Article 2. Aims of the law

The aims of this law are:

- to prevent the misappropriation and illegal trafficking of nuclear and radioactive materials and to protect the physical security of nuclear and radiological facilities.

Article 15. Functions of the administrative authority responsible for civil protection and emergency situations

The administrative authority responsible for civil protection and emergency situations shall:

- plan and implement, jointly with the Customs Service, the National Agency and other institutions responsible for combating illegal trafficking of nuclear and radioactive materials, actions to protect the public and the environment;

Article 36. Combating illegal trafficking of nuclear and radioactive materials

1. For the purpose of prevention, detection and responding in the event of attempted or actual illegal trafficking of nuclear and radioactive materials, the Customs Service shall establish and implement appropriate border controls.

2. Individuals or legal entities who have identified attempted illegal trafficking of nuclear or radioactive material shall inform the National Agency of this within 24 hours after the time at which they identified it.

Article 38. Notification and regulation in the event of a nuclear or radiation incident or accident

1. In the event of loss of control over nuclear or radioactive material which may affect third countries, the National Agency shall, in accordance with the procedures agreed between the parties, notify the IAEA and third countries of the relevant event, including in case» where illegal trafficking of nuclear or radioactive materials has been identified.

Article 50. Liability

3. Unauthorised pursuit of nuclear and radiological activities or illegal trafficking of nuclear and radioactive materials, nuclear or radiological installations or facilities, explosive nuclear devices or components thereof which may cause harm to the public or environment shall trigger cessation of the activity, seizure or the enforcement of other measures provided for by law.

4. Seized ionising radiation sources shall be kept at the expense of the authorised individual or legal entity at a safe location sealed off by the National Agency, in accordance with nuclear and radiation safety and physical security requirements, so as not to endanger the life and health of the public, cause radioactive contamination of property or the environment or facilitate illegal trafficking, until legal measures have been taken.
THE CONTRAVENTION CODE OF THE REPUBLIC OF MOLDOVA

Article 155. Violation of the rules for carrying out nuclear activities and radiological

(1) Carrying out nuclear and radiological activities without radiological authorization issued according to the law shall be sanctioned with a fine from 60 to 90 conventional units applied to the natural person, with a fine from 90 to 180 conventional units applied to the person in charge, with a fine from 180 to 300 conventional units applied to the legal person.

(2) Failure to report in time, with exceeding by five working days the term provided by law, the export, import of technologies, materials, devices, software, equipment that fall under the scope of the nuclear safeguards regime shall be sanctioned with a fine from 90 to 180 conventional units applied to the person in charge, with a fine from 180 to 300 conventional units applied to the legal person.

(3) Use of nuclear and radiological installations, nuclear and radioactive material without a safety certificate issued in accordance with the law is sanctioned with a fine from 90 to 180 conventional units applied to the person in charge, with a fine from 180 to 300 conventional units applied to the legal person. The sanction applies to each radiological or nuclear installation, radioactive or nuclear material used without safety certificates.

(4) Carrying out the activities of design, construction of nuclear and radiological objectives, location, relocation, transfer, assembly, commissioning, test operation, repairs and maintenance, modification, conservation, decommissioning, import, export, temporary introduction of nuclear installations and radiological, of nuclear or radioactive materials, as well as the carrying out of activities for the transportation of nuclear and radioactive materials without the authorization provided by law is sanctioned with a fine from 60 to 90 conventional units applied to the natural person, with a fine from 120 to 180 conventional units applied to the person in charge, with a fine from 180 to 300 conventional units applied to the legal person.

(5) The admission in the nuclear and radiological activities of the persons who do not have the necessary training or who do not have a valid exercise permit for these activities, as well as the non-registration in the file of the personnel employed of category A of the individual effective doses is sanctioned with a fine from 120 to 180 conventional units applied to the person in charge.

(6) Preventing the legitimate activity of the representatives of the control body in the field of nuclear and radiological activities by not admitting to carrying out the legal control shall be sanctioned with a fine from 120 to 180 conventional units applied to the person in charge, with a fine from 180 to 300 conventional units applied to the legal person.

(7) Submission, for evaluation or control, of erroneous or incomplete data is sanctioned with a fine from 90 to 180 conventional units applied to the person in charge, with a fine from 180 to 300 conventional units applied to the legal person.

(8) Concealment of cases of detection, theft, loss of ionizing radiation sources, nuclear materials, destruction of the integrity of nuclear materials and radioactive sources or failure to inform, within 24 hours, the control body in the field of nuclear
and radiological activities about these facts shall be sanctioned with a fine from 120 to 300 conventional units applied to the person in charge, with a fine from 300 to 600 conventional units applied to the legal person.

(9) Operation of nuclear or radiological installations in the absence of a quality control system to ensure the requirements of radiation protection, nuclear and radiological safety, physical safety of the objective, preparation of emergency intervention in case of nuclear or radiological incidents or accidents shall be sanctioned with a fine from 60 to 180 conventional units applied to the person in charge, with a fine from 180 to 300 conventional units applied to the legal person.

(10) Failure to present data, presentation of false or outdated data to the control body in the field of nuclear and radiological activities regarding the information required by normative acts for inclusion in national reports on implementation of the requirements of international treaties and conventions to which the Republic of Moldova is a party is sanctioned with a fine from 180 to 300 conventional units applied to the person in charge, with a fine from 300 to 1000 conventional units applied to the legal person.

(11) Failure to record radiation doses to patients, failure to report cases of radiological incident, including unjustified irradiation of patients, is sanctioned with a fine from 150 to 450 conventional units applied to the person in charge, with a fine from 450 to 750 conventional units applied to the legal person.

Article 423\(^2\). National Agency for the Regulation of Nuclear Activities and Radiology

(1) The contraventions provided in art.113 paragraph (7) and art.1551 shall be ascertained by the National Agency for the Regulation of Nuclear and Radiological Activities.

(2) The main state inspector in the field of regulation of nuclear and radiological activities and his deputy, the collaborators of the Inspectorate Section within the National Agency for the Regulation of Nuclear and Radiological Activities are entitled to ascertain contraventions and to conclude minutes.

(3) The minutes regarding the contraventions shall be submitted for substantive examination to the competent court.

PARLAMENTUL
COD Nr. 985 din 18-04-2002
THE CRIMINAL CODE OF THE REPUBLIC OF MOLDOVA

Article 140\(^1\) Use, Development, or Acquisition; Processing, Possession, Accumulation or Conservation; Direct or Indirect Transmission, Storage, or Transportation of Weapons of Mass-Destruction

(1) The use, development, or acquisition; the processing, possession, accumulation or conservation; the direct or indirect transmission, storage, or transportation of chemical weapons, biological weapons, nuclear weapons, nuclear explosive devices, or other weapons of mass-destruction that violate provisions of national legislation or of international treaties to which the Republic of Moldova is a
party by a person shall be punished by a fine in the amount of 3000 to 5000 conventional units or by imprisonment for 8 to 12 years, in both cases with (or without) the deprivation of the right to hold certain positions or to practice certain activities for 2 to 5 years, whereas a legal entity shall be punished by a fine in the amount of 5000 to 8000 conventional units with the deprivation of the right to practice certain activities for 2 to 5 years or by its liquidation.

(2) The same actions

b) committed by two or more persons;
c) committed by an organized criminal group or by a criminal organization;
d) entailing especially large-scale damage;
e) entailing person’s death shall be punished by imprisonment for 16 to 20 years, whereas a legal entity shall be punished by a fine in the amount of 8000 to 10000 conventional units and by its liquidation.

(3) The design, production, or acquisition; the possession, storage, transmission, or transportation of equipment, material, software, or related technology essentially contributing to the design, production, or delivery of weapons of mass destruction, being aware that the equipment, material, software, or technology serve this purpose, shall be punished by a fine in the amount of 1000 to 3000 conventional units or by imprisonment for up to 5 years, in both cases with (or without) the deprivation of the right to hold certain positions or to practice certain activities for up to 5 years, whereas a legal entity shall be punished by a fine in the amount of 3000 to 5000 conventional units with the deprivation of the right to practice certain activities for up to 5 years or by the liquidation of the legal entity.

(4) The design, production, or acquisition; the possession, storage, transmission or transportation of raw materials, special fissionable materials, equipment or material designed or prepared for processing; the use or production of the special fissionable material, being aware that this raw material, material, or equipment is intended for use in activities related to nuclear explosions or to other nuclear activities conflicting with international treaties to which the Republic of Moldova is a party shall be punished by imprisonment for up to 5 years with (or without) the deprivation of the right to hold certain positions or to practice certain activities for 2 to 5 years, or by a fine applied to a legal entity in the amount of 4000 to 7000 conventional units with the deprivation of the right to practice certain activities for 2 to 5 years or by the liquidation of the legal entity.

Article 292. Production, Purchase, Processing, Storage, Transportation, Use, or Neutralization of Explosive Substances or of Radioactive Materials

(1) The production, purchase, processing, storage, transportation, use, or neutralization of explosive substances or radioactive materials without proper authorization or any other illegal operations on their circulation shall be punished by a fine in the amount of 300 to 800 conventional units or by imprisonment for up to 5 years, whereas a legal entity shall be punished by a fine in the amount of 3000 to 5000 conventional units with the deprivation of the right to practice certain activities or by the liquidation of the legal entity.
(2) (11) The same acts committed with nuclear material provided that such acts create the danger of causing death or severe bodily injury, damage to health, or vital damage to property or to the environment shall be punished by a fine in the amount of 600 to 1000 conventional units or by imprisonment for 3 to 7 years, whereas a legal entity shall be punished by a fine in the amount of 6000 to 8000 conventional units with the deprivation of the right to practice certain activities or by the liquidation of the legal entity.

(2) The acts set forth in par. (1) or (11) that cause by imprudence:
  a) the death of a person;
  b) other severe consequences;

shall be punished by imprisonment for 5 to 10 years, whereas a legal entity shall be punished by a fine in the amount of 7000 to 10,000 conventional units and by the liquidation of the legal entity.

Article 295. Theft of Radioactive Material or Devices or Nuclear Installations, the Threat of Theft, or Requests to Transmit Such Materials, Devices, or Installations

(1) The theft of radioactive material or devices or of a nuclear installation shall be punished by imprisonment for 4 to 8 years with (or without) the deprivation of the right to hold certain positions or to practice certain activities for 2 to 5 years.

(2) (2) Request to transmit radioactive material or devices or a nuclear installation involving the threat of violence or another form of intimidation shall be punished by imprisonment for 3 to 7 years.

(3) The actions set forth in par. (1) or (2) committed:
  a) by two or more persons;
  b) with the use of an official position;
  c) with violence not dangerous to the life and health of a person;

shall be punished by imprisonment for 6 to 12 years with (or without) the deprivation of the right to hold certain positions or to practice certain activities for 2 to 5 years.

(4) An attack against a person aimed at stealing radioactive material or devices or a nuclear installation involving violence dangerous to the life and health of the person attacked or the threat of such violence shall be punished by imprisonment for 6 to 12 years.

(5) The actions set forth in par. (4) committed:
  a) by two or more persons;
  b) using weapons or other objects used as weapons;
  c) causing severe bodily injury or damage to health shall be punished by imprisonment for 10 to 17 years. ;

(6) The actions set forth in par. (1), (2), (3), (4) or (5) committed:
  a) by an organized criminal group or a criminal organization or for the benefit thereof;
  b) on a large or especially large scale shall be punished by imprisonment for 12 to 20 years.
(7) The threat of theft of radioactive material or devices or of a nuclear installation in order to force the state, international organization, legal entity or individual to commit or to refrain from committing an action shall be punished by imprisonment for 2 to 5 years.

Article 2951 Possession, Production or Use of Radioactive Material or Devices or Nuclear Installations

(1) The possession of radioactive material or the production or possession of a radioactive device in order to cause death or severe bodily injury or damage to health or vital damage to property or to the environment shall be punished by imprisonment for 10 to 15 years with the deprivation of the right to hold certain positions or to practice certain activities for 2 to 5 years.

(2) The use by any method of radioactive material or devices or a nuclear installation involving emissions or the danger of emissions from the radioactive material committed in order to:

   a) cause death, severe bodily injury, damage to health, vital damage to property or to the environment

   b) force the state, international organization, legal entity, or individual to commit or refrain from committing an action shall be punished by imprisonment for 15 to 20 years with the deprivation of the right to hold certain positions or to practice certain activities for 3 to 5 years.

(3) A threat to commit an act set forth in par. (2) shall be punished by imprisonment for 2 to 5 years.

Article 2952 Attack against a Nuclear Installation

(1) Attacks against a nuclear installation or against a nuclear installation’s operations shall be punished by imprisonment for 5 to 10 years.

(2) The same action committed:

   a) by two or more persons;

   b) with violence dangerous to the life and health of the person,

   c) using a weapon or other objects used as weapons shall be punished by imprisonment for 7 to 15 years.

(3) The actions set forth in par. (1) or (2):

   a) involving exposure to radiation or the emission of radioactive substances

   b) causing other severe consequences shall be punished by imprisonment for 12 to 20 years.

(4) A threat to commit an action set forth in par. (1) shall be punished by a fine in the amount of 300 to 600 conventional units or by community service for 180 to 240 hours or by imprisonment for 2 to 5 years.
(5) A threat to commit an action set forth in par. (1) in order to force the state, international organization, legal entity, or individual to commit or to refrain from committing an action shall be punished by imprisonment for 2 to 5 years.