



# SMC STOCK TRANSFER SERVICE CORPORATION

## PROCEDURES FOR THE TRANSFER OF SHARES OF STOCK FROM A DECEASED STOCKHOLDER TO HIS/HER HEIR(S)

The transfer of a deceased stockholder's shares and the issuance of new stock certificate/s to his/her heir/s may be done judicially (through court proceedings) or extra-judicially (out-of-court settlement).

A. If the estate of the deceased stockholder is settled judicially, whether testate (with a Will) or intestate (without a Will), the heirs will have to submit to SMC Stock Transfer Service Corporation (STSC) the following:

1. The original certificates of the deceased stockholder's shares of stock.
2. A copy of the Certificate of Death.
3. When there is a Will, a certified copy of the Will and the final Court Order probating the same, together with a certified copy of the Project of Partition and the final Court Order approving the same.
4. When there is no Will, a certified copy of the Project of Partition and the final Court Order approving the same.
5. Certificate Authorizing Registration (CAR) issued by the BIR attesting to the payment or exemption from payment of the estate tax and all other taxes that may be required (e.g. Documentary Stamp Taxes), in accordance with the National Internal Revenue Code unless the Court Order specifically provides that the transfer may be effected prior to the payment of the relevant taxes.
6. Duly accomplished Specimen Signature Cards (see attached) together with photocopies of two (2) current and valid Identification Documents (IDs) of each of the heirs.
7. Payment for transfer fees – ₱112.00 for every issued certificate plus ₱22.40 for every cancelled certificate.

B. If the estate is settled extra-judicially, the heir/s will have to execute a Deed of Extra-Judicial Settlement (DEED) or an Affidavit of Self-Adjudication (AFFIDAVIT), if there is only one heir.

The heirs must also have a Notice of the Estate's Settlement published in a newspaper of general circulation once a week for three (3) consecutive weeks and request for the publisher's Affidavit attesting the same.

The heirs must also file the estate tax return with the Bureau of Internal Revenue (BIR) District Office of the decedent's last known address and receive from the BIR the Certificate Authorizing Registration (CAR).

The heir/s must have the DEED or AFFIDAVIT, as the case may be, registered with the Register of Deeds of the decedent's last known residence.

The heir/s will have to submit to STSC the following:

1. The original certificate/s of the deceased stockholder's shares of stock.
2. A copy of the Certificate of Death. Upon submission of the stockholder's death certificate, STSC will issue a certification on the value of the shares at time of death. You will need to present this certification to the BIR in connection with the payment of estate taxes.
3. A copy of the Birth Certificate showing the deceased stockholder as parent if the heir is a descendant; if surviving spouse, a copy of the Marriage Contract between the deceased stockholder and his/her spouse; if brother or sister, Birth Certificate of the deceased stockholder and the heir showing a common ancestor.
4. An originally signed or certified copy of the DEED or AFFIDAVIT, as the case may be, duly annotated by the Register of Deeds.
5. Affidavit of publication by the publisher of the newspaper in which the notice of extra-judicial settlement had been published.
6. Certificate Authorizing Registration (CAR) issued by the BIR attesting to the payment or exemption from payment of the estate tax and all other taxes that may be required (e.g. Documentary Stamp Taxes), in accordance with the National Internal Revenue Code.
7. Duly accomplished Specimen Signature Cards (see attached) together with photocopies of two (2) current and valid Identification Documents (IDs) of each of the heirs.
8. Payment for transfer fees – ₱112.00 for every issued certificate plus ₱22.40 for every cancelled certificate.

The new stock certificate/s issued in the name of the heir/s shall be released after a period of two (2) years from the date of registration with the Register of Deeds. However, the certificate/s may be released within such two-year period, provided that the heir/s will submit a two-year heirs bond in favor of the Corporation, issued by an accredited bonding company, in an amount equivalent to the total estimated market value of the decedent's shares.

For assistance in securing the heirs bond, you may contact:

**Anchor Insurance Brokerage Corporation**

14<sup>th</sup> Floor Taipan Building

F. Ortigas Jr. Avenue

Ortigas Center, Pasig City

**Trunk line: (02) 8689-5555**

Contact Persons: Ms. Maricel Calderon (local 5543)

Ms. Nilda De Leon (local 5539)