

TRANSFER OF SECURITIES, DIRECTLY BY ATHEXCSD DUE TO AN OTC OFF EXCHANGE TRANSACTION

ATHEXCSD DSS Regulation (Decision 17 ATHEXCSD BoD)

Actions required by the contracting parties for the transfer of Securities at the Beneficiary's Request:

1. **Blocking** securities to be transferred through Participant, with a reasoned declaration of intent to transfer (the transferor addresses the Participant who holds the securities and gives him a relevant order for the said commitment).
2. **A written contract or notarial document** concerning the OTC transferring, due to sale or donation among the contracting parties, with their signatures certified by an administrative authority, as long as the contracting parties do not sign before the competent ATHEXCSD employee.

The written contract shall include for both the seller and the buyer:

- a) *Full name and father's name for a natural person or company name for a Legal Entity*
- b) *The legal representative of the Legal Entity*
- c) *Type and information of identification certificate Identification certificate number and date of issue, if it concerns a natural person*
- d) *Tax identification number and competent tax office*
- e) *L.E.I. code if it concerns a Legal Entity*
- f) *Investor share number and securities account of the contracting parties*
- g) *Explicitly all the shares that will be transferred*
- h) *Quantity of every security.*
- i) *Price (in Euros) of every security.*
- j) *The sum that comes up when the quantity of every share is multiplied with its price.*
- k) *Total amount of the transfer in Euros.*

It should also be mentioned in the contract that the securities to be transferred are free of any liens or encumbrances and that the total amount of the transaction has been deposited in cash by the seller to the buyer.

3. **Application for the transfer** ([APP018](#)) filled up with the required data of both the transferor-seller and transferee- buyer.
4. Payment to ATHEXCSD **of the corresponding rights**, in accordance with Decision 18 of the ATHEXCSD BoD:
 - A percentage of 0.08% on the value of the transfer, by each contracting party. For the calculation, the transfer value is taken to be the greater of that stated in the private agreement (or notarial document) and that resulting from the product of the quantity and the closing price of the security on the day the documents are deposited, with a minimum charge of €40 per contracting party.

- ATHEXCSD (according to article 50 & 59 par.9 of Law 5073/2023), collects on behalf of Greek State **0.1%** tax, imposed on the total transaction value and fully paid by the seller (it does not apply in case of donation or parental transfer).

Notes:

- The OTC transfer application ([APP018](#)) only requires simple signatures.
- If one of the contracting parties is a **Legal Entity**, it is required: a) to submit to ATHEXCSD a copy of the published minutes of the relevant statutes of the body, where the legal representative of the Legal Entity is designated, b) to have an LEI code registered in the Legal Entity's Share.
- If the covenant buyer is **juvenile** (below the age of 18) the transfer can take place only due to a donation or a parental transfer. In this case a notarial act is required. Especially for the parental transfer and with the prerequisite that the juvenile has reached the 10th year, the transfer can take place with a written contract only, in which both parties should sign, otherwise (if it is below the age of 10) a notarial act is required.
- If the transfer is taking place due to a donation or a parental transfer, then the presentment of certificate of the article 105 Law 2961/2001 (from competent tax office) is also required. Alternatively, and in accordance with paragraph 5 of article 26 of Law 3220/2004 as applicable, instead of the certificate, the taxpayer shall submit a copy of the relevant tax declaration, as well as a Responsible Declaration of Article 8 of Law 1599/1986, in which it is declared that the data resulting from the submitted tax declaration have not been changed and that the entire tax has been paid. On the Responsible Declaration, the authenticity of the signature is verified by an administrative authority or through gov.gr.
- If the over-the-counter (OTC) transfer is carried out due to a donation to executives or beneficiaries of Securities Issuers or Fund Managers as a result of a corporate action or other of a related act, a statement with the names and quantities received by the beneficiaries and an exact copy of the decision of the administrative body of the Issuer or Asset Manager that decided on the corporate or other related act is provided. The said transfer is carried out without presenting a certificate of article 105 of Law 2961/2001 (from competent tax office) in accordance with circular E2208/2020.
- **Transaction announcements** to fulfill MiFID II obligations are carried out by the involved Participants.