

**STATUTE  
OF THE NATIONAL PAYMENTS COUNCIL**

**CHAPTER I  
GENERAL PROVISIONS**

1. National Payments Council (hereafter *Council*) is a professional forum for consultation, which is designed to facilitate the efficient and stable functioning of the payment system of the Republic of Moldova. The Council may also serve as a forum for consultation with the operators of payment systems, regional and international clearing houses and their participants, and the relevant international institutions.

2. The Council has no legal personality and no entrepreneurial activity.

**CHAPTER II  
OBJECTIVES**

3. The Council has the following objectives:

- a) to promote the cashless payments in the Republic of Moldova and to reduce the cash in circulation;
- b) to promote the operational efficiency, security and integrity of payment systems and services in the Republic of Moldova;
- c) to promote the compliance of payment systems and services with the market demand and the needs of users and their accessibility to the entire population of the Republic of Moldova;
- d) to promote the innovative nature of payments, cashless payment instruments safety and their accessibility for users.

**CHAPTER III  
FUNCTIONS**

4. The Council has the following functions:

- a) to facilitate the consultation between the participants of payment services market and regulatory and supervisory authorities and to facilitate the cooperation between public authorities;
- b) to promote the joint initiatives towards implementation and improvement of the payment systems infrastructure. These initiatives should contribute to the development of fair competition among the participants of the payment services market;
- c) to help identify the existing obstacles, for the activity and daily operations of the participants of the payment and settlement market as well as for the interests of end-users, that derive from the normative acts in force;
- d) to promote the cooperation between national and international institutions on issues related to payment systems, cashless payment instruments and services;
- e) to develop recommendations and proposals for the participants in the payment services market and for the relevant regulatory and supervisory authorities.

**CHAPTER IV  
MEMBERS OF THE COUNCIL**

5. Members of the Council may be:

- a) National Bank of Moldova, represented by the Deputy Governor of the NBM, who is in charge of the Payments System Department and by the Director of the Payments System Department of the National Bank of Moldova;
- b) Ministry of Finance - represented by the Deputy Minister and by the Chief of the Main State Tax Inspectorate;
- c) Ministry of Economy - represented by the Deputy Minister;
- d) Ministry of Information Technology and Communications - represented by the Deputy Minister;
- e) E-Government Center - represented by the Executive Director;

- f) Moldovan Banks Association - represented by the Chairman;
- g) Payment services providers and electronic money issuers holding a license issued by the National Bank of Moldova (banks, payment institutions, electronic money issuers, postal service providers that provide payment services) - represented by the Chairman/Director.

6. Each member of the Council has the right for one vote, except the National Bank of Moldova and the Ministry of Finance, which will have the right for two votes. If the member's representative is not able to attend the next meeting of the Council and in case of a vacancy for this position, the member shall appoint an alternate representative to perform the functions of the missing representative. The member shall communicate to the Secretariat of the Council the name, surname and the position of the alternate representative at least 3 working days before the date set for the next meeting.

7. If the member is not a public authority, the alternate representative shall have at least a top executive or deputy position (Deputy Chairman, Deputy Director).

8. Depending on the topics to be discussed, the Council may invite representatives of other legal entities that are not members of the Council to participate in its meetings and working groups, if their participation is important given the topics to be discussed (e.g., public utilities companies, merchants, consumer associations, etc.). The participation of the mentioned representatives in the meetings and working groups established by the Council shall be proposed by the members and approved by the Chairman of the Council (hereinafter *Chairman*) or shall be proposed directly by the Chairman.

9. The adherence to the Council and participation in the Council's activities is voluntary and implies acceptance of the provisions of this Statute.

10. Membership is acquired on request, together with a declaration of acceptance of the provisions of the Statute, as exposed in Annex 2, submitted to the Secretariat of the National Payments Council, except the founding members who signed the Statute of the Council and who acquired the membership during constituent meeting of the National Payments Council.

11. The Secretariat of the Council shall perform the necessary entries in the Register of Members of the National Payments Council and shall inform the applicant of this fact within 5 working days from the receipt of the application letter, according to item 10. The applicant becomes a member of the Council starting from the date the respective entry in the Register of Members of the National Payments Council has been made.

12. To terminate its membership in the Council, the member shall submit a written request to the Secretariat of the Council where the respective decision can be reasoned.

13. The Secretariat of the Council shall exclude the respective member from the Register of Members of the National Payments Council and shall inform the requesting legal entity of this fact within 10 working days from the receipt of the application, according to item 12. The applicant shall cease to have membership starting from the date of its removal from the Register of Members of the National Payments Council.

14. The withdrawal by the NBM of the license of the payment service provider and/or electronic money issuer that is a member of the Council involves the immediate termination of its membership.

15. In the case referred to in item 14, the Secretariat of the Council shall exclude the member from the Register of Members of the National Payments Council no later than the next business day from the date of removal of the payment service provider and/or electronic money issuer from the Register of the payment institutions and/or Register of the electronic money institutions.

## **CHAPTER V RIGHTS AND OBLIGATIONS**

16. Each member of the Council has the following rights:

- a) to participate in the meetings of the Council, to express their views during the meetings and to participate in the voting procedure;
- b) to propose topics for the agenda of the Council's meetings and to propose subject matters to be voted;

c) to express their views, to request and receive information related to the activities of the Council;

d) to propose the participation of the representatives of other legal entities that are not members of the Council in the Council's meetings and/or in the working groups of the Council, if their participation is important given the topics to be discussed.

17. Each member of the Council has the following obligations:

a) to comply with the provisions of this Statute;

b) to designate the person/persons who has/have the competence to participate in the specialized working groups established under the aegis of the Council;

c) to designate a contact person responsible for relations with the Secretariat of the Council and to communicate to the Secretariat the name, surname, email address and telephone number of the respective person;

d) to contribute to the efficiency of the activity of the Council;

e) to inform the Secretariat of the Council if its participation as a member of the Council is not possible or is not justified as a result of an amendment of a law, normative act or own Statute.

f) to keep confidential the information that became available as a result of participation in the Council, except that is requested under a legal/normative provision or that is already public in another way than through breach of this Statute. Keeping confidential the information should be valid even after the loss of membership of the Council.

## **CHAPTER VI ORGANIZATIONAL STRUCTURE**

18. The Deputy Governor of the National Bank of Moldova is the Chairman of the Council.

19. The Chairman has the following attributions:

a) to convene and chair the meetings of the Council;

b) to approve the agenda for the meetings of the Council;

c) to decide on the opportunity for participation of certain third party legal entities and/or individual experts in meetings of the Council and/or in the working groups established under the aegis of the Council;

d) to decide and submit for voting the issues on which a consensus was not found among the members of the Council, as well as the proposals to amend this Statute.

20. In the absence of the Chairman, the respective functions shall be performed by an alternate person. The alternate of the Chairman shall have similar or superior executive position in the NBM (Deputy Governor, First Deputy Governor, Governor).

21. The Payments System Department of the National Bank of Moldova ensures the Secretariat of the Council.

22. The Secretariat has the role of coordination between members of the Council and has the following functions:

a) to prepare the topics to be discussed by the Council, based on members' proposals, and to submit the agenda for approval to the Chairman;

b) to prepare the minutes of the meetings of the Council and to submit them to the members of the Council for comment and signature;

c) to share through the contact persons, designated by the members, the agenda for the next meeting of the Council, other materials or information relevant for the meetings of the Council and the topics to be discussed therein;

d) to maintain the Register of Members of the National Payments Council.

23. The Register of Members of the National Payments Council contains information on each member of the Council and on each representative of the member. This Register is public, may be found on the official website of the National Bank of Moldova and is periodically updated.

## **CHAPTER VII WORKING GROUPS**

24. The Council may establish working groups to help achieve its objectives.

25. The Director of the Payments System Department of the National Bank of Moldova is responsible for the coordination of specialized working groups' activities.

26. Participants in the working group of the Council shall appoint independently the Chairman of the respective working group.

27. Chairman of the working group shall communicate to the Director of the Payments System Department of the National Bank of Moldova the topics discussed in the working group, the organization and results of this working group. In turn, the Director of the Payments System Department of the National Bank of Moldova shall inform the Council on these issues.

## **CHAPTER VIII MEETINGS**

28. The meetings of the Council shall be chaired by the Chairman or by Chairman's alternate in the absence of the Chairman.

29. The Council shall meet regularly when needed, but at least once a quarter. Council's meetings shall be convened by the Chairman.

30. Date, time and place of meetings shall be determined by the Chairman. Agenda and the decision on convening the meeting of the Council shall be communicated to all members at least 5 working days before the meeting except for an emergency situation, when the meetings may be convened urgently.

31. The meeting is deliberative if at least three quarters of the members of the Council are present.

32. Issues on which no consensus was found among the members or the proposal to amend this Statute can be submitted for voting by the Chairman.

33. Voting procedure is carried out openly by raising hands and filling out the ballot.

34. The decisions on the issues subject to voting, including the decision to amend the Statute and to dissolve this Council, shall be adopted with three fourths of the votes of those present at the meeting and with the right to vote, according to item 6. In case of equal votes, the vote of the Chairman is decisive.

## **CHAPTER IX REVISION AND AMENDMENT OF STATUTE**

35. This Statute has an indefinite period of operation.

36. Amendments to this Statute shall be made in compliance with item 34.

## **CHAPTER X FINAL PROVISIONS**

37. Any disputes regarding the interpretation and implementation of this Statute shall be resolved by the members of the Council through amicable negotiations.

38. No fee/money contribution shall be charged for the participation in this Council.

This Statute was adopted at the National Payments Council establishment meeting on September 16, 2013 and contains 8 pages, signed today September 16, 2013 by the founding members, as shown in Annex 1.

Anexa 1  
la statutul Consiliului  
Național de Plăți

Banca Națională a Moldovei  
Viceguvernator

Ministerul Tehnologiei Informației și  
Comunicațiilor al Republicii Moldova  
Viceministru

Tătărușanu  
Nume, prenume

[Signature]  
Semnătura

I. Holoborcu  
Nume, prenume

[Signature]  
Semnătura

Ministerul Economiei al Republicii Moldova  
Viceministru

Centrul de Guvernare Electronică  
Directorul Executiv

G. G. G. G.  
Nume, prenume

[Signature]  
Semnătura

H. H. H.  
Nume, prenume

[Signature]  
Semnătura

Ministerul Finanțelor al Republicii Moldova  
Viceministru

Asociația Băncilor din Moldova  
Președinte

B. B. B.  
Nume, prenume

[Signature]  
Semnătura

L. L. L.  
Nume, prenume

[Signature]  
Semnătura

Șeful Inspectoratului Fiscal Principal de Stat

P. P. P.  
Nume, prenume

[Signature]  
Semnătura

**Banca Comercială „COMERTBANK” S.A.**

Carțasov Serghei

Nume, prenume

[Signature]

Semnătura

**Banca Comercială „BANCA SOCIALĂ” S.A.**

Svetlana Toța

Nume, prenume

[Signature]

Semnătura

**Banca Comercială „VICTORIABANK” S.A.**

Domenzi Victor

Nume, prenume

[Signature]

Semnătura

**Banca Comercială  
„MOLDOVA-AGROINDBANK” S.A.**

Cebotari Serghei

Nume, prenume

[Signature]

Semnătura

**Banca Comercială „Moldindconbank” S.A.**

Banari Svetlana

Nume, prenume

[Signature]

Semnătura

**Societatea pe Acțiuni Banca de Economii**

Priveceanchi Ivan

Nume, prenume

[Signature]

Semnătura

**Banca Comercială „EuroCreditBank” S.A.**

Oleg Kolban

Nume, prenume

[Signature]

Semnătura

**Banca Comercială „UNIBANK” S.A.**

Tuguleașchi Dumitru  
Nume, prenume

[Signature]  
Semnătura

**„Banca de Finanțe și Comerț” S.A.**

Belanaka J.  
Nume, prenume

[Signature]  
Semnătura

**Banca Comercială „ENERGBANK” S.A.**

Vasilevici Yurii  
Nume, prenume

[Signature]  
Semnătura

**Banca Comercială „ProCredit Bank” S.A.**

Veaceslav Gombu  
Nume, prenume

[Signature]  
Semnătura

**Banca Comercială Română Chișinău S.A.**

Sergiu Gaibu  
Nume, prenume

[Signature]  
Semnătura

**Banca Comercială  
„EXIMBANK – Gruppo Veneto Banca” S.A.**

Veaceslav Buracchio  
Nume, prenume

[Signature]  
Semnătura

**Banca Comercială  
„MOBIASBANCĂ - Groupe Societe  
Generale” S.A.**

S. Graciuțino  
Nume, prenume

[Signature]  
Semnătura

**LETTER OF APPLICATION**

The legal entity \_\_\_\_\_,  
(name of the legal entity, according to item 5 of the Statute of the National Payments Council)  
represented by \_\_\_\_\_,  
(name, surname)  
as the \_\_\_\_\_  
(position)

requests the membership of the National Payments Council.

I declare that I am aware of the Statute of the National Payments Council and fully accept its provisions.

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Signature of the representative of the legal entity)