



File of the legal act

Republic of Moldova
parliament**LAW No. 357**
of 22-12-2022**of the state social insurance budget for 2023**

Published: 28-12-2022 in Official Gazette No. 435-437 art.
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Parliament adopts this organic law.

Art. 1. – The state social insurance budget for 2023 is approved for revenues in the amount of 38735604.7 thousand lei and for expenses in the amount of 38735604.7 thousand lei.

Art. 2. – (1) The summary of the state social insurance budget for the year 2023 is presented in annex no. 1.

(2) The expenditure subprograms of the state social insurance budget for the year 2023 are presented in annex no. 2.

Art. 3. – (1) The mandatory state social insurance contribution in a fixed annual amount (annual fixed fee) calculated for the payers specified in points 1.6, 1.7 and 1.8 of annex no. 1 of Law no. 489/1999 on the public social insurance system is set at 14,700 lei.

(2) The mandatory state social insurance contribution in a fixed annual amount (annual fixed fee) calculated for the payers specified in point 1.6 ¹ of annex no. 1 to Law no. 489/1999 regarding the public social insurance system is set at 27,772 lei.

2023 (3) The state social insurance contribution in a fixed annual amount (annual fixed fee) for the categories of persons not mentioned in annex no. 1 to Law no. 489/1999 regarding the public social insurance system and which can be insured on the basis of an individual contract concluded with the National Social Insurance House is set at 14,700 lei per year, and in the case of natural persons who are owners or lessees of agricultural land who work the land individually - in the amount of 3744 lei per year, but not less than 1/12 of the respective amounts per month, which represents the insured period that is included in the contribution period for determining the old-age pension and the retirement aid death.

Art. 4. – The amount of late increases provided for in art. 28 of Law no. 489/1999 on the public social insurance system is set at 0.1% of the debt amount for each day of delay.

Art. 5. – (1) The Ministry of Finance transfers the financial means provided by this law from the state budget to the state social insurance budget to the payment accounts of the National Social Insurance House intended for social benefits from the state budget.

(2) The payment of social benefits from the state budget is made after transferring the respective amounts from the state budget to the payment accounts of the National Social Insurance House intended for social benefits from the state budget.

Art. 6. – The types of social benefits granted to certain categories of the population, whose financing is carried out from the state budget through the National Social Insurance House, are presented in annex no. 3.

Art. 7. – (1) Social benefits granted from the state social insurance budget for employees whose identity and quality fall under the conditions of Law no. 245/2008 regarding state secrets are calculated and paid by the employer. The National Social Insurance House transfers to the employer the amounts necessary for the payment of social benefits, according to the provisions of the normative acts.

2023 (2) Social benefits granted to persons held in penitentiary institutions and entitled to benefit from these benefits through the public social insurance system are paid through penitentiary institutions. The penitentiary institutions will, in this sense, conclude a contract with the National Social Insurance House.

(3) Social benefits, except for those indicated in para. (1) and (2), granted to the persons entitled to benefit from these benefits through the public social insurance system, are paid through the payment method selected by the beneficiary and available within the Government Electronic Payments Service (MPay).

(4) Social benefits are distributed at home for elderly people, people with disabilities and people who, due to their health, cannot receive them independently at the offices of payment service providers.

Art. 8. – (1) The benefits for the prevention of illnesses and the recovery of the working capacity of employees through balneosanatorial treatment in specialized institutions are financed by the National Social Insurance House from the state social insurance budget.

(2) The organization of the prevention of illnesses and the recovery of working capacity of employees through spa treatment is carried out by the National Social Insurance House, with the participation of trade unions and employers, in accordance with the regulations approved by the Government.

(3) Organization of health recovery through spa treatment of the beneficiaries of rights obtained through the public social insurance system, according to Law no. 190/2003 regarding veterans, as well as citizens who suffered from the Chernobyl disaster, according to Law no. 909/1992 on the social protection of citizens who suffered from the Chernobyl disaster, is carried out by the National Social Insurance Office.

(4) The organization of children's rest and health care is carried out by the National Social Insurance House, with the participation of trade unions, in accordance with the regulation approved by the Government.

(5) The acquisition of the services provided for in paragraphs (2)–(4) is carried out according to the provisions of ²⁰²³ Law no. 131/2015 on public procurement.

Art. 9. – (1) The commissions for the services of distribution of social benefits as rights financed from the state budget and from the state social insurance budget will not exceed the maximum value of:

- a) 0.4% of the amount distributed to payment accounts;
- b) 0.7% of the amount distributed in cash at the counter in urban areas;
- c) 0.9% of the amount distributed in cash at the counter in rural localities;
- d) 1.2% of the amount distributed in cash at the residence of the beneficiaries;
- e) 0.25% of the amounts issued in cash by banks to be distributed through the State Enterprise "Poșta Moldovei".

(2) After the end of the payment month, the National Social Insurance House transfers to the owner of the Governmental Electronic Payment Service (MPay) the amounts related to the social benefits distribution services according to the commissions specified in para. (1), upon presentation by the owner of the monthly delivery-acceptance documents, in accordance with the conditions stipulated in the concluded contracts.

(3) The Electronic Government Agency will approve the contractual conditions regarding the provision, through the Government Electronic Payments Service (MPay), of social benefits distribution services, including those for the distribution of social benefits at home.

Art. 10. – (1) The commissions for the collection services from the population of state social insurance contributions to the state social insurance budget are paid from the state budget.

(2) The commissions specified in para. (1) will be returned to the state budget from the state social insurance budget based on the contract concluded between the Ministry of Finance and the National Social Insurance House.

Art. 11. – (1) After the beneficiaries of pensions who live in the placement centers for the elderly and disabled (adults) of the Ministry of Labor and Social Protection are paid 25% of the established monthly pensions and are carried out, as the case may be , deductions according to the executive documents, the remaining amounts from the pension are transferred from the National Social Insurance House to the placement centers for the elderly and disabled (adults), based on the lists presented by them monthly, until the 10th of the month in course, and are used for the maintenance of pensioners in the manner established by the Government.

(2) The placement centers for elderly people and people with disabilities (adults) managed by the National Social Assistance Agency, in which the Ministry of Labor and Social Protection has the capacity of founder, present quarterly to the National Social Insurance House reports on the use according to the destination of the remaining amounts from the transferred pensions for these persons.

Art. 12. - In accordance with Law no. 123/1998 regarding the capitalization of periodic payments, the liquidation commission ensures, as a matter of priority, the extinguishment of the debts of the company being liquidated towards the beneficiaries of disability or survivor's pensions, established as a result of work accidents or occupational diseases, by transferring financial means to the National Social Insurance House. If the enterprise does not have sufficient financial means, these rights are paid by the legal successor of the enterprise in question, and in its absence - from the state budget, in the manner established by the Government.

Art. 13. – (1) By derogation from art. 13 of Law no. 156/1998 on the public pension system, in the case of the indexation of pensions from April 2023, the indexation coefficient will not exceed the percentage increase of the own revenues of the state social insurance budget for the year 2022 compared to the year 2021 and will apply only that part of the pension that does

not exceed the average monthly salary for the economy forecast for the year 2023. The size of the indexation coefficient will be approved by the Government.

(2) By derogation from art. 7 para. (6) from Law no. 133/2008 regarding social aid, in the case of the April 2023 indexation of the guaranteed minimum monthly income, the indexation coefficient will constitute the percentage increase in the own income of the state social insurance budget for the year 2022 in relation to the year 2021.

Art. 14. – The amount of the death benefit granted under the terms of Law no. 289/2004 regarding allowances for temporary incapacity for work and other social insurance benefits is 1100 lei, with the exception of war veterans specified in art. 7 para. (2) point 1) letter g) from Law no. 190/2003 regarding veterans, for which the amount of the death benefit is 5000 lei.

THE PRESIDENT OF PARLIAMENT Igor GROSU

No. 357. Chisinau, December 22, 2022.

annex no. 1

annex no. 2

annex no. 3

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