

Establishment in each credit institution of a special subcommittee for the approval of transactions and other relevant matters

Decision of the Committee for the Approval of Banking Transactions No 6/27.07.2016 (G.G. issue B 2359/29.7.2016), as modified by Decision No 9/22.09.2016 (G.G. issue B 3313/14.10.2016) of the Committee for the Approval of Banking Transactions

Article 1

Establishment of Special Subcommittees

A Special Subcommittee shall be set up within each Credit Institution (CI) operating in Greece, including the Consignment Deposits and Loans Fund, competent for approving specific transactions subject to the provisions of paragraph 12 of the first article of Article 4 of Law 4350/2015 (G.G. issue A 161), under the specific provisions of the following Articles.

Article 2

Special Subcommittee membership

Each Special Subcommittee per CI shall comprise a Chairman and at least two other members. The Chairman of the Subcommittee shall hold the position of at least Deputy or Alternate General Manager or Board Member, while two of its members shall at least hold the position of Manager. The Chairman of the Special Subcommittee shall be entitled to invite representatives from other CI departments or other institutions, if deemed necessary, to the meetings of the Subcommittee.

Article 3

Requests by legal entities, unincorporated partnerships and sole proprietors

1. Special subcommittees examine requests by legal entities, of any legal form and field of activity, as well as unincorporated partnerships and sole proprietors for the transfer of funds abroad (to non-residents) in order to:

- a) execute payments against billing documents (such as invoices, pro forma invoices, bills of lading, subscriptions, etc.),
- b) opening of new letters of credit, new credit on hold,
- c) issuance of new letters of credit, and
- d) new term liabilities from settlement of securities receivable related to imports,

as part of their activities, provided that the total amount of requests for each customer and each CI does not exceed three hundred and fifty thousand euro (€350,000) per working day, through one or more transactions.

Requests pertaining to the categories under points (b), (c) and (d) will be submitted to the Subcommittee of the CI or to the Committee for the Approval of Banking Transactions upon such opening or such issuance, depending on the amount of the transaction and will cover all actions ensuing from the transaction (modification, execution, payment) provided that these actions do not alter the amount of the transaction by 10% or more.

2. CIs must keep a detailed record of the requests they are processing, the decisions taken on such requests and the disbursement of amounts towards the approved transactions. Rejections must be specifically substantiated.

3. CIs must send the detailed record set out in paragraph 2, fully updated with the day's transactions, to the Committee for the Approval of Banking Transactions on a daily basis.

Article 4

Maximum weekly approval limit per CI

1. The maximum weekly limit for the approval of such transactions by the special subcommittee of each CI is set as follows:

Code number	Credit institution	Total weekly approval limit (in €)
011	NATIONAL BANK OF GREECE S.A.	112,000,000.00
014	ALPHA BANK S.A.	112,000,000.00
016	ATTICA BANK S.A.	6,300,000.00
017	PIRAEUS BANK S.A.	112,000,000.00
026	EUROBANK ERGASIAS S.A.	112,000,000.00
034	INVESTMENT BANK OF GREECE S.A.	840,000.00
056	AEGEAN BALTIC BANK S.A.	840,000.00
069	COOPERATIVE BANK OF CHANIA COOPERATIVE OF LIMITED LIABILITIES	1,400,000.00
075	COOPERATIVE BANK OF EPIRUS LTD.	840,000.00
087	PANCRETAN COOPERATIVE BANK LTD.	2,800,000.00

088	COOPERATIVE BANK OF EVROS COOP. L.L.	840,000.00
089	COOPERATIVE BANK OF KARDITSA COOP. L.L.	840,000.00
091	COOPERATIVE BANK OF THESSALY COOP. L.L.	840,000.00
094	COOPERATIVE BANK OF PIERIA - OLIMPIC CREDIT LTD	840,000.00
095	COOPERATIVE BANK OF DRAMA	840,000.00
099	COOPERATIVE BANK OF SERRES COOP. L.L.	840,000.00
064	THE ROYAL BANK OF SCOTLAND PLC	1,680,000.00
071	HSBC BANK PLC	3,500,000.00
072	UNICREDIT BANK A.G.	1,680,000.00
084	CITIBANK INTERNATIONAL LIMITED	5,500,000.00
081	BANK OF AMERICA N.A.	380,000.00
107	KEDR OPEN JOINT-STOCK COMPANY COMMERCIAL BANK	380,000.00
109	T.C. ZIRAAT BANKASI A.S.	380,000.00
116	PROCREDIT BANK (BULGARIA) EAD	1,000,000.00
TOTAL WEEKLY LIMIT		<u>480,560,000.00</u>

2. CIs must communicate a report to the Committee for the Approval of Banking Transactions by 15:00 pm every Thursday, indicating any additional one-off weekly amount required for the execution of payments for requests approved during the same week. In this case, CIs must indicate in their relevant report: a) the total amount spent in the given week up to and including the said Thursday, and b) the estimated amount to be spent on the Friday of the same week and c).

Article 5

Distinction between transactions

1. As regards daily transactions exceeding thirty thousand euro (€30,000), the monthly approval limit of the Special Subcommittee per customer, legal entity, unincorporated partnership or sole proprietor may not exceed the maximum monthly

value of imports and intracommunity acquisitions of goods carried out during the period from 01.07.2014 to 30.06.2016 through CIs operating in Greece, raised by 40%.

2. In particular, the provision of paragraph 1 of this Article in relation to the 01.07.2014-30.06.2016 period shall not apply to the acquisition of fixed assets and cover of expenses/payment of subscriptions by legal persons, including non-profit entities, as well as unincorporated partnerships or sole proprietors, within the framework of their business, as well as for legal entities, unincorporated partnerships and sole proprietors, set up after 1 October 2014.

Article 6

Procedure and supporting documents

1. In order for requests pertaining to transfers of funds worth between €10,001 and €30,000 to be examined by the Subcommittees of CIs, as well as in the case of requests examined by the Committee for the Approval of Banking Transactions upon recommendation of CIs, customer applications must be accompanied by the following supporting documents:

- a) invoices and accounting documents justifying the requested transaction,
- b) solemn declaration of the customer, in which it is declared, inter alia, that:
 - i. the submitted invoices, accounting documents and supporting documents are original documents,
 - ii. the same accounting documents for the transfer of funds abroad (to non-residents) have not been submitted for approval to any other CI operating in Greece,
 - iii. the total monthly amount, excluding any customs duties, of funds transferred to non-residents through credit institutions operating in Greece during the period from 01.07.2014 to 30.06.2016 within the framework of their business, is shown in Table 1, which is an integral part of this Decision,
 - iv. it is accepted that a request approval shall be valid for twelve (12) working days following the day on which the approval is notified, in accordance with the provisions of Article 7 hereof.

2. In order for requests pertaining to transfers of funds worth more than €30,000 to be examined by the Subcommittees of CIs, as well as in the case of requests examined by the Committee for the Approval of Banking Transactions upon recommendation of CIs, customer applications must be accompanied by the following supporting documents:

- a) invoices and billing documents substantiating the requested transaction,

- b) statutory declaration of the customer, in which it is declared, inter alia, that:
- i. the submitted invoices, billing documents and supporting documents are original documents,
 - ii. the same billing documents for the transfer of funds abroad have not been submitted for approval to any other CI operating in Greece,
 - iii. the total monthly amount, excluding any customs duties, of funds transferred to non-residents through credit institutions operating in Greece during the period from 01.07.2014 to 30.06.2016 in the context of their business, is shown in Table 1, which is an integral part of this Decision,
 - iv. the amount of the requested transfer of funds to non-residents, plus the amount already approved within the same month by the country's banking system as a whole shall not exceed 140% of the maximum monthly value of imports/intracommunity acquisition of goods carried out during the period from 01.07.2014 to 30.06.2016, and
 - v. it is accepted that a request approval shall be valid for twelve (12) working days following the day on which the approval is notified, in accordance with the provisions of Article 7 hereof.

Item (iv) of point (b) of paragraph 2 of this Article shall be taken into account, but shall not bound the Committee for the Approval of Banking Transactions to approve requests upon recommendation of CIs.

3. Particularly as regards requests by legal entities for the approval of transfers of funds to non-residents, within the framework of their business, documents including invoices, billing documents or supporting documents:

- (a) exceeding fifty (50) in absolute numbers, and
- (b) concerning payments to non-residents up to one month before the date of payment against billing documents,

do not need to be submitted by the legal entity to the CI.

However, in such cases the legal entity requesting the transfer of funds to non-residents must:

- (i) fill in and submit as an integral part of its request, the attached Table 3, which is an integral part of this Decision, and
- (ii) declare in a submitted solemn declaration that "all submitted invoices, billing documents and supporting documents are original documents and, upon request, will be submitted without delay to the Credit Institution and/or Committee for the Approval of Banking Transactions. Otherwise, where appropriate, items (ii)-(iv),

point b) of paragraph 1 and items (ii)-(v), point b) of paragraph 2 of this Article shall apply.”

Article 7

Approval’s term of validity

The disbursement of an approved transaction by the Committee for the Approval of Banking Transactions and Special Subcommittees of CIs shall be valid for twelve (12) working days following the day on which the approval is notified to the CI on behalf of its interested customer.

Article 8

Request assessment

1. Requests falling within the competence of the Special Subcommittee’s approval shall be assessed if they meet the following requirements:

a) Customer requests must be clear and accompanied by all the billing and supporting documents which suffice to substantiate the nature of transactions and the need for their execution;

b) The Special Subcommittee shall lay down procedures for managing and prioritising customer requests, taking into account the time limit for payment, e.g. invoices due, pro forma invoices, cash-on-delivery (COD), etc. and, in the case of imports, the nature of the imported good and its necessity for safeguarding the general and social good.

2. In order to facilitate CIs, a special Table 2, which is an integral part of this Decision, is attached herewith, showing prioritised payments per category of imported goods and services.

Article 9

Transactions/Payments factored in the approval limit

1. The approval limit for each CI under paragraph 1 of Article 4 shall only factor in:

a) transactions under paragraph 1 of Article 3 hereof,

b) payments towards covering CIs’ own operating costs.