

## LEGALIZATION OF HEIRS AND TRANSFER OF SECURITIES

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The legalization of the beneficiary could be alternatively provided:

- By **ATHEXCSD**, according to the procedure described below,
- By the **issuance** companies,
- By the **Participants** of the deceased.

### REQUIRED DOCUMENTS FOR LEGISLATION HEIRS THROUGH ATHEXCSD

If all the heirs choose to carry out the legalization of the inheritance through ATHEXCSD, the following supporting documents are required, per case:

#### A. IF AN INHERITANCE DOCUMENT, OR WILL OR INHERITANCE ACCEPTANCE BY THE HEIR DOES NOT EXIST

1. Relevant application (**form AIT026E**), also required the ID Number and the Tax Identification Number of the deceased.
2. Death certificate of the deceased.
3. Certification of nearer relatives of the deceased.
4. Certification of no probation of the deceased's will.
5. Certification of no dispute concerning the rights of succession
6. Certification of no refusal of the heritage.

The documents will be certified. The delivery to ATHEXCSD of documents 4 and 5 should be done within **6 months** from the date that was issued by the Court of First Instance / Magistrate's Court.

7. The certification of article 105 of Law 2691/2001 or Inheritance Tax Declaration accompanied by a Responsible Declaration of article 8 of Law 1599/1986 (Government Gazette 75A) with an original signature of the applicant from an administrative authority (gov.gr), in which it is declared that "the information resulting from the Inheritance Tax Declaration has not changed and no tax is due".
8. Private agreement in the event that the heirs of the securities are more than one (with certification of the original signature of all the heirs in accordance with the above).

#### B. IF AN INHERITANCE DOCUMENT EXIST

1. Relevant application (**form AIT026E**), also required the ID Number and the Tax Identification Number of the deceased.



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2. Certified copy of the inheritance document.
3. Certification of no repealing / modifying / invalidating of the inheritance document (received by ATHEX CSD, certified, within the time frame of three months from the date that was issued by the court of the first instance).
4. The certification of article 105 of Law 2691/2001 or Inheritance Tax Declaration accompanied by a Responsible Declaration of article 8 of Law 1599/1986 (Government Gazette 75A) with an original signature of the applicant from an administrative authority (gov.gr), in which it is declared that "the information resulting from the Inheritance Tax Declaration has not changed and no tax is due".
5. Private agreement in the event that the heirs of the securities are more than one (with certification of the original signature of all the heirs in accordance with the above).

### **C. IF A WILL EXIST**

1. Relevant application (**form AIT026E**) also required the ID Number and the Tax Identification Number of the deceased.
2. Certified copy of the relevant court records concerning the probation of the will (holographic, discreet, extraordinary) or certified copy of the public testament.
3. Certified copy of the relevant court records with which the holographic will was granted probate (only in case of a holographic will that was granted probate).
4. In case that the will does not include immaterial securities, then a certification of nearer relatives, is submitted.
5. Certification of no probation of any other will.
6. Certification of no dispute concerning the rights of succession (totality of all beneficiary should be recorded).
7. In case of refusal, certified copy of the relevant statement.

8. The documents will be certified. The delivery to ATHEXCSD of the documents 5 and 6 should be done within **6 months** from the date that was issued by the Court of First Instance / Magistrate's Court.

6. The certification of article 105 of Law 2691/2001 or Inheritance Tax Declaration accompanied by a Responsible Declaration of article 8 of Law 1599/1986 (Government Gazette 75A) with an original signature of the applicant from an administrative authority (gov.gr), in which it is declared that "the information resulting from the Inheritance Tax Declaration has not changed and no tax is due".
7. Private agreement in the event that the heirs of the securities are more than one (with certification of the original signature of all the heirs in accordance with the above).



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**D. IF AN INHERITANCE ACCEPTANCE BY THE HEIR EXIST (IN WHICH IMMATERIAL SECURITIES / STOCKS ARE INCLUDED AS WELL)**

1. Relevant application (**form AIT026E**), also required the ID Number and the Tax Identification Number of the deceased.
2. Certified copy of the relevant notarial document revealing the acceptance of the deceased inheritance.
3. The certification of article 105 of Law 2691/2001 or Inheritance Tax Declaration accompanied by a Responsible Declaration of article 8 of Law 1599/1986 (Government Gazette 75A) with an original signature of the applicant from an administrative authority (gov.gr), in which it is declared that "the information resulting from the Inheritance Tax Declaration has not changed and no tax is due".
4. Private agreement in the event that the heirs of the securities are more than one (with certification of the original signature of all the heirs in accordance with the above).

**E. IF AN INHERITANCE ACCEPTANCE BY THE HEIR EXIST (IN WHICH IMMATERIAL SECURITIES / STOCKS ARE NOT INCLUDED AS WELL)**

1. Relevant application (**form AIT026E**), also required the ID Number and the Tax Identification Number of the deceased.
2. Certified copy of the relevant notarial document revealing the acceptance of the deceased inheritance.
3. Certification of no probation of the deceased's will.
4. Certification of no dispute concerning the rights of succession (totality of all beneficiary should be recorded).

The documents will be certified. The delivery to ATHEXCSD of the documents 3 and 4 should be done within **6 months** from the date that was issued by the Court of First Instance / Magistrate's Court.

5. The certification of article 105 of Law 2691/2001 or Inheritance Tax Declaration accompanied by a Responsible Declaration of article 8 of Law 1599/1986 (Government Gazette 75A) with an original signature of the applicant from an administrative authority (gov.gr), in which it is declared that "the information resulting from the Inheritance Tax Declaration has not changed and no tax is due".
6. Private agreement in the event that the heirs of the securities are more than one (with certification of the original signature of all the heirs in accordance with the above).

**F. IF AN INHERITANCE ACCEPTANCE BY THE HEIR EXIST (WITHOUT WILL IN WHICH IMMATERIAL SECURITIES / STOCKS ARE NOT INCLUDED AS WELL)**

1. Relevant application (form AIT026E), also required the ID Number and the Tax Identification Number of the deceased.
2. Certified copy of the relevant notarial document revealing the acceptance of the deceased inheritance.
3. Certification of nearer relatives of the deceased.
4. Certification of no probation of any other deceased's will.
5. Certification of no dispute concerning the rights of succession.

The documents will be certified. The delivery to ATHEXCSD of the documents 4 and 5 should be done within **6 months** from the date that was issued by the Court of First Instance / Magistrate's Court.

6. The certification of article 105 of Law 2691/2001 or Inheritance Tax Declaration accompanied by a Responsible Declaration of article 8 of Law 1599/1986 (Government Gazette 75A) with an original signature of the applicant from an administrative authority (gov.gr), in which it is declared that "the information resulting from the Inheritance Tax Declaration has not changed and no tax is due".
7. Private agreement in the event that the heirs of the securities are more than one (with certification of the original signature of all the heirs in accordance with the above).

**Notes:**

For the certified documents that had been presented in case of supplying information (form AIT025) and the time frame within are being accepted by ATHEX CSD has expired, these, should be presented again during the date of presenting the remaining documents required for the transferring of the securities.

- ✓ In the event that the application is submitted by a third party, an authorization is required, with a certification of the authenticity of the signature of the applicant heir, with which the person submitting the application will be authorized, as, instead of him and on his behalf, submits the application in question to the "Hellenic Central Depository of Securities S.A.", requests from the competent services the transfer and/or legalization certificate for the transfer of the securities from the share of the deceased to the share of each heir, signing for this reason any relevant document or application that will requested by the "Hellenic Central Securities Depository S.A." to complete the above command.



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- ✓ According to paragraph 5 of article 102 of Law 2961/2001, as applicable, in the case of inheritance for deaths that occurred up to 12/31/2008, the presentation of the DOU certificate by the heirs is not required.

Instead it requires:

- a) Registry act of death and
- b) responsible statement of the heirs that their tax liability has not been transferred (beyond 01/01/2009).

Alternatively and in accordance with paragraph 5 of article 26 of Law 3220/2004 as applicable, where the payment of the tax is not required and in cases where the entire inheritance tax has been paid, instead of the certificate, the taxpayer shall submit a copy of the relevant declaration tax, as well as a Responsible Declaration of article 8 of Law 1599/1986, which declares that the information resulting from the submitted tax declaration has not changed and that the entire inheritance tax has been paid. On the Responsible Declaration, the authenticity of the signature will be certified by a competent authority.

Alternatively and in accordance with Article 65 of Law 4961/2022 as applicable, instead of the above Certificates of non-publication, non-dispute and non-waiver, the heir may present the single certificate of inheritance, which is valid for six ( 6) months from its publication.

- ✓ In the case of a deceased person before 01/03/2013, a certificate of publication or non-probate must be provided by both the Magistrate's Court and the Court of First Instance. of the place of residence of the deceased.
- ✓ The certificate of non-dispute of the right of inheritance or the single certificate of inheritance must list all the heirs.
- ✓ Our company reserves the right to request additional supporting documents, at its discretion.
- ✓ The company does not undertake the processing of partial inheritance distribution to beneficiaries-heirs. It is noted that in cases where the beneficiaries do not act collectively and jointly, a judicial distribution is required.
- ✓ In cases where the tax liability has not been exhausted, according to par. 1 of article 107 of the Code of Provisions on the Taxation of Inheritances, Donations, Parental Allowances, Gifts and Lottery Winnings (law 2961/2001, A'266), issued by the D.O.Y. debt identification, which is written on the certificate and authorizes the respective Participant to sell part of the inherited portfolio and pay the tax

## **INSTRUCTIONS FOR SENDING DOCUMENTS**

Documents can be sent to ATHEXCSD by post or by e-mail.



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- In the case of a postal shipment, it is required that the required certificates have been issued through the Public Services, either electronically through the corresponding application ([www.solon.gov.gr](http://www.solon.gov.gr)) and that the genuineness of the signature of the requesting heir has been verified in the application or by an administrative authority or electronically, according to the provisions at [www.gov.gr](http://www.gov.gr) .

**Shipping address:** Hellenic Central Securities Depository S.A. / Accounts & Registry Services Department / 110 Athinon St., 10443 Athens Greece

- In the case of sending by electronic mail (e-mail), the certificates must have been issued electronically through the corresponding application (e.g. [www.solon.gov.gr](http://www.solon.gov.gr)) and the originality of the signature of the requesting heir has been verified in the application also electronically, according to the provisions at [www.gov.gr](http://www.gov.gr) .
- Sending e-mail address: [ars@athexgroup.gr](mailto:ars@athexgroup.gr)