

WHISTLEBLOWER

Whistleblower is a person who works for a public or private organization (for example a listed company) or is in contact with such an organization (in the context of his/her work-related activities) and knows about unlawful or unethical practices or events from which threats or harm to the public interest arise, and he/she decides to report them to the relevant organization or an external authority ([DEFINITION BASED ON EU DIRECTIVE 2019/1937 - 23.10.2019](#)).

Whistleblower in the Hellenic Capital Market Commission

A whistleblower could be any person who works or used to work in a company that is under the supervision of the Hellenic Capital Market Commission and has information about possible violations of the capital market legislation by this company.

Persons submitting such reports to the Hellenic Capital Market Commission shall not be considered to have breached any restriction on the disclosure of information imposed by contract or by any statutory, regulatory or administrative provision, and shall not be involved in any liability whatsoever in connection with said disclosure.

What kind of information are they interested in?

Information relating to possible violations of the capital market legislation, which the reporting persons had valid reasons to believe to be true at the time of reporting. (whistleblowing)

The Hellenic Capital Market Commission as personal data protection officer.

The Hellenic Capital Market Commission was established as a legal entity (Greek law 1969/1991) and was organized by Greek law 2324/1995 with its registered office at Ippokratous 3-5, Athens 106 79, aiming to ensure the protection of investors and the orderly operation of the Greek capital market, operates exclusively in the public interest, and in general processes personal data which is necessary for the performance of a task carried out in the public interest or in the exercise of an official authority vested in it as a data controller.

The legal basis for the processing of personal data by the Hellenic Capital Market Commission is the provision of article 6 par. 1 e' of the Regulation (GBDR) in combination with article 5 of Greek law 4624/2019, i.e. the processing is permitted when it is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller, and only in the context of the exercise of its statutory powers, and this data is not further processed in a manner incompatible with those purposes.

[The Personal Data Protection Policy is posted on its website and is described in detail.](#)

Reception of Whistleblowing complaints by the Hellenic Capital Market Commission.

The Hellenic Capital Market Commission has set up a special group (Specialized Staff Members), which is responsible for handling complaints, which are characterized as "Whistleblowing". Special procedures are followed with the aim of absolute confidentiality and protection of the reporting person/whistleblower.

How can someone report actual or potential violations of the capital market legislation that qualify as WHISTLEBLOWING? What is the relevant procedure?

Those who want to report complaints against their company, supervised by the Hellenic Capital Market Commission, i.e. reports of actual or potential violations of the capital market legislation that meet the requirements to qualify as WHISTLEBLOWING, addressed to a different communication channel within the Hellenic Capital Market Commission.

The procedure for reporting actual or potential violations of the capital market legislation that meet the requirements to qualify as WHISTLEBLOWING is defined by decision 2/894/23.10.2020 of the Board of Directors of the Hellenic Capital Market Commission (**GAZETTEA** 160/6.9.2016). In particular, the process of submitting reports that meet the requirements to qualify as WHISTLEBLOWING is described in detail [here](#).

The Hellenic Capital Market Commission may at any time request further clarifications in relation to the reports submitted.

Relevant instructions can also be given to you by our specialized staff via telephone lines 2103377159 and 2132071944 (NOTE: on these telephone lines the conversations are recorded).

Can a whistleblower report information anonymously?

It is possible to submit a report completely anonymously.

How can the whistleblower be informed about the progress of his/her report?

The reporting person can be informed about the progress of his/her report through telephone lines 2103377159 and 2132071944 (NOTE: on these telephone lines the conversations are recorded).

How is the whistleblower informed of the outcome of the investigation after the investigation of his report has been completed?

The Hellenic Capital Market Commission, after completing the examination of the report, sends a written notification to the reporting person on the result of its investigation, to the postal or electronic address indicated by the reporting person, unless otherwise expressly requested by the reporting person, or if the Hellenic Capital Market Commission deems otherwise that sending the confirmation jeopardizes the whistleblower's protection. An update is not sent when the report is anonymous.

Essential topics to know about confidentiality.

Confidential information received, exchanged or transmitted upon receipt of reports of actual or potential infringements of the capital market legislation that qualify for WHISTLEBLOWING is subject to the provisions of professional secrecy set forth below:

(a) all information exchanged between the Hellenic Capital Market Commission and competent authorities of other Member States under the above institutional framework, that concerns business or operational conditions and other economic or

personal affairs shall be considered confidential and shall be subject to the requirements of professional secrecy, except the Hellenic Capital Market Commission or the competent authority of the other Member State states at the time of communication that such information may be disclosed or such disclosure is necessary for legal proceedings,

(b) the obligation of professional secrecy applies to all persons who work or have worked for the Hellenic Capital Market Commission or for any authority or market undertaking to whom the Hellenic Capital Market Commission has delegated its powers, including auditors and experts contracted by the HCMC. Information covered by professional secrecy may not be disclosed to any other person or authority except by virtue of provisions laid down by Union or national law, and

(c) the Hellenic Capital Market Commission may transfer personal data to a third country provided that the requirements of Regulation (EU) 2016/679 are fulfilled and only on a case-by-case basis, and based on the briefing on the transfer to third countries [which is posted on the website of the Hellenic Capital Market Commission](#)

The Hellenic Capital Market Commission applies in particular par. 3 point b of article 46 and in particular, bases the cross-border transmission on its competent supervisory authorities in [administrative regulation](#) signed between the European Securities and Markets Authority (ESMA) and the International Organization of Securities Commission (IOSCO), which was approved by the European Data Protection Board with its decision no. 4/2019 and the corresponding decision no. 2136/6.6.2019 of the Authority (Personal Data Protection Authority) Hellenic Capital Market Commission and International Transfers.

The confidentiality of the data can not be ensured in exceptional cases as provided for in the Union legislation, i.e. when the disclosure of the data is a necessary and proportionate obligation required under the Union or national law in the context of investigations by the national authorities or judicial proceedings, including the right of defence of the reported person. In this case, disclosures are subject to appropriate safeguards in accordance with applicable Union and national rules. In particular, reporting persons are informed before their identity is revealed, unless such information would undermine investigations or legal proceedings. When informing the reporting persons, the competent authority sends them a written justification explaining the reasons for disclosing the specific confidential information.