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Proposed Amendments to the Law on Information Technology Parks in Moldova

The Ministry of Economic Development and Digitalization, in collaboration with the Ministry of Finance, has recently opened a public consultation on the Draft Law for amending Law No. 77/2016 concerning information technology parks. This proposed legislative change holds significant importance, particularly within the business community.

Key Proposed Amendments

1) Expansion of Eligible Activities:

One of the notable proposals in this draft law is the expansion of eligible activities within information technology parks. The proposed amendment seeks to add two new categories of activities closely related to the field of information technology, making them eligible for operation within the IT park framework.

These activities include:

- a. Activities of telecommunication intermediation centers (call centers) (NACE code 82.20), including those based on any technology or communication channel with the client (contact centers).
- b. Other labor supply services (NACE code 78.30).

Moreover, the draft specifies that these activities may be exclusively conducted for export purposes. This expansion is aimed at attracting a broader range of technology-related businesses to the information technology parks.

2) Government's Right to Extend Park Operation:

The proposed legislation grants the government the authority to extend the duration of an information technology park's operation, provided it does not exceed the term of the state guarantee mentioned in Article 15(1). Article 15(1) introduces the concept of "Guarantees," stipulating that if new laws are enacted that alter the rate and/or composition of the flat tax applied to residents of information technology parks, residents have the right, until the year 2035, to operate in accordance with the laws in force prior to the enactment of the new legislation.

3) Revised Taxation Regime:

A significant aspect of the proposed amendments is the restructuring of the taxation regime within information technology parks, as outlined in the revised Article 15. Under this new regime:

- a. Residents are required to pay a flat tax at a rate of 7% of their sales revenue.
- b. The tax must not be less than 35% of the projected average salary for the current year for each resident's employee.

Furthermore, the proposed amendments seek to modify the composition of the flat tax, starting from January 1, 2026. This modification entails the exclusion of local taxes, real estate taxes, and road usage taxes for vehicles registered in the Republic of Moldova from the flat tax calculation. Simultaneously, the minimum flat tax rate will increase from 30% to 35% of the average

economy-wide salary, effective from January 1, 2026.

Conclusion

The proposed amendments to the Law on Information Technology Parks in Moldova signify the government's commitment to creating a favorable environment for the technology industry and foreign investment. These changes aim to attract a broader range of technology-related businesses, enhance transparency, and ensure a competitive business climate. It is crucial for stakeholders to engage in the public consultation process to provide valuable input and insights into these proposed amendments, which have the potential to significantly impact the technology sector in Moldova. As the legislative process unfolds, it is essential for businesses and investors to stay informed and adapt to the evolving legal landscape.

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