

In calitate de **nerezident fiscal *) in Romania**, doresc invocarea aplicarii prevederilor fiscale mai favorabile, prevazute de catre Conventia de evitare a dublei impuneri incheiata intre Romania si tara mea de rezidenta, respectiv [se va indica tara de rezidenta fiscala] pentru care voi furniza:

-certificat de rezidenta fiscala, in original, apostilat/supralegalizat, daca este cazul, insotit de traducerea legalizata in romana, in termen de valabilitate

-date de contact : (recomandabil pentru comunicari in caz de neclaritati)

In calitate de **fond de pensii**, anexez:

-copie act de identitate al reprezentantului legal al societatii de administrare a fondului, in termen de valabilitate - carte/buletin de identitate cu CNP pentru cetatenii romani sau pasaport cu numar de identificare pentru cetatenii straini

-copie certificat constatator al societatii de administrare a fondului nu mai vechi de 3 luni care sa mentioneze reprezentantul legal al societatii de administrare a fondului

-copie certificat inregistrare sau alt document echivalent emis de autoritatea competenta pentru societatea de administrare a fondului

-copie decizie a autoritatii de reglementare care sa ateste autorizarea societatii de administrare a fondului si a fondului de pensii

-in cazul nerezidentilor fiscal in Romania: certificat de rezidenta fiscala, in original/copie legalizata, apostilat/supralegalizat, daca este cazul, insotit de traducerea legalizata in romana, in termen de valabilitate

- o declaratie pe proprie raspundere a reprezentantului legal al societatii de administrare a fondului care sa ateste ca autorizarea societatii de administrare a fondului si a fondului de pensii este valabila la data efectuarii platii si daca sunt disponibile informatii cu privire la site-ul oficial al autoritatii de reglementare din tara de origine unde poate fi verificat statutul de fond de pensii.

NOTA:

• Toate documentele suport inmanate la ghiseele bancare in copie simpla vor fi **certificate pentru conformitate cu originalul si semnate** de actionar/impunermicitul acestuia. Suplimentar, **BRD va verifica si va certifica copiile documentelor prezentate de actionari cu documentele in original aduse de acestia la unitatile BRD.**

• **Titularul contului bancar** in care se solicita transferul dividendelor nete poate fi doar actionarul sau, dupa caz, impunermicitul acestuia

• Comisiioanele bancare BRD pentru plata dividendelor nete sunt suportate de SNGN ROMGAZ SA

• **Actionarii nerezidenti fiscal in Romania care doresc aplicarea prevederilor mai favorabile ale conventiei de evitare a dublei impuneri incheiate intre Romania si tara lor de rezidenta**, trebuie sa prezinte certificatul de rezidenta fiscala in original, apostilat/supralegalizat, daca este cazul, impreuna cu traducerea legalizata a acestuia in limba romana, in termen de valabilitate, precum si detalii de contact pentru eventuale clarificari asupra certificatelor de rezidenta fiscala. **In plus, prevederile mai favorabile ale conventiei de evitare a dublei impuneri incheiate intre Romania si tara de rezidenta a actionarului nu pot fi aplicate in cazul in care actionarul solicita plata intr-o tara cu care Romania nu are incheiat un instrument juridic de schimb de informatii, astfel cum sunt mentionate pe website-ul Ministerului Finantelor Publice din Romania.**

Daca certificatul de rezidenta fiscala nu este transmis impreuna cu cererea de plata a dividendelor nete prin virament bancar, SNGN ROMGAZ SA va retine impozitul pe dividende din dividendul brut in cota prevazuta de lege.

Daca actionarii nerezidenti fiscal in Romania solicita plata intr-o tara cu care Romania nu are incheiat un instrument juridic de schimb de informatii, SNGN ROMGAZ SA va retine impozitul pe dividende din dividendul brut in cota prevazuta de lege.

• Formularul de cerere de plata a dividendelor nete prin virament bancar impreuna cu documentele suport mentionate in acesta pot fi transmise si **prin posta**, cu scrisoare recomandata, la adresa: "Directia Titluri - BRD METAV - Corp A2, str. Biharia nr. 67-77, sector 1, Bucuresti, Romania"

In aceasta situatie documentele suport solicitate in prezentul formular in copie simpla vor fi transmise in **copie legalizata** (cu exceptia certificatului constatator de la Registrul Comertului/documentului echivalent emis de autoritatea competenta care atesta calitatea de

As **non-fiscal resident *) in Romania**, I would like to invoke the application of the more favorable tax provisions, as provided by the Double tax treaty concluded between Romania and my country of residence, namely [please specify the country of fiscal residence] and as such attach hereto:

- valid tax residence certificate, in original, apostilled/supralegalized, if applicable, together with notarized translation into Romanian language

-contact details : (recommended for additional clarifications)

As **pension fund**, I attach hereto:

-copy of the valid identity documents of the legal representative of the investment management company managing the fund – the identity bulletin/card with PIN for the Romanian citizens or passport with identification number for foreign citizens

-copy of the ascertaining certificate of the investment fund management company not older than 3 months indicating the legal representative of the investment management company

-copy of the certificate of incorporation or equivalent attesting the registration of the investment management company with the competent authority

-copy of the decision of the regulating authority certifying the authorization of the investment management company and of the pension fund

-in case of non-fiscal residents in Romania: valid tax residence certificate, in original/certified copy, apostilled/supralegalized, if applicable, together with notarized translation into Romanian language

- a statement of the legal representative of the investment management company on his own responsibility certifying the validity of the authorization of the investment management company and pension fund at the payment date and if is available information regarding the official website of the regulating authority where the statute of pension fund could be verified

NOTE:

• All the supporting documents handed over to the bank desks in simple copy must be marked as **certified true copy under the signature** of the shareholder/its proxy. Additionally, **BRD will verify and will certify the copy of the documents which are presented by the shareholders with the originals documents.**

• **The holder of the bank account** in which the transfer of the net dividends is requested can only be the shareholder or its proxy, if applicable.

• BRD's banking commissions for the payment of the net dividends are born by SNGN ROMGAZ SA

• **Shareholders NON fiscal residents in Romania who want to benefit from the more favorable provisions of the avoidance of double taxation treaties concluded between Romania and their resident country** must provide a valid tax residency certificate, in original, apostilled/supralegalized, if applicable, accompanied by notarized translation into Romanian language, as well as contact details for further clarifications related to fiscal certificates. **In addition, the more favorable provisions of the avoidance of double taxation treaties concluded between Romania and shareholder's country of residence can not be applied should the shareholder request that the net dividends to be paid in a country with which Romania has not concluded a legal deed for information exchange, as per Romanian Ministry of Finance website.**

If the tax certificate is not supplied together with payment request form, SNGN ROMGAZ SA will deduct withholding tax from the gross amount at the rate provided by the law.

If the shareholders NON fiscal residents in Romania request that the net dividends to be paid in a country with which Romania has not concluded a legal deed for information exchange, SNGN ROMGAZ SA shall deduct withholding tax from the gross amount at the rate provided by the law.

• The payment request form of the net dividends by bank transfer, accompanied by the supporting documents mentioned therein may be sent by email, by **registered post** to: "Directia Titluri -BRD METAV - Corp A2, str. Biharia nr. 67-77, sector 1, Bucuresti, Romania"

In this case, the supporting documents requested in this payment request form in simple copy must be transmitted in **notarized copy** (excepting ascertaining certificate/equivalent document

reprezentant legal si care se poate depune in copie conforma cu originalul).

● **In situatia in care documentele suport sunt emise int-o alta limba decat limba romana/engleza, acestea trebuie depuse apostilate/supralegalizate, daca este cazul, si in traducere legalizata in limba romana** (cu exceptia certificatului/documentului echivalent emis de autoritatea competenta care atesta calitatea de reprezentant legal si care se poate depune in traducere legalizata in limba engleza).

● Certificatele de rezidenta fiscala vor fi transmise **prin posta**, cu scrisoare recomandata, catre BRD la adresa: “Directia Titluri - BRD METAV- Corp A2, str. Biharia nr. 67-77, sector 1, Bucuresti, Romania” sau direct catre Societate, la adresa: “SNGN ROMGAZ SA – Serviciul Piata de Capital, Piata C.I.Motas nr.4, Medias, jud.Sibiu, cod postal 551130, Romania”.

● **BRD va efectua plata dividendelor nete in cel mult doua zile bancare (sau cel mult zece zile bancare in cazul actionarilor nerezidenti care depun certificate de rezidenta fiscala) de la data primirii de catre BRD a cererii de plata, insotita de documentele suport complete si corecte.** Data creditarii conturilor bancare ale actionarilor depinde de circuitul interbancar si de lantul de banci corespondente.

● **Plata dividendelor nete cuvenite actionarilor SNGN ROMGAZ SA este supusa prevederilor generale in materia prescriptiei, fiind prescriptibila in termen de 3 (trei) ani incepand cu data de stabilita de AGA pentru inceperea platilor dividendelor.**

● **BRD isi rezerva dreptul de a solicita documente suplimentare in urma analizarii cererilor.**

*) Definitia persoanei juridice rezidente si nerezidente, in sensul prevederilor Codului fiscal din Romania, este:

Rezident - orice persoana juridica romana, orice persoana juridica straina avand locul de exercitare a conducerii efective in Romania, orice persoana juridica cu sediul social in Romania, infiintata potrivit legislatiei europene, si orice persoana fizica rezidenta.

Nerezident - orice persoana juridica straina, orice persoana fizica nerezidenta si orice alte entitati straine, inclusiv organisme de plasament colectiv in valori mobiliare, fara personalitate juridica, care nu sunt inregistrate in Romania, potrivit legii.

issued by the competent authority atesting legal representative which can be submitted as certified true copy).

● **In case the supporting documents are issued in other language than Romanian/English, these must be submitted apostilled/supralegalized, if applicable and in notarized translation into Romanian language as well** (excepting ascertaining certificate /equivalent document issued by the competent authority atesting legal representative which can be submitted in notarized translation in English language).

● The tax certificates will be sent **by registered mail** to : “Directia Titluri - BRD METAV - Corp A2, str. Biharia nr. 67-77, sector 1, Bucuresti, Romania” or directly to the company at: “SNGN ROMGAZ SA – Capital Market Department, 4 C.I. Motas Square, Medias, Sibiu county, postal code 551130, Romania”.

● **BRD shall make the payment of the net dividends in maximum two banking days (or ten banking days in case of non-residents who submitted tax certificates) from the date of receiving by BRD of the payment request accompanied by correct and complete supporting documents.** The date of the crediting of the bank accounts of the shareholders depends on the interbanking circuit and the chain of the correspondent banks.

● **The payment of the net dividends to which SNGN ROMGAZ SA's shareholders are entitled to is subject to the general statute of limitations, being limited within three years starting with the date established by GMS to start the dividend payments.**

● **Following the analysis of the request, BRD reserves the right to request additional documents.**

*) The definition of a resident and non-resident legal entity, as per the provisions of Romanian Fiscal Code is the following:

Resident - any Romanian legal person, any foreign legal person having the place from where the actual management in Romania, any legal person with a registered head office in Romania, which has been established according to the European regulations, and any resident natural person.

Non-resident - any foreign legal person, any non-resident individual person and any other foreign entities, including collective investment bodies in securities, without legal personality, not registered in Romania, according to the law.

Telefon

Telephone:.....

E-mail:

E-mail:.....

Data:.....

Date:.....

Semnatura solicitantului

Signature:.....