benefit of the community is established for a period of 60 to 240 hours and is performed from 2 to 4 hours per day, and in the case of the convict who is not trained in basic activities or studies, upon request or with his agreement up to 8 hours a day.

(21) After pronouncing the judge's decision, the president of the court session explains the essence of the punishment with unpaid work for the benefit of the community, a fact that is recorded in the minutes of the court session.

(22) The person sentenced to unpaid work for the benefit of the community signs in the court of law an undertaking by which he undertakes to present himself, within 5 days from the moment of the final stay of the judge's decision, to the probation body in whose territorial area he has its domicile, as the case may be, with the commander of the military unit.

(3) In case of willful evasion of the convicted person from unpaid work for the benefit of the community, it is replaced by imprisonment, calculating one day of imprisonment for 4 hours of unpaid work for the benefit of the community. In this case, the prison term can be less than 3 months.

(4) Unpaid work for the benefit of the community cannot be applied to the military by

contract and to persons who have not reached the age of 16.

(5) The unpaid work for the benefit of the community will be provided for a maximum of 18 months, time that is calculated from the date of final stay of the judicial decision.

(6) Conscripts and short-term conscripts sentenced to unpaid work for the benefit of the community, I am serving this sentence in the military unit.

Article 70. Prison

(1) Imprisonment consists in depriving the person guilty of committing a crime and placing him, on isolating him from the normal environment imposed by the decision of the court, for a certain period, in a penitentiary. the basis of crimes, by

(2) Imprisonment is established for a term from 3 months to 20 years.

(3) When establishing the prison sentence for the person who, on the date of the crime, did not reach the age of 18, the prison term is established from the maximum sentence, provided by the criminal law for the crime committed, reduced by half.

(31) When applying the punishment to persons who have reached the age of 18, but have not reached the age of 21, who committed a crime between the ages of 18 and 21, the maximum sentence is reduced by one third, and in in the case of life imprisonment, it is commuted to prison for a term of 30 years. If the court, taking into account the personality of the criminal, comes to the conclusion that only by applying the punishment within the general limits will the goal of the criminal punishment be achieved, it can order a punishment within the limits provided by the criminal law for the committed crime. The necessity of applying the punishment within the general limits is to be argued by the court.

(4) - **repealed.**

(5) In the case of replacing the sentence of life imprisonment with a milder sentence, as a plea, imprisonment for a term of 25 years shall be applied.

Article 71. Detention for life

(1) Life imprisonment consists in depriving the convict of his freedom for the rest of his life.

(2) Life imprisonment is established only for exceptionally serious crimes.

(3) Life imprisonment cannot be applied to minors.

Article 72. Categories of penitentiaries in which

the prison sentence is executed

(1) The prison sentence is executed in the following penitentiaries:

a) open type;

b) semi-closed type;

c) closed type.

(2) In open penitentiaries, persons sentenced to prison for crimes committed recklessly and for light crimes committed intentionally serve their sentences.

(3) In semi-closed penitentiaries, persons sentenced to prison for less serious and serious crimes committed with intent.

(4) Persons sentenced to prison for particularly serious and exceptionally serious crimes serve their sentences in closed penitentiaries.

(5) Juveniles serve the prison sentence in detention centers for juveniles and young people, taking into account the personality of the convict, the criminal record and the prejudicial degree of the crime committed.

(6) Convicted women serve their prison sentences in women's penitentiaries.

(7) The change of the category of the penitentiary is carried out by the court in accordance with the legislation.

Article 73. Deprivation of a legal person

of the right to exercise a certain

activity

(1) Depriving a legal person of the right to exercise a certain activity consists in establishing the prohibition to conclude certain transactions, to issue shares or other securities, to receive subsidies, facilities and other advantages from the state or to perform other activities.

(2) Deprivation of the right to exercise a certain activity can be limited to a certain territory or to a certain period of the year and is established for a period of up to 5 years or for an unlimited period.

Article 74. Liquidation of the legal entity

(1) The liquidation of the legal person consists in its dissolution, upon occurrence the consequences provided by the civil legislation.

(2) The liquidation of the legal person is established if the court finds that the seriousness of the crime committed makes it impossible to maintain such a legal person and prolong its activity.

Chapter VIII

INDIVIDUALIZATION OF PUNISHMENTS

Article 75. The general criteria for individualization

of the punishment

(1) A fair punishment is applied to the person found guilty of committing a crime within the limits set in the Special Part of this Code and in strict accordance with the provisions of the General Part of this Code. When determining the category and term of the punishment, the court takes into account the seriousness of the crime committed, its motive, the person of the guilty party, the circumstances of the case that mitigate or aggravate the responsibility, the influence of the punishment applied on the correction and re-education of the guilty party, as well as the conditions of lives of his family.

(2) In the case of the punishment alternatives provided for the committed crime, the prison sentence has an exceptional character and is applied when the seriousness of the crime and the personality of the criminal make it necessary to apply the prison sentence, and another punishment is insufficient and would not achieve its purpose. A harsher punishment, from the number of alternatives provided for the commission of the crime, is established only if a milder punishment, from the number of those mentioned, will not ensure the achievement of the purpose of the punishment. The exceptional nature of the application of the prison sentence is to be argued by the trial court.

(3) For the commission of a minor or less serious crime, the punishment is applied to the minor only if it is assessed that taking the educational measure is not sufficient to correct the minor.

Article 76. Extenuating circumstances

(1) When determining the punishment, mitigating circumstances are considered:

- a) committing a minor or less serious crime for the first time;
- b) the commission of the crime by a minor or by a person who has reached the age 18 years old, but not yet 21 years old;
- c) the commission of the crime as a result of a competition of difficult personal or family circumstances;
- d) committing the act by a person with reduced responsibility;
- e) the prevention by the culprit of the harmful traces of the committed crime, the voluntary repair of the damage caused or the removal of the damage caused;
- f) self-denouncing, actively contributing to the discovery of the crime or its identification criminals or the recognition of guilt;
- g) the illegality or immorality of the victim's actions, if they caused the crime;
- h) the commission of the crime as a result of physical or mental coercion, which does not remove the criminal character of the act, or given material dependence, service or other nature;
- i) the commission of the crime by a person in a state of intoxication, caused by the involuntary or forced consumption of alcohol, drugs, precursors, ethnobotanicals or their analogues or by the consumption of these substances without being aware of their effect;

j) committing the crime by exceeding the legal limits of legitimate defense, restraint of the offender, state of extreme necessity, justified risk or as a result of the execution of the superior's order or disposition;

k) serious damage, by the committed crime, to the perpetrator or the weight of the punishment imposed for him, due to his advanced age, his state of health or other circumstances;

l) the expiration of at least 2/3 of the statute of limitations for criminal prosecution, provided for this crime, or the expiration of the reasonable term for the examination of the case, taking into account the nature of the act, if the delay does not was provoked by the perpetrator.

(2) The court may consider as extenuating circumstances also other circumstances, not provided for in paragraph (1).

(3) When determining the penalty, the court does not consider mitigating law the circumstance that is provided by law as a constitutive element of the crime.

Article 77. Aggravating circumstances

(1) When determining the penalty, the following are considered aggravating circumstances:

a) the commission of the crime by a person who was previously convicted for a similar crime or for other facts relevant to the case;

b) - **repealed**;

c) committing the crime through any form of participation;

d) committing the crime for prejudicial reasons;

e) knowingly committing the crime against a minor or a pregnant woman or taking advantage of the victim's known or obvious infirmity, which is due to old age, illness, disability or another factor;

f) committing the crime against a person in connection with the fulfillment by him of a service obligations or benefits;

g) committing the crime through or in the presence of minors, persons in difficulty, mentally retarded persons or dependent on the perpetrator;

h) committing the crime by acts of particular cruelty or by mocking the victim;

i) committing the crime by means that present an increased social danger;

j) commission of the crime by a person in a state of intoxication, caused by the consumption of alcohol, drugs, precursors, ethnobotanicals or their analogues. The court is entitled, depending on the nature of the crime, not to consider this as an aggravating circumstance;

k) committing the crime with the use of weapons, ammunition, explosive materials or a

devices that imitate them, specially prepared technical means, harmful and radioactive substances, medicinal preparations and other chemical-pharmacological preparations, as well as with the application of physical or mental coercion;

m) committing the crime taking advantage of the exceptional state, natural calamities, as well as table disorders;

n) committing the crime using the trust granted.

(2) If the circumstances mentioned in paragraph (1) are provided for in the corresponding articles of the Special Part of this code as signs of these components of crimes, they cannot be simultaneously considered as aggravating circumstances.

Article 78. Effects of mitigating circumstances

and aggravating

(1) If the court finds mitigating circumstances at the time of conviction crime, the main punishment is reduced or changed as follows:

a) if the minimum prison sentence provided for in the corresponding article of the Special Part of this code is less than 10 years, the sentence can be reduced to this minimum;

b) if the fine is applied, it can be reduced to the lower limit;

c) if life imprisonment is provided for the committed crime, this shall be replaced by imprisonment from 15 to 25 years.

(2) If the court finds mitigating circumstances when the crime was committed, the complementary punishment, provided by law for the committed crime, can be removed.

(3) If there are aggravating circumstances, the maximum penalty can be applied provided for in the corresponding article of the Special Part of this code.

(4) In case of concurrence of aggravating and mitigating circumstances, lowering the penalty to the minimum or raising it to the maximum provided for in the corresponding article of the Special Part of this code is not mandatory.

(5) If there are exceptional mitigating circumstances, the penalty can be applied according to the provisions of art.79.

Article 79. Application of the milder punishment

than that provided by law

(1) taking into account the exceptional circumstances of the case, related to the purpose and reasons of the deed, the role of the culprit in the commission of the crime, his behavior during and after the consummation of the crime, other circumstances that essentially reduce the seriousness of the deed and its consequences, as well as the active contribution of the participant of a crime committed in

group upon its discovery, the court may apply a punishment below the minimum limit, provided by the criminal law for the crime in question, or a milder one, of another category, or it may not apply the mandatory complementary punishment. Minority of the person who committed the crime is considered an exceptional circumstance. The commission of the crime by persons who have reached the age of 18 but have not reached the age of 21 can be assessed by the court as an exceptional circumstance.

(11) Both a mitigating circumstance and a combination of such circumstances related to the situations mentioned in paragraph (1) can be considered exceptional.

(3) In the case of sentencing adults for committing particularly serious crimes, the court may impose a penalty below the minimum limit provided by the criminal law, but constituting at least two thirds of the minimum penalty provided by this code for the committed crime.

(4) The provisions of paragraph (1) do not apply to adults in the case of life imprisonment in the case of recidivism or the commission of crimes provided for in art. 1661 para. (2)(4).

Article 80. Application of the penalty in case of termination

the plea agreement

take the cooperation agreement

(1) If the accused person concludes a plea agreement, and the court accepts this agreement, the punishment limits provided for in the Special Part of this code are reduced by one third.

(2) If the accused person concludes a cooperation agreement, and the court accepts this agreement, the punishment limits provided by the norm of the special part of this code are reduced by two fifths. When establishing the prison sentence, the conditional suspension of the execution of the sentence or the partial suspension of the execution of the sentence shall be applied, in the manner provided by law.

(3) By way of derogation from para. (1), if the person accused of committing the crimes provided for in art. 264 para. (2), (4), (6) and art. 2641 concludes a plea of guilty agreement, and the court accepts this agreement, the reduction referred to in para. (1) apply only to the maximum penalty limit provided for in the Special Part of this Code.

Article 801 . Application of punishment in case of judgment

based on the samples administered in the phase

criminal prosecution

(1) If the defendant has admitted committing the acts indicated in the indictment and requested that the judgment be made on the basis of the evidence administered during the criminal prosecution phase, he benefits from the reduction by one third of the punishment limits provided for in the Special Part of this Code in the case of a fine, with unpaid work

community or prison.

(2) In the event that the defendant admitted committing the acts indicated in the indictment 2422 , for the crimes provided for in art. 1811 182, 239240, 2421 (4), (6), art. , 256, art. 264 para. (2), 2641, 3243351 370 requested that the judgment be made on the basis of the evidence administered during the criminal prosecution phase, he benefits from the reduction by one third only of the maximum limit of punishment provided for in the Special Part of this code in the case of punishment with a fine, with unpaid work community service or prison.

Article 81. Application of the penalty for the crime

inconsumable

(1) When applying the penalty for the un consummated crime, account is taken of the circumstances by virtue of which the crime was not completed.

(2) The amount of the punishment for the preparation of a crime that does not constitute a recidivism cannot exceed half of the maximum of the harshest punishment provided for in the corresponding article of the Special Part of this code for the committed crime.

(3) The amount of the punishment for an attempted crime that does not constitute a recidivism cannot exceed three-thirds of the maximum of the harshest punishment provided for in the corresponding article of the Special Part of this code for the committed crime.

(4) Life imprisonment does not apply for criminal preparation and attempted crime.

Article 82. Application of punishment for recidivism

of crimes

(1) When applying the punishment for recidivism, the number, nature, seriousness and traces of previously committed crimes are taken into account, the circumstances by virtue of which the previous punishment was insufficient to correct the culprit, as well as the character, gravity and traces of the new crime.

(2) The amount of punishment for dangerous and particularly dangerous recidivism cannot be less than two thirds of the maximum punishment provided for in the corresponding article of the Special Part of this code. If only mitigating circumstances are established, the court may establish the punishment within the limits provided for the crime in the Special Part of this Code.

Article 83. Application of the penalty for participation

The organizer, instigator and accomplice of a crime, provided for by the criminal law, committed with intent is sanctioned with the punishment provided by law for the perpetrator. When determining the punishment, each person's contribution to the commission of the crime is taken into account, as well as the provisions of art. 75.

Article 84. Application of the penalty in the case of a

crime competition

(1) If a person is declared guilty of committing two or more crimes without having been convicted for any of them, the court, pronouncing the punishment for each separate crime, establishes the final punishment for the crime by cumulation, total or partially, of the penalties applied, but for a term not exceeding 25 years of imprisonment, and regarding persons who have reached the age of 18, but have not reached the age of 21, for a term not exceeding 20 years and in the case of minors for a term not exceeding 12 years and 6 months. If the person is declared guilty of committing two or more light and/or less serious crimes, the final punishment can be established by absorbing the lighter punishment from the harsher punishment.

(11) If a person is declared guilty of committing two or more crimes without having been convicted for any of them, the court, pronouncing the punishment, other than imprisonment, for each separate crime, establishes the definitive punishment for the concurrent crimes by the sum, total or partial, of the penalties applied, the definitive penalty coming within the maximum penalties provided for in the General Part of this code.

(2) Any of the complementary penalties provided for in the corresponding articles of the Special Part of this code, which establish liability for the crimes of which the person was declared guilty, can be added to the main punishment applied in the case of a contest of crimes. The definitive complementary punishment established by the cumulative, total or partial, of the applied complementary punishments cannot exceed the term or the maximum amount provided by the General Part of this code for this category of punishments.

(3) If main punishments of different categories are established for the offenses that enter the contest, the cumulation of which is not provided for by art.87, and the court will not find grounds for the absorption of one punishment by another, they shall be executed by themselves sttor.

(4) According to the provisions of paragraphs (1)-(3), the punishment is also established if, after the sentencing, it is established that the convicted person is also guilty of committing another crime committed before the sentencing in the first case. In this case, the term of the sentence includes the duration of the sentence executed, fully or partially, based on the first bilge.

(5) In the case of a contest of crimes, when a penalty of detention and one or more prison terms or other the categories of penalties has been established, it shall apply as definitive life sentence of life imprisonment.

Article 85. Application of the penalty in the case of a

the bilge pile

(1) If, after the sentence was pronounced, but before the full execution of the sentence, the convict committed a new crime, the court shall add, in whole or in part, to the punishment applied by the new sentence, the unexecuted part of the sentence established by the previous sentence. In this case, the final punishment cannot exceed 30 years

of prison, and in the case of persons who have reached the age of 18, but have not reached the age of 21, the term of 20 years and in the case of minors, the term of 15 years.

(11) If, after the sentence was pronounced, but before the full execution of the sentence, the convict committed a new crime, the court shall add, in whole or in part, to the punishment applied by the new sentence, the unexecuted part of the sentence established by the previous sentence. In this case, the definitive punishment, other than imprisonment, cannot exceed 40,000 conventional units, 480 hours of unpaid work for the benefit of the community, 20 years in the case of deprivation of the right to hold certain positions or exercise a certain activity, 10 years in the case of the right to drive means of transport and for an unlimited term in the case of a legal person's right to exercise a certain activity.

(2) The accumulation of complementary penalties in the case of a bilge accumulation is carried out under the conditions of art. 84 paragraph (2).

(3) The definitive punishment in the case of a cumulative sentence must be greater than the punishment established for the commission of a new crime and than the unexecuted part of the sentence pronounced by the previous sentence of the court.

(4) When the punishments are cumulated, if the punishment of life imprisonment is established by one of the bilges, the definitive punishment will be life imprisonment.

Article 86. Application of the penalty in case of execution

the decision of a foreign state

(1) When executing the decision of a foreign state, the court replaces the custodial sanction pronounced in the foreign state with a sanction provided by its own criminal law for the same fact, without aggravating the criminal situation of the convicted person established by the foreign state's decision. If the law of the foreign state provides for a penalty lower than the minimum stipulated in the domestic law, the court will not be bound by this minimum and will apply a penalty corresponding to the penalty pronounced in the foreign state.

(2) Any part of the sanction pronounced in the foreign state and any period of provisional detention executed by the convict shall be deducted in full by the court's decision regarding the recognition of the foreign state's decision.

(3) Upon execution of the foreign state's decision regarding the imposition of a fine or the confiscation of a sum of money, the court will establish its amount in national currency, applying the official rate of the Moldovan leu valid at the time of the pronouncement of the decision regarding the recognition of the foreign state's decision, without exceeding the maximum the sanctions set by the foreign state for such a fact.

(4) Fines and asset confiscations resulting from the execution of state decisions foreign rights belong to the Republic of Moldova, without prejudice to the rights of third countries.

Article 87. The method of determining the term of the punishment

definitive in the case of the accumulation of different

PUNISHMENT

(1) Upon the accumulation of the various main penalties applied in the case of a contest of crimes or a cumulation of bilge, one day of imprisonment corresponds to 4 hours of unpaid work for the benefit of the community.

(2) The other penalties combined with imprisonment shall be executed automatically.

Article 88. Calculation of punishment terms

and calculating the preventive arrest

(1) The terms of deprivation of the right to hold certain positions or to exercise a certain activity and imprisonment are calculated in days, months and years, and those of unpaid work for the benefit of the community - in hours.

(2) When calculating or cumulating the punishments mentioned in paragraph (1), with the exception of unpaid work for the benefit of the community, as well as when replacing the punishment, it is allowed to calculate them in days.

(3) The time of the person under preventive detention until the trial of the case is included in the term of imprisonment, calculating one day for one day, and in the term of unpaid work for the benefit of the community, calculating one day of preventive detention for 4 hours of unpaid work for the benefit of the community.

(4) The duration of the preventive arrest and the execution of the prison sentence, applied by court decision, for the crime committed abroad are included in the term of the sentence, in the case of extradition of the person under the conditions of the law, calculating day for day.

(5) To the convicted person who was under preventive detention until the case was called for trial, when the main penalty was established as the fine, the deprivation of the right to hold certain positions or to exercise a certain activity, the court, taking into account of the term of being under preventive detention, mitigates the established punishment or completely frees him from its execution.

(6) The time during which the convict, during the execution of the sentence, undergoes hospital treatment is included in the duration of the execution of the sentence, with the exception of the case in which he caused the illness himself, a fact that was found during the execution of the sentence. During the execution of the sentence with unpaid work for the benefit of the community, the time during which the convict is absent from the workplace is not included.

Chapter IX

RELEASE FROM CRIMINAL PUNISHMENT

Article 89. The notion and categories of release

of criminal punishment

(1) Release from criminal punishment means the release of the person who has committed a

crime from the actual, partial or total execution of the criminal sentence pronounced by the court's decision.

(2) Release from criminal punishment is carried out by:

a) sentencing with conditional suspension of the execution of the sentence;

b) conditional release from punishment before the term;

¹) release from punishment in the case of committing the crime for the first time and reparation
b the damage;

c) replacing the unexecuted part of the punishment with a milder punishment;

d) release from punishment of minors;

e) release from punishment due to the change in the situation;

f) releasing seriously ill persons from serving their sentence;

g) postponing the execution of the sentence for pregnant women and people who have children up to 8 years old.

(3) Probation is applied to persons released from criminal punishment, and to military personnel the term prob.

Article 90. Sentence with suspension

conditional on the execution of the sentence

(1) If, when determining the prison sentence for a term of no more than 5 years for crimes committed with intent and no more than 7 years for crimes committed recklessly, the trial court, taking into account the circumstances of the case and the person of the guilty party, will come to the conclusion that it is not reasonable for him to carry out the established punishment, she can order the conditional suspension of the execution of the punishment applied to the culprit, immediately indicating in the decision the reasons for the conditional suspension of the execution of the punishment and the probation period or, as the case may be, the term of probation . In this case, the court orders the non-execution of the imposed punishment if, during the probation period or, as the case may be, the probation term that it fixed, the convict will not commit a new crime and, by complying with the conditions of the probation or, as the case may be, the term of course, he will live up to the trust that has been placed in him. Control over the behavior of those convicted with conditional suspension of the execution of the sentence is exercised by the probation bodies, and over the behavior of the military by the respective military command.

(2) The probation period or, as the case may be, the probation term is established by the court to be judged within the limits of 1 year to 3 years.

(21) By way of derogation from para. (2), if a cooperation agreement was concluded, the probation period or, as the case may be, the probation term cannot be less than half of the punishment established by the court and more than 6 years.

(4) Persons who have committed particularly serious or exceptional crimes

serious, to people who have committed the crimes provided for in art. 165 para. (1), art. 1661 para. (2) and (3), art. 171 para. (2), art. 172 para. (2), art. 174 para. (11), art. 175 para. (2), art. 1751 para. (2), art. 2011 para. (3), art. 206 para. (1), art. 264 para. (4) and (6), as well as in the case of dangerous or particularly dangerous recidivism, the sentence with conditional suspension of the execution of the sentence does not apply.

(41) By way of derogation from para. (1) and (4), if a cooperation agreement has been concluded, the sentence with conditional suspension of the execution of the sentence is also applied to persons who have committed particularly serious crimes.

(5) In case of conviction with conditional suspension of the execution of the sentence, they can be established complementary penalties.

(6) Applying the sentence with conditional suspension of the execution of the sentence, the court to be tried, oblige the convicted person to fulfill one or more of the following:

a) to appear at the probation body on the dates fixed by it;

b) to announce in writing, in advance, about the change of address or any travel that exceeds 5 days;

c) not to visit certain places, established by the court, being subject to monitoring electronics, but not more than 12 months;

d) to undergo treatment in case of alcoholism, drug addiction, drug addiction, HIV virus or venereal disease;

e) to repair the damages caused to the victim and/or the victim's family in the amount and within the terms established by the court;

f) to complete compulsory education, to follow a professional training or qualification course;

g) to participate in probationary programs;

h) to provide unpaid work for the benefit of the community, but only with its consent.

(61) In case of sentencing the minor with conditional suspension of execution punishment, participation in the probationary program is mandatory.

(7) During the probation period or, as the case may be, the trial term, the court, at the request of the body that exercises control over the behavior of the convicted person with conditional suspension of the execution of the sentence, may cancel, in whole or in part, the obligations previously established for the convicted person or add new ones.

(8) - **repealed.**

(81) - **repealed.**

(9) If the person convicted with conditional suspension of the execution of the sentence, during the probation period or, as the case may be, the probation period, violates

systematically fulfilled the established obligations or, until the expiration of the probationary period, did not willfully fulfill the obligation to repair the damage caused, the court, at the proposal of the body that exercises control over the behavior of those convicted with the suspension of the execution of the sentence, may pronounce a conclusion regarding to the cancellation of the conviction with the conditional suspension of the execution of the sentence and to the sending of the convict to execute, fully or partially, but not less than 1/3 of the sentence established by the court's decision.

(10) If the person convicted with a conditional suspension of the execution of the sentence commits a new intentional crime during the probation period or, as the case may be, the probationary period, the court shall impose a punishment under the conditions of art. 85, if, as the case may be, the provisions of para. (11) of this article.

(11) If the person sentenced with conditional suspension of the execution of the sentence commits a reckless crime or a less serious intentional crime during the probation period or, as the case may be, the probation period, the issue of canceling or maintaining the sentence with conditional suspension of execution the punishment is settled by the court, at the proposal of the body that exercises supervision over the behavior of those convicted with the suspension of the execution of the punishment.

(12) In the event that the person convicted with the conditional suspension of the execution of the prison sentence did not fulfill the obligation of cooperation assumed on the basis of the cooperation agreement, the court, at the request of the prosecutor, pronounces a conclusion regarding the annulment of the conviction based on the cooperation agreement cooperation and sending the convict to serve the sentence established by the court's decision.

Article 901 . Sentence with partial suspension

of the execution of the prison sentence

(1) If the trial court, taking into account the circumstances of the case and the personality of the culprit, reaches the conclusion that it is not reasonable for him to serve the entire prison sentence in the penitentiary, it may order the partial suspension of the execution of the punishment applied to the culprit, indicating in the decision the period of execution of the sentence in prison and the period of probation or, as the case may be, the term of probation, as well as the reasons for the conviction with partial suspension of the execution of the sentence. The first part of the sentence is executed in the penitentiary, and the rest of the sentence is suspended.

(2) In the case of light or less serious crimes, the appropriate part of the punishment executed in the penitentiary can be reduced to the minimum provided by this code.

(3) In the case of serious crimes, the part of the sentence to be served in the penitentiary must not be less than half of the sentence established by the trial court. In the case of the cooperation agreement, the part of the sentence to be served in the penitentiary can be reduced up to one year.

(4) This article does not apply in the case of particularly serious and exceptionally serious crimes, as well as the crimes provided for in art. 1661 para. (2) and (3), art. 171 para. (2), art. 172 para. (2), art. 174 para. (11), art. 175 para. (2), art. 2011 para. (3), art. 206 para. (1), art.

264 para. (4) and (6).

(5) Upon the release of the person for the execution of part of the conditional suspended sentence, the obligations provided for in art. 90 paragraph (6) may be applied.

(6) If the person convicted with a partial suspension of the execution of the prison sentence commits a new intentional crime during the probation period or, as the case may be, during the probation period or systematically violates the established obligations, the court shall determine a punishment under the conditions of art. 85 if, as the case may be, the provisions of para. (7) of this article.

(7) If the person convicted with a partial suspension of the execution of the prison sentence commits during the probation period or, as the case may be, during the probationary period a reckless crime or a light or less serious intentional crime, the issue of canceling or maintaining the conviction with the partial suspension of the execution of the prison sentence is resolved by the court, at the initiative of the body that exercises supervision over the behavior of those convicted with the suspension of the execution of the sentence.

(8) In the event that the person convicted with a partial suspension of the execution of the prison sentence did not fulfill the obligation of cooperation assumed on the basis of the cooperation agreement, the court, at the request of the prosecutor, pronounces a decision regarding the annulment of the conviction based on the cooperation agreement cooperation and sending the convict to fully execute the sentence established by the court's decision.

Article 91. Conditional release from punishment

before the deadline

(1) The person who is serving a prison sentence may be released on parole before the term if he has completed the individual program for the execution of the sentence, has fully repaired the damages caused by the crime for which he was convicted, with the exception of the case when it is proven that he did not she had no possibility to fulfill them, and if it is found that her correction is possible without the full execution of the punishment. The person can be released, in whole or in part, from the complementary punishment.

(2) Applying conditional release from punishment before the deadline, the court obliges the convicted person to fulfill one or more of the obligations provided for in art. 90 para. (6) in the term of the sentence remaining unexecuted. In the case of unpaid work for the benefit of the community, the convict's consent is not necessary.

(3) Conditional release from punishment before the term is applied to convicts by the court at the place of execution of the punishment, based on the approach of the institution that executes the punishment, at the request of the convict or his defense attorney under the conditions provided for in art. 266 and 267 of the Execution Code and only after compliance with the established extrajudicial procedure.

(4) Conditional release from punishment before the deadline can be applied if the convict, who at the time of the crime had reached the age of 21, has effectively executed:

a) at least half, but not less than 90 days of imprisonment, of the term of punishment established for the commission of a minor or less serious crime;

b) at least two-thirds of the punishment term established for the commission of a serious crime, particularly serious or exceptionally serious crimes, as well as of the punishment applied to the person previously released on parole before the term, if the conditional release from punishment before the term of was canceled under the conditions of paragraph (8).

(5) The person who is serving a sentence of life imprisonment may be conditionally released from the sentence before the term if the court considers that there is no longer a need to continue serving the sentence and if this person has actually served at least 25 years of imprisonment, without taking into account the privileged compensation of working days.

(6) Conditional release from punishment before the term can be applied to minors, to persons who have reached the age of 18, but have not reached the age of 21, and to persons who have reached the age of 60, if they have effectively executed:

a) at least one third of the punishment term established for the commission of a minor or less serious crime;

b) at least half of the penalty term established for serving one serious crimes;

c) at least two thirds of the punishment term established for the commission of a particularly serious or exceptionally serious crime.

(7) Control over the behavior of those released conditional on punishment before the term is exercised by the probation bodies, and over the behavior of the military by the respective military command.

(8) If, during the remaining unexecuted sentence:

a) the convicted person intentionally evades the fulfillment of the obligations established by the trial court for the application of conditional release from punishment before the deadline, the trial court, upon the proposal of the body indicated in paragraph (7), may pronounce a conclusion regarding the cancellation of the release conditioned by punishment before the term and when the convict is sent to serve the unexecuted sentence;

b) the convict recklessly commits a new crime, the annulment or maintenance of conditional release from punishment before the term is decided by the trial court;

c) the convict intentionally commits a new crime, the court determines his punishment under the conditions of art. 85. In the same way, the punishment is applied in case of committing a new crime due to imprudence, if the court cancels the conditional release from the punishment before the deadline.

Article 911 . Release from criminal punishment in the case

committing the crime for the first time

and reparation of the damage

(1) The person is released from criminal punishment in the case of committing a crime provided for in art. 241, 242, 244, 2441, 246, 2461, 250, 257, 258 and 262 of the Special Part of this code if the following conditions are cumulatively met:

a) was not previously released from criminal punishment for committing the same act;

b) removed the violations and repaired the damage caused by the crime;

c) paid to the state budget an amount equal to the value of the material damage caused, but not less than twice the maximum limit of the fine provided by the sanction of the corresponding article in the Special Part of the code.

(2) The person is released from criminal punishment under the conditions of paragraph (1) only if the act was not committed by applying physical or mental coercion, did not result in harm to the person's life and health or was not committed by a criminal group organized or by a criminal organization.

Article 92. Substitution of the unexecuted part of the sentence

with a milder punishment

(1) Regarding the persons who are serving a prison sentence, the court, taking into account their behavior during the execution of the sentence, may pronounce a conclusion regarding the replacement of the unexecuted part of the sentence with a milder sentence. At the same time, the person can be released, in whole or in part, from the complementary punishment.

(2) The replacement of the unexecuted part of the punishment with a milder punishment can be applied only after the convicted person has effectively served at least one third of the punishment term for a light or less serious crime, half of the punishment term for a serious crime and at least two thirds of the sentence for a particularly serious or exceptionally serious crime.

(3) When replacing the unexecuted part of the punishment with a milder punishment, the court may choose any milder punishment, from those specified in art. 62, within the limits provided for each category of punishment.

(31) Regarding persons serving life imprisonment, the replacement of the unexecuted part of the sentence with a milder sentence may be applied only after the convict has served at least 25 years of imprisonment.

(4) When replacing the unexecuted part of the punishment with a milder punishment, the court may oblige the convicted person to fulfill the obligations provided for in art. 90 paragraph (6) within the term of the punishment, to which he was sentenced, remained unexecuted.

Article 93. Release of minors from punishment

Minors convicted of committing a light, less serious or serious crime

are exempted from punishment by the court if it is found that the goals of the punishment can be achieved by applying coercive measures of an educational nature provided for in art. 104.

Article 94. Release from punishment due to change

situations

The person who committed a light or less serious crime can be released from punishment if it is established that, at the time of the trial, due to the change in the situation, the act committed has lost its prejudicial nature and, by virtue of the irreproachable behavior after the crime, the respective person can be corrected without the execution of the sentence.

Article 95. Release from the execution of the sentence

of seriously ill people

(1) The person who, during the execution of the sentence, fell ill with a mental illness, which deprives him of the possibility to account for his actions or to direct them, is released from the execution of the sentence. The court can apply coercive medical measures to this person.

(2) The person who, before the sentencing or during the execution of the sentence, fell ill with a serious illness, other than the one specified in paragraph (1), which prevents the execution of the sentence, may be released from the execution of the sentence by the court .

(4) The persons mentioned in paragraphs (1) and (2), in the case of their appointment, may be subject to punishment if the statute of limitations provided for in art. 60 and 97 have not expired. Changing the conditional release of the persons mentioned in paragraph (1) and (2) with the execution of the sentence in the penitentiary is carried out at the request of the representative of the body that executes the sentence, based on a control carried out at least once every 12 months.

Article 96. Postponement of the execution of the sentence for

pregnant women and people with children

aged up to 8 years

(1) Convicted pregnant women and persons who have children under the age of 8, with the exception of those sentenced to prison for a term of more than 5 years for serious, particularly serious and exceptionally serious crimes, crimes provided for in ch. I, II, III, VII, VIII, XIII and XVII, the court can postpone the execution of the sentence until the child reaches the age of 8.

(11) When postponing the execution of the sentence under the conditions of para. (1) of this article, the court may compel the convicted person to fulfill the obligations provided for in art. 90 para. (6).

(2) In the event that any of the convicted persons, referred to in paragraph (1), refuse and exercise their rights and obligations or violate the conditions of probation after the warning issued by the body that exercises control over the person's behavior

convicted persons for whom the execution of the sentence was postponed, the court, at the proposal of the nominated body, can cancel the postponement of the execution of the sentence and send the convicted person for the execution of the sentence to the place established in the judicial decision.

(3) When the child reaches the age of 8, the court, at the initiative of the probation body:

a) release the convicted person from the execution of the unexecuted part of the sentence;

b) replace the unexecuted part of the punishment with a milder punishment;

c) send the convicted person to the appropriate institution for the execution of the unexecuted part of the sentence.

(4) If during the postponement of the execution of the sentence, the convicted person serves a new crime, the court establishes a punishment under the conditions of art.85.

Article 961 . The disposition of the internal drilled in a

phthisiopneumological institute

If the person in respect of whom the question of release from punishment is being examined according to art. 91-96 is sick with tuberculosis, the court may order, based on the approach of the administration of the penitentiary institution, his forced hospitalization in a phthisiopneumological institution.

Article 97. Prescription for the execution of the sentence of conviction

(1) The sentence of conviction is not enforced if this was not done in the following terms, calculated from the day on which it remained definitive:

a) 2 years, in case of conviction for a light crime;

b) 6 years, in case of conviction for a less serious crime;

c) 10 years, in case of conviction for a serious crime;

d) 15 years, in case of conviction for a particularly serious crime;

e) 20 years, in case of conviction for an exceptionally serious crime.

(2) The statute of limitations for the execution of the punishment is reduced by half for persons who, at the time of the crime, were minors.

(3) The prescription is interrupted if the person evades the execution of the sentence or if, before the expiration of the terms provided for in paragraphs (1) and (2), he intentionally commits a new crime. In the case of evading the execution of the punishment, the limitation period starts from the moment the person is presented for the execution of the punishment or from the moment it is suspended, and in the case of committing a new crime from the moment it expires.

(4) The prescription does not remove the execution of the main punishments established for crimes against peace and security of mankind or for war crimes, provided for in art. 135-137, 139 and 143.

Chapter X

SAFETY MEASURES

Article 98. Purpose and types of security measures

(1) The purpose of safety measures is to remove a danger and prevent it committing the acts provided for by the criminal law.

(2) Safety measures are:

- a) coercive measures of a medical nature;
- b) coercive measures with an educational character;
- c) expulsion;
- d) special confiscation.
- e) extended confiscation.

Article 99. Application of coercive measures

of a medical nature

Persons who have committed acts provided for by the criminal law in a state of irresponsibility or who have committed similar acts in a state of responsibility, of reduced responsibility, but, until the bilge was pronounced or during the execution of the sentence, fell ill with a mental illness, from which causes them to be unable to account for their actions or to direct them, the court may apply the following coercive measures of a medical nature to them, which are carried out by the curative institutions of the health protection bodies:

- a) hospitalization in a psychiatric institution with regular supervision;
- b) hospitalization in a psychiatric institution with rigorous supervision.

Article 100. Admission to a psychiatric institution

(1) Internment in a psychiatric institution with regular supervision may be applied by the court to an insane person who, due to the mental state and the nature of the prejudicial act committed, needs hospital care and treatment under usual supervision conditions.

(2) Internment in a psychiatric institution with strict supervision can be applied by the court to a demented person who, due to his mental state and the nature of the prejudicial act committed, presents a particular danger to society and needs hospital care and treatment in conditions of rigorous supervision.

(3) Persons hospitalized in psychiatric institutions with rigorous supervision are detained in conditions that exclude the possibility of them committing a new prejudicial act.

Article 101. Establishment, change, extension

and the cessation of the application of the measures of

medical coercion to aliens

(1) The court, considering that it is necessary to apply a coercive measure of a medical nature, chooses its form depending on the mental illness of the person, the nature and degree of prejudicial nature of the act committed. The person subject to forced treatment or his representative has the right to ask an independent medical institution for an opinion on the state of health of the person to whom coercive medical measures are applied.

(2) The court, on the basis of the opinion of the medical institution, orders the cessation of the application of coercive measures of a medical nature in the case of the recovery of the person or of such a change in the nature of the disease that excludes the need for the application of these measures.

(3) The change of the coercive measure of a medical nature or the extension of the term of its application is also done by the court, both *ex officio*, and at the request of the person in question or his representative, based on a control, carried out on at least once every 6 months, regarding the necessity of applying this measure.

(4) If the court does not find it necessary to apply coercive measures of a medical nature to an alienated person, as well as in the case of ceasing the application of such measures, it may entrust him to the care of relatives or guardians, but under mandatory medical supervision.

Article 102. Deduction of the duration of application of the measures

medical coercion

(1) To the person who, after the commission of the crime or during the execution of the punishment, fell ill with a mental illness, due to which he is unable to account for his actions or to direct them, the court may impose the punishment after the sentence if not the statute of limitations has expired or if there are no other reasons for her release from criminal liability and punishment.

(2) In the case of the application of the punishment after the appointment, the duration of the application of the coercive measures of a medical nature is deducted from the term of the punishment.

Article 103. Application of coercive measures

of a medical nature to people who

suffer from alcohol or addiction

of drugs and the establishment of a measure

of judicial castration

(1) In case of the commission of the crime by a person suffering from alcohol addiction or drug addiction, if there is a corresponding medical opinion, the court, ex officio or at the request of the prosecutor or the health protection body, simultaneously with the punishment for the committed crime, he can apply forced medical treatment to this person.

(2) The persons mentioned in paragraph (1), sentenced to non-custodial sentences, they will be subjected to forced treatment in medical institutions with a special regime.

(3) If the persons mentioned in paragraph (1) have been sentenced to prison, during the execution of the sentence they will be subjected to compulsory medical treatment, and after release from the places of detention, if it is necessary to continue such treatment, they will be treated in medical institutions with a special regime.

(4) Termination of forced medical treatment is ordered by the court, at the proposal of the medical institution where the respective person is treated.

(5) If the crime was committed by a person who abuses alcohol and thereby puts his family in a difficult financial situation, the court, at the same time as applying the non-custodial sentence for the committed crime, is entitled, at the request of the prosecutor or close relatives of the person in question, to establish a measure of judicial protection.

Article 104. Application of coercive measures

educational in nature

(1) Persons released from criminal liability in accordance with art. 54 or criminal punishment in accordance with art. 93, the following coercive measures of an educational nature are applied to them:

a) the warning;

b) entrusting the minor for supervision to the parents, the persons who replace or specialized state bodies;

c) obliging the minor to repair the damage caused. When applying this measure, it is taken into account consider the material condition of the minor;

d) forcing the minor to attend a psychological rehabilitation course;

e) obliging the minor to follow the compulsory education course;

f) forcing the minor to participate in a probationary program;

g) obliging the minor to attend a professional qualification course.

(2) The list from paragraph (1) is exhaustive.

(3) Several coercive measures of an educational nature may be applied to the minor at the same time.

(4) In the case of the minor's systematic evasion of coercive measures of an educational nature, upon the proposal of the specialized state body, the prosecutor cancels the measures applied and sends the case to the trial court, and in the event that the respective measures were established by the court to be judged, it cancels them and orders the referral of the criminal case to the prosecutor or, as the case may be, establishes a punishment provided by law for the committed act.

(5) Coercive measures with an educational character are applied to minors until reaching the adult, depending on the character and degree of prejudicial nature of the act committed.

Article 105. Expulsion

(1) Foreign citizens and stateless persons who have been convicted of committing crimes may be prohibited from staying on the country's territory.

(2) If the expulsion accompanies the prison sentence, the execution of the expulsion takes place after the execution of the sentence.

(3) When taking the decision regarding the expulsion of the persons provided for in paragraph (1), the right to respect their private life will be taken into account.

Article 106. Special confiscation

(1) Special confiscation consists in the transfer, forcibly and free of charge, to the property of the state of the goods indicated in paragraph (2). If these assets no longer exist, cannot be found or cannot be recovered, their value is confiscated.

(2) The goods (including currency values) are subject to special confiscation:

a) used or intended for the commission of a crime;

b) results from crimes, as well as any income from the capitalization of these assets;

c) data to determine the commission of a crime or to reward the criminal;

e) held contrary to legal provisions.

f) converted or transformed, partially or fully, from the assets resulting from crimes and from the income from these goods;

g) which constitutes the object of money laundering or terrorist financing crimes.

(21) If the assets resulting from crimes and the income from these assets have been combined with the legally acquired assets, that part of the assets or their value corresponding to the value of the assets resulting from crimes and the income from these assets shall be confiscated.

(3) If the goods mentioned in para. (2) lit. a) and b) belong to or were transferred onerous to a person who did not know and should not have known about the purpose of use or the origin of the goods, their value is confiscated. If the respective goods were

transferred free of charge to a person who did not know and should not have known about the purpose of use or their origin, the goods are confiscated.

(4) The special confiscation can be applied even if the perpetrator is not established criminal punishment.

(5) Special confiscation does not apply in the case of crimes committed through a press or any other means of mass information.

Article 1061 . Extended confiscation

(1) Assets other than those indicated in art. are subject to confiscation. 106, if the person is convicted of committing the crimes provided for in art. 158, 165, 168, 186, 189, 191, 192, 206, 208, 208¹, 217, 217⁴, 218, 220, 236, 240, 242, 242¹, 243, 244, 253, 256, 260, 263, 264, 332, 335, 352¹, , 2606 , 279, 280, 283, 284, 289, 290, 292, 302, 324, 328, 330², , Art. 361 and 362¹, if the act was committed out of material interest.

(2) Extended confiscation is ordered if the following conditions are cumulatively met:

a) the value of the goods acquired by the convicted person in the last 5 years before the crime was committed exceeds by more than 20 average monthly salaries for the forecasted economy, established by decision of the Government, the incomes acquired lawfully by it. If a crime is committed continuously, the period until the end of the criminal activity is taken into account;

b) the court forms his conviction that the respective assets may come from illegal activities. The court's conviction can also be based on the difference between the lawfully acquired income and the value of the goods acquired in the same period;

c) the crimes indicated in para. (1) for which the law provides a maximum penalty of imprisonment for a term greater than 4 years.

(21) Extended confiscation can also be ordered on assets fictitiously transferred to third parties, acquirers in bad faith, as well as in the case of third parties who knew or should have known that the purpose of the transfer was to avoid confiscation.

(3) When applying the provisions of para. (2) the value of the assets transferred by the convicted person or a third party to a family member, legal entities over which the convicted person has control or other persons who knew or should have known about the illegal acquisition of the assets will also be taken into account.

(4) When determining the difference between the lawful income and the value of the assets acquired, the value of the assets at the date of their acquisition and the expenses incurred by the convicted person, including the persons provided for in para. (3).

(5) If the goods subject to confiscation are not found or have been combined with the goods lawfully obtained, money and goods covering their value are confiscated in their place.

(6) Assets and money obtained from the exploitation or use of the assets subject to confiscation are also confiscated, including the assets into which the assets derived from criminal activities were transformed or converted, as well as the income or benefits obtained from

these goods.

(61) If the convicted person has money, it will be confiscated as a matter of priority. If the money is not enough, the other assets are confiscated.

(7) The confiscation cannot exceed the value of the assets acquired during the period provided for para. (2) lit. a), which exceeds the level of lawful income of the convicted person.

Chapter XI

CAUSES THAT REMOVE CRIMINAL RESPONSIBILITY

OR THE CONSEQUENCES OF CONVICTION

Article 107. Amnesty

(1) Amnesty is the act that has the effect of removing the criminal responsibility or punishment or reducing the applied punishment or commuting it.

(2) The amnesty has no effect on the safety measures for the injured person and on rights

(3) The amnesty does not apply in the case of committing crimes provided for in art. 1661 para. (2)(4), as well as the persons who have committed crimes against minors provided for in art. 171-1751 , 201, 206, 208, 2081 and 2082 .

Article 108. Speaking

(1) Plea is the act by which the convicted person is freed, in whole or in part, from the established punishment or the established punishment is commuted.

(2) The speech is granted by the President of the Republic of Moldova individually.

(3) The reprimand has no effect on the complementary punishments, with the exception of the case in which is ordered otherwise by the act of speaking.

(4) Speaking has no effect on safety measures the injured person and on rights

(5) The sentence does not apply to persons who have committed crimes against minors provided for in art. 171-1751 , 201, 206, 208, 2081 and 2082 .

Article 109. Reconciliation

(1) Atonement is the act of removing criminal liability for minor or less serious crimes, provided for in chapters III, VVI and in art. 264 paragraph (1) of the Special Part, as well as in the cases provided for by the criminal procedure, if the person does not have a criminal record for similar crimes committed with intent or if the termination of the criminal process has not been ordered against her, as a result of the conviction, for similar crimes committed with intent in the last five years. In the case of minors, reconciliation of the parties can be applied for light or less serious crimes, provided for in chapter IV of the special Part, as well as for serious crimes, provided for in chapters III and VVI of the special Part.

(2) Conciliation is personal and produces legal effects from the moment the criminal prosecution starts and until the withdrawal of the trial panel for deliberation.

(3) For persons lacking legal capacity, reconciliation is done by their legal representatives. Those with limited exercise capacity can reconcile with the consent of the persons provided for by law.

(4) Conciliation does not apply in the case of persons who committed the offenses provided for in art. 1711751 with the exception of light or less serious crimes, if they were committed by minors, or in the case of crimes committed against minors provided for in art. 201, 206, 208, 2081 and 2082 .

Article 110. The notion of criminal antecedents

The criminal antecedents represent a legal state of the person, which appears from the moment the sentence of conviction remains definitive, generating unfavorable legal consequences for the convicted until the moment the criminal antecedents are extinguished or rehabilitated.

Article 111. Erasure of criminal records

(1) The following persons are considered to have no criminal record:

- a) released from criminal punishment;
- b) released, according to the amnesty act, from criminal liability;
- c) freed, according to the act of amnesty or parole, from the execution of the sentence pronounced by the sentencing sentence;
- d) convicted with a conditional suspension of the execution of the sentence if, during the probation period, the conviction with a conditional suspension of the execution of the sentence was not cancelled;
- e) sentenced to a milder punishment than prison after serving the sentence;
- f) - [excluded](#).
- g) sentenced to prison for committing a minor or less serious crime if 2 years have expired after the execution of the sentence;
- h) sentenced to prison for committing a serious crime if they have expired 6 years after the execution of the sentence;
- i) sentenced to prison for committing a particularly serious crime if 8 years have expired after the execution of the sentence;
- j) sentenced to prison for committing an exceptionally serious crime if 10 years have expired after the execution of the sentence.

(2) If the convicted person, in the manner established by law, was released before the term of execution of the sentence or the unexecuted part of the sentence was replaced by a milder sentence, the term of erasure of the criminal record is calculated starting from the term

real of the executed punishment, from the moment of release from the execution of the main and complementary punishment.

(3) Erasing criminal records cancels all disabilities and deaths from rights related to criminal records.

Article 112. Judicial rehabilitation

(1) If the person who served the criminal penalty has given evidence of irreproachable behavior, at his request, the court may cancel the criminal records until the expiration of the terms for their extinguishment. The conditions for receiving the judicial rehabilitation request can be:

a) the convict has not committed a new crime;

b) at least half of the term provided for in art. 111 para. (1) and (2) has expired;

c) the convict had irreproachable behavior;

d) the convicted person has fully paid the civil compensation, which he was obliged to pay by the judicial decision, as well as the court costs;

e) the convict has ensured his existence through work or other honest means, has reached retirement age or is unable to work.

(2) Rehabilitation cancels all disabilities and loss of rights related to criminal antecedents.

(3) In case of rejection of the rehabilitation request, a new request can only be made after one year.

(4) The judicial rehabilitation is canceled if, after its granting, it was discovered that the rehabilitated person had another conviction which, if it had been known, would have led to the rejection of the rehabilitation request.

Chapter XII

CLASSIFICATION OF THE CRIME

Article 113. The notion of qualification of the crime

(1) The determination and legal finding of the exact correspondence between the signs of the prejudicial act committed and the signs of the composition of the crime, provided for by the criminal law, is considered a qualification of the crime.

(2) The official qualification of the crime is carried out at all stages of the criminal procedure by the persons who carry out the criminal investigation and by the judges.

Article 114. Classification of offenses in the case

a crime contest

The classification of crimes in the case of a contest of crimes, determined in art. 33, se

carried out by invoking all the articles or paragraphs of a single article of the criminal law that provide for the prejudicial acts committed.

Article 115. Classification of offenses in the case

the competition of criminal rules

(1) Concurrence of criminal norms implies the commission by a person or by a group of persons of a prejudicial act, fully covered by the provisions of two or more criminal norms and constituting a single crime.

(2) The choice of one of the competing norms that most accurately reflects the legal nature of the prejudicial act committed is carried out under the conditions of art. 116-118.

Article 116. Classification of offenses in the case of competition

between general and special norms

(1) The criminal norm that provides for two or more prejudicial acts is considered a general norm, and the criminal norm that provides only for the particular cases of these acts is considered a special norm.

(2) In case of competition between the general and the special norm, only the special norm applies.

Article 117. Classification of crimes in the case

the competition between two norms

special

The competition between two special rules has the following varieties:

a) between the crime component with mitigating circumstances and another with circumstances aggravating the crime is qualified based on the one with mitigating circumstances;

b) between two components of crimes with mitigating circumstances, the crime qualifies based on the criminal rule that provides for a milder punishment;

c) of two components of crimes with aggravating circumstances, the crime qualifies based on the criminal rule that provides for a harsher punishment.

Article 118. Classification of offenses in the case

the competition between one part and one

whole

(1) The competition between a part and a whole represents the existence of two or more criminal norms, one of them covering the prejudicial act in its entirety, and the others only some of its parts.

(2) Qualification of crimes in case of competition between a part and a whole se

carried out based on the rule that fully includes all the signs of the prejudicial act committed.

Chapter XIII

MEANING OF CERTAIN TERMS OR EXPRESSIONS

IN THE PRESENT CODE

Article 119. General provisions

Whenever the criminal law uses a term or an expression among those defined in this chapter, their meaning is the one provided for in the following articles.

Article 120. Territory

By the territory of the Republic of Moldova and the territory of the country is understood the extent of the earth the waters between the borders of the Republic of Moldova, with its subsoil and airspace.

Article 121. State secret

State secret means the information defined as such by Law no. 245-XVI of 27 November 2008 regarding the state secret.

Article 122. The person who enjoys protection

international

A person who enjoys international protection means:

a) the head of the foreign state, including each member of the collegial body that exercises the functions of the head of state according to the constitution of the respective state, either the head of the government or the foreign minister of the foreign state, as well as the members of their families who accompany them;

b) any representative or responsible person of the foreign state or any responsible person or other agent of the international intergovernmental organization who, according to international law, has the right to special protection against any attack on his person, freedom and dignity, such as and their family members who live with them.

Article 123. The responsible person,

public person and person with

function of public dignity

(1) A responsible person means the person who, in an enterprise, institution, state organization or local public administration or in a subdivision thereof, is granted, permanently or provisionally, by the stipulation of the law, by appointment, election or by virtue of an assignment, certain rights and obligations in order to exercise the functions of the public authority or the administrative disposition or organizational-economic actions.

(2) By public person is understood: the public official, including the public official with special status (collaborator of the diplomatic service, customs service, defense, national security and public order bodies, other person holding special or military ranks); the employee of autonomous or regulatory public authorities, of state or municipal enterprises, of other legal entities under public law; the employee from the cabinet of persons with public dignity functions; the person authorized or vested by the state to provide public services on its behalf or to perform activities of public interest.

(3) A person with public dignity is understood as: a person whose method of appointment or election is regulated by the Constitution of the Republic of Moldova or who is vested in office, by appointment or by election, by the Parliament, the President of the Republic of Moldova or the Government, another person with public dignity function established by law; the person to whom the public dignitary has delegated his powers.

Article 1231 . Foreign public person and civil servant

international

(1) Foreign public person means: any person, appointed or elected, who holds a legislative, executive, administrative or judicial mandate of a foreign state; the person exercising a public function for a foreign state, including for a foreign public body or public enterprise; the person who serves as a juror in the judicial system of a foreign state.

(2) By international official is understood: the official of an international or supranational public organization or any person authorized by such an organization to act on its behalf; member of a parliamentary assembly of an international or supranational organization; any person who exercises judicial functions within an international court, including the person with office assignments.

Article 124. The person who manages an organization

commercial, obtain or other organization

nonstate

By person who manages a commercial organization, obtain or other non-state organization is understood the person who, in the indicated organization or in a subdivision thereof, is granted, permanently or temporarily, by appointment, election or by virtue of an assignment, certain rights and obligations in order to exercise the functions or administrative actions of disposal or organizational-economic.

Article 126. Particularly large proportions, large proportions,

considerable damages and essential damages

(1) The value of the goods acquired, received, manufactured, destroyed, polluted, used, transported, kept, sold, passed over the customs border, the value of the damage caused by a person or a group of people, which exceeds 20 salaries, is considered large proportions forecasted monthly averages on the economy, established by the decision of

Government in force at the time of the act.

(11) The value of the goods acquired, received, manufactured, destroyed, polluted, used, transported, kept, sold, passed over the customs border, the value of the damage caused by a person or a group of people, which exceeds 40 of forecasted average monthly salaries for the economy, established by the Government decision in force at the time of the act.

(2) The value of goods stolen, acquired, received, manufactured, destroyed, polluted, used, transported, kept, sold, the value of damage caused by a person or a group of people, which exceeds 10 average monthly salaries, are considered considerable or essential proportions on the forecasted economy, established by the Government decision in force at the time of the act.

Article 1261 . Means from external funds

By means of external funds are understood the financial and material resources allocated as grants, subsidies, credits, donations, loans, humanitarian aid by other states, the European Community or international institutions, organizations and associations, foreign natural or legal persons, guaranteed or contracted by the state, as well as non-refundable ones.

Article 1262. Substantial lapses

By substantial breach, in the sense of art. 3302, it is understood that the difference exceeds 40 average wages for the economy, established by the Government decision in force at the time of the act, between the wealth owned at the time of accession to the position and the income obtained during the exercise of the position, including the income of family members or the cohabitant/concubine, on the one hand, and the property owned, including the expenses incurred during this period, on the other hand.

Article 127. Time of war

The time of war means the interval from the date of the declaration of mobilization or the start of war operations until the date of the army's transition to a state of peace.

Article 1271 . The person protected by the law

international humanitarian

A person protected by international humanitarian law means:

a) in an international armed conflict: any protected person in the sense
The Geneva Conventions of August 12, 1949 regarding the protection of war victims and others
Additional Protocol I of June 8, 1977 regarding the protection of victims of international armed conflicts,
especially the sick, wounded, shipwrecked, prisoners of war and civilians;

b) in a non-international armed conflict: any person protected within the meaning of art. 3 joint of the
Geneva Conventions of August 12, 1949 and in the sense of the Additional Protocol II of June 8, 1977
regarding the protection of victims of armed conflicts of non-international character (the sick, the wounded,
the shipwrecked, the persons who do not directly participate in the operations

military and which are under the power of the enemy party);

c) in an armed conflict with or without an international character: members of the armed forces and combatants of the enemy party who have laid down their arms or who, for any other reason, can no longer defend themselves and who are not under the power of the enemy party.

Article 128. Military crimes

(1) By military crimes are understood the crimes, provided by this code, against the established way of performing the military service, committed by the persons who perform the military service by contract, within the term, with a reduced term or as concentrated or mobilized reservists.

(2) Military personnel who have committed crimes are subject to criminal liability in accordance with the provisions of the general and special parts of this code.

Article 129. Weapons

(1) By weapons are understood the instruments, parts or devices declared as such by legal provisions.

(2) Weapons are assimilated to any other objects that could be used as weapons or that were used for attack.

Article 130. Mercenary

By mercenary is understood the person specially recruited, in the country or abroad, to fight in an armed conflict, who takes part in military operations in order to obtain a personal advantage or a promised remuneration by or on behalf of a party to the conflict, who is neither a citizen of a party to the conflict nor a resident of the territory controlled by a party to the conflict, is not a member of the armed forces of a party to the conflict and has not been sent by a state other than a party to the conflict, in official mission as a member of the armed forces of the respective state.

Article 131. The act whistled in public

By public act is meant the act committed:

a) in a place which, by its nature or destination, is always accessible to the public, even if at the time of the act no person was present in that place, but the perpetrator realized that the act could become known to the public;

b) in any other place accessible to the public if two or more people were present at the time of the act;

c) in a place inaccessible to the public, with the intention that the deed be heard or seen, if this happened to two or more people;

d) in an assembly or meeting of several people, with the exception of meetings that can be considered familial, due to the nature of the relationships between the participating persons;

e) by any means resorting to which the perpetrator realized that the deed could

reaches the public's knowledge.

Article 132. Means of transport

Means of transport means all types of automobiles, tractors and other types of self-propelled machines, trams and trolleybuses, as well as motorcycles and other mechanical means of transport.

Article 1321 . Goods

Through goods, in the sense of art. 106, 1061, 243 and 279, means financial means, any category of tangible or intangible, movable or immovable, tangible or intangible values (assets), as well as documents or other legal instruments in any form, including in electronic or digital format, which certify a title or a right, including any interest (interest) in respect of these values (assets).

Article 1322 . Sexual acts or acts of character

sexually nonconsensual

(1) By sexual act is understood the action of vaginal, anal or oral penetration of a sexual nature with any body part or object.

(2) Actions of a sexual nature mean any other ways of obtaining sexual satisfaction other than those indicated in paragraph. (1), as well as actions other than those that fall under art. 173 and 287 of this code or of art. 354 of the Criminal Code.

(3) A sexual act or an act of a sexual nature that is accompanied by physical or mental coercion, applied to the victim or another person, or in which the person's inability to defend themselves or to express their will is taken advantage of, is considered non-consensual.

Article 1323. Non-cash means of payment

(1) Non-cash means of payment means a non-cash payment instrument, an electronic payment instrument, an electronic currency or a virtual currency.

(2) A non-cash payment instrument means a device, an object or a record, which is protected/protected, immaterial/immaterial or material/material or a combination thereof, other than legal currencies, and which, alone / alone or together with a procedure or a set of procedures, allows the holder or user to transfer money or monetary value, including through electronic currency or virtual currency.

(3) By electronic payment instrument is understood an instrument that allows making cash withdrawals, loading and unloading of electronic currency, as well as fund transfers, other than those executed by financial institutions.

(4) By electronic currency is understood a monetary value stored electronically, including magnetically, representing a claim on the issuer, which is issued upon receipt of funds (other than electronic currency), for the purpose of carrying out payment operations, and which is accepted by a person other than the electronic money issuer.

(5) By virtual currency is understood a digital representation of value that is not issued or guaranteed by a central bank or a public authority, is not necessarily linked to a legally established currency and does not have the legal status of currency or money, but is accepted by natural or legal persons as a medium of exchange and can be transferred, stored and transacted electronically.

Article 133. Cultural values

By cultural values of a religious or secular character are understood the values indicated in the Convention of the United Nations Organization for Education, Science and Culture of November 14, 1970 regarding the measures aimed at the prohibition and prevention of the illegal introduction, removal and transmission of the right of ownership of cultural values.

Article 1331 . Family member

Family member means:

a) in the condition of cohabitation: persons in marriage, in divorce, persons in respect of whom a judicial protection measure has been instituted, relatives, relatives, spouses of relatives, persons in relationships similar to those between spouses (cohabitation) or between parents and children;

b) in the condition of living separately: persons in marriage, in divorce, their relatives, relatives, adopted children, persons in respect of whom a judicial protection measure has been instituted, persons who are or have been in relationships similar to those of the variety (cohabitation).

Article 134. Kinship

(1) By kinship is understood the connection based on the descent of a person from another person or on the fact that several people have a common ancestor. In the first case, the kinship is in the direct line, and in the second case in the collateral line.

(2) The degree of kinship is established by the number of births.

(3) The relatives of one of the spouses are relatives of the other spouse. Line and degree of affinity are assimilated to line and degree of kinship.

(4) Close relatives are parents, children, adoptive parents, adopted children, brothers and sisters, grandparents and their grandchildren.

Article 1341 . Drugs, precursors, ethnobotanicals

and their analogues

(1) Drugs mean narcotic or psychotropic plants or substances, or mixtures containing such plants or substances, established by the Government.

(2) By narcotics are understood the substances listed in the annexes to the United Nations Single Convention on Narcotic Substances of 1961, modified by the Protocol of 1972, and provided for in the normative acts of the Government.

(3) By psychotropic substances are understood the substances listed in the annexes to the Convention on psychotropic substances from 1971 and provided for in the normative acts of the Government.

(4) Precursor means the substance of natural or synthetic origin used as raw material for the production of narcotic or psychotropic substances.

(5) Ethnobotanical (ethnobotanical) products mean mixtures of dusts and/or plants or mixtures of herbs and various parts of plants sprinkled with chemical substances, which produce changes that induce physiological and/or mental effects, hallucinogenic and/or psychoactive actions .

(6) Analogue of a narcotic or psychotropic substance means any substance or combination of substances of natural or synthetic origin, in any physical state, or any product, plant, mushroom, or parts thereof, which has the ability to produce psychoactive effects and which, regardless of its content, name, method of administration, presentation or advertising, is or can be used instead of a narcotic substance or preparation, psychotropic or with a psychotropic effect or instead of a plants or substances under national and/or international control.

(7) The lists of narcotic, psychotropic and precursor substances are approved, modified and supplemented by the Government.

(8) In the case of theft, appropriation, extortion or other illegal actions with drugs, precursors, ethnobotanicals or their analogues, their small, large or particularly large proportions are determined according to the small, large or particularly large quantities established by the Government.

(9) The circulation of drugs, precursors, ethnobotanicals and their analogues means any operations such as experimentation, elaboration, production (manufacturing), preparation, cultivation, extraction, processing, transformation, possession, storage, preservation, delivery, release, distribution, dispatch , their transport, procurement (buying), commercialization, destruction, import, export, use, promotion and other related activities.

Article 1342 . Aircraft in flight and aircraft

in operation

(1) An aircraft is considered to be in flight from the moment when, having completed boarding, all the external doors of that ship have been closed and until the moment when one of these doors is opened for disembarkation. In the event of a forced landing, the flight is considered to continue until the competent authorities receive the aircraft, as well as the persons and goods on board.

(2) An aircraft is considered to be in operation from the moment the ground staff or the crew start preparing it for a specific flight and until the expiration of a period of 24 hours after any landing. The operating period includes, in any case, the entire duration of the aircraft in flight.

Article 1343 . Fixed platform

Fixed platform means an artificial island, an installation or a work permanently attached to the seabed for the purpose of exploring and exploiting resources or for other economic purposes.

Article 1344 . Explosive device or other device

with lethal effect

Explosive device or other device with lethal effect means:

a) the weapon or the explosive or incendiary device intended or capable of causing death, serious injury to bodily integrity or health or essential material damage;

b) the weapon or device intended or capable of causing death, serious injury to bodily integrity or health or essential material damage through the release, dissemination or action of toxic chemical substances, biological agents or toxins or other similar substances, radiation or radioactive substances.

Article 1345 . State or government object

By state or government object is meant the permanent or temporary object or the means of transport that is used or occupied by the representatives of the state, the members of the Government, of the legislative or judicial body, or by persons with a function of responsibility or officials of a public authority or of any another body or public institutions, either by officials or responsible persons of an intergovernmental organization, in connection with the fulfillment of service assignments.

Article 1346 . Infrastructure object

Infrastructure object means any object in public or private ownership that offers or distributes services to the population, such as: sewage, water, energy, fuel or electronic communications.

Article 1347 . Place of public use

By place of public use is understood the parts of the building, of the land, of the street, of the navigable channel or of another place that are accessible or open to the public permanently, periodically or occasionally and that include any commercial, business, cultural, historical, educational place , religious, state, entertainment, recreation or any other similar place accessible or open to the public.

Article 1348 . Nuclear material

(1) Nuclear material means: plutonium, with the exception of plutonium whose isotopic concentration in plutonium 238 exceeds 80%; uranium 233; uranium enriched in uranium 235 or 233; uranium that contains the mixture of isotopes that are found in nature other than in the form of ore or ore residue; any material containing one or more of the elements mentioned in this paragraph.

(2) Uranium enriched in uranium 235 or uranium 233 means uranium that contains

either uranium 235 or uranium 233, or these two isotopes in such a quantity that the ratio between the sum of these two isotopes and isotope 238 is higher than the ratio between isotope 235 and isotope 238 in natural uranium.

Article 1349 . Nuclear installation

The nuclear installation means:

a) the installation, including the related buildings and equipment, in which nuclear material is produced, processed, used, handled, intermediately stored or permanently stored and which, if it is damaged or if interventions are made on it, may lead to the release of significant amounts of radiation or radioactive material;

b) any nuclear reactor, including reactors installed on air, sea, car or railway means of transport or on space objects to be used as a source of energy for the purpose of propelling such means of transport or space objects or for any other purposes;

c) any building or any type of transport used for the production, storage, processing or transport of radioactive material.

Article 13410 . Radioactive device

Radioactive device means:

a) any nuclear explosive device;

b) any device for dispersing radioactive material or emitting radiation which, due to its radiological properties, can cause death, serious injury to bodily integrity or health, or essential damage to property or the environment.

Article 13411 . Terrorist crime

A crime of a terrorist nature means one of the crimes provided for in art. 1401 , 142, 275, 278, 2781 2791 2793 , 280, 284 par. (2), art. 289,1 and para. (2) in the part that refers to the facts provided for in paragraph (11) , art. 295, 2951 , 2952 , 342 and 343.

Article 13412. State of intoxication

Drunkenness means the state of psycho-functional disorder of the body caused by the consumption of alcohol, drugs and/or other substances with similar effects.

Article 13413 . Bank administrator

By bank administrator, in the sense of art. 191 para. (21) , art. 197 para. (3), art. 2391 para. (2) and art. 2392 , means the person defined as such by the Financial Institutions Law no. 550- XIII of July 21, 1995.

Article 13414 . Doctor

By doctor, in the sense of art. 160, 161, 212, 213 and 287 of this code, it is understood

the person who meets the conditions established in art. 4 of Law no. 264/2005 regarding the exercise of the medical profession, including the resident doctor, under the conditions of art. 41 of Law no. 264/2005 regarding the exercise of the medical profession.

Article 13415 . Medical worker

By medical worker, in the sense of art. 212 para. (4), art. 213 and 287 of this code, it is understood any other person, with the exception of the doctor, who has medical education and the status of employee of a public or private medical-sanitary institution and who provides health services to the population, as defined by Law no. 263/2005 regarding the patient's rights and responsibilities.

Article 13416 . Toxic substances

By toxic substances we mean substances with a drastic action, which are under national and international control, in accordance with the international treaties to which the Republic of Moldova is a party, and which are included in the lists approved by the Government.

Article 13417 . Strategic goods

Strategic goods mean:

- a) products, technologies and services that have dual use (civil and military);
- b) armaments, munitions, military equipment, technologies and related services;
- c) products, technologies and services that are used in the manufacture and use of weapons nuclear, chemical, biological and missile weapons that can carry such weapons;
- d) other products, technologies and services that require special control in the interest of national security or foreign policy, in accordance with international agreements and arrangements to which the Republic of Moldova is a party.

Article 13418 . Organization and symbols with character

fascist, racist or xenophobic

(1) Fascist, racist or xenophobic organization means any group formed by three or more persons who carry out their activity, temporarily or permanently, in order to promote fascist, racist or xenophobic ideas, conceptions or doctrines, such as hatred and violence on ethnic, racial or religious grounds, the superiority of some races and the inferiority of others, anti-Semitism, incitement to xenophobia and extremism. This category may include organizations with or without legal personality, political parties and movements, associations and foundations, commercial companies, as well as any other legal entities that meet the conditions of this paragraph.

(2) Fascist, racist and xenophobic symbols mean flags, emblems, badges, uniforms, slogans, greetings, as well as any other such signs that promote the ideas, conceptions or doctrines provided for in paragraph. (1).

Article 13419 . Holocaust

The Holocaust means the systematic persecution supported by the state, the annihilation and extermination of a large number of members of the Jewish community by Nazi Germany, as well as by its allies and collaborators, during the period 1933-1945.

Article 13420 . Negligence in service in banking

In the banking field, through non-fulfilment or improper fulfillment of service obligations, in the sense of art. 329, it is understood the non-fulfilment or improper fulfillment by the members of the management bodies of the National Bank of Moldova or by its staff of the obligations provided for by the law, which led to:

- a) insolvency of the bank;
- b) application of banking resolution instruments;
- c) application of public financial stabilization instruments;
- d) granting extraordinary public financial support to the bank.

Article 13421 . Reasons for prejudice

(1) Preconceived ideas of the perpetrator based on considerations of race, color, ethnic, national or social origin, citizenship, sex, gender, language, religion or religious beliefs, political opinions, disability, sexual orientation, identity of gender, state of health, age, marital status, regardless of whether the act is committed in relation to the person who possesses such protected characteristics, in relation to his property or associated with it or in relation to the person who provides support to persons who possess such protected characteristics or associate with them, this association being real or perceived as real.

(2) The presence in the victim's profile of certain protected characteristics shall not constitute itself a sufficient basis to conclude that a crime motivated by prejudice was committed.

(3) It is considered that the crime was committed for prejudicial reasons regardless of whether the perpetrator was fully or only partially driven by such reasons, being present and other reasons.

Article 13422 . Disabled person

A person with disabilities means the person defined as such in Law no. 60/2012 on the social inclusion of people with disabilities.

Article 13423 . Unconstitutional entity

By unconstitutional entity is understood an alleged authority created on the territory of a state, outside the constitutional regulations of the respective state and which is not recognized in accordance with the provisions of international treaties.

Article 13424 . Illegal information structure

Illegal information structure means the organization created outside the constitutional and legal regulations of the state, for the purpose of collecting, processing

information that contains state secrets, other information that can be used to commit actions to the detriment of sovereignty, independence, territorial inviolability, state security or defense capacity of the Republic of Moldova or for the purpose of recruiting people in order to provide support in such actions.

Article 13425. Computer system

Computer system means any isolated device or set of interconnected or connected devices that ensure or one or more elements of which ensure, through the execution of a program, the automatic processing of data.

THE SPECIAL PART

Chapter I

CRIMES AGAINST PCI AND SECURITY

HUMANITY, WAR CRIMES

Article 135. Genocide

Extermination, with the intention of destroying, in whole or in part, a national, ethnic group, racial or religious, of one of the following facts:

- a) murder of group members;
 - b) harming the bodily integrity or health of group members;
 - c) subjecting the group to conditions of existence of such a nature as to lead to its physical destruction, total or partial;
 - d) imposing measures aimed at preventing births within the group;
 - e) forced transfer of children belonging to one group to another group,
- is punishable by imprisonment from 15 to 20 years or life imprisonment.

Article 1351 . Crimes against humanity

(1) Whispering, as part of a generalized or systematic attack launched against a the civilian population and in the knowledge of this attack, of one of the following facts:

- a) submission to slavery, adult trafficking or child trafficking;
- b) forced deportation or transfer, in violation of the general rules of law internationally, of persons legally located in the territory where the attack was launched;
- c) arrest or other form of physical deprivation of liberty in violation of the rules general international law;
- d) torturing a person under the care of the perpetrator or over whom he exercises control in any other way, causing serious injuries to his bodily integrity or health, pain or mental suffering, which exceed the consequences of the sanctions allowed by

international law;

e) rape, sexual exploitation, coercion into prostitution, illegal detention of a forcibly pregnant woman, in order to change the ethnic composition of a population, forced sterilization or any other violent action of a sexual nature;

f) the persecution of a specific group or community, by depriving them of fundamental human rights or by restricting the exercise of these rights, for political, racial, national, ethnic, cultural, religious, sexual reasons or according to other criteria recognized as inadmissible in international law;

g) provoking the forced disappearance of a person, in order to remove him from the protection of the law, by kidnapping, arresting or holding, at the order of a state or political organization or with their authorization, support or permission, followed by the refusal to admit that this the person is deprived of freedom or of providing real information regarding the fate reserved for him or the place where he is, as soon as this information has been requested;

h) application of apartheid practices;

i) other inhuman acts of a similar nature that intentionally cause serious physical or mental suffering or serious injuries to the person's bodily integrity or health, shall be punished with imprisonment from 10 to 20 years.

(2) Whistling, under the conditions indicated in para. (1), of one of the following facts:

a) the murder of one or more persons;

b) subjugation of a population or part of it, in order to destroy it in whole or in part, to the conditions of life intended to determine its physical destruction,

is punishable by imprisonment from 15 to 20 years or life imprisonment.

Article 1352 . Genocide propaganda or a

crimes against humanity

(1) Propaganda of genocide or crimes against humanity, i.e. public dissemination of information, including through an information system, or any other public actions aimed at the total or partial denial, approval or justification of crimes of genocide or crimes against humanity, recognized by - a decision of an international tribunal established by international instruments and whose jurisdiction is recognized by the Republic of Moldova, made in a manner that may cause the commission of some crimes with the application of violence,

is punished with a fine in the amount of 500 to 1000 conventional units or with imprisonment from 1 to 3 years applied to the natural person, the legal person is punished with a fine in the amount of 2000 to 5000 conventional units with the deprivation of the right to exercise a certain activity for a period of 1 to 5 years or with its liquidation.

(2) The presentation is not considered propaganda of genocide or crimes against humanity the act committed within the objective scientific research activity

factual arguments for the purpose of scientific debate or artistic expression.

Article 136. Ecocide

The intentional mass destruction of flora or fauna, the poisoning of the atmosphere or aquatic resources, as well as the commission of other actions that can cause or have caused an ecological catastrophe, are punishable by imprisonment from 10 to 15 years.

Article 137. War crimes against individuals

(1) The occurrence, within an armed conflict of international character, of one of the following facts:

a) coercion, by violence or threat, of one or more persons provided for in art. 1271 lit. a) upon enlistment in the enemy armed forces;

b) forcing the citizens of the enemy party to take part in the military operations directed against their country, even if they were enlisted in the armed forces of this enemy party before the start of the armed conflict;

c) illegal detention or unjustified delay in the repatriation of one or more many persons provided for in art. 1271 lit. a);

d) the transfer, directly or indirectly, by an agent of the occupying party, of a part of the civilian population to which he belongs, in the occupied territory, the deportation or transfer by him inside or outside the occupied territory of the entire civilian population from this territory or a part thereof,

is punishable by imprisonment from 3 to 10 years.

(2) Exposure, within an armed conflict with or without international character, of a person protected by international humanitarian law to a danger of death or serious injury to health through:

a) carrying out experiments of any kind, which are not determined by a medical, therapeutic, hospital treatment, regarding which the person has not voluntarily, expressly and beforehand consented and which are not carried out in his interest;

b) the sampling of tissues or organs for the purpose of transplantation, with the exception of the sampling of blood or skin carried out for therapeutic purposes in accordance with generally recognized medical principles and with the voluntary, express and prior consent of the person;

c) subjecting to medically unrecognized treatment methods, without them being necessary for the person's health and without their voluntary, express and prior consent,

is punishable by imprisonment from 8 to 12 years with the deprivation of the right to occupy certain functions or to exercise a certain activity for a period of 3 to 5 years.

(3) Committing, within an armed conflict with or without an international character, against one or more persons protected by international humanitarian law of one of

the following facts:

- a) intentionally causing serious physical or mental suffering or serious injury to bodily integrity or health;
- b) the application of torture or subjection to inhuman or degrading treatment, as well as mutilation;
- c) rape, sexual exploitation, coercion into prostitution, illegal detention of a forcibly pregnant woman, in order to change the ethnic composition of a population, forced sterilization or any other violent action of a sexual nature;
- d) taking hostages;
- e) forced deportation or transfer, in violation of the general rules of law internationally, of persons legally located in the territory where the armed conflict takes place;
- f) recruiting and incorporating children who have not reached the age of 18 in the national armed forces, as well as determining them, by any means, to actively participate in military operations;
- g) the deprivation of the right to be tried by an impartial court, the pronouncement of the ~~legally constituted~~ execution without observing a legal and impartial procedure, which would provide the guarantees imposed by international law,

is punishable by imprisonment from 10 to 20 years.

(4) Whipping, within an armed conflict with or without an international character, a the murder of one or more persons protected by international humanitarian law

is punishable by imprisonment from 15 to 20 years or life imprisonment.

Article 1371 . War crimes against

property and other rights

(1) Committing, within an armed conflict with or without an international character, one of the following acts:

a) the destruction, appropriation or confiscation of assets of the enemy party, with the violation international law and without this being justified by military needs;

b) looting a locality, including the stormed one,

is punishable by imprisonment from 3 to 10 years.

(2) Declaring, in the framework of an armed conflict of an international nature, that the rights and actions of one or more citizens of the enemy party are extinguished, suspended or inadmissible in court

is punishable by imprisonment from 5 to 10 years.

(3) Looting on the battlefield of deaths or injuries sustained in a conflict

armed with or without international character

is punishable by imprisonment from 8 to 15 years.

Article 1372 . Use of prohibited means

of the conduct of the war

The use, within an armed conflict with or without an international character, of:

- a) poison or poisonous weapons;
- b) asphyxiating, toxic or assimilated gases and any liquids, substances or similar processes;
- c) weapons, projectiles, natural materials to cause unnecessary physical suffering;
- d) bullets that expand or flatten easily in the human body, as they are the bullets whose hard shell does not completely cover the middle or are pierced by ties,

is punishable by imprisonment from 7 to 15 years.

Article 1373 . Use of prohibited methods

of the conduct of the war

(1) Injury to a person provided for in art. 1271 lit. c) or wounding by resorting to perfidy a member of the enemy armed forces or a combatant of the enemy forces, committed in the framework of an armed conflict with or without an international character,

is punishable by imprisonment from 5 to 8 years.

(2) Declaring, in the framework of an armed conflict with or without an international character, that there will be no mercy for the guilty

is punishable by imprisonment from 7 to 12 years.

(3) The triggering, within an armed conflict with or without an international character, of a attack:

- a) against the civilian population or some civilians who do not directly participate in the hostilities;
- b) against civil assets protected by international humanitarian law, in particular buildings dedicated to religious worship, education, art, science or charitable actions, against historical monuments, hospitals and places where the sick or wounded are gathered, as well as against localities, homes or constructions that are not defended and that are not used as military objectives;
- c) against the personnel of the humanitarian aid or peacekeeping mission, against the installations, material, units or vehicles used within it according to the United Nations Charter, provided that they have the right to the protection that international humanitarian law guarantees to civilians and property of a civil nature;

d) against the buildings, material, units and means of sanitary transport and personnel that use the distinctive signs provided for by the Geneva Conventions of August 12, 1949;

e) knowing that it will cause loss of human life among the civilian population, injuries to civilians, damage to civilian property or extensive, lasting and serious damage to the environment, which would be seen as disproportionate in relation to the overall concrete military advantage and directly expected,

is punishable by imprisonment from 8 to 15 years.

(4) The use, within an armed conflict with or without an international character, of:

a) certain natural combat methods cause unnecessary physical suffering;

b) intentional torture of civilians by depriving them of the goods indispensable for survival or intentionally preventing them from receiving aid, contrary to international humanitarian law;

c) to a person protected by international humanitarian law in order to avoid that certain points, areas or military forces to become the target of the enemy's military operations

is punishable by imprisonment from 8 to 15 years.

(5) The murder of one or more persons provided for in art. 1271 lit. c), whistled through recourse to perfidy in the framework of an armed conflict with or without an international character

is punishable by imprisonment from 15 to 20 years or life imprisonment.

Article 1374 . Unauthorized use of signs

distinctive international law

humanitarian

Unauthorized use of the distinctive signs provided for by the Geneva Conventions of August 12, 1949, the parliamentary flag, the flag, the military insignia or the uniform of the enemy or the United Nations Organization, as a means of protection in an armed conflict with or without character internationally, if this caused:

a) serious injury to the bodily integrity or health of one or more people;

b) the death of one or more persons,

is punishable by imprisonment from 7 to 15 years.

Article 138. Giving or executing an order

seen illegal. Non-exercise or exercise

inadequate due control

(1) Execution of a clearly illegal order aimed at the commission of the crimes provided for in art. 1351374

is punishable by imprisonment from 5 to 10 years.

(2) Giving, by the hierarchical superior or by the person in command of the armed forces, in the framework of an armed conflict with or without an international character, an apparently illegal order aimed at the commission of the crimes provided for in art. 1351374

is punishable by imprisonment from 8 to 15 years.

(3) Non-exercise or improper exercise of due control by a military leader or the person in command of the armed forces, which led to the commission of the crimes provided for in art. 1351374

is punishable by imprisonment from 6 to 12 years.

Article 139. Planning, preparation, triggering

or waging war

(1) Planning, preparing or starting war

is punishable by imprisonment from 8 to 15 years.

(2) Conduct of war

is punishable by imprisonment from 10 to 20 years or life imprisonment.

Article 140. War propaganda

(1) War propaganda, spreading tendentious or invented information, inciting war or any other actions aimed at starting a war, expressed verbally, in writing, through radio, television, cinema or other means,

are punished with a fine of up to 1500 conventional units or with imprisonment of up to 6 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 5 years.

(2) Carrying out the actions provided for in paragraph (1) by a person with a public dignity function

is punished with a fine from 1500 to 2000 conventional units or with imprisonment from 3 to 7 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 5 years.

Article 1401 . The use, development, production,

otherwise obtaining, processing,

possession, storage or preservation,

direct or indirect transfer,
keeping, transporting weapons
of mass destruction

(1) The use, development, production, acquisition in another way, processing, possession, storage or preservation, direct or indirect transfer, keeping, transportation of chemical weapons, biological weapons, nuclear weapons, nuclear explosive devices or other weapons of mass destruction in violation of the provisions of national legislation or international treaties to which the Republic of Moldova is a party

are punished with a fine in the amount of 3000 to 5000 conventional units or with imprisonment from 8 to 12 years, in both cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a period of to 2 to 5 years, and the legal person is punished with a fine in the amount of 5000 to 8000 conventional units with the deprivation of the right to exercise a certain activity for a period of 2 to 5 years or with its liquidation.

(2) The same actions:

- b) whistled by two or more people;
- c) committed by an organized criminal group or a criminal organization;
- d) resulting in causing damages in particularly large proportions;
- e) resulting in the death of the person

are punished with imprisonment from 16 to 20 years, and the legal person is punished with a fine in the amount of 8000 to 10000 conventional units with its liquidation.

(3) Designing, producing, otherwise acquiring, holding, keeping, transferring or transporting equipment, material, software or related technology that essentially contributes to the design, production or delivery of weapons of mass destruction knowing that this equipment, material, software or technology are intended for this purpose

shall be punished with a fine in the amount of 1000 to 3000 conventional units or with imprisonment of up to 5 years, in both cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 5 years, with a fine, applied to the legal entity, in amounts from 3000 to 5000 conventional units with the deprivation of the right to exercise a certain activity for a period of up to 5 years or with the liquidation of the legal entity.

(4) Designing, producing, otherwise acquiring, holding, keeping, transferring or transporting raw material, special fissile material, equipment or material designed or prepared for the processing, use or production of special fissile material knowing that this material, this material or equipment is intended to be used in the activity of nuclear explosions or in other nuclear activity that contravenes the international treaties to which the Republic of Moldova is a party

is punishable by imprisonment of up to 5 years with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years, with a fine, applied to the legal person, in the amount of 4000 to 7000 conventional units with the deprivation of the right to exercise a certain activity for a period of 2 to 5 years or with the liquidation of the legal entity.

Article 141. Activity of mercenaries

(1) Participation of the mercenary in an armed conflict, in military actions or in other violent actions aimed at overthrowing or undermining the constitutional order or violating the territorial integrity of the state

is punishable by imprisonment from 5 to 10 years.

(2) Hiring, training, financing or other provision of mercenaries, as well as their use in an armed conflict, in military actions or in other violent actions aimed at overthrowing or undermining the constitutional order or violating the territorial integrity of the state,

are punishable by imprisonment from 10 to 15 years.

Article 142. Attack on the beneficiary

of international protection

(1) Committing an act of violence against the office, home or means of transport of the person benefiting from international protection, if this act may endanger the life, health or freedom of the person in question,

is punishable by imprisonment from 5 to 10 years.

(2) Kidnapping or carrying out another attack on the person who benefits from protection international or on its freedom

is punishable by imprisonment from 7 to 15 years.

(3) Murder of the person benefiting from international protection

is punishable by imprisonment from 16 to 20 years or life imprisonment.

(4) The actions provided for in para. (1) or (2), committed for the purpose of provoking war or international conflict,

are punishable by imprisonment from 8 to 15 years or life imprisonment.

(5) The threat of taking an action provided for in para. (1), (2), (3) or (4), if a there was a danger of the realization of this threat,

is punishable by imprisonment from 3 to 7 years.

Article 144. Cloning

Creation of human beings by cloning

is punishable by imprisonment from 7 to 15 years.

Chapter II

CRIMES AGAINST PERSONAL LIFE AND PERSON

Article 145. Intentional murder

(1) Murder of a person

is punishable by imprisonment from 10 to 15 years.

(2) Whistling murder:

a) with premeditation;

b) for material interest;

d) in connection with the victim's fulfillment of service obligations or benefits;

e) with full knowledge of a minor or a pregnant woman or taking advantage of the victim's unknown or obvious state of infirmity, which is due to advanced age, illness, disability or another factor;

^{1 e}) on a family member;

f) with kidnapping or taking the person as a hostage

g) on two or more people;

h) on a representative of the public authority or a military person, or their close relatives, during or in connection with the fulfillment by the representative of the public authority or military of the service obligations;

i) by two or more people;

j) with particular cruelty, as well as for sadistic reasons;

k) with the aim of hiding another crime or facilitating its commission;

l) for prejudicial reasons;

m) by dangerous means for the life or health of several people;

n) with the aim of taking and/or using or selling the victim's organs or tissues;

o) - **repealed**.

p) to order

is punishable by imprisonment from 15 to 20 years or life imprisonment.

Article 146. Murder committed in a state of affect

Homicide in a state of affect that occurred suddenly, caused by acts of violence or serious insults or other illegal or immoral acts of the victim,

is punishable by imprisonment of up to 5 years.

Article 147. Infanticide

The murder of the newborn child, killed during birth or immediately after birth by the mother who was in a state of physical or mental disorder, with the diminution of discernment, caused by the birth,

is punishable by imprisonment of up to 5 years.

Article 148. Deprivation of life at the person's wish

(euthanasia)

The loss of life of the person due to an incurable disease or the unbearable character of physical suffering, if there was the wish of the victim or, in the case of minors, of their relatives,

is punishable by imprisonment of up to 6 years.

Article 149. Imprudent loss of life

(1) Imprudent loss of life

is punishable by imprisonment of up to 3 years.

(11) Reckless loss of life by a person who manages a commercial organization, obtains or another non-state organization or who works for such an organization, in the exercise of the function,

shall be punished with imprisonment of up to 4 years, with the deprivation of the right to occupy certain functions or to exercise a certain activity for a period of 2 to 5 years.

(12) Reckless loss of life by a public person or by a person with a public dignity function in the exercise of the function

shall be punished with imprisonment of up to 5 years, with the deprivation of the right to occupy certain functions or to exercise a certain activity for a period of 2 to 5 years.

(2) The facts provided for in paragraph (1), (11) or (12), imposed on two or more persons

is punishable by imprisonment from 2 to 6 years.

Article 150. Determination or facilitation of suicide

(1) Intentionally determining or facilitating suicide, including through electronic communication networks, resulting in suicide

is punishable by imprisonment from 2 to 5 years.

(2) The actions provided for in paragraph (1), carried out:

a) knowingly on a minor;

b) on a person who is in a material dependency or other dependency

face of the perpetrator;

c) for prejudicial reasons,

are punishable by imprisonment from 5 to 9 years.

(3) The actions provided for in paragraph (1), directed at:

a) to a minor under the age of 14;

b) two or more people,

are punishable by imprisonment from 9 to 12 years.

(4) If the actions provided for in paragraph (1)(3) resulted in a suicide attempt, the minimum limit of the punishment is reduced by half.

Article 1501 . Public justification of suicide

Publicly justifying suicide, i.e. distributing or otherwise making available to the public a message regarding the recognition of suicide as just, worthy of following or requiring support,

shall be punished with unpaid work for the benefit of the community from 180 to 240 hours or imprisonment for up to 4 years.

Article 151. Serious intentional damage to integrity

bodily or health

(1) Serious intentional injury to bodily integrity or health, which is dangerous to life or which caused the loss of sight, hearing, speech or another organ or the cessation of its functioning, a mental illness or other health injury, accompanied by the stable loss of at least a third of the working capacity, or which led to the interruption of the pregnancy or to an irreparable disfigurement of the face and/or adjacent regions,

is punishable by imprisonment from 5 to 10 years.

(2) The same action taken:

b) with full knowledge of a minor or a pregnant woman or taking advantage of the victim's ill-known or obvious state, which is due to advanced age, illness, disability or another factor;

c) on a person in connection with his performance of service obligations or benefits;

d) by two or more people;

- e) with particular cruelty, as well as for sadistic reasons;
- f) by dangerous means for the life or health of several people;
- g) for material interest;
- i) for prejudicial reasons;
- j) on two or more people;
- k) by an organized criminal group or a criminal organization;
- l) with the aim of taking and/or using or selling the victim's organs or tissues;
- m) to order

is punishable by imprisonment from 10 to 12 years.

(4) The actions provided for in paragraph (1) or (2), which caused the death of the victim, they are punished with imprisonment from 12 to 15 years.

Article 152. Average intentional damage to integrity

bodily or health

(1) Average intentional injury to bodily integrity or health, which is not dangerous to life and did not cause the consequences provided for in art. 151, but which was followed either by a long-term disorder of health, or by a considerable and stable loss of less than a third of working capacity,

shall be punished with unpaid work for the benefit of the community from 200 to 240 hours or with imprisonment of up to 5 years.

(2) The same action taken:

b) on two or more people;

^{1c}) with full knowledge of a minor or a pregnant woman or taking advantage of the victim's unknown or obvious state of infirmity, which is due to advanced age, illness, disability or another factor;

d) on a person in connection with his performance of service obligations or benefits;

e) by two or more people;

f) with particular cruelty, as well as for sadistic reasons;

g) by dangerous means for the life or health of several people;

h) for material interest;

j) for prejudicial reasons;

k) to order

is punishable by imprisonment from 5 to 7 years.

Article 155. The threat of murder or injury

serious bodily integrity or health

(1) The threat of death or serious injury to bodily integrity or health, including through a computer system, if there was a danger of this threat being carried out,

is punished with a fine in the amount of 550 to 750 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment from 1 to 3 years.

(2) The same fact committed for prejudicial reasons

is punished with a fine from 650 to 850 conventional units or with unpaid work for the benefit of the community from 200 to 240 hours, or with imprisonment from 2 to 4 years.

Article 156. Serious or moderate damage to integrity

corporal or of health in a state of affect

Serious or moderate injury to bodily integrity or health in a state of sudden affect, caused by acts of violence, serious insults or other illegal or immoral acts of the victim,

is punished with a fine in the amount of 550 to 850 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 3 years.

Article 157. Serious or moderate damage to integrity

body or health caused by

imprudence

(1) Serious or average damage to bodily integrity or health caused by imprudence

is punished with a fine of up to 650 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 2 years.

(2) The same act committed by a public person or by a person with a public dignity function in the exercise of the function

shall be punished with a fine in the amount of 750 to 1050 conventional units or with imprisonment of up to 3 years.

Article 158. Trafficking in human organs, tissues and cells

(1) Illicit sampling of human tissues and/or cells by extracting them from the body of a living or deceased person by unauthorized persons and/or in unauthorized institutions in this sense according to the law or without observing the legal provisions that refer to the person's consent to their donation , or for the purpose of obtaining income from it, as well as selling, procuring, stealing, using, keeping, holding, transmitting, receiving, importing, exporting or transporting them illegally

are punished with imprisonment from 2 to 5 years with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years, with a fine, applied to the legal person, in the amount of 2000 to 4000 of conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

(2) The same actions performed with human organs or their parts

are punished with imprisonment from 5 to 12 years with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years, with a fine, applied to the legal person, in the amount of 4000 to 6000 of conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

(3) The actions provided for in para. (1) or (2), whistled:

a) - **repealed**;

b) by physical or mental coercion;

c) on two or more people;

d) on a pregnant woman or a child;

e) by two or more people;

f) by a public person, by a person with a responsibility function, by a person with a public dignity function, by a foreign public person or by an international official using the service status;

g) for prejudicial reasons

are punished with imprisonment from 7 to 15 years with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years, with a fine, applied to the legal person, in the amount of 6000 to 8000 of conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

(4) The actions provided for in para. (1), (2) or (3):

a) committed by an organized criminal group or a criminal organization;

b) resulting in serious injury to bodily integrity or health, with death the person or their suicide,

are punished with imprisonment from 10 to 20 years, with the deprivation of the right to occupy

certain functions or to exercise a certain activity for a period of 3 to 5 years, with a fine, applied to the legal person, in amounts from 8000 to 10000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the person legal.

Article 159. Illegal provocation of abortion

(1) Termination of pregnancy, by any means, by:

a) outside medical institutions or medical offices authorized for this purpose;

b) by a person who does not have special higher medical education;

c) in the case of pregnancy exceeding 12 weeks, in the absence of medical indications, established by Ministry of Health;

d) in the case of medical contraindications for performing such an operation;

e) in unsanitary conditions

shall be punished with a fine in the amount of 550 to 850 conventional units or with the deprivation of the right to hold certain positions or to exercise a certain activity for a term of up to 3 years, or with imprisonment of up to 2 years.

(2) The same action:

b) who recklessly caused a serious or moderate injury to bodily integrity or health;

c) who recklessly caused the death of the victim

is punishable by imprisonment from 1 to 6 years with (or without) deprivation of the right to hold certain positions or exercise a certain activity for a period of up to 5 years.

Article 160. Illegal performance of surgical sterilization

(1) Illegal performance of surgical sterilization by a doctor

is punishable by a fine of up to 550 conventional units with (or without) deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 3 years.

(2) The same action taken:

a) in non-specialized medical and sanitary units;

b) by a person without special higher medical education

shall be punished with a fine in the amount of 550 to 850 conventional units or with imprisonment of up to 3 years, in both cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 5 years.

(3) The actions provided for in paragraph (1) or (2), which:

b) have recklessly caused a long-term disorder of health or a serious injury to bodily integrity or health;

c) recklessly caused the death of the patient;

d) were carried out for prejudicial reasons,

are punished with imprisonment from 3 to 6 years with (or without) deprivation of the right to hold certain positions or exercise a certain activity for a period of up to 5 years.

Article 161. Performing artificial fertilization or

of embryo implantation without

the patient's consent

The performance by a doctor of artificial fertilization or embryo implantation without written consent of the patient

shall be punished with a fine of up to 650 conventional units or with unpaid work for the benefit of the community from 150 to 240 hours, in both cases with the deprivation of the right to occupy certain positions or to exercise a certain activity for a period of up to 3 years.

Article 162. Failure to provide aid to a sick person

(1) Failure to provide help, without valid reasons, to a sick person by a person who, by virtue of the law or special rules, was obliged to provide it

is punished with a fine in the amount of 550 to 850 conventional units or with unpaid work for the benefit of the community from 100 to 240 hours.

(11) The same fact committed for prejudicial reasons

is punished with a fine in the amount of 600 to 900 conventional units or with unpaid work for the benefit of the community from 150 to 240 hours.

(2) The same fact that recklessly caused:

a) a serious injury to bodily integrity or health;

b) death of the patient

shall be punished with imprisonment of up to 5 years with the deprivation of the right to occupy certain functions or to exercise a certain activity for a term of up to 3 years.

Article 163. Leaving in danger

(1) Knowingly leaving without help a person who is in a state and is deprived of the possibility of saving the guilty party knowledge himself due to his young life-threatening age or advanced age, illness or infirmity, if of the danger gave him the opportunity to render aid to the injured party, even though he himself put her in a life-threatening situation,

shall be punished with a fine of up to 550 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 2 years.

(11) The same fact committed for prejudicial reasons

is punished with a fine in the amount of 500 to 650 conventional units or with unpaid work for the benefit of the community from 200 to 240 hours, or with imprisonment from 1 to 3 years.

(2) The same fact that recklessly caused:

a) a serious injury to bodily integrity or health;

b) the death of the victim

is punishable by imprisonment of up to 4 years.

Chapter III

CRIMES AGAINST FREEDOM, HONESTY

AND THE DIGNITIES OF THE PERSON

Article 164. Abduction of a person

(1) Abduction of a person

is punishable by imprisonment from 3 to 6 years.

(2) The same action taken:

b) on two or more people;

c) with full knowledge of a minor or a pregnant woman or taking advantage of the victim's unknown or obvious state of infirmity, which is due to advanced age, illness, disability or another factor;

e) by two or more people;

f) for material interest;

g) with the application of the weapon or other objects used as a weapon;

h) for prejudicial reasons

is punishable by imprisonment from 6 to 10 years.

(3) The actions provided for in paragraph (1) or (2), which:

a) were committed by an organized criminal group or a criminal organization;

b) recklessly caused serious injury to bodily integrity or health or the death of the victim,

are punished with imprisonment from 10 to 13 years.

Article 1641 . Abduction of the minor by close relatives

Abduction of the minor by close relatives

shall be punished with a fine of up to 650 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 6 months.

Article 165. Human trafficking

(1) Recruiting, transporting, transferring, harboring or receiving an adult person, with or without their consent, for the purpose of commercial or non-commercial sexual exploitation, exploitation through forced labor or services, the practice of begging, the appropriation of aid, allowances or social benefits, of illegal use in medical or scientific tests or experiments, of exploitation in slavery or in conditions similar to slavery, of use in armed conflicts or in criminal activities, of taking human organs, tissues and/or cells, as well as of using women as for surrogate mother or for reproductive purposes, performed by:

a) the application of non-dangerous violence for the life or health of the person or with the threat of violence;

b) kidnapping;

c) evading, keeping, degrading or destroying documents;

d) holding in servitude, for the purpose of returning a debt;

e) threatening to disclose confidential information to the victim's family or other natural or legal persons;

f) understanding;

g) abuse of a position of vulnerability or abuse of power, giving or receiving favors or benefits to obtain the consent of a person who has control over another person,

shall be punished with imprisonment from 6 to 10 years, with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years, and the legal person shall be punished with a fine in the amount of 4000 to 6000 conventional units, with the deprivation of the right to carry out a certain activity, or with the liquidation of the legal entity.

(2) The same actions taken:

a) - **repealed**;

b) on two or more people;

c) on a pregnant woman;

d) by two or more people;

e) by a public person, by a person with a responsibility function, by a person with a public dignity function, by a foreign public person or by an international official using the service situation;

f) with the application of violence dangerous to the life, physical or mental health of the person;

g) with particular cruelty to ensure the subordination of the person or through the use of rape, physical dependence, weapons;

h) for prejudicial reasons,

are punished with imprisonment from 7 to 12 years, with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years, and the legal person is punished with a fine in the amount of 6000 to 8000 conventional units, with the deprivation of the right to carry out a certain activity, or with the liquidation of the legal entity.

(3) The actions provided for in paragraph (1) or (2):

a) committed by an organized criminal group or a criminal organization;

^{1 a}) accompanied by contamination with a venereal disease or the HIV virus;

b) resulting in serious bodily injury or a mental illness a the person, with their death or suicide,

are punished with imprisonment from 10 to 20 years, with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 3 to 5 years, and the legal person is punished with a fine in the amount of 8000 to 10,000 conventional units, with the deprivation of the right to carry out a certain activity, or with the liquidation of the legal entity.

(4) The victim of human trafficking is absolved of criminal liability for the crimes committed by him in connection with this procedural capacity.

Article 1651 . Using the results of your work

to the services of a person who is

victim of human trafficking

(1) The use of products and/or services that constitute the result of exploitation in the crimes of human trafficking or child trafficking, provided by a person whom the beneficiary knows is a victim of these crimes, if this fact does not meet the elements of human trafficking or child trafficking,

is punishable by imprisonment from 2 to 5 years, with a fine, applied to the legal person, in amounts from 2000 to 4000 conventional units with the deprivation of the right to exercise a certain activity.

(2) The person who committed the act provided for in para. (1) is released from criminal liability if he voluntarily declared the commission of crimes of human trafficking or child trafficking by other persons, helped to discover those crimes or actively contributed to the investigation of these cases.

Article 166. Illegal deprivation of liberty

(1) Illegal deprivation of liberty of a person, if the action is not related with her abduction,

shall be punished with unpaid work for the benefit of the community from 120 to 240 hours or with imprisonment of up to 2 years.

(2) The same action taken:

b) on two or more people;

c) with full knowledge of a minor or a pregnant woman or taking advantage of the victim's unknown or obvious state of infirmity, which is due to advanced age, illness, disability or another factor;

d) by two or more people;

d¹) for prejudicial reasons;

e) with the application of violence dangerous to the life or health of the person;

f) with the application of the weapon or other objects used as a weapon

is punishable by imprisonment from 3 to 7 years.

(3) The actions provided for in paragraph (1) or (2), if they recklessly caused the injury serious damage to the body or health or the death of the victim,

are punishable by imprisonment from 7 to 12 years.

Article 166¹ . Torture, inhuman or degrading treatment

(1) Intentionally causing physical or mental pain or suffering, which represents inhuman or degrading treatment, by a public person or by a person who, de facto, exercises the powers of a public authority, or by any other person who act in an official capacity or with the express or tacit consent of such a person

is punishable by imprisonment from 2 to 6 years with the deprivation of the right to occupy certain positions office or to exercise a certain activity for a period of 3 to 5 years.

(2) The actions provided for in para. (1):

a) knowingly lashing out at a minor or a pregnant woman or taking advantage of the victim's known or obvious weakness, which is due to old age, illness, disability or another factor;

b) whistled at 2 or more people;

c) whistled by 2 or more people;

d) carried out by using a weapon, special tools or other objects adapted for this purpose;

e) committed by a person in a position of responsibility or by a person in a position of public dignity using the service situation;

f) who recklessly caused a serious or moderate injury to bodily integrity or health;

g) who recklessly caused the person's death or suicide;

h) committed for prejudicial reasons,

are punishable by imprisonment from 3 to 8 years with the deprivation of the right to occupy certain positions office or to exercise a certain activity for a period of 5 to 10 years.

(3) Torture, i.e. any intentional act by which a person is caused severe physical or mental pain or suffering with the aim of obtaining information or confessions from this person or from a third person, to punish him for an act that this or a third person commits or is suspected of committing, to intimidate or exert pressure on him or a third person, or for any other reason, based on a form of discrimination, whatever it may be, when such pain or suffering is caused by a public person or by a person who, de facto, exercises the powers of a public authority, or by any other person acting in an official capacity or with the express or tacit consent of such a person

is punishable by imprisonment from 6 to 10 years with the deprivation of the right to occupy certain functions or to exercise a certain activity for a period of 8 to 12 years.

(4) The actions provided for in para. (3):

a) knowingly lashing out at a minor or a pregnant woman or taking advantage of the victim's known or obvious weakness, which is due to old age, illness, disability or another factor;

b) whistled at 2 or more people;

c) whistled by 2 or more people;

d) carried out by using a weapon, special tools or other objects adapted for this purpose;

e) committed by a person in a position of responsibility or by a person in a position of public dignity using the service situation;

f) who recklessly caused a serious or moderate injury to bodily integrity or health;

g) who recklessly caused the person's death or suicide

are punished with imprisonment from 8 to 15 years with the deprivation of the right to occupy certain positions office or to exercise a certain activity for a period of 10 to 15 years.

Article 167. Slavery and conditions similar to slavery

(1) Placing or holding a person in conditions where another person exercises control over him or determining him, through the use of coercion, violence or the threat of violence, to enter into or remain in a relationship of cohabitation or marriage

is punishable by imprisonment from 3 to 10 years with (or without) deprivation of the right to hold certain positions or exercise a certain activity for a period of up to 5 years.

(2) The same fact committed for prejudicial reasons

is punishable by imprisonment from 5 to 12 years with (or without) deprivation of the right to hold certain positions or exercise a certain activity for a period of up to 5 years.

Article 168. Drilling work

(1) Obtaining work from a person against their will, by coercion or deception, if this action does not meet the elements of human trafficking or child trafficking,

is punishable by imprisonment from 2 to 6 years.

(2) The same action taken:

a) on two or more people;

b) on a child with working capacity or a pregnant woman;

c) by two or more people;

d) by a public person, by a person with a responsibility function, by a person with a public dignity function, by a foreign public person or by an international official using the service status;

e) for prejudicial reasons,

is punishable by imprisonment from 6 to 10 years with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years, with a fine, applied to the legal person, in the amount of 2000 to 3500 of conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

(3) The actions provided for in para. (1) or (2):

a) committed by an organized criminal group or a criminal organization;

b) resulting in serious injury to the body or health or death of the victim,

are punished with imprisonment from 7 to 15 years, with a fine, applied to the legal person, in sizes from 2500 to 4000 conventional units with the liquidation of the legal entity.

Article 169. Illegal hospitalization in a psychiatric institution

(1) Illegal hospitalization in a psychiatric institution of an apparently mentally healthy person

shall be punished with imprisonment of up to 3 years with the deprivation of the right to occupy certain functions or to exercise a certain activity for a term of up to 3 years.

(2) The same action:

- a) who recklessly caused serious injury to bodily integrity or health;
- b) who recklessly caused the death of the victim;
- c) raised for prejudicial reasons

is punishable by imprisonment from 3 to 7 years with the deprivation of the right to occupy certain positions office or to exercise a certain activity for a period of 3 to 5 years.

Chapter IV

CRIMES REGARDING SEXUAL LIFE

Article 171. Rape

(1) Rape, i.e. non-consensual sexual act,

is punishable by imprisonment from 3 to 7 years.

(2) Rape:

- a) knowingly attacked a minor;
- b) knowingly shot at a pregnant woman;
- c) hit on a family member;
- d) thrown by two or more people;
- e) accompanied by intentional contamination with a venereal disease;
- f) shot with a weapon or other objects used as a weapon;
- g) executed with particular cruelty, as well as for sadistic reasons,

is punishable by imprisonment from 7 to 12 years.

(3) Rape:

- a) the person who is in the care, under the protection, under the protection, in the education or in

treatment of the perpetrator;

- b) intentionally inflicted on a person who has not reached the age of 14;
- c) accompanied by intentional contamination with the HIV virus;
- d) who recklessly caused a serious injury to bodily integrity or health;
- e) who recklessly caused the death of the victim,

is punishable by imprisonment from 10 to 20 years or life imprisonment.

Article 172. Actions of a sexual nature without consent

(1) Actions of a sexual nature without consent

are punishable by imprisonment from 2 to 5 years.

(2) The same actions:

- a) knowingly attacked a minor;
- b) knowingly hurled at a pregnant woman;
- c) lashing out at a family member;
- d) thrown by two or more people;
- e) thrown with a weapon or other objects used as a weapon;
- f) committed with particular cruelty, as well as for sadistic reasons,

are punishable by imprisonment from 5 to 10 years.

(3) The actions provided for in para. (1) or (2), which:

a) were inflicted knowingly on a person who has not reached the age of 14

years;

b) were inflicted on a person who was under the care, protection, protection, education or treatment of the perpetrator;

- c) recklessly caused serious injury to bodily integrity or health;
- d) recklessly caused the death of the victim,

are punishable by imprisonment from 10 to 20 years.

Article 173. Sexual harassment

(1) Sexual abuse, i.e. the pretense of a sexual act or another action of a sexual nature through physical, verbal or non-verbal behavior, if this creates an unpleasant, hostile, degrading, humiliating, discriminatory or

insulting to the victim, committed by taking advantage of the victim's addiction or by threatening, provided that the act does not meet the elements of rape or non-consensual sexual acts,

is punished with a fine in the amount of 500 to 650 conventional units or with unpaid work for the benefit of the community from 120 to 180 hours, or with imprisonment of up to 2 years.

(2) The same action committed knowingly against a minor is punishable by imprisonment from 3 to 7 years.

Article 174. Sexual intercourse with a person who

has not reached the age of 16

(1) The consensual sexual act, committed knowingly with a person who has not fulfilled age 16,

is punishable by imprisonment from 2 to 5 years.

(11) The same action:

a) thrown at a person who is in the care, under the protection, under the protection, in the education or treatment of the offender;

b) thrown by two or more people;

c) accompanied by intentional contamination with the HIV virus,

is punishable by imprisonment from 4 to 8 years.

(2) The person who committed the act provided for in paragraph (1) is not liable and criminal if he is at a close level with the victim in terms of age and physical and mental development.

Article 175. Actions of a sexual nature committed

with a person who did not fulfill

the age of 16 years

(1) Actions of a consensual sexual nature, committed knowingly with a person who has not reached the age of 16,

are punishable by imprisonment from 1 to 3 years.

(2) The same actions taken:

a) on a person who is under the care, protection, protection, education or treatment of the perpetrator;

b) by two or more people;

c) on a family member

are punishable by imprisonment from 3 to 6 years.

(3) The person who committed the act provided for in para. (1) he is not liable to criminal liability if he is at a level close to that of the victim in terms of age and physical and mental development.

Article 1751 . Enticing the minor for sexual purposes

(1) Proposing, persuading, manipulating, threatening, promising to offer advantages in any form, carried out including through information technologies or electronic communications, in order to establish a meeting with a minor, including through electronic communications networks, with the aim of against him of any crime provided for in art. 171175, 2081, if these actions were followed by material facts leading to such a meeting,

are punishable by imprisonment from 2 to 6 years.

(2) The same actions taken:

a) against a minor in a helpless situation, which is due to an illness or disability;

b) by a member of the minor's family, by a person who lived with the minor or by the person in whose care, under whose protection or under whose education or treatment the minor is;

c) - **repealed**.

are punishable by imprisonment from 3 to 8 years.

Chapter V

CRIMES AGAINST RIGHTS

POLITICAL, LABOR AND OTHER RIGHTS

CONSTITUTIONAL OF THE CITIZENS

Article 176. Violation of equal rights of citizens

(1) Any distinction, exclusion, restriction or preference in the rights and freedoms of a person or a group of persons, any support of discriminatory behavior in the political, economic, social, cultural and other spheres of life, based on the criterion of race, nationality, ethnic origin, language, religion or beliefs, sex, age, disability, opinion, political affiliation or any other criterion:

a) carried out by a responsible person;

b) which caused damage in large proportions;

c) whistled by placing discriminatory messages and symbols in public places;

d) scored based on two or more criteria;

e) whistled by two or more people,

shall be punished with a fine in the amount of 750 to 950 conventional units or with unpaid work for the benefit of the community from 150 to 240 hours, or with imprisonment of up to 2 years, in all cases with (or without) deprivation of the right to hold certain positions or exercise a certain activity for a period of 2 to 5 years.

(2) Promoting or supporting the actions specified in para. (1), whistled by through mass media,

is punished with a fine in the amount of 950 to 1200 conventional units or with unpaid work for the benefit of the community from 160 to 240 hours, with a fine, applied to the legal person, in the amount of 2000 to 4000 conventional units with the deprivation of the right to exercise a certain activity for a period of 1 to 3 years.

(3) The actions specified in para. (1) and (2) which recklessly caused death the person or their suicide

are punished with imprisonment from 2 to 6 years, with a fine, applied to the legal person, in amounts from 2000 to 4000 conventional units with the deprivation of the right to exercise a certain activity for a period of 1 to 5 years or with the liquidation of the person legal.

Article 1761 . Infringement of citizens' rights by

the propagation of fascism, of racism

xenophobia and through denial

Holocaust

(1) Establishing, joining or supporting, in any form, an organization with fascist, racist or xenophobic character

is punished with imprisonment from 5 to 10 years with the deprivation of the right to hold certain positions or to exercise a certain activity for a term of up to 10 years, and the legal person is punished with a fine in the amount of 1000 to 3000 units agreements with the liquidation of the legal entity.

(2) Public denial or contestation of the Holocaust or its effects

is punishable by imprisonment from 6 months to 5 years with the deprivation of the right to occupy certain functions or to exercise a certain activity for a term of up to 5 years.

(3) Manufacture, sale, distribution, possession with a view to distribution of fascist, racist or xenophobic symbols, as well as their public use

are punished with a fine in the amount of 500 to 1000 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment from 3 months to 3 years, in all cases with the deprivation of the right to occupy certain office or to exercise a certain activity for a period of up to 5 years, and the legal person

punishable by a fine in the amount of 1000 to 3000 conventional units with the deprivation of the right to exercise a certain activity for a period of 3 to 5 years or with the liquidation of the legal entity.

(4) The act provided for in paragraph does not constitute a crime. (3) if it is done in the interest art or science, research or education.

(5) The promotion of fascist, racist or xenophobic ideology or the promotion of the cult of persons definitively convicted, by a national or international court, for committing crimes against the peace and security of mankind or for war crimes and crimes against humanity, through propaganda, committed by any means , in public,

shall be punished with a fine in the amount of 500 to 1000 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment from 3 to 5 years, in all cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 5 years, and the legal person is punished with a fine in the amount of 1000 to 3000 conventional units with the deprivation of the right to exercise a certain activity for a period of 3 to 5 years or with the liquidation of the legal entity.

Article 177. Violation of the inviolability of personal life

(1) Illegal gathering or knowingly spreading information, protected by law, about personal life that constitutes personal or family secret of another person without their consent

is punished with a fine of up to 650 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours.

(11) The illegal collection of the information referred to in paragraph (1), without the person's consent, with the use of special technical means intended for covertly obtaining information, is punishable by a fine in the amount of 550 to 750 conventional units or unpaid work for the benefit communities from 200 to 240 hours.

(2) Dissemination of the information referred to in paragraph (1):

- a) in a public speech, through mass media;
- b) by intentionally using the service situation;
- c) for prejudicial reasons;
- d) through information technologies or electronic communications,

is punished with a fine in the amount of 550 to 850 conventional units or with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 1 year, or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 2 years, with a fine, applied to the legal entity, in amounts from 2000 to 3000 conventional units.

(3) Dissemination of information of a sexual nature, including images and recordings with

sexual content, including through information technologies, for the purpose of revenge, hatred, humiliation or damage to the person's honor and dignity

is punished with a fine in the amount of 550 to 850 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 2 years.

Article 1771. False identity

Illegal presentation under a false identity or attribution of such an identity to another person by using official documents in the name of another person, by registering and/or using user accounts on social media platforms, web portals, e-mail addresses, telephone numbers, of access cards or other services of the information society, with the exception of the use of pseudonyms that do not affect the identity or pseudonyms of other data subjects, in order to induce or maintain error with the aim of producing a legal consequence

shall be punished with a fine in the amount of 500 to 2000 conventional units or with imprisonment from 6 months to 1 year, in both cases with the deprivation of the right to hold certain positions or to exercise certain activities for a period of up to 5 years.

Article 178. Violation of the right to secrecy of correspondence

(1) Violation of the right to the secrecy of letters, telegrams, parcels and other postal items, telephone conversations, telegraphic messages or other types of communications, in violation of the law,

is punished with a fine of up to 550 conventional units or with unpaid work for the benefit of the community from 120 to 180 hours.

(2) The same action taken:

a) with the use of the service situation;

b) by using special technical means intended for covertly obtaining information;

c) in the interest of an organized criminal group or a criminal organization;

d) for prejudicial reasons,

shall be punished with a fine from 550 to 750 conventional units or with unpaid work for the benefit of the community from 100 to 240 hours, or with imprisonment of up to 3 years, or with the deprivation of the right to hold certain positions or to carry out a certain activity for a period of up to 3 years.

Article 179. Violation of domicile

(1) Illegal entry or stay in a person's home or residence without their consent or refusal to leave at their request, as well as illegal searches and searches,

they are punished with a fine of up to 650 conventional units or with unpaid work for the benefit of the community from 100 to 200 hours, or with imprisonment for up to 2 years.

(2) The same actions committed with the application of violence or with the threat of its application are punished with a fine in the amount of 550 to 950 conventional units or with unpaid work for the benefit of the community from 140 to 240 hours, or with imprisonment of up to 3 years .

(3) The actions provided for in paragraph (1) or (2), carried out:

a) with the use of the service situation;

b) by an organized criminal group or a criminal organization,

are punishable by imprisonment from 2 to 5 years.

Article 180. Intentional violation of the law

regarding access to information

Intentional violation by a person in charge of the legal procedure for ensuring and realizing the right of access to information, a violation that caused considerable damage to the rights and interests protected by law of the person who requested information related to the protection of the population's health , to public security, to environmental protection,

is punished with a fine from 500 to 650 conventional units with (or without) the deprivation of the right to occupy certain positions or to exercise a certain activity for a period of up to 3 years.

Article 1801 . Intentional obstruction of activity

mass media or intimidation for

critical

(1) Deliberately obstructing the activity of the media or the journalist, as well as intimidating the media or the journalist for criticizing

are punished by a fine in the amount of 500 to 650 conventional units with (or fr) deprivation of the right to hold certain public positions for a period of up to 2 years.

(2) The same actions performed with the use of the service situation

are punished by a fine in the amount of 650 to 850 conventional units with (or fr) deprivation of the right to hold certain public positions for a term of up to 4 years.

(3) The actions provided for in para. (1) and (2):

a) committed with the application of violence or with the threat of its application;

b) whistled by two or more people;

c) accompanied by the theft or damage of the journalist's materials or equipment in order to prevent the journalistic activity,

are punished with a fine in the amount of 750 to 1350 conventional units with (or fr) deprivation of the right to hold certain public positions for a term of up to 5 years.

Article 1802 . Censorship

(1) Unjustified distortion of journalistic material or unjustified prohibition of a spread certain information, imposed by the management of the public mass media,

is punished with a fine from 650 to 850 conventional units with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 5 years.

(2) Indication of the public official or the person exercising a public dignity function regarding the editorial activity given to the mass media or mass media employees, as well as any other form of preventing the circulation or dissemination of information

are punished with a fine from 650 to 1350 conventional units with (or without) the deprivation of the right to occupy certain positions or to exercise a certain activity for a period of up to 5 years.

Article 181. Obstruction of free exercise

of the electoral right or the activity

electoral bodies

(1) Obstructing by any means the free exercise of the electoral right or hindering the activity of electoral bodies:

a) carried out by blocking or attacking the premises of the polling stations by any means and in any form;

b) committed by stealing ballot boxes or electoral documents;

c) carried out endangering the person's life;

d) accompanied by serious injury to bodily integrity or health;

e) which caused damage in large proportions,

is punished with a fine in the amount of 650 to 1050 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 4 years.

(2) The same action carried out by electoral contestants, members of the initiative group, national observers, representatives of electoral contestants, trusted persons of electoral contestants or electoral officials

shall be punished with a fine in the amount of 850 to 1350 conventional units or with

unpaid work for the benefit of the community from 200 to 240 hours, or imprisonment from 1 to 5 years.

Article 1811 . Electoral corruption

(1) Offering or giving money, goods, services or other benefits for the purpose of determining the voter or supporter to exercise or not to exercise their electoral rights during the elections, including the regional ones,

is punished with a fine in the amount of 750 to 1150 conventional units or with imprisonment from one year to 5 years, and the legal person is punished with a fine in the amount of 6000 to 8000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

(11) The same action carried out by electoral competitors, members of the initiative group, national observers, representatives of electoral competitions, trusted persons of electoral competitions or electoral officials

is punished with a fine in the amount of 850 to 1350 conventional units or with imprisonment from 3 to 5 years, and the legal person is punished with a fine in the amount of 9000 to 13000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

(2) In the category of goods provided for in para. (1) alcoholic beverages are also included, tobacco products and food products.

(3) They do not fall into the category of goods provided for in paragraph (1) electoral agitation materials and objects, paid for from the electoral fund, which bear the name and surname of the candidate, respectively the name of the political party, signs or symbols of electoral competitions, such as: posters, leaflets, postcards, calendars, illustrated notebooks, pens , lighters, matchboxes, badges, badges, CDs, DVDs, USB storage media, pennants, flags, books, bags, t-shirts, pins, scarves, scarves, the value of which for one unit does not exceed two units conventional.

Article 1812 . Violation of the mode of management

of the financial means of the parties

political or electoral funds

(1) Falsification of reports on the financial management of initiative groups and political parties and/or reports on the financing of electoral campaigns with the intention of substituting or hiding the identity of donors, the volume of funds accumulated or the destination or volume of funds used, as well as the use of funds undeclared, non-compliant or coming from abroad, raised in large proportions

are punished with a fine in the amount of 750 to 1150 conventional units or with imprisonment of up to 5 years, in both cases with the deprivation of the right to hold certain positions or to exercise certain activities for a period of up to 5 years, and the legal person is punished with a fine in the amount of 6000 to 8000 conventional units with

deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

(2) The use of administrative resources, including favoring or consenting to the illegal use of administrative resources during the electoral period, if large amounts of damage were caused

shall be punished with a fine in the amount of 6000 to 8000 conventional units or with imprisonment of up to 5 years, in both cases with the deprivation of the right to hold certain positions or to exercise certain activities for a term of up to 5 years, and the legal person is punished with a fine in the amount of 13,000 to 15,000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal person.

(3) Extortion or obtaining by extortion of donations for political parties, for electoral funds and/or funds intended for initiative groups

shall be punished with a fine in the amount of 750 to 1150 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment from 1 to 5 years, in all cases with the deprivation of the right to occupy certain office or to exercise certain activities for a period of 1 to 5 years, and the legal person is punished with a fine in the amount of 6000 to 8000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal person.

(4) The use contrary to the destination of the allocations from the state budget for the parties political or means from the electoral fund, if this caused damage in large proportions,

shall be punished with a fine in the amount of 6000 to 8000 conventional units or with imprisonment from 2 to 5 years, in both cases with the deprivation of the right to hold certain positions or to exercise certain activities for a period of 2 to 5 years, and the legal person is punished with a fine in the amount of 13,000 to 15,000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal person.

(5) Knowingly accepting the financing of the political party, the initiative group or the electoral competitor from an organized criminal group or a criminal organization (association)

shall be punished with imprisonment from 6 to 10 years with a fine in the amount of 6,000 to 8,000 conventional units and with the deprivation of the right to hold certain public positions or to exercise a certain activity for a period of 7 to 10 years, and the legal person is punished with a fine in the amount of 15,000 to 40,000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal person.

(6) The person who for the first time performed the actions provided for in para. (1) or (5) as an accomplice may be released from criminal liability at the criminal prosecution phase if he has denounced himself or denounced the author, organizer or instigator of the crime and actively contributed to the discovery or countering of the crime.

Article 1813 . Illegal financing of political parties,

of initiative groups, of competitions

electoral or referendum participants

Financing of political parties, initiative groups, electoral contests or a to the participants in the referendum from sources prohibited by law rose in large proportions

is punished with a fine in the amount of 850 to 1350 conventional units or with imprisonment from 3 to 6 years, and the legal person is punished with a fine in the amount of 9000 to 13000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

Article 182. Falsification of voting results

(1) Voting of a person: without having this right, either two or more times, or by inserting more ballots than he is entitled to, or by using a false identity document or a ballot false, either in the place of another person

is punished with a fine in the amount of 650 to 1050 conventional units or with unpaid work for the benefit of the community from 160 to 200 hours, or with imprisonment of up to 3 years.

(2) Falsification, by any means, of the voting results

is punished with a fine in the amount of 850 to 1150 conventional units or with unpaid work for the benefit of the community from 200 to 240 hours, or with imprisonment of up to 5 years.

Article 183. Violation of labor protection rules

(1) Violation by a person in a position of responsibility or by a person who manages a commercial organization, obtain or other non-state organization of safety techniques, industrial hygiene or other labor protection rules, if this violation caused accidents with people

is punished with a fine in the amount of 550 to 850 conventional units or with unpaid work for the benefit of the community from 100 to 200 hours, or with imprisonment of up to 2 years.

(2) The same action that recklessly caused the death of a person

is punishable by imprisonment from 2 to 6 years with the deprivation of the right to occupy certain positions office or to exercise a certain activity for a period of up to 3 years.

Article 184. Violation of the right to freedom of assembly

(1) Violation of the right to freedom of assembly by illegally preventing the rally, demonstration, demonstration, procession or any other assembly or the participation of citizens in them, either by forcing them to participate:

a) carried out by a responsible person;

b) whistled by two or more people;

c) accompanied by violence not dangerous to life or health,

is punished with a fine in the amount of 550 to 750 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 2 years.

(2) The same action:

a) committed with the application of a weapon or other objects that served as a weapon or were specially adapted for harming bodily integrity or health;

b) accompanied by violence dangerous to life or health;

b¹) raised for prejudicial reasons;

c) resulted in causing large amounts of damage

d) - **repealed**.

is punishable by imprisonment of up to 5 years.

Article 185. Attack on person and rights

citizens in the form of preaching

of religious beliefs and fulfillment

of religious rites

Organizing, leading or actively participating in a group whose activity, carried out in the form of preaching religious beliefs and performing religious rites, is accompanied either by causing damage to the health of citizens, or by other attacks on the person or his rights, or of inciting citizens to refuse to fulfill their citizen obligations

is punished with a fine in the amount of 650 to 1050 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 5 years.

Article 1851. Infringement of copyright

take related rights

(1) Appropriating without right, in whole or in part, the quality of author, co-author, or interpreter of the work or an object of the related rights of another author and publishing it as one's own creation or the coercion of authorship or co-authorship or the coercion upon renouncing authorship or co-authorship

is punished with a fine in the amount of 1150 to 1350 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, and the legal person is punished with a fine in the amount of 3000 to 4000 conventional units with deprivation of the right to exercise a certain activity for a period of 1 to 5 years.

(2) Violation of copyright or related rights, if this has caused extensive damage, committed by:

a) making available to the public without right or communicating to the public, including in electronic form, of the work, an object of the related rights or the sui generis rights of the producer of a database;

b) reproduction of works or objects of related rights for the purpose of commercialization or offering for sale, import, export, as well as storage, transport, rental of copies of works or phonograms for the purposes mentioned or any other form of exploitation of copyright objects or related rights for the purpose of obtaining profit, without the consent of the rights holder;

c) radio broadcasting, retransmission by cable, retransmission of the work, as well as by creating derivative works, without the consent of the author, the copyright holder or the holder of related rights;

d) distributing, fixing copies of phonograms, audiovisual works, computer programs or electronic databases, without control markings and without holding the contract with the rights holder,

is punished with a fine in the amount of 1150 to 1350 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, and the legal person is punished with a fine in the amount of 3000 to 4000 conventional units with deprivation of the right to exercise a certain activity for a period of 1 to 5 years.

(3) The actions provided for in para. (1) and (2) above:

a) by an organized criminal group or a criminal organization;

b) by physical or mental coercion;

c) in particularly large proportions

are punished with a fine in the amount of 5000 to 6000 conventional units or with imprisonment from 3 to 5 years, and the legal person is punished with a fine in the amount of 9000 to 11000 conventional units with the deprivation of the right to exercise a certain activity for a period from 1 to 5 years or with the liquidation of the legal entity.

(4) The person who committed the actions provided for in para. (1)(3) is released from criminal liability if he actively contributed to the discovery or countering of the crime by self-denouncing, by denouncing and facilitating the prosecution of other persons who committed or contributed to the commission of the crime, by voluntarily handing over the works or objects of related rights, control markings, technical equipment or their components, by indicating the source of procurement of the works or objects of related rights, by indicating the means obtained and/or goods or proceeds from the crime, if compensated the value of the material damage caused or otherwise repaired the damage caused by the crime. It cannot be considered as voluntary handing over of works or objects of related rights, their collection upon apprehension of the person, as well as the performance of criminal prosecution actions for the detection and

lifting the respective objects.

Article 1852 . Infringement of the right to objects

of industrial property

(1) Dissemination of information regarding the invention, utility model, design or industrial model, plant variety, topography of the integrated circuit without the consent of the author (creator) or his successor in rights, until the official publication of the data from the registration application, by a person to whom this information was entrusted or became known in another way, as well as the fraudulent appropriation by a third party of the authorship of the invention, the utility model, the drawing or the industrial model, the type of plant, of the topography of the integrated circuit or the co-authorship coercion, which caused large amounts of damage,

are punished with a fine from 1150 to 1350 conventional units or with labor unpaid for the benefit of the community from 180 to 240 hours.

(2) The use without the consent of the owner of the protected trademark or of a sign which, due to the identity or similarity with the registered trademark and the identity or similarity of the products or services covered by the signs and trademarks, generates the risk of confusion in the perception of the consumer, the application of the sign on products or on packaging, as well as its use as packaging in the case of three-dimensional brands, offering products under this sign for sale or selling or storing them for this purpose, or, as the case may be, offering or providing services under this sign, importing or exporting products under this sign, using the sign in advertising, multiplying, storing or selling the sign for the purposes mentioned, as well as encouraging third parties to carry out these actions, which caused damage in large proportions, are punishable by a fine from 1150 to 1350 conventional units or unpaid work for the benefit of the community from 180 to 240 hours, with a fine, applied to the legal entity, from 4500 to 6000 conventional units with the deprivation of the right to exercise a certain activity for a period of 1 to 5 years.

(21) Direct or indirect commercial use of a registered designation of origin/geographical indication for products not covered by registration to the extent that these products are comparable to those registered under this designation or to the extent that this use allows to take advantage of the reputation of the designation protected, as well as impersonating, imitating or evoking associations related to a designation of origin/registered geographical indication, even if the true origin of the product is indicated or if the protected designation is used in translation or is accompanied by an expression, such as the genus, of the type, style, imitation, or other similar expressions, the false or misleading indication regarding the provenance, origin, nature or essential qualities of the product, which appear on the product or on its packaging, in advertising, as well as the use as packaging of a container of a nature to create an erroneous impression regarding the origin of the product, carrying out practices likely to mislead the consumer regarding the true origin of the product, as well as encouraging third parties to carry out these actions, which caused damages in proportions increase,

are punished with a fine from 1150 to 1350 conventional units or with labor

unpaid for the benefit of the community from 180 to 240 hours, with a fine, applied to the legal person, from 4500 to 6000 conventional units with the deprivation of the right to exercise a certain activity for a period of 1 to 5 years.

(22) Any practice likely to mislead the consumer regarding a name of the guaranteed traditional specialty, any imitation of a name registered and reserved according to the legislation regarding the protection of geographical indications, designations of origin and guaranteed traditional specialties, any commercial use of product names that could be confused with the names of guaranteed traditional specialties registered with the reservation of the name according to the legislation regarding the protection of geographical indications, designations of origin and guaranteed traditional specialties, any abusive or fraudulent usurpation of the Guaranteed traditional specialty menu and the national symbol associated with it , as well as encouraging third parties to carry out these actions, which caused large amounts of damage,

are punished with a fine from 1150 to 1350 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, with a fine, applied to the legal person, from 4500 to 6000 conventional units with the deprivation of the right to exercise a certain activity for a period of 1 to 5 years.

(23) Illegal use within the meaning of para. (21) of an unregistered designation of origin/geographical indication, protected on the basis of bilateral agreements to which the Republic of Moldova is a party, as well as urging third parties to carry out these actions, carried out in large proportions,

are punished with a fine from 1150 to 1350 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, with a fine, applied to the legal person, from 4500 to 6000 conventional units with the deprivation of the right to exercise a certain activity for a period of 1 to 5 years.

(3) Manufacturing, importing, exporting, transporting, offering for sale, selling, another way of putting the product into economic circulation or storing for these purposes the product, the use of processes, which constitute inventions or utility models or include the object of the invention or the protected utility model, for which, in accordance with the law, authorization from the owner is required, carried out without this authorization, as well as urging third parties to carry out these actions, which caused large amounts of damage,

are punished with a fine from 1150 to 1350 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, with a fine, applied to the legal person, from 4500 to 6000 conventional units with the deprivation of the right to exercise a certain activity for a period of 1 to 5 years.

(4) Manufacturing, importing, exporting, offering for sale, selling, other way of putting into economic circulation or storing for these purposes the product obtained by applying the protected design or industrial model, if this product, in full or to a substantial extent, is a copy of the protected design or industrial model, for which, in accordance with the law, authorization from the owner is required, carried out without this authorization, as well as urging third parties to carry out these actions, which have caused large amounts of damage,

are punished with a fine from 1150 to 1350 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, with a fine, applied to the legal person, from 4500 to 6000 conventional units with the deprivation of the right to exercise a certain activity for a period of 1 to 5 years.

(5) Producing, reproducing, conditioning for propagation purposes, offering for sale, selling or other forms of commercialization, importing, exporting or storing for these purposes the material of the plant variety for which, in accordance with the legislation, authorization from the owner, carried out without this authorization, as well as urging third parties to carry out these actions, which caused large amounts of damage,

are punished with a fine from 1150 to 1350 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, with a fine, applied to the legal person, from 4500 to 6000 conventional units with the deprivation of the right to exercise a certain activity for a period of 1 to 5 years.

(6) Reproducing the topography of the integrated circuit or a part of it, importing, exporting, offering for sale, selling or distributing in any other way for commercial purposes the topography of the integrated circuit for which, in accordance with the legislation, authorization from the owner is required, carried out without this authorization, as well as urging third parties to carry out these actions, which caused large amounts of damage,

are punished with a fine from 1150 to 1350 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, with a fine, applied to the legal person, from 4500 to 6000 conventional units with the deprivation of the right to exercise a certain activity for a period of 1 to 5 years.

(7) The actions from paragraphs (1), (2), (21), (22), (23), (3), (4), (5) and (6) performed:

- b) by two or more people;
- c) by an organized criminal group or a criminal organization;
- d) by physical or mental coercion;
- e) in particularly large proportions

are punished with a fine from 4000 to 6000 conventional units or with imprisonment from 3 to 5 years, with a fine, applied to the legal person, from 8000 to 11000 conventional units with deprivation of the right to exercise a certain activity for a term from 1 to 5 years or with its liquidation.

(8) The person who committed the actions provided for in paragraph (1)(7) is released from criminal liability if he actively contributed to the discovery or countering of the crime by self-denunciation, by denouncing and facilitating the prosecution of other persons who committed or have contributed to the commission of the crime, by voluntarily handing over objects of industrial property, by indicating the financial means and/or goods or income resulting from the crime, if he compensated the value of the material damage caused or repaired, in another way, the damage caused by offence. It cannot be considered voluntary handing over of industrial property objects, picking them up when the person is restrained,

as well as when carrying out criminal prosecution actions for the detection and removal of the respective objects.

Article 1853 . Intentionally false statements

in the registration documents

what about property protection

intellectual

Intentionally false statements, intentionally operating with false entries in the documents for the protection of intellectual property, as well as falsifying the documents necessary for the release of the title of protection, intentionally completing falsified documents or intentionally presenting documents with data that undermine the authority of the applicant for the protection of the property object intellectual

are punished with a fine from 1150 to 1350 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, with a fine, applied to the legal person, from 4500 to 6000 conventional units with the deprivation of the right to exercise a certain activity for a period of 1 to 5 years.

Article 1854. Violation regarding technical measures

and management information

copyright and related rights

(1) Illegal removal or modification of symbols or signs protecting copyright and related rights, rights management information, including in electronic format, or manufacturing, importing, keeping, for the purpose of putting into circulation or putting into circulation of devices that allow their removal or modification, which caused extensive damage

is punished with a fine in the amount of 1150 to 1350 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, and the legal person is punished with a fine in the amount of 3000 to 4000 conventional units with deprivation of the right to exercise a certain activity for a period of 1 to 5 years.

(2) Falsification, production, destruction, illicit use or commercialization a control markings, which caused extensive damage,

is punished with a fine in the amount of 3000 to 5000 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, and the legal person is punished with a fine in the amount of 3000 to 7000 conventional units with deprivation of the right to exercise a certain activity for a period of 1 to 5 years.

(3) The actions provided for in para. (1) and (2) above:

a) by an organized criminal group or a criminal organization;

b) by physical or mental coercion;

c) in particularly large proportions

are punished with a fine in the amount of 5000 to 6000 conventional units or with imprisonment from 3 to 5 years, and the legal person is punished with a fine in the amount of 9000 to 11000 conventional units with the deprivation of the right to exercise a certain activity for a period from 1 to 5 years or with the liquidation of the legal entity.

(4) The person who committed the actions provided for in para. (1) and (2) is released from criminal liability if he actively contributed to the discovery or countering of the crime by self-denunciation, by denouncing and facilitating the prosecution of other persons who committed or contributed to the commission of the crime, by voluntarily surrendering works or objects of related rights, control markings, technical equipment or their components, by indicating the source of procurement of the works or objects of related rights, by indicating the means and/or goods or proceeds from the crime, if compensated the value of the material damage caused or otherwise repaired the damage caused by the crime. It cannot be considered a voluntary surrender of the works or objects of the related rights, their removal upon apprehension of the person, as well as the performance of criminal prosecution actions for the detection and removal of the respective objects.

Chapter VI

CRIMES AGAINST PROPERTY

Article 186. Theft

(1) Theft, i.e. covert theft of another person's property,

shall be punished with a fine of up to 650 conventional units or with unpaid work for the benefit of the community from 120 to 240 hours, or with imprisonment of up to 2 years.

(2) Whistling theft:

a) - **excluded**;

b) by two or more people;

c) by entering the room, another place for storage or the home;

d) causing considerable damage

is punished with a fine in the amount of 650 to 1350 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 4 years.

(21) Theft of cultural heritage assets from archaeological sites or areas with archaeological potential

is punished with a fine in the amount of 1350 to 2350 conventional units or with imprisonment from 2 to 5 years.

(3) Whistling theft:

a) during a calamity;

b) by an organized criminal group or a criminal organization

is punishable by imprisonment from 2 to 6 years with (or without) a fine in the amount of 1350 to 3350 conventional units.

(4) The actions provided for in para. (1)(3), if the value of the goods exceeds 40 average monthly salaries for the forecasted economy, established by the Government decision in force at the time of the commission of the act,

are punishable by imprisonment from 5 to 10 years.

(5) The actions provided for in para. (1)(3), if the value of the goods exceeds 100 average monthly wages for the forecasted economy, established by the Government decision in force at the time of the commission of the act,

are punishable by imprisonment from 7 to 12 years.

Article 187. Robbery

(1) Robbery, i.e. the open theft of another person's property,

is punished with a fine in the amount of 550 to 850 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment from 2 to 5 years.

(2) Whistling robbery:

b) by two or more people;

c) by a masked, disguised or transvestite person;

d) by entering the room, another place for storage or the home;

e) with the application of non-dangerous violence for the life or health of the person or with the threat of such violence;

f) causing considerable damage;

g) for prejudicial reasons,

is punishable by imprisonment from 5 to 7 years with (or without) a fine in the amount of 850 to 1350 conventional units.

(21) Robbery of cultural heritage assets from archaeological sites or areas with archaeological potential

is punishable by imprisonment from 6 to 8 years with a fine in the amount of 1350 to 2350 conventional units.

(3) Whistling robbery:

a) during a calamity;

b) by an organized criminal group or a criminal organization

is punishable by imprisonment from 7 to 10 years.

(4) The actions provided for in para. (1)(3), if the value of the goods exceeds 40 average monthly wages for the forecasted economy, established by the Government decision in force at the time of the commission of the act,

are punishable by imprisonment from 8 to 12 years.

(5) The actions provided for in para. (1)(3), if the value of the goods exceeds 100 average monthly wages for the forecasted economy, established by the Government decision in force at the time of the commission of the act,

they are punished with imprisonment from 12 to 15 years.

Article 188. Extortion

(1) Theft, i.e. the attack on a person for the purpose of stealing goods, accompanied by violence dangerous to the life or health of the person attacked or by the threat of such violence,

is punishable by imprisonment from 5 to 8 years with (or without) a fine in the amount of 950 to 1350 conventional units.

(2) Whistling robbery:

b) by two or more people;

c) by a masked, disguised or transvestite person;

d) by entering the room, another place for storage or the home;

e) with the application of the weapon or other objects used as a weapon;

f) causing considerable damage;

g) for prejudicial reasons,

is punishable by imprisonment from 8 to 10 years.

(21) Theft for the purpose of stealing cultural heritage assets from archaeological sites or areas with archaeological potential

is punishable by imprisonment from 8 to 10 years with a fine in the amount of 1350 to 2350 conventional units.

(3) Whistling robbery:

a) during a calamity;

b) by an organized criminal group or a criminal organization;

c) with serious injury to bodily integrity or health;

d) with particular cruelty;

is punishable by imprisonment from 10 to 12 years.

(4) The actions provided for in para. (1)(3), if the value of the goods exceeds 40 average monthly salaries for the forecasted economy, established by the Government decision in force at the time of the commission of the act,

are punishable by imprisonment from 11 to 14 years.

(5) The actions provided for in para. (1)(3), if the value of the goods exceeds 100 average monthly wages for the forecasted economy, established by the Government decision in force at the time of the commission of the act,

they are punished with imprisonment from 12 to 15 years.

Article 189. the antage

(1) the demand, i.e. the request to transfer the goods to the owner, possessor or holder or the right over them or to carry out other actions of a patrimonial nature, threatening with violence the person, his relatives or those close to him, with the spreading of defamatory news about them, with damage or destruction of the property of the owner, possessor, possessor or kidnapping of the owner, possessor, possessor, their relatives or relatives,

it is punishable by a fine in amounts from 750 to 950 conventional units or by imprisonment from 3 to 5 years.

(2) the pitch:

b) by two or more people;

c) with the application of non-dangerous violence to life or health;

d) by threat of death;

e) with damage or destruction of goods

f) against donors of political parties or electoral contests.

is punishable by imprisonment from 5 to 7 years with a fine in the amount of 850 to 1350 conventional units.

(3) The actions provided for in paragraph (1) or (2):

a) committed by an organized criminal group or a criminal organization;

b) carried out with a weapon or other objects used as a weapon;

c) accompanied by violence dangerous to life or health;

d) whistled with particular cruelty;

e) followed by the acquisition of the requested goods

f) - **repealed**;

are punished with imprisonment from 7 to 10 years with a fine in the amount of 1850 to 2350 conventional units.

(4) The actions provided for in paragraph (1), (2) or (3), accompanied by the abduction of the owner, possessor or possessor, their relatives or relatives,

is punishable by imprisonment from 10 to 13 years.

(5) The actions provided for in para. (1), (2), (3) or (4), if the value of the goods exceeds 40 average monthly wages for the forecasted economy, established by the Government decision in force at the time the act was committed,

they are punished with imprisonment from 11 to 13 years.

(6) The actions provided for in para. (1), (2), (3) or (4), if the value of the goods exceeds 100 average monthly wages for the economy, established by the Government decision in force at the time of the act,

they are punished with imprisonment from 13 to 15 years.

Article 190. Fraud

(1) Fraud, i.e. embezzlement of another person's assets through abuse of trust, misleading or misleading,

is punished with a fine in the amount of 550 to 1000 conventional units or with unpaid work for the benefit of the community from 120 to 240 hours, or with imprisonment of up to 3 years.

(2) Scam raised:

a) with the use of false documents, false documents;

b) by two or more people;

c) causing considerable damage;

d) with the use of the service situation

shall be punished with a fine in the amount of 850 to 1350 conventional units or with imprisonment from 1 to 5 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 3 years.

(3) The facts provided for in paragraph (1) or (2), carried out for the purpose of acquiring movable national cultural heritage assets from archaeological sites or areas with potential

archaeological,

are punished with a fine in the amount of 1850 to 2350 conventional units or with imprisonment from 4 to 7 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 5 years.

(4) The facts provided for in paragraph (1)(3), committed by an organized criminal group or a criminal organization,

are punished with imprisonment from 4 to 8 years with a fine in the amount of 5000 to 9000 conventional units.

(5) The actions provided for in para. (1)(4), if the value of the goods exceeds 40 average monthly salaries for the forecasted economy, established by the Government decision in force at the time of the act,

are punished with imprisonment from 7 to 10 years, with a fine in the amount of 9000 to 16000 conventional units and with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 5 years.

(6) The actions provided for in para. (1)(4), if the value of the goods exceeds 100 average monthly wages for the forecasted economy, established by the Government decision in force at the time of the commission of the act,

are punished with imprisonment from 8 to 15 years, with a fine in the amount of 15,000 to 20,000 conventional units and with the deprivation of the right to occupy certain positions or to exercise a certain activity for a period of up to 5 years.

Article 191. Embezzlement of foreign property

(1) Embezzlement of foreign property, i.e. the theft, disposal or illegal use of the assets of another or other persons by the one to whom they were entrusted based on a title and with a certain purpose or the refusal to return them,

is punishable by a fine of up to 850 conventional units or by imprisonment of up to 3 years, in both cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 3 years.

(2) Embezzlement of foreign property, including:

b) by two or more people;

c) causing considerable damage;

d) with the use of the service situation,

is punishable by a fine in the amount of 850 to 1350 conventional units or by imprisonment from 2 to 6 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 5 years .

(21) Embezzlement of foreign assets committed by the administrator of a bank,

shall be punished with a fine in the amount of 1350 to 2350 conventional units or with imprisonment from 3 to 7 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 5 years .

(22) Deprecation of cultural heritage assets from archaeological sites or areas with archaeological potential

is punishable by a fine in the amount of 1850 to 2350 conventional units or by imprisonment from 3 to 7 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 5 years .

(3) The actions provided for in para. (1)(22), committed by an organized criminal group or a criminal organization,

are punished with imprisonment from 4 to 8 years with the deprivation of the right to occupy certain positions office or to exercise a certain activity for a period of 2 to 5 years.

(4) The actions provided for in para. (1)(3), if the value of the goods exceeds 40 average monthly wages for the forecasted economy, established by the Government decision in force at the time of the commission of the act,

are punishable by imprisonment from 7 to 12 years.

(5) The actions provided for in para. (1)(3), if the value of the goods exceeds 100 average monthly wages for the forecasted economy, established by the Government decision in force at the time of the commission of the act,

are punishable by imprisonment from 8 to 15 years.

Article 192. The bag

(1) Bagging, i.e. the action for the purpose of stealing another person's property from pockets, jeans or other objects present on the person,

is punished with a fine in the amount of 650 to 850 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 2 years.

(2) The whistling bag:

b) by two or more people,

is punishable by imprisonment of up to 4 years with a fine ranging from 550 to 1350 conventional units.

(3) The actions provided for in para. (1) or (2), if the value of the goods exceeds 40 average monthly wages for the forecasted economy, established by the Government decision in force at the time of the act,

are punishable by imprisonment from 4 to 7 years.

(4) The actions provided for in para. (1) or (2), if the value of the goods exceeds 100

average monthly wages for the forecasted economy, established by the Government decision in force at the time of the act,

are punishable by imprisonment from 6 to 10 years.

Article 1921 . Hijacking the means of transport

(1) Wreckage of the means of transport without the purpose of appropriation

is punished with a fine in the amount of 850 to 1350 conventional units or with imprisonment from 1 to 3 years.

(2) The same action:

a) whistled by two or more people;

b) accompanied by non-dangerous violence for the life or health of the victim or the threat of such violence;

c) stolen by breaking into the garage, other rooms or fenced or guarded spaces

is punishable by imprisonment from 3 to 5 years.

(3) The actions provided for in paragraph (1) or (2) accompanied by life-threatening violence or the victim's health or the threat of such violence

are punished with imprisonment from 5 to 7 years.

Article 1922 . Seizure of the means of transport with traction

animal, such as draft animals

Stealing the means of transport with animal traction, as well as draft animals, without the purpose of appropriation, followed by:

a) destruction of property;

b) serious illness or death of kidnapped animals,

is punished with a fine in the amount of 650 to 1050 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours.

Article 193. Possession disorder

(1) Occupying, in whole or in part, without right, a building in the possession of another with violence or with the threat of violence or by destroying or tearing down boundary signs

is punished with a fine in the amount of 1150 to 1850 conventional units or with unpaid work for the benefit of the community from 150 to 240 hours, or with imprisonment from 2 to 4 years, and the legal person is punished with a fine in the amount of 2000 to 4000 conventional units with the deprivation of the right to carry out a certain activity.

(2) The same fact committed for prejudicial reasons

is punished with a fine in the amount of 1350 to 2350 conventional units or with unpaid work for the benefit of the community from 200 to 240 hours, or with imprisonment from 2 to 5 years, and the legal person is punished with a fine in the amount of 4000 to 6000 conventional units with the deprivation of the right to carry out a certain activity.

Article 194. Appropriation or illicit use of energy

electric, thermal or natural gas

(1) Appropriation of electricity, thermal energy or natural gas or their illicit use avoiding the records systems installed in the established way or through them, but damaged by the consumer, if this has caused extensive damage,

is punished with a fine in the amount of 850 to 1850 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours.

(2) Those actions that caused damages in particularly large proportions

they are punished with a fine in the amount from 1850 to 3350 conventional units or with unpaid work for the benefit of the community from 200 to 240 hours, or with imprisonment of up to 3 years.

Article 196. Causing material damage through

fraud or breach of trust

(1) Causing large amounts of material damage to the owner through deception or abuse of trust, if the act does not constitute evasion,

shall be punished with a fine in the amount of up to 550 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, in both cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity on a term from 2 to 5 years.

(2) The same action taken:

b) by two or more people

is punished with a fine in the amount of 550 to 850 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 2 years.

(3) The actions provided for in paragraph (1) or (2), carried out:

a) by an organized criminal group or a criminal organization;

are punished with a fine in the amount of 850 to 1350 conventional units or with imprisonment of up to 3 years.

(4) Causing material damage in particularly large proportions by fraud or

breach of trust, if the act does not constitute evasion,

is punishable by a fine in amounts from 1350 to 2350 conventional units or by imprisonment for up to 3 years.

Article 197. Destruction or damage

intended of the goods

(1) Deliberate destruction or damage to goods, if this has caused damage in large proportions,

is punished with a fine of up to 1350 conventional units or with unpaid work for the benefit of the community for 240 hours.

(2) The same actions:

a) caused by arson, explosion or in another dangerous way;

b) whistled for prejudicial reasons;

c) directed at a person in connection with the fulfillment by him of a service obligations or benefits;

d) who recklessly caused the person's death

are punishable by imprisonment of up to 6 years.

(3) The destruction or waste of the bank's assets by its administrator in the administration process,

shall be punished with a fine in the amount of 850 to 1350 conventional units or with imprisonment of up to 5 years, in both cases with (or without) deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to at 8 years old.

Article 199. Acquisition or sale

known goods c

were obtained criminally

(1) The acquisition or sale, without a prior promise, of goods about which are known to have been obtained criminally

is punished with a fine in the amount of 550 to 750 conventional units or with unpaid work for the benefit of the community from 120 to 180 hours.

(2) The same actions taken:

a) by two or more people;

b) in the form of employment;

c) in large proportions

they are punished with a fine in the amount of 650 to 950 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 3 years.

(3) The actions provided for in paragraph (1) or paragraph (2) letter a) ib), carried out in particularly large proportions,

they are punished with a fine in the amount of 850 to 1350 conventional units or with imprisonment of up to 5 years.

Article 1991 . Damage or destruction of goods

of cultural heritage

(1) Damage to cultural heritage assets

is punished with a fine in the amount of 850 to 1350 conventional units or with imprisonment of up to 1 year, and the legal person is punished with a fine in the amount of 1350 to 3350 conventional units or with the deprivation of the right to exercise a certain activity for a period of 1 to 3 years.

(2) Destruction of cultural heritage assets

is punished with a fine from 3350 to 6350 conventional units or with imprisonment from 1 to 3 years, and the legal entity is punished with a fine from 6350 to 10350 conventional units with (or without) the liquidation of the legal entity.

(3) The action provided for in para. (1) or (2):

a) caused by arson, explosion or in another dangerous way;

b) suspended for prejudicial reasons;

c) who recklessly caused the person's death

is punishable by imprisonment of up to 6 years.

Article 1992 . Performing unauthorized work

in archaeological sites or areas

with archaeological potential

(1) Unauthorized digging or treasure hunting in archaeological sites or areas with archaeological potential

are punished with a fine from 850 to 1350 conventional units or with imprisonment of up to 1 year.

(2) Carrying out construction works, as well as other intervention activities on the soil in archaeological sites or in areas with archaeological potential, without a certificate of discharge of archaeological burden

is punished with a fine from 3350 to 4350 conventional units or with imprisonment of up to 2 years, and the legal person is punished with a fine from 7350 to 10350 conventional units with (or without) the liquidation of the legal entity.

Article 1993 . Illegal possession or retention

of movable archaeological assets

Illegal possession or preservation of movable archaeological assets, including treasures, discovered by chance or during intervention works on the ground or with the help of metal detectors or other remote sensing devices, as well as failure to notify the public authorities in time regarding the accidental discovery of assets movable archaeological objects, including treasures, are punished with a fine from 850 to 1350 conventional units or with imprisonment of up to 1 year, and the legal person is punished with a fine in the amount from 3350 to 5350 conventional units with deprivation of the right to to exercise a certain activity for a period of up to 2 years.

Article 1994 . Unauthorized sale of goods

archaeological mobiles and cultural assets

classified mobiles

(1) Unauthorized commercialization of movable archaeological assets and classified movable cultural assets

is punished with a fine in the amount of 750 to 850 conventional units, with the deprivation of the right to occupy certain positions or to exercise a certain activity for a period of up to 1 year, and the legal person is punished with a fine in the amount of to 2350 to 3350 conventional units with the deprivation of the right to exercise a certain activity for a term of up to 3 years.

(2) The same action:

a) carried out by an organized criminal group or a criminal organization;

b) committed with the use of the service situation;

c) which caused extensive damage

is punished with a fine in the amount of 1000 to 1350 conventional units or with imprisonment from 1 to 3 years, and the legal person is punished with a fine in the amount of 6350 to 10350 conventional units with the deprivation of the right to exercise a certain activity for a period of 3 to 5 years.

Article 1995 . - repealed.

Chapter VII

CRIMES AGAINST FAMILY AND MINORS

Article 201. Incest

(1) The sexual relationship between relatives on the direct line up to the third degree inclusive, as well as i between collateral relatives (brothers, sisters),

is punishable by imprisonment of up to 5 years.

(2) The persons referred to in paragraph (1) are not liable to criminal liability if, at the time of the act, they are minors and the age difference between them is not greater than 2 years.

Article 2011 . Domestic violence

(1) The intentional action or inaction committed by a family member in the matter another family member, manifested by:

a) mistreatment, other violent actions, resulting in slight injury to bodily integrity or health;

b) isolation, intimidation for the purpose of imposing personal will or control over the victim;

c) deprivation of economic means, including lack of means of primary existence, negligence, if they caused the victim slight damage to bodily integrity or health,

shall be punished with unpaid work for the benefit of the community from 150 to 180 hours or imprisonment for up to 4 years.

(2) The facts provided for in paragraph (1):

a) directed at two or more family members;

^{1 a}) knowingly attacked a minor or a pregnant woman or taking advantage of the victim's known or obvious weakness, due to old age, illness, disability or another factor;

b) performed in connection with the request or application of protective measures;

c) which caused average damage to bodily integrity or health,

they are punished with unpaid work for the benefit of the community from 180 to 240 hours or with imprisonment from 1 to 6 years.

(3) The facts provided for in paragraph (1) or (2) which:

a) have caused serious injury to bodily integrity or health;

b) they determined the suicide or attempted suicide

are punishable by imprisonment from 6 to 12 years.

(4) The facts provided for in paragraph (1) or (2) which caused serious damage to the integrity physical or mental damage resulting from the death of the victim

they are punished with imprisonment from 12 to 15 years.

Article 2012 . - repealed.

Article 204. - repealed.

Article 205. Abuse of parents and other persons

to the adoption of children

(1) Receipt by the parent, guardian (curator) or other legal representative of the child, by another person of a reward in any form for consent to adoption or for other purposes related to adoption

shall be punished with a fine in the amount of 500 to 750 conventional units or with imprisonment of up to 3 years.

(2) Mediating, facilitating or encouraging the adoption of a child for profit, material benefit or other benefit

is punishable by a fine from 550 to 750 conventional units or by imprisonment from 1 to 3 years, with the deprivation of the right to hold certain positions or to exercise a certain activity for a term from 2 to 5 years, with a fine , applied to the legal person, from 3000 to 5000 conventional units with the deprivation of the right to exercise a certain activity.

(3) Exercising in any form of coercion on the child's parent, guardian (guardian) for the purpose of obtaining consent for adoption or presenting untrue data for approval of adoption, establishing guardianship (guardianship), placement of the child in a residential institution, in a family or family-type children's home

is punishable by a fine from 600 to 750 conventional units or by imprisonment from 3 to 5 years, with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years, with a fine , applied to the legal entity, from 3500 to 5500 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

(4) The actions provided for in paragraphs (1)-(3), carried out:

b) regarding two or more children;

c) by a person with a position of public dignity using the service situation;

d) by two or more people;

e) by an organized criminal group or a criminal organization,

are punished with imprisonment from 3 to 7 years with (or without) deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years, with a fine, applied to the legal person, from 4000 to 7000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

Article 206. Child trafficking

(1) Recruiting, transporting, transferring, fostering or receiving a child, as well as giving or receiving payments or benefits for obtaining the consent of a person who has control over the child, in order to:

- a) commercial or non-commercial sexual exploitation;
- b) exploitation through forced labor or services;
- b¹) practicing begging or for other vile purposes;
- b²) embezzlement of aids, allowances or social benefits;
- b³) illegal use in medical or scientific tests or experiments;
- c) exploitation in slavery or in conditions similar to slavery;
- d) use in armed conflicts;
- e) use in criminal activity;
- f) sampling of human organs, tissues and/or cells;
- h) sales or purchases;
- i) use as a surrogate mother or for reproductive purposes;
- j) illegal adoption,

shall be punished with imprisonment from 10 to 12 years, with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years, and the legal person shall be punished with a fine in the amount of 4000 to 6000 conventional units, with the deprivation of the right to carry out a certain activity, or with the liquidation of the legal entity.

(2) The same accompanying actions:

- a) of physical violence and/or mental, of using a firearm or threatening with its application;
- b) abuse and/or sexual violence;
- c) taking advantage of the abuse of authority or the vulnerable situation of the child, de threatening to disclose confidential information to the child's family or other persons;
- f) sampling of organs, tissues and/or human cells;
- g) for prejudicial reasons,

are punished with imprisonment from 10 to 15 years, with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years, and the legal person is punished with a fine in the amount of 6000 to 8000 units

conventional, with the deprivation of the right to carry out a certain activity, or with the liquidation of the legal entity.

(3) The actions provided for in paragraph (1) or (2):

a) - ~~repealed~~;

b) whistled at two or more children;

b¹) whistled by two or more people;

c) committed by a public person, by a person in a position of responsibility, by a person in a position of public dignity, by a foreign public person or by an international official using the official status;

d) committed by an organized criminal group or a criminal organization;

d¹) accompanied by contamination of the child with a venereal disease or the HIV virus;

e) resulting in serious bodily injury or a mental illness a
the child, with his death or suicide;

^{1 e}) directed at the child who is in the care, protection, protection, education or treatment of the perpetrator;

f) directed at a child under the age of 14.

are punished with imprisonment from 15 to 20 years, with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 3 to 5 years or with life imprisonment, and the legal person is punished with a fine in amounts from 8000 to 10000 conventional units, with the deprivation of the right to carry out a certain activity, or with the liquidation of the legal entity.

(4) The victim of child trafficking is absolved of criminal responsibility for the crimes committed by her in connection with this procedural capacity.

Article 2061. Use of work results

or the services of a person who

is a victim of child trafficking

(1) The use of products and/or services that constitute the result of exploitation in the crime of child trafficking, provided by a person whom the beneficiary knows is the victim of this crime, if this fact does not meet the elements of human trafficking or child trafficking,

shall be punished with imprisonment from 3 to 5 years, with a fine, applied to the legal entity, in amounts from 3000 to 5000 conventional units with the deprivation of the right to exercise a certain activity.

(2) The person who committed the act provided for in para. (1) is released from liability

criminal if he voluntarily declared the commission of the crimes of human trafficking or child trafficking by other persons and helped them to discover those crimes.

Article 207. Illegal removal of children from ar

(1) Removing the child from the country on the basis of false documents or by evading control carried out at the border crossing, for purposes other than those mentioned in art. 206,

is punishable by imprisonment of up to 3 years.

(2) The same act committed with the abandonment of the minor in the country

is punishable by imprisonment from 2 to 6 years.

Article 208. Attracting minors to criminal activity

or their determination when playing some

immoral acts

(1) Attracting minors to criminal activity or instigating them to commit crimes, as well as causing minors to commit immoral acts (sorcery, gambling, debauchery), committed by a person who has reached the age of 18,

they are punished with a fine in the amount of 550 to 850 conventional units or with unpaid work for the benefit of the community from 150 to 200 hours, or with imprisonment of up to 5 years.

(2) The same actions performed by parents or other legal guardians of the child, as well as by his pedagogues

they are punished with a fine in the amount of 650 to 1050 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 6 years.

(3) The actions provided for in paragraph (1) or (2), carried out:

a) with the application of violence or with the threat of its application;

b) by attracting minors to an organized criminal group or a criminal organization,

c) by attracting the minor to commit a crime of a terrorist nature,

are punishable by imprisonment from 3 to 7 years.

Article 2081 . Child pornography

Producing, distributing, broadcasting, importing, exporting, offering, selling, procuring, exchanging, using or possessing images or other representations of one or more children involved in explicit, real or simulated sexual activities, or images or other representations of organs of a child, represented in a lewd or obscene manner, including in electronic form,

is punished with imprisonment from 1 to 3 years, with a fine, applied to the legal person, from 3000 to 5000 conventional units with the deprivation of the right to exercise a certain activity.

Article 2082 . Resorting to prostitution practiced

of a child

The benefit, against any material advantages, of the sexual services provided by a person about whom it was known with certainty that he had not reached the age of 18

is punishable by imprisonment from 3 to 7 years.

Article 209. Attracting minors to illegal consumption

of narcotic, psychotropic substances

and/or other substances with similar effects

(1) Enticing minors to consume by a person who has reached the age of 18 illegal narcotic, psychotropic and/or other substances with similar effects

shall be punished with a fine in the amount of 550 to 950 conventional units or with imprisonment of up to 5 years.

(2) The same action taken:

b) with the application of violence or with the threat of its application

is punishable by a fine in the amount of 750 to 1150 conventional units or by imprisonment from 3 to 6 years.

Chapter VIII

CRIMES AGAINST THE PUBLIC

AND SOCIAL CO-EXISTENCE

Article 211. Transmission of a venereal disease

(1) The person who, knowing that he suffers from a venereal disease, transmits it to another person

is punished with a fine in the amount of 500 to 850 conventional units or with unpaid work for the benefit of the community from 120 to 200 hours, or with imprisonment of up to 1 year.

(2) The same action taken:

b) on two or more people;

c) with knowledge of a minor;

d) for prejudicial reasons,

is punished with a fine in the amount of 550 to 1050 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 2 years.

Article 212. Contamination with the HIV virus

(1) Intentionally putting another person at risk of contamination with the HIV virus

is punishable by imprisonment of up to 1 year

(2) Contamination with the HIV virus by a person who knows that they suffer from it

disease

is punishable by imprisonment from 1 to 5 years.

(3) The action provided for in paragraph (2), carried out:

a) on two or more people;

b) with knowledge of a minor;

c) for prejudicial reasons,

is punishable by imprisonment from 3 to 8 years.

(4) Contamination with the HIV virus as a result of the non-fulfilment or improper fulfillment by a doctor or a medical worker of his professional obligations

shall be punished with imprisonment of up to 5 years with the deprivation of the right to occupy certain functions or to exercise a certain activity for a term of up to 3 years.

(5) The person who carried out the actions provided for in paragraph (1) or (2) is not liable to criminal liability if he communicated in advance to the person at risk of being contaminated about the existence of the HIV virus in the first place or if the person put in danger of being contaminated knew about the existence of this disease, but willingly performed actions that constituted a danger of contamination.

Article 213. Negligent violation of the rules

and methods of providing assistance

physician

Negligent violation by a doctor or another medical worker of the rules or methods of providing medical assistance, if this caused:

a) serious injury to bodily integrity or health;

b) death of the patient,

shall be punished with imprisonment of up to 3 years with (or without) deprivation of the right to hold certain positions or exercise a certain activity for a period of 2 to 5 years.

Article 2131 . Advertising for the purpose of illegal acquisition

of organs, tissues and human cells or

regarding their illicit donation

Advertising for the purpose of illegally obtaining organs, tissues and/or human cells, as well as advertising or mediating announcements regarding the illegal donation of organs, tissues and/or human cells

are punished with a fine in the amount of 500 to 750 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, with a fine, applied to the legal person, in the amount of 1300 to 1600 conventional units.

Article 214. Illegal practice of medicine or

of pharmaceutical activity

(1) Practicing medicine as a profession or pharmaceutical activity by a person who does not have a license or other authorization, if this recklessly caused health damage,

is punishable by a fine in the amount of 550 to 850 conventional units or by imprisonment for up to 2 years.

(2) Those actions that recklessly caused the death of the victim

are punishable by imprisonment from 1 to 5 years.

Article 2141 . Production or marketing

counterfeit drugs

(1) Production or sale of counterfeit medicines

are punished with a fine in the amount of 1350 to 2350 conventional units with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 3 years, with a fine, applied to the legal person, in amounts from 4000 to 6000 conventional units with (or without) deprivation of the right to exercise a certain activity for a period of up to 3 years.

(2) The same actions if they recklessly caused serious or moderate injury to health or the death of the person

are punished with imprisonment of up to 5 years, with a fine, applied to the legal entity, in amounts from 4000 to 6000 conventional units with the deprivation of the right to exercise a certain activity for a term of up to 5 years or with the liquidation of the enterprise.

Article 215. Spread of epidemic diseases

(1) Failure to comply with measures to prevent or combat epidemic diseases, if this caused or contributed to the spread of such a disease,

is punished with a fine in the amount of 1000 to 1500 conventional units or with imprisonment of up to 5 years, and the legal person is punished with a fine in the amount of 2000 to 3000 conventional units with (or without) the liquidation of the legal entity.

(2) The same acts recklessly resulting in serious or moderate damage to health, with the death of the person or committed for reasons of prejudice

are punished with imprisonment of up to 7 years, with a fine, applied to the legal person, from 2000 to 3000 conventional units with the liquidation of the enterprise.

Article 216. Production, transportation, storage,

commercialization, offering for consideration

or free of charge of the products (goods),

provision of services, dangerous for

life or health of consumers

(1) Producing, transporting, keeping, selling, offering for a fee or free of charge products (goods), providing services, dangerous for the life or health of consumers, carried out in large proportions,

are punished with a fine in the amount of 950 to 1150 conventional units, and the legal person is punished with a fine in the amount of 2000 to 6000 conventional units with the deprivation of the right to exercise a certain activity for a period of up to 2 years or with liquidation of the legal entity.

(2) The same actions:

b) if they recklessly caused serious or moderate damage to the health or death of the person,

c) blown in particularly large proportions

are punished with a fine in the amount of 1150 to 1350 conventional units or with imprisonment of up to 3 years, and the legal person is punished with a fine in the amount of 6000 to 9000 conventional units with the deprivation of the right to exercise a certain activity on a term of up to 3 years or with the liquidation of the legal entity.

(3) The actions provided for in paragraph (1) or (2):

b) committed by an organized criminal group or a criminal organization;

c) if they caused the death of two or more people,

are punished with a fine in the amount of 1350 to 1850 conventional units or with imprisonment from 3 to 7 years, and the legal person is punished with a fine in the amount of 9000 to 11000 conventional units with the deprivation of the right to exercise a certain activity on a term of up to 5 years or with the liquidation of the legal entity.

Article 217. Illegal circulation of drugs, ethnobotanicals

or their analogues without alienation

(1) The illegal cultivation or cultivation of plants containing drugs or ethnobotanicals, the processing or use of such plants, grown in large proportions and without the purpose of alienation,

are punished with a fine in the amount of 200 to 400 conventional units or with unpaid work for the benefit of the community for up to 100 hours, and the legal person is punished with a fine in the amount of 3000 to 5000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

(2) Producing, preparing, experimenting, extracting, processing, transforming, procuring, keeping, sending, transporting drugs, ethnobotanicals or their analogues, used in large proportions and without the purpose of alienation,

are punished with a fine in the amount of 400 to 700 conventional units or with unpaid work for the benefit of the community for up to 150 hours, or with imprisonment of up to 1 year, and the legal person is punished with a fine in the amount of 5000 to 7000 combined with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

(3) The actions provided for in paragraph (1) or (2), carried out:

b) by two or more people;

b¹) by a person who has reached the age of 18 with the involvement of minors;

c) with the use of drugs, ethnobotanicals or their analogues, which circulate in medicinal purposes is prohibited;

d) with the use of the service situation;

e) on the territory of educational institutions, social rehabilitation institutions, penitentiaries, military units, in places of leisure, in places where educational actions are carried out, training of minors or youth, other cultural or sports actions or in their immediate vicinity ,

are punished with imprisonment of up to 4 years with the deprivation of the right to occupy certain positions or to exercise a certain activity for a period of 2 to 5 years, and the legal person is punished with a fine in the amount of 6000 to 8000 units conventional with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

(4) The actions provided for in paragraph (1), (2) or (3), carried out:

b) in particularly large proportions,

are punished with imprisonment from 1 to 6 years with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years, and the legal person is punished with a fine in the amount of 6000 to 10000 conventional units with

deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

(5) The person who committed the actions provided for in art. 217 or 2171 is released from criminal liability if he actively contributed to the discovery or countering of the crime of illegal circulation of drugs, ethnobotanicals or their analogues, as the case may be, by self-denunciation, voluntary surrender of drugs, ethnobotanicals or their analogues, indication of the source of procurement of these substances, disclosure of the persons who contributed to the commission of the crime, indication of the means, assets or income resulting from the crime. It cannot be considered voluntary handing over of drugs, ethnobotanicals or their analogues, picking them up when the person is restrained, as well as when carrying out criminal prosecution actions to detect and pick them up.

Article 2171 . illegal drug trafficking,

ethnobotanicals or analogues

them for the purpose of alienation

(1) The signing or cultivation of plants containing drugs, the processing or use of such plants without authorization or the signing or cultivation of plants for the manufacture of ethnobotanical products, used for alienation,

are punished with a fine in the amount of 950 to 1250 conventional units or with imprisonment of up to 2 years, and the legal person is punished with a fine in the amount of 4000 to 6000 conventional units, with the deprivation of the right to exercise certain activities or with the liquidation of the legal entity.

(2) Producing, preparing, experimenting, extracting, processing, transforming, procuring, keeping, shipping, transporting, distributing or other illegal operations with drugs or their analogues, carried out for the purpose of possession, or illegal possession of drugs or their analogues ,

are punished with imprisonment from 2 to 5 years, and the legal person is punished with a fine in the amount of 5000 to 7000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal person.

(3) The actions provided for in paragraph (1) or (2), carried out:

a) by a person who previously performed the same actions;

b) by two or more people;

b¹) by a person who has reached the age of 18 with the involvement of minors;

c) with the use of drugs or their analogues, the circulation of which for medicinal purposes is prohibited;

d) with the use of the service situation;

e) on the territory of educational institutions, social rehabilitation institutions, penitentiaries, military units, in places of leisure, in places where

educational actions, training of minors or youth, other cultural or sports actions or in their immediate vicinity;

f) in large proportions,

are punished with imprisonment from 3 to 7 years with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 3 to 5 years, and the legal person is punished with a fine in the amount of 7000 to 9000 combined with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

(4) The actions provided for in paragraph (1), (2) or (3), carried out:

b) by an organized criminal group or a criminal organization or in favor of them;

d) in particularly large proportions,

are punished with imprisonment from 7 to 15 years with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years, and the legal person is punished with a fine in the amount of 9000 to 11,000 conventional units with its liquidation.

Article 2172 . Illegal circulation of precursors

for the purpose of production or processing

drugs, ethnobotanicals or

their analogues

Producing, preparing, processing, experimenting, procuring, storing, shipping, transporting, alienating or performing any other operations with precursors for the purpose of producing or processing drugs, ethnobotanicals or their analogues,

are punished with a fine in the amount of 1150 to 1350 conventional units or with imprisonment of up to 2 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a term of up to 5 years, and the legal person is punished with a fine in the amount of 8000 to 11000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal person.

Article 2173 . Illegal circulation of materials

and machines intended for production

or drug processing,

ethnobotanicals or their analogues

(1) Producing, manufacturing, procuring, keeping, sending, transmitting, transporting or alienating materials or equipment intended for the production, preparation or processing of drugs, ethnobotanicals or their analogues or the cultivation of plants containing these substances

are punished with a fine in the amount of 500 to 650 conventional units or with imprisonment of up to 2 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 5 years, and the legal person is punished with a fine from 2000 to 4000 conventional units with the deprivation of the right to exercise a certain activity.

(2) The same actions taken:

b) by two or more people;

c) with the use of the service situation

are punished with a fine in the amount of 850 to 1350 conventional units or with imprisonment of up to 3 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years , and the legal person is punished with a fine from 3000 to 6000 conventional units with the deprivation of the right to exercise a certain activity.

(3) The actions provided for in paragraph (1) or (2), carried out:

a) by an organized criminal group or a criminal organization or in favor of them;

b) on the territory of educational institutions, social rehabilitation institutions, penitentiaries, military units, in places of leisure, in places where educational activities, training of minors or youth, other cultural or sports activities are carried out or in their immediate vicinity ,

are punished with imprisonment from 2 to 5 years with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years, and the legal person is punished with a fine in the amount of 7000 to 10000 combined with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

Article 2174 . Stealing or extorting drugs

or ethnobotany

(1) Stealing or extorting drugs or ethnobotanicals

is punished with a fine in the amount of 850 to 2350 conventional units or with unpaid work for the benefit of the community from 200 to 240 hours, or with imprisonment from 3 to 5 years.

(2) The same actions taken:

b) by two or more people;

c) with the use of the service situation;

d) by entering the room, another place for storage or the home;

e) with the application of non-dangerous violence for the life or health of the person or with

the threat of such violence;

f) in large proportions,

are punishable by imprisonment from 5 to 10 years with (or without) a fine in the amount of 2000 to 3000 conventional units.

(3) The actions provided for in paragraph (1) or (2), carried out:

a) by an organized criminal group or a criminal organization or in favor of them;

b) with the application of violence dangerous to the life or health of the person or with the threat of such violence;

c) in particularly large proportions,

are punished with imprisonment from 10 to 15 years with the application of a fine in the amount of 4000 to 6000 conventional units.

Article 2175 . Illegal public consumption or organization

the illegal use of ethnobotanical drugs

or their analogues

(1) Illegal consumption of drugs, ethnobotanicals or their analogues, consumed in public or on the territory of educational institutions, social rehabilitation institutions, penitentiaries, military units, in places of leisure, in places where educational actions are carried out, training of minors or youth, other cultural or sporting events or in their immediate vicinity,

is punished with a fine in the amount of 750 to 1050 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours.

(2) Organizing the illegal consumption of drugs or ethnobotanicals

it is punishable by a fine in the amount of 750 to 1050 conventional units or by imprisonment from 2 to 5 years.

Article 2176 . Intentional illegal entry

in another person's body, against

its will, drugs, ethnobotanicals

or their analogues

(1) Intentional illegal introduction, regardless of the method, into the body of another person, against her will, drugs, ethnobotanicals or their analogues

shall be punished with a fine in the amount of 950 to 1150 conventional units or with unpaid work for the benefit of the community from 150 to 200 hours, or with imprisonment for

at 3 years.

(2) The same action taken:

b) for two or more people;

c) knowingly against a minor or a pregnant woman or taking advantage of the victim's ill-known or obvious condition, which is due to advanced age, illness, disability or another factor;

e) with drugs or ethnobotanicals whose circulation for medicinal purposes is prohibited

is punishable by imprisonment from 2 to 7 years.

Article 218. Illegal prescription or violation

drug circulation rules

(1) Unnecessary prescription of drugs

shall be punished with a fine in the amount of 550 to 1150 conventional units or with imprisonment of up to 3 years, in both cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 5 years, and the legal person is punished with a fine in the amount of 2000 to 4000 conventional units with the deprivation of the right to exercise a certain activity.

(2) Falsifying the prescription or other documents that allow obtaining drugs

is punished with a fine in the amount of 550 to 750 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 1 year, and the legal person is punished with a fine in the amount of 4000 to 6000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

(3) The actions provided for in paragraph (1) or (2), carried out:

b) by two or more people;

c) with the aim of obtaining preparations or drugs in particularly large proportions,

are punished with a fine in the amount of 850 to 1350 conventional units or with imprisonment of up to 5 years, in both cases with (or without) deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 5 years, and the legal person is punished with a fine in the amount of 6000 to 11000 conventional units with the liquidation of the legal person.

(4) Violation of the established rules for the production, preparation, processing, procurement, keeping, records, release, alienation, distribution, transportation, dispatch, use, import, export, destruction of drugs or materials or equipment intended for the production or processing of drugs, cultivation of plants containing drugs, which caused their loss, performed by the person in the obligations created in compliance with the mentioned rules,

shall be punished with a fine in the amount of 650 to 950 conventional units or with imprisonment of up to 2 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a term of up to 5 years, and the legal person is punished with a fine in the amount of 3000 to 5000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal person.

(5) The actions provided for in paragraph (4), carried out out of material interest or which caused from recklessly harming the person's health or leading to the person's death,

are punished with a fine in the amount of 950 to 1350 conventional units or with imprisonment of up to 5 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 3 to 5 years, and the legal person is punished with a fine in the amount of 5000 to 7000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal person.

Article 219. Organization or maintenance of caves

for drug use or

ethnobotany

(1) Organization or maintenance of dens for the consumption of drugs or ethnobotany, as well as the provision of premises for these purposes,

they are punished with a fine in the amount of 550 to 1150 conventional units or with imprisonment of up to 4 years.

(2) The same actions carried out by an organized criminal group or a criminal organization

they are punished with a fine in the amount of 850 to 1350 conventional units or with imprisonment from 3 to 7 years.

Article 220. Pimping

(1) Inciting or encouraging prostitution or facilitating the practice of prostitution, or profiting from the practice of prostitution by another person, if the act does not meet the elements of human trafficking,

are punished with a fine in the amount of 650 to 1350 conventional units or with imprisonment from 2 to 5 years

(2) The same actions taken:

a) on two or more people;

b) on a pregnant woman;

c) by two or more people;

d) by a public person, by a person with a responsibility function, by a person with a public dignity function, by a foreign public person or an official

international with the use of the service situation

are punishable by imprisonment from 4 to 7 years.

(3) The same actions carried out by an organized criminal group or a criminal organization

are punishable by imprisonment from 5 to 10 years.

Article 2201 . Urging, determining, or facilitating

when providing online sexual services

(1) Encouraging, determining or facilitating the provision by another person of online sexual services consisting in the presentation of the person engaged in explicit sexual activities or in the representation of sexual organs, transmitted as video images through information technologies or electronic communications, for the purpose of obtaining direct or indirect income, if the act does not meet the elements of human trafficking or child pornography,

is punished with a fine in the amount of 650 to 3000 conventional units or with unpaid work for the benefit of the community from 160 to 200 hours, or with imprisonment of up to 2 years, and the legal person is punished with a fine in the amount of 2000 to 10,000 conventional units with the deprivation of the right to carry out a certain activity or with the liquidation of the legal entity.

(2) The same actions taken:

a) on a pregnant woman;

b) by two or more people;

c) on two or more people

are punished with a fine in the amount of 1000 to 5000 conventional units or with unpaid work for the benefit of the community from 200 to 240 hours, or with imprisonment of up to 3 years, and the legal person is punished with a fine in the amount of 2000 to 15,000 conventional units with the deprivation of the right to carry out a certain activity or with the liquidation of the legal entity.

(3) The actions provided for in paragraph (1) or (2), resulting in a profit in the proportions

increase,

are punished with a fine in the amount of 10,000 to 15,000 conventional units or with imprisonment of up to 4 years, and the legal person is punished with a fine in the amount of 20,000 to 40,000 conventional units with the deprivation of the right to carry out a certain activity or with liquidation of the legal entity.

(4) The actions provided for in para. (1) or (2), resulting in a proportionate profit particularly large,

are punished with a fine in the amount of 15,000 to 20,000 conventional units or with

imprisonment from 2 to 6 years, and the legal person is punished with a fine in the amount of 30,000 to 50,000 conventional units with the deprivation of the right to carry out a certain activity or with the liquidation of the legal person.

(5) The actions provided for in para. (1) or (2), committed by an organized criminal group or a criminal organization,

are punished with imprisonment from 3 to 7 years, and the legal person is punished with a fine in the amount of 40,000 to 60,000 conventional units or with the liquidation of the legal person.

Article 222. Desecration of graves and monuments

(1) Desecration by any means of a grave, a funerary or public monument, a funeral urn or a corpse, as well as the appropriation of objects that are in or on the grave,

they are punished with a fine in the amount of 750 to 950 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 2 years.

(2) The same actions taken:

a) by two or more people;

b) for prejudicial reasons,

c) causing large amounts of damage

they are punished with a fine in the amount of 1050 to 1250 conventional units or with unpaid work for the benefit of the community from 200 to 240 hours, or with imprisonment from 1 to 4 years.

Article 2221 . Cruelty to animals

(1) Cruel treatment or torture of animals that caused their mutilation or death

is punished with a fine in the amount of 500 to 750 conventional units or with unpaid work for the benefit of the community from 100 to 180 hours, or with imprisonment of up to 1 year.

(2) The same acts committed:

a) in public or in the presence of minors;

b) by a person responsible for the care, protection and well-being of animals, training or providing veterinary medical assistance;

c) for sadistic reasons

are punished with a fine in the amount of 750 to 1350 conventional units or with

unpaid work for the benefit of the community from 180 to 240 hours, or imprisonment from 1 to 3 years.

Chapter IX

ENVIRONMENTAL CRIMES

Article 223. Violation of environmental security requirements

(1) Violation of environmental safety requirements in the design, assessment, approval, location, construction, reconstruction, installation, liquidation, demolition or commissioning, as well as in the operation of waste management infrastructure, including hazardous waste, substances and products chemical, radioactive, of industrial, transport, hydrotechnical, agricultural, scientific, residential, educational, cultural, social or other objectives by the persons responsible for their compliance, if this caused damage in large proportions,

shall be punished with a fine in the amount of 650 to 950 conventional units or with imprisonment of up to 3 years, in both cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 3 years, and the legal person is punished with a fine in the amount of 2000 to 4000 conventional units with the deprivation of the right to exercise a certain activity for a period of up to 5 years or with the liquidation of the legal person.

(2) The facts provided for in paragraph (1), if they caused:

- a) exceeding the radiation level;
- b) damage to the health of the population;
- c) destruction of animals;
- d) damages in particularly high proportions,

are punished with a fine in the amount of 1000 to 2000 conventional units or with imprisonment from 2 to 5 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 5 years, and the legal person is punished with a fine in the amount of 4000 to 9000 conventional units with the deprivation of the right to exercise a certain activity for a period of 2 to 5 years or with the liquidation of the legal person.

(3) The facts provided for in paragraph (1) or (2), if they caused:

- a) the destruction of animals included in the Red Book of the Republic of Moldova;
- b) damage in the areas protected by the state,

are punished with a fine in the amount of 1500 to 2000 conventional units or with imprisonment from 3 to 5 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 5 years, and the legal person is punished with a fine in the amount of 6000 to 9000 conventional units with deprivation of

the right to exercise a certain activity for a period of 2 to 5 years or with the liquidation of the legal entity.

(4) The facts provided for in paragraph (1)(3), if they recklessly caused the death of the person,

are punished with a fine in the amount of 2000 to 3000 conventional units or with imprisonment from 2 to 5 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 5 years, and the legal person is punished with a fine in the amount of 7000 to 10000 conventional units with the deprivation of the right to exercise a certain activity for a period of 5 years or with the liquidation of the legal person.

Article 2231. Non-performance or performance

inappropriateness of the attributions

of compliance with the relevant legislation

to environmental protection

(1) Non-fulfilment or improper fulfillment by a public person or by a person with a public dignity function of the attributions and service obligations regarding compliance with the legislation on environmental protection, if this caused:

- a) soil, water, air pollution in proportions that exceed the admissible limits;
- b) depopulation or reduction through contamination of biodiversity;
- c) collapses and/or landslides;
- d) fires;
- e) damages in large proportions,

is punished with a fine in the amount of 1000 to 2000 conventional units or with imprisonment from 1 to 3 years, and the legal person is punished with a fine in the amount of 5000 to 7000 conventional units with the deprivation of the right to exercise a certain activity for a period of 2 to 5 years.

(2) The facts provided for in paragraph (1), if they caused:

- a) damages in particularly large proportions;
- b) death of the person due to imprudence,

are punished with a fine in the amount of 2000 to 3000 conventional units or with imprisonment from 2 to 5 years, and the legal person is punished with a fine in the amount of 7000 to 10000 conventional units with the deprivation of the right to exercise a certain activity for a period of 5 years or with the liquidation of the legal entity.

Article 224. Violation of management rules

of chemical substances and products,

of wastes, including those

dangerous and radioactive

(1) Violation of the established rules regarding the manufacture, import, export, storage, storage, burial, preservation, transportation or use, treatment and utilization of hazardous chemical substances and products, waste, including hazardous waste, if this has endangered the life or health of the population or if there was a danger of causing large amounts of damage,

is punished with a fine in the amount of 1000 to 1500 conventional units or with imprisonment of up to 3 years, and the legal person is punished with a fine in the amount of 5000 to 7000 conventional units with the deprivation of the right to exercise a certain activity for a period of up to 5 years.

(2) Violation of the established rules regarding the collection, transportation, recovery or disposal of waste, including hazardous waste, the control of these operations and the subsequent maintenance of disposal areas, if there was a danger of causing:

- a) damage to the health of the population;
- b) damage to air, soil, water quality;
- c) reduction of the animal and/or plant kingdom;
- d) damages in large proportions,

is punished with a fine in the amount of 1500 to 2000 conventional units or with imprisonment from 1 to 3 years, and the legal person is punished with a fine in the amount of 5000 to 7000 conventional units with the deprivation of the right to exercise a certain activity for a period of up to 5 years.

(3) The facts provided for in paragraph (1) or (2):

- a) erected in the area of a natural calamity;
- b) erected in a natural area protected by the state;
- c) resulting in the death of animals;
- d) which caused damages in particularly large proportions

are punished with a fine in the amount of 2000 to 3000 conventional units or with imprisonment from 1 to 4 years, and the legal person is punished with a fine in the amount of 6000 to 8000 conventional units with the deprivation of the right to exercise a certain activity for a period of 2 to 5 years or with the liquidation of the legal entity.

(4) The facts provided for in paragraph (1)(3) that recklessly caused the death of the person

are punished with imprisonment from 2 to 5 years, and the legal person is punished with a fine in the amount of 9000 to 12000 conventional units with the deprivation of the right to exercise a certain activity for a period of 5 years or with the liquidation of the legal person.

Article 225. Data retention or presentation

intentionally fake data

about environmental pollution

(1) Withholding of data or intentional presentation by a person with a responsibility function, by a public person or a person with a public dignity function or by a person who manages a commercial organization, obtains or another non-state organization of inauthentic data about accidents with environmental pollution, with radioactive, chemical, bacteriological or other dangerous consequences for the life or health of the population, as well as about the state of health of the population affected by the environmental pollution, if it recklessly caused:

a) damage to the health of the population;

b) the destruction of animals,

shall be punished with a fine in the amount of 1000 to 2000 conventional units or with imprisonment from 1 to 3 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years, and the legal person is punished with a fine in the amount of 5000 to 7000 conventional units with the deprivation of the right to exercise a certain activity for a period of up to 5 years.

(2) The same actions resulting in damages in particularly large proportions or in the death of the person due to imprudence

are punished with imprisonment from 2 to 5 years, and the legal person is punished with a fine in the amount of 7000 to 10000 conventional units with the deprivation of the right to exercise a certain activity for a period of 5 years or with the liquidation of the legal person.

Article 226. Non-fulfillment of liquidation obligations

of the consequences of environmental conflicts

(1) Evasion or improper fulfillment by a person with a responsibility function, by a public person or a person with a public dignity function or by a person who manages a commercial organization, obtain or other non-state organization of the liquidation obligations the consequences of environmental conflicts, if this caused imprudently:

a) damage to the health of the population;

b) the destruction of animals;

c) damages in large proportions,

is punishable by a fine in the amount of 1000 to 2000 conventional units or

with imprisonment from 1 to 3 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years, and the legal person is punished with a fine in the amount of 5000 to 7000 conventional units with the deprivation of the right to exercise a certain activity for a period of 2 to 5 years.

(2) The same acts resulting in damages in particularly large proportions or in the death of the person due to imprudence

are punished with imprisonment from 2 to 5 years, and the legal person is punished with a fine in the amount of 7000 to 10000 conventional units with the deprivation of the right to exercise a certain activity for a period of 5 years or with the liquidation of the legal person.

Article 227. Soil pollution

(1) Chemical, physical or biological pollution of the soil with dangerous products, including those resulting from economic or other activities, as a result of violating the rules and regulations for the management of chemical substances and dangerous chemical products, waste, products biocides, plant growth stimulants and other dangerous, radioactive or biological chemical substances during their transport, use or storage, in quantities and/or concentrations that changed the characteristics or properties of the soil, if this caused:

- a) damage to the health of the population;
- b) damages in large proportions;
- c) damage to the environment,

is punished with a fine in the amount of 1150 to 1850 conventional units or with imprisonment of up to 4 years, and the legal person is punished with a fine in the amount of 5000 to 7000 conventional units with the deprivation of the right to exercise a certain activity for a period of up to 5 years.

(2) The facts provided for in paragraph (1) soldiers with:

- a) damages in particularly large proportions;
- b) death of the person due to imprudence

are punished with a fine in the amount of 2000 to 3000 conventional units or with imprisonment from 2 to 5 years, and the legal person is punished with a fine in the amount of 8000 to 10000 conventional units with the deprivation of the right to exercise a certain activity for a period of 2 to 5 years or with the liquidation of the legal entity.

Article 2271. Unauthorized exploitation of the soil

(1) Illegal exploitation of the soil, manifested by compaction, uncovering, mixing or manufactured or natural mixture that contributes to the morphological modification of the soil, resulting in the decrease of fertility, if this caused:

- a) environmental damage whose value is greater than or equal to 500 units

conventional;

- b) erosion, collapse or landslides;
- c) damages in large proportions,

is punished with a fine in the amount of 850 to 1350 conventional units or with imprisonment of up to 4 years, and the legal person is punished with a fine in the amount of 3000 to 5000 conventional units with the deprivation of the right to exercise a certain activity for a period of up to 5 years or with the liquidation of the legal entity.

(2) The facts provided for in paragraph (1) Soldiers:

- a) with damages in particularly high proportions;
- b) with the death of the person due to imprudence

are punished with a fine in the amount of 2000 to 3000 conventional units or with imprisonment from 2 to 5 years, and the legal person is punished with a fine in the amount of 8000 to 10000 conventional units with the deprivation of the right to exercise a certain activity for a period of 2 to 5 years or with the liquidation of the legal entity.

Article 228. Violation of basement protection requirements

(1) Violation of the requirements for the protection of the subsoil, deposits of useful mineral substances or other resources of the subsoil, as well as unauthorized underground constructions or unauthorized storage of waste on lands with deposits of useful mineral substances, including the discharge of polluting substances into the subsoil, if they caused extensive damage,

are punished with a fine in the amount of 1150 to 1850 conventional units or with imprisonment of up to 3 years, and the legal person is punished with a fine in the amount of 5000 to 7000 conventional units with the deprivation of the right to exercise a certain activity for a period of up to 5 years.

(2) The facts provided for in paragraph (1), if they caused:

- a) landslides or landslides;
- b) groundwater pollution;
- c) damages in particularly large proportions;
- d) death of the person due to imprudence,

are punished with a fine in the amount of 2000 to 3000 conventional units or with imprisonment from 2 to 5 years, and the legal person is punished with a fine in the amount of 8000 to 10000 conventional units with the deprivation of the right to exercise a certain activity for a period of 2 to 5 years or with the liquidation of the legal entity.

Article 2281. Illicit use of the basement

(1) Illegal use and/or unauthorized exploitation of the underground, i.e. extracting and/or stealing deposits of useful mineral substances and/or useful mineral substances in the absence of permissive acts, by violating the limits of the mining perimeter, by carrying out works contrary to the coordinated technical projects and approved technological schemes, mining development plans, land recultivation projects and change of destination, in violation of the technical project, in violation of the technological scheme, as well as by unauthorized storage of waste above the deposits of useful mineral substances and/or substances useful minerals, if this has caused damage in large proportions,

are punished with a fine in the amount of 800 to 1500 conventional units or with imprisonment from 1 to 3 years, and the legal person is punished with a fine in the amount of 5000 to 7000 conventional units with the deprivation of the right to exercise a certain activity for a period of up to 5 years.

(2) The actions provided for in para. (1), if they caused:

- a) landslides or large-scale landslides of the land;
- b) pollution of underground water and the basement;
- c) damages in particularly large proportions;
- d) death of the person due to imprudence;
- e) damage to the environment,

are punished with a fine in the amount of 1350 to 2350 conventional units or with imprisonment from 2 to 5 years, and the legal person is punished with a fine in the amount of 8000 to 10000 conventional units with the deprivation of the right to exercise a certain activity for a period of 2 to 5 years or with the liquidation of the legal entity.

(3) The actions provided for in para. (1) or (2):

- a) committed by an organized criminal group or a criminal organization;
- b) resulting in the death of two or more people

are punished with a fine in the amount of 2000 to 3000 conventional units and/or with imprisonment from 3 to 7 years, and the legal person is punished with a fine in the amount of 9000 to 12000 conventional units with the deprivation of the right to exercise a certain activity for a period of 7 years or with the liquidation of the legal entity.

Article 229. Water pollution

(1) Pollution of surface or underground waters with waste water or other waste from enterprises, institutions and industrial, agricultural, communal or other organizations, exceeding the microbiological and chemical parameters and/or the maximum admissible concentrations of pollutants,

is punishable by a fine in the amount of 1000 to 2000 conventional units or

with imprisonment of up to 3 years, and the legal person is punished with a fine in the amount of 2000 to 4000 conventional units with the deprivation of the right to exercise a certain activity for a period of up to 5 years.

(2) The facts provided for in paragraph (1), if they created the danger of causing:

- a) damage to the health of the population;
- b) the destruction of animals;
- c) damages in large proportions;
- d) damage to the environment,

are punished with a fine in the amount of 2000 to 3000 conventional units or with imprisonment from 1 to 3 years, and the legal person is punished with a fine in the amount of 5000 to 7000 conventional units with the deprivation of the right to exercise a certain activity for a period of 2 to 5 years.

(3) The facts provided for in paragraph (1) or (2) which caused:

- a) damages in particularly large proportions;
- b) death of the person due to imprudence

are punished with imprisonment from 2 to 5 years, and the legal person is punished with a fine in the amount of 9000 to 12000 conventional units with the deprivation of the right to exercise a certain activity for a period of 5 years or with the liquidation of the legal person.

Article 2291. Blocking or illegal modification of the water course

(1) Blocking or modifying the course of water that flows naturally, over a length of more than 10 km, if there was a danger of causing:

- a) drying up, totally or partially, of one or more bodies of water;
- b) reducing the volume of water that would affect the population's water supply, animal watering and/or irrigation;
- c) reduction of the animal and/or plant kingdom;
- d) damages in large proportions;
- e) damage to the environment,

is punished with a fine in the amount of 1000 to 2000 conventional units or with imprisonment of up to 3 years, and the legal person is punished with a fine in the amount of 5000 to 7000 conventional units with the deprivation of the right to exercise a certain activity for a period of up to 5 years.

(2) The actions provided for in para. (1), if there was a danger of causing:

- a) landslides and/or landslides;

b) death of the person due to imprudence;

c) damages in particularly large proportions,

are punished with a fine in the amount of 2000 to 3000 conventional units or with imprisonment from 1 to 3 years, and the legal person is punished with a fine in the amount of 7000 to 9000 conventional units with the deprivation of the right to exercise a certain activity for a period of 2 to 5 years.

(3) The actions provided for in para. (1) or (2) that caused the death of the person due to imprudence

are punished with imprisonment from 2 to 5 years, and the legal person is punished with a fine in the amount of 9000 to 12000 conventional units with the deprivation of the right to exercise a certain activity for a period of 5 years or with the liquidation of the legal person.

Article 2292. Unauthorized use of water

(1) Unauthorized use of water, if there was a danger of causing damage to the environment,

is punished with a fine in the amount of 1150 to 1850 conventional units or with imprisonment from 1 to 3 years, and the legal person is punished with a fine in the amount of 5000 to 7000 conventional units with the deprivation of the right to exercise a certain activity for a period of 2 to 5 years.

(2) Unauthorized use of water, if this caused:

a) landslides and/or landslides;

b) drying up, totally or partially, of one or more bodies of water;

c) death of the person due to imprudence;

d) damages in particularly high proportions,

is punished with a fine in the amount of 2000 to 3000 conventional units or with imprisonment from 2 to 5 years, and the legal person is punished with a fine in the amount of 8000 to 10000 conventional units with the deprivation of the right to exercise a certain activity for a period of 5 years or with the liquidation of the legal entity.

Article 230. Atmospheric air pollution

(1) Atmospheric air pollution as a result of exceeding the limited admissible emissions and/or the maximum admissible concentrations, as a result of the emission or evacuation of pollutants into the atmosphere or the violation of the operating rules or as a result of the non-use of equipment, apparatus, purification installations and control of emissions into the atmosphere, if there was a danger of causing damage to the environment or the health of the population,

is punished with a fine in the amount of 850 to 1500 conventional units or with imprisonment of up to 2 years, and the legal person is punished with a fine in the amount of 2000 to 4000 conventional units with the deprivation of the right to exercise a certain activity.

(2) The facts provided for in paragraph (1), if they caused:

- a) destruction of animals;
- b) damages in large proportions;
- c) depopulation and/or contamination of flora, fauna, biodiversity;
- d) damage to the population's health,

are punished with a fine in the amount of 1350 to 2350 conventional units or with imprisonment from 1 to 3 years, and the legal person is punished with a fine in the amount of 3000 to 5000 conventional units with the deprivation of the right to exercise a certain activity for a period of 2 to 5 years.

(3) The facts provided for in paragraph (1) soldiers with:

- a) damages in particularly large proportions;
- b) death of the person due to imprudence

are punished with a fine in the amount of 2000 to 3000 conventional units or with imprisonment from 2 to 5 years, and the legal person is punished with a fine in the amount of 8000 to 10000 conventional units with the deprivation of the right to exercise a certain activity for a period of 5 years or with the liquidation of the legal entity.

Article 231. Illegal cutting of forest vegetation

(1) Cutting, breaking or uprooting trees or shrubs from the forest floor, forest vegetation outside the forest floor or green spaces, as well as cutting forest vegetation outside the forest floor or green spaces:

- a) in proportions exceeding 500 conventional units;
- b) by persons in a position of responsibility, public persons or persons responsible for the protection and guarding of forest vegetation,

shall be punished with a fine in the amount of 850 to 1350 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 3 years, in all cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 3 years, and the legal person is punished with a fine in the amount of 2000 to 4000 conventional units with the deprivation of the right to exercise a certain activity for a period of up to 5 years.

(2) The same actions carried out in large proportions

are punished with a fine in the amount of 1350 to 2000 conventional units or with imprisonment from 2 to 5 years, with the deprivation of the right to hold certain positions or to exercise a certain activity for a term of up to 5 years, and the legal person is punished with a fine in the amount of 4000 to 8000 conventional units with the deprivation of the right to exercise a certain activity for a period of 2 to 5 years.

(3) The actions provided for in para. (1) raised in particularly large proportions

are punished with a fine in the amount of 2000 to 3000 conventional units or with imprisonment from 3 to 7 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 5 years, and the legal person is punished with a fine in the amount of 8000 to 10000 conventional units with the deprivation of the right to exercise a certain activity for a period of 5 years.

(4) Illegal cutting of forest vegetation from natural areas protected by the state, if this caused damage whose value is greater than or equal to 250 conventional units,

shall be punished with a fine in the amount of 2000 to 3000 conventional units or with imprisonment from 3 to 5 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 5 years, and the legal person is punished with a fine in the amount of 6000 to 9000 conventional units with the deprivation of the right to exercise a certain activity for a period of 5 years.

Article 2311. Decreasing the areas of the forest fund

Illegal use of forest fund land and forest vegetation outside the forest fund through unauthorized occupation, in whole or in part, reduction, fragmentation, diminution of land in green areas, including green spaces, protection areas and sanitary areas, as well as forest fund lands and waterbed lands,

is punished with a fine in the amount of 850 to 1350 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 5 years, and the legal person is punished with a fine in the amount of 2500 to 4000 conventional units, in both cases with the deprivation of the right to exercise a certain activity for a period of 2 to 5 years.

Article 232. Destruction or damage to forest massifs

(1) Destruction or damage in proportions exceeding 500 conventional units of forest massifs and/or forestry sectors and green spaces, protection zones and sanitary zones

is punished with a fine in the amount of 550 to 950 conventional units or with unpaid work for the benefit of the community from 120 to 240 hours, or with imprisonment of up to 3 years, and the legal person is punished with a fine in the amount of 2000 to 4000 conventional units with the deprivation of the right to exercise a certain activity for a term of up to 5 years.

(2) The actions provided for in para. (1) raised in large proportions

are punished with a fine in the amount of 1000 to 2000 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment from 3 to 5 years, and the legal person is punished with a fine in the amount of 4000 to 7000 conventional units with the deprivation of the right to exercise a certain activity for a period of 2 to 5 years or with the liquidation of the legal entity.

(3) The actions provided for in para. (1) raised in particularly large proportions

are punished with a fine in the amount of 2000 to 3000 conventional units or with imprisonment from 3 to 7 years, and the legal person is punished with a fine in the amount of 7000 to 10000 conventional units with the deprivation of the right to exercise a certain activity for a period of 5 years or with the liquidation of the legal entity.

(4) The actions provided for in para. (1) raised in the natural areas protected by the state

are punished with a fine in the amount of 2000 to 3000 conventional units or with imprisonment from 3 to 7 years, and the legal person is punished with a fine in the amount of 7000 to 10000 conventional units with the deprivation of the right to exercise a certain activity for a period of 5 years or with the liquidation of the legal entity.

Article 233. Illegal hunting

(1) Hunting without the appropriate authorization, either during the prohibited period, or in prohibited places, or with non-permitted tools and methods (poaching), if it caused damage exceeding 200 conventional units,

is punished with a fine in the amount of 550 to 850 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 3 years, and the legal person is punished with a fine in the amount of 2000 to 4000 conventional units with the deprivation of the right to exercise a certain activity.

(2) The same action performed by a responsible person, by a person publicly or by a person with a public dignified function using the service situation

is punished with a fine in the amount of 700 to 1000 conventional units or with the deprivation of the right to occupy certain positions for a term of up to 3 years, or with imprisonment from 3 to 5 years.

Article 234. Illegal fishing,

hunting or with other water exploitations

Illegal fishing, hunting or other water exploitation, with the use of explosive and poisonous materials or other means of mass destruction of fauna, if this has caused damage exceeding 200 conventional units,

is punished with a fine in the amount of 550 to 1050 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 1 year, and the legal person is punished with a fine in the amount of 2000 to 4000 conventional units with the deprivation of the right to exercise a certain activity.

Article 235. Violation of the administration regime

and protection of the fund of natural areas

protected by the state

Violation of the administration and protection regime of the fund of natural areas protected by

state, if this creates the danger of causing damage in large proportions or has caused damage in large proportions,

shall be punished with a fine in the amount of 850 to 1350 conventional units or with imprisonment of up to 3 years, in both cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 3 to 5 years, and the legal person is punished with a fine in the amount of 2000 to 4000 conventional units with the deprivation of the right to exercise a certain activity.

Chapter X

ECONOMIC CRIMES

Article 236. Manufacturing or putting into circulation

of false bank marks or titles

of false value

(1) Manufacturing for the purpose of putting into circulation or putting into circulation the banknotes and metallic coins, including jubilee and commemorative ones, issued by the National Bank of Moldova or by the authorized body of a foreign state or of a monetary union of states (strine), of state securities or other false securities, used to make the folds,

is punished with imprisonment from 5 to 10 years, and the legal person is punished with a fine in the amount of 2000 to 5000 conventional units with the deprivation of the right to exercise a certain activity.

(2) The same actions taken:

b) by an organized criminal group or a criminal organization;

c) in particularly large proportions,

are punished with imprisonment from 7 to 15 years, and the legal person is punished with a fine in the amount of 4000 to 7000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal person.

Article 237. Manufacturing or putting into circulation

of cards or other instruments

of false value

(1) Manufacturing for the purpose of putting into circulation or putting into circulation cards, meal vouchers or other false payment instruments, which do not represent banknotes or securities, but which confirm, establish or grant patrimonial rights or obligations,

shall be punished with a fine in the amount of 550 to 1050 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment for

to 5 years, and the legal person is punished with a fine in the amount of 2000 to 4000 conventional units with the deprivation of the right to exercise a certain activity.

(2) The same actions taken:

b) by an official or other employee in the exercise of the function;

c) by an organized criminal group or a criminal organization;

d) in particularly large proportions

are punished with imprisonment from 4 to 8 years, and the legal person is punished with a fine in the amount of 4000 to 7000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal person.

Article 238. Acquisition of credit, loan or

insurance compensation/indemnity

by ingenuity

(1) Knowingly presenting false information for the purpose of obtaining a credit, loan or compensation / insurance indemnity or increasing their amount, or obtaining a credit or loan under advantageous conditions, if by this they were caused to the financial institution, financial organization non-bank, the savings and loan association or the damage insurer in amounts greater than or equal to 500 conventional units,

is punished with a fine in the amount of 1850 to 3350 conventional units or with imprisonment from 2 to 6 years, and the legal person is punished with a fine in the amount of 2000 to 4000 conventional units with the deprivation of the right to exercise a certain activity.

(2) Those actions that caused damages in particularly large proportions,

are punished with a fine from 2350 to 3350 conventional units or with imprisonment from 3 to 8 years with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 5 years, and the legal person is punished with a fine in the amount of 4000 to 7000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

Article 239. Violation of lending rules,

lending policies

or the rules for granting compensation

/ insurance compensation

(1) Granting a credit, loan or compensation / insurance indemnity with the intentional violation of the law, lending rules, lending policies or financial prudential rules, if thereby they were caused to the financial institution, non-banking financial organization, association of savings and loan or to the damage insurer in amounts greater than or equal to 500 conventional units,

shall be punished with a fine in the amount of 1350 to 2350 conventional units or with imprisonment of up to 2 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a term of up to 5 years.

(2) Those actions which:

a) they caused the financial institution, the savings and loan association, the organization non-bank financial or damage insurers in particularly large proportions;

b) led to the insolvency of the financial institution, the savings and loan association, the non-banking financial organization or the insurer,

are punished with a fine in the amount of 2350 to 3350 conventional units or with imprisonment from 2 to 7 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 5 years .

Article 2391 . Defective or fraudulent management

of the bank, of the investment company, a

insurance companies

(1) Failure to undertake the necessary actions provided for by law, by the Bank's decisions of Moldova, by the decisions of the National Commission of the Financial Market, by the statute of the bank, by the statute of the investment company, of the insurance company, in the event of recording financial losses or the existence of the danger of such losses, by the members of the management bodies, the shareholders, the beneficial owners and the affiliated persons of the shareholders and beneficial owners,

shall be punished with a fine in the amount of 750 to 1150 conventional units or with imprisonment of up to 1 year, in both cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to at 3 years.

(2) Falsification or destruction of bank documents, misleading, presentation or use of false data, distortion or withholding of truthful data by the persons provided for in paragraph. (1), in the process of administering the bank, the investment company, the insurance company,

are punished with a fine in the amount of 850 to 1350 conventional units or with imprisonment of up to 3 years, in both cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years.

(3) The actions taken or the omissions admitted, provided for in art. 238, 239 and 2391, by the members of the bank's management bodies, the bank's shareholders, the beneficial owners of the bank's shareholders, as well as the affiliated persons of the shareholders and beneficial owners, which led to the bank's insolvency or the initiation of its resolution process, as is provided for in the Law on the recovery and resolution of banks, including as a result of the insolvency of the parent entity,

are punished with a fine in the amount of 1000 to 2000 conventional units or with imprisonment of up to 6 years, in both cases with (or without) the deprivation of the right to occupy

certain functions or to exercise a certain activity for a period of 2 to 5 years.

(4) For the purposes of this article, the term affiliated person will have the meaning provided for in art. 31 of the Financial Institutions Law no. 550-XIII of July 21, 1995.

Article 2392 . Obstruction of banking supervision

Committing by the shareholder, administrator or any other bank employee of one of the following acts:

a) does not respond to the information requests of the National Bank of Moldova, in the manner provided for by this, for the purpose of exercising its powers provided for by law;

b) submits erroneous reports or information to the National Bank of Moldova, does not ensure the implementation of corrective, remedial measures or restrictions imposed by the Bank National of Moldova;

c) prevent the National Bank of Moldova from carrying out inspections or checks the auditor or refusal to present the necessary documents for inspections and checks;

d) obstructs in any other way the exercise of supervision by the National Bank of Moldova,

is punishable by a fine from 750 to 1150 conventional units or by imprisonment at 6 months to 1 year.

Article 240. Use of means contrary to their intended purpose

from internal loans or funds

outer

(1) The use contrary to the intended purpose of the means from internal loans or from external funds, if the act does not constitute evasion,

is punished with a fine in the amount of 3000 to 4000 conventional units or with imprisonment of up to 3 years, and the legal person is punished with a fine in the amount of 4000 to 5000 conventional units with the deprivation of the right to exercise a certain activity for a period of up to 3 years.

(2) The use of subsidies, donations or humanitarian aid against the intended purpose in large proportions, if the act does not constitute evasion,

is punished with a fine in the amount of 4000 to 5000 conventional units or with imprisonment from 2 to 6 years, in both cases with the deprivation of the right to hold certain positions for a period of 2 to 5 years, and the legal entity punishment with a fine in the amount of 5000 to 6000 conventional units with deprivation of the right to exercise a certain activity for a period of 2 to 5 years.

(3) The contrary use of internal loans, grants, credits, such as external loans, in large proportions, if the act does not constitute evasion,

is punished with a fine in the amount of 5000 to 6000 conventional units or with imprisonment from 3 to 6 years, in both cases with the deprivation of the right to hold certain positions for a period of 3 to 6 years, and the legal entity punishable by a fine in the amount of 6000 to 7000 conventional units with the deprivation of the right to exercise a certain activity for a period of 3 to 5 years or with the liquidation of the legal entity.

(4) The actions provided for in para. (2) and (3) whistled:

a) - **repealed**;

b) in particularly large proportions;

c) by a public person, by a person with a responsibility function, by a person with a public dignity function, by a foreign public person or by an international official using the service status

are punished with a fine in the amount of 6000 to 8000 conventional units or with imprisonment from 6 to 10 years, in both cases with the deprivation of the right to hold certain positions for a period of 4 to 7 years, and the legal person punishable by a fine in the amount of 7000 to 9000 conventional units with the deprivation of the right to exercise a certain activity for a period of 4 to 5 years or with the liquidation of the legal entity.

Article 241. Illegal practice of the activity

of entrepreneur

(1) Illegal practice of the activity of an entrepreneur, resulting in the obtaining of a profit in large proportions, accomplished by:

a) carrying out the activity without registration (re-registration), mandatory license and/or without authorization, according to the law, for carrying out the activity in question;

b) carrying out some types of activity prohibited by law,

is punished with a fine in the amount of 1350 to 2350 conventional units or with unpaid work for the benefit of the community for up to 200 hours, and the legal person is punished with a fine in the amount of 2000 to 4000 conventional units with deprivation of the right to to exercise a certain activity.

(2) The same action taken:

b) by two or more people;

c) with the use of the service situation;

f) with obtaining a profit in particularly high proportions

is punished with a fine in the amount of 2350 to 3350 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, and the legal person is punished with a fine in the amount of 4000 to 6000 conventional units with deprivation of the right to to exercise a certain activity or with the liquidation of the legal entity.

Article 2411 . Illegal practice of financial activity

(1) Practicing financial activity without registration and/or without authorization (licensing), in the manner provided by the law, if it caused damage in large proportions

is punishable by a fine from 1000 to 1500 conventional units.

(2) The same action that caused particularly large damages is punishable by a fine in the amount of 1700 to 2700 conventional units or by imprisonment from 2 to 5 years.

Article 242. Pseudo-activity as an entrepreneur

Pseudo-entrepreneurial activity, i.e. the creation of enterprises without the intention of carrying out entrepreneurial or banking activity to cover the types of illicit entrepreneurial activity, if this has caused large amounts of damage,

is punished with a fine in the amount of 2025 to 3525 conventional units or with imprisonment of up to 3 years, and the legal person is punished with a fine in the amount of 2000 to 4000 conventional units with the deprivation of the right to exercise a certain activity.

Article 2421 . Handling an event

(1) Encouraging, influencing or instructing a participant in a sports event or a betting event to undertake actions that would produce a vitiated effect on the respective event, with the aim of obtaining goods, services, privileges or advantages in any form, which they are not due to him, for himself or for another person,

shall be punished with a fine from 2350 to 4350 conventional units or with imprisonment from 1 to 3 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 3 years, and the legal person is punished with a fine from 6000 to 9000 conventional units with the deprivation of the right to exercise a certain activity.

(2) The same actions performed by a coach, an agent of the athlete, a member of the jury, a sports club owner or a person who is part of the management of a sports organization

are punished with a fine from 3350 to 5350 conventional units or with imprisonment from 2 to 6 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 4 to 7 years .

Article 2422 . Fixed bets

(1) Betting on a sports event or another betting event or informing other people about the existence of an agreement regarding the rigging of that event with the intention of causing them to participate in the respective bet, made by a person who knows with certainty about the existence of an understanding regarding the rigging of that event,

is punished with a fine from 2350 to 4350 conventional units, and the person

legally punishable with a fine from 6000 to 8000 conventional units with the deprivation of the right to exercise a certain activity.

(2) The actions provided for in para. (1):

- a) committed by an organized criminal group or a criminal organization;
- b) which caused damages in particularly high proportions,

are punished with a fine from 3350 to 5350 conventional units or with imprisonment of up to 3 years, and the legal person is punished with a fine from 9000 to 11000 conventional units with the deprivation of the right to exercise a certain activity.

Article 2423 . Violation of the legislation regarding the organization

and running games of chance which

constitutes a state monopoly

(1) The organization and performance on the territory of the Republic of Moldova of activities in the field of gambling that constitute a state monopoly, by unauthorized persons, as well as any actions of import, promotion, support, intermediation, facilitation or encouragement of these activities, including the provision of payment services or electronic payment under the conditions of Law no. 114/2012 regarding payment services and electronic currency in favor of persons not authorized to organize and carry out gambling activities on the territory of the Republic of Moldova, which constitute a state monopoly,

are punished with a fine in the amount of 2000 to 4000 conventional units, and the legal person is punished with a fine in the amount of 6000 to 8000 conventional units with the deprivation of the right to exercise a certain activity.

(2) The actions provided for in para. (1):

- a) carried out by two or more people;
- b) resulting in obtaining a profit in large proportions,

are punished with a fine in the amount of 2,500 to 6,000 conventional units or with imprisonment of up to 2 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a term of up to 3 years, and the legal entity is punished with a fine ranging from 4000 to 7500 conventional units.

(3) The actions provided for in para. (1):

- a) resulting in obtaining a profit in particularly large proportions;
- b) committed by an organized criminal group or a criminal organization;
- c) committed for the purpose of money laundering or terrorism financing,

are punished with a fine in the amount of 6500 to 9000 conventional units or with imprisonment of up to 5 years, in both cases with the deprivation of the right to occupy certain

office or to exercise a certain activity for a period of up to 5 years, and the legal person is punished with a fine in the amount of 8000 to 10000 conventional units.

Article 243. Money laundering

(1) Money laundering through:

a) the conversion or transfer of assets by a person who knows or should have known that they constitute illicit income, in order to keep or disguise the illicit origin of the assets or to help any person, involved in the commission of the main crime, to avoid the legal consequences of these actions;

b) keeping or disguising the nature, origin, location, disposition, transmission, movement of the real property of goods or related rights by a person who knows or should have known that they constitute illicit income;

c) the acquisition, possession or use of assets by a person who knows or should have known that they constitute illegal income;

d) participation in any association, understanding, complicity by providing assistance, help or advice in order to commit the actions provided for in letters a)-c)

shall be punished with a fine in the amount of 2350 to 4350 conventional units or with imprisonment of up to 6 years, in both cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a period of from 2 to 5 years, with a fine, applied to the legal entity, from 10,000 to 13,000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

(2) The same actions taken:

b) - **repealed**;

c) with the use of the service situation

are punished with a fine in the amount of 4350 to 7350 conventional units or with imprisonment from 4 to 7 years, with a fine, applied to the legal person, in the amount of 14000 to 18000 conventional units with the deprivation of the right to exercise certain activities or with the liquidation of the legal entity.

(3) The actions provided for in paragraph (1) or (2), carried out:

a) by an organized criminal group or a criminal organization;

b) in particularly large proportions,

are punished with imprisonment from 5 to 10 years, with a fine in the amount of 13,000 to 20,000 conventional units, and the legal person is punished with a fine in the amount of 40,000 to 60,000 conventional units or with the liquidation of the legal entity.

(4) Acts committed outside the territory of the country also constitute illegal actions if they contain the constituent elements of a crime in the state where they were committed and can constitute the constituent elements of a crime committed on the territory of the Republic of Moldova.

Article 244. Tax evasion of enterprises,

institutions and organizations

(1) Tax evasion of enterprises, institutions and organizations by intentionally including in the accounting, fiscal and/or financial documents, including electronic ones, clearly distorted data on income or expenses that are not based on real operations or that are based on operations that did not exist, either through the intentional keeping of taxable objects, accounting, fiscal and/or financial documents, if the cumulative amount of the tax, the tax provided for by the Fiscal Code, the mandatory state social insurance contribution or the mandatory assistance insurance premium medical related to a fiscal year exceeding 50 average monthly wages for the forecasted economy, established by the Government decision in force at the time of the act,

shall be punished with a fine in the amount of 9000 to 13000 conventional units or with imprisonment of up to 6 years, with the deprivation of the right to hold certain positions or to exercise a certain activity for a term of up to 5 years, and the person legally punishable by a fine in the amount of 15,000 to 20,000 conventional units with the deprivation of the right to exercise a certain activity.

(2) The same action:

b) if the cumulative amount of the tax, the tax provided for by the Fiscal Code, the mandatory state social insurance contribution or the mandatory medical assistance insurance premium related to a fiscal year exceeds 100 average monthly wages for the forecasted economy, established by the Government decision in force at the time of the act,

shall be punished with a fine in the amount of 13,000 to 20,000 conventional units or with imprisonment of 3 to 7 years with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years, and the legal person is punished with a fine in the amount of 20,000 to 40,000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal person.

Article 2441 . Tax evasion of natural persons

(1) Tax evasion of natural persons who do not practice entrepreneurial activity by evading the presentation of the income tax declaration or by including distorted data in the declaration, if the amount of income tax that had to be paid exceeds 2500 units conventional,

is punishable by a fine in the amount of 5000 to 9000 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours.

(2) The same action that led to the non-payment of the tax in particular proportions

increase

shall be punished with a fine in the amount of 9000 to 13000 conventional units or with imprisonment of up to 1 year.

Article 2442 . Manipulation on the natural gas market

take electricity

Manipulation action on the natural gas and electricity market through at least one of the following methods, if this has caused particularly large damages:

a) making a transaction or issuing a trading order with wholesale energy products that offers or is likely to offer false or misleading indications regarding the supply, demand or price of wholesale energy products;

b) carrying out a transaction or issuing a transaction order with wholesale energy products that establishes or attempts to establish, artificially, through the action of one or more persons acting in concert, the price of one or more energy products wholesale;

c) making a transaction or issuing a transaction order with wholesale energy products that uses a fictitious instrument or another form of deception or abuse of trust, which transmits or is likely to transmit false or misleading information regarding the offer, request or the price of wholesale energy products;

d) the dissemination, through the means of mass communication, including the Internet, or through any other means, of information that offers or is likely to offer false messages regarding the supply, demand or price of wholesale energy products, if the person who disseminated the information he knew or should have known was false,

shall be punished with a fine in the amount of 2350 to 3350 conventional units or with imprisonment of up to 3 years, in both cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a period of to 2 to 5 years, and the legal person is punished with a fine in the amount of 5000 to 7000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal person.

Article 2443 . Abusive use of information

privileged on the natural gas market

The use by any person of privileged information with the intention of acquiring or acquiring, directly or indirectly, for himself or for a third person, wholesale energy products to which this information refers, if this has caused damages in particularly large proportions ,

shall be punished with a fine in the amount of 1350 to 3350 conventional units or with imprisonment of up to 2 years, in both cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a period of from 2 to 5 years, and the legal person is punished with a fine in the amount of 4000 to 7000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal person.

Article 245. Abuses when issuing instruments

Finance

(1) Inclusion in the issue prospectus or in other documents, on the basis of which the issue of financial instruments is registered, of inauthentic or misleading information, knowingly approving the issue prospectus containing inauthentic or misleading information, as well as the approval of the obviously inauthentic emission results, if these actions have caused large amounts of damage,

are punished with a fine in the amount of 3000 to 6000 conventional units or with imprisonment of up to 3 years, in both cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 5 years, and the legal person is punished with a fine in the amount of 2000 to 4000 conventional units with the deprivation of the right to exercise a certain activity.

(2) The same actions:

b) whistled by two or more people;

c) which caused damages in particularly large proportions

are punished with a fine in the amount of 2350 to 3350 conventional units or with imprisonment from 1 to 6 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 5 years, and the legal person is punished with a fine in the amount of 4000 to 7000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal person.

Article 2451 . Manipulation on the capital market

(1) Manipulation actions on the capital market through at least one of the following actions, if this caused large amounts of damage:

a) transactions or trading orders that offer or may offer false or misleading information regarding the demand, offer or price of financial instruments, or that, through the action of one or more persons acting in concert, influence the setting of the price one or more financial instruments at an abnormal or artificial level;

b) making fictitious or fraudulent transactions;

c) application of fictitious trading orders;

d) broadcasting and/or spreading, through mass media, including the Internet or any other means, information that provides or may provide false indications about financial instruments, if the person who disseminated the information knew or should have known that the information in question is false,

are punished with a fine in the amount of 1350 to 2350 conventional units or with imprisonment of up to 3 years, in both cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 2 years, and the legal person is punished with a fine in the amount of 3000 to 5000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal person.

(2) Those actions that caused damages in particularly large proportions,

are punished with a fine in the amount of 2350 to 3350 conventional units or with imprisonment from 1 to 6 years, in both cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a period of from 2 to 5 years, and the legal person is punished with a fine in the amount of 5000 to 7000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal person.

Article 2452 . Violation of the legislation when entering the register

to the holders of securities/units

background

(1) Allowing unauthorized persons access to the data from the accounts of the holders of securities/fund units and/or the intentional inclusion in the accounts of the holders of securities/fund units of inauthentic, distorted, false information, followed by the transfer of the right of ownership to a another person and/or the release by the entity that keeps records of the holders of securities of the list of shareholders in other cases than those provided by the legislation, and/or the refusal to release the list of shareholders, the account statement, and/or the use of the list of shareholders by any person for the purpose of acquiring or acquiring shares of the company, if these actions have caused damages in large proportions,

shall be punished with a fine in the amount of 1350 to 2350 conventional units or with imprisonment of up to 3 years, in both cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to to 5 years, and the legal person is punished with a fine in the amount of 2000 to 4000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal person.

(2) Those reckless actions, which caused particularly large damages,

shall be punished with a fine of up to 500 conventional units or with imprisonment of up to 2 years.

(3) The actions described in paragraph (1):

b) which caused damage in particularly large proportions,

shall be punished with a fine in the amount of 2350 to 3350 conventional units or with imprisonment from 1 to 6 years, in both cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 5 years, and the legal person is punished with a fine in the amount of 4000 to 7000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal person.

Article 2453 . Abusive use of information

privileged on the capital market

(1) The use by any person of privileged information with the intention of acquiring or expropriating, on his own account or on the account of a third person, directly or indirectly, financial instruments to which this information refers, if these actions have caused damages in the proportions large, is punished with a fine in the amount of 1350 to 2350 conventional units or with imprisonment of up to 2 years, in both cases with (or without) the deprivation of holding certain positions or exercising a certain activity for a period of up to 5 years, and the legal person is punished with a fine in the amount of 3000 to 5000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal person.

(2) The same actions:

followed by the acquisition or disposal of financial instruments; which caused damage in particularly large proportions,

are punished with a fine in the amount of 1350 to 3350 conventional units or with imprisonment from 1 to 6 years, in both cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a period of from 2 to 5 years, and the legal person is punished with a fine in the amount of 4000 to 7000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal person.

Article 2454 . Violation of the provisions regarding

to the way of concluding some transactions

with the goods of the commercial company

(1) Violation of the manner of concluding large-scale transactions and/or transactions with a conflict of interest within the commercial company, if these actions caused large-scale damages,

shall be punished with a fine of up to 3000 conventional units or with imprisonment of up to 2 years, in all cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 3 years.

(2) Those actions that caused damages in particularly large proportions,

are punished with a fine in the amount of 3000 to 9000 conventional units or with imprisonment from 4 to 6 years, in all cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a period of at 2 to 5 years.

Article 2455 . Intentional refusal to disclose

and/or present the provided information

by the legislation on the financial market

non-bank or bank

(1) Intentional refusal to disclose and/or present information regarding the activity

economic-financial of the joint-stock company, the holdings of shares, the reports, the declarations, the articles of incorporation or the events that influence the issuer, the information whose presentation or disclosure is mandatory, or the intentional presentation of inauthentic, distorted or false information, if these actions have caused extensive damage,

is punished with a fine in the amount of 2350 to 3350 conventional units, and the legal person is punished with a fine in the amount of 4000 to 7000 conventional units.

(2) Those actions that caused damages in particularly large proportions or led when the insolvency process is filed,

are punished with a fine in the amount of 2350 to 3350 conventional units or with imprisonment from 1 to 6 years, in both cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a period of from 2 to 5 years, and the legal person is punished with a fine in the amount of 4000 to 7000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal person.

Article 2456 . Practicing activities on the financial market

non-bank with violation of the conditions of

licensing (authorization)

(1) Non-compliance by the non-banking financial market participant with the licensing (authorization) conditions, the prudential rules established by law and by the normative acts of the National Financial Market Commission, if these actions have caused large amounts of damage, is punishable by a fine in amounts from 850 to 2350 conventional units with (or without) deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 5 years, and the legal person is punished with a fine in amounts from 2000 to 4000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

(2) Those actions that caused damages in particularly large proportions or led when the insolvency process is filed,

are punished with a fine in the amount of 1350 to 3350 conventional units or with imprisonment of up to 3 years, in both cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years, and the legal person is punished with a fine in the amount of 4000 to 7000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal person.

Article 2458 . Violation of the law when carrying out

securities evaluation activities

take the assets that refer to them

(1) Carrying out the activity of evaluating the securities and related assets

to them in violation of the requirements established in the legislation, if these actions caused damage in large proportions,

are punished with a fine in the amount of 850 to 2350 conventional units with (or without) the deprivation of the right to hold certain positions or to carry out a certain activity for a period of up to 5 years, and the legal person is punished with a fine in amounts from 3000 to 5000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

(2) Those actions that caused damages in particularly large proportions or led when the insolvency process is filed,

are punished with a fine in the amount of 1350 to 3350 conventional units or with imprisonment of up to 3 years, in both cases with (or without) the deprivation of the right to hold certain positions or to carry out a certain activity for a period of 2 to 5 years, and the legal person is punished with a fine in the amount of 5000 to 7000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal person.

Article 2459 . Obstructing the exercise of rights

associates (shareholders) of the company

commercial and illegitimate deprivation

of these rights

(1) Violation of the legislation regarding the convening and holding of the general meeting of the associates (shareholders) of the commercial company that caused large amounts of damage, committed by:

a) refusal or avoidance of convening the general meeting of the associates (shareholders) of the commercial company;

b) failure to inform in the manner established by law regarding the conduct of the general meeting of the associates (shareholders) or the council meeting or the disclosure of obviously false information regarding the date, time and place of the general meeting or the council meeting;

c) the illegal refusal to register the persons who have the right to participate in the assembly general of the associates (shareholders),

d) conducting the general meeting of the associates (shareholders) in the absence of a quorum necessary;

e) preventing the free exercise of the right to vote in the context of the approval of the decision at a general assembly of associates (shareholders) or the meeting of the board of a commercial company or the intentional distortion of the voting results by inserting in the minutes, in the extract from the minutes of the general meeting or of the meeting of the council, as well as in other documents that include information on the manner and results of voting of apparently false information about the number of votes, quorum or voting results; by drawing up the obviously false list of persons who have the right to participate in the general meeting of the associations

(shareholders) or at the board meeting, by calculating obviously false votes or ballots;

f) blocking or limiting the access of the associate (shareholder) of the commercial company or a member of the board to exercise the right to vote;

g) voting in the name of the associate (shareholder) of the commercial company or in the name of a member of the board based on the apparently false power of attorney (mandate) or in the apparent absence of powers of attorney;

h) approving decisions regarding the modification and/or completion of the act of incorporation (statute) of the commercial company, or regarding the change in the composition of the management bodies of the commercial company, or regarding the designation of a management organization or regarding the appointment of an administrator, or regarding the increase of the share capital of commercial companies or regarding the reorganization or dissolution of the commercial company in violation of the law;

i) any other actions carried out in order to establish an illegal control over the commercial company,

is punished with a fine in the amount of 850 to 3350 conventional units or with unpaid work for the benefit of the community from 160 to 240 hours, in all cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 3 years.

(2) The same actions, if they were committed by forcing an associate (shareholder) or a member of the board of the commercial company to vote in a certain way or to refuse to vote and are related to the stake, as well as the threat of violence, destruction or damage its goods, caused damages in particularly large proportions or that led to the insolvency of the commercial company,

are punished with a fine in the amount of 2350 to 5350 conventional units or with imprisonment up to 2 years, in all cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 up to 5 years.

Article 24510. Illegal acquisition and/or disclosure

the information that constitutes

commercial, banking or fiscal secret

(1) Collecting information that constitutes a commercial, banking or fiscal secret by evading information, including by using special technical means, by extortion or by threatening to apply violence

shall be punished with a fine in the amount of 1350 to 4350 conventional units or with imprisonment of up to 4 years, in both cases with (or without) deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 5 years.

(2) Illegal disclosure or use of information that constitutes a commercial, banking or tax secret by the person to whom they were entrusted or became known in

the virtue of the attributions held, without the consent of the owner of the information,

is punishable by a fine in the amount of 1350 to 3350 conventional units or by imprisonment from 1 to 3 years, in both cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a term up to 3 years.

(3) Those actions that caused damages in particularly large proportions

are punished with a fine in the amount of 4350 to 5350 conventional units or with imprisonment from 2 to 5 years, in both cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a term from 2 to 5 years.

Article 24511 . Violation of the legislation regarding the activity

optional pension funds

(1) Violation of the legislation regarding the activity of optional pension funds that have caused extensive damage by:

a) presenting erroneous information or refusing to present information about the state of personal assets;

b) the inclusion of erroneous data in the reports presented in accordance with the provisions of the law;

c) presentation by the beneficiary of false or incorrectly prepared documents in view of the early receipt of the accumulated funds;

d) appropriation, on the basis of false or wrongly prepared documents, of the means accumulated in the fund;

e) - **repealed**;

f) disclosure to third parties of information regarding the state of personal assets of participants or beneficiaries;

g) the intentional action of the administrator, the custodian of the fund's assets or a audit entities;

h) using the assets of optional pension funds for purposes other than those provided by law,

is punished with a fine in the amount of 850 to 3350 conventional units or with unpaid work for the benefit of the community from 160 to 240 hours, in both cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a term of up to 5 years, and the legal person is punished with a fine in the amount of 2000 to 4000 conventional units with the deprivation of the right to exercise a certain activity.

(2) Those actions that caused damages in particularly large proportions:

are punished with a fine in the amount of 2350 to 3350 conventional units or with imprisonment of up to 2 years, in both cases with the deprivation of the right to occupy certain

office or to exercise a certain activity for a period of up to 5 years, and the legal person is punished with a fine in the amount of 4000 to 7000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal person.

Article 24512 . Violation of the legislation regarding the activity

credit bureaus

(1) Obtaining, using for other purposes or in a different way than that provided for by law and / or disclosure in any form by credit history bureaus, credit history users, credit history formation sources, as well as by persons in terms of their responsibility for the information that constitutes a commercial secret of the credit history bureau, the source of the credit history formation, the subject of the credit history or the user of the credit history, if these actions have caused damages in large proportions,

is punished with a fine in the amount of 850 to 2350 conventional units with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 5 years, and the legal person is punished with a fine in the amount of 2000 to 5000 conventional units with the deprivation of the right to exercise a certain activity.

(2) Intentional non-presentation of information in the volume established by law or its intentional erroneous presentation to the credit history bureau by the sources of credit history formation, as well as by their responsible persons, if these actions caused extensive damage,

is punished with a fine in the amount of 850 to 2350 conventional units with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 5 years, and the legal person is punished with a fine in amounts from 2000 to 4000 conventional units with the deprivation of the right to exercise a certain activity.

(3) Provision and/or use, and/or illegal administration of information that characterizes the debtors' compliance with the obligations assumed through credit contracts and/or loan contracts by legal entities that do not hold licenses for the activity of the credit bureau, as well as by their responsible persons, if these actions caused large amounts of damage,

are punished with a fine in the amount of 850 to 2350 conventional units with (or without) the deprivation of the right to occupy certain positions or to exercise a certain activity for a period of up to 5 years, and the legal person is punished with a fine in amounts from 2000 to 4000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

(4) The actions provided for in para. (1), (2) or (3) which caused damages in proportion particularly large

are punished with a fine in the amount of 1350 to 3350 conventional units or with imprisonment of up to 3 years, in both cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a period of from 2 to 5 years, and the legal person is punished with a fine in the amount of 4000 to 7000 units

conventional with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

Article 246. Limitation of free competition

(1) Limitation of free competition by concluding a horizontal anti-competitive agreement that constitutes a hard cartel prohibited by competition law, which aims to fix the sale prices of products to third parties, limit production or sales, divide markets or customers or participate with rigged bids at auctions or other forms of bid competition, if a particularly large profit was obtained by this or particularly large damages were caused to a third party,

is punishable by a fine in the amount of 3000 to 4000 conventional units or by imprisonment for up to 6 years.

(2) The person who committed the act provided for in paragraph (1) is released from criminal liability if he benefits from leniency according to the legislation in the field of competition.

Article 2461 . Unfair competition

Any act of unfair competition, including:

a) creating, by any means, confusion with the enterprise, with the products or with the industrial or commercial activity of a competitor;

b) spreading, in the process of commerce, false statements that discredit the enterprise, products or entrepreneurial activity of a competitor;

c) misleading the consumer regarding the nature, the manufacturing method, the characteristics, usability or quantity of the competitor's goods;

d) using the company name or trade mark in a manner that causes confusion with those used legitimately by another economic agent;

e) comparing for advertising purposes the goods produced or sold by an economic agent with the goods of other economic agents

are punished with a fine from 3000 to 4000 conventional units or with imprisonment of up to 1 year, with a fine, applied to the legal person, from 3500 to 5000 conventional units with the deprivation of the right to exercise a certain activity for a period of at 1 to 5 years.

Article 2462 . Falsification and counterfeiting of products

(1) Falsification of products, i.e. their manufacture for the purpose of marketing without documents of breeding, provenance, quality and compliance, as well as urging third parties to carry out this action, carried out in large proportions,

are punished with a fine in the amount of 1,350 to 2,350 conventional units or with imprisonment of up to 1 year, with a fine, applied to the legal person, of 4,500 to 6,000

conventional unions with the deprivation of the right to exercise a certain activity for a period of 1 to 5 years.

(2) Counterfeiting products, i.e. the actions specified in para. (1) with reference to the products that constitute or include a protected intellectual property object, as well as the urging of third parties to carry out this action, carried out in large proportions,

are punished with a fine in the amount of 1350 to 2350 conventional units or with imprisonment of up to 1 year, with a fine, applied to the legal person, from 4500 to 6000 conventional units with the deprivation of the right to exercise a certain activity on a term from 1 to 5 years.

(3) The person who committed the actions provided for in paragraphs (1) and (2) is released from criminal liability if he actively contributed to the discovery or countering of the crime by self-denunciation, by denouncing and facilitating the prosecution of other persons who have committed or contributed to the commission of the crime.

Article 247. Compulsion to conclude a transaction

or to refuse its conclusion

(1) Compulsion to conclude a transaction or refuse to conclude it, accompanied by threats of violence, destruction or damage to property, as well as the dissemination of information that would cause considerable damage to the rights and interests protected by law of the person or relatives her close, in the absence of signs of antage,

shall be punished with a fine in the amount of 3000 to 4000 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 2 years.

(2) The same action taken:

b) with the application of violence, with the destruction or damage of property;

c) by an organized criminal group or a criminal organization

shall be punished with a fine in the amount of 6000 to 7000 conventional units or with imprisonment of up to 5 years.

Article 248. Smuggling

(1) The introduction into or removal from the territory of the Republic of Moldova of goods, through places established for customs control, by keeping them from customs control, by hiding in places specially prepared or adapted for this purpose, or with the fraudulent use of documents or means of customs identification, or by non-declaration or inauthentic declaration in the customs documents or in other border crossing documents, if the value of the goods is greater than 8000 conventional units,

is punished with a fine in the amount of 2500 to 3000 conventional units or with imprisonment of up to 3 years, and the legal person is punished with a fine in the amount of 5000 to 6000 conventional units with the deprivation of the right to exercise a certain activity.

(2) The introduction or removal from the territory of the Republic of Moldova of goods through places other than those established for customs control, if the value of the goods is greater than 4000 conventional units,

is punished with a fine in the amount of 3500 to 4500 conventional units or with imprisonment of up to 3 years, and the legal person is punished with a fine in the amount of 5500 to 6500 conventional units with the deprivation of the right to exercise a certain activity.

(3) Alienation or release into free circulation, without payment of import duties, of goods under customs supervision, if the value of the goods is greater than 8000 conventional units,

is punished with a fine in the amount of 4000 to 5000 conventional units or with imprisonment of up to 3 years, and the legal person is punished with a fine in the amount of 6000 to 7000 conventional units with the deprivation of the right to exercise a certain activity.

(4) The removal of goods from the territory of the Republic of Moldova by falsely declaring the origin of the goods as having been obtained entirely in the Republic of Moldova, if their value is greater than 8000 conventional units,

is punished with a fine in the amount of 4500 to 5500 conventional units or with imprisonment of up to 3 years, and the legal person is punished with a fine in the amount of 6500 to 7500 conventional units with the deprivation of the right to exercise a certain activity.

(5) The introduction into or removal from the territory of the Republic of Moldova of cultural values, both through places established for customs control, and through places other than those established for customs control, by hiding in places specially prepared or adapted for this purpose, or with fraudulent use of documents or customs identification means, or by non-declaration or inauthentic declaration in customs documents, as well as non-return to the territory of the Republic of Moldova of cultural values if their return is mandatory

are punished with a fine in the amount of 4500 to 5500 conventional units or with imprisonment of up to 5 years, and the legal person is punished with a fine in the amount of 6000 to 8000 conventional units with the deprivation of the right to exercise a certain activity.

(6) Introduction into or removal from the territory of the Republic of Moldova, both through places established for customs control, and through places other than those established for customs control, by hiding in places specially prepared or adapted for this purpose, or with the fraudulent use of documents or customs identification means, or by non-declaration or false declaration in customs documents, of drugs, precursors, ethnobotanicals or their analogues, of toxic and harmful substances, of weapons and ammunition prohibited in the civilian circuit or subject to authorization, of the essential components of firearms, strategic goods, military devices, explosive, nuclear or radioactive materials

is punished with a fine in the amount of 5500 to 6500 conventional units or with imprisonment from 3 to 8 years, and the legal person is punished with a fine in the amount of 7000 to 11000 conventional units with the deprivation of the right to exercise a certain activity.

(7) The actions provided for in para. (1)(6):

- a) carried out by two or more people;
- b) committed with the use of the service situation;
- c) if the value of the goods is greater than 16,000 conventional units,

are punished with imprisonment from 4 to 10 years, and the legal person is punished with a fine in the amount of 8000 to 12000 conventional units with the deprivation of the right to exercise a certain activity.

Article 2481 . Smuggling with excise goods

(1) The introduction into or removal from the territory of the Republic of Moldova of goods subject to excise duties, through places established for customs control, by keeping them from customs control, by hiding in places specially prepared or adapted for this purpose, or with the fraudulent use of documents or means of customs identification, or by non-declaration or non-authentic declaration in the customs documents or in other border crossing documents, if the value of the goods is greater than 4000 conventional units, and in the case of cigarettes with or without a filter, a quantity greater than 60,000 by the way,

is punished with a fine in the amount of 2500 to 3000 conventional units or with imprisonment of up to 3 years, and the legal person is punished with a fine in the amount of 5000 to 6000 conventional units with the deprivation of the right to exercise a certain activity.

(2) The introduction or removal from the territory of the Republic of Moldova of goods subject to excise duties, through places other than those established for customs control, if their value is greater than 2000 conventional units, and in the case of cigarettes with or without a filter, a quantity greater than 30000 pieces,

is punished with a fine in the amount of 3500 to 4500 conventional units or with imprisonment of up to 3 years, and the legal person is punished with a fine in the amount of 5500 to 6500 conventional units with the deprivation of the right to exercise a certain activity.

(3) Alienation or putting into free circulation without payment of import duties of excise goods under customs supervision, if their value is greater than 4000 conventional units, and in the case of cigarettes with or without a filter, a quantity greater than 60,000 bucci

is punished with a fine in the amount of 4000 to 5000 conventional units or with imprisonment of up to 3 years, and the legal person is punished with a fine in the amount of 6000 to 7000 conventional units with the deprivation of the right to exercise a certain activity.

(4) The actions provided for in para. (1)(3):

- a) carried out by two or more people;
- b) committed with the use of the service situation;
- c) if the value of the excised goods is greater than 8000 conventional units,

and in the case of cigarettes with or without a filter, a quantity greater than 120,000 pieces,

are punished with imprisonment from 4 to 10 years, and the legal person is punished with a fine in the amount of 8000 to 12000 conventional units with the deprivation of the right to exercise a certain activity.

Article 2482 . Collecting, holding, producing,

transportation, collection, storage,

delivery, distribution and sale

smuggled goods

Collecting, holding, producing, transporting, receiving, storing, handing over, selling and selling goods that must be placed under a customs destination, knowing that they have been smuggled in, if their value is greater than 2000 conventional units in the case of goods subject to excise duties, in the case of cigarettes with or without a filter a quantity greater than 60,000 pieces, and in the case of other goods greater than 4,000 conventional units,

are punished with a fine in the amount of 3000 to 4000 conventional units or with imprisonment of up to 3 years, and the legal person is punished with a fine in the amount of 4500 to 5500 conventional units with the deprivation of the right to exercise a certain activity.

Article 249. Evasion from payment of rights

of import

(1) Evading the payment of import duties by including in the customs, commercial, transport, accounting, financial documents, including in electronic format, some inauthentic data regarding the value of the goods, the classification of the goods, the customs regime or destination, the favorable tariff treatment or preferential, if the amount of unpaid import duties is greater than 8000 conventional units,

shall be punished with a fine in the amount of 3500 to 5000 conventional units or with imprisonment of up to 2 years and 6 months with the deprivation of the right to hold certain positions or to exercise a certain activity for a term of up to 5 years, and the legal person is punished with a fine in the amount of 5000 to 8000 conventional units with the deprivation of the right to exercise a certain activity.

(2) The actions provided for in para. (1):

a) carried out by two or more people;

b) committed with the use of the service situation;

c) if the amount of unpaid import duties is greater than 16,000 conventional units,

are punished with a fine in the amount of 5000 to 7000 conventional units or with imprisonment of up to 5 years with the deprivation of the right to hold certain positions or to

exercise a certain activity for a period of 2 to 5 years, and the legal person is punished with a fine in the amount of 10,000 to 16,000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal person.

Article 250. Transportation, storage or sale

goods subject to excise duty, without marking them

with control stamps or excise stamps

(1) Transporting, keeping or selling excise goods without marking them with control stamps or excise stamps of the established model, if this has caused damage in large proportions,

is punished with a fine in the amount of 850 to 1350 conventional units, and the legal person is punished with a fine in the amount of 2000 to 4000 conventional units with the deprivation of the right to exercise a certain activity.

(2) The same actions accompanied by:

a) marking with stamps other than those of the established model;

b) causing damage in particularly large proportions

are punished with a fine in the amount of 1350 to 1850 conventional units, and the legal entity is punished with a fine in the amount of 4000 to 7000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

Article 2501 . Illegal manufacture of markings

state, circulation and use

THEIR

(1) Falsification of state markings, putting them into circulation and using them, as well as the manufacture and sale of articles made of precious metals and precious stones with false markings

are punished with a fine in the amount of 2025 to 3525 conventional units or with imprisonment of up to 3 years, in both cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a period of for 2 to 5 years, with a fine, applied to the legal entity, in amounts from 8,000 to 11,000 conventional units or with the deprivation of exercising a certain activity, or with the liquidation of the legal entity.

(2) The same actions taken:

a) by an organized criminal group or a criminal organization;

b) in particularly large proportions

are punished with imprisonment from 5 to 10 years, and the legal person is punished with

fine in amounts from 10,000 to 13,000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

Article 2502 . Manufacturing, putting into circulation

and the use of fake excise stamps

(1) Manufacture for the purpose of circulation, circulation or use of false excise stamps

is punished with a fine in the amount of 550 to 1050 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 3 years, and the legal person is punished with a fine in the amount of 2000 to 4000 conventional units with the deprivation of the right to carry out a certain activity.

(2) The same actions taken:

a) by an official or other employee in the exercise of the function;

b) by an organized criminal group or a criminal organization;

c) in particularly large proportions

are punished with imprisonment from 3 to 6 years, and the legal person is punished with a fine in the amount of 2500 to 5000 conventional units with the deprivation of the right to carry out a certain activity or with the liquidation of the legal person.

[\[Art.2502 introduced by LP25 of 03.03.23, MO92/21.03.23 art.136; in force 03.21.26\]](#)

Article 251. Appropriation, alienation in impermissible cases

by law the keeping of pledged assets, frozen,

leased, seized or confiscated

Appropriation, alienation in cases not permitted by law, holding pledged, frozen, leased, seized or confiscated assets, in large proportions, or their use for other purposes, committed by a person to whom these assets were entrusted or who was obliged , according to the law, to ensure their integrity,

shall be punished with a fine in the amount of 1350 to 1850 conventional units or with imprisonment of up to 3 years, in both cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to to 3 years, and the legal person is punished with a fine in the amount of 1000 to 3000 conventional units with the deprivation of the right to exercise a certain activity.

Article 252. Intentional insolvency

(1) Intentional insolvency that has caused large damages to the creditor is punishable by a fine in the amount of 650 to 850 conventional units or by imprisonment for up to 2 years, in both cases with the deprivation of the right to hold certain positions or to

exercise a certain activity for a period of up to 5 years.

(2) The same action taken:

- a) by two or more people;
- b) with causing damages in particularly large proportions

shall be punished with a fine in the amount of 850 to 1350 conventional units or with imprisonment of up to 3 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 5 years.

(3) Causing the insolvency of the bank, through intentional actions or inactions of its administrator, including by making excessive expenses, selling the bank's assets at a price below their real value, assuming unreasonable obligations, engaging in business relations with an insolvent person, omitting collection the bank's receivables at maturity or in any other way contrary to good administration, which intentionally diminishes the bank's patrimony,

is punishable by imprisonment from 4 to 6 years and a fine in the amount of 2350 to 3350 conventional units.

(4) The actions provided for in para. (3) whistles:

- a) by a group of administrators and/or shareholders;
- b) with the aim of avoiding the payment of debts and restarting the banking business,

are punished with imprisonment from 5 to 6 years and a fine in the amount of 2850 to 3350 conventional units.

Article 253. Fictitious insolvency

(1) The fictitious insolvency which caused the creditor damages in large proportions,

shall be punished with a fine in the amount of 650 to 950 conventional units or with imprisonment of up to 3 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 5 years.

(2) The same action taken:

- a) by two or more people;
- b) with causing damages in particularly large proportions

shall be punished with a fine in the amount of 850 to 1350 conventional units or with imprisonment of up to 4 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 5 years.

Article 255. - repealed.

Article 256. Receiving an illegal remuneration

for the performance of related works

of serving the population

(1) The receipt, through extortion, by an employee of an enterprise, institution or organization, of a remuneration or other patrimonial advantages for the performance of certain works or for the provision of certain services in the sphere of trade, public catering, transport, social services, communal, medical or of another nature, works and services related to the service obligations of this employee,

is punished with a fine in the amount of 550 to 750 conventional units or with unpaid work for the benefit of the community from 120 to 180 hours.

(2) The same action taken:

b) by two or more people;

c) in large proportions

is punished with a fine in the amount of 750 to 1350 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 2 years.

Article 257. Low-quality execution of constructions

(1) Commissioning of residential houses, industrial facilities, constructions in the field of transport and energy, other constructions in poor quality, unfinished or not in accordance with the project conditions by the leaders of the construction organizations, the foremen and the persons with the function of responsibility that exercises quality control in constructions

is punished with a fine in the amount of 650 to 950 conventional units with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years, and the legal person is punished with a fine in the amount of 2000 to 4000 conventional units with the deprivation of the right to exercise a certain activity.

(2) Continuation by the persons responsible of the executed works inadequate and stopped by control acts

is punished with a fine in the amount of up to 550 conventional units, and the legal person is punished with a fine in the amount of 4000 to 6000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal person.

(3) The design, verification, expertise, realization by the responsible persons of an urban complex or a construction or the execution of their modifications without complying with the provisions of the normative documents regarding safety, resistance and stability, if this resulted in:

a) serious injury to the person's bodily integrity or health or the loss of the person's ability to work;

- b) total or partial destruction of the construction;
- c) destruction or breakdown of important installations or equipment;
- d) damages in large proportions,

is punished with a fine in the amount of 550 to 950 conventional units or with imprisonment of up to 5 years, and the legal person is punished with a fine in the amount of 6000 to 11000 conventional units with deprivation of the right to exercise a certain activity or with liquidation of the legal entity.

(4) The actions provided for in paragraph (3), which caused the person's death,

are punished with imprisonment from 5 to 10 years, and the legal person is punished with a fine in the amount of 6000 to 11000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal person.

Article 2571. Violation of construction execution rules

with five or more floors

(1) The design, verification, expertise, authorisation, execution or reception of constructions with five or more floors in violation of construction regulations, urban planning and land development documentation, the provisions of the urban planning certificate regimes for design or the authorization of build on:

- a) height regime;
- b) street alignment;
- c) indices of standard population density;
- d) normative distance between buildings

is punishable by a fine in the amount of 850 to 1350 conventional units or by imprisonment of up to 5 years with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years, and the legal person is punished with a fine in the amount of 6000 to 11000 conventional units with (or without) deprivation of the right to exercise a certain activity for a period of up to 5 years.

(2) The facts provided for in paragraph (1) erected in the context of construction works located in the protection areas

are punished with a fine in the amount of 1500 to 2500 conventional units or with imprisonment from 2 to 6 years with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years, and the legal person is punished with a fine in the amount of 15,000 to 25,000 conventional units with the deprivation of the right to exercise a certain activity for a period of up to 5 years.

(3) The facts provided for in paragraph (1) or (2) who recklessly caused:

- a) serious injury to the person's health;

b) death of the person

are punished with imprisonment from 5 to 10 years with deprivation of the right to hold certain positions or to exercise a certain activity for a period of 3 to 5 years, and the legal person is punished with a fine in the amount of 30,000 to 40,000 of conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

Article 258. Violation of exploitation rules,

repairs and modification of houses

from a block of flats

Violation by the owners or tenants of the rules of operation, repair and modification of the houses in a block of flats, as well as their internal communications, which causes particularly great damage to the structural integrity of the block of flats or the houses of other owners or tenants or worsened their housing conditions,

is punishable by a fine in amounts from 850 to 1350 conventional units.

Chapter XI

COMPUTER CRIMES AND CRIMES

IN THE FIELD OF ELECTRONIC COMMUNICATIONS

Article 259. Illegal access to a computer system

(1) Illegal access to an IT system by a person who is not authorized under the law or a contract, who exceeds the limits of the authorization or does not have the permission of the competent person to use, administer or control an IT system or conduct research research or perform any other operation in a computer system

is punished with a fine in the amount of 550 to 850 conventional units or with unpaid work for the benefit of the community from 150 to 200 hours, or with imprisonment of up to 1 year, and the legal person is punished with a fine in the amount of 2000 to 4000 conventional units with the deprivation of the right to exercise a certain activity for a period of up to 5 years.

(2) The same action taken:

a) with the violation of protection systems;

b) with the connection to electronic communication channels;

c) with the use of special technical means;

d) with the illegal use of the computer, system or computer network, for the purpose committing one of the crimes provided for in art. 2601-2603, 2605 and 2606;

e) regarding information protected by law;

f) causing large amounts of damage

is punished with a fine in the amount of 850 to 1350 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 3 years, and the legal person is punished with a fine in the amount of 4000 to 7000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

(3) The actions provided for in para. (1) or (2) which caused damages in particular proportions of
increase

are punished with imprisonment from 3 to 5 years or with a fine in the amount from 1500 to 3000 conventional units, and the legal person is punished with a fine from 10000 to 30000 conventional units and with the liquidation of the legal person.

Article 260. Production, import, commercialization

or illegally making available a

technical means or program products

Producing, importing, trading or making available, in any other form, illegally, technical means or software products, a password, an access code or similar computer data that allow access, in whole or in part part of an IT system, designed or adapted, in order to commit one of the crimes provided for in art. 237, 259, 26012603 , 26052607,

is punished with a fine in the amount of 850 to 1350 conventional units or with imprisonment from 2 to 5 years, with a fine, applied to the legal person, in the amount of 4000 to 7000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the enterprise.

Article 2601 . Illegal interception of a transmission

of computer data

Illegal interception of a computer data transmission (including an electronic or electromagnetic emission) that is not public and that is intended for a computer system, comes from such a system or is carried out within a computer system

is punished with a fine in the amount of 850 to 1350 conventional units or with imprisonment of up to 5 years, with a fine, applied to the legal person, in the amount of 4000 to 7000 conventional units with the deprivation of the right to exercise a certain activity or with liquidation of the enterprise.

Article 2602 . Altering the integrity of computer data

held in a computer system

(1) Intentional and unlawful modification, deletion or damage of data

information held in an information system or the illegal restriction of access to these data, the unauthorized transfer of information data from an information system, from a storage medium, the acquisition, sale or making available, in any form, of information data with limited access

they are punished with a fine in the amount of 850 to 1350 conventional units or with imprisonment from 2 to 5 years.

(2) The same actions:

- a) arising out of material interest;
- b) which caused large amounts of damage

they are punished with a fine in the amount of 1500 to 3000 conventional units or with imprisonment from 3 to 7 years.

(3) The actions provided for in para. (1) or (2):

- a) committed by an organized criminal group or a criminal organization;
- b) which caused damages in particularly large proportions

are punishable by imprisonment from 5 to 10 years.

Article 2603 . Disturbance of system operation

INFORMATION

(1) Disrupting the functioning of an IT system by introducing, transmitting, modifying, deleting or damaging IT data intentionally and without right or by restricting access to these data

is punished with a fine in the amount of 1050 to 1350 conventional units or with unpaid work for the benefit of the community from 150 to 200 hours, or with imprisonment from 2 to 5 years, with a fine, applied to the legal person, in the amount of 4000 to 7000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the enterprise.

(2) The same action:

- a) carried out out of material interest;
- b) - **repealed**;
- c) carried out by an organized criminal group or a criminal organization;
- d) which caused extensive damage

is punished with a fine in the amount of 1050 to 1350 conventional units or with imprisonment from 3 to 7 years, with a fine, applied to the legal person, in the amount of 4000 to 7000 conventional units or with the liquidation of the enterprise.

(3) The actions provided for in para. (1) or (2) which caused damages in particular proportions of
increase

are punished with imprisonment from 5 to 10 years, and the legal person is punished with fine from 10,000 to 30,000 conventional units with the liquidation of the legal entity.

Article 2604 . Production, import, marketing

or illegally providing passwords,

access codes or similar data

(1) Producing, importing, selling or making available, in any other form, illegally, a password, an access code or similar data that allow total or partial access to a computer system for the purpose of exploiting a among the crimes provided for in art. 237, 259, 26012603 2605 and 2606

are punished with a fine in the amount of 850 to 1350 conventional units or with imprisonment from 2 to 5 years, with a fine, applied to the legal person, in the amount of 2000 to 4000 conventional units with the deprivation of the right to exercise a certain activity.

(2) The same actions:

a) performed for material interest;

b) - **repealed**;

c) committed by an organized criminal group or a criminal organization;

d) which caused large amounts of damage

are punished with a fine in the amount of 1350 to 1850 conventional units or with imprisonment from 3 to 7 years, with a fine, applied to the legal person, in the amount of 4000 to 7000 conventional units with deprivation of the right to exercise a certain activity or with the liquidation of the enterprise.

(3) The actions provided for in para. (1) or (2) which caused damages in particular proportions of
increase

are punished with imprisonment from 5 to 10 years, and the legal person is punished with fine from 10,000 to 30,000 conventional units with the liquidation of the legal entity.

Article 2605 . False informatics

The illegal introduction, modification or deletion of computer data or the illegal restriction of access to these data, resulting in untrue data, in order to be used in order to produce a legal consequence

is punished with a fine in the amount of 1500 to 2000 conventional units or with imprisonment from 3 to 5 years, and the legal person is punished with a fine in the amount of 2000 to 4000 conventional units with the deprivation of the right to exercise a certain activity.

Article 2606 . Computer fraud

(1) Entering, modifying or deleting computer data, restricting access to this data or preventing in any way the operation of an computer system, in order to obtain a material benefit for oneself or for another, if these actions have caused considerable damage,

they are punished with a fine in the amount of 1350 to 1850 conventional units or with unpaid work for the benefit of the community from 150 to 200 hours, or with imprisonment from 2 to 5 years.

(2) The same actions:

a) committed by an organized criminal group or a criminal organization;

b) which caused large amounts of damage

are punishable by imprisonment from 4 to 9 years.

(3) The actions provided for in para. (1) or (2) which caused damages in particular proportions of

increase

are punishable by imprisonment from 5 to 10 years.

Article 2607. Identity theft

The act of obtaining the identity of another person fraudulently through computer or telecommunication systems by misleading the user of the computer system due to the creation of an appearance aimed at causing the user to provide personal data in an electronic communication

is punished with a fine in the amount of 200 to 500 conventional units or with unpaid work for the benefit of the community from 150 to 200 hours, or with imprisonment of up to 2 years, and the legal person is punished with a fine in the amount of 1000 to 3000 conventional units with the deprivation of the right to exercise a certain activity.

Article 2608. Illegal operations with means of payment without cash

(1) Acceptance of a cash withdrawal, fund transfer, de uploading or downloading electronic currency or virtual currency knowing that the operation is performed using a cashless payment instrument or an electronic payment instrument that is falsified or used without the holder's consent

is punished with a fine in the amount of 1100 to 2400 conventional units or with imprisonment from 1 to 3 years, and the legal person is punished with a fine in the amount of 4000 to 6000 conventional units with the deprivation of the right to exercise a certain activity.

(2) Acquisition for oneself or another or possession for use fraudulent use of a non-cash means of payment by committing a crime

is punishable by a fine in amounts from 1300 to 2400 conventional units or

with imprisonment from 2 to 4 years.

(3) Carrying out an operation of cash withdrawal, fund transfer, loading or unloading of electronic currency or virtual currency by using, without the holder's consent, a cashless payment instrument, an electronic payment instrument or identification data that allow its use

it is punishable by a fine in the amount of 1300 to 2600 conventional units or by imprisonment from 2 to 5 years.

(4) The actions provided for in para. (1)(3):

a) created by using fictitious identification data;

b) committed by an organized criminal group or a criminal organization;

c) which caused large amounts of damage

are punished with imprisonment from 4 to 6 years, and the legal person is punished with a fine in the amount of 6000 to 8000 conventional units with the deprivation of the right to exercise a certain activity.

(5) The actions provided for in para. (1)(3) which caused damage in particularly large proportions
increase

are punished with imprisonment from 5 to 10 years, and the legal person is punished with a fine in the amount of 8000 to 10000 conventional units with the deprivation of the right to exercise a certain activity.

Article 261. Violation of security rules

of the IT system

Violation of the rules of collection, processing, preservation, dissemination, distribution of information or the rules of protection of the information system, provided in accordance with the status of the information or its degree of protection, if this action contributed to the appropriation, distortion or destruction of the information,

shall be punished with a fine of up to 750 conventional units or with unpaid work for the benefit of the community from 200 to 240 hours, or with imprisonment of up to 2 years, in all cases with (or without) deprivation of the right to occupy certain functions or to exercise a certain activity for a period of 2 to 5 years, and the legal person is punished with a fine in the amount of 2000 to 4000 conventional units with the deprivation of the right to exercise a certain activity.

Article 2611 . Unauthorized access to networks

and electronic communications services

(1) Unauthorized access to electronic communications networks and/or services using the networks and/or electronic communications services of other operators, if this has caused considerable damage,

is punished with a fine in the amount of 850 to 1350 conventional units or with imprisonment of up to 1 year, and the legal person is punished with a fine in the amount of 2000 to 4000 conventional units with the deprivation of the right to exercise a certain activity.

(2) The same action:

- b) whistled by two or more people;
- c) whistled with violation of protection systems;
- d) whistled with the use of special technical means;
- e) which caused extensive damage

is punished with a fine in the amount of 1350 to 3350 conventional units or with imprisonment of up to 5 years, and the legal person is punished with a fine in the amount of 4000 to 7000 conventional units with the deprivation of the right to exercise a certain activity.

(3) The actions provided for in para. (1) or (2) which caused damages in particular proportions of
increase

are punished with imprisonment from 3 to 7 years, and the legal person is punished with fine from 10,000 to 30,000 conventional units with the liquidation of the legal entity.

Chapter XII

CRIMES IN THE FIELD OF TRANSPORTATION

Article 262. Violation of flight rules

Entry, exit or aerial transit of the territory of the Republic of Moldova without the established authorization, non-compliance with the air routes indicated in the authorization, the landing places, the entry points, the flight limits without the authorization of the respective bodies or another violation of the rules regarding the execution of flights in space air of the Republic
Moldavia

is punishable by a fine in amounts from 650 to 1150 conventional units or by imprisonment for up to 2 years.

Article 263. Violation of security rules

of circulation or exploitation a

railway, naval transport or

AERIAL

(1) Violation by a railway, naval or air transport worker of traffic safety or transport exploitation rules, a violation that recklessly caused a serious or moderate injury to bodily integrity or health or material damage in large proportions ,

shall be punished with a fine in the amount of 650 to 1350 conventional units or with

imprisonment of up to 4 years, in both cases with (or without) deprivation of the right to drive means of transport for a period of up to 2 years.

(2) The same action that caused:

a) the death of a person

b) - **repealed**.

is punishable by imprisonment from 3 to 7 years with (or without) deprivation of the right to drive means of transport for up to 5 years.

Article 264. Violation of security rules

of the circulation or exploitation of means

of transport by the person driving

means of transport

(1) Violation of traffic safety rules or the use of means of transport by the person driving the means of transport, a violation which recklessly caused a moderate injury to bodily integrity or health,

shall be punished with a fine of up to 650 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 3 years, in all cases with (or without) deprivation of the right to drive means of transport for up to 2 years.

(2) The same action committed while intoxicated

is punished with a fine from 2500 to 3000 conventional units or with imprisonment from 2 to 5 years, in both cases with the cancellation of the right to drive means of transport.

(3) The action provided for in paragraph (1), which caused:

a) serious injury to bodily integrity or health;

b) the death of a person,

shall be punished with imprisonment from 3 to 7 years with the cancellation of the right to drive means of transport.

(4) The action provided for in para. (3) taken while exceeding the permissible alcohol limits or in a state of intoxication caused by narcotic substances and/or other substances with similar effects or taken by a person who does not hold a driver's license or who is deprived of the right to drive vehicles of transport or in respect of which the right to drive means of transport was cancelled

is punishable by imprisonment from 4 to 8 years.

(5) The action provided for in paragraph (1), which caused the death of two or more

people,

shall be punished with imprisonment from 6 to 10 years with the cancellation of the right to drive means of transport.

(6) The action provided for in para. (5) committed while exceeding the permissible alcohol limits or in a state of intoxication caused by narcotic substances and/or other substances with similar effects or committed by a person who does not hold a driver's license or who is deprived of the right to drive vehicles of transport or in respect of which the right to drive means of transport was cancelled

shall be punished with imprisonment from 8 to 12 years with the cancellation of the right to drive means of transport.

Article 2641. Driving the means of transport

exceeding the alcohol limit

admissible or intoxicated

produced by other substances

(1) Driving the means of transport by a person who has a concentration of alcohol in the blood exceeding 0.7 g/l or alcohol vapors in the exhaled air exceeding 0.35 mg/l or who is in a state of intoxication caused by narcotic substances and/or other substances with similar effects

is punished with a fine in the amount of 1500 to 2500 conventional units or with imprisonment from 1 to 3 years, in both cases with the cancellation of the right to drive means of transport.

(2) Knowingly handing over the driving of the means of transport to a person who is in the state mentioned in paragraph. (1), if this action caused the consequences indicated in art. 264,

is punished with a fine from 1500 to 2500 conventional units or with imprisonment from 1 to 3 years, in both cases with the cancellation of the right to drive means of transport.

(3) The refusal, resistance or evasion of the driver of the means of transport from the alcohol and/or drug test, from the medical examination in order to establish the state of intoxication and its nature or from the collection of biological samples as part of this medical examination

is punished with a fine from 2000 to 3000 conventional units or with imprisonment from 1 to 4 years, in both cases with the cancellation of the right to drive means of transport.

(4) The consumption of alcohol, narcotic substances and/or other substances with similar effects, with the exception of the consumption of drugs with effects similar to psychotropic substances, by the driver of the means of transport involved in a road accident, until testing

breathalyzer and/or anti-drug testing or until the collection of biological samples in order to establish the state of intoxication and its nature,

is sanctioned with a fine from 2000 to 3000 conventional units or with imprisonment from 1 to 4 years, in both cases with the cancellation of the right to drive means of transport.

(5) The facts provided for in paragraph (1)(4) committed by a person who does not hold a driving license or who is deprived of the right to drive means of transport or in respect of whom the right to drive means of transport has been canceled

it is punishable by a fine from 2500 to 3000 conventional units or by imprisonment from 2 to 5 years.

Article 2642 . Running illegal races

(1) Participation of the driver of the means of transport in unauthorized races, contests or training on public roads

is punished with a fine of up to 650 conventional units or unpaid work for the benefit of the community from 180 to 240 hours, with or without the deprivation of the right to drive means of transport for a term of up to 2 years.

(2) Organization of unauthorized competitions, contests or training on public roads

shall be punished with a fine in the amount of 1350 to 1500 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours or with imprisonment from 1 to 2 years.

Article 265. Putting the means into operation

transport with visible technical defects

Putting into operation the means of transport with visible technical defects or other serious violation of the rules of their operation, which ensure the safety of traffic, committed by a person responsible for the technical condition or for the operation of the means of transport, as well as the violation by a person with the function of responsibility or by a person who manages a commercial organization, obtains or another non-state organization of the working regime of the offerors or mechanizers, if these actions caused the consequences indicated in art. 264,

are punished with a fine in the amount of 550 to 1050 conventional units or with imprisonment of up to 3 years, in both cases with (or without) the deprivation of the right to hold positions of responsibility related to ensuring the technical condition or the exploitation of means of transport for a period of 2 to 5 years.

Article 266. Leaving the scene of the road accident

Leaving the scene of the road accident by the person who was driving the means of transport and who violated the rules of traffic safety or operating the means

of transport, if this caused the traces indicated in art. 264 par. (1), (3) and (5),

is punished with a fine in the amount of 550 to 850 conventional units or with unpaid work for the benefit of the community from 200 to 240 hours, or with imprisonment of up to 2 years.

Article 267. Non-qualitative repair of tiles

of communication, means of transport

rail, sea or air or their installation

in operation with technical defects

Low-quality repair of communication lines, installations on them, means of electronic communication or signaling or means of railway, naval, air transport, as well as putting them into operation with technical defects, or seriously violating the rules of operation of to them, actions carried out by a person responsible for their technical condition or for their operation, if they caused the traces indicated in art. 263,

shall be punished with a fine in the amount of 650 to 1050 conventional units or with imprisonment of up to 3 years, in both cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to at 5 years.

Article 268. Intentional damage or destruction

of communication and means

of transport

Intentional damage or destruction of communication routes, the installations on them, the means of electronic communication or signaling or other equipment for transports, as well as the means of transport, if this caused the traces indicated in art. 263 or art. 264 paragraph (5),

is punishable by a fine in the amount of 550 to 1350 conventional units or by imprisonment for up to 7 years

Article 269. Violation of maintenance rules

order and traffic security

Violation by a passenger, pedestrian or other traffic participant of the rules regarding the maintenance of order and traffic safety, if this caused the traces indicated in art. 264,

is punished with a fine in the amount of 650 to 1050 conventional units or with imprisonment of up to 5 years.

Article 270. Arbitrary stop, without necessity,

of the train

Arbitrarily, without necessity, stopping the train by disconnecting the general brake pipe or by another means, if this caused:

- a) accidents with people;
- b) derailment or damage to rolling stock;
- c) damages in particularly large proportions,

shall be punished with a fine in the amount of 650 to 1350 conventional units or with imprisonment of up to 7 years.

Article 271. Intentional blocking of transport arteries

Intentionally blocking transport arteries by creating obstacles, by setting up posts or by other means, if this caused:

- a) accidents with people;
- b) damages in particularly high proportions,

it is punishable by a fine in the amount of 650 to 1350 conventional units or by imprisonment from 2 to 6 years.

Article 272. Coercion of the worker from the transport

rail, sea, air or car if not

fulfill service obligations

(1) Forcing the worker in railway, naval, air or car transport not to fulfill his service obligations by threatening him with death, with serious injury to his bodily integrity or health, with the destruction of his property or that of his close relatives, if there was a danger of carrying out such a threat,

shall be punished with a fine of up to 550 conventional units or with unpaid work for the benefit of the community from 140 to 200 hours, or with imprisonment of up to 1 year.

(2) The same action taken:

- b) by two or more people

is punished with a fine in the amount of 550 to 1050 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 3 years.

Article 275. Misappropriation or capture of a seal

by train, of an airship, sea or

river

(1) Misappropriation, capture or illegal exercise of control over a train set, an air, sea or river vessel or the occupation of the grid, airport, port or other enterprise, institution, transport organization, as well as the seizure of cargo, without the purpose of own,

are punishable by imprisonment from 5 to 10 years.

(2) The same actions:

a) whistled by two or more people;

b) accompanied by violence or the threat of its application or another form of intimidation;

b¹) whistled at an aircraft in flight;

c) resulting in damage to a train, an air, sea or river vessel;

d) which caused damages in particularly large proportions

are punishable by imprisonment from 7 to 15 years.

(3) The actions provided for in paragraph (1) or (2), which caused:

a) serious injury to bodily integrity or health;

b) the death of a person,

are punishable by imprisonment from 10 to 15 years.

Article 276. Falsification of identification elements

of vehicles

(1) Falsification of the serial, identification number of the axle, body or engine auto by deletion, replacement or modification

is punished with a fine in the amount of 650 to 950 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 1 year.

(2) The same action taken:

b) by two or more people;

c) with the use of the service situation

shall be punished with a fine in the amount of 1150 to 1850 conventional units or with imprisonment of up to 3 years, in both cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to at 3 years.

CRIMES AGAINST PUBLIC SECURITY

TAKE PUBLIC ORDERS

Article 278. The terrorist act

(1) Terrorist act, i.e. causing an explosion, a fire or the commission of another act that creates the danger of causing death or injury to bodily integrity or health, essential damage to property or the environment, if this act is committed in order to intimidate the population a state or part of it, to draw society's attention to the political, religious or other ideas of the perpetrator or to force a state, an international organization, a legal or physical person to commit or refrain from committing any actions, as well as the threat to commit such acts for the same purposes,

is punishable by imprisonment from 6 to 12 years.

(2) The same fact:

- b) by an organized criminal group;
- c) with the use of firearms or explosive materials;
- d) with serious or medium damage to bodily integrity or health;
- e) with causing material damage in particularly large proportions

is punishable by imprisonment from 8 to 15 years.

(3) The facts provided for in paragraph (1) or (2):

- a) carried out by a criminal organization;
- b) resulting in the death of a person due to imprudence

are punishable by imprisonment from 12 to 20 years.

(4) The terrorist act committed by the murder of one or more persons for the purposes provided for in para. (1)

is punishable by imprisonment from 16 to 20 years or life imprisonment.

(5) The person who committed the act of terrorism, other participants may be subject to the minimum criminal penalties provided for in this article, if they informed the authorities about the respective facts and thereby contributed to avoiding the death of people, injury to bodily integrity or scientists or to the unmasking of other perpetrators.

(6) The person who participated in the preparation of the act of terrorism shall be released from criminal liability if he, by notifying the authorities in time or by other means, contributed to the prevention of the act of terrorism and if his actions do not contain another component of the crime .

Article 2781 . Delivery, placement, commissioning

or the detonation of an explosive device

or another device with a lethal effect

(1) Delivering, placing, putting into operation or detonating an explosive device or other device with a lethal effect in a place of public use, within a state or governmental object, an infrastructure object or the public transport system or carrying out these actions against the mentioned place or objects with the aim of causing:

a) death or serious injury to bodily integrity or health;

b) essential damage to this place, object or system

is punishable by imprisonment from 5 to 10 years.

(2) The same actions taken:

a) with serious or medium damage to bodily integrity or health;

b) causing large or particularly large amounts of damage

are punishable by imprisonment from 8 to 15 years.

(3) The actions provided for in para. (1) lit. b), who recklessly caused the death of a person,

are punishable by imprisonment from 8 to 12 years.

(4) The actions provided for in para. (1), (2) or (3), committed by an organized criminal group or a criminal organization,

are punishable by imprisonment from 12 to 18 years.

(5) The actions provided for in para. (1), accompanied by intentional murder,

are punished with imprisonment from 16 to 20 years or life imprisonment.

Article 279. Financing of terrorism

(1) Terrorism financing, i.e. the intentional provision or collection by any person, by any method, directly or indirectly, of goods of any nature obtained by any means, or the provision of financial services for the purpose of using these goods or services or knowing c will be used, in whole or in part:

a) when organizing, preparing or committing a terrorist crime;

b) for any purpose, by an organized criminal group, a criminal organization or a separate person who commits or attempts to commit a crime of a terrorist nature or who organizes, directs, associates, agrees in advance, instigates or participate as an accomplice in the commission of this crime,

shall be punished with imprisonment from 5 to 10 years with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years, with

fine, applied to the legal entity, in amounts from 8000 to 11000 conventional units with the liquidation of the legal entity.

(2) The crime of financing terrorism is considered consummated regardless of the fact that the terrorist crime was committed, if the goods were used to commit this crime by the group, organization or person mentioned in paragraph. (1) lit. b) or if the crime was committed on the territory or outside the territory of the Republic of Moldova.

Article 2791 . Recruitment, training, benefits

of training or the granting of other

support for terrorist purposes

(1) Recruitment for terrorist purposes, i.e. the request addressed to a person to commit or participate in the preparation or commission of a crime of a terrorist nature, or to associate with an organization or group, with the intention or knowledge that this request is done in order to contribute to the commission of one or more crimes of a terrorist nature,

is punishable by imprisonment from 3 to 8 years with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years, with a fine, applied to the legal person, in the amount of 4000 to 8000 conventionally united with the liquidation of the legal entity.

(2) Training for terrorist purposes, i.e. providing instructions regarding the manufacture or use of explosive materials, weapons of mass destruction, radioactive devices or materials, firearms or other harmful or dangerous weapons or substances or regarding to other methods or specific techniques, with the intention or knowledge that this provision is made in order to contribute to the commission of one or more crimes of a terrorist nature,

is punishable by imprisonment from 4 to 9 years with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 3 to 5 years, with a fine, applied to the legal person, in the amount of 6000 to 9000 conventionally united with the liquidation of the legal entity.

(21) Self-training or receiving training for terrorist purposes, i.e. acquiring knowledge or practical skills regarding the manufacture or use of explosive devices or substances, weapons of mass destruction, radioactive devices or materials, firearms or other weapons or harmful or dangerous substances or regarding other specific methods or techniques that may contribute to the commission of one or more crimes of a terrorist nature,

is punishable by imprisonment from 4 to 8 years with or without deprivation of the right to occupy certain functions or to exercise a certain activity for a period of 3 to 5 years.

(3) Procuring, keeping, producing, transporting or supplying weapons, ammunition, other devices or destructive means, biological weapons, harmful or dangerous substances,

facilitating the crossing of the state border, hosting, facilitating penetration into areas with limited access, collecting, holding for the purpose of transmission or making available data about targets, as well as providing other support, in any form, with the intention or knowledge that these actions are carried out in order to contribute to the commission of one or more crimes of a terrorist nature,

are punished with imprisonment from 5 to 10 years with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 3 to 5 years, with a fine, applied to the legal person, in the amount of 8000 to 11000 conventionally united with the liquidation of the legal entity.

(4) The actions provided for in para. (1), (2) or (3), performed with the use of the service situation,

are punishable by imprisonment from 7 to 15 years.

Article 2792 . Incitement for terrorist purposes or

public justification of terrorism

(1) Incitement for terrorist purposes, i.e. distributing or otherwise making available to the public a message with the intention of inciting or knowing that such a message may incite the commission of a terrorist crime,

shall be punished with a fine in the amount of 650 to 950 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 5 years, in all cases with (or without) deprivation of the right to occupy certain positions or exercise a certain activity for a period of up to 5 years, with a fine, applied to the legal entity, in the amount of 2000 to 4000 conventional units with the deprivation of the right to exercise a certain activity for a period of 2 to 5 years or with the liquidation of the legal entity.

(2) Public justification of terrorism, i.e. distributing or otherwise making available to the public a message about the recognition of an ideology or practice of committing terrorist crimes as just, which needs to be supported or is worthy of being followed,

shall be punished with a fine in the amount of 550 to 850 conventional units or with unpaid work for the benefit of the community from 140 to 200 hours, or with imprisonment of up to 4 years, in all cases with (or without) deprivation of the right to occupy certain positions or to exercise a certain activity for a period of up to 5 years, with a fine, applied to the legal entity, in amounts from 1800 to 3000 conventional units with the deprivation of the right to exercise a certain activity for a period of 2 to 5 years or with the liquidation of the legal entity.

(3) The actions provided for in para. (1) or (2), whistled:

a) through a means of mass information;

b) using the service status,

are punished with a fine in the amount of 850 to 1350 conventional units or with imprisonment from 2 to 5 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years, with a fine, applied to the legal entity, in amounts from 4000 to 6000 conventional units with (or without) deprivation of the right to exercise a certain activity for a period of 3 to 5 years or with the liquidation of the legal entity.

Article 2793 . Traveling abroad for terrorist purposes

(1) Travel abroad for terrorist purposes, i.e. travel to a state that is not the person's state of residence, nor the state of which the person holds citizenship, for planning, preparing, committing or participating in crimes of a terrorist nature or to train for terrorist purposes or to receive training for terrorist purposes,

is punishable by imprisonment from 3 to 7 years.

(2) Organizing or facilitating travel abroad for terrorist purposes

is punishable by imprisonment from 3 to 6 years with or without deprivation of the right to hold certain positions or to exercise a certain activity for a period of 3 to 5 years, with a fine, applied to the legal person, in the amount of 3000 to 7000 conventional units with the liquidation of the legal entity.

Article 280. Taking hostages

(1) Taking or holding the person as a hostage and threatening to kill, with bodily integrity or health damage or with the further holding of the person in this capacity with the aim of coercing the state, international organization, legal or physical person or a group of persons to perform or refrain from performing any action as a condition for the release of the hostage

is punishable by imprisonment from 5 to 10 years.

(2) Taking hostages whistling:

b) on two or more people;

c) knowingly regarding a minor or a pregnant woman or taking advantage of the victim's ill-known or obvious state, which is due to advanced age, illness, disability or another factor;

d) - [excluded](#).

e) for material interest;

f) with the application of violence dangerous to the life or health of the person;

is punishable by imprisonment from 6 to 12 years with (or without) a fine in the amount of 850 to 1350 conventional units.

(3) Taking hostages whistling:

- a) by an organized criminal group or a criminal organization;
- b) with serious injury to bodily integrity or health;
- c) with recklessly causing the death of the victim
- d) - **repealed**;

is punishable by imprisonment from 8 to 15 years.

Article 281. False communication in good faith

about the terrorist act

(1) Knowingly false communication about the preparation of explosions, arson or other actions that endanger people's lives or that resulted in preventing the activity of an enterprise, institution or organization

is punishable by a fine in the amount of 1000 to 2000 conventional units or by imprisonment from 2 to 5 years.

(2) The action provided for in para. (1):

a) which caused large amounts of damage to the rights and interests protected by law of natural or legal persons;

b) which caused damage to state security;

c) committed by an organized criminal group or a criminal organization;

d) committed during the state of emergency, siege or war;

e) carried out at the direction of a foreign state, a foreign organization, an unconstitutional entity or their representatives

is punishable by imprisonment from 5 to 8 years.

Article 282. Organization of a paramilitary formation

illegal or participation in it

(1) The organization or management of a paramilitary formation not provided for by the legislation of the Republic of Moldova, as well as participating in such a formation,

are punishable by imprisonment from 2 to 7 years.

(11) The same fact committed for prejudicial reasons

is punishable by imprisonment from 6 to 9 years.

(2) The person who, voluntarily, withdrew from a paramilitary formation illegally surrendered his weapon, is released from criminal liability if his actions do not contain another criminal component.

Article 283. Banditry

The organization of armed gangs for the purpose of attacking legal or natural persons, as well as participating in such gangs or in the attacks carried out by them,

are punishable by imprisonment from 7 to 15 years.

Article 284. Creation or management of an organization

crime

(1) The creation or management of a criminal organization, i.e. the foundation of such an organization and the organization of its activity, or the search and employment of members in the criminal organization, or the holding of meetings of its members, or the creation of financial and other funds for the support their financial and criminal activities of the organization, either providing the criminal organization with weapons and tools for committing crimes, or organizing the collection of information about potential victims and the activity of law enforcement bodies, or coordinating criminal plans and actions with other organizations and criminal groups or criminals apart from the country and abroad,

is punishable by imprisonment from 8 to 15 years.

(2) Creation or management of a criminal organization or a criminal group organized with the aim of committing one or more terrorist crimes

is punishable by imprisonment from 15 to 20 years or life imprisonment.

(3) Joining one of the criminal organizations or organized criminal groups provided for in paragraph. (1) or (2)

is punishable by imprisonment from 3 to 7 years.

Article 285. Disorders in the table

(1) Organizing or leading mass disturbances, accompanied by the use of violence against people, pogroms, arson, destruction of property, use of firearms or other objects used as weapons, as well as opposition to violent resistance or armed to the representatives of the authorities,

are punishable by imprisonment from 4 to 8 years.

(2) Active participation in carrying out the actions provided for in paragraph (1)

is punishable by imprisonment from 3 to 7 years.

(3) Calls for active violent disobedience to the legitimate demands of the representatives of the authorities and for mass disorder, as well as for committing acts of violence against individuals,

they are punished with a fine in the amount of 550 to 850 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 2 years.

Article 286. Disorganizing actions

the activity of penitentiaries

Persons who, while serving a prison sentence, terrorize convicts on the path of correction either carry out violent attacks on the administration, or organize criminal groups for these purposes or actively participate in such groups

are punishable by imprisonment from 3 to 10 years.

Article 287. Hooliganism

(1) Hooliganism, i.e. intentional actions that violate public order, accompanied by the application of violence to persons or the threat of such violence, violent resistance to representatives of the authorities or other persons who commit hooligan acts, as well as actions that, through the content they are distinguished by a special obscenity,

is punished with a fine in the amount of 550 to 1050 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 3 years.

(2) The same action taken:

a) - **repealed**;

b) by two or more people;

c) on the territory or in the premises of a public or private medical-sanitary institution;

d) against the doctor or the medical worker in the exercise of the function;

e) for prejudicial reasons,

is punished with a fine in the amount of 750 to 1350 conventional units or with imprisonment of up to 5 years.

(3) Aggravated hooliganism, i.e. the actions provided for in paragraph (1) or (2), if they were committed with the use or attempt to use a weapon or other objects to injure bodily integrity or health,

is punishable by imprisonment from 3 to 7 years

Article 288. Vandalism

(1) Vandalism, i.e. defacement of buildings or other premises, as well as the destruction of goods in public transport or in other public places,

shall be punished with a fine in the amount of 550 to 850 conventional units or with unpaid work for the benefit of the community from 140 to 200 hours, or with imprisonment of up to 1 year.

(2) The same action taken:

- b) by two or more people;
- c) on goods that have historical, cultural or religious value;
- d) for prejudicial reasons,

is punished with a fine in the amount of 550 to 1050 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 3 years.

Article 289. Piracy

(1) Robbery committed for personal purposes by the crew or passengers of a ship against the persons or goods that are on this ship or against another ship, if the ships are on the high seas or in a place that is not subject to the jurisdiction of any state ,

is punishable by imprisonment from 5 to 10 years.

(2) The same action:

- b) carried out by an organized criminal group or a criminal organization;
- c) wielded with a weapon or other objects used as weapons;
- d) resulting in the death of the person due to imprudence;
- e) soldier with other particularly serious scars,

is punishable by imprisonment from 8 to 15 years.

Article 2891 . Crimes against aeronautical security

and against airport security

(1) The facts that can endanger aeronautical security and airport security, i.e.:

- a) committing an act of violence against a person on board an aircraft in flight, if this act can endanger the security of the ship;
- b) committing an act of violence against a person in an airport who serves civil aviation, if this act can endanger the security of the airport;
- c) destroying an aircraft in operation or causing damage to this vessel which put it out of order or which may endanger the security of the aircraft during the flight;
- d) the placement or another fact that led to the placement on board of an aircraft in operation, by any method, of a device or a substance capable of destroying this aircraft or causing damages that put it out of order or that may endanger security aircraft in flight;
- e) destroying or damaging the installation or air navigation service, or disrupting their operation, if these actions can endanger the security of an aircraft

in flight;

f) destroying or damaging the facility or building of an airport that serves civil aviation or an aircraft located in the airport and not in operation, or disrupting the operation of the airport service, if these actions can endanger the security of the airport;

g) communication of information knowing that it is false, if this creates a danger for the security of an aircraft in flight;

h) illegal overflight of the airspace of the Republic of Moldova by objects used for military purposes,

are punishable by imprisonment from 3 to 12 years.

(2) The same facts that recklessly caused:

a) serious injury to bodily integrity or health;

b) the death of a person;

c) - **repealed**;

are punishable by imprisonment from 10 to 20 years.

(3) The acts provided for in paragraph (1) or (2), committed by an organized criminal group or a criminal organization,

are punished with imprisonment from 15 to 20 years or life imprisonment.

Article 2892 . Crimes against securities

naval transport

(1) Facts that may endanger the security of naval transport, i.e.:

a) committing an act of violence against a person on board a ship maritime or fluvial, if this act can endanger the safe navigation of the ship;

b) destroying a maritime or river vessel or causing damage to this vessel or its entanglements that may endanger the safe navigation of the ship;

c) placing or any other fact that led to placing on board a maritime or river vessel, by any method, a device or a substance capable of destroying the vessel or causing damage to it or its cargo that may endanger the safe navigation of ships;

d) destroying or damaging the installation or the navigation service, or disrupting their operation, if these actions can endanger the safe navigation of the maritime or river vessel;

e) communication of information knowing that it is false, if this creates a danger for the safe navigation of the maritime or river vessel,

are punishable by imprisonment from 3 to 12 years.

(2) The same facts that recklessly caused:

a) serious injury to bodily integrity or health;

b) the death of a person;

c) - **repealed**;

are punishable by imprisonment from 10 to 20 years.

(3) The facts provided for in paragraph (1) or (2), committed by an organized criminal group or a criminal organization,

are punished with imprisonment from 15 to 20 years or life imprisonment.

Article 2893 . Crimes against securities

fixed platforms

(1) Facts that jeopardize the security of fixed platforms, i.e.:

a) illegal capture or exercise of control over a fixed platform of violence, the threat of its application or another form of intimidation;

b) committing an act of violence against a person on a fixed platform, if this act may endanger the security of the platform;

c) destroying a fixed platform or causing damage to this platform that may endanger the security of the platform;

d) the placement or another fact that led to the placement on a fixed platform, by any method, of a device or a substance capable of destroying this platform or jeopardizing its security,

are punishable by imprisonment from 3 to 12 years.

(2) The same facts that recklessly caused:

a) serious injury to bodily integrity or health;

b) the death of a person

c) - **repealed**;

are punishable by imprisonment from 10 to 20 years.

(3) The facts provided for in paragraph (1) or (2), committed by an organized criminal group or a criminal organization,

are punished with imprisonment from 15 to 20 years or life imprisonment.

Article 2894. Unauthorized entry into the territory

restricted military areas or others

restricted military objectives

(1) Unauthorized entry into the territory of restricted military zones or al
restricted military objectives

is punished with a fine in the amount of 500 to 1000 conventional units or with unpaid work for the benefit of
the community from 60 to 240 hours.

(2) The same action taken:

a) with the aim of gathering information on the location of buildings, warehouses, military equipment and
weapons located in restricted military areas or restricted military objectives;

b) by penetrating the group with the aim of capturing or illegally exercising control over restricted military
areas or restricted military objectives, accompanied by violence, the threat of its application or another form of
intimidation;

c) by committing an act of violence against a military member who is trying to prevent unauthorized entry, if
this act may endanger the security of restricted military areas or restricted military objectives;

d) by committing an act of violence against a military man on day/guard/operational duty, if this act may
jeopardize the security of restricted military areas or restricted military objectives;

e) by destroying or damaging military installations or disrupting their operation, if these actions may endanger
the security of restricted military areas or restricted military objectives;

f) by placing or another fact that led to the placement on the territory of the restricted military zone or the
restricted military objective, by any method, of a device or a substance capable of destroying or jeopardizing the
security of the restricted military zone or the restricted military objective

is punishable by imprisonment from 3 to 12 years.

(3) The facts provided for in paragraph (1) or (2) which caused the death of a person

are punishable by imprisonment from 10 to 20 years.

(4) The facts provided for in paragraph (1)(3) committed by an organized criminal group or a
criminal organization or at the direction of a foreign state or an unconstitutional entity

are punished with imprisonment from 15 to 20 years or life imprisonment.

Article 290. Carrying, keeping, procuring, manufacturing,

repair, modification of construction or marking

or the illegal sale of weapons or a
ammunition, essential components of weapons,
as well as their evasion

(1) Carrying, keeping or procuring prop weapons, replica airsoft weapons, pneumatic weapons, Flaubert-type cartridge weapons, gas, starter, signal weapons or old weapons for the purpose of converting them into firearms, as well as their transformation

they are punished with a fine in the amount of 500 to 650 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 2 years.

(2) Carrying, keeping, procuring, manufacturing, repairing, modifying the construction or marking or illegally selling weapons or ammunition prohibited in the civilian circuit or subject to authorization, the essential components of the firearm, as well as their theft

are punishable by imprisonment from 2 to 6 years with (or without) a fine in the amount of 1150 at 1350 conventional units.

(3) The facts provided for in paragraph (1) or (2) committed by two or more persons
are punishable by imprisonment from 3 to 7 years.

(4) The facts provided for in paragraph (1) or (2) committed by an organized criminal group or by a criminal organization

are punishable by imprisonment from 5 to 10 years.

(5) The person who voluntarily surrendered the weapon, the essential components of the weapon fire or the ammunition he illegally possessed is released from criminal liability.

Article 291. Careless storage of firearms

take the ammo

Careless storage of firearms and ammunition, as well as their transfer to other persons,

are punished with a fine of up to 850 conventional units or with imprisonment of up to 3 years.

Article 292. Manufacturing, procurement, processing,

its storage, transportation, use

neutralization of explosive materials

or radioactive

(1) Manufacturing, procuring, processing, keeping, transporting, using or neutralizing explosive, radioactive or nuclear materials without the appropriate authorization or any other illegal operation regarding their circulation

is punished with a fine in the amount of 650 to 1150 conventional units or with imprisonment of up to 5 years, with a fine, applied to the legal person, in the amount of 3000 to 6000 conventional units with deprivation of the right to exercise a certain activity or with liquidation of the legal entity.

(11) The same acts committed with nuclear material, if they create the danger of causing death or serious injury to bodily integrity or health, essential damage to property or the environment,

are punished with a fine in the amount of 950 to 1350 conventional units or with imprisonment from 3 to 7 years, with a fine, applied to the legal person, in the amount of 7000 to 9000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

(2) The facts provided for in paragraph (1) or (11), which recklessly caused:

- a) the death of a person;
- b) damages in particularly high proportions,

are punished with imprisonment from 5 to 10 years, with a fine, applied to the legal person, in sizes from 8000 to 11000 conventional units with the liquidation of the legal entity.

Article 293. Violation of the rules of records,

storage, transportation and use

of easily flammable substances

or corrosive

Violation of the rules for recording, keeping, transporting and using highly flammable or corrosive substances, as well as the illegal shipment of these substances by container or luggage,

shall be punished with a fine in the amount of 850 to 1350 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 3 years

Article 295. Theft of materials or devices

radioactive or nuclear installations, the threat

to evade or the request to transmit

these materials, devices or installations

(1) Stealing the material or the radioactive device or the nuclear installation

is punishable by imprisonment from 4 to 8 years with (or without) deprivation of the right to hold certain positions or exercise a certain activity for a period of 2 to 5 years.

(2) The request to transmit radioactive material or device or a nuclear installation accompanied by the threat of violence or other form of intimidation

is punishable by imprisonment from 3 to 7 years.

(3) The actions provided for in para. (1) or (2), whistled:

a) by two or more people;

b) with the use of the service situation;

c) with the application of non-dangerous violence for the person's life or health,

are punished with imprisonment from 6 to 12 years with (or without) deprivation of the right to hold certain positions or exercise a certain activity for a period of 2 to 5 years.

(4) An attack on a person for the purpose of stealing material or a radioactive device or a nuclear installation, accompanied by violence dangerous to the life or health of the person attacked or by the threat of such violence,

is punishable by imprisonment from 6 to 12 years.

(5) The actions provided for in para. (4), whistles:

a) by two or more people;

b) with the application of the weapon or other objects used as a weapon;

c) with serious injury to bodily integrity or health,

are punishable by imprisonment from 10 to 17 years.

(6) The actions provided for in para. (1), (2), (3), (4) or (5), whistled:

a) by an organized criminal group or a criminal organization or in favor of them;

b) in large or particularly large proportions,

are punishable by imprisonment from 12 to 20 years.

(7) The threat to steal radioactive material or device or a nuclear installation with the aim of forcing the state, international organization, legal or physical person to perform or refrain from performing any action

is punishable by imprisonment from 2 to 5 years.

Article 2951 . Possession, manufacture or use

radioactive materials or devices

or nuclear facilities

(1) Possession of radioactive material, manufacture or possession of a radioactive device with the aim of causing death or serious injury to bodily integrity or health, essential damage to property or the environment

are punished with imprisonment from 10 to 15 years with the deprivation of the right to occupy certain functions or to exercise a certain activity for a period of 2 to 5 years.

(2) The use by any method of the material or the radioactive device or the nuclear installation, accompanied by the release or the danger of the release of the radioactive material, with the aim of:

a) to cause death or serious injury to bodily integrity or health, essential damage to property or the environment;

b) to force the state, international organization, legal or physical person to perform or refrain from taking any action,

shall be punished with imprisonment from 15 to 20 years with the deprivation of the right to occupy certain functions or to exercise a certain activity for a period of 3 to 5 years.

(3) The threat to commit an act provided for in paragraph. (2)

is punishable by imprisonment from 2 to 5 years.

Article 2952 . The attack on a nuclear installation

(1) Carrying out an action directed against a nuclear installation or which disturb the operation of a nuclear installation

is punishable by imprisonment from 5 to 10 years.

(2) The same action taken:

a) by two or more people;

b) with the application of violence dangerous to the life or health of the person;

c) with the application of the weapon or other objects used as a weapon

is punishable by imprisonment from 7 to 15 years.

(3) The actions provided for in para. (1) or (2):

a) accompanied by exposure to radiation or the release of radioactive substances;

b) which caused large amounts of damage

are punishable by imprisonment from 12 to 20 years.

(4) The threat to carry out an action provided for in paragraph. (1)

is punishable by a fine in amounts from 650 to 950 conventional units or with

unpaid work for the benefit of the community from 180 to 240 hours, or imprisonment from 2 to 5 years.

(5) The threat to carry out an action provided for in paragraph. (1) with the aim of forcing the state, international organization, legal or physical person to perform or refrain from performing any action

is punishable by imprisonment from 2 to 5 years.

Article 296. Violation of the rules of protection against

arson

Failure to comply with the provisions of the state fire control bodies, as well as willful violation of fire protection rules, if they endangered the life or health of the population or if there was a danger of causing large amounts of damage,

are punished with a fine in the amount of 550 to 850 conventional units or with imprisonment of up to 2 years.

Article 297. Failure to comply with the provisions of the bodies

state supervision in the field

civil protection

Failure to fulfill the provisions of the state supervisory bodies in the field of civil protection, as well as willful violation of norms and rules in the field of civil protection, if they caused:

a) the death of a person;

b) damages in particularly high proportions,

are punished with a fine in the amount of 550 to 950 conventional units or with imprisonment of up to 5 years.

Article 298. Violation of exploitation rules

of energy objectives

Violation of the rules of operation of the production stations, of the lines for transporting and distributing electric and thermal energy, of the fuel transportation pipelines, if this caused:

a) the death of a person;

b) damages in particularly high proportions,

is punishable by imprisonment from 3 to 7 years.

Article 299. - [excluded](#).

Article 300. Violation of the rules when performing

mining operations or works

mining construction

Violation of safety, construction, sanitary or fire protection rules when carrying out mining operations or mining construction works, as well as violation of the rules for operating construction mechanisms, if they caused:

- a) the death of a person;
 - b) damages in particularly high proportions,
- are punishable by imprisonment from 3 to 10 years.

Article 301. Violation of security rules

in the enterprises or the subordinate departments

explosion hazard

Violation of technical and production discipline or the rules that ensure production safety in enterprises or departments subject to the danger of explosion, if this caused:

- a) the death of a person;
 - b) damages in particularly high proportions,
- is punishable by imprisonment from 3 to 10 years.

Article 3011 . Production, marketing

or procuring for the purpose of

commercialization of technical means

special intended for obtaining

information hidden, whistled illegally

Producing, selling or procuring for the purpose of selling means special techniques intended for covertly obtaining information, carried out illegally,

are punished with a fine in the amount of 650 to 850 conventional units or with unpaid work for the benefit of the community from 200 to 240 hours, or with imprisonment of up to 3 years, in all cases with (or without) deprivation of the right to hold certain positions or exercise a certain activity for a period of 1 to 3 years, and the legal person is punished with a fine in the amount of 2000 to 4000 conventional units with the deprivation of the right to exercise a certain activity for a period of at 1 to 3 years.

Article 302. Organization of the petition

(1) Organization of solicitation with the aim of obtaining benefits for oneself or for another unjust materials, if the act does not meet the elements of human trafficking,

is punished with a fine in the amount of 650 to 1350 conventional units or with imprisonment of up to 3 years, with a fine, applied to the legal person, in the amount of 2000 to 3500 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

(2) The same action taken:

a) on two or more people;

b) by two or more people

is punished with a fine in the amount of 850 to 2850 conventional units or with imprisonment of up to 5 years, with a fine, applied to the legal person, in the amount of 3500 to 6000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

Chapter XIV

CRIMES AGAINST JUSTICE

Article 303. Interference in the administration of justice

and in criminal proceedings

(1) Interference, in any form, in the adjudication of cases by national or international courts with the aim of preventing the multilateral, full and objective examination of the specific case or to obtain the pronouncement of a judicial decision

is punished with a fine in the amount of 550 to 850 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 2 years.

(2) Interference, in any form, in the activity of criminal investigation bodies or the personnel of international courts with the aim of preventing the rapid, complete and objective investigation of the criminal case

is punished with a fine of up to 700 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours.

(3) The actions provided for in paragraph (1) or (2), carried out using the service situation,

are punished with a fine in the amount of 750 to 950 conventional units or with imprisonment of up to 4 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a term of up to 3 years.

Article 3031. Interference in the activity of the lawyer

or the trainee lawyer

(1) The interference, in any form, in the activity of the lawyer or trainee lawyer with the purpose of preventing the representation and/or defense of the client

shall be punished with a fine in the amount of 500 to 850 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 2 years.

(2) The fact provided for in para. (1) concluded with the use of the service situation

is punishable by a fine in the amount of 750 to 950 conventional units or by imprisonment of up to 4 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 3 years .

Article 306. Shooting with good knowledge

of an innocent person

(1) Knowingly bringing to criminal responsibility an innocent person which carries out the criminal prosecution

shall be punished with a fine in the amount of 650 to 1150 conventional units or with imprisonment of up to 5 years, in both cases with the deprivation of the right to occupy certain positions or to exercise a certain activity for a term of up to 5 years.

(2) The same action:

a) following the accusation of committing a serious, particularly serious or exceptionally serious crime

c) - **repealed**;

is punishable by imprisonment from 2 to 7 years with the deprivation of the right to occupy certain positions office or to exercise a certain activity for a term of up to 5 years.

Article 307. Pronouncing a decision,

bilges, decisions, conclusions or

ordinances in violation of the law

(1) Knowingly pronouncing by a judge a decision, sentencing, decisions, conclusions or ordinances in violation of mandatory legal norms, with the aim of favoring or disfavoring a person,

is punished with a fine in the amount of 1000 to 3000 conventional units or with imprisonment from 2 to 6 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 5 to 10 years.

(2) The same action:

a) related to the accusation of committing a serious, particularly serious or exceptionally serious crime;

b) which caused damage in particularly large proportions

is punishable by imprisonment from 6 to 10 years with the deprivation of the right to occupy certain functions or to exercise a certain activity for a period of 10 to 15 years.

Article 308. Illegal detention or arrest

(1) Illegal retention committed by the person who performs it criminal prosecution or by the person who prepares documents of ascertainment,

shall be punished with imprisonment of up to 2 years with the deprivation of the right to occupy certain functions or to exercise a certain activity for a period of up to 5 years.

(2) Pre-trial arrest or house arrest in violation of mandatory legal norms, applied knowingly by the judge,

shall be punished with imprisonment of up to 3 years with the deprivation of the right to occupy certain functions or to exercise a certain activity for a period of up to 5 years.

(4) The facts provided for in paragraph (1) or (2) who recklessly caused the injury serious damage to bodily integrity or health, death or suicide of the victim,

are punishable by imprisonment from 3 to 7 years with the deprivation of the right to occupy certain positions office or to exercise a certain activity for a term of up to 5 years.

Article 309. Compulsion to make statements

Forcing the person, through threats or other illegal acts, to make statements, to enter into a plea of guilty agreement, forcing, in the same way, the expert to make a conclusion or the translator, or the interpreter to make a translation or incorrect interpretation by the person who ascertains the crime, the criminal investigation officer, prosecutor or judge, if this does not constitute torture, inhuman or degrading treatment,

are punished with imprisonment from 2 to 6 years or with a fine in the amount of 1150 to 1350 conventional units, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 5 years.

Article 310. Falsification of evidence

(1) Falsification of evidence in the civil process by a participant in the process or by his representative

is punished with a fine in the amount of 850 to 1150 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours in both cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years.

(2) Falsification of evidence in the criminal process by the person conducting the investigation criminal, prosecutor or by the defense attorney admitted in the criminal process

shall be punished with a fine in the amount of 850 to 1350 conventional units or with

imprisonment of up to 3 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years.

Article 311. False denunciation or false complaint

(1) Denunciation with false knowledge in order to accuse someone of committing a crime, or complaining with false knowledge about the commission of a crime, made to a responsible body or person, who have the right to initiate the prosecution criminal,

is punished with a fine of up to 650 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 2 years.

(2) The same action:

a) related to the accusation of committing a serious, particularly serious or exceptionally serious crime;

b) carried out for material interest;

c) accompanied by the artificial creation of incriminating evidence

shall be punished with a fine in the amount of 550 to 1150 conventional units or with imprisonment of up to 5 years.

Article 312. False statement, false conclusion

or incorrect translation

(1) Knowingly presenting a false statement by a witness, victim or injured party, a false conclusion by a specialist or expert, incorrect translation or interpretation by a translator or interpreter, if this action was taken in within the framework of the civil process, the criminal process, the contravention process or in the court of law or internationally

shall be punished with a fine of up to 650 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 3 years, in all cases with (or without) deprivation of the right to occupy certain functions or to exercise a certain activity for a period of up to 2 years.

(2) The same actions:

a) related to the accusation of committing a serious, particularly serious or exceptionally serious crime;

b) performed for material interest;

c) accompanied by the artificial creation of incriminating evidence

are punished with a fine in the amount of 550 to 1150 conventional units or with imprisonment of up to 5 years, in both cases with (or without) deprivation of the right to occupy

certain functions or to exercise a certain activity for a term of up to 3 years.

Article 313. Refusal or evasion of the witness,

of the victim or injured party

to make statements

The refusal or avoidance of the witness, the victim or the injured party to make statements in the framework of the criminal or contravention process

shall be punished with a fine of up to 850 conventional units or with imprisonment of up to 3 years.

Article 314. Determination upon filing

of false statements, upon formulation

of false conclusions or when making

of incorrect translations

(1) Determining, by coercion or by promise, by offering or giving goods, services or other patrimonial or non-patrimonial advantages, of the witness, the victim or the injured party when submitting false statements, of the expert or the specialist when formulating false conclusions or statements, of the interpreter or translator when performing incorrect interpretations or translations, as well as avoiding submitting statements, formulating conclusions or statements, performing interpretations or translations, corresponding to the truth, in the civil process, of the criminal process, the contravention process or in the international court,

shall be punished with a fine in the amount of 500 to 750 conventional units or with imprisonment of up to 3 years.

(2) The determination, by coercion or by promise or giving of money, goods or other patrimonial or non-patrimonial advantages, of the suspect, the accused, the defendant to the submission of false statements, as well as to the evasion of the submission of statements within the criminal investigation or the trial of the criminal case in the national or international court,

shall be punished with a fine in the amount of 650 to 950 conventional units or with imprisonment of up to 4 years.

(3) The actions provided for in para. (1) or (2) committed by an organized criminal group or by a criminal organization or regarding a minor

they are punished with a fine in the amount of 850 to 1350 conventional units or with imprisonment from 2 to 5 years.

(4) The patrimonial agreement between the suspect, accused or defendant and the injured person, intervened in the case of a deed for which the criminal prosecution was initiated based on the complaint or for which reconciliation intervenes, does not constitute a crime.

Article 315. Disclosure of criminal investigation data

(1) Disclosure of criminal prosecution data contrary to the prohibition of persons carrying out criminal prosecution

shall be punished with a fine in the amount of 550 to 850 conventional units or with imprisonment of up to 3 years.

(2) Intentional disclosure of criminal investigation data by the person conducting the criminal investigation, the investigating judge, the investigating officer or by the person authorized to control the conduct of the criminal investigation

is punishable by a fine in the amount of 1000 to 2000 conventional units or by imprisonment from 3 to 7 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 10 years.

Article 316. Disclosure of data on measures

of applied security assurance

for the judge, the judicial executor,

the participant in the criminal process or the employee

the body authorized to protect witnesses

(1) Disclosure of data regarding the security measures applied to the judge, the judicial executor, the participant in the criminal trial or the employee of the body authorized to protect witnesses, as well as to their close relatives,

is punishable by a fine in the amount of 550 to 750 conventional units or by imprisonment for up to 2 years.

(2) The same fact:

a) carried out by a person to whom these data were entrusted by virtue of the service attributions;

b) resulting in serious bodily injury or health or death of the victim

is punishable by imprisonment from 3 to 5 years with the deprivation of the right to occupy certain positions office or to exercise a certain activity for a term of up to 5 years.

Article 317. Escape from places of detention

(1) Escape from places of detention, committed by the person serving the prison sentence, as well as by the person under preventive arrest,

is punishable by imprisonment of up to 3 years.

(2) The same action:

- a) - **excluded**;
- b) whistled by two or more people;
- c) accompanied by the application of violence;
- d) wielded with a weapon or other objects used as weapons

is punishable by imprisonment of up to 6 years.

(3) It is not a crime, within the meaning of this article, to escape from the places of detention of the person for whom, at the time of the escape, the legal basis for detention did not exist or has ceased.

Article 318. Facilitating escape

- (1) Facilitating escape by any means

is punishable by imprisonment from 1 to 5 years with (or without) deprivation of the right to hold certain positions or exercise a certain activity for a period of up to 5 years.

- (2) Facilitating the escape of a responsible person by using the work situation

is punishable by imprisonment from 2 to 5 years with (or without) deprivation of the right to hold certain positions or exercise a certain activity for a period of up to 5 years.

Article 319. Evading the execution of the sentence

with prison

Evading the execution of the sentence of the convict who was allowed to leave the places of detention for a short period of time

is punishable by imprisonment of up to 2 years.

Article 320. Non-execution of the court decision

(1) Intentional non-execution or evasion of the execution of the court decision judged, if this was committed after the application of the contraventional sanction,

is punished with a fine in the amount of 550 to 650 conventional units or with unpaid work for the benefit of the community from 150 to 200 hours, or with imprisonment of up to 2 years.

(2) Intentional non-execution or evasion of the execution by a responsible person of the court decision, as well as preventing its execution, if these facts were committed after the application of the contraventional sanction,

are punished with a fine in the amount of 650 to 850 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 3 years, in all cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years.

Article 3201 . Non-execution of the measures in the ordinance

for the protection of the victim of domestic violence

Intentional non-execution or evasion from the execution of the measures established by court in the protection order of the victim of domestic violence

shall be punished with unpaid work for the benefit of the community from 160 to 200 hours or imprisonment for up to 4 years.

Article 321. Violent disobedience to requirements

the penitentiary administration

Violent disobedience to the legitimate requirements of the prison administration, whistled by a person serving a prison sentence,

is punishable by imprisonment of up to 5 years.

Article 322. Illegal transmission of objects or substances

prohibited to persons held in institutions

penitentiaries, possession or use on the territory

the penitentiary by the persons held of some

such objects or substances

(1) Controlled transmission, by any means, to persons incarcerated in penitentiary institutions of mobile phones, SIM cards and other remote communication devices (radio telephones, radio stations, computers, tablets), as well as sub-assemblies or accessories for these,

is punished with a fine in the amount of 600 to 800 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 3 years.

(2) The action provided for in para. (1) concluded with the use of the service situation

shall be punished with a fine in the amount of 1000 to 1500 conventional units or with imprisonment of up to 5 years, in both cases with the deprivation of the right to occupy certain positions for a term of up to 3 years.

(3) Receiving or using in penitentiary institutions by persons held a mobile phones, SIM cards and other remote communication devices (radio telephones, radio stations, computers, tablets), as well as their subassemblies or accessories,

is punishable by imprisonment of up to 5 years.

(4) Controlled transmission, by any means, to persons held in penitentiary institutions of alcoholic beverages, drugs, ethnobotanicals or analogues

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shall be punished with a fine in the amount of 1500 to 2000 conventional units or with imprisonment of up to 5 years.

(5) The action provided for in para. (4) concluded with the use of the service situation

shall be punished with a fine in the amount of 2000 to 2500 conventional units or with imprisonment from 5 to 7 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 5 years.

(6) Controlled transmission, by any means, to persons held in penitentiary institutions of weapons, explosive, toxic, incendiary or radioactive substances

is punishable by imprisonment from 5 to 7 years.

(7) The action provided for in para. (6) concluded with the use of the service situation

is punishable by imprisonment from 6 to 8 years with the deprivation of the right to occupy certain positions office or to exercise a certain activity for a term of up to 5 years.

(8) Production or keeping on the territory of penitentiary institutions by individuals possession of weapons, explosive, toxic, incendiary or radioactive substances

is punishable by imprisonment from 6 to 8 years.

Article 323. Favoring the crime

(1) Advance unpromised favoring of a serious, particularly serious or exceptionally serious crime

shall be punished with a fine in the amount of 550 to 850 conventional units or with imprisonment of up to 3 years.

(2) The spouse and close relatives of the person who committed the crime are not criminally liable for aiding the crime.

Chapter XV

CRIMES AGAINST GOOD CONDUCT

OF ACTIVITIES IN THE PUBLIC SPHERE

Article 324. Passive corruption

(1) Claiming, accepting or receiving, personally or through an intermediary, by a public person or by a foreign public person goods, services, privileges or advantages in any form that do not belong to him, for himself or for another person, or accepting their offer or promise to fulfill or not or to delay or hasten the fulfillment of an action in the exercise of the function or contrary to it

is punished with a fine in the amount of 1000 to 2000 conventional units with the deprivation of the right to hold certain public positions or to exercise a certain activity

for a period of up to 5 years.

(2) The facts provided for in paragraph (1) committed by a person holding a position of public dignity or by an international official

are punished with a fine in the amount of 2000 to 3000 conventional units or with imprisonment of up to 3 years, in both cases with the deprivation of the right to hold certain public positions or to exercise a certain activity for a period of 2 to 5 years.

(3) The facts provided for in paragraph (1) or (2) raised in proportions exceeding 100 conventional units

are punished with imprisonment from 3 to 7 years with a fine in the amount of 6000 to 8000 conventional units and with the deprivation of the right to hold certain public positions or to exercise a certain activity for a period of 5 to 10 years.

(4) The facts provided for in paragraph (1), (2) or (3) above:

a) with extortion of goods or services;

b) in large proportions

are punished with imprisonment from 5 to 10 years with a fine in the amount of 8000 to 10000 conventional units and with the deprivation of the right to hold certain public positions or to exercise a certain activity for a period of 7 to 10 years.

(5) The facts provided for in paragraph (1)(3) or (4) raised:

a) in particularly large proportions;

b) in the interest of an organized criminal group or a criminal organization

are punished with imprisonment from 7 to 15 years with a fine in the amount of 13,000 to 20,000 conventional units and with the deprivation of the right to hold certain public positions or to exercise a certain activity for a period of 10 to 15 years.

Article 3241 . Passive political corruption

(1) Claiming, accepting or receiving, personally or through an intermediary, by a public person in the exercise of the mandate obtained as a result of the elections of goods, services, privileges or advantages in any form, which are not due to him, in order to depart from (a leave) a political formation and/or to join another political formation

is punishable by imprisonment from 3 to 7 years with a fine in the amount of 4000 to 6000 conventional units.

(2) The same actions taken:

a) with extortion of goods or services listed in para. (1);

b) in large proportions

are punishable by imprisonment from 5 to 10 years with a fine in the amount of 6000 to 8000

of conventional units and with the deprivation of the right to occupy certain public positions or to exercise a certain activity for a period of 7 to 10 years.

(3) The actions provided for in para. (1) or (2), provided:

- a) by a person holding a position of public dignity;
- b) in particularly large proportions;
- c) in the interest of an organized criminal group or a criminal organization,

are punished with imprisonment from 7 to 15 years with a fine in the amount of 8000 to 10000 conventional units and with the deprivation of the right to hold certain public positions or to exercise a certain activity for a period of 10 to 15 years.

Article 325. Active corruption

(1) The promise, offer or giving, personally or through an intermediary, to a public person or a foreign public person of goods, services, privileges or advantages in any form that are not due to him, for this or for another person, in order to fulfill or not or to delay or hasten the performance of an action in the exercise of the function or contrary to it

is punished with a fine in the amount of 500 to 1500 conventional units, and the legal person is punished with a fine in the amount of 3000 to 5000 conventional units with the deprivation of the right to exercise a certain activity.

(2) The acts provided for in paragraph (1) committed in relation to a person holding a position of public dignity or an international official

are punished with a fine in the amount of 1000 to 2000 conventional units or with imprisonment of up to 2 years, and the legal person is punished with a fine in the amount of 4000 to 7000 conventional units with the deprivation of the right to exercise a certain activity .

(3) The facts provided for in paragraph (1) or (2) raised in proportions exceeding 100 conventional units

are punished with imprisonment of up to 6 years with a fine in the amount of 4000 to 6000 conventional units, and the legal person is punished with a fine in the amount of 10000 to 14000 conventional units with the deprivation of the right to exercise a certain activity.

(4) The facts provided for in paragraph (1) or (2) raised in large proportions

are punished with imprisonment from 3 to 7 years with a fine in the amount of 6000 to 8000 conventional units, and the legal person is punished with a fine in the amount of 14000 to 18000 conventional units with the deprivation of the right to exercise a certain activity .

(5) The facts provided for in paragraph (1)(3) or (4) raised:

a) in particularly large proportions;

b) in the interest of an organized criminal group or a criminal organization

are punished with imprisonment from 6 to 12 years with a fine in the amount of 12,000 to 18,000 conventional units, and the legal person is punished with a fine in the amount of 20,000 to 40,000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

(6) The person who promised, offered or gave goods or services listed in art. 324 is released from criminal responsibility if they were extorted from him or if the person denounced himself not knowing that the criminal investigation bodies are aware of the crime he committed.

Article 3251 . Active political corruption

(1) The promise, offering or giving, personally or through an intermediary, to a public person in the exercise of the mandate obtained following the election of goods, services, privileges or advantages in any form, which are not due to him, in order to leave (to leave) a political formation and/or to join another political formation

is punished with imprisonment of up to 6 years with a fine in the amount of 2000 to 4000 conventional units, and the legal person is punished with a fine in the amount of 6000 to 10000 conventional units with the deprivation of the right to exercise a certain activity.

(2) The same actions taken:

a) by two or more people;

b) in large proportions

are punished with imprisonment from 3 to 7 years with a fine in the amount of 4000 to 6000 conventional units, and the legal person is punished with a fine in the amount of 10000 to 14000 conventional units with the deprivation of the right to exercise a certain activity .

(3) The actions provided for in para. (1) or (2), provided:

a) in particularly large proportions;

b) in the interest of an organized criminal group or a criminal organization,

are punished with imprisonment from 6 to 12 years with a fine in the amount of 6000 to 8000 conventional units, and the legal person is punished with a fine in the amount of 14000 to 18000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

(4) The person who promised, offered or gave goods or services listed in art. 3241 is released from criminal responsibility if they were extorted from him or if the person reported himself not knowing that the criminal investigation bodies are aware of the crime

he ended it.

Article 326. Influence traffic

(1) Claiming, accepting or receiving, personally or through an intermediary, money, securities, services, privileges, other goods or advantages, for oneself or for another person, by a person who has influence or who claims to have influencing a public person, persons with a public dignified function, foreign public persons, international official, to make him perform or not or to delay or hasten the performance of an action in the exercise of his function, regardless of whether such actions were performed or not ,

is punished with a fine in the amount of 2000 to 3000 conventional units or with imprisonment of up to 6 years, and the legal person is punished with a fine in the amount of 4000 to 6000 conventional units with the deprivation of the right to exercise a certain activity.

(11) The promise, offering or giving to a person, personally or through an intermediary, of goods, services, privileges or advantages listed in paragraph (1), for this or for another person, when that person has or claims to have an influence on a public person, persons with a public dignified function, foreign public persons, international official, for the purpose indicated in para. (1)

is punished with a fine in the amount of 2000 to 3000 conventional units or with imprisonment of up to 3 years, and the legal person is punished with a fine in the amount of 3000 to 5000 conventional units with the deprivation of the right to exercise a certain activity.

(2) The actions provided for in para. (1) or (11):

b) - **repealed**;

c) related to the receipt of goods or advantages in large proportions;

d) followed by the promised influence or the achievement of the desired result

are punished with a fine in the amount of 3000 to 4000 conventional units or with imprisonment from 2 to 7 years, and the legal person is punished with a fine in the amount of 5000 to 10000 conventional units with the deprivation of the right to exercise a certain activity.

(3) The actions provided for in para. (1), (11) or (2) whistled:

a) with the receipt of goods or advantages in particularly large proportions;

b) in the interest of an organized criminal group or a criminal organization,

are punished with a fine in the amount of 4000 to 6000 conventional units or with imprisonment from 3 to 8 years, and the legal person is punished with a fine in the amount of 7000 to 12000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

(4) The person who promised, offered or gave goods or services listed in para. (1) is released from criminal liability if they were extorted from him or if his person

self-denounced not knowing that the criminal investigation bodies are aware of the crime he committed.

Article 3261 . Exercise of assignments in the public sector

in a situation of conflict of interest

(1) The act of the public person who, in the exercise of his duties, resolved requests, approaches or complaints, adopted an administrative act, concluded, directly or through a third party, a legal act, took a decision or participated when taking a decision in order to obtain, directly or indirectly, a patrimonial advantage whose value exceeds 10,000 conventional units, for himself or for a close person within the meaning of Law no. 133/2016 on the declaration of wealth and personal interests, if the conflict of interests has not been declared and settled in accordance with the legislation on the declaration and control of wealth and personal interests,

shall be punished with a fine in the amount of 10,000 to 15,000 conventional units or with imprisonment of up to 3 years, in both cases with the deprivation of the right to hold public office for a period of 5 to 7 years.

(2) The fact provided for in paragraph (1):

a) performed by a person with a public dignity function;

b) performed in connection with the negotiation, management or execution of the means financial from public or external funds,

shall be punished with a fine in the amount of 15,000 to 20,000 conventional units or with imprisonment of 2 to 6 years, in both cases with the deprivation of the right to hold public office for a period of 5 to 10 years.

(3) The provisions of this article do not apply in the case of issuance, approval or adoption some normative acts.

Article 327. Abuse of power or abuse of office

(1) The intentional performance or non-performance, in the exercise of the function, by a public person, of an action in violation of the law, arising from material interest, from another personal interest or in the interest of a third person, if this has caused considerable damage to the rights and the interests protected by law of natural or legal persons,

shall be punished with a fine in the amount of 1150 to 1850 conventional units or with imprisonment of up to 6 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years.

(2) The same fact:

b) whistled by a person with a public dignity function;

b¹) - repealed;

c) which caused damage in large proportions;

d) - repealed;

is punished with a fine in the amount of 1350 to 2350 conventional units or with imprisonment from 2 to 7 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 5 to 10 years.

(3) Abuse of power or abuse of office, carried out in the interest of a criminal group organized or of a criminal organization,

is punishable by imprisonment from 3 to 8 years with the deprivation of the right to occupy certain positions function or to exercise a certain activity for a period of 10 years and 15 years.

(4) The facts provided for in paragraph (1)(3) which caused damages in particularly large proportions

are punished with imprisonment from 5 to 10 years with the deprivation of the right to occupy certain positions office or to exercise a certain activity for a period of 10 to 15 years.

Article 328. Excess of power or embezzlement

service assignments

(1) The performance by a public person of actions that clearly exceed the limits of the rights and assignments granted by law, if this has caused considerable damage to the rights and interests protected by law of natural or legal persons,

is punishable by a fine in the amount of 650 to 1150 conventional units or by imprisonment of up to 3 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years.

(2) The same actions:

a) committed by a person with a public dignity function;

b) shooting with a weapon;

c) which caused large amounts of damage

are punishable by imprisonment from 2 to 5 years with the deprivation of the right to occupy certain positions office or to exercise a certain activity for a period of 5 to 10 years.

(3) The actions provided for in para. (1) or (2) committed in the interest of a criminal group organized or of a criminal organization

are punishable by imprisonment from 2 to 7 years with the deprivation of the right to occupy certain positions office or to exercise a certain activity for a period of 10 to 15 years.

(4) The actions provided for in para. (1)(3) which caused damage in particularly large proportions

increase

are punished with imprisonment from 5 to 10 years with the deprivation of the right to occupy certain positions office or to exercise a certain activity for a period of 10 to 15 years.

(5) The unfounded refusal to issue the permissive act that led to the restriction of the right to carry out the entrepreneurial activity, including the unfounded carrying out of some controls, if this caused damage to the rights and interests protected by law of natural or legal persons exceeding 10 salaries forecasted monthly averages for the economy, established by the Government decision in force at the time of the act,

is punished with a fine from 500 to 850 conventional units or with imprisonment of up to 6 months, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years.

Article 329. Negligence in service

(1) Non-fulfilment or improper fulfillment by a public person of the service obligations, provided for by law, as a result of a negligent or unconscionable attitude towards them, if this has caused significant damage to the rights and interests protected by law of natural persons or legal,

is punishable by a fine of up to 850 conventional units or by imprisonment of up to 2 years, in both cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 at 5 years.

(2) The same facts:

a) committed by a person with a public dignity function;

b) which caused damages in particularly large proportions

are punishable by imprisonment from 2 to 6 years with the deprivation of the right to occupy certain positions office or to exercise a certain activity for a period of 5 to 10 years.

Article 3301 . Violation of the confidentiality regime

of the information from the wealth declarations

and personal interests

(3) Intentional disclosure or publication of information from the declarations of wealth and personal interests by the persons to whom this information became known in the process of fulfilling their duties or exercising control

is punished with a fine in the amount of 500 to 650 conventional units, with (or without) the deprivation of the right to occupy certain positions or to exercise a certain activity for a period of 1 to 5 years.

Article 3302. Illicit enrichment

(1) Intentional possession, by a public person or by a person with a public dignified function, personally or through third parties, of assets whose value substantially exceeds the means acquired, if it has been established, based on the evidence, that these are not they could be obtained cheaply,

is punishable by a fine in the amount of 6000 to 8000 conventional units or

with imprisonment from 3 to 7 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 10 to 15 years.

(2) The same action taken in the event that the substantial breach constitutes a difference greater than 60 average monthly salaries for the forecasted economy, established by the Government decision in force at the time of the commission of the act, between the wealth held at the time of accession to the position and the income obtained during the exercise of the function, including the income of the family members or of the concubine, on the one hand, and the property owned, including the expenses incurred during this period, on the other hand,

shall be punished with a fine in the amount of 8000 to 10000 conventional units or with imprisonment from 7 to 15 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 10 to 15 years.

Article 332. Forgery in public documents

(1) The entry by a public person in official documents of obviously false data, as well as the falsification of such documents, if these actions were carried out for material or other personal interests,

are punished with a fine in the amount of 850 to 1350 conventional units or with imprisonment of up to 2 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years .

(2) The same actions taken:

b) by a person holding a position of public dignity;

c) in the interest of an organized criminal group or a criminal organization

are punished with a fine in the amount of 1350 to 2350 conventional units or with imprisonment from 1 to 6 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 5 to 10 years.

Article 3321 . Fraudulent acquisition of funds

from external funds

(1) The use or presentation of obviously false, inaccurate or incomplete documents, records or data for receiving the necessary approvals or guarantees for the granting of finances obtained or guaranteed from external funds, as well as the omission to provide the data required according to the law for obtaining means from external funds , if the act results in the fraudulent obtaining of these financial means,

are punished with a fine in the amount of 4000 to 5000 conventional units or with imprisonment from 2 to 5 years, in both cases with the deprivation of the right to hold certain positions for a period of 2 to 5 years, and the legal entity punishment with a fine in the amount of 5000 to 6000 conventional units with the deprivation of the right to exercise a certain activity for a period of up to 3 years.

(2) The same actions:

a) - **repealed**;

b) which caused large amounts of damage;

c) committed by a public person, by a person in a position of responsibility, by a person in a position of public dignity, by a foreign public person or by an international official using the service situation

are punished with a fine in the amount of 4000 to 6000 conventional units or with imprisonment from 3 to 7 years, in both cases with the deprivation of the right to hold certain positions for a period of 3 to 7 years, and the legal entity punishable by a fine in the amount of 6000 to 8000 conventional units with the deprivation of the right to exercise a certain activity for a period of 3 to 5 years or with the liquidation of the legal entity.

(3) The actions provided for in para. (1) and (2) which caused damages in particular proportions of
increase

are punished with a fine in the amount of 7000 to 9000 conventional units or with imprisonment from 4 to 8 years, in both cases with the deprivation of the right to hold certain positions for a period of 5 to 8 years, and the legal entity punishable by a fine in the amount of 8000 to 10000 conventional units with the deprivation of the right to exercise a certain activity for a period of 3 to 5 years or with the liquidation of the legal entity.

Article 3322 . Embezzlement of funds from external funds

(1) Embezzlement of means from foreign funds, i.e. the embezzlement, disposal or illegal use of them by the person to whom they were entrusted based on a title and with a certain purpose or the refusal to return them,

is punished with a fine in the amount of 3000 to 4000 conventional units or with imprisonment from 2 to 5 years, and the legal person is punished with a fine in the amount of 4000 to 5000 conventional units with the deprivation of the right to exercise a certain activity for a term of up to 3 years.

(2) The same action taken:

a) by two or more people;

b) in large proportions;

c) by a public person, by a person with a responsible function, by a person foreign public or an international official using the service situation

is punished with a fine in the amount of 4000 to 6000 conventional units or with imprisonment from 7 to 10 years, in both cases with the deprivation of the right to hold certain positions for a period of 3 to 6 years, and the legal entity punishment with a fine in the amount of 5000 to 7000 conventional units with the deprivation of the right to exercise a certain activity for a period of 2 to 5 years.

(3) The actions provided for in para. (1) and (2) whistled:

- a) by a person with a position of public dignity using the service situation;
- b) in particularly large proportions;
- c) in the interest of an organized criminal group or a criminal organization

are punished with a fine in the amount of 6000 to 8000 conventional units or with imprisonment from 10 to 15 years, in both cases with the deprivation of the right to hold certain positions for a period of 6 to 8 years, and the legal entity punishable by a fine in the amount of 7000 to 9000 conventional units with the deprivation of the right to exercise a certain activity for a period of 2 to 5 years.

Chapter XVI

CRIMES OF CORRUPTION IN THE PRIVATE SECTOR

Article 333. Taking bribes

(1) Claiming, accepting or receiving, personally or through an intermediary, by an arbitrator chosen or appointed to settle a dispute by arbitration, by a person who manages a commercial organization, obtains or another non-state organization or by a person who works for such an organization, by a participant in a sports event or in a betting event of goods, services, privileges or advantages in any form not due to him, for himself or for another person, or accepting offers or promises on their part to fulfill or not, to delay or hasten the fulfillment of an action being in the exercise of the function or contrary to it or within a sports event or a betting event

is punished with a fine in the amount of 850 to 1850 conventional units with the deprivation of the right to occupy certain positions or to exercise a certain activity for a period of up to 3 years.

(2) The facts provided for in paragraph (1) raised in proportions exceeding 100 conventional units

are punished with a fine in the amount of 1350 to 3350 conventional units or with imprisonment of up to 3 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years.

(3) The facts provided for in paragraph (1) or (2) raised:

- a) with bribery extortion;
- b) in large proportions

are punished with a fine in the amount of 2350 to 4350 conventional units or with imprisonment from 2 to 7 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 5 to 7 years.

(4) The facts provided for in paragraph (1)(3) above:

- a) in particularly large proportions;

b) in the interest of an organized criminal group or a criminal organization

are punished with a fine in the amount of 4350 to 6350 conventional units or with imprisonment from 3 to 10 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 5 to 7 years.

Article 334. Giving bribes

(1) The promise, offering or giving, personally or through an intermediary, to an arbitrator chosen or appointed to settle a dispute by arbitration, to a person who manages a commercial organization, obtains or another non-state organization or to a person who works for such an organization, to a participant in a sporting event or a betting event of goods, services, privileges or advantages in any form that are not due to him or her, for him or for another person, to fulfill or not, to delay or hasten performing an action being in the exercise of the function or contrary to it or within a sports event or a betting event

is punished with a fine in the amount of 850 to 1850 conventional units with the deprivation of the right to occupy certain positions or to exercise a certain activity for a period of up to 3 years.

(2) The facts provided for in paragraph (1) raised in proportions exceeding 100 conventional units

are punished with a fine in the amount of 1350 to 2350 conventional units or with imprisonment of up to 3 years, and the legal person is punished with a fine in the amount of 5000 to 9000 conventional units with the deprivation of the right to exercise a certain activity .

(3) The facts provided for in paragraph (1) and (2) greatly increased

are punished with a fine in the amount of 2350 to 4350 conventional units or with imprisonment of up to 5 years, and the legal person is punished with a fine in the amount of 9000 to 13000 conventional units with the deprivation of the right to exercise a certain activity .

(4) The facts provided for in paragraph (1)(3) above:

a) in particularly large proportions;

b) in the interest of an organized criminal group or a criminal organization

are punished with a fine in the amount of 6350 to 8350 conventional units or with imprisonment from 3 to 7 years, and the legal person is punished with a fine in the amount of 13000 to 15000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

(5) The person who gave a bribe is released from criminal liability if the bribe was extorted from him or if the person denounced himself not knowing that the criminal prosecution bodies are aware of the crime he committed.

Article 335. Abuse of office

(1) Intentional performance or non-performance, in the exercise of the function, by a person who manages a commercial organization, obtains or another non-state organization or who works for such an organization of an action contrary to the assignments in material interest, in other personal interests or in the interest of third parties, directly or indirectly, if this has caused considerable damage to the rights and interests protected by law of natural or legal persons,

shall be punished with a fine in the amount of 650 to 1150 conventional units or with imprisonment of up to 3 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years.

(2) The same fact that caused damages in large proportions

shall be punished with a fine in the amount of 1350 to 2350 conventional units or with imprisonment from 2 to 6 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years.

(3) The facts provided for in paragraph (1) or (2) committed in the interest of a criminal group organized or of a criminal organization or committed by the administrator of a bank

are punishable by imprisonment from 3 to 7 years with the deprivation of the right to occupy certain positions office or to exercise a certain activity for a period of 10 to 15 years.

(4) The facts provided for in paragraph (1)(3) which caused damage in particularly large proportions

are punished with imprisonment from 4 to 10 years with the deprivation of the right to occupy certain positions office or to exercise a certain activity for a period of 10 to 15 years.

Article 3351 . Falsification in accounting documents

(1) The preparation or use of an invoice or any other document or accounting record that contains false information, as well as the willful omission of the accounting of a bill, made for the purpose of disguising or maintaining acts of corruption, if the act does not constitute complicity,

are punished with a fine of up to 1350 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 3 years, in all cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 5 years, and the legal person is punished with a fine in the amount of 1350 to 2850 conventional units with the deprivation of the right to carry out a certain activity for a period of 2 to 5 years.

(2) The same actions carried out in the interest of an organized criminal group or a criminal organization

are punished with a fine of up to 1850 conventional units or with imprisonment from 3 to 7 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years , and the legal person is punished with a fine in the amount of 3000 to 5000 conventional units with the deprivation of

the right to carry out a certain activity for a period of 2 to 5 years.

Chapter XVII

CRIMES AGAINST PUBLIC AUTHORITIES

TAKE THE STATE SECURITIES

Article 337. Treason

(1) Treason, i.e. the act committed intentionally by a citizen of the Republic of Moldova against the sovereignty, independence, unity, indivisibility, security or defense capacity of the Republic of Moldova, in the interest of a foreign state, a foreign organization, an unconstitutional entity or their representatives, expressed by:

- a) passing over to the side of the enemy during war or armed conflict;
- b) espionage;
- c) disclosure of state secrets;
- d) providing aid in order to carry out hostile activities against the security of the state,

is punishable by imprisonment from 12 to 20 years.

(2) The facts provided for in paragraph (1) committed for material interest or by a public person, by a person in a position of responsibility, by a person in a position of public dignity

are punished with imprisonment from 15 to 20 years with the deprivation of the right to occupy certain functions or to exercise a certain activity for a period of 10 to 15 years.

(3) The facts provided for in paragraph (1) or (2) which caused the person's death

are punished with imprisonment from 16 to 20 years with the deprivation of the right to occupy certain functions or to exercise a certain activity for a period of 10 to 15 years.

(4) The citizen of the Republic of Moldova who entered into contact with a foreign state, a foreign organization, an anti-constitutional entity or their representatives to carry out a hostile activity against the Republic of Moldova is released from criminal liability for treason if he has not committed any of actions to carry out the criminal assignment received, voluntarily declared to the authorities about his connection with the foreign state, foreign organization, unconstitutional entity or with their representatives actively contributed to the discovery or countering of the crime by identifying the persons with whom he established and maintained the connection.

Article 338. Espionage

Transmitting, as well as evading or collecting information that constitutes a state secret for the purpose of transmitting it to a foreign state, a foreign organization, an entity

unconstitutional entities or their agencies, as well as the transmission or collection, on behalf of the foreign espionage service or an unconstitutional entity, of other information to be used against the interests of the Republic of Moldova, if the espionage is carried out by a foreign citizen or a stateless person,

is punishable by imprisonment from 12 to 20 years.

Article 3381 . Establishing an illegal information structure

Initiating the establishment, organization, establishment on the territory of the Republic of Moldova of an illegal information structure or recruiting, instigating the recruitment of persons with the aim of committing actions to the detriment of the sovereignty, independence, territorial inviolability, state security or defense capabilities of the Republic of Moldova

are punished with imprisonment from 7 to 10 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years, with a fine, applied to the legal entity, in the amount of to 4000 to 8000 conventional units with the liquidation of the legal entity.

Article 3382 . The plot against the Republic of Moldova

(1) Establishing and maintaining relations with a foreign state, with a foreign organization, with an unconstitutional entity or with their representatives for the purpose of committing the crimes provided for in art. 337, 338, 3381 and 3401 or expressing agreement to engage in such an activity

is punishable by imprisonment for a term of 2 to 7 years.

(2) The actions provided for in para. (1), committed by a public person, by a person with function of responsibility, by a person with a function of public dignity,

are punished with imprisonment for a term of 5 to 10 years, with the deprivation of the right to hold certain positions or exercise a certain activity for a period of 5 to 10 years.

Article 3383 . Unauthorized collection of information

(1) Collecting or stealing information for the purpose of storing or using it to the detriment of the sovereignty, independence, territorial inviolability, state security or defense capacity of the Republic of Moldova, if the act does not constitute treason or espionage,

it is punishable by a fine in the amount of 850 to 1350 conventional units or by imprisonment for a term of 2 to 5 years.

(2) The actions provided for in para. (1), committed by a person creating the information those became known to him in connection with the performance of his duties,

are punished with a fine in the amount of 1050 to 1850 conventional units or with imprisonment from 3 to 7 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a term of up to 5 years .

Article 339. Usurpation of state power

(1) Actions carried out for the purpose of usurpation or forced maintenance of state power in violation of the provisions of the Constitution of the Republic of Moldova

are punishable by imprisonment from 10 to 15 years.

(2) Those actions that caused:

a) violent change of the constitutional order of the Republic of Moldova;

b) the death of a person

c) - **repealed**.

are punishable by imprisonment from 12 to 20 years.

Article 340. Armed rebellion

Organizing or leading an armed rebellion, as well as participating in it, for the purpose of violently overthrowing or changing the constitutional order or for the purpose of violating the territorial integrity of the Republic of Moldova

are punishable by imprisonment from 12 to 20 years.

Article 3401 . Separatism

(1) Separatism, i.e. the actions carried out with the aim of separating a part of the territory Republic of Moldova,

is punished with imprisonment from 2 to 6 years, with a fine, applied to the legal entity, in amounts from 3000 to 5000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

(2) Inciting separatism, as well as distributing objects, producing and/or distributing, in any form and by any means, materials and/or information that incite separatism

are punished with a fine in the amount of 700 to 1500 conventional units or with imprisonment of up to 3 years, with the deprivation of the right to occupy certain positions or to exercise a certain activity for a period of 2 to 5 years, with a fine , applied to the legal entity, in amounts from 2000 to 3000 conventional units with the deprivation of the right to exercise a certain activity or with the liquidation of the legal entity.

(3) The actions provided for in para. (1) or (2), committed by a public person, by a person with a responsibility function, by a person with a public dignity function, by a foreign public person or by an international official,

are punishable by imprisonment from 3 to 7 years, with the deprivation of the right to occupy certain positions office or to exercise a certain activity for a period of 5 to 10 years.

(4) The actions provided for in para. (1):

a) accompanied by the application of violence dangerous to the life and health of the person;

- b) accompanied by the use of firearms or explosive substances;
- c) accompanied by causing material damage in particularly large proportions;
- d) committed at the direction of a foreign state, an unconstitutional entity or their representatives,

are punished with imprisonment from 7 to 12 years, with the deprivation of the right to occupy certain functions or to exercise a certain activity for a period of 7 to 15 years.

(5) Financing of separatism, i.e. the intentional provision or collection, by any means, directly or indirectly, of goods of any nature, acquired by any means for the purpose of using them, in whole or in part, in the organization, preparation or execution separatist actions or the provision of financial services for the purpose of using the respective goods or services or knowing that they will be used, in whole or in part, to organize, prepare or carry out separatist actions,

is punishable by imprisonment from 5 to 10 years with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 6 to 12 years, with a fine, applied to the legal person, in the amount of 12,000 to 15,000 conventionally united with the liquidation of the legal entity.

Article 341. Calls for reversal or change

by violence of the constitutional order a

Republic of Moldova

(1) Public calls for the overthrow or violent change of the constitutional order, as well as the dissemination in various forms, for this purpose, of materials with such calls,

are punished with a fine in the amount of 550 to 950 conventional units or with imprisonment of up to 3 years.

(2) The same actions taken:

b) by two or more persons

are punished with a fine in the amount of 650 to 1350 conventional units or with imprisonment from 1 to 4 years.

(3) The actions provided for in paragraph (1) or (2), carried out on behalf of a foreign organization or its representatives,

are punishable by imprisonment from 3 to 7 years.

Article 342. Attempt on the life of the President

Republic of Moldova, the President

Parliament or the Prime Minister

The attempt on the life of the President of the Republic of Moldova, the Speaker of the Parliament or a To the Prime Minister, carried out for the purpose of carrying out their state activity or other political activity or in retaliation for such activity,

is punishable by imprisonment from 12 to 20 years or life imprisonment.

Article 343. Diversion

Carrying out, in order to weaken the economic base and defense capacity of the country, explosions, arson or other actions aimed at the mass extermination of people, at harming the bodily integrity or health of several people, at the destruction or damage of enterprises, buildings, of the means of communication, electronic means of communication or other state goods or obtained, as well as causing, for the same purpose, poisoning or the spread of epidemics or epizootics,

are punishable by imprisonment from 12 to 20 years.

Article 344. Disclosure of state secrets

(1) The disclosure of information that constitutes a state secret by a person to whom this information was entrusted or became known to him in connection with his service or work, if it does not constitute treason or espionage,

shall be punished with a fine in the amount of 550 to 950 conventional units or with imprisonment of up to 4 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a term of up to 5 years.

(2) The same fact resulted in:

- a) publication of the document containing the information classified as a state secret;
- b) the acquisition by a foreign state, a foreign organization, an unconstitutional entity or by their representatives of information classified as a state secret;
- c) uncovering the persons who provide confidential support to law enforcement bodies;
- d) damages in large proportions

is punishable by imprisonment from 3 to 7 years with the deprivation of the right to occupy certain positions office or to exercise a certain activity for a period of 2 to 5 years.

Article 345. Loss of documents containing

information classified as a state secret

The loss of documents containing information classified as a state secret, as well as objects whose data is a state secret, by a person to whom these documents or objects were entrusted, as a result of violating the rules for the protection of state secrets, if this led to:

- a) the publication of the document containing the information classified as a state secret or bringing to the attention of the general public the information classified as a state secret;

b) the acquisition by a foreign state, a foreign organization, an unconstitutional entity or by their representatives of information classified as a state secret;

c) uncovering the persons who provide confidential support to law enforcement bodies;

d) causing damages in large proportions,

shall be punished with a fine in the amount of 500 to 1000 conventional units or with imprisonment of up to 3 years, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 5 years .

Article 346. Incitement to violent actions on grounds

of prejudice

Incitement to hatred or violence, manifested through public exhortations, dissemination of information or other forms of public information, including through the mass media, in written form, drawing or image, or through a computer system, against a category of people on grounds for prejudice

is punished with a fine in the amount of 500 to 600 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment from 1 year to 3 years.

Article 347. Desecration of state symbols

(1) Desecration of state symbols (flag, coat of arms, anthem) of the Republic of Moldova or of another state are displayed, used or sung publicly

is punished with a fine of up to 850 conventional units or with unpaid work for the benefit of the community from 100 to 200 hours.

(2) The same action taken:

b) by two or more persons

is punished with a fine in the amount of 500 to 1050 conventional units or with unpaid work for the benefit of the community from 150 to 220 hours, or with imprisonment of up to 1 year.

(3) The actions provided for in paragraph (1) or (2), carried out by the person with the function of responsible for observing the manner of use of state symbols,

are punished with a fine in the amount of 850 to 1150 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 3 years, in all cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 5 years.

Article 349. Threat or violence

on a person with a function

of responsibility or of a person

who fulfills his duty obtain

(1) The threat of death, injury to bodily integrity or health, or the destruction of the assets of the responsible person, his close relatives, in order to stop his work activity or to change his character in the interest of the person making the threat or of another person, as well as the same threat against the person who fulfills his duty to obtain or his close relatives in connection with the participation of this person in the prevention or elimination of a crime or an antisocial act

they are punished with a fine in the amount of 650 to 1350 conventional units or with unpaid work for the benefit of the community for up to 180 hours, or with imprisonment for up to 2 years.

(11) The application of violence that is not dangerous to life or health against the person with a responsibility or his close relatives, or the destruction of their property for the purpose of carrying out their service activity or changing its character in the interest of the person who applies the violence or of another person, such as and the same actions applied against the person who fulfills his duty to obtain or his close relatives in connection with the participation of this person in the prevention or elimination of a crime or an antisocial act

they are punished with a fine in the amount of 850 to 1350 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 3 years.

(2) The actions provided for in paragraph (1) or (11) accompanied by:

a) the application of violence dangerous to the life or health of the persons mentioned in paragraph (1);

b) destruction of property by means dangerous to life or health
many people;

c) material damages in large proportions

d) - **repealed**.

are punishable by imprisonment from 4 to 8 years.

Article 351. Usurpation of official qualities

(1) Unlawful use of an official capacity involving the exercise of state authority,
accompanied or followed by the performance of any act related to that quality

shall be punished with a fine of up to 950 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 3 years.

(2) - **repealed**.

Article 352. Self-will

(1) Arbitrary, i.e. the exercise of a legitimate or presumed right arbitrarily and by violating the established order, if damages were caused in large proportions to the rights and interests protected by law of natural or legal persons,

shall be punished with a fine of up to 850 conventional units or with unpaid work for the benefit of the community from 100 to 240 hours

(2) The same action:

c) accompanied by the threat of death or injury to bodily integrity or health;

d) accompanied by the application of non-dangerous violence to life or health;

e) accompanied by the destruction of goods

is punished with a fine in the amount of 850 to 1350 conventional units or with imprisonment from 3 to 5 years.

(3) The actions provided for in paragraph (1) or (2):

b) accompanied by the application of violence dangerous to life or health;

c) blows with the application of the weapon;

d) resulted in damages in particularly high proportions;

e) - **repealed**.

are punishable by imprisonment from 3 to 8 years.

Article 3521 . False statements

(1) Untruthful declaration, made to a competent body in order to produce legal consequences, for oneself or for a third person, when, according to the law or the circumstances, the declaration serves to produce these consequences,

shall be punished with a fine of up to 950 conventional units or with imprisonment of up to 1 year with the deprivation of the right to occupy certain positions or to exercise a certain activity for a term of up to 5 years.

(2) The intentional inclusion of incomplete or false data, the intentional non-inclusion of data in the declaration of assets and personal interests

are punished with a fine in the amount of 500 to 600 conventional units or with imprisonment of up to 1 year, in both cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 2 to 5 years .

Article 3522 . Failure to report crimes against

public authorities and state securities

(1) The act of the person who, knowing about the preparation, attempt or execution

the crimes provided for in art. 3373401 , 343, do not inform the public authorities

is punishable by a fine in the amount of 500 to 1000 conventional units or by imprisonment of up to 3 years, in all cases with the deprivation of the right to hold certain positions or to exercise a certain activity for a term of 2 to 5 years .

(2) They are not liable for criminal liability according to para. (1) of this article, the spouse and close relatives of the person who is preparing or has committed one of the crimes provided for in art. 3373401 , 343.

Article 353. - repealed.

Article 354. Evasion from mobilization

Wartime evasion of mobilization in the ranks of the Armed Forces
imprisonment from 2 to 5 years.

Article 355. - repealed.

Article 356. Wartime evasion

from the fulfillment of the benefits

Wartime evasion from mobilization to work or from the fulfillment of other services

is punishable by imprisonment of up to 5 years.

Article 357. - repealed.

Article 359. Buying or selling official documents

Buying or selling official documents that grant rights or release from obligations

is punishable by a fine of up to 550 conventional units.

Article 360. Taking, evasion, possession, degradation

or the destruction of documents, prints,

stamps or seals

(1) Taking, stealing, keeping, degrading or destroying documents, prints, stamps or seals belonging to companies, institutions, organizations, regardless of the type of property or legal form of organization, if this fact was done for material interest or for other reasons vile,

shall be punished with a fine of up to 750 conventional units or with unpaid work for the benefit of the community from 150 to 200 hours or with imprisonment of up to 3 years.

(2) Taking, stealing, keeping, degrading, destroying or keeping ballots

of identity or other important documents of natural persons, with the intention of limiting the person's freedom, including the freedom of movement, or depriving him of it,

shall be punished with a fine of up to 850 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours, or with imprisonment of up to 5 years.

Article 361. Manufacture, possession or use

official documents, printed materials,

fake stamps or seals

(1) Making, holding or using false official documents, including false electronic documents, which grant rights or release from obligations, making false prints, stamps or seals of some enterprises, institutions, organizations, regardless of the type of ownership and legal form organization,

they are punished with a fine in the amount of 750 to 950 conventional units or with unpaid work for the benefit of the community from 200 to 240 hours, or with imprisonment of up to 3 years.

(2) The same actions:

b) whistled by two or more people;

c) - repealed;

d) resulting in large damages to the rights and interests protected by law of natural or legal persons;

e) carried out as a business

they are punished with a fine in the amount of 950 to 1500 conventional units or with imprisonment from 3 to 6 years.

(3) The actions provided for in para. (1) and (2) committed for the purpose of alienation or alienation false official documents, including false electronic documents,

they are punished with a fine in the amount of 5000 to 8000 conventional units or with imprisonment from 5 to 7 years.

Article 362. Illegal crossing of the state border

(1) Crossing the state border of the Republic of Moldova, by evading or evading to the control carried out during its passage

is punished with a fine of up to 750 conventional units or with unpaid work for the benefit of the community from 150 to 200 hours, or with imprisonment for up to 2 years.

(3) The actions provided for in para. (1):

a) accompanied by violence;

b) whistled with the application of the weapon,

are punishable by imprisonment from 5 to 8 years.

(4) The action of this article does not extend to foreign citizens coming to the Republic of Moldova, without the established passport or without authorization, in order to use the right of asylum granted by the Constitution of the Republic of Moldova, as well as to persons who are victims of human trafficking .

Article 3621 . Organization of illegal migration

(1) Organizing, for the purpose of obtaining, directly or indirectly, a financial or material benefit, the illegal entry, entry, transit of the state territory or the exit from this territory of the person who is neither a citizen nor a resident of this state

shall be punished with imprisonment from 2 to 5 years with a fine in the amount of 1000 to 4000 conventional units and with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 1 to 3 years, and the legal person is punished with a fine in the amount of 7000 to 10000 conventional units with the deprivation of the right to carry out a certain activity or with the liquidation of the legal person.

(2) The same actions taken:

a) on two or more people;

b) by two or more people;

c) by a public person, by a person with a function of responsibility, by a person with a function of public dignity, by a foreign public person or by an international official using the service situation

are punished with imprisonment from 3 to 7 years with a fine in the amount of 4000 to 6000 conventional units and with the deprivation of the right to hold certain positions or to exercise a certain activity for a period of 1 to 3 years, and the legal person is punished with a fine in the amount of 9000 to 13000 conventional units with the deprivation of the right to carry out a certain activity or with the liquidation of the legal person.

(3) The actions provided for in para. (1) or (2):

a) committed by an organized criminal group or a criminal organization;

b) if they caused particularly large damages to protected rights and interests by law of natural and legal persons;

c) committed by creating false identity documents;

d) if there was a danger of causing serious injury to bodily integrity or health or the death of the person,

are punishable by imprisonment from 5 to 12 years with a fine in the amount of 6000 to 8000

of conventional units and with the deprivation of the right to occupy certain positions or to exercise a certain activity for a period of 3 to 5 years, and the legal entity is punished with a fine in the amount of 12,000 to 20,000 conventional units with the deprivation of the right to carry out a certain activity or with the liquidation of the legal entity.

(4) The victim of illegal migration is absolved from criminal liability for the fact of illegal entry, emigration, transit of the state territory or exit from this territory, as well as for the facts of possession and use of false official documents for the purpose of organizing his illegal migration.

Article 363. Illegal use of Red Cross insignia

The use of the Red Cross emblem and the name Red Cross by persons who are not empowered with this right, as well as insignia that can be confused with the Red Cross emblem, if this action had serious consequences,

is punished with a fine in the amount of 500 to 600 conventional units or with unpaid work for the benefit of the community from 180 to 240 hours.

Chapter XVIII

MILITARY CRIMES

Article 364. Intentional non-execution of the order

(1) Intentional non-execution of the boss's order given in the established manner, if this a caused considerable damage to the interests of the service,

is punished with unpaid work for the benefit of the community from 60 to 240 hours or with imprisonment of up to 2 years.

(2) - **repealed.**

(3) The actions provided for in paragraph (1), carried out:

a) during wartime;

b) in combat conditions,

are punishable by imprisonment from 5 to 10 years.

(4) Non-execution of the order due to negligence or lack of conscientiousness:

a) - **repealed;**

b) during wartime;

c) in combat conditions

is punished with unpaid work for the benefit of the community from 60 to 240 hours or imprisonment for up to 3 years.

Article 365. Resistance opposition

Head

or its coercion to

breach of service obligations

(1) Resistance opposition the boss, another person who fulfills the obligations related to the military service or forcing them to violate these obligations, accompanied by the application of violence, is punished with imprisonment of up to 5 years.

(2) The same actions:

a) whistled by two or more people;

b) whistled with the application of the weapon

c) - **repealed**.

are punishable by imprisonment from 3 to 8 years.

(3) The actions provided for in paragraph (1) or (2):

b) whistled during wartime;

c) blown in combat conditions,

are punishable by imprisonment from 7 to 13 years.

Article 366. - repealed.

Article 367. Threatening the military

(1) The threat of death, injury to the body or health, or beatings by a superior or subordinate to a military officer during the performance of obligations related to military service

is punished with unpaid work for the benefit of the community from 60 to 240 hours or with imprisonment of up to 2 years.

(2) The same action taken:

a) during wartime;

b) in combat conditions

is punishable by imprisonment from 3 to 8 years.

Article 368. Acts of violence against the military

(1) Intentional slight injury to bodily integrity or health or hitting the subordinate by the boss, as well as the boss by the subordinate during the time when they fulfill the obligations related to military service

is punishable by imprisonment of up to 5 years.

(2) The same actions:

- a) whistled by two or more people;
- b) whistled with the application of the weapon;
- c) - **repealed**.
- d) wartime whistleblowers;
- e) whistled in combat conditions

are punishable by imprisonment from 3 to 12 years.

Article 369. Violation of the statutory rules regarding

to the relations between the soldiers if not between them

there are subordination relationships

(1) Violation of the statutory rules regarding the relations between soldiers, during the performance of military service, if there are no subordinate relationships between them and if this violation was manifested by acts of violence,

is punished with unpaid work for the benefit of the community from 60 to 240 hours or imprisonment for up to 3 years.

(2) The same action:

- b) directed at two or more people;
- c) resulting in slight or medium damage to bodily integrity or health

is punishable by imprisonment of up to 5 years.

(3) The actions provided for in paragraph (1) or (2):

- a) whistled by two or more people;
- b) whistled with the application of the weapon

c) - **repealed**.

are punishable by imprisonment from 4 to 8 years.

Article 370. Abuse of power, excess of power

or inaction in the exercise of power

(1) Abuse of power or service, excess of power or breach of service attributions by the boss or by a person with a responsible function, inaction in the exercise of power, if these have caused considerable damage to the victim or service interests,

are punished with a fine in the amount of 850 to 950 conventional units or with imprisonment of up to 3 years, in both cases with (or without) the deprivation of the right to hold certain positions or to exercise a certain activity for a period of up to 5 years.

(2) The same acts resulting in particularly large damages

are punishable by imprisonment from 3 to 7 years with the deprivation of the right to occupy certain positions office or to exercise a certain activity for a period of 2 to 5 years.

(3) The actions provided for in paragraph (1) or (2), carried out:

a) during wartime;

b) in combat conditions,

are punishable by imprisonment from 7 to 12 years.

Article 371. Desertion

(1) Desertion, i.e. leaving the military unit, the training center or the place of duty for the purpose of evading military service, concentration or mobilization, as well as not showing up for the same reason to duty or concentration or mobilization in cases of permission from the military unit or from the center of instruction, assignment, transfer, return from mission, from leave or from the curative institution, which exceeds 3 days, served by a military or reservist,

shall be punished with a fine in the amount of 850 to 950 conventional units or with imprisonment of up to 5 years.

(2) The same action taken:

a) with a weapon;

b) by two or more people,

is punishable by imprisonment from 3 to 7 years.

(3) The actions provided for in paragraph (1) or (2), carried out:

a) during wartime;

b) in combat conditions,

are punishable by imprisonment from 6 to 12 years.

(5) The soldier who deserted for the first time under the conditions of para. (1) shall be released from criminal liability if the desertion was carried out following a contest of difficult circumstances.

Article 372. Evasion from military service

Evasion of the military or reservist from fulfilling the obligations of military service or from concentration or mobilization by self-mutilation or by simulating an illness, by falsifying documents or by other means, committed:

a) during wartime;

b) in combat conditions,

is punishable by imprisonment of up to 5 years.

Article 373. Violation of weapon handling rules,

of handling substances and objects

which present an increased danger for those around

(1) Violation of the rules for handling weapons, handling ammunition, explosive, radioactive substances and other substances and objects that present an increased danger to those around, if this caused slight or medium damage to bodily integrity or health,

is punished with unpaid work for the benefit of the community from 60 to 240 hours or imprisonment for up to 3 years.

(2) The same action that recklessly caused:

a) serious injury to bodily integrity or health;

b) the death of a person

c) - **repealed.**

is punishable by imprisonment from 2 to 7 years.

(3) The same action that recklessly caused the death of two or more persons

is punishable by imprisonment from 3 to 8 years.

Article 374. Violation of the statutory rules regarding

at the fence service

(1) Violation of the statutory rules regarding the fence service, of the orders and provisions issued in order to modify and complete these rules, if this caused considerable damage,

is punished with unpaid work for the benefit of the community from 60 to 240 hours or with imprisonment of up to 1 year.

(2) - **repealed.**

(3) The actions provided for in paragraph (1), carried out:

a) during wartime;

b) in combat conditions,

are punishable by imprisonment from 4 to 10 years.

Article 375. Violation of the rules regarding the service

alarm (combat) of military troops

(1) Violation of the rules regarding the alarm (combat) service for the timely detection and rejection of a surprise attack on the Republic of Moldova or for the defense and security of the Republic of Moldova, if this has caused or could cause damage to the state's security interests ,

is punished with unpaid work for the benefit of the community from 60 to 240 hours or with imprisonment of up to 5 years.

(2) - repealed.

(3) The actions provided for in paragraph (1), carried out:

a) during wartime;

b) in combat conditions,

are punishable by imprisonment from 7 to 12 years.

Article 376. Violation of statutory rules

regarding internal service

(1) Violation of the statutory rules regarding internal service by a person who is part of the daily staff of the military unit, with the exception of the guard and guard, if this has caused considerable damage,

is punished with unpaid work for the benefit of the community from 60 to 240 hours or with imprisonment of up to 1 year.

(2) The same action resulted in damages in considerable proportions, whose prevention in the obligations of the person indicated in paragraph (1),

is punishable by imprisonment from 6 months to 2 years.

(3) The actions provided for in paragraph (1) or (2), carried out:

a) during wartime;

b) in combat conditions,

are punishable by imprisonment from 1 to 5 years.

Article 377. Violation of the rules regarding

to maintain public order

and ensuring public security

(1) Violation of the rules regarding the maintenance of order by a person from the military unit for maintaining public order and ensuring public security, accompanied by the violation of human rights and freedoms or the application of violence to him,

is punished with unpaid work for the benefit of the community from 60 to 240 hours or with imprisonment of up to 2 years.

(2) - **repealed**.

Article 378. Careless attitude towards military service

(1) The negligent attitude of the boss or another person responsible for the military service, if this caused damage in large proportions,

is punishable by imprisonment of up to 3 years.

(2) - **repealed**.

(3) The actions provided for in paragraph (1), carried out:

a) during wartime;

b) in combat conditions,

are punishable by imprisonment from 3 to 7 years.

Article 379. Intentional destruction or damage

of the military heritage

(1) Deliberate destruction or damage of weapons, ammunition, means of locomotives, military equipment or other military heritage

is punished with unpaid work for the benefit of the community from 60 to 240 hours or with imprisonment of up to 2 years.

(2) - **repealed**.

(3) The actions provided for in paragraph (1), carried out:

a) during wartime;

b) in combat conditions,

are punishable by imprisonment from 6 to 12 years.

Article 380. Destruction or damage

recklessly of the military heritage

(1) The reckless destruction or damage of military heritage in proportions

increase

is punished with unpaid work for the benefit of the community from 60 to 240 hours

or with imprisonment of up to 2 years.

(2) The same actions taken:

a) during wartime;

b) in combat conditions

are punishable by imprisonment from 3 to 8 years.

Article 381. The dissipation or loss of military heritage

(1) The commercialization, pledging or putting into use by a military person of the equipment that was issued to him for personal use, as well as the loss or damage of these objects following the violation of the rules of preservation,

is punished with unpaid work for the benefit of the community from 60 to 240 hours or with imprisonment of up to 1 year.

(2) The same actions taken:

a) during wartime;

b) in combat conditions

are punishable by up to 3 years in prison.

(3) The loss or damage, as a result of violating the rules of storage, of weapons, ammunition, means of locomotion, technical supply items or other military heritage, entrusted to be used during service,

is punished with unpaid work for the benefit of the community from 60 to 240 hours or imprisonment for up to 3 years.

(4) The same actions taken:

a) during wartime;

b) in combat conditions

are punishable by imprisonment from 2 to 7 years.

Article 382. Violation of driving rules or

exploitation of hands

(1) Violation of the rules for driving or operating combat, special or transport vehicles, if this has caused an average injury to bodily integrity or health or damage in large proportions,

shall be punished with unpaid work for the benefit of the community from 60 to 240 hours or with imprisonment of up to 3 years, in both cases with (or without) deprivation of the right to drive the means of transport for a term of up to 2 years.

(2) The same action that caused:

- a) serious injury to bodily integrity or health;
- b) the death of a person

is punishable by imprisonment from 3 to 7 years with (or without) deprivation of the right to drive the means of transport for up to 5 years.

(3) The same action that caused the death of several persons

shall be punished with imprisonment from 5 to 10 years with the deprivation of the right to drive the means of transport for a term of up to 5 years.

Article 383. Violation of flight rules or
flight preparations

Violation of flight rules or flight training, if this caused a catastrophe,

is punishable by imprisonment from 5 to 10 years.

Article 384. Violation of navigation rules

Violation of navigation rules, if this caused:

- a) the sinking or serious damage of the ship;
- b) the death of a person
- c) - **repealed**.

is punishable by imprisonment from 5 to 10 years.

Article 385. Surrendering or releasing the means
of the enemy's war

The surrender by the chief of the military forces entrusted to him, as well as the abandonment, unjustified by the combat situation, of fortifications, combat equipment and other means of war to the enemy,

are punishable by imprisonment from 10 to 15 years

Article 386. Voluntary abandonment of the field

of fighting or refusing to act

with the gun

Voluntarily leaving the battlefield during combat or refusing to fire a weapon during combat

is punishable by imprisonment from 10 to 15 years.

Article 387. Voluntary surrender in captivity

Voluntary surrender in captivity

is punishable by imprisonment from 10 to 15 years.

Article 388. The criminal actions of the military

in captivity

(1) Voluntary participation of the soldier in captivity in works of military importance or in other works known to cause damage to the Republic of Moldova or its allied states, if this does not constitute treason,

is punishable by imprisonment from 3 to 8 years.

(2) Acts of violence perpetrated on other prisoners of war or gross behavior of cruelty towards them by a prisoner of war who is in a superior position

are punishable by imprisonment from 10 to 15 years.

(3) Actions by a soldier in captivity to the detriment of other prisoners of war for material interest or to ensure lenient behavior from the enemy

is punishable by imprisonment from 5 to 10 years.

PRESIDENT Eugenia OSTAPCIUC

parliament

Chiinu, April 18, 2002.

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