

CORPORATE BRIEFING: Special Edition

Disclosure of Tax Data by Multinational Companies and Other Publicity Obligations

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A. Field of Application of Law 5066/2023

1. Law 5066/2023¹ on the disclosure of income tax information by certain businesses and branches and update of National legislation on disclosure obligations of companies and other urgent provisions, transposed EU Directive 2021/2101 of the European Parliament and the Council of November 24th, 2021, amending EU Directive 2013/34, into Greek law (**Law 5066**). The Law aims to strengthen financial and corporate transparency.
2. According to the provisions of Law 5066, the following types of companies (**Responsible Companies**) are required to submit a public declaration of income tax information to the General Commercial Register (**GEMI**):
 - a. a Greek company that prepares the consolidated financial statements of the largest set of companies (**Ultimate Parent Company**);
 - b. a Greek company that does not participate in a group (**Autonomous Company**);
 - c. Greek medium and large subsidiary companies² which are controlled by an Ultimate Parent Company which is not governed by the laws of an EU Member State; and
 - d. branches established by companies not governed by the laws of an EU Member State, only in relation to the tax data of the Ultimate Parent Company or the Autonomous Company which established them if specific conditions are met.

3. To fall with the provisions of Law 5066, companies must have consolidated revenues in excess of €750m on the closing date of their balance sheets for each of the last two consecutive financial years as shown in their consolidated financial statements.
4. Law 5066 does not apply to Autonomous Companies or Ultimate Parent Companies and their affiliated companies (among others), if these companies, including their branches, are established or have places of business activity or permanent business activity only in Greece.

B. Obligations Under Law 5066

1. The public declaration of income tax data must contain data relating to all the activities of the Autonomous Company or the Ultimate Parent Company, including all affiliated companies, which are consolidated in the financial statements for the respective financial year, as further analysed in Article 7 of Law 5066, including:
 - a. the name of the Ultimate Parent Company or Autonomous Company;
 - b. the relevant financial year;
 - c. a brief description of the nature of their activities;
 - d. the number of employees employed;
 - e. revenues which include transactions with related parties and are calculated as the sum of the turnover or the income, as defined by the financial reporting framework;
 - f. the amount of profits or losses before income taxes; and
 - g. the amount of accumulated profits at the end of the relevant financial year.

¹ Government Gazette no. 188/A/14.11.2023.

² As per the meaning of paragraph 5 and 6 of Article 2 of Law

2. The declaration must be published on GEMI within 12 months from the end of each fiscal year, accompanied by the opinion of a certified auditor.
3. This obligation refers to fiscal years beginning after 22 June 2024.

C. Sanctions for Failure to Comply

1. Law 5066 also makes it the collective responsibility of the members of the administrative, management and supervisory bodies of the Responsible Companies to ensure compliance with the obligations it imposes, to the extent that the obligations fall within their competence.

2. In cases of non-compliance, each of the above persons is subject to a fine ranging from €10,000 to €100,000, while several criteria are taken into account in order to determine the exact amount of the fine to be imposed.

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