



HELLENIC REPUBLIC
CAPITAL MARKET COMMISSION

DECISION
15/966/30.9.2022
of the Board of Directors

Subject: Amendment of decision 1/756/18.05.2016 of the Board of Directors of the Hellenic Capital Market Commission "Marketing in Greece of units/shares of UCITS of another Member State pursuant to article 89 of Greek law 4099/2012" (Government Gazette B/1781/17.06.2016)."

**THE BOARD OF DIRECTORS
OF THE HELLENIC CAPITAL MARKET COMMITTEE**

Having considered:

1. Paragraph 12 of article 89 of Greek law 4099/2012 "Undertaking for collective investment in transferable securities and mutual fund management companies, Directive 2009/65/EC. Adaptation of Greek legislation to the provisions of Directives 2010/78/EU, 2010/73/EU, 2011/96/EU, 2009/133/EU, 2004/113/EU European Cooperative Society. Measures for the implementation of Regulations (EC) 1338/2001 and (EU) 1210/2010 on the protection of the euro and other provisions" (Government Gazette A 250/20.12.2012).
2. Article 90 of p.d. 63/2005 "Codification of legislation for the Government and governmental institutions" (Government Gazette A/98/2005).
3. Article 1(4) of Directive 2019/1160 "amending Directives 2009/65/EC and 2011/61/EU with regard to cross-border distribution of collective investment undertakings" and the related amendment of article 92 of that Directive and the addition of article 89B to Greek law 4099/2012.
4. Article 1(6) of Directive 2019/1160 "amending Directives 2009/65/EC and 2011/61/EU with regard to cross-border distribution of collective investment undertakings" and the related addition of article 91A to Greek law 4099/2012.
5. The fact that the provisions of the present Decision do not cause any expense to the Government Budget.

UNANIMOUSLY DECIDES

Article 1

Article 2 of the decision of the Board of Directors of the Hellenic Capital Market Commission No. 1/756/18.05.2016 is amended as follows:

"1. The UCITS authorized in another Member State intending to market units/shares in Greece appoints a Paying Agent and a Distributor that will be responsible for the marketing. The appointment shall be evidenced by written contract.

2. The Paying Agent may be a credit institution domiciled either in Greece or in another country with a branch located in Greece. The Paying Agent is responsible for fulfilling the monetary elements of the subscription and redemption orders and other transactions that are a necessary complement to the marketing activities. In particular, the Paying Agent appointed by the UCITS may, at least:

(a) receive the cash equivalent funds for subscriptions and making payments for redemption orders,

(b) make coupon and dividend payments and any other monetary payment by the UCITS to unit-holders/shareholders, and

(c) deal with any settlement differences arising when switching between compartments.

3. The Distributor of the UCITS of another Member State which holds units/shares in Greece is responsible for providing the marketing services.

The Distributor may be a credit institution, a mutual fund management company, an insurance company, an investment services firm or an investment brokerage company, that is domiciled either in Greece or in another country with a branch located in Greece.

In particular, the Distributor appointed by the UCITS may, at least:

(a) process subscription and redemption forms to the Paying Agent and (b) provide unit-holders with at least:

(i) the latest version of the key information for the investors referred to in article 80 of Greek law 4099/2012, translated into Greek by the UCITS in accordance with article 89(5) and article 90 par. 1(d) of Greek law 4099/2012.

(ii) the latest version of the regulation or its articles of incorporation, translated into Greek and/or English, at the UCITS' choice and with the UCITS' care in accordance with article 90(4)(b) of Greek law 1(c) of Greek law 4099/2012,

(iii) the latest version of its prospectus, translated into Greek and/or English, at the UCITS' choice and with the UCITS' care in accordance with article 90(1)(c) of Greek law 4099/2012,

(iv) if available, its annual and semi-annual report, translated into Greek and/or English, at the UCITS' choice and with the UCITS' care in accordance with article 90(1)(c) of Greek law 4099/2012,

(v) information on the net asset value of the UCITS or the net asset value of its investment compartments and share classes available in Greece, in printed form or via the internet.

4. The Distributor shall provide the necessary information to investors in a fixed medium prior to the signing of the application form. In case of providing the necessary information in a fixed medium other than paper or via the internet, it shall comply with the provisions of article 38 of HCMC Regulation 584/2010.

5. The Distributor reports to the HCMC the statistical data of the UCITS of other Member States with which it has concluded a placement contract, as it is displayed in Annex. In particular, for the UCITS marketed in Greece, the Distributor information regarding the Management Company, the UCITS, the Compartment, ISIN of the Share Class and the Net Asset Value publication link. Those statistics are reported within ten (10) working days after the end of each calendar quarter and shall be referenced to the last working day of the previous calendar quarter.

6. The UCITS may appoint more than one Paying Agent and more than one Distributor."

Article 2

Article 3 of the decision 1/756/18.05.2016 of the Board of Directors of the Hellenic Capital Market Commission is repealed.

Article 3 Entry into force

This decision is valid from its publication in the Government Gazette.

This Decision shall be published in the Government Gazette (Issue B).

The Secretary

Alexandra Ninasiou

The President

The A Vice-President

The B Vice-President

Vasiliki Lazarakou

Nikolaos Kontaroudis

Anastasia Stamou

The members

Anastasios Virvilios

Panagiotis Giannopoulos

Georgios Leledakis