

## ANNOUNCEMENT

The Cyprus Securities and Exchange Commission ('CySEC') would like to inform the public that, on 9<sup>th</sup> December 2022, the Administrative Court has issued a decision in the Application No. 1271/2017, Christos Stylianides v. Cyprus Securities and Exchange Commission (the 'Application'):

Mr. Christos Stylianides (the 'Applicant'), with his Application, challenged CySEC's decision dated 8<sup>th</sup> May 2017, in relation to the adequacy of the loans provisions in the financial statements of **Cyprus Popular Bank Public Co Ltd ('the Company')** for the year 2010 and half year 2011, to impose to the Applicant, a total administrative fine of €200.000 for the violations of article 40(1) of the Transparency Requirements (Securities Admitted to Trading on a Regulated Market) Law – L.190(I)/2007 (see [CySEC Announcement dated 22.6.2017](#)).

Mr. Stylianides, at the material time, held the position of the Deputy CEO and the Member of the Risk Management Committee of the Company.

**The Administrative Court, according to the decision dated 9<sup>th</sup> December 2022, dismissed the Application of the Applicant and upheld CySEC's decision for the imposition of administrative fine concluding that there are no grounds for annulment and, consequently, there is no need for the Court to intervene.**

Briefly, inter alia, the Administrative Court decided that the Applicant's representations have been examined by CySEC with the requisite competence, CySEC has, under the circumstances, taken a decision within a reasonable time and there was no breach of the principles of proportionality, equality and impartiality. The Administrative Court decided also, that the investigating officers and CySEC acted within the framework of the law, there was no fallacy, a proper investigation was carried out, the investigating officers appointed by CySEC are not a collective administrative body, there is no question of defective and/or non-proper composition of CySEC and that CySEC's decision was duly justified.

Furthermore, the Administrative Court reiterated the position that the administrative fine cannot be considered as a "sentence" within the meaning of article 12 of the Constitution and that the duty to exercise due diligence is not limited to the selection of qualified persons in relation to the financial statements.

It is noted that, Applications No. 1266/2017 Efthymios Mbouloutas v. CySEC, No. 1267/2017 Eleftherios Chiliadakis v. CySEC, No. 1268/2017 Markos Foros v. CySEC and No. 1269/2017 Panayiotis Kounnis v. CySEC were filed for the dismissal of the CySEC's

decision dated 8 May 2017 by the Administrative Court and they were also dismissed. The relevant CySEC announcement dated 5 July 2021 can be found [here](#).

Full details of the Administrative Court's decision dated 9<sup>th</sup> December 2022 can be found [here](#).

Nicosia, 14 December 2022

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