

Procedures concerning the reporting to the Hellenic Capital Market Commission of actual or possible infringements of Regulation (EU) 596/2014 on market abuse.

According to article 39 (1) of Greek law No 4443/2016 on market abuse:

“Article 39

Reporting of infringements [Article 32 of Regulation (EU) 596/2014]

1. *By decision of the Board of Directors of the Hellenic Capital Market Commission, in accordance with the provisions of Commission Implementing Directive (EU) 2015/2392, effective procedures and mechanisms are established to enable reporting of actual or potential infringements of Regulation (EU) 596 / 2014, including at least the following:*
 - a) *specific procedures for the receipt of reports of infringements and their follow-up, including the establishment of secure communication channels for such reports,*
 - b) *within their employment, appropriate protection for persons working under a contract of employment, who report infringements or are accused of infringements, against retaliation, discrimination or other types of unfair treatment at a minimum, and*
 - c) *protection of personal data both of the person who reports the infringement and the natural person who allegedly committed the infringement, including protection in relation to preserving the confidentiality of their identity, at all stages of the procedure without prejudice to disclosure of information being required by national law in the context of investigations or subsequent judicial proceedings.”*

Following the decision No [1/798/12.10.2017](#) of the Board of Directors of the HCMC “**Implementation of Commission Implementing Directive (EU) 2015/2392 of the Commission of 17 December 2015 on Regulation (EU) 596/2014 of the European Parliament and of the Council as regards reporting to competent authorities of actual or potential infringements of that Regulation**”, the Hellenic Capital Market Commission makes public on its website the following information regarding the receipt of reports on actual or potential infringements of Regulation (EU) No 596/2014 **on market abuse**.

Reports on actual or potential infringements of Regulation (EU) 596/2014 **on market abuse** submitted to the Hellenic Capital Market Commission, are received by staff members qualified in handling such infringement reports (**Dedicated Staff Members**). Reports on actual or potential infringements of Regulation (EU) 596/2014 **on market abuse** may be eponymous or anonymous, and may be submitted in the following ways:

- a) by email, at kataxrisi_agoras@cmc.gov.gr,
- b) by post to the "Hellenic Capital Market Commission, NPDD, 1 Kolokotroni & Stadiou, 105 62 Athens", with the indication "**Confidential - to the attention of the Dedicated Staff Members**",
- c) orally, calling at [2103377159](tel:2103377159) and [2132071944](tel:2132071944) (**recorded telephone lines**). In this case, a complete and accurate transcript of the conversation is prepared (by the dedicated staff members of the competent authority). In cases where the reporting person has disclosed its identity, the competent authority shall offer the possibility to the reporting person to check, rectify and agree with the transcript of the call by signing it, and
- d) in a physical meeting between the reporting person and the Dedicated Staff Members of the Hellenic Capital Market Commission. In this case, the Hellenic Capital Market Commission keeps complete and accurate records of the meeting in a durable and retrievable form. The HCMC has the right to document the records of the physical meeting in the form:

- an audio recording of the conversation in a durable and retrievable form, or
- accurate minutes of the meeting prepared by the dedicated staff members of the competent authority. In cases where the reporting person has disclosed its identity, the Hellenic Capital Market Commission offers the possibility to the reporting person to check, rectify and agree with the minutes of the meeting by signing them.

The reporting person can be informed about the progress of his/her report at [2103377159](tel:2103377159) and [2132071944](tel:2132071944) (**recorded telephone lines**).

The Hellenic Capital Market Commission may request the reporting person, either in writing or orally, or during a telephone conversation through the **telephone lines** [2103377159](tel:2103377159) and [2132071944](tel:2132071944) (**recorded telephone lines**) or in a physical meeting with dedicated staff members, to clarify the information reported or provide any additional information.

The Hellenic Capital Market Commission shall promptly acknowledge the receipt of written reports of infringements **to the postal or electronic address indicated by the reporting person**, unless the reporting person explicitly requested otherwise.

The Hellenic Capital Market Commission, after completing the examination of the report, sends a written follow-up report **to the postal or electronic address indicated by the reporting person**, unless the reporting person explicitly requested otherwise.

In case of **withdrawal** of a submitted complaint/report and if there are indications of misconduct, the Hellenic Capital Market Commission, for reasons of public interest, completes the examination of the submitted complaint/report. In this case, **there is no need to inform the reporting person in writing** about the result of the examination of his complaint/report.

In case the reporting person **requests anonymity** in a period of time following the filing of his complaint/report **for market abuse**, the Hellenic Capital Market Commission will follow the procedures arising from the above request, **if this is feasible** depending on the stage of processing the complaint/report.

Confidential information received, exchanged or transmitted upon receipt of reports of actual or potential infringements of Regulation (EU) 596/2014 on market abuse are subject to the professional secrecy rules below:

- a) all the information exchanged between the Hellenic Capital Market Commission and the competent authorities of other Member States under the Regulation (EU) 596/2014 with regard to business or operational conditions and other economic or personal affairs is considered to be confidential and is subject to the requirements of professional secrecy, except where the Hellenic Capital Market Commission 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 who 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 Hellenic Capital Market Commission. Information covered by professional secrecy must not be disclosed to any other person or authority except by virtue of provisions laid down by Union or national law.
- c) the Hellenic Capital Market Commission may transfer personal data to a third country provided the requirements of **Regulation (EU) 2016/679 (General Data Protection Regulation)** are fulfilled and only on a case-by-case basis. The Hellenic Capital Market Commission ensures that the transfer is necessary for the purpose of the Regulation (EU) 596/2014 and that the third country does not transfer the data to another third country unless it is given express written authorisation and complies with the conditions specified by the Hellenic Capital Market Commission.

If a cooperation agreement provides for the exchange of personal data, it must comply with national laws, regulations or administrative provisions adopted to implement the General Data Protection Regulation.

With regard to the processing of personal data under Regulation (EU) 596/2014 on market abuse, the Hellenic Capital Market Commission performs its duties for the purposes of this Regulation to preserve market integrity, to avoid potential regulatory arbitrage and to ensure accountability in the event of attempted manipulation, in accordance with national law, regulations or administrative provisions adopted for the implementation of the General Data Protection Regulation.

In exceptional cases, confidentiality of data may not be ensured, including where the disclosure of data is a necessary and proportionate obligation required under Union or national law in the context of investigations or subsequent judicial proceedings or to safeguard the freedoms of others including the right of defence of the reported person, and in each case subject to appropriate safeguards under such laws.

The Hellenic Capital Market Commission exchanges information and cooperates effectively with the Ministry of Labor and any other relevant authority responsible for the protection of persons working under a contract of employment in the reported companies, who report infringements or are accused of infringements of Regulation (EU) 596/2014 to the Hellenic Capital Market Commission, against retaliation, discrimination or other types of unfair treatment, due to or related to the reporting of infringements of Regulation (EU) 596/2014.

Persons making information available to the Hellenic Capital Market Commission in accordance with Regulation (EU) 596/2014 are not considered to be infringing any restriction on disclosure of information provided for in a contract or in any legislative, regulatory or administrative provision, and are not liable in any way for such disclosure.