

APPROVED BY  
President of the Central Securities  
Depository of Lithuania  
Order No 37 of June 30, 2006  
(Amendments approved by the Order  
No 27 of July 17, 2009)

COORDINATED WITH  
Securities Commission  
Resolution No 2K-205 of July 1, 2006  
(Amendments coordinated by the  
Resolution No 2K-237 of July 9, 2009)

## **THE PROCEDURE FOR COMMUNICATING NOTIFICATION OF TRANSACTIONS CONCLUDED OUTSIDE THE REGULATED MARKET**

### **I. GENERAL PROVISIONS**

1. The legal background of this procedure is the Rules on Submitting Notification of Securities Transactions Concluded Outside the Regulated Market, approved by the Resolution No 1K-6 of May 4, 2006 of the Lithuanian Securities Commission (hereinafter referred to as the Rules).

2. This Procedure specifies in detail the way in which the Central Securities Depository of Lithuania (hereinafter referred to as the Depository) must be notified of the buy-sell, exchange, donation, inheritance, repurchase, securities lending, debt settlement, securities financial collateral arrangements and title transfer financial collateral arrangements (further – financial collateral arrangements), as well as other transactions with regard to the issuers' securities.

3. This procedure does not apply to transactions in Government securities, where one of the parties to a transaction is the Bank of Lithuania.

4. The concepts used in this Procedure have the same meaning as laid down in the Law on Securities Market, the Law on Settlement Finality in Payment and Securities Settlement Systems, the Law on Financial Collateral Arrangements, the Law on Payments, Accounting Rules for Financial Instruments and Their Circulation, the Rules of Operation of the Payment System LITAS and the Rules of the Securities Settlement System of the Central Securities Depository of Lithuania.

### **II. THE PROCEDURE FOR COMMUNICATING NOTIFICATIONS**

5. The account managers must submit notification of each transaction concluded outside the regulated market to the Depository. The notifications shall be communicated through the Messaging system of the Bank of Lithuania's system Litasp. The notifications shall be communicated in the OTCST message format. The structure of the OTCST message is provided on the web site <http://tlpsiis.lbank.lt/dps/>. This web site is accessible by all account managers – Depository's participants.

6. The account manager is obliged to send to the Depository an OTCST message, which must contain the following information about the transaction:

6.1. the current number of a transaction;

- 6.2. the date of entry into a transaction;
- 6.3. the settlement date;
- 6.4. the ISIN code of the securities;
- 6.5. the name of securities;
- 6.6. the settlement form;
- 6.7. the type of transaction;
- 6.8. the amount of transferable securities;
- 6.9. the securities unit price;
- 6.10. the settlement amount;
- 6.11. the date of conclusion of a financial collateral arrangement;
- 6.12. the maturity date of the financial collateral arrangement;
- 6.13. the repurchase date of a repurchase agreement;
- 6.14. the settlement amount of a repurchase agreement;
- 6.15. the notes field specifies the price of a unit in the second leg of a repurchase transaction or the repurchase interest rate;
- 6.16. the BIC code of the account manager of the buyer of securities;
- 6.17. the general account code of the account manager of the buyer of securities at the Depository;
- 6.18. the code of the buyer of securities (Client) allotted to the Client in financial instruments accounting of an account manager in compliance with the Rule on Identification of Clients of Financial Brokerage Companies and Credit Institutions approved by the Securities Commission;
- 6.19. the country or territory code allotted to the buyer of securities (Client);
- 6.20. the code of an investor group allotted to the buyer of securities (Client);
- 6.21. the BIC code of the account manager of the seller of securities;
- 6.22. the general account code of the account manager of the seller of securities at the Depository;
- 6.23. the code of the seller of securities (Client) allotted to the Client in financial instruments accounting of an account manager in compliance with the Rule on Identification of Clients of Financial Brokerage Companies and Credit Institutions approved by the Securities Commission;
- 6.24. the country or territory code allotted to the seller of securities (Client);
- 6.25. the code of an investor group allotted to the seller of securities (Client);
- 6.26. the BIC code of the payer;
- 6.27. the IBAN code of the Client cash account of the payer ;
- 6.28. the name of the payer;
- 6.29. the code of the payer (Client) allotted to the Client in internal accounting of an account manager;
- 6.30. the BIC code of the payee;
- 6.31. the IBAN code of the Client cash account of the payee;
- 6.32. the name of the payee;
- 6.33. the code of the payee (Client) allotted to the Client in internal accounting of an account manager;
- 6.34. the notes field used for settlement description:
  - 6.34.1. in case of securities exchange, reference shall be provided regarding ISIN code, name and amount of securities (to which the securities specified in item 6.4 are being exchanged);
  - 6.34.2. in case of securities lending, reference shall be provided regarding interest rate of the loan in percent and maturity of the loan in days;

6.34.3. in case of a Government securities buy-sell transaction, reference shall be provided regarding the Government securities yield in percent.

6.34.4. in case of a repurchase transaction, reference shall be provided regarding interest rate of the repurchase transaction or repurchase price of the securities to be repurchased.

7. The structure of the OTCST message is set forth in Annex 1 to this Procedure. The fields of the OTCST message related with separate types of transactions (exchange, repurchase, securities lending, etc.) shall be provided in the case where notification of such transactions is submitted.

8. The account manager must provide the OTCST message to the Depository:

8.1. by the end of the business day of the Depository's Securities Settlement System, where the transaction has been recorder with the account manager during the operation of the Depository's SSS;

8.2. by 11 a.m. of the following business day of the Depository's Securities Settlement System where the transaction has been recorder after the business hours of the Depository's SSS;

9. Where entries in personal securities accounts on the basis of a transaction concluded outside the regulated market are made by different account managers and settlement is carried out through the Depository's SSS , i.e. for the settlement of such a transaction the order **Receive against payment** (DVPRE) and the order **Deliver against payment** (DVPDE) are used, it is not necessary to inform the Depository of such transactions by the OTCST message.

10. Notifying the Depository of a repurchase transaction (where securities accounts of both parties to a transaction are held by the same account manager), the account manager provides two OTCST messages on the same transaction. The first message shall be submitted after the account manager has recorded the first leg of the transaction („the transaction is entered into”). All the fields of the first OTCST message shall be filled in. It is necessary to indicate the types of transaction 46 and 47 and fill in the fields **Repurchase date of REPO** and **Repurchase amount of REPO**, i.e. the information on the first and second leg of such a transaction must be specified. The second message shall be submitted after the account manager has recorded the second leg of the transaction („the transaction is carried out“). It is necessary to indicate the type of transaction 48, whereas the number of the transaction must coincide with the one provided in the first message, as otherwise the message will be considered wrong and will be rejected. The fields **Repurchase date of REPO** and **Repurchase amount of REPO** need not be provided in the second message. The information provided in the field **Settlement date** must coincide with the **Repurchase date of REPO** provided in the first message, and the information provided in the field **Settlement amount** must coincide with the **Repurchase amount of REPO**, indicated in the first message. The person, who has acquired the securities and is going to sell them back by the second leg of the repurchase transaction, shall be referred to as the seller in the second message.

11. While notifying the Depository of exchange transactions, the account managers, maintaining the accounts of the parties to a transaction, provide separate OTCST messages about the same transaction by each ISIN LT code (allotted to the securities being the subject of the transaction). If the same account manager keeps accounting of the exchange transaction, he must provide separate OTCST messages, i.e. a separate OTCST message for each ISIN LT code (allotted to the securities being the subject of the transaction). In case securities with ISIN LT code are being

exchanged into securities with other ISIN code, the OTCST message must be provided only on the securities with ISIN LT code.

12. Having submitted a wrong notification of a transaction concluded outside the regulated market, the account manager revokes it.

### III. THE PROCEDURE FOR THE DISCLOSURE OF NOTIFICATIONS

13. On the basis of the received notifications the Depository must prepare a data summary of transactions concluded outside the regulated market, which must specify the name of securities, the price of securities (the highest, lowest and weighted average), the number of transferred securities, the turnover amount and the way of settlement.

14. The Depository shall disclose the data summary on its web site [www.CSDL.LT](http://www.CSDL.LT) at least once per week.

15. All information received by the Depository on transactions concluded outside the regulated market shall be provided on the secure information web site [dsis.CSDL.LT](http://dsis.CSDL.LT) administered by the Depository providing a possibility for the authorized employees of the Securities Commission to use such information on an unlimited and free of charge basis. The structure of the database is set forth in Annex 1 to this Procedure.

16. The information received on the basis of a separate agreement between the Depository and the Vilnius Stock Exchange about transactions concluded outside the regulated market shall be accessible to the Vilnius Stock Exchange, provided the requirements of the legal acts regulating personal data protection have been met.

### IV. FINAL PROVISIONS

17. This procedure shall come into force as of July 1, 2006.

**The structure of the information file on transactions concluded off-exchange**

| No. | Name of column            | Description                   | Notes  |
|-----|---------------------------|-------------------------------|--|
| 1.  | <b>Sender</b>             | Sender's BIC                  |  |
| 2.  | <b>DocId</b>              | Document Id                   | Unique document identifier   |
| 3.  | <b>Date</b>               | Date of document              | Date of document in ISO format   |
| 4.  | <b>DealReference</b>      | Current number of transaction |  |
| 5.  | <b>TradeDate</b>          | Transaction date              | The date of entry into a transaction   |
| 6.  | <b>SettlementDate</b>     | Settlement date               |  |
| 7.  | <b>ISINIdentification</b> | ISIN of securities            |  |
| 8.  | <b>ISINName</b>           | Name of securities            |  |
| 9.  | <b>SettlementForm</b>     | Settlement form (3 types)     | <b>MNEY</b> – money,<br><b>SCRT</b> – securities,<br><b>OTHR</b> – other.  |
| 10  | <b>TradeType</b>          | Type of transaction           | 40 – buy-sell,<br>41 - exchange,<br>42 – donation,<br>43 - inheritance,<br>44 – debt settlement,<br>45 – other transactions,<br>46 - repurchase (repo)<br>transactions with obligation (I leg – „the transaction is entered into”),<br>47 – repurchase (repo)<br>transactions with right (I leg- „the transaction is entered into”),<br>48 – repurchase transactions (II leg – „the transaction is carried out“),<br>49 – securities lending transactions,<br>50 – transfer of financial instruments in order to increase the collateral of repurchase transactions,<br>51 – title transfer financial collateral arrangements that are not assigned to another type of transactions (I leg - „the transaction is entered into”),<br>52 – title transfer financial collateral arrangements that are not assigned to another type of transaction (II leg – „the transaction is carried out“).” |

|    |                                  |   |   |
|----|----------------------------------|---|---|
|    |                                  |   | 53 – securities financial collateral arrangements that are not assigned to another type of transactions (I leg - „the transaction is entered into”),<br>54 – securities financial collateral arrangements that are not assigned to another type of transactions (II leg - „the transaction is carried out”) |
| 11 | <b>Quantity</b>                  | Amount of securities  | Information on the number of transferred securities   |
| 12 | <b>QuantityType</b>              | Quantity type of securities (measurement unit of securities quantity) | Where the amount of securities is expressed in units, the securities quantity type <b>Unit</b> is used, in nominal value - <b>FaceAmount</b> , in amortized value – <b>AmortisedValue</b> .   |
| 13 | <b>PriceAmount</b>               | Unit price (money)  | e.g.: 15  |
| 14 | <b>PriceAmountCurr</b>           | Unit price currency   | e.g.: LTL   |
| 15 | <b>PriceRate</b>                 | Unit price rate (%)   |   |
| 16 | <b>SettlementAmount</b>          | Settlement amount   | Transaction amount  |
| 17 | <b>SettlementAmountCurr</b>      | Settlement amount currency  | e.g.: LTL   |
| 18 | <b>ClosingDate</b>               | Repurchase date   |   |
| 19 | <b>RepurchaseAmount</b>          | Repurchase amount   |   |
| 20 | <b>RepurchaseAmountCurr</b>      | Repurchase amount currency  |   |
| 21 | <b>RepurchaseNarrative</b>       | Notes   |   |
| 22 | <b>BuyerCode</b>                 | Code of the buyer of securities                                       | Code in BIC format  |
| 23 | <b>BuyerCDSecuritiesAccount</b>  | Account of the buyer of securities                                    | The general securities account of the buyer at the Depository   |
| 24 | <b>BuyerClientAccount</b>        | Client code of the buyer of securities                                | Client identification   |
| 25 | <b>BuyerSaliesKodas</b>          | Country or territory code of the Client of the buyer of securities    |   |
| 26 | <b>BuyerInvGrKodas</b>           | Code of investor group of the securities buyer (Client)               |   |
| 27 | <b>BuyerNarrative</b>            | Notes of the buyer of securities                                      |   |
| 28 | <b>SellerCode</b>                | Code of the seller of securities                                      | Code in BIC format  |
| 29 | <b>SellerCDSecuritiesAccount</b> | Account of the seller of securities                                   | General securities account of the seller of securities at the Depository  |
| 30 | <b>SellerClientAccount</b>       | Client code of the seller of securities                               | Client identification   |
| 31 | <b>SellerSaliesKodas</b>         | Country or territory code of the seller (Client) of securities        |   |
| 32 | <b>SellerInvGrKodas</b>          | Code of investor group of the seller (Client) of securities           |   |

|    |                          |  |  |
|----|--------------------------|--|--|
| 33 | <b>SellerNarrative</b>   | Notes of the seller of securities                  |  |
| 34 | <b>PayInstCode</b>       | Code of the cash payer                             | Code in BIC format   |
| 35 | <b>PayInstAccount</b>    | Account of the cash payer (IBAN)                   | Cash account in IBAN format  |
| 36 | <b>PayInstName</b>       | Name of the cash payer                             |  |
| 37 | <b>PayInstMemberCode</b> | Code of the cash payer in internal IS of the payer |  |
| 38 | <b>AccHoldCode</b>       | Code of the cash payee                             | Code in BIC format   |
| 39 | <b>AccHoldAccount</b>    | Account of the cash payee (IBAN)                   | Cash account in IBAN format  |
| 40 | <b>AccHoldName</b>       | Name of the cash payee                             |  |
| 41 | <b>AccHoldMemberCode</b> | Code of the cash payee in internal IS of the payee |  |
| 42 | <b>Narrative</b>         | Settlement description                             | <p><b>- in case of securities exchange,</b> reference shall be provided regarding ISIN code, name and amount of securities, to which the securities specified in items 13-14 are being exchanged.</p> <p><b>- in case of securities lending,</b> reference shall be provided regarding interest rate of the loan in percent and maturity of the loan in days.</p> <p><b>- in case of a Government securities buy-sell transaction,</b> reference shall be provided regarding Government securities yield in percent.</p> <p><b>- in case of a repurchase (repo) transaction,</b> reference shall be provided regarding interest rate of the repurchase transaction or repurchase price of securities.</p> <p>A percentage of the nominal value is given (e.g. 95% or 110%)</p> |
| 43 | <b>Status</b>            | State of the document                              | <b>10</b> - correct document,<br><b>41</b> – revoked document  |