

**Draft**

## **LAW ON CLIMATE ACTIONS**

### **Chapter I GENERAL PROVISIONS**

#### **Article 1**

The purpose of this Law is establishing a framework for implementing measures for irreversible and gradual reduction of anthropogenic greenhouse gas emissions by sources and enhancement of removals by sinks at a level that would prevent dangerous anthropogenic interference with the climate system, increasing the ability to adapt to the adverse impacts of climate change and for climate-resilient and low carbon society in the context of sustainable development and efforts to eradicate poverty, as per the art. 2 of the Paris Agreement.

#### **Subject matter and scope**

#### **Article 2**

This Law sets out binding actions at the national level to enable the achievement of the objective of climate neutrality by 2050 as a response to the long-term global temperature goal and provides a framework for achieving progress in pursuit of the global adaptation goal set out in the Paris Agreement, ratified by the Law no. 78/2017.

This Law establishes the mechanism for:

- (a) development and implementation of the strategies and measures designed to meet national objectives and targets of relevance for implementation of the Paris Agreement, including targets for energy and climate under the Energy Community Treaty;
- (b) mainstreaming of climate actions in national, local and sectoral policies towards low greenhouse gas emissions and climate-resilient development and fulfilment of obligations under the Paris Agreement and Energy Community;
- (c) integrate climate action measures into national, local and sectoral policies towards low greenhouse gas emissions and climate-resilient development and fulfilment of obligations under the Paris Agreement and Energy Community;
- (d) complete, transparent, timely, consistent, comparable and timely monitoring and integral reporting of greenhouse gases, mitigation and adaptation policies and measures;
- (e) the timeliness, transparency, accuracy, consistency, comparability and completeness of reporting to the Secretariats of the UNFCCC, the Paris Agreement, and the Energy Community;
- (f) support to allocation of necessary financial resources for achieving progress towards climate neutrality and climate-resilient development and fulfilment of obligations under the Paris Agreement and Energy Community;
- (g) making available and consult public regarding policy and measures planning, evaluation and implementation, identification of and achieving targets and objectives of climate-neutral and climate-resilient development, and monitoring and reporting.

This Law applies to anthropogenic emissions by sources and removals by sinks of the greenhouse gases listed in Annex 3 of the Governmental Decision no. 1277/2018 on establishing and functioning of the National System for Monitoring and Reporting the greenhouse gas emissions and other information relevant to the climate change (hereinafter – GD no.1277/2018).

Provisions, which establish standard rates, conditions and restrictions applicable to fluorinated greenhouse gases are regulated by the Law no.43/2023 on fluorinated greenhouse gases.

## Definitions

### Article 3

For the purposes of this Law, the used notions have the following meanings:

*adverse effects of climate change* – changes in the physical environment or biota resulting from climate change which have significant deleterious effects on the composition, resilience or productivity of natural and managed ecosystems or on the operation of socio-economic systems or on human health and welfare; (art 1.1, UNFCCC)

*adaptation* – human-driven adjustments in ecological, social or economic systems or policy processes, in response to actual or expected climate stimuli and their effects or impacts (LEG, 2011). Various types of adaptation can be distinguished, including anticipatory and reactive adaptation, private and public adaptation, and autonomous and planned adaptation (IPCC Fourth Assessment Report (AR4), 2007); (UNFCCC Glossary of key terms, <https://www4.unfccc.int/sites/NAPC/Pages/glossary.aspx>)

*adaptive capacity* – the ability of a system to adjust to climate change (including climate variability and extremes) in order to moderate potential damages, to take advantage of opportunities or to cope with the consequences (IPCC AR4, 2007); (UNFCCC Glossary of key terms, <https://www4.unfccc.int/sites/NAPC/Pages/glossary.aspx>)

*aircraft operator* – any natural or legal person who carries out aviation activities or, where that person is not known or cannot be identified by the owner of the aircraft, the owner of the aircraft; (EU ETS Directive)

*anthropogenic emissions* – the release of greenhouse gases and and/or their precursors into the atmosphere attributed to human activities, including sources in an installation, the release from an aircraft performing an aviation activity or from ships performing a maritime transport activity; (combination of art 1.4 UNFCCC, ICAO and EU ETS Directive)

*anthropogenic removal* – the withdrawal of greenhouse gases from the atmosphere as a result of deliberate human activity;

*carbon dioxide equivalent* – a metric measure used to compare the emissions of the different greenhouse gases based upon their global warming potential (GWP); (UNFCCC Glossary, GHG Inventory)

[https://unfccc.int/resource/cd\\_roms/na1/ghg\\_inventories/english/8\\_glossary/Glossary.htm#:~:text=Carbon%20equivalent.,carbon%20equivalents%22%20\(MMTCE\)](https://unfccc.int/resource/cd_roms/na1/ghg_inventories/english/8_glossary/Glossary.htm#:~:text=Carbon%20equivalent.,carbon%20equivalents%22%20(MMTCE))

*carbon sequestration* – the process of removing carbon from the atmosphere and storing it, including in soil and vegetation other than harvested wood products or other vegetation that has been harvested, lopped or felled;

*climate change* – means a change of climate which is attributed directly or indirectly to human activity that alters the composition of the global atmosphere and which is in addition to natural climate variability observed over comparable time periods; (art 1.2 UNFCCC)

*climate neutrality* – achieving a balance between emissions by sources and removals by sinks of GHGs from the atmosphere;

*climate resilience* – the ability of a social or ecological system to absorb disturbances while retaining the same basic structure and ways of functioning, the capacity for self-organization and the capacity to adapt to stress and change (IPCC AR4, 2007); (UNFCCC Glossary of key terms, <https://www4.unfccc.int/sites/NAPC/Pages/glossary.aspx>)

*climate system* – the totality of the atmosphere, hydrosphere, biosphere and geosphere and their interactions; (art 1.3 UNFCCC)

*CORSIA* – a global market-based measure called the ‘Carbon Offsetting and Reduction Scheme for International Aviation’ introduced by the 39<sup>th</sup> International Civil Aviation Organization (ICAO) General Assembly in October 2016 through the Resolution A39-3; in June 2018, the ICAO Council approved the associated Standards and Recommended Practices (SARPs) for

CORSIA implementation, which are included in the ICAO Annex 16, Volume IV to the Chicago Convention;

*emissions reduction* – the anthropogenic removal or sequestration of one or more greenhouse gases from the atmosphere, or the avoidance or reduction of emissions of one or more greenhouse gases;

*ecosystem-based adaptation (hereinafter - EbA)* – nature-based solution that harnesses biodiversity and ecosystem services to reduce vulnerability and build resilience to climate change; (IUCN)

*global warming potential* – the cumulative radiative forcing, both direct and indirect effects, over a specified time horizon resulting from the emission of a unit mass of one kilogram of a greenhouse gas to that from the emission of one kilogram of carbon dioxide over a period of time (usually 100 years); UNFCCC Glossary, GHG Inventory, [https://unfccc.int/resource/cd\\_roms/na1/ghg\\_inventories/english/8\\_glossary/Glossary.htm#:~:text=Carbon%20equivalent.,carbon%20equivalents%22%20\(MMTCE\)\)](https://unfccc.int/resource/cd_roms/na1/ghg_inventories/english/8_glossary/Glossary.htm#:~:text=Carbon%20equivalent.,carbon%20equivalents%22%20(MMTCE)))

*greenhouse gases (hereinafter - GHGs)* – gaseous constituents of the atmosphere, both natural and anthropogenic, that absorb and re-emit infrared radiation; (art 1.5 UNFCCC)

*installation* – a stationary technical unit where one or more activities listed in Annex I are carried out and any other directly associated activities which have a technical connection with the activities carried out on that site and which could have generated emissions and pollution; (EU ETS Directive)

*just transition* – greening the economy in a way that is as fair and inclusive as possible to everyone concerned, creating decent work opportunities and leaving no one behind; (ILO definition);

*Internationally Transferred Mitigation Outcomes (hereinafter – ITMOs)* – cooperative approaches that are real, verified and additional emission reductions and removals, including mitigation co-benefits resulting from adaptation actions and/or economic diversification plans or the means to achieve them, transferred internationally;

*Integrated National Energy and Climate Plans (hereinafter – INECP)* document which set up the objectives in accordance with the Law no. 174/2017 on Energy;

*mitigation* – human intervention to reduce the sources or enhance the sinks of greenhouse gases; (IPCC, 2014b)

*Nationally Determined Contributions (hereinafter – NDCs)* – an action plan prepared, communicated and maintained, outlining domestic mitigation objectives and measures for achieving the objectives of such contributions, in line with Paris Agreement; (Paris Agreement)

*nature-based solutions* – actions to protect, sustainably manage, and restore natural and modified ecosystems that address societal challenges effectively and adaptively, simultaneously benefiting people and nature;

*operator* – any natural or legal person who controls the technical operation of the installation or part of it, or the person to whom decisive economic power over the technical functioning of the installation has been delegated; (EU ETS)

*sink* – any process, activity or mechanism which removes a greenhouse gas, an aerosol or a precursor of a greenhouse gas from the atmosphere; (art 1.8 UNFCCC)

*source* – any process or activity which releases a greenhouse gas, an aerosol or a precursor of a greenhouse gas into the atmosphere; (art 1.9 UNFCCC)

*verification* – the activities carried out by a verifier to issue a verification report pursuant to this Law and Regulation on accreditation and requirements for verifiers of the greenhouse gas emissions or a natural person otherwise authorized, at the time a verification report is issued; (Implementing Regulation (EU) 2018/2067)

*verifier* – any natural or legal person carrying out verification activities pursuant to this Law and accredited by the National Accreditation Centre of the Republic of Moldova (hereinafter

MOLDAC) pursuant to the Law no.235/2011 on accreditation and conformity assessment activities; (Implementing Regulation (EU) 2018/2067)

*verification report* – a report, prepared by an independent auditor who is certified under an emissions reduction standard;

*voyage* – any movement of a ship that originated from or terminates in a port of call and that serves the purpose of transporting passengers or cargo for commercial purpose;

*vulnerability* – the degree to which a system is susceptible to, or unable to cope with, adverse effects of climate change, including climate variability and extremes (UNFCCC Glossary <https://www4.unfccc.int/sites/NAPC/Pages/glossary.aspx>)

## **Basic principles**

### **Article 4**

When enforcing the law, the following principles shall be observed:

- a) setting out a binding objective of climate-neutrality by 2050 at the latest and negative emissions thereafter;
- b) equity and sustainable reduction of greenhouse gas emissions;
- c) setting out a binding objective of climate-resiliency by 2050; while enhancing adaptive capacity, strengthening resilience, and reducing vulnerability to climate change;
- d) caution and science-based approach in decision making;
- e) greenhouse gas emissions – “polluter pays”;
- f) just transition;
- g) common commitments for planning, reporting and monitoring;
- h) transparency and accessibility to information and data.

## **National Climate Change Commission**

### **Article 5**

The National Climate Change Commission (hereinafter – NCCC) is established under the Prime Minister as an interinstitutional body tasked to coordinate, monitor and promote national programs and ensure mainstreaming of climate change in national, local, and sectoral policies towards a climate-neutral and climate-resilient development.

NCCC will have an interinstitutional and consultative role in:

- a) presents proposals for amendments to climate change policy and legal framework;
- b) promotion of climate change topics and their integration in all relevant sectoral policies and legislation;
- c) evaluate the degree of the transposition of the EU Climate acquis into national legislation and achievement of climate objectives and goals;
- d) responsible for the authorization of voluntary cooperation activities to lead to emission reductions and will not to be used to demonstrate achievement of the Nationally Determined Contribution in compliance with art. 6 of the Paris Agreement.

NCCC will deliver yearly report to the Government, containing an assessment of the government's overall climate actions policies, level of their implementation and contribution to goals, objectives and targets, as well as recommendations.

Members of the NCCC will be representative of relevant national and local level public authorities, education and scientific entities, non-profit organizations and private sector approved by the Government.

NCCC will be chaired by the Prime Minister.

The Secretariat will be hosted by the Minister of Environment.

Activity organization of the NCCC and duties and responsibilities of the members are defined in the Regulation on the establishment of the mechanism for coordinating activities in the field of climate change, approved through the Government Decision no. 444/2020

**Chapter II**  
**ASSIGNMENTS AND RESPONSIBILITIES**  
**Administrative competencies**  
**Section 1**  
**Government**  
**Article 6**

The Government shall:

- 1) determine the objectives and set out priority directions for gradual reduction of emissions anthropogenic greenhouse gas emissions and adaptation to climate change by approving policy documents;
- 2) approve the normative framework for the enactment of this law;
- 3) approve the CO<sub>2</sub> price for ensuring function of the Carbon Border Adjustment Mechanism (hereinafter –CBAM);
- 4) ensure efficient and transparent management of carbon pricing revenues;
- 5) coordinate the work of all public authorities which bear duties in the area of mitigation measures, in enhancing the adaptive capacity, strengthening resilience and reducing vulnerability to climate change.

**Assignments and responsibilities of the Ministry of Environment**

**Article 7**

The Ministry of Environment has the following assignments and responsibilities:

- 1) to develop and promote policies, the normative framework in the field of climate change mitigation and adaptation and shall be the official contact point for international conventions and agreements related to this Law, to which the Republic of Moldova is a party;
- 2) to monitor the implementation of normative acts in the field of climate change mitigation and adaptation;
- 3) to prepare projections of anthropogenic GHG emissions by sources and of their removal by sinks (hereinafter referred to as: the projections) to provide a basis for the GHG emission reduction targets and planning, the adoption of policies and measures, and for monitoring the achievement of GHG emission reduction targets;
- 4) to promote policies for achieving progress in pursuit of the low-carbon and climate resilient development goal under the Paris Agreement;
- 5) to collaborate with all public authorities and institutions through the mutual exchange of information and data both at the stage of developing or updating the Nationally Determined Contributions (hereinafter – NDCs), the Integrated National Energy and Climate Plans (hereinafter – INECs) and the long-term low emission development strategy (hereinafter – LT-LEDS), climate change adaptation policy documents and national GHG inventories, as well as in connection with the monitoring and reporting of their implementation;
- 6) to ensure the effective implementation of National System for Monitoring and Reporting (hereafter – NSMR) greenhouse gas emissions and other climate related information, approved by the GD no. 1277/2018;
- 7) to ensure the development, update and enactment of rules and regulations on effective monitoring of greenhouse gas emissions and policies and measures that contribute to climate change mitigation and adaptation under and for the enforcement of the legislation;



- 8) to ensure the function of the Carbon Border Adjustment Mechanism (hereinafter – CBAM);
- 9) to approve on annual basis the goods which fall under the Carbon Border Adjustment Mechanism (CBAM);
- 10) to ensure cooperation with authorities and institutions with regard to effectively implementing the legislation in the field of climate change mitigation and adaptation;
- 11) to promote and cooperate in education, training and public awareness related to climate change and encourage the widest participation in this process, including that of noncommercial organizations;
- 12) to promote the decisions of the NCCC, established in conformity with the Regulation on the setting-up of the mechanism for coordinating activities in the field of climate change, approved through the Government Decision no. 444/2020;
- 13) to approve on annual basis the list of operators, whose activities are in conformity with Annex I ‘Categories of activities to which carbon pricing mechanism applies (Annex I)’ and should be regulated through the authorizations for the complex nature protection permission based on the reported data for the last year;
- 14) to contribute to ensuring that public authorities and the general public have access to information in the field of climate change mitigation and adaptation;
- 15) to coordinate the preparation of reports on the implementation of national climate change mitigation and adaptation policies, including the corresponding action plans.

### **Assignments and responsibilities of the Ministry of Energy**

#### **Article 8**

The Ministry of Energy has the following assignments and responsibilities:

- 1) to assess and include in sectoral policy documents for energy activities, within the limits of functional competences, provisions and measures aimed at low-carbon and climate resilient development goals;
- 2) to establish and ensure the function of integrated energy and climate actions governance mechanism;
- 3) to participate, within the limits of competence, in the development and implementation of policies in the field of energy and climate actions;
- 4) to develop policies to support low-carbon technologies in the field of energy;
- 5) to collaborate with the Ministry of Environment through the mutual exchange of information and data both at the stage of developing or updating the NDCs the Integrated INECs and the LT-LEDS and national GHG inventories, as well as in connection with the monitoring and reporting of their implementation;
- 6) to contribute for ensuring that public authorities and the general public have access to information in the field of establishing innovative products, technologies, services and new approaches to support low-carbon technologies in the field of energy.

### **Assignments and responsibilities of the Ministry of Health**

#### **Article 9**

The Ministry of Health has the following assignments and responsibilities:

- 1) to estimate the scale and impact of many climate-sensitive health risks and develop measures to support resilience and adaptation in health determining sectors and improve health;
- 2) to assess and integrating climate risk in sectoral policy documents, within the limits of functional competences, provisions and measures aimed at climate resilient development goal;

- 3) to develop methodologies for assessing the health risks of the population, also aimed at protecting groups of sensitive populations, as a result of exposure to climate risks;
- 4) to implement the climate – informed surveillance and response system for key risks;
- 5) to collaborate with the Ministry of Environment through the mutual exchange of information and data both at the stage of developing the climate change adaptation policy documents, as well as in connection with the monitoring and reporting of their implementation;
- 6) to inform the public regarding the risks to the health of the population in relation to the negative impacts of climate change on human health;
- 7) to collaborate with the Ministry of Environment, through the mutual exchange of information and data on human health in relation to climate related risks and monitors progress.

### **Assignments and responsibilities of the Ministry of Economic Development and Digitalization**

#### **Article 10**

The Ministry of Economic Development and Digitalization has the following assignments and responsibilities:

- 1) to assess and include in sectoral policy documents for industrial activities, within the limits of functional competences, provisions and measures aimed at low-carbon and climate resilient development goals;
- 2) to develop policies to support low-carbon technologies in the field of industry;
- 3) to develop methodologies for assessing the impact of the digital economy on carbon emissions;
- 4) to collaborate with the Ministry of Environment through the mutual exchange of information and data both at the stage of developing or updating the NDCs the Integrated INECs and the LT-LEDS and national GHG inventories, as well as in connection with the monitoring and reporting of their implementation;
- 5) to contribute for ensuring that public authorities and the general public have access to information in the field of establishing innovative products, technologies, services and new approaches to support low-carbon technologies in the field of industry.

### **Assignments and responsibilities of the Ministry of Infrastructure and Regional Development**

#### **Article 11**

The Ministry of Infrastructure and Regional Development has the following assignments and responsibilities:

- 1) to assess and include in sectoral policy documents for transport and regional development activities, within the limits of functional competencies, provisions and measures aimed at low-carbon and climate resilient development goals;
- 2) to develop policies to support low-carbon technologies and increasing the ability to adapt to the adverse impacts of climate change in the area of competencies;
- 3) to develop normative regulations on reducing the impact of GES emissions from transport sector and to improve the fuel economy;
- 4) to develop the Guide on fuel economy and emissions of CO<sub>2</sub>;
- 5) to update and approve annually the list of aircraft operators covered by CORSIA;
- 6) to update and approve annually the list of operators that monitor, report and verify GHG emissions from activities in the field of civil aviation and maritime transport specified in Annex 1 'Categories of activities to which carbon pricing mechanism applies, based on the data reported by them for the last year;

- 7) to inform the general public regarding new approaches to support low-carbon technologies in the field of fuel economy and CO<sub>2</sub> emissions;
- 8) to collaborate with the Ministry of Environment, through the mutual exchange of information and data at the stage of developing or updating the NDCs, LT-LEDS, national adaptation policy documents and national GHG inventories, as well as in connection with the monitoring and reporting of its implementation.

### **Assignments and responsibilities of the Ministry of Agriculture and Food Industry**

#### **Article 12**

The Ministry of Agriculture and Food Industry has the following assignments and responsibilities:

- 1) to include in sectoral policy documents for agriculture and food industry measures within the limits of functional competencies, provisions and measures aimed at low-carbon and climate resilient development goals;
- 2) to develop policies to support low-carbon technologies and increasing the ability to adapt to the adverse impacts of climate change for climate-resilient development in the areas of competencies;
- 3) to assess the agriculture and food production measures in relation to climate related risks and develop adaptation measures to reduce their negative impacts;
- 4) to develop methodologies for assessing the agriculture and food production risk, as a result of exposure to climate risks;
- 5) to request and receive free of charge, in accordance with the law, information and data at the stage of developing or updating the NDCs, the LT-LEDS, national adaptation policy documents and national GHG inventories, as well as in connection with the monitoring and reporting of its implementation.

### **Assignments and responsibilities of the Ministry of Labor and Social Protection**

#### **Article 13**

The Ministry of Labor and Social Protection has the following assignments and responsibilities:

- 1) to elaborate and include in the sectoral policy documents activities in the field of promoting inclusion and social assistance, as well as achieving gender equality within the limits of functional competences, provisions and measures aimed at increasing the capacity to adapt to the negative effects of climate change;
- 2) to assess climate risks on the well-being of socially vulnerable groups, gender equality and develop measures to adapt and reduce the negative impact;
- 3) to elaborate risk assessment methodologies on socially vulnerable groups, as a result of exposure to climate related risks;
- 4) to collaborate with the Ministry of the Environment through the mutual exchange of information and data in the development of the LT-LEDS, policy documents for the implementation of climate change adaptation actions, as well as in connection with monitoring their implementation and reporting.

### **Assignments and responsibilities of the Ministry of Education and Research**

#### **Article 14**

The Ministry of Education and Research has the following assignments and responsibilities:

- 1) to elaborate and include in the sectoral policy documents activities in the field of education, as well as research and innovation within the limits of functional competences, provisions and measures aimed at promoting the formation of knowledge and skills necessary to prevent the impacts and adapt to the negative effects of climate change throughout life;



- 2) to integrate as a component part of the state policy in the field of fundamental research and applied in the innovation activity the projects regarding the reduction of GHG emissions and adaptation to the negative impacts of climate change;
- 3) to promote and cooperate with public institutes in the field of research and innovation for the development of studies to estimate the climate change impacts on different socio-economic systems and the evaluation of the uncertainties associated with them;
- 4) to complete the study programs and develop teaching materials jointly with the Ministry of the Environment regarding environmental protection and combating adverse effects of climate change.

### **Assignments and responsibilities of the Ministry of Internal Affairs**

#### **Article 15**

The Ministry of Internal Affairs has the following assignments and responsibilities:

- 1) to elaborate and monitor the implementation of state policy measures in the field of prevention and elimination or mitigation the consequences of emergency and exceptional situations, civil protection and defense against fires and risks related to climate and natural disasters;
- 2) to assess climate risks on public security and the defense of public and private property;
- 3) to elaborate the methodologies to prevent and eliminate or mitigate the consequences of emergency and exceptional situations related to the climate and natural disasters;
- 4) to collaborate with the Ministry of the Environment through the mutual exchange of information and data in the development of policy documents for the implementation of climate change adaptation actions, as well as in connection with monitoring their implementation and reporting.

### **Assignments and responsibilities of the Environment Agency**

#### **Article 16**

The Environment Agency has the following assignments and responsibilities:

- 1) to ensure the implementation of the normative framework in the field of climate change mitigation and adaptation, monitors and periodically reports to the Ministry of Environment on the level of its achievement, presents proposals for amendments to normative acts in the area of competences;
- 2) to provide support to the Ministry of Environment in developing normative acts on effective implementation of National System for Monitoring and Reporting (hereafter – NSMR) greenhouse gas emissions and other climate related information;
- 3) to issue authorizations for the complex nature protection permission granting the right to emit greenhouse gases from all or part of a stationary installations maintained by the same operator, based on benchmarks, verify and approve the Monitoring Plans (hereafter – MPs) for one or more activities listed in the Annex I ‘Categories of activities to which carbon pricing mechanism applies’;
- 4) to approve the format and GHG emissions monitoring plan presented by the operator;
- 5) to keep the National Pollutant Release and Transfer Register (hereinafter –PRTR), in line with the provisions of Government Decision no. 373/2018 on PRTR; evaluate the submitted Annual Emission Reports (hereinafter – AERs);
- 6) to ensure monitoring and reporting of GHG emissions in line with the provisions of Government Decision no. 1277/2018 on the establishment and operation of the NSMR of greenhouse gas emissions and other climate related information;
- 7) to develop or update the NDCs and national GHG inventories, as well as its reporting instruments;

- 8) to ensure monitoring and reporting of GHG emissions in line with the provisions of Regulation on monitoring, reporting and verification (hereafter – MRV) of greenhouse gas emissions from stationary installations, aircraft and shipping operators, to approved by the Government;
- 9) to prepare information and reports in the formats established by the Energy Community, European Environment Agency (hereinafter – EEA), EUROSTAT, UNFCCC and, by the secretariats of other conventions and protocols, to which the Republic of Moldova is a party, and submit them to the Ministry of Environment;
- 10) to establish the structure, format and procedures for reporting under the provisions of the Government Decision no. 1277/2018;
- 11) to request and receive free of charge, in accordance with the law, generalized data and information of GHG emissions based on provisions of Government Decision no. 1277/2018;
- 12) to ensure accuracy, correctness and completeness of provided information.

### **Assignments and responsibilities of the General Inspectorate for Emergency Situations**

#### **Article 17**

The General Inspectorate for Emergency Situation has the following assignments and responsibilities:

- 1) to ensure the implementation of the normative acts and policy documents concerning the prevention and elimination or mitigation of the consequences of emergency and exceptional situations, civil protection and protection against fires and risks related to climate and natural disasters.
- 2) to cooperate with the State Hydrometeorological Service in the assessment of prevention and elimination or mitigation of the consequences of emergency and exceptional situations related to climate and natural disasters.
- 3) to cooperate with the Environmental Protection Inspectorate in the process of supervision and control of the execution of measures for the prevention and elimination or mitigation of the consequences of risks and fires related to climate and natural disasters.

### **Assignments and responsibilities of the Civil Aviation Authority of the Republic of Moldova**

#### **Article 18**

The Civil Aviation Authority of the Republic of Moldova has the following assignments and responsibilities:

- 1) to ensure the implementation of the normative framework and policy documents in the field of aviation activity, monitors and periodically reports to the Ministry of Infrastructure and Regional Development on the level of its achievement, presents proposals for amendments to normative acts in the area of competences;
- 2) to ensure establishment and operation of the carbon offsetting and reduction scheme for international aviation (hereafter – CORSIA);
- 3) to ensure the implementation of the normative framework in the field of climate change mitigation from aviation activity, monitors and reports CO<sub>2</sub> emissions from international aviation;
- 4) to ensure the development, update and enactment of rules and regulations on effective monitoring of greenhouse gas emissions and policies and measures that contribute to climate change mitigation for the enforcement of the legislation on carbon offsetting and reduction scheme for international aviation (CORSIA);
- 5) to provide free of charge, in accordance with the law, generalized data and information based on provisions of GD no. 1277/2018;

- 6) to verify, within the planned or unannounced controls, compliance with the provisions of Regulation on the establishment and operation of the carbon offsetting and reduction scheme for international aviation (CORSIA), to be approved by the Government.
- 7) to ensure accuracy, correctness and completeness of provided information.

### **Assignments and responsibilities of the Naval Agency of the Republic of Moldova**

#### **Article 19**

The Naval Agency of the Republic of Moldova has the following assignments and responsibilities:

- 1) to ensure the implementation of the normative framework and policy documents in the field of maritime transport, monitors and periodically reports to the Ministry of Infrastructure and Regional Development on the level of its achievement, presents proposals for amendments to normative acts in the area of competences;
- 2) to propose for approval the list of vessels arriving in, within or departing from ports under the jurisdiction of the Republic of Moldova in accordance with the provisions of Annex 1 'Categories of activities to which carbon pricing mechanism applies;
- 3) to ensure the implementation of regulations on GHG emission reduction in the field of maritime transport, monitor and report data on carbon emissions from maritime transport activities specified in Annex 1 'Categories of activities to which carbon pricing mechanism applies;
- 4) to provide free of charge, as required by law, generalized data and information on GHG emissions pursuant to GD no. 1277/2018;
- 5) to ensure the completeness, accuracy and comparability of the information provided.

### **Assignments and responsibilities of the Customs Service of the Republic of Moldova**

#### **Article 20**

The Customs Service has the following assignments and responsibilities:

- 1) to cooperate with the Environment Agency and provide free of charge, as required by law, generalized data and information required for compiling the national GHG inventories, pursuant to Government Decision no. 1277/2018;
- 2) to cooperate with the Environmental Protection Inspectorate in the process of supervision and control of the execution of the provisions of this law and the regulations approved pursuant to it;
- 3) to notify the Environmental Protection Inspectorate of cases of violation of the provisions of this law, which are identified within the control carried out in accordance with the powers assigned by the Customs Code of the Republic of Moldova;
- 4) to ensure accuracy, correctness and completeness of provided information.

### **Assignments and responsibilities of the Environmental Protection Inspectorate**

#### **Article 21**

The Environmental Protection Inspectorate has the following assignments and responsibilities:

- 1) to ensure control in order to comply with the provisions of this law;
- 2) to control the implementation of measures in the field of climate change mitigation and environmental protection;
- 3) to verify the process of reporting by operators in the National Pollutant Release and Transfer Register, in accordance with the provisions of the Government Decision no. 373/2018;
- 4) to verify, within the planned or unannounced controls, compliance with the provisions of Government Decision on approving the Regulation on monitoring, reporting and

verification of greenhouse gas emissions from stationary installations, aircraft and shipping operators;

- 5) to identify cases of violation of legislation in the field and applies sanctions according to normative acts; to calculate the damage caused to the environment as a result of violation of normative acts;
- 6) to inform the Ministry of Environment and the Environment Agency in case of non-compliance with major environmental impact or, at their request, to present information on the results of the conducted checks, to propose the termination, withdrawal of issued permissive acts when non-compliances are identified.

### **Assignments and responsibilities of the State Hydrometeorological Service**

#### **Article 22**

The State Hydrometeorological Service has the following assignments and responsibilities:

- 1) to ensure the monitoring of the state and evolution of the hydrometeorological conditions to protect the population and the branches of the national economy against the dangerous hydrometeorological phenomena and the adverse impacts of climate change;
- 2) elaboration of warnings regarding the weather changes and dangerous meteorological phenomena that are operatively transmitted to the central and local public administration bodies and mass media;
- 3) to ensure the operational exchange of meteorological and hydrological data and information in order to prevent potential hazardous events, climate-related risks and natural disasters;
- 4) to assess meteorological, hydrological and climatological risks to public safety and public health;
- 5) to provide to the Environment Agency, free of charge, pursuant to GD no. 1277/2018, information on climatic indices and climatological conditions, collected and processed under the provisions of Law No. 00/2023 on meteorological and hydrological activity:

### **Assignments and responsibilities of the Agency ‘Moldsilva’**

#### **Article 23**

The Agency ‘Moldsilva’ has the following assignments and responsibilities:

- 1) to coordinate the implementation of the principles of sustainable development of the forestry, forestry fund ensuring protection related to the policies climate-neutral and climate-resilient development;
- 2) to assess the risks related to the state of vegetation and forests, correlated with achieving progress in pursuit of the low-carbon and climate resilient development goals, the information is to be presented annually to the Environment Agency;
- 3) to participate in the development and implementation of LT-LEDS and national adaptation policy documents;
- 4) to cooperate with the Environment Agency and provide free of charge, as required by law, generalized data and information required for compiling the national GHG inventories, pursuant to GD no. 1277/2018.

### **Local public administration authorities**

#### **Article 24**

The local public administration authorities have the following assignments and responsibilities:

- 1) to contribute in the implementation of the objectives of the state policies in the area of climate change mitigation and adaptation, within the limits of their competencies;

- 2) to organize, at the level of the local public administration of the second level, in collaboration with the territorial environmental agencies, the elaboration of Sustainable Energy and Climate Action Plans (hereinafter – SECAP) in accordance with a set of methodological principles, procedures and best practices at the EU and international level and submits them to the local councils for approval;
- 3) to monitor, at the level of the local public administration of the second level, together with the territorial bodies for environmental protection, the implementation of the SECAPs;
- 4) to draw up and submit annually to the Environment Agency the Reports on the implementation of SECAPs.

The local public authorities shall ensure, at local level, that the provisions of this Law falling within their responsibility are complied with and shall contribute to the performance of the tasks referred to in para 1, within the limits of financial possibilities.

## **The undertakings' and operators' responsibilities**

### **Section 2**

#### **The undertakings' responsibilities**

##### **Article 25**

Undertakings carrying out activities within the scope of this law have the following responsibilities:

- 1) to contribute in the implementation of the objectives of the state policies in the area of climate change mitigation and adaptation, within the limits of their responsibilities;
- 2) to use natural resources wisely and not undermine efforts to reduce GHG emissions and adapt to or be resilient to climate risks;
- 2) to assess any potential risks of generating a significant increase in GHG emissions so as not to harm other environmental objectives;
- 3) to assess current and future climate risks, including uncertainties, based on robust activity data, and contribute to efforts to adapt to or be resilient to climate risks;
- 4) to favor solutions based on nature's capabilities and adaptation to ecosystem functions so as not to cause significant harm;
- 5) to use energy efficient technologies, including cogeneration (also known as 'combined heat and power' or CHP) and trigeneration (also known as 'combined cooling, heat and power' or CCHP), that produce less GHG emissions;
- 6) to promote the production, import and trade of renewable energy-based machinery, equipment and means of transport;
- 7) to provide to the Environment Agency with the information necessary to meet reporting requirements under the UNFCCC, the Paris Agreement, and the Energy Community Treaty through the National System for Policies, Measures and Projections, set up through the GD no. 1277/2018.

## **The stationary installations, aircraft and shipping operators' responsibilities**

### **Article 26**

The operators who carry out activities within the scope of this law have the following responsibilities:

- 1) to carry out the industrial and economic activities that are provided in Annex 1 'Categories of activities to which carbon pricing mechanism applies only on the basis of the integrated environmental authorization, from the entire stationary installation or from a part of it, controlled by the same operator;



- 2) to ensure the correctness and completeness of all data and information provided in the documents submitted to the Environment Agency, throughout the validity period of the integrated environmental authorization;
- 3) to provide data and information to facilitate verification in accordance with the Regulation on accreditation and requirements applicable to verifiers of greenhouse gas emissions, to be approved by the Government;
- 4) to plan measures for monitoring and reporting GHG emissions and the methodology developed and described in the monitoring plan by the operator, approved by the Environment Agency;
- 5) to report annually in the manner and terms specified in Annex 3 of GD no. 373/2018 through the National Register of Emissions and Transfer of Pollutants regarding the industrial and economic activities that are provided in Annex 1 'Categories of activities to which carbon pricing mechanism applies;
- 6) to ensure the verification of the Annual Emission Report (AER) submitted for approval to the Environment Agency by an independent verifier;
- 7) to notify the Environment Agency, by December 1 of each year, if there have been or have not been any changes regarding all the information included in the integrated environmental permit, the GHG emissions Monitoring Plan and its related annexes.

### **Chapter III**

## **OBJECTIVES AND INTER-SECTORAL CLIMATE POLICIES AND MEASURES**

### **Section 1**

#### **Objectives and targets**

#### **Climate neutrality and resilience objectives**

##### **Article 27**

The objective is to ensure a cost-effective and economically efficient gradual reduction of anthropogenic greenhouse gas emissions and enhancement of removals by sinks, achieving the climate-neutrality at the latest by 2050 and aiming to negative emissions thereafter.

The objective is also to ensure the strengthening of resilience and adaptive capacity to climate-related hazards and natural disasters becoming a climate-resilient country by 2050.

The objective is also to ensure policy framework for achievement of a climate-resiliency of the country.

Achievement of objectives set out in paragraphs 1 and 2 of this Article, will be supported throughout implementation of the sectoral state and local programs considering the importance of promoting both fairness, solidarity and cost-effectiveness in achieving these objectives.

#### **Net GHG emission reduction targets**

##### **Article 28**

In order to reach the climate-neutrality objective by 2050, the Government will set out a domestic net greenhouse gas emissions target for 2030 and 2040 in its NDCs, while ensuring enhance of removals by natural sinks.

The levels of the GHG removals, their contribution to the net 2030 and 2040 targets and the projected indicative total volume of net greenhouse gas emissions (expressed as CO<sub>2</sub> equivalent and providing separate information on emissions and removals) at least up to 2050 will be defined in Long-Term Low Emissions Development Strategy (LT-LEDS).

The GHG emission targets will be aligned with the targets adopted by the Ministerial Council of the Energy Community.

## Analytical basis for GHG emission reduction targets

### Article 29

National mitigation (GHG emissions and removals by natural sinks) targets shall be set as:

- a) reduction of the economy-wide net greenhouse gas emissions as compared to the reference year (1990) emissions level;
- b) the geographic coverage of the national mitigation targets would be the same as shown by the country's geopolitical boundaries (including the administrative territorial units on the left bank of **Dniester River – hereafter – ATULBD**);
- c) the gases covered by the national mitigation targets – all greenhouse gases not controlled by the Montreal Protocol – Carbon Dioxide (CO<sub>2</sub>), Methane (CH<sub>4</sub>), Nitrous Oxide (N<sub>2</sub>O), Hydrofluorocarbons (HFCs), Perfluorocarbons (PFCs), Sulphur Hexafluoride (SF<sub>6</sub>), Nitrogen Trifluoride (NF<sub>3</sub>);
- d) the categories of anthropogenic emissions and removals, and the sectors covered by the national mitigation targets will reflect the coverage of categories and sectors consistent with Intergovernmental Panel on Climate Change (IPCC) Inventory Guidelines, i.e., energy; industrial processes and product use (IPPU); agriculture; land use, land-use change and forestry (LULUCF) and waste; including for sub-sectors that includes industrial installations obliged to have GHG permits (**cumulative for all ETS** installations and individual branches as defined in Annex I 'Categories of activities to which carbon pricing mechanism applies'.

For estimating and accounting for anthropogenic greenhouse gas emissions and removals, the Intergovernmental Panel on Climate Change (IPCC) Inventory Guidelines will be used for estimating emissions, respectively the 100-year time-horizon global warming potential (GWP) values from the IPCC Fifth Assessment Report, or 100-year time-horizon GWP values from a subsequent IPCC assessment report as agreed upon by the CMA, will be used to report aggregate emissions and removals of GHGs, expressed in CO<sub>2</sub> eq.

The approach to account for LULUCF sector's contribution in achieving the national mitigation targets, all categories of GHG emissions by sources and removals by sinks, and all pools and gases, will be considered using a net-net approach to account for their contribution. In addition, a "production approach" will be used to account for harvested wood products, consistent with IPCC inventory guidelines. Emissions from natural disturbances will be excluded from the national mitigation targets.

Bilateral, regional and international market mechanisms might be used to achieve the national GHG targets, subject to employing robust systems that deliver real and verified emissions reductions.

In the process of setting national climate mitigation targets and the content of Long-Term Low Emissions Development Strategy (LT-LEDS) at least the following shall be considered:

- a) the best available and most recent scientific evidence, including the latest reports of the IPCC;
- b) the social, economic and environmental impacts, including the costs of inaction;
- c) the need to ensure a just and socially fair transition for all;
- d) cost-effectiveness and economic efficiency;
- e) competitiveness of the national economy, in particular small and medium-sized enterprises and sectors most exposed to carbon leakage;
- f) best available cost-effective, safe and scalable technologies;
- g) energy efficiency and the 'energy efficiency first' principle, energy affordability and security of supply;

- h) the need to ensure environmental effectiveness and progression over time;
- i) the need to maintain, manage and enhance natural sinks in the long term and protect and restore biodiversity;
- j) investment needs and opportunities;
- k) international developments and efforts undertaken to achieve the long-term objectives of the Paris Agreement and the ultimate objective of the UNFCCC.

The rules for verifying the compliance with achievement of the national GHG emission targets, will be stipulated in the Government Decision no. 1277/2018.

### **Analytical basis for adaptation targets**

#### **Article 30**

Identification of climate change adaptation objectives in compliance with paragraph 2 Art 27 of this Law and accompanied medium- and long-term adaptation needs at national level and sectoral and other relevant targets, are based on:

- a) the best available and most recent scientific evidence;
- b) robust climate change and vulnerability analyses;
- c) needs for averting, minimizing and addressing loss and damage associated with the adverse effects of climate change, including extreme weather events and slow onset events; and
- d) needs of identifying the vulnerable groups and sectors.

The process described in paragraph 1 of this Article and revision of climate change adaptation objectives and targets are the part of an adaptation processes, that includes planning, implementation and evaluation of adaptation actions, and that is a continuous, iterative, participatory, transparent, socially inclusive and gender-sensitive planning process that facilitates the coherent integration of climate change adaptation into relevant policy documents (strategies, programmes, action plans) which may include.

- a) The implementation of adaptation actions, undertakings and/or efforts;
- b) The process to formulate and implement national adaptation plans;
- c) The assessment of climate change impacts and vulnerability, with a view to formulating nationally determined prioritized actions;
- d) The assessment of financial, technical and capacity building needs;
- e) Monitoring and evaluating and learning from adaptation plans, policies, programmes and actions; and
- f) Building the resilience of socioeconomic and ecological systems, including through economic diversification and sustainable management of natural resources.

### **Nationally Determined Contribution**

#### **Article 31**

Successive national net GHG emission targets for every five years, starting from 2025, are the subject of NDCs in compliance with the provisions of the Paris Agreement, while the content and rules for submission to the UNFCCC Secretariat, through predefined reporting tools, are stipulated in the GD no.1277/2018.

Successive NDCs reflect highest possible GHG emissions reduction ambition, reflecting respective capabilities and national circumstances of the country and could reflect adaptation targets and efforts in compliance with those in national adaptation policies.

A NDC covering ten years period, should be communicated to the Secretariat UNFCCC starting from 2025 and every five years thereafter.

Targets defined in INECPs, as a part of Energy and Climate Action Governance Mechanism set up in conformity with the art.7<sup>2</sup> of the Law on Energy no.174/2017 shall be compliant with these in the NDCs.

Scope, content, reporting requirement and all other elements of relevance for development, update, monitoring and reporting on NDCs will be realized in compliance with the Decisions of the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement

## **Inter-sectoral climate policies and measures**

### **Section 2**

#### **Long-Term Low Emissions Development Strategy**

##### **Article 32**

The Long-Term Low Emission Development Strategy (LT-LEDS) is the basic document which sets out the policies and measures for achievement of the climate neutrality, contributing to fulfilling commitments under the UNFCCC and the Paris Agreement.

In cooperation with other respective ministries, the Ministry of Environment shall prepare a LT-LEDS with a 30 years perspective, not later than 2 years after the approval of this Law, and subsequently by 1 January 2029 and every 10 years thereafter, and if necessary, update it every five years.

The INECPs elaborated by the Ministry of Energy in conformity with the art.7<sup>2</sup> of the Law on Energy no.174/2017, shall be consistent with the LT-LEDS referred to in this Article.

The content of the LT-LEDS is prescribed in the GD for approval of the Regulation on Energy and Climate Actions Governance Mechanism.

## **National policy on climate change adaptation**

### **Article 33**

In order to ensure a progress on enhancing adaptive capacity, strengthening resilience and reducing vulnerability to climate change, while contributing to sustainable development adaptation and achieve national climate resilience objectives, as defined in paragraph 2 Art 26 of this Law, national policy document on adaptation to climate change shall be adopted.

In cooperation with other respective ministries, the Ministry of Environment shall prepare a national policy on climate change adaptation not later than 2 years after the approval of this Law, and if necessary, update it every five years.

The national policy on climate change adaptation should include at least information on:

- a) climate change, climate change impacts and vulnerability analyses, and progress assessments;
- b) the most vulnerable and impacted populations and sectors, inter alia, agriculture, water and food systems, as well as food security;
- c) possibilities and application of promote Nature-based Solutions and Ecosystem-based Adaptation (hereinafter - EbA);
- d) progress achieved and indicators for each adaptation policy and measure; and
- e) financial, technology and capacity building needs for their realization.

Adaptation policies and measures identified in the national policy on climate change adaptation (hereafter – NAP), shall provide co-benefits for sectoral policies, and work towards better integration of adaptation to climate change in a consistent manner in sectoral strategies, programmes and action plans, including relevant socioeconomic and environmental policies and actions, in accordance with national circumstances and needs.

Adaptation policies and measures shall focus, in particular, on the most vulnerable and impacted populations and sectors

In cooperation with the competent authorities and responsible institutions, the Ministry of Environment shall work towards better integration of climate change adaptation in a consistent manner and continuity, evaluating success of implemented policies and measures.

The Ministry of Environment shall ensure the effective and timely participation of the public in the national adaptation process.

### **Content of the NAP**

#### **Article 34**

The national policy document on climate change adaptation (NAP) shall contain in particular, information and components on:

- a) national circumstances, including the main goals, objectives and institutional framework for adaptation to climate change;
- b) climate change projections, including weather extremes, climate change impacts, assessment of climate vulnerability and risks and key climate hazards;
- c) adaptive capacity;
- d) adaptation policies, actions and measures for the most vulnerable and impacted populations and sectors;
- e) monitoring and evaluation of adaptation actions and processes;
- f) cooperation, good practices, synergies, experience and lessons learned in the field of climate change adaptation;
- g) any other information related to climate change impacts and adaptation measures.

The content of the national policy documents on climate change adaptation, as well as monitoring and reporting requirements and obligations, principles and practices for the identification, classification and prudential management of material physical climate risks when planning, developing, executing and monitoring projects and programmes for projects as well as timelines for submission to the UNFCCC secretariat and the Energy Community treaty are defined in the GD no.1277/2018.

### **Sectoral Policy Documents**

#### **Article 35**

Sectoral strategies, plans and programs that affect GHG emissions shall be aligned with the LT-LEDS and INECs and shall contain the quantitative assessment of effects on GHG emissions by sources and removals by sinks, prepared in compliance with decisions under the UNFCCC and the Conference of the Parties serving as the meeting of the Parties to Paris Agreement.

Sectoral strategies, plans and programmes may include indicative voluntary roadmaps towards achieving the climate-neutrality objective.

The Ministry of Environment should provide support to sectoral ministries in selection of methodologies and approaches for the quantitative assessment of effects on GHG emissions by sources and removals by sinks, for a monitoring and for indicative voluntary roadmaps.

Sectoral institutions responsible for sectors identified in the national adaptation policy documents as the most vulnerable to climate change shall work on integration of adaptation policies and measures and recommendations prepared under the NAP throughout their planned reform cycles, and not later than 2 years after adoption of the NAP.



The Ministry of Environment shall make available to the public methodologies relevant for change mitigation and adaptation planning, monitoring and reporting, tools for climate actions planning, related input data and assumptions, technical reports.

Structure, format, submission processes, reporting term and timeliness and review of information reported is defined in the GD no.1277/2018 and the Regulation on Energy and Climate Actions Governance Mechanism, approved by the Government.

### **Strategic Plan for Methane**

#### **Article 36**

Strategic plan for methane sets out the policies and measures for achievement reducing the short- and middle-term impact of methane emissions on national greenhouse gas emissions, given the high global warming potential and relatively short atmospheric lifetime of methane, taking into account the circular economy objectives as appropriate.

The Ministry of Environment shall consider policy options for rapidly addressing methane emissions and shall elaborated a Strategic Plan for Methane.

### **National GHG Projections**

#### **Article 37**

The Environment Agency prepares the national projections of anthropogenic greenhouse gas emissions by sources and removals by sinks shall be made by gas or groups of gases, and by sector.

These projections shall begin from the most recent year in the national inventory report and extend at least 15 years beyond the next year ending in zero or five.

The national projections shall comprise any policies and measures adopted at the domestic level and shall include:

- a) projections with existing measures, and projections with additional measures, where available;
- b) total greenhouse gas projections and estimates for individual greenhouse gases;
- c) impact of policies and measures (where such policies and measures are not included, this shall be clearly stated and explained);
- d) results of the sensitivity analysis performed for the projections;
- e) all relevant references to the assessments and the technical reports underlying projections.

The national projections of anthropogenic greenhouse gas emissions by sources and removals by sinks shall be reported to the UNFCCC Secretariat and Secretariat of the Energy Community in terms defined in GD no. 1277/2018

### **Local-self-government actions**

#### **Article 38**

All local communities shall prepare and implement Sustainable Energy and Climate Action Plans (SECAP), that shall include climate change adaptation actions.

Neighboring small and medium-sized local authorities could, prepare a joint Sustainable Energy and Climate Action Plan up to 2030, committing individually or collectively to the at least 40 per cent CO<sub>2</sub> reduction target compared to baseline year selected by local community and to an increased resilience to climate change.

SECAP shall be aligned with the LT-LEDS and with the NAP and prepared on that way not later than 2 years after adoption of the both national documents.

Implementation on SECAP shall be monitored and reported to the Ministry of Environment on regular basis.

The layout, content, methodologies and methods of relevance for the SECAP and its monitoring and reporting will be defined Regulation on Local-self-governments actions for climate change mitigation and adaptation.

### **Information on fuel economy and CO<sub>2</sub> emissions from passenger cars**

#### **Article 39**

In order to enable consumers to make informed choices and decisions when buying or leasing new passenger cars, it is necessary to ensure that data on fuel economy and CO<sub>2</sub> emissions of these vehicles are made available.

### **Label on fuel economy and emissions of CO<sub>2</sub> and air pollutants**

#### **Article 40**

A seller who markets a model of a new passenger car shall be obliged to display the label on fuel economy and CO<sub>2</sub> emissions of that passenger car at the point of sale or in the vicinity of the passenger car in a clear and visible manner and at his own expense.

The form of the label referred to in the previous paragraph shall be published by the Ministry on Infrastructure and Regional Development in electronic form on its website.

The Ministry shall lay down in more detail the content of the form of the label on fuel economy and CO<sub>2</sub> emissions referred to in paragraph 1 of this Article.

### **Guide on fuel economy and emissions of CO<sub>2</sub> and pollutants into the air**

#### **Article 41**

The supplier must submit electronically to the Ministry on Infrastructure and Regional Development a list of models of all new vehicles that he sells on the territory of the Republic of Moldavia until 31 December of the current year, with data on the prescribed form.

The Ministry on Infrastructure and Regional Development shall publish the following on its website:

- 1) A list of all models of new passenger cars sold in the Republic of Moldova throughout the year, which is compiled in the alphabetical order of makes of passenger cars, with the data referred to in the previous paragraph, and
- 2) A list of ten models of new passenger cars with the most economical fuel consumption, ordered according to the increasing values of specific CO<sub>2</sub> emissions for each type of fuel, with the data referred to in the previous paragraph.

The supplier shall at least annually provide at his own expense a guide on fuel economy and emissions of CO<sub>2</sub> and pollutants into the air (hereinafter referred to as: the Guide), which shall contain the lists referred to in items 1) and 2) of the previous paragraph;

The supplier shall upload the Guide on his website and deliver the electronic version of the guide to the seller free of charge.

The seller must ensure that the latest version of the guide is available at his point of sale to the customer in written portable electronic form and free of charge, at customer's request.

The Minister shall prescribe in detail the form with data referred to in paragraph 1 of this Article, as well as the content of the guide referred to in paragraph 3 of this Article.

### **Poster or display**

#### **Article 42**

For every make of a new passenger car exhibited or offered for sale or lease, the seller shall be obliged to visibly exhibit at his point of sale a poster or a display with data about the official fuel consumption and official specific emissions of CO<sub>2</sub> and pollutants into the air.

The Ministry shall lay down in more detail the layout, dimensions and content of the poster and/or display.

### **Promotion**

#### **Article 43**

The supplier and the seller shall be obliged to ensure that all promotional material contains data on the official fuel consumption and official specific emission of CO<sub>2</sub> and air pollutants for the new passenger car model to which the material refers.

The Ministry shall lay down in more detail the form and content of the promotional material.

### **Prohibition of labels, symbols or inscriptions**

#### **Article 44**

It is forbidden to confuse potential buyers of new passenger cars by using labels, symbols or inscriptions that refer to fuel consumption or emission of CO<sub>2</sub> and pollutants into the air with the labels in guides, on posters or in promotional material referred to in Art. 40 - Art.42 and Art.43 of this law.

## **Chapter IV**

### **MONITORING AND REPORTING OF GREENHOUSE GAS EMISSIONS AND OTHER CLIMATE RELATED INFORMATION**

#### **Reporting obligation**

##### **Section 1**

#### **National Monitoring System**

##### **Article 45**

Monitoring of greenhouse gas emissions originating from sectors and source categories and sinks included in the national inventory, including the methodology and frequency of monitoring, shall be carried out by the Environment Agency through the National System for Monitoring and Reporting Greenhouse Gas Emissions and other Information Relevant to Climate Change (hereinafter – NSMR), in line with the provisions of Government Decision no. 1277/2018.

Estimating anthropogenic greenhouse gas emissions by sources and removals by sinks compiled in the national inventory shall be carried out through the National Inventory System (hereafter – NIS), as a part of NSMR.

Assessment of progress in implementing NDC objectives, LT-LEDS, NAP, sectoral documents, SECAP, mitigation and adaptation policies and measures, and projections on anthropogenic emissions by sources or removals by sinks of greenhouse gases shall be carried out through the National System for Reporting on Policies, Measures and Projections (hereafter – NSRPMP), as a part of NSMR.

Complete, transparent, timely, consistent, comparable over time monitoring and integral reporting of greenhouse gases specified in relation to the activities specified in Annex 1 of this Law and activity data from stationary installations, aircraft and shipping activities, shall be carried out through the monitoring, reporting and verification (hereinafter – MRV) of greenhouse gas emissions by the operators.

## **Reporting to the UNFCCC, Paris Agreement and Energy Community Treaty**

### **Article 46**

In accordance with the obligations under the UNFCCC, the Paris Agreement and the Energy Community Treaty, and based on activity data and information received from relevant public authorities and institutions that are part of the NSMR, the Ministry of Environment submits to the Secretariats of UNFCCC and Energy Community the following:

- (1) National Greenhouse Gases Inventory of anthropogenic greenhouse gas emissions and removals by sinks of greenhouse gases;
- (2) National Communications, Biennial Transparency Reports and National Inventory Reports;
- (3) LT-LEDS.

The Ministry of Environment should submit other document such as national adaptation communication and NAP in compliance with the Paris Agreement and the Regulation on Energy and Climate Actions Governance Mechanism, approved by the Government when prepared.

National tool to ensure exchange among national institutions and reporting to the UNFCCC and Paris Agreement stipulated in paragraph 1), is established considering the guidelines approved by the Decisions under the UNFCCC and the Conference of the Parties serving as the meeting of the Parties to Paris Agreement and Energy Community Treaty.

The form, content of the reporting tool, timeline for reporting referred to in paragraph 1 and 2 of this Article are defined in the GD no.1277/2018.

## **Reporting through the National Inventory System**

### **Article 47**

The National Inventory System (hereafter – NIS) shall be designed and operated by the Environment Agency aiming at ensuring transparency, accuracy, completeness and comparability of the national GHG inventories under the Paris Agreement and decisions adopted thereunder and as defined with the GD no. 1277/2018.

The NIS should be designed and operated to ensure also the quality of the national inventories by completing the inventory planning, preparation and management of inventory activities specified in Table 1 of the GD no. 1277/2018.

Based on the GHG inventories, the National Inventory Report (hereafter – NIR) shall be prepared by the Environment Agency in accordance with the outline of the national inventory document, pursuant to the modalities, procedures and guidelines for the transparency framework for action and support referred to in Article 13 of the Paris Agreement.

The NIR shall contain particularly information on:

- a) functions and functionality of national inventory systems;
- b) changes in descriptions of national inventory system, if any;
- c) recalculations and reasons for that;
- d) information on the steps taken to improve inventory estimates;
- e) inventory methods, emission factors and related methodological descriptions for key categories;
- f) uncertainty and completeness as well as consistency with other reporting data. NIR form, content and timeline for reporting are defined in the GD no.1277/2018.

Public authorities and institutions that are part of the NSMR specified in Annex 2 of the GD no. 1277/2018 shall share with Environment Agency free of charge the activity data and emission factors needed to estimate and report the anthropogenic greenhouse gas emissions.

The elaborated by the Environment Agency and submitted to the Ministry of Environment the national inventory data should be submitted to the Energy Community Secretariat and European Environment Agency (hereafter – EEA), which will carry out a comprehensive review in terms regulated by the GD no. 1277/2018.

### **Reporting of the implementation of strategic document**

#### **Article 48**

Sectoral institutions in charge for development of certain sectoral strategies, plans and programs that affect GHG emissions are responsible to ensure tracking of their implementation and report on effects on GHG emissions by sources and removals by sinks to the Ministry of Environment.

Public authorities and institutions that are part of the NSMR specified in Annex 2 of the GD no. 1277/2018, including the local public administration authorities and non-profit organizations in charge of environmental protection activities shall collect information on specified parameters to track the progress of adaptation actions and the achievement of adaptation objectives and report to the Ministry of Environment.

Two years after approval of the LT-LEDS and of the NAP and every five years thereafter, the Ministry of Environment shall review:

- a) the consistency of measures with the climate-neutrality objective;
- b) the consistency of measures with ensuring progress on adaptation.

Based on information received from authorities and institutions mentioned in para 1, every two years, the Ministry of Environment shall report information on national climate change adaptation policy documents, outlining implemented and planned actions to facilitate adaptation to climate change in accordance with the reporting requirements agreed under the UNFCCC and the Paris Agreement and in line with the content, form and timelines for reporting as being defined in the GD no.1277/2018.

Reviewing shall be carried out based on the reports as described in the para 1 and 2 of this Article.

If there are inconsistencies with the climate-neutrality objective or progress on adaptation, or the progress towards climate-neutrality objective or on adaptation is insufficient, responsible Ministries for relevant sectors of the economy shall identify reasons for that and propose corrective measures.

### **Reporting on Policies, Measures and Projections**

#### **Article 49**

System for reporting on policies, measures and GHG projections is operated by the Environment Agency for ensuring transparency, accuracy, completeness, comparability and consistency, of the information reported on policies and measures and projections of anthropogenic greenhouse gas emissions by sources and removals by sinks in line with the content, form and timelines specified by the GD no. 1277/2018.

The Ministry of Environment in common with Ministry of Energy shall report every two years, to Secretariats of UNFCCC and Energy Community information on:

- a) implemented and planned national policies and measures (PaMs) or group of measures;
- b) links between different PaMs or group of measures;



c) contribution of those PaMs to different projection scenarios.

Public authorities at sub-national level and institutions that are part of the NSMR specified in Annex 2 of the GD no. 1277/2018, including the local public administration authorities non-profit organizations in charge of environmental protection activities, are obliged to carry out an assessment of effects of policies and measures or group of measures on the GHG emissions level from their own area of competencies, and shall report to the Environment Agency every two years (starting from the year of establishment of the system).

### **Reporting of the NDC progress**

#### **Article 50**

The Ministry of Environment based on information received from sectoral ministries and responsible authorities and institutions will track progress towards the implementation and achievement of NDC by tracking selected qualitative or quantitative indicator(s).

The Ministry of Environment will report the most recent information for each selected indicator for each reporting year during the implementation period of its NDC, every two years.

Reporting referred to in previous paragraph of this article, as well as the content, form and timelines for reporting are defined in the Governmental Decision no.1277/2018 and in compliance with the Decisions of the UNFCCC and the Conference of the Parties serving as the meeting of the Parties to Paris Agreement.

### **Reporting of the support received and needed and carbon revenues use**

#### **Article 51**

The Ministry of Environment shall report every two years on support received and needed and annually on carbon revenues use in line with the content, form and timelines specified by the GD no. 1277/2018.

Public authorities and institutions that are part of the NSMR specified in Annex 2 of the GD no. 1277/2018, including the local public administration authorities, shall monitor and report to the Ministry of Environment every two years (starting from the year of establishment of the system) on support received and needed.

## **Section 2**

### **Monitoring, reporting and verification of emissions from individual sources GHG emissions from stationary installations**

#### **Article 52**

The operator of the stationary installation, in which an activity and a gas from Annex I of this Law is carried out and holds the authorizations for the complex nature protection permission, shall monitor and report GHG emissions based on the approved Monitoring Plan (hereafter – MP), which is an integral part of the integrated environmental authorization issued by the Environment Agency.

Measures planned by the operator of the stationary installation and the methodology for monitoring and reporting greenhouse gas emissions shall be presented by the operator in the MP, to be approved by the Environment Agency.

The operator shall, by 31 March of the reporting year, submit to the Environment Agency the verified Annual Emission Report (hereafter – AER) in conformity with the Law no.227/2022 on industrial emissions, including a Verification Report for the preceding calendar year, elaborated by an accredited independent verifier.

If the operator fails to submit the verified AER by the time or if such a report has not been prepared or verified in accordance with the provisions of this law, the Environment Agency, shall make a conservative estimate of GHG emissions that shall replace the AER.

The content and form of the AER, written procedures and supporting documents that are to be submitted as well as methods and methodologies and supporting data and information of relevance are regulated by the Regulation on monitoring, reporting and verification of greenhouse gas emissions from stationary installations, aircraft and shipping operators, to be approved by the Government.

### **Accreditation and Verification**

#### **Article 53**

The National Accreditation Centre of the Republic of Moldova (hereinafter – MOLDAC)) shall accredit, in accordance with a specified procedure, a legal entity that meets specified requirements for the verifier, pursuant to the Law nr. 235/2011 on accreditation and conformity assessment activities.

An accredited verifier shall verify the Annual Emission Report submitted by an operator of the stationary installation and AERs submitted by the aircraft and shipping operators, in accordance with a specified procedure, and issue a Verification Report to the operators in line with the Regulation on monitoring, reporting and verification of greenhouse gas emissions from stationary installations, aircraft and shipping operators, to be approved by the Government.

The verifiers that are accredited by a National Accreditation Centre (hereafter – NAC) in the EU Member States and that has successfully undergone a peer evaluation arranged by the European Co-operation for Accreditation (EA) are allowed to carry out verification at national level.

The MOLDAC, jointly with the Environment Agency (the competent authority issuing permits) approve specific requirements that must be met by the verifiers, the verification procedure and the verification criteria, as well as the content of the Verification Report.

A verifier shall be independent from a stationary installation, aircraft or shipping operator and impartial in carrying out its verification activities in conformity with Regulation on accreditation and requirements for verifiers of the greenhouse gas emissions, to be approved by the Government.

### **GHG emission from aviation activities**

#### **Article 54**

In the context of decarbonizing international civil aviation and encouraging the use of less polluting technologies and renewable sources by applying economic measures, the scheme of the carbon offset and reduction for international aviation (CORSIA) (hereinafter – CORSIA) set out in conformity Regulation on the establishment and operation of the carbon offset and reduction scheme for international aviation (CORSIA), to be approved by the Government.

Activities and obligations in regard to the monitoring, reporting and verification of greenhouse gas emissions, inclusive the evaluating progress towards meeting commitments of reducing of international aviation carbon emissions generated by national air operators set out in the Regulation on the establishment and operation of the carbon offset and reduction scheme for international aviation (CORSIA), to be approved by the Government.

Each aircraft operator submits to the Civil Aviation Authority of the Republic of Moldova a Monitoring Plan setting out measures to monitor and report CO<sub>2</sub> emissions before the commencement of aviation activities.

The CORSIA Emissions Reports (ERs) of the aircraft operators need to be verified by an accredited independent verifier.

The Ministry of Infrastructure and Regional Development prescribes aviation activities and gases for which the Monitoring Plan shall be submitted.

The process for monitoring, reporting and verification is regulated by the Regulation on monitoring, reporting and verification of greenhouse gas emissions from stationary installations, aircraft and shipping operators, to be approved by the Government.

### **GHG emissions from shipping activities**

#### **Article 55**

The Ministry of Infrastructure and Regional Development annually approves the list of ships that arrive, are inside or depart from ports under the jurisdiction of the Republic of Moldova, which ensure monitoring, reporting and verification of GHG emissions generated during their voyages.

In order to promote the reduction of GHG emissions generated by maritime transport, maritime transport companies monitor GHG emissions for each ship, for each voyage and for each year, by applying the methods for applying these emissions provided in the Monitoring Plan.

The maritime transport company submits to an accredited independent verifier a Monitoring Plan (MP), without undue delay and within the most months after the first call of each ship in a port under the jurisdiction of the Republic of Moldova, which consists of a complete and transparent documentation on the monitoring of a ship and monitoring methods in the Regulation on the monitoring of reporting and verification of greenhouse gas emissions from stationary installations, aircraft and shipping operators, to be approved by the Government.

The shipping company submits to the Naval Agency of the Republic of Moldova by March 31, the Annual Emissions Report (AER), verified by an accredited independent verifier.

### **Information System**

#### **Article 56**

The operator of the stationary installation in which one or more of the activities listed in Annex 1 'Categories of activities to which carbon pricing mechanism applies' realize are subject to registration in the joint national Pollutant Release and Transfer register, approved by the Government Decision no. 373/2018 in accordance with provisions of lit.g) art.19 of the Law no. 227/2022 on industrial emissions .

This Registry is part of integral environmental information system established by the Ministry of Environment. The integral environmental information system will ensure reporting as defined in Art. 45 to 51 of this Law.

### **Delegation of Public Service**

#### **Article 57**

For the needs of the Ministry of Environment, the development of the GHG inventories, policies and measures (PaMs) on the reduction of emissions anthropogenic greenhouse gas emissions, preparation of national projections of anthropogenic greenhouse gas emissions by sources and removals by sinks, development of updated Nationally Determined Contributions (NDCs) to the Paris Agreement and of the long-term low emissions development strategy (LT-LEDS) and monitoring and reporting on implementation, assessment of the Monitoring Plans (MPs) and annual emission reports (AERs), shall be done by a legal entity that has been delegated for these services for the period of 10 years.

The Ministry of Environment shall delegate the public service based on the open application procedure that shall be conducted in accordance with the Law no. 96/2007 on public procurements to an entity that has relevant experiences in particular with:

- 1) development of the inventory of anthropogenic greenhouse gas emissions by sources and removals by sinks for reporting to the Secretariats of the UNFCCC and /or the Energy Community Treaty;
- 2) integrated reporting to the Secretariats of the UNFCCC and/or the Energy Community Treaty on greenhouse gas policies and measures and of projections;
- 3) integrated reporting to the Secretariats of the UNFCCC and/or the Energy Community Treaty on national adaptation actions and aggregated financial and technological support received from industrially developed countries listed in Annex 1 to UNFCCC;
- 4) use of models for development of projections of anthropogenic greenhouse gas emissions by sources and removals by sinks, that includes economic and social aspects;
- 5) cooperation with the public authorities and institutions that are part of the NSMR specified in Annex 2 of the GD no. 1277/2018.

The Ministry of Environment shall delegate the public service for the vulnerability and risk assessment and development of and reporting on implementation of a national adaptation policy documents in particular with:

- 1) development and exploring the climate trends and hazards at the national level;
- 2) assessment of observed and potential impacts of climate change, including sectoral, economic, social and/or environmental vulnerabilities;
- 3) approaches, methodologies and tools, and associated uncertainties and challenges, in relation climate trends and hazards and assessments of impacts, risks and vulnerabilities.

## **Chapter V**

### **TRANSPARENCY AND FINANCING**

#### **Section 1**

#### **The transparency of the decision-making process and cross-border cooperation**

##### **Public Consultations**

##### **Article 58**

The Ministry of Environment and sectoral institutions shall make all reports subject of this Law publicly available in accordance with the Regulation governing the accessibility of information of public importance.

The Ministry of Environment shall engage with all parts of society to enable and empower them to take actions towards a just and socially fair transition to a climate-neutral and climate-resilient society, as well as ensure that the public is given early and effective opportunities to participate and express its views in the preparation of the draft and final documents well before its adoption.

The operators of the stationary installations, aircraft and shipping companies, with the Environmental Agency, Civil Aviation Authority and Naval Agency, should decide which information in the complex nature protection permission and in the AERs is a trade secret, and in such a case the Ministry of Environment will not make it publicly available.

Data referring to GHG and pollutant emissions, environmental conditions and potential adverse effects and consequences, monitoring results and inspections cannot be deemed as a trade secret in line with the Civil Code no.133/2018.

The information of public interest is made available free of charge, through accessible media sources and is published on the Ministry of Environment's website in accordance with the current legislative framework which regulates the access to information of public interest

The Ministry of Environment shall facilitate an inclusive and accessible process at all levels, including at national, regional and local level and with social partners, academia, the business community, citizens and civil society, for the exchange of best practice and to identify actions to contribute to the achievement of the objectives at the national level.

The Ministry of Environment and relevant sectoral ministries shall use all appropriate instruments, including NCCC, multilevel climate and energy dialogue, the European Climate Pact, to engage citizens, social partners and stakeholders, and foster dialogue and the diffusion of science-based information about climate change and its social and gender equality aspect.

### **Multilevel Climate Dialogue**

#### **Article 59**

The Ministry of Environment shall establish a multilevel climate dialogue in which the local public administration authorities, civil society representatives, non-profit organizations, business community, investors and other relevant stakeholders and the general public are able actively to engage and discuss the achievement of the climate-neutrality objective and the different scenarios envisaged for climate change mitigation and adaptation policies, including for the long term, and review their implementation progress.

The Republic of Moldova cooperates with the Contracting Parties to the Energy Community Treaty, Member States of the European Union, neighboring and other states, through the exchange of information on scientific and technical research and development in order to improve the means that facilitate the achieving the policy objectives and national climate change mitigation and adaptation targets.

### **Section 2**

#### **Carbon price and carbon pricing system**

##### **Carbon pricing system**

#### **Article 60**

For the purpose of reduction, the greenhouse gas emissions emitted by activities listed in Annex I of this Law, as well as of the GHG emissions embedded in the goods which fall under the Carbon Border Adjustment Mechanism (CBAM), a carbon pricing mechanism is introduced.

Carbon pricing mechanism introduces CO<sub>2</sub> prices to these emissions. The calculation of the CO<sub>2</sub> price in accordance with "polluters pay" principle and the perception mode will be regulated in conformity with the Law no. 1540/1998 on payment for environmental pollution and prices will be aligned with price of emissions allowances in the EU.

Regulation on carbon pricing system, will specify methods for calculation of embedded greenhouse gas emissions, the carbon price liability, the criteria for the calculation of the carbon price, the calculation method and the payment method, the emitters liable to pay, the amount, criteria and conditions for payment exemptions and/or reductions as well as the key responsible institutions, system and process of collection of the payment.

Tasks regarding reporting on emissions embedded in the respective categories of goods which fall under the Carbon Border Adjustment Mechanism (CBAM) are regulated by the Law No. 227/2022 on industrial emissions and by the Government Decision no. 373/2018.

### **Use of carbon pricing revenues**



#### Article 61

The financial resources collected through carbon pricing will be used for any of the following purposes:

- 1) to implement activities focused on GHG emission reductions;
- 2) to implement activities focused on increase of the GHG removals;
- 3) to develop renewable energies and other technologies that contribute to the transition to a safe and sustainable low-carbon economy;
- 4) to increase the energy efficiency;
- 5) to increase the carbon sequestration by LULUCF categories;
- 6) to avoid deforestation and increase afforestation and reforestation;
- 7) to implement activities focused on adaptation to climate change;
- 8) to shift to low-emissions means of transport;
- 9) to finance research and development in energy efficiency and clean technologies;
- 10) to promote measures intended to improve energy efficiency and use energy efficient technologies, including cogeneration (also known as ‘combined heat and power’ or CHP) and trigeneration (also known as ‘combined cooling, heat and power’ or CCHP), to provide financial support in order to address the social aspects induced by climate change in lower- and middle-income households;
- 11) promotion of skill formation and reallocation of labor in order to contribute to a just transition to a low carbon economy, in particular in the administrative-territorial units most affected by the transition of jobs, in close coordination with the social partners;
- 12) to promote the environmentally safe capture and geological storage of CO<sub>2</sub>, in particular from a range of industrial sectors and subsectors;
- 13) to support the fulfillment of obligations to the Energy Community Treaty and to support the local communities to join the Covenant of Mayors for Climate and Energy;
- 14) for monitoring and reporting needs;
- 15) to support the activity of NCCC.

#### **Earmarking of climate change related expenditure**

##### Article 62

When implementing policies and measures necessary to meet policy objectives and national climate change related targets, the Government shall take into account the need to mitigate GHG emissions and adapt to climate change in accordance with available practices, ensuring that at least part of the planned measures are financed from revenues collected from carbon payments.

Following the determination of the total cumulative amount from carbon pricing revenues, the Government, upon proposal of the Ministry of Environment, approves Programs, Activities and Projects (hereinafter referred to as PAPs) ensuring the marking of climate change related expenditures in accordance with the provisions of Article 50 of the Law No.181/2014 on Public Finance and Fiscal Budget Responsibility.

The financial means collected from carbon pricing revenues, approved by the Government in accordance with paragraph (2), shall be included in the state budget law for the respective year.

#### **Chapter VI**

#### **COMPETENCE FOR CARRYING OUT CONTROL. LIABILITY FOR VIOLATION OF THE LEGISLATION ON CLIMATE ACTIONS**

#### **Control measures**

##### Article 63

State control in the area of compliance to climate actions legislation is exercised by the Customs Service, Civil Aviation Authority and the Environmental Protection Inspectorate and is carried out to ensure compliance with the relevant climate actions legislation and compliance with environmental protection measures. The control measures are exercised in accordance with the provisions of the Law No. 131/2012 on state control over entrepreneurial activity and subordinated legislation.

In case of non-compliance with obligations in the field of climate actions legislation, the bodies equipped with control functions are entitled to apply sanctions within the limits established by the Contravention Code of the Republic of Moldova.

### **Liability for violation of legislation in the field of climate actions**

#### **Article 64**

Failure to comply with the provisions of this law and the normative acts approved under this law shall entail, as the case may be, contravention civil or criminal liability, according to the law.

### **Chapter VII**

## **FINAL AND TRANSITIONAL PROVISIONS**

### **Final provisions**

#### **Article 65**

This law enters into force from the date of publication in the „Official Gazette of the Republic of Moldova”.

Government:

- 1) within 12 months of the publication of this law, shall develop the normative framework related to this law;
- 2) within two years of the publication of this law, shall develop and approve the long-term low-emission development strategy (LT-LEDS);
- 3) shall bring its normative acts in accordance with this law.

## ANNEX I

### Categories of activities to which carbon pricing mechanism applies

- 1) The thresholds values given below generally refer to production capacities or outputs. Where several activities falling under the same category are carried out in the same installation, the capacities of such activities are added together.
- 2) When the total rated thermal input of an installation is calculated, the rated thermal inputs of all technical units which are part of it, in which fuels are combusted within the installation, are added together. These units could include all types of boilers, burners, turbines, heaters, furnaces, incinerators, calciners, kilns, ovens, dryers, engines, fuel cells, chemical looping combustion units, flares, and thermal or catalytic post-combustion units. Units with a rated thermal input under 3 MW and units which use exclusively biomass shall not be taken into account for the purposes of this calculation. "Units using exclusively biomass" includes units which use fossil fuels only during start-up or shut-down of the unit.
- 3) If a unit serves an activity for which the threshold is not expressed as total rated thermal input, the threshold of this activity shall take precedence for the decision about the inclusion
- 4) When the capacity threshold of any activity in this Annex is found to be exceeded in an installation, all units in which fuels are combusted, other than units for the incineration of hazardous or municipal waste, shall be included in the greenhouse gas emission permit.

No.	Activities	Greenhouse gases
1	Combustion of fuels in installations with a total rated thermal input exceeding 20 MW	Carbon dioxide
2	Combustion of fuels in installations for the incineration of municipal waste with a total rated thermal input exceeding 20 MW,	Carbon dioxide
2	Refining of mineral oil, where combustion units with a total rated thermal input exceeding 20 MW are operated	Carbon dioxide
3	Production of coke	Carbon dioxide
4	Metal ore (including sulphide ore) roasting or sintering, including pelletisation	Carbon dioxide
5	Production of pig iron or steel (primary or secondary fusion) including continuous casting, with a capacity exceeding 2.5 tonnes per hour	Carbon dioxide
6	Production or processing of ferrous metals (including ferro-alloys) where combustion units with a total rated thermal input exceeding 20 MW are operated. Processing includes, inter alia, rolling mills, re-heaters, annealing furnaces, smitheries, foundries, coating and pickling	Carbon dioxide
7	Production of primary aluminium	Carbon dioxide and perfluorocarbons
8	Production of secondary aluminium where combustion units with a total rated thermal input exceeding 20 MW are operated	Carbon dioxide
9	Production or processing of non-ferrous metals, including production of alloys, refining, foundry casting, etc., where combustion units with a total rated thermal input (including fuels used as reducing agents) exceeding 20 MW are operated	Carbon dioxide
10	Production of cement clinker in rotary kilns with a production capacity exceeding 500 tonnes per day or in other furnaces with a production capacity exceeding 50 tonnes per day	Carbon dioxide
11	Production of lime or calcination of dolomite or magnesite in rotary kilns or in other furnaces with a production capacity exceeding 50 tonnes per day	Carbon dioxide
12	Manufacture of glass including glass fibre with a melting capacity exceeding 20 tonnes per day	Carbon dioxide
13	Manufacture of ceramic products by firing, in particular roofing tiles, bricks, refractory bricks, tiles, stoneware or porcelain, with a production capacity exceeding 75 tonnes per day	Carbon dioxide

No.	Activities	Greenhouse gases
14	Manufacture of mineral wool insulation material using glass, rock or slag with a melting capacity exceeding 20 tonnes per day	Carbon dioxide
15	Drying or calcination of gypsum or production of plaster boards and other gypsum products, where combustion units with a total rated thermal input exceeding 20 MW are operated	Carbon dioxide
16	Production of pulp from timber or other fibrous materials	Carbon dioxide
17	Production of paper or cardboard with a production capacity exceeding 20 tonnes per day	Carbon dioxide
18	Production of carbon black involving the carbonisation of organic substances such as oils, tars, cracker and distillation residues where combustion units with a total rated thermal input exceeding 20 MW are operated	Carbon dioxide
19	Production of nitric acid	Carbon dioxide and nitrous oxide
20	Production of adipic acid	Carbon dioxide and nitrous oxide
21	Production of glyoxal and glyoxylic acid	Carbon dioxide and nitrous oxide
22	Production of ammonia	Carbon dioxide
23	Production of bulk organic chemicals by cracking, reforming, partial or full oxidation or by similar processes, with a production capacity exceeding 100 tonnes per day	Carbon dioxide
24	Production of hydrogen (H <sub>2</sub> ) and synthesis gas with a production capacity exceeding 25 tonnes per day	Carbon dioxide
25	Production of soda ash (Na <sub>2</sub> CO <sub>3</sub> ) and sodium bicarbonate (NaHCO <sub>3</sub> )	Carbon dioxide
26	Capture of greenhouse gases from installations covered by ETS Directive for the purpose of transport and geological storage in a storage site permitted under provisions from Annex no. 1 of the Law on environmental impact assessment	Carbon dioxide
27	Transport of greenhouse gases by pipelines for geological storage in a storage site permitted under provisions from Annex no.1 of the Law on environmental impact assessment	Carbon dioxide
28	Geological storage of greenhouse gases in a storage site permitted under provisions from Annex no.1 of the Law on environmental impact assessment	Carbon dioxide
29	<p><b>Aviation</b>            Flights between aerodromes that are located in two different countries by aircraft operators that fulfil all of the following conditions:            (a) the aircraft operators hold an air operator certificate or are registered in a EU member state, including in the outermost regions, dependencies and territories; and            (b) they produce annual CO<sub>2</sub> emissions greater than 10,000 tonnes from the use of airplanes with a maximum certified take-off mass greater than 5,700 kg conducting flights covered by this Annex, other than those departing and arriving in the Republic of Moldova, from 1 January 2021; for the purposes of this point, emissions from the following types of flights shall not be taken into account:            (i) State flights;            (ii) humanitarian flights;            (iii) medical flights;            (iv) military flights;            (v) firefighting flights;            (vi) flights preceding or following a humanitarian, medical or firefighting flight provided that such flights were conducted with the same aircraft and were required to accomplish the related humanitarian, medical or firefighting activities or to reposition the aircraft after those activities for its next activity.</p>	Carbon dioxide

No.	Activities	Greenhouse gases
	<p>Flights which depart from or arrive in an aerodrome situated in the territory of the Republic of Moldova.</p> <p>This activity shall not include:</p> <p>(a) flights performed exclusively for the transport, on official mission, of a reigning Monarch and his immediate family, Heads of State, Heads of Government and Government Ministers, of a country other than a EU member state, where this is substantiated by an appropriate status indicator in the flight plan;</p> <p>(b) military flights performed by military aircraft and customs and police flights;</p> <p>(c) flights related to search and rescue, fire-fighting flights, humanitarian flights and emergency medical service flights authorized by the appropriate competent authority;</p> <p>(d) any flights performed exclusively under visual flight rules as defined in Annex 2 to the Chicago Convention;</p> <p>(e) flights terminating at the aerodrome from which the aircraft has taken off and during which no intermediate landing has been made;</p> <p>(f) training flights performed exclusively for the purpose of obtaining a license, or a rating in the case of cockpit flight crew where this is substantiated by an appropriate remark in the flight plan provided that the flight does not serve for the transport of passengers and/or cargo or for the positioning or ferrying of the aircraft;</p> <p>(g) flights performed exclusively for the purpose of scientific research or for the purpose of checking, testing or certifying aircraft or equipment whether airborne or ground-based;</p> <p>(h) flights performed by aircraft with a certified maximum take-off mass of less than 5,700 kg;</p> <p>(i) flights performed on routes where the capacity offered does not exceed 50,000 seats per year;</p> <p>(j) flights which, but for this point, would fall within this activity, performed by a commercial air transport operator operating either:</p> <p>—fewer than 243 flights per period for three consecutive four-month periods, or</p> <p>—flights with total annual emissions lower than 10,000 tonnes per year.</p> <p>Flights referred to in points (l) and (m) or performed exclusively for the transport, on official mission, of reigning Monarchs and their immediate family, Heads of State, Heads of Government and Government Ministers, of a Member State may not be excluded under this point;</p> <p>(k) from 1 January 2025 to 31 December 2030, flights which, but for this point, would fall within this activity, performed by a non-commercial aircraft operator operating flights with total annual emissions lower than 1,000 tonnes per year (including emissions from flights referred to in points (l) and (m));</p> <p>(l) flights from aerodromes situated in <b>Switzerland</b> to aerodromes situated in the <b>EEA</b>;</p> <p>(m) flights from aerodromes situated in the <b>United Kingdom</b> to aerodromes situated in the <b>EEA</b>.</p>	
30	<p><b>Maritime transport</b></p> <p>The ships of 5,000 gross tonnage and above in respect of the greenhouse gas emissions released during their voyages for transporting for commercial purposes cargo or passengers from such ships' last port of call to a port of call under the jurisdiction of the Republic of Moldova and from a port of call under the jurisdiction of the EU member state to their next port of call, as well as within ports of call under the jurisdiction of the Republic of Moldova.</p> <p>From 1 January 2025, the cargo ships below 5,000 gross tonnage but not below 400 gross tonnage in respect of the greenhouse gas emissions released during their voyages for transporting cargo for commercial purposes from their last port of call to a port of call under the jurisdiction of the Republic of Moldova and from a port of call under the jurisdiction of EU member state to their next port</p>	<p>Carbon dioxide</p> <p>From 1 January 2026, methane and nitrous oxide</p>



No.	Activities	Greenhouse gases
	<p>of call, as well as within ports of call under the jurisdiction of a the Republic of Moldova, and to offshore ships below 5,000 gross tonnage but not below 400 gross tonnage in respect of the greenhouse gas emissions released during their voyages from their last port of call to a port of call under the jurisdiction of the Republic of Moldova and from a port of call under the jurisdiction of EU member state to their next port of call, as well as within ports of call under the jurisdiction of the Republic of Moldova.</p> <p>From 1 January 2025, to offshore ships of 5,000 gross tonnage and above in respect of the greenhouse gas emissions released during their voyages from their last port of call to a port of call under the jurisdiction of the Republic of Moldova and from a port of call under the jurisdiction of a EU member state to their next port of call, as well as within ports of call under the jurisdiction of the Republic of Moldova.</p>	

DRAFT

**ANNEX II**

DRAFT