



6(I) of 2022.

The Protection of Persons who Report Breaches of Union and National Law,
Law of 2022.
(English translation)

**Office of the Law Commissioner
Nicosia,
August 2023**

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NOTE FOR THE READER

The publication at hand by the Office of the Law Commissioner is an English translation of the the Protection of Persons who Report Breaches of Union and National Law, Law of 2022, L.6(I) of 2022.

However useful the English translation of the translated Law is in practice, it does not replace the original text of the Law since only the Greek text of the Laws published in the Official Gazette of the Republic are authentic.

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**LAW ON THE PROTECTION OF PERSONS WHO
REPORT BREACHES OF UNION AND NATIONAL LAW**

Preamble.	For the purposes of-
Official Journal of the EU: L305, 26.11.2019, p.17.	(a) harmonization with the act of the European Union titled “Directive 2019/1937/EU of the European Parliament and of the Council of 23 October 2019 on the protection of persons who report breaches of Union law”, and
	(b) establishing an efficient framework of special legal protection for people working in the public or private sector who disclose information and data which came to their possession or attention, respectively, within their workplace and for which they have reasonable belief that such are true and are related to breaches of national law.
	The House of Representatives enacts as follows:
Short Title. 6(I) of 2022.	This Law may be cited as the Protection of Persons who Report Breaches of Union and National Law, Law of 2022.
	PART I
	INTRODUCTORY PROVISIONS
Interpretation.	2. In this Law, unless the context otherwise requires-
23(III) of 2000 22(III) of 2012. 22(III) of 2006 23(III) of 2012. Cap.161. 97(I) of 2012. 51(I) of 2004 62(I) of 2008.	“offences of corruption” means the offences provided for in the Council of Europe Criminal Law Convention on Corruption (Ratification) Law, the Additional Protocol to the Council of Europe Criminal Law Convention on Corruption (Ratification) Law, the Prevention of Corruption Law, the Illicit Acquisition of Property Benefits by State Officials and Public Officers Law, as well as the offences provided for in the Criminal Code and which entail the element of corruption, gift receiving or the abuse of power or trust;

Cap.154	
3 of 1962	
43 of 1963	
41 of 1964	
69 of 1964	
70 of 1965	
5 of 1967	
58 of 1967	
44 of 1972	
92 of 1972	
29 of 1973	
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48(I) of 2003	
84(I) of 2003	
164(I) of 2003	
124(I) of 2004	
31(I) of 2005	
18(I) of 2006	
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126(I) of 2007	
127(I) of 2007	
70(I) of 2008	
83(I) of 2008	
64(I) of 2009	
56(I) of 2011	
72(I) of 2011	
163(I) of 2011	
167(I) of 2011	

<p>84(I) of 2012 95(I) of 2012 134(I) of 2012 125(I) of 2013 131(I) of 2013 87(I) of 2015 91(I) of 2015 112(I) of 2015 113(I) of 2015 31(I) of 2016 43(I) of 2016 31(I) of 2017 72(I) of 2017 23(I) of 2018 24(I) of 2018 108(I) of 2018 134(I) of 2020 150(I) of 2020 27(I) of 2021 45(I) of 2021 190(I) of 2021.</p>	
	<p>«direct discrimination» means the less favorable treatment being endured by a person in relation to the treatment which another person endures, or has endured or would endure in a respective situation;</p>
	<p>“person concerned” means a natural person or legal entity who is referred to in the report or public disclosure as a person to whom the breach is attributed or with whom that person is associated;</p>
	<p>“reporting person” means a natural person who reports or publicly discloses information on breaches acquired in the context of his or her work-related activities;</p>
	<p>“report” means the oral or written communication of information on breaches;</p>
	<p>“retaliation” means any direct or indirect act or omission which occurs in a work-related context, is prompted by internal or external reporting or by public disclosure, and which causes or may cause unjustified detriment to the reporting person;</p>
	<p>“competent authority” means a service, authority, organization, minister, deputy minister, department, council, registrar or commissioner who</p>

	<p>pursuant to union or national law receives reports within the scope of his competencies or is responsible for the supervision and/or the investigation of acts falling within the scope of this Law, as well as any other authority, service, organization designated as such by an order of the Council of Ministers;</p>
<p>59(I) of 2010 114(I) of 2010 126(I) of 2010 2(I) of 2012 37(I) of 2012 170(I) of 2012 193(I) of 2012 106(I) of 2014 194(I) of 2014 176(I) of 2015 1(I) of 2017 52(I) of 2017 115(I) of 2017 132(I) of 2018 126(I) of 2019 194(I) of 2020 88(I) of 2021 101(I) of 2021 168(I) of 2021.</p>	<p>“self-employed” has the meaning assigned to it by section 2 of Social Insurance Law;</p>
	<p>“personal data” means any information which relates to an identified or identifiable natural person;</p>
	<p>“public disclosure” means the making of information on breaches available in the public domain.</p>
	<p>“public sector” or “legal entity in the public sector” means the public service as defined in Article 122 of the Constitution, any independent service or authority for which provision is made in the annual public budget and includes the Police, the Cyprus Fire Service, the Public Education Service, the Armed Forces of the Republic as well as any public corporate body or public law organization, including the local authorities or any other public law organization without legal personality established by law for the public interest the funds of which, are either provided for or guaranteed by the Republic as well as a legal entity (of private law) and a state or semi - state</p>

<p>7(I) of 2008 12(I) of 2014 40(I) of 2017 121(I) of 2017 20(I) of 2019.</p>	<p>company, as interpreted in the Professional Incompatibility of Certain Officers for Certain Professional and Other Related Activities Law;</p>
	<p>“public officer” means a person who holds a public office either permanently or temporarily or by replacement;</p>
	<p>“discrimination” means direct or indirect discrimination and includes harassment and instruction to apply discriminatory treatment;</p>
	<p>“facilitator” means a natural person who assists a reporting person in the reporting process in a work-related context and whose assistance shall be confidential;</p>
<p>8 of 1967 25 of 1968 23 of 1969 26 of 1970 34 of 1972 66 of 1972 5 of 1973 85 of 1979 55 of 1980 65(I) of 1993 79(I) of 1996 26(I) of 1997 110(I) of 1999 165(I) of 2001 66(I) of 2002 72(I) of 2002 169(I) of 2002 18(I) of 2005 42(I) of 2011.</p>	<p>“Industrial Disputes Tribunal” means the court tribunal established pursuant to the provisions of section 12 of the Annual Leave with Pay Law;</p>
	<p>“indirect discrimination” occurs where a prima facie neutral provision, criterion, practice, act or omission puts a person in a disadvantageous position, in comparison with other persons who are in a comparable situation, unless such provision, criterion, practice, act or omission may be justified by an objective lawful purpose and the means for achieving this purpose are suitable, proportionate and necessary;</p>

	<p>“feedback” means the provision to the reporting person of information on the action envisaged or taken as follow – up and on the grounds of such follow – up;</p>
	<p>“external reporting” means the oral or written communication of information on breaches to a competent authority through an external reporting channel;</p>
	<p>“work-related context” means the current or past work activities in the public or private sector, through which, irrespective of the nature of those activities, a person acquires information on breaches and within which that person could suffer retaliation if he reported such information;</p>
<p>CAP.113 9 of 1968 76 of 1977 17 of 1979 105 of 1985 198 of 1986 19 of 1990 46(I) of 1992 96(I) of 1992 41(I) of 1994 15(I) of 1995 21(I) of 1997 82(I) of 1999 149(I) of 1999 2(I) of 2000 135(I) of 2000 151(I) of 2000 76(I) of 2001 70(I) of 2003</p>	<p>“employee” (means a person who works pursuant to an employment contract or a training contract or under circumstances where the existence of an employer and worker relation in the private or public sector may be deduced, with full or part time employment, for a fixed or indefinite, continuous or non – continuous term and includes a shareholder in a private company who works in such company but not pursuant to an employment contract nor in circumstances under which the existence of an employer and worker relation may be deduced;</p> <p>Provided that, for the purposes of this definition, a “shareholder” has the meaning assigned to it by the Companies Law.</p>

167(I) of 2003	
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75(I) of 2014	
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38(I) of 2020	
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191(I) of 2020	
192(I) of 2020	
43(I) of 2021	
117(I) of 2021	
150(I) of 2021	
151(I) of 2021.	

	<p>“internal reporting” means the oral or written communication of information on breaches within a legal entity in the private or public sector through an internal reporting channel;</p>
	<p>“private sector” means a legal entity, which is not provided for in the definition of the term “public sector”;</p>
<p>Official Journal of the E.U.: L119, 4.5.2016, p.1.</p>	<p>“Regulation EU 2016/679” means the act of the European Union titled “Regulation of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46/EC (General Data Protection Regulation)”;</p>
<p>Official Journal of the E.U.: L295, 21.11.2018, p.39.</p>	<p>“Regulation EU 2018/1725” means the act of the European Union titled “Regulation of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC”</p>
	<p>“follow-up” means any action taken by the recipient of a report or any competent authority, to assess the accuracy of the allegations made in the report and, where relevant, to address the breach reported, including through actions such as an internal enquiry, an investigation, prosecution, an action for recovery of funds or the closure of the procedure;</p>
	<p>“unilateral detrimental change of the working conditions” means any act or omission or the behavior, in general, of an employer or any other person, who is competent or responsible for the determination or the change of the working conditions, which causes direct or indirect, material or moral, damage to the worker or offends, in any way, his personality or his dignity;</p>
	<p>“breaches” means acts or omissions which-</p>

	<p>(a) are unlawful and relate to the union acts and areas falling within the material scope provided for in section 4; or</p> <p>(b) defeat the object or the purpose of the rules provided in the union acts provided for in paragraph (a) and in the areas falling within paragraph (a) of subsection (1) of section 4; or</p> <p>(c) are unlawful and fall within the material scope provided for in section 31;</p>
	<p>“harassment” means a behaviour which is unwanted by the recipient of such behaviour and aims at or results in offending the dignity of a person, especially when it causes an intimidating, hostile, humiliating, degrading or aggressive environment;</p>
	<p>“information on breaches” means information, including reasonable suspicions, about actual or potential breaches, which occurred or are very likely to occur in the legal entity in which the reporting person works or has worked or in other legal entities with which the reporting person was in contact through his or her work, and about attempts to conceal such breaches;</p>
<p>Official Journal of the E.U.: C202, 7.6.2016, p.47.</p>	<p>“TFEU” means the Treaty on the Functioning of the European Union.</p>
<p>Purpose of this Law.</p>	<p>3. The purpose of this Law is the enhancement of the enforcement of the law and policies of the European Union and, consequently, of the Republic of Cyprus in specific areas by establishing common standards providing for a high level of protection of persons reporting breaches of union and national law.</p>

	PART II PROTECTION OF PERSONS REPORTING BREACHES OF UNION LAW
	CHAPTER I SCOPE
Material scope.	4.-(1) Notwithstanding any relevant provisions in any other Law or Regulations, this Law determines the protection enjoyed by persons reporting the following breaches of European Union law:
Annex.	<p>(a) Breaches that fall within the scope of acts of the European Union which are defined in the Annex and relate to the following sectors:</p> <ul style="list-style-type: none"> (i) Public procurement; (ii) financial services, products and markets and prevention of money laundering and terrorist financing; (iii) product safety and compliance; (iv) transport safety; (v) protection of the environment; (vi) protection from radiation and nuclear safety; (vii) food and feed safety, animal health and welfare; (viii) public health; (ix) consumer protection; (x) protection of privacy and personal data and security of network and information systems; <p>(b) breaches infringing the financial interests of the Union as referred to in Article 325 TFEU and as further defined in the relevant union measures;</p>

	<p>(c) breaches relating to the internal market, as referred to in Article 26 (2) TFEU, including breaches of European Union competition and state aid rules as well as breaches relating to the internal market in relation to acts which breach the rules of corporate tax or to arrangements the purpose of which is to obtain a tax advantage that defeats the object or purpose of the applicable corporate tax law.</p>
Annex, Part II.	<p>(2) The provisions of this Law shall be applicable to the extent that a matter is not mandatorily regulated in those sector-specific European Union acts referred to in Part II of the Annex, which provide for specific rules on the reporting of breaches.</p>
	<p>(3) The provisions of this Law shall not apply to reports of breaches of rules concerning issues or public procurement contracts on defense or security, unless they are covered by the relevant acts of the European Union.</p>
	<p>(4) The provisions of this Law shall be without prejudice to the application of union and national law relating to-</p> <ul style="list-style-type: none"> (a) the protection of classified information; (b) the protection of the legal and medical professional privilege; (c) the secrecy of judicial deliberations; (d) the rules on criminal procedure.
	<p>(5) The provisions of this Law shall be without prejudice to the right of workers to consult their representatives or trade unions and their protection against any unjustified detrimental measure prompted by such consultations, as well as the autonomy of the social partners and their right to enter into collective agreements.</p>
Scope of personal application.	<p>5.-(1) The provisions of this Law shall apply to persons-</p>

	<p>(a) working in the private or public sector that have acquired information on breaches in a work- related context and are persons -</p> <ul style="list-style-type: none">(i) having the status of “worker” within the meaning assigned to the term in Article 45(1) TFEU, including public officers;(ii) having «self employed» status within the meaning assigned to it in Article 49 TFEU;(iii) having the status of shareholder and persons belonging to the administrative, management or supervisory body of an undertaking including non-executive members, as well as volunteers and paid or unpaid trainees;(iv) working under the supervision and direction of tenderers, subcontractors and suppliers. <p>(b) who report or publicly disclose information on breaches acquired in a work – based relationship which has since ended.</p> <p>(c) who are reporting persons whose work –based relationship is yet to begin, in cases where information on breaches has been acquired during the recruitment process or other pre – contractual negotiations or the commencement of the employment.</p> <p>(2) The measures for the protection of reporting persons defined in Chapter VI shall also apply, depending on the merits of each case, to-</p> <ul style="list-style-type: none">(a) facilitators,(b) third persons who are connected with the reporting person and who may endure retaliation in a work- related context, including colleagues or relatives of the reporting person, by blood or kinship up to fourth degree; and
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	<p>(c) legal entities that the reporting person owns, works for or is otherwise connected within a work –related context.</p>
<p>Conditions for protection of reporting persons.</p>	<p>6.-(1) Any person provided for in section 5 who reports breaches by giving his/her name shall have a right for protection pursuant to the provisions of this Law, provided that-</p> <p>(a) he/she had reasonable grounds to believe that the information on breaches reported was true at the time of reporting and that such information fell within the scope of this Law, and</p> <p>(b) he/she reported either internally, as provided for in section 7, or externally, as provided for in section 11, or made a public disclosure in accordance with section 16:</p> <p>Provided that, where a person reported or publicly disclosed information on breaches anonymously, but who is subsequently identified and endures retaliation, shall have a right to protection pursuant to Chapter VI, provided that he/she meets the conditions prescribed in this subsection.</p>
	<p>(2) Any person provided for in section 5, reporting to relevant institutions, bodies, offices or agencies of the Union breaches falling within the scope of this Part, shall have a right to protection, as prescribed in this Law, under the same conditions as a person who reports externally.</p>
	<p>CHAPTER II</p> <p>INTERNAL REPORTING AND FOLLOW-UP</p>
<p>Reporting through internal reporting channels.</p>	<p>7.-(1) Without prejudice to sections 11 and 16, a person as provided for in section 5, may provide information on breaches, initially through the internal reporting channel and procedures provided for in this Part, before reporting to a competent authority, in cases where the breach can be</p>

	addressed effectively internally and provided that the reporting person considers that there is no risk of retaliation.
	(2) Appropriate information relating to the specific use of the internal reporting channels shall be provided in the context of the information given by legal entities in the private and public sector pursuant to the provisions of paragraph (a) of subsection (1) of section 9 and by a competent authority pursuant to the provisions of sub-paragraph (i) of paragraph (e) of subsection (1) of section 13 and section 14.
Obligation to establish internal reporting channels.	8.-(1) Legal entities in the public and private sector shall establish channels and procedures for internal reporting and for follow-up, following consultation with the social partners, where provided for by national law.
Annex.	<p>(2)(a) The provisions of subsection (1) shall apply-</p> <p style="padding-left: 40px;">(i) to legal entities in the private sector with fifty (50) or more workers:</p> <p style="padding-left: 40px;">Provided that, the threshold provided for in this subparagraph shall not apply to the legal entities falling within the scope of union acts referred to in the Annex,</p> <p style="padding-left: 40px;">(ii) to all legal entities in the public sector:</p> <p style="padding-left: 40px;">Provided that, the provisions of subsection (1) shall not apply to local authorities with fewer than five thousand (5 000) inhabitants, or fewer than twenty-five (25) workers:</p> <p style="padding-left: 40px;">Provided further that, for legal entities in the public sector the internal audit units, where such exist, which are established by virtue of the Decisions of the Council of Ministers with no. 75.841 dated 10.7.2013 and no. 76025 dated 6.11.2013 or by virtue of the provisions of any Law, may be used as internal reporting channels.</p>

Annex.	<p>(b) Without prejudice to the obligations imposed pursuant to the provisions of this Law on legal entities to maintain confidentiality, to give feedback and to address the reported breach, legal entities in the private sector with fifty (50) to two hundred and forty-nine (249) workers may share common internal channels as regards the receipt and investigation of reports.</p> <p>(c) Legal entities in the private sector with less than fifty (50) workers falling within the scope of the union acts referred to in the Annex may use common internal reporting channels, provided that the shared internal reporting channels are distinct from and autonomous in relation to the relevant external reporting channels.</p>
	<p>(3) The channels and procedures referred to in subsection (1) of this section shall enable the persons defined in paragraphs (a) and (b) of subsection (1) of section 5 to report information on breaches.</p>
	<p>(4) The reporting channels may be operated internally by a person or service designated for that purpose or provided externally by a third party.</p>
	<p>(5) The safeguards and requirements provided for in subsection (1) of section 9 shall apply to entrusted third parties operating the reporting channel for a legal entity in the private sector.</p>
Procedures for internal reporting and follow-up.	<p>9.-(1) The procedures for internal reporting and for follow – up shall include-</p> <p>(a) channels for receiving the reports, which are designed, established and operated in a secure manner so as to ensure that the confidentiality of the identity of the reporting person and any third party mentioned in the report, is protected and prevents access thereto by non-authorized staff members;</p>

	<p>(b) the acknowledgment of receipt of the report to the reporting person within seven (7) days from the date of that receipt;</p> <p>(c) the designation of an impartial person or service competent for following-up on the reports, which may be the same person or department as the one that receives the reports and which will maintain communication with the reporting person and, where necessary, ask further information from and provide feedback to that reporting person;</p> <p>(d) diligent follow up by the designated person or department referred to in paragraph (c);</p> <p>(e) a reasonable timeframe to provide feedback, not exceeding three (3) months from the acknowledgment of receipt or, if no acknowledgment was sent to the reporting person, three (3) months from the expiry of the seven-day period after the report was made;</p> <p>(f) provision of clear and easily accessible information regarding the procedures for reporting externally to a competent authority pursuant to the provisions of Chapter III and, where relevant, to institutions, bodies, offices or agencies of the European Union.</p>
	<p>(2) The channels provided for in paragraph (a) of subsection (1) shall enable reporting in writing or orally and/or both.</p>
	<p>(3) Oral reporting may be affected by telephone or through other voice messaging systems and, upon request by the reporting person, by means of a physical meeting within a reasonable timeframe.</p>
<p>Voluntary establishment of reporting channels.</p>	<p>10.-(1) Legal entities in the private sector which are not obliged to establish internal reporting channels and procedures pursuant to the provisions of section 8, shall be encouraged to designate competent persons or departments in accordance with their abilities and structure, to receive and follow-up reports:</p>

	<p>Provided that, where a legal entity in the private sector designates a person or department as provided for in this section, the provisions of section 9 shall apply proportionately.</p>
	<p>(2) Compliance officers, professional integrity officers, legal officers, financial managers, head accountants, members of the board of directors may be designated as appropriate persons or services to receive and follow-up reports pursuant to the provisions of subsection (1).</p>
	<p>CHAPTER III</p> <p>EXTERNAL REPORTING AND FOLLOW-UP</p>
<p>External reporting.</p>	<p>11. Without prejudice to the provisions of paragraph (b) of subsection (1) of section 16, the reporting person shall report information on breaches using the channels and procedures provided for in sections 12 and 13, after having first reported through the internal reporting channel or by directly making external reporting to a competent authority:</p> <p>Provided that, in the event where the reporting person has reported through an internal channel and, while the procedure is pending before the internal channel, he/she shall make external reporting and the procedure before the internal channel shall be discontinued.</p>
<p>External reporting channels and follow-up on reports.</p>	<p>12.-(1) Without prejudice to the provisions of any specific union rule which provides for the establishment of internal and external reporting channels for certain sectors, the competent authorities shall -</p> <p>(a) establish independent and autonomous external reporting channel for receiving and handling information on breaches,</p> <p>(b) promptly, and in any event, within seven (7) days of receipt of the report, acknowledge such receipt, unless the reporting person explicitly requested otherwise or the competent authority reasonably believes</p>

	<p>that acknowledging receipt of the report might jeopardise the protection of the reporting person' s identity,</p> <p>(c) diligently follow up on the reports,</p> <p>(d) provide feedback to the reporting person within a reasonable timeframe not exceeding three (3) months or six (6) months in duly justified cases,</p> <p>(e) communicate to the reporting person the final outcome of investigations carried out on the basis of the report,</p> <p>(f) transmit in due time the information contained in the report to the competent institutions, bodies offices and agencies of the European Union, as appropriate, for further investigation,</p> <p>(g) may, after having duly assessed the matter, decide-</p> <p>(i) that the reported breach is of minor importance and does not require further follow-up other than closure of the procedure,</p> <p>(ii) to close procedures regarding repetitive reports which do not contain any meaningful new information on breaches compared to a past report in respect of which the relevant procedures were concluded, unless new legal or factual circumstances justify a different follow-up:</p> <p>Provided that, in each case, the competent authorities shall notify the reporting person of their decision and its reasons thereof.</p>
	<p>(2) In the event of high inflows of reports, the competent authorities may examine reports of serious breaches or breaches of essential provisions falling within the scope of this Law as a matter of priority without prejudice to the timeframe-as set out in paragraph (d) of subsection (1).</p>

	<p>(3) Where the reporting person shall report to a channel which does not have the competence to address the breach reported, the said channel shall transmit the report to the competent authority, within reasonable time, in a secure manner, and the reporting person shall be informed, without delay, of such a transmission.</p>
Design of external reporting channels.	<p>13. The external reporting channels shall be considered independent and autonomous for the purposes of this Law, if-</p> <p>(a) they operate in a manner that ensures the completeness, integrity and confidentiality of the information and prevent access thereto by non- authorized staff members of the competent authority;</p> <p>(b) they allow the maintenance and storage of information in accordance with section 19, to allow further investigations to be carried out;</p> <p>(c) they provide for the possibility of reporting both in writing and orally:</p> <p>Provided that, oral reporting shall be possible by telephone or through other voice messaging systems, and upon request by the reporting person, by means of a physical meeting within a reasonable timeframe;</p> <p>(d) they ensure that, where a report is received by a staff member other than the one responsible for handling reports, the staff member who received the report shall be prohibited from disclosing any information that might identify the reporting person or the person concerned and shall promptly forward the report, without modification, to the staff members responsible for handling reports;</p> <p>(e) they designate staff members responsible for handling reports, who shall receive specific training for the purposes of handling reports, and in particular for-</p>

	<p>(i) providing any interested person with information on the procedures for reporting;</p> <p>(ii) receiving and applying measures for following up on reports;</p> <p>(iii) maintaining contact with the reporting person for the purpose of providing feedback and requesting further information where necessary.</p>
<p>Information regarding the receipt of reports and their follow-up.</p> <p>125(I) of 2018. 44(I) of 2019.</p>	<p>14. The competent authorities shall publish on their websites in a separate, easily identifiable and accessible section, the following information:</p> <p>(a) the conditions for qualifying for protection pursuant to the provisions of this Law;</p> <p>(b) their contact details, in particular the electronic and postal addresses and phone numbers, as well as a statement regarding the recording or non-recording of phone conversations;</p> <p>of breaches, including the manner in which the competent authorities may request the reporting person to clarify the information reported or to provide additional information, the timeframe for providing feedback to the reporting person and the type and content of such feedback;</p> <p>(d) the confidentiality regime applicable to reports, and in particular the information in relation to the processing of personal data, in accordance with section 17 of this Law, articles 5 and 13 of Regulation EU 2016/679, the Protection of Natural Persons Against the Processing of Personal Data Law, section 15 of the Protection of Natural Persons Against the Processing of Personal Data by Competent Authorities for the purposes of Prevention, Investigation, Detection or Prosecution of Criminal Offences or the Execution of Criminal Penalties and on the Free Movement of such Data Law, and article 15 of Regulation EU 2018/1725;</p>

	<p>(e) the nature of the follow-up to be given to reports;</p> <p>(f) the remedies and procedures for protection against retaliation and the availability of confidential advice for persons contemplating reporting;</p> <p>(g) a statement clearly explaining the conditions under which persons reporting to a competent authority are protected from incurring liability for a breach of confidentiality pursuant to the provisions of section 23;</p> <p>(h) contact details of the information center which shall be established for the purpose of assisting the reporting persons.</p>
<p>Review of the procedures by competent authorities.</p>	<p>15. The competent authorities shall review their procedures for receiving reports and their follow-up regularly and at least once every three years.</p>
	<p>CHAPTER IV</p> <p>PUBLIC DISCLOSURE</p>
<p>Public disclosure.</p>	<p>16.-(1) A person who makes a public disclosure in relation to breaches falling within the scope of this Part shall have the right to protection pursuant to the provisions of Chapter VI, if any one of the following conditions is fulfilled:</p> <p>(a) The reporting person first reported internally and externally or solely externally in accordance with Chapters II and III, but no appropriate action was taken in response to the report within the timeframe provided for in paragraph (e) of subsection (1) of section 9 and in paragraph (d) of subsection (1) of section 12; or</p> <p>(b) he has reasonable grounds to believe that-</p>

	<p>(i) the public interest is threatened by an imminent or manifest danger or a risk of irreversible damage or there is another serious emergency situation, or</p> <p>(ii) in the case of external reporting, there is a risk of retaliation or there is a low prospect of the breach being effectively addressed due to the particular circumstances of the case, such as those where evidence may be concealed or destroyed or where an authority may be in collusion with the perpetrator of the breach or involved in the breach.</p>
	<p>(2) The provisions of this section shall not apply where a person directly discloses information to the Press pursuant to national provisions establishing a system of protection relating to freedom of expression and information:</p> <p>Provided that, such person shall be subject to the provisions of the legislation as regards the existence of civil liability.</p>
	<p>CHAPTER V</p> <p>PROVISIONS APPLICABLE TO INTERNAL AND EXTERNAL REPORTING</p>
Duty of confidentiality.	<p>17.-(1) The identity of the reporting person and any other information from which the identity of the reporting person may be directly or indirectly deduced, shall not be disclosed to anyone beyond the authorised members of the staff who have competence to receive or follow-up on reports, without the explicit consent of that person.</p>
	<p>(2) Without prejudice to the provisions of subsection (1), the identity of the reporting person and any other information referred to in subsection (1) may be disclosed only where this is a necessary and proportionate obligation imposed by union or national law, in the context of investigations</p>

	by national authorities or judicial proceedings, inter alia, with a view to safeguarding the rights of defence of the person concerned.
	<p>(3) (a) The internal reporting channels as well as the competent authorities, before proceeding to disclosure pursuant to the provisions of subsection (2), shall inform the reporting person, unless such information would jeopardise the related investigations or judicial proceedings.</p> <p>(b) When informing the reporting person, the internal reporting channels as well as the competent authorities shall send him an explanation in writing of the reasons for the disclosure of the confidential data concerned.</p>
	(4) The internal reporting channels as well as the competent authorities that receive information on breaches that includes trade secrets shall not use or disclose those trade secrets for purposes going beyond what is necessary for proper follow-up of the report.
Processing of personal data.	18.-(1) Any processing of personal data carried out pursuant to the provisions of this Law, including the exchange or transmission of personal data by the competent authorities, shall be carried out in accordance with the provisions of Regulation EU 2016/679, the Protection of Natural Persons Against the Processing of Personal Data Law and of the Protection of Natural Persons Against the Processing of Personal Data by Competent Authorities for the purposes of Prevention, Investigation, Detection or Prosecution of Criminal Offences or the Execution of Criminal Penalties and on the Free Movement of such Data Law.
	(2) Any exchange or transmission of information by Union institutions, bodies, offices or agencies shall be undertaken in accordance with Regulation EU 2018/1725.

	<p>(3) Personal data, which are manifestly not relevant for the handling of a specific report shall not be collected and, where they are accidentally collected, shall be deleted without undue delay.</p>
Record keeping of the reports.	<p>19.-(1) Notwithstanding the provisions of any other Law, legal entities in the private and public sector and competent authorities shall keep records of every report received, in compliance with the confidentiality requirements provided for in section 17:</p> <p>Provided that, personal data collected in the context of receiving reports shall be deleted within three (3) months from the date of closure of the procedure:</p> <p>Provided further that, where court of other disciplinary proceedings have commenced against the person concerned or the reporting person, the personal data shall be maintained for the whole duration of the said proceedings, including the case where there is exercise of the right of appeal or opposition, and after the expiration of one (1) year from the date of their closure, they shall be deleted.</p>
	<p>(2)(a) Where a recorded telephone line or another recorded voice messaging system is used for reporting, subject to obtaining the consent of the reporting person, legal entities in the private and public sector and competent authorities shall have the right to document the oral reporting in one of the following ways:</p> <p>(i) By making a recording of the conversation in a durable and retrievable form;</p> <p>(ii) through keeping a complete and accurate transcript of the conversation prepared by the staff members responsible for handling the report.</p>

	<p>(b) Legal entities in the private and public sector and competent authorities shall offer the reporting person the opportunity to check, rectify and agree the transcript of the call by signing it.</p>
	<p>(3)(a) Where an unrecorded telephone line or another unrecorded voice messaging system is used for reporting, legal entities in the private and public sector and competent authorities shall have the right to document the oral reporting in the form of accurate transcript of the conversation written by the staff members responsible for handling the report.</p> <p>(b) Legal entities in the private and public sector and competent authorities shall offer the reporting person the opportunity to check, rectify and agree the transcript of the conversation by signing them.</p>
	<p>(4)(a) Where a person requests a meeting with the competent staff members of legal entities in the private or public sector or of competent authorities for reporting purposes in accordance with subsection (2) of section 9 and paragraph (c) of section 13, legal entities in the private and public sector and competent authorities shall ensure, subject to the consent of the reporting person, that complete and accurate minutes of the meeting are kept in a durable and retrievable form.</p> <p>(b) Legal entities in the private and public sector and competent authorities shall have the right to keep minutes of the meeting in one of the following ways:</p> <ul style="list-style-type: none"> (i) By making a recording of the conversation in a durable and retrievable form; (ii) through accurate minutes of the meeting prepared by the staff members responsible for handling the report.

	(c) Legal entities in the private and public sector and competent authorities shall offer the reporting person the opportunity to check, rectify and agree the minutes of the meeting by signing them.
	CHAPTER VI PROTECTION MEASURES
Prohibition of retaliation.	20. -(1) Legal entities in the private and public sector which are subject to the provisions of this Law shall be prohibited from engaging in any form of retaliation against a person provided for in section 5, including threats of retaliation and attempts of retaliation.
	(2) The retaliation referred to in subsection (1) may, inter alia, take the following form: <ul style="list-style-type: none"> (a) Suspension, lay –off, dismissal or equivalent measures; (b) demotion or withholding of promotion; (c) transfer of duties, change of location of place of work, reduction in wages, change in working hours; (d) withholding of training; (e) a negative performance assessment or a negative employment reference; (f) imposition or administering of any disciplinary measure, reprimand or other penalty, including a financial penalty; (g) coercion, intimidation, harassment or ostracism; (h) discrimination, disadvantageous or unfair treatment;

	<p>(i) failure to convert a temporary employment contract into a permanent one, where the worker had legitimate expectations that he/ she would be offered permanent employment;</p> <p>(j) failure to renew, or early termination of, a temporary employment contract;</p> <p>(k) harm, including to the person' s reputation, particularly in social media, or financial loss, including loss of business and loss of income;</p> <p>(l) blacklisting on the basis of a sector or industry –wide informal or formal agreement, which may entail that the person will not, in the future, find employment in the sector or industry;</p> <p>(m) early termination or cancellation of a contract for goods or services;</p> <p>(n) cancellation of a license or permit;</p> <p>(o) psychiatric or medical referrals;</p> <p>(p) unilateral detrimental change of working conditions.</p>
Measures of support.	<p>21. A person provided for in section 5 shall have access, as appropriate, to the following support measures:</p> <p>(a) Comprehensive and independent information and advice, which is easily accessible to the public and free of charge, on procedures and remedies available, on protection against retaliation, and on the rights of the person concerned:</p> <p>Provided that, the requirement for such access shall be satisfied with the preparation by legal entities in the private and public sector and the competent authorities of a special document in which the necessary information, advice and remedies available on protection are included, which shall be available through appropriate means to any interested party;</p>

<p>165(I) of 2002 22(I) of 2005 77(I) of 2005 43(I) of 2006 132(I) of 2009 172(I) of 2011 8(I) of 2012 64(I) of 2014 105(I) of 2014 140(I) of 2014 20(I) of 2015 173(I) of 2015 111(I) of 2016 72(I) of 2019.</p>	<p>(b) effective assistance before any authority which is involved in their protection against retaliation;</p> <p>(c) legal aid in criminal cases and in cross-border civil proceedings in accordance with the Legal Aid Law.</p>
<p>Protection of the reporting person as witness in criminal proceedings. 95(I) of 2001 15(I) of 2014 96(I) of 2019.</p> <p>95(I) of 2001 15(I) of 2014 96(I) of 2019.</p>	<p>22. A person who makes a report and subsequently participates as a witness in any criminal proceedings in connection with the report, shall be considered as a witness who needs assistance, in accordance with the Protection of Witnesses Law and all or any of the measures provided for in Part III of the said Law shall be applicable, as appropriate:</p> <p>Provided that, at the discretion of the Attorney General of the Republic, such person may be included in the Protection of Witnesses and Collaborators of Justice Scheme, therefore the provisions of Part IV of the Protection of Witnesses Law shall apply.</p>
<p>Measures for protection against retaliation.</p>	<p>23.-(1) A person, as provided for in section 5, shall be protected against retaliation, and</p> <p>(a) without prejudice to subsections (3) and (4) of section 4, where a person reports information on breaches or makes a public disclosure in accordance with the provisions of this Law, he shall not be considered to have breached any restriction on disclosure of information and shall not incur liability of any kind in respect of such a report or public</p>

disclosure, provided that he had reasonable grounds to believe that the reporting or public disclosure of such information was necessary for revealing a breach pursuant to this Law.

(b) shall not incur liability in respect of the acquisition of or access to the information which is reported or publicly disclosed, in accordance with the provisions of this Law, provided that such acquisition or access does not constitute a self-standing criminal offence:

Provided that, any other possible liability of a reporting person arising from an act or omission which is unrelated to the reporting or public disclosure or which is not necessary for revealing a breach, in accordance with this Law, shall continue to be governed by applicable union and/or national law.

(c) shall have access to remedial measures against retaliation, including, amongst others, interim relief pending the resolution of legal proceedings.

(d) shall not incur any liability of any kind as a result of reports or public disclosures that, have been made pursuant to the provisions of this Law, in civil proceedings, including, inter alia, proceedings for defamation, infringement of intellectual property rights, breach of confidentiality, breach of data protection rules, disclosure of trade secrets, or for compensation claims based on private, public or on collective labour law:

Provided that, the said person shall have the right to rely on that reporting or public disclosure, to seek dismissal of the case, provided that during the time of the reporting or public disclosure he had reasonable grounds to believe that the reporting or public disclosure was necessary for revealing a breach, in accordance with this Law.

	(e) shall have full access to legal proceedings and full compensation for damage suffered.
	(2) Within the framework of civil court proceedings relating to a detriment suffered by a person provided for in section 5, and subject to that person establishing that he reported or made a public disclosure and suffered a detriment, it shall be presumed that the detriment was made in retaliation for the report or public disclosure, unless the person who has taken the detrimental measure proves that the said measure was based on duly justified grounds.
164(I) of 2020.	(3) A person who reports or publicly discloses information on breaches falling within the scope of this Law, and that information includes trade secrets, and the said person meets the conditions set out in this Law, the said reporting or public disclosure shall be considered lawful, under the conditions laid down in subsection (2) of section 4 of the Protection of Undisclosed Know-how and Business Information (Trade Secrets) Against their Unlawful Acquisition, Use and Disclosure Law.
Judicial protection and burden of proof.	24. -(1) Any person who deems that he/she has been aggrieved by a breach of the provisions of this Law, may pursue his/her rights by instituting legal proceedings in a competent court even if the relationship within the context of which it is alleged that a breach was made has ceased, and may use any appropriate and lawful means to substantiate the breach and any kind of damage suffered due to such breach.
	(2) In every court proceeding, except criminal proceedings, if the litigant who alleges to have been aggrieved by a breach of the provisions of this Law substantiates actual facts out of which the breach is presumed, the burden of proof that there was no breach of the provisions of this Law shall lie with the other party.
Competent courts and penalties.	25. -(1) Without prejudice to the exclusive jurisdiction of the Supreme Court and the Administrative Court, pursuant to the provisions of Article 146 of

	<p>the Constitution, and provided that this Law does not provide otherwise, the Industrial Disputes Tribunal shall have jurisdiction to adjudicate any industrial disputes.</p>
	<p>(2) In case of an action before the District Court, pursuant to the provisions of paragraph 6 of Article 146 of the Constitution, and provided that the conditions of the constituent right of just and equitable damages are met, the competent District Court shall award the beneficiary the largest of the following two sums:</p> <p>(a) The just and equitable damages awarded pursuant to the provisions of paragraph 6 of Article 146 of the Constitution; or</p> <p>(b) the whole positive damage, including default payments, and monetary compensation for any non-material or physical damage to the plaintiff that was caused by the decision, act or omission, which was declared null and void in accordance with paragraph 4 of Article 146 of the Constitution.</p>
	<p>(3) The Industrial Disputes Tribunal shall award just and equitable damages, which shall cover at least all the positive damage, including the default payments, and shall include monetary compensation for any non-material or physical damage of the applicant caused by the perpetrator:</p> <p>Provided that, in each case, legal interest from the date of the breach until the date of full payment of the compensation shall be added to the above awarded sum.</p>
	<p>(4) In case of a dismissal in breach of the provisions of this Law, the Industrial Disputes Tribunal, apart from the award of the compensation provided for in subsection (3) and without examining the employer's good or bad faith, shall order the re-employment of the employee and shall obligate the employer to accept his services, provided that the employee has requested this as a remedy:</p>

	<p>Provided that, in case of re-employment, the employee, having been awarded the compensation provided for in subsection (3), shall not be entitled to retrospective payment of wages or other benefits, however the time period of the dismissal shall be considered as employment service for all other purposes.</p>
<p>24 of 1967 17 of 1968 67 of 1972 6 of 1973 1 of 1975 18 of 1977 30 of 1979 57 of 1979 82 of 1979 92 of 1979 54 of 1980 12 of 1983 167 of 1987 37 of 1988 18 of 1990 203 of 1990 52(I) of 1994 61(I) of 1994 26(I) of 2001 111(I) of 2001 70(I) of 2002 79(I) of 2002 159(I) of 2002 212(I) of 2002 110(I) of 2003 111(I) of 2003 89(I) of 2016 218(I) of 2022.</p>	<p>(5) Without prejudice to the generality of the provisions of subsection (1) of section 6 of the Termination of Employment Law, which apply in cases of dismissals made in breach of the provisions of this Law, during the hearing by the Industrial Disputes Tribunal of the disputes referred to in subsection (1), the provisions of subsection (2) of section 24 shall apply in relation to reversal of the burden of proof.</p>
<p>1 of 1990 71 of 1991 211 of 1991 27(I) of 1994 83(I) of 1995 60(I) of 1996 109(I) of 1996 69(I) of 2000 156(I) of 2000 4(I) of 2001 94(I) of 2003</p>	<p>(6) Where the decision of the competent Court for damages is based on an act or omission by a public officer, the provisions of section 70 of the Public Service Law shall apply.</p>

<p>128(I) of 2003 183(I) of 2003 31(I) of 2004 218(I) of 2004 68(I) of 2005 79(I) of 2005 105(I) of 2005 96(I) of 2006 107(I) of 2008 137(I) of 2009 194(I) of 2011 78(I) of 2013 7(I) of 2014 21(I) of 2014 100(I) of 2015 148(I) of 2017 151(I) of 2017 152(I) of 2017 98(I) of 2020 136(I) of 2020 1(I) of 2022 113(I) of 2022 120(I) of 2022.</p>	
<p>Punitive actions against the reporting person.</p>	<p>26. The dismissal of the reporting person, as well as any detrimental change of the employment conditions or a retaliation measure shall be absolutely void, unless the employer proves that the dismissal or detrimental change is due to a reason not related to his/her reporting.</p>
<p>Employer' s obligation to cooperate.</p>	<p>27.-(1) Any employer shall protect his/her employees against any act by their superior or by a person who is responsible for them or by any other employee which constitutes a retaliation due to reporting.</p>
<p>CAP.148 87 of 1973 54 of 1978 156 of 1985 41 of 1989</p>	<p>(2)(a) Every employer, immediately after specific retaliation comes to his/her attention due to the making of a reporting, shall take any available measure for the waiver and non-repetition of retaliation, as well as for the waiver of its consequences.</p> <p>(b) Where an employer does not take the measures referred to in paragraph (a), he/she shall be jointly responsible for the civil wrong with the person who committed the said acts, pursuant to the provisions of section 11 of the Civil Wrongs Law.</p>

<p>73(I) of 1992 101(I) of 1996 49(I) of 1997 29(I) of 2000 154(I) of 2002 129(I) of 2006 171(I) of 2006 82(I) of 2008 66(I) of 2012.</p>	
<p>CAP.148 87 of 1973 54 of 1978 156 of 1985 41 of 1989 73(I) of 1992 101(I) of 1996 49(I) of 1997 29(I) of 2000 154(I) of 2002 129(I) of 2006 171(I) of 2006 82(I) of 2008 66(I) of 2012.</p>	<p>(3)(a) Every employer shall take any appropriate and prompt measures, to prevent the acts provided for in subsection (1):</p> <p>Provided that, for the purposes of this subsection, the enactment of a code of conduct for the prevention of the acts provided for in subsection (1) and the taking of practical measures for the application of the provisions of such code shall be considered as taking appropriate and prompt measures.</p> <p>(b) Where an employer does not take the measures provided for in paragraph (a) and the acts provided for in subsection (1) are committed against a worker of the reporting person, then he shall be a joint civil wrong doer with the person who committed the said acts, in accordance with the provisions of section 11 of the Civil Wrongs Law.</p>
<p>Measures for the protection of persons concerned.</p>	<p>28.-(1) This Law shall not prejudice the provisions of union and/or national law regarding the rights of a person concerned to an effective remedy and to a fair trial as well as the presumption of innocence and the rights of defense, including the right to be heard and the right to access his/her file.</p>

	(2) The identity of the person concerned shall be protected for as long as investigations triggered by the report or the public disclosure are ongoing.
	(3) The rules defined in sections 13, 18 and 19 as regards the protection of the identity of the reporting person shall also apply to the protection of the identity of the person concerned.
Right of action for compensation	29. Without prejudice to any other legal means or remedy provided for pursuant to the provisions of any other Law or Regulations, a person who suffered damage from false or inaccurate or misleading reporting or false or inaccurate or misleading public disclosures shall have a right of action against the reporting person.
No waiver of rights and means of legal protection.	30. The rights and means of legal protection provided for in this Law cannot be waived or limited by any agreement, policy, form or condition of employment, including a pre – dispute arbitration agreement.
	PART III PROTECTION OF PERSONS WHO REPORT BREACHES OF NATIONAL LAW
	CHAPTER I SCOPE
Material scope.	31. This Part lays down the protection enjoyed by persons who report the following: (a) Acts of omissions related to the commission or possible commission of a criminal offence and in particular, offences of corruption; (b) acts or omissions related to the non-compliance of a person with a lawful obligation imposed on him or her;

	<p>(c) breaches which put or may put in danger the safety or health of any person;</p> <p>(d) breaches which cause or may cause damage to the environment.</p>
Personal scope.	<p>32.-(1) The provisions of this Part shall apply to persons-</p> <p>(a) having the status of an “employee” or “self-employed”.</p> <p>(b) who report or publicly disclose information on breaches acquired in a work-based relationship which has since ended.</p> <p>(c) whose work-based relationship is yet to begin, in cases where information on breaches has been acquired during the recruitment process or other pre-contractual negotiations or the commencement of the employment.</p>
	<p>(2) The measures for the protection of reporting persons set out in Chapter V, shall apply, where relevant, to-</p> <p>(a) facilitators;</p> <p>(b) third persons who are connected with the reporting person and who could suffer retaliation in a work- related context, including colleagues or relatives of the reporting person, by blood or kinship up to fourth degree; and</p> <p>(c) legal entities that the reporting person owns, works for or is otherwise connected with in a work-related context.</p>
Conditions for protection of reporting persons.	<p>33.-(1) A person, as provided for in section 32 who reports breaches by giving his/her name in relation to acts prescribed in section 31, shall have a right for protection pursuant to the provisions of this Part, provided that-</p>

	<p>(a) he/she had reasonable grounds to believe that the information on breaches reported was true at the time of reporting and that such information fell within the scope of this Part.</p> <p>(b) he/she reported either internally, in accordance with section 34, or externally in accordance with section 35, or made a public disclosure in accordance with section 36 and</p> <p>(c) the reporting was not in breach of the lawyer' s or doctor' s confidentiality or does not constitute the commission of a criminal offence:</p> <p>Provided that, in case where a person reported or publicly disclosed information on breaches anonymously, but who is subsequently identified and suffers retaliation, shall have a right to protection pursuant to the provisions of Chapter V, provided that he/she meets the conditions defined in this subsection.</p>
	<p>CHAPTER II</p> <p>INTERNAL REPORTING</p>
<p>Reporting through internal reporting channels.</p>	<p>34. A person as provided for in section 32 may report information on breaches, initially through the internal reporting channels, which are provided for in Chapter II of Part II, subject to the procedures provided for in the said Chapter, before reporting to a competent authority, in cases where the breach can be addressed effectively internally and provided that the reporting person considers that there is no risk of retaliation:</p> <p>Provided that the provisions of Chapter V of Part II shall apply proportionately to the reports made pursuant to the provisions of this Part.</p>

	<p>CHAPTER III</p> <p>EXTERNAL REPORTING</p>
Reporting through external reporting channel.	<p>35. Without prejudice to paragraph (b) of subsection (1) of section 36, the reporting person shall report information on breaches using the channels and procedures provided for in sections 11 and 12, after having first reported through the internal reporting channel, or by directly reporting to a competent authority:</p> <p style="padding-left: 40px;">Provided that, where the reporting person has reported through an internal channel and, while the procedure is pending before the internal channel, he/she shall make an external reporting, and the procedure before the internal channel shall be discontinued:</p> <p style="padding-left: 40px;">Provided further that, the provisions of Chapter V of Part II shall apply proportionately to the reports of this Part.</p>
	<p>CHAPTER IV</p> <p>PUBLIC DISCLOSURE</p>
Public disclosure.	<p>36.-(1) A person as provided for in section 32 who makes a public disclosure in relation to breaches falling within the scope of this Part shall have the right for protection pursuant to the provisions of Chapter V, if any of the following conditions is fulfilled:</p> <p style="padding-left: 40px;">(a) The reporting person first reported internally and externally, or only externally in accordance with Chapters II and III, but no appropriate action was taken in response to the report within the timeframe provided for in paragraph (e) of subsection (1) of section 9 and in paragraph (d) of subsection (1) of section 12; or</p> <p style="padding-left: 40px;">(b) he/she has reasonable grounds to believe that-</p>

	<p>(i) the public interest is threatened by an imminent or manifest danger or a risk of irreversible damage or there is another serious emergency situation; or</p> <p>(ii) in the case of external reporting, there is a risk of retaliation or there is a low prospect of the breach being effectively addressed, due to the particular circumstances of the case, such as those where evidence may be concealed or destroyed or where an authority may be in collusion with the perpetrator of the breach or involved in the breach.</p>
	<p>(2) The provisions of this section shall not apply to cases where a person directly discloses information to the Press, in accordance with national provisions establishing a system of protection relating to freedom of expression and information:</p> <p>Provided that, this person shall be subject to the legislative provisions regarding the existence of civil liability.</p>
	<p>CHAPTER V</p> <p>PROTECTION MEASURES</p>
Prohibition of retaliation and protection measures.	<p>37. The provisions of Chapter VI of Part II shall apply proportionately to the cases of this Chapter and the persons falling within the personal scope provided for in section 32 shall enjoy the same protection measures as listed in Chapter VI of Part II.</p>
Measures of clemency in case of co-operation with prosecuting authorities	<p>38. Notwithstanding the penalties provided for in the provisions of any Law in relation to offences of corruption-</p> <p>(a) the maximum penalty which may be imposed by the court to a person who is convicted, following his own admission, for the commission or participation in an offence of corruption which concerns bribery of a public officer or official, shall be half of the maximum penalty</p>

	<p>provided for in the relevant law for the offence of corruption, if as a result of his substantial cooperation with the prosecuting authorities, the criminal prosecution against the public officer or the official has commenced.</p> <p>(b) the maximum penalty which may be imposed by the court to a public officer or official who is convicted, following his own admission, for the commission of or participation in an offence of corruption, shall be half of the maximum of the penalty provided for in the relevant law for the offence of corruption, if as a result of his substantial cooperation with the prosecuting authorities the criminal prosecution has commenced against other public officers or officials who are his/her superiors, in respect of their participation in the offence, and if he transfers all of the property benefit received by him to the public.</p>
	<p>PART IV</p> <p>CRIMINAL OFFENCES</p>
Criminal liability of a natural person.	<p>39.-(1) A natural person who-</p> <p>(a) hinders or attempts to hinder reporting; or</p> <p>(b) retaliates against a person as provided for in sections 5 or 32; or</p> <p>(c) brings vexatious proceedings against a person as provided for in sections 5 or 32; or</p> <p>(d) breaches the duty of maintaining the confidentiality of the identity of the reporting person, as referred to in section 17.</p> <p>shall be guilty of a criminal offence and, in case of his/her conviction, shall be liable to imprisonment not exceeding three (3) years or to a fine not exceeding thirty thousand euro (€30.000) or to both such penalties.</p>

	(2) A person who knowingly reports or publicly discloses false information shall be guilty of a criminal offence and, in case of his/her conviction, shall be liable to imprisonment not exceeding three (3) years or to a fine not exceeding thirty thousand euro (€30.000) or to both such penalties.
Criminal liability of a legal entity.	40. -(1) A legal entity shall have the same liability and may be prosecuted for any offence provided for in this Law which is committed on behalf of the said legal entity by any person who acts either individually or as a member of a body of this legal entity and/or exercises managerial power within this legal entity, which is based either on a power of representation or on a decision-making power for account of the legal entity or on a power to exercise control within the legal entity.
	(2) Without prejudice to the provisions of subsection (1), a legal entity shall have the same liability and may be prosecuted in case where the lack of supervision or control on behalf of the person referred to in subsection (1) has made possible the commission of any offence as provided for in this Law for the benefit of that legal entity, by a person under his authority.
	(3) Where a legal entity shall be found guilty pursuant to subsections (1) and (2), it shall be liable to a fine not exceeding thirty thousand euro (€30.000).
	PART V FINAL PROVISIONS
Orders and Regulations.	41. -(1) The Council of Ministers may make Regulations, for regulating any issue resulting from the provisions of this Law which requires further regulation or is capable of being further regulated.
	(2) Without prejudice to the generality of the provisions of subsection (1), the said Regulations may provide for all or some of the following matters:

	<p>(a) The operation of internal and external reporting channels and the procedures for acknowledgment of receipt of the report, of the handling and the follow-up measures.</p> <p>(b) the feedback to the reporting persons for the procedures of reporting and/or public disclosure and their rights and obligations, in case of manifestation of any retaliation or reasonable suspicion for manifestation of any retaliation.</p>
	<p>(3) The Council of Ministers, upon proposal by the Minister of Justice and Public Order may, by an order, designate additional competent authorities for the purposes of this Law.</p>
<p>Transitional provision.</p>	<p>42. A Legal entity in the private sector with fifty (50) to two hundred and forty-nine (249) workers shall establish the channels and procedures for internal reporting, as provided for in section 8, by December 17, 2023.</p>

ANNEX [Sections 4(1), 4(2) and 8(2)] Part I	
	A. Point (i) of paragraph (a) of subsection (1) of section 4 – Public procurement.
	1. Rules of Procedure for public procurement and the award of concessions, for the award of contracts in the fields of defense and security, and for the award of contracts by entities operating in the fields of water, energy, transport and postal services and any other contract as set out in:
Official Journal of the EU: L94, 28.3.2014, p. 1.	(a) Directive 2014/23/EU of the European Parliament and of the Council of 26 February 2014 on the award of concession contracts
Official Journal of the EU: L94, 28.3.2014, p. 65.	(b) Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC,
Official Journal of the EU: L94, 28.3.2014, p. 243.	(c) Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC,
Official Journal of the EU: L216, 20.8.2009, p. 76.	(d) Directive 2009/81/EC of the European Parliament and of the Council of 13 July 2009 on the coordination of procedures for the award of certain works contracts, supply contracts and service contracts by contracting authorities or entities in the fields of defence and security, and amending Directives 2004/17/EC and 2004/18/EC. 2. Review procedures regulated by -
Official Journal of the EU: L76, 23.3.1992, p. 14.	(a) Council Directive 92/13/EEC of 25 February 1992 coordinating the laws, regulations and administrative provisions relating to the application of Community rules on the procurement procedures of entities operating in the water, energy, transport and telecommunications sectors,
Official journal of the EU: L395, 30.12.1989,	(b) Council Directive 89/665/EEC of 21 December 1989 on the coordination of the laws, regulations and administrative provisions relating

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	B. Point (ii) of paragraph (a) of subsection (1) of section 4 – Financial services, products and markets and prevention of money laundering and terrorist financing:
Official Journal of the EU: L176, 27.6.2013, p. 338.	Rules establishing a regulatory and supervisory framework and consumer and investor protection in the Union's financial services and capital markets, banking, credit, investment, insurance and re –insurance, occupational or personal pensions products, securities, investments funds, payment services and the activities listed in Annex I to Directive 2013/36/EU of the European Parliament and of the Council of 26 June 2013 on access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms, amending Directive 2002/87/EC and repealing Directives 2006/48/EC and 2006/49/EC (OJ L 176, 27.6.2013, p. 338), as set out in the following acts:
Official Journal of the EU: L267, 10.10.2009, p. 7.	(a) Directive 2009/110/EC of the European Parliament and of the Council of 16 September 2009 on the taking up, pursuit and prudential supervision of the business of electronic money institutions amending Directives 2005/60/EC and 2006/48/EC and repealing Directive 2000/46/EC (OJ L 267, 10.10.2009, p. 7),
Official Journal of the EU: L174, 1.7.2011, p. 1.	(b) Directive 2011/61/EU of the European Parliament and of the Council of 8 June 2011 on Alternative Investment fund managers and amending Directives 2003/41/EC and 2009/65/EC and Regulations (EC) No 1060/2009 and (EU) No 1095/2010,
Official Journal of the EU: L186, 24.3.2012, p. 1.	(c) Regulation (EU) No 236/2012 of the European Parliament and of the Council of 14 March 2012 on short selling and certain aspects of credit default swaps,
Official Journal of the EU: L115, 25.4.2013, p. 1.	(d) Regulation (EU) No 345/2013 of the European Parliament and of the Council of 17 April 2013 on European venture capital funds,
Official Journal of the EU: L115, 25.4.2013,	(e) Regulation (EU) No 346/2013 of the European Parliament and of the Council of 17 April 2013 on European social entrepreneurship fund,

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Official Journal of the EU: L60, 28.2.2014, p. 34.	(f) Directive 2014/17/EU of the European Parliament and of the Council of 4 February 2014 on credit agreements for consumers relating to residential immovable property and amending Directives 2008/48/EC and 2013/36/EU and Regulation (EU) No 1093/2010,
Official Journal of the EU: L158, 27.5.2014, p. 77.	(g) Regulation (EU) No 537/2014 of the European Parliament and of the Council of 16 April 2014 on specific requirements regarding statutory audit of public-interest entities and repealing Commission Decision 2005/909/EC
Official Journal of the EU: L173, 12.6.2014, p. 84.	(h) Regulation (EU) No 600/2014 of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Regulation (EU) No 648/2012,
Official Journal of the EU: L337, 23.12.2015, p. 35.	(i) Directive (EU) 2015/2366 of the European Parliament and of the Council of 25 November 2015 on payment services in the internal market, amending Directives 2002/65/EC, 2009/110/EC and 2013/36/EU and Regulation (EU) No 1093/2010 and repealing Directive 2007/64/EC,
Official Journal of the EU: L142, 30.04.2004, p. 12.	(j) Directive 2004/25/EC of the European Parliament and of the Council of 21 April 2004 on takeover bids,
Official Journal of the EU: L184, 14.7.2007, p. 17.	(k) Directive 2007/36/EC of the European Parliament and of the Council of 11 July 2007 on the exercise of certain rights of shareholders in listed companies,
Official Journal of the EU: L390, 31.12.2004, p. 38.	(l) Directive 2004/109/EC of the European Parliament and of the Council of 15 December 2004 on the harmonisation of transparency requirements in relation to information about issuers whose securities are admitted to trading on a regulated market and amending Directive 2001/34/EC,
Official Journal of the EU: L201, 27.7.2012, p. 1.	(m) Regulation (EU) No 648/2012 of the European Parliament and of the Council of 4 July 2012 on OTC derivatives, central counter-parties and trade repositories,
Official Journal of the EU: L171, 29.6.2016, p. 1.	(n) Regulation (EU) 2016/1011 of the European Parliament and of the Council of 8 June 2016 on indices used as benchmarks in financial instruments and financial contracts or to measure the performance of

	investment funds and amending Directives 2008/48/EC and 2014/17/EU and Regulation (EU) No 596/2014,
Official Journal of the EU: L335, 17.12.2009, p. 1.	(o) Directive 2009/138/EC of the European Parliament and of the Council of 25 November 2009 on the taking-up and pursuit of the business of insurance and reinsurance (Solvency II),
Official Journal of the EU: L173, 12.6.2014, p. 190.	(p) Directive 2014/59/EU of the European Parliament and of the Council of 15 May 2014 establishing a framework for the recovery and resolution of credit institutions and investment firms and amending Council Directive 82/891/EEC and Directives 2001/24/EC, 2002/47/EC, 2004/25/EC, 2005/56/EC, 2007/36/EC, 2011/35/EU, 2012/30/EU and 2013/36/EU, and Regulations (EU) No 1093/2010 and (EU) No 648/2012, of the European Parliament and of the Council,
Official Journal of the EU: L35, 11.2.2003, p. 1.	(q) Directive 2002/87/EC of the European Parliament and of the Council of 16 December 2002 on the supplementary supervision of credit institutions, insurance undertakings and investment firms in a financial conglomerate and amending Council Directives 73/239/EEC, 79/267/EEC, 92/49/EEC, 92/96/EEC, 93/6/EEC and 93/22/EEC, and Directives 98/78/EC and 2000/12/EC of the European Parliament and of the Council,
Official Journal of the EU: L173, 12.6.2014, p. 149.	(r) Directive 2014/49/EU of the European Parliament and of the Council of 16 April 2014 on deposit guarantee schemes,
Official Journal of the EU: L84, 26.3.1997, p. 22.	(s) Directive 97/9/EC of the European Parliament and of the Council of 3 March 1997 on investor compensation schemes,
Official Journal of the EU: L176, 27.6.2013, p. 1.	(t) Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and investment firms and amending Regulation (EU) No 648/2012,
Official Journal of the EU: L347, 20.10.2020, p. 1.	(u) Regulation (EU) 2020/1503 of the European Parliament and of the Council, of 7 October 2020, on European crowdfunding service providers for business, and amending Regulation (EU) No 2017/1129 and Directive (EU) 2019/1937.

	C. Point (iii) of paragraph (a) of subsection (1) of section 4 – Product safety and compliance:
	1. Safety and compliance requirements for products placed in the Union market, as defined and regulated by:
Official Journal of the EU: L11, 15.1.2002, p. 4.	(a) Directive 2001/95/EC of the European Parliament and of the Council, of 3 December 2001 on general product safety,
Official Journal of the EU: L169, 25.6.2019, p. 1.	(b) union harmonization legislation concerning manufactured products, including labelling requirements other than food, feed, medicinal products for human and veterinary use, living plants and animals, products of human origin and products of plants and animals relating directly to their future reproduction as listed in Annexes I and II to the act of the European Union titled “Regulation (EU) 2019/1020 of the European Parliament and of the Council of 20 June 2019 on market surveillance and compliance of products and amending Directive 2004/42/EC and Regulations (EC) No 765/2008 and (EU) No 305/2011”,
Official Journal of the EU: L263, 9.10.2007, p. 1.	(c) Directive 2007/46/EC of the European Parliament and of the Council of 5 September 2007 establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles (Framework Directive)
	2. Rules on marketing and use of sensitive and dangerous products, as set out in the following acts:
Official Journal of the EU: L146, 10.6.2009, p. 1.	(a) Directive 2009/43/EC of the European Parliament and of the Council, of 6 May 2009, simplifying terms and conditions of transfers of defense-related products within the Community,
Official Journal of the EU: L256, 13.9.1991, p. 51.	(b) Council Directive 91/477/EEC of 18 June 1991 on control of the acquisition and possession of weapons,
Official Journal of the EU: L39, 9.2.2013, p. 1.	(c) Regulation (EU) No 98/2013 of the European Parliament and of the Council of 15 January 2013 on the marketing and use of explosives precursors.
	D. Point (iv) of paragraph (a) of subsection (1) of section 4 – Transport safety:

Official Journal of the EU: L138, 26.05.2016, p. 102.	1. Safety requirements in the railway sector, as regulated by “Directive (EU) 2016/798 of the European Parliament and of the Council of 11 May 2016 on railway safety (reformulation)”.
Official Journal of the EU: L295, 12.11.2010, p. 35.	2. Safety requirements in the civil aviation sector, as regulated by the act of the European Union titled “Regulation (EU) No 996/2010 of the European Parliament and of the Council of 20 October 2010 on the investigation and prevention of accidents and incidents in civil aviation and repealing Directive 94/56/EC”.
	3. Safety requirements in the road sector, as regulated by the following acts:
Official Journal of the EU: L319, 29.11.2008, p. 59.	(a) Directive 2008/96/EC of the European Parliament and of the Council of 19 November 2008 on road infrastructure safety management,
Official Journal of the EU: L167, 30.4.2004, p. 39.	(b) Directive 2004/54/EC of the European Parliament and of the Council of 29 April 2004 on minimum safety requirements for tunnels in the Trans-European Road network,
Official Journal of the EU: L300, 14.11.2009, p. 51.	(c) Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009 establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator and repealing Council Directive 96/26/EC.
	4. Safety requirements in the maritime sector, as regulated by the following acts:
Official Journal of the EU: L131, 28.05.2009, p. 11.	(a) Regulation (EC) No 391/2009 of the European Parliament and of the Council of 23 April 2009 on common rules and standards for ship inspection and survey organizations,
Official Journal of the EU: L131, 28.05.2009, p. 24.	(b) Regulation (EC) No 392/2009 of the European Parliament and of the Council of 23 April 2009 on the liability of carriers of passengers by sea in the event of accidents,
Official Journal of the EU: L257, 28.08.2014, p. 146.	(c) Directive 2014/90/EU of the European Parliament and of the Council of 23 July 2014 on maritime equipment and repealing Council Directive 96/98/EC,

Official Journal of the EU: L131, 28.05.2009, p. 114.	(d) Directive 2009/18/EC of the European Parliament and of the Council of 23 April 2009 establishing the fundamental principles governing the investigation of accidents in the maritime transport sector and amending Council Directive 1999/35/EC and Directive 2002/59/EC,
Official Journal of the EU: L323, 3.12.2008, p. 33.	(e) Directive 2008/106/EC of the European Parliament and of the Council of 19 November 2008 on the minimum level of training of seafarers,
Official Journal of the EU: L188, 2.7.1998, p. 35.	(f) Council Directive 98/41/EC of 18 June 1998 on the registration of persons sailing on board passenger ships operating to or from ports of the member states of the Community
Official Journal of the EU: L13, 16.1.2002, p. 9.	(g) Directive 2001/96/EC of the European Parliament and of the Council of 4 December 2001 establishing harmonized requirements and procedures for the safe loading and unloading of bulk carriers.
Official Journal of the EU: L260, 30.9.2008, p. 13.	5. Safety requirements, as regulated by the act of the European Union titled "Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008 on the inland transport of dangerous goods".
	E. Point (v) of paragraph (a) of subsection (1) of section 4b– protection of the environment:
Official Journal of the EU: L328, 6.12.2008, p. 28.	1. Any criminal offence against the protection of the environment as regulated by [the Official Journal in the act of the European Union titled "Directive 2008/99/EC of the European Parliament and of the Council of 19 November 2008 on the protection of the environment through criminal law or any unlawful conduct infringing the legislation set out in the annexes to the said Directive.
	2. Rules on the environment and climate, as set out in the following acts:
Official Journal of the EU: L275, 25.10.2003, p. 32.	(a) Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC,
Official Journal of the EU: L140, 5.6.2009, p. 16.	(b) Directive 2009/28/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of the use of energy from renewable sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC,

Official Journal of the EU: L315, 14.11.2012, p. 1.	(c) Directive 2012/27/EU of the European Parliament and of the Council of 25 October 2012 on energy efficiency, amending Directives 2009/125/EC and 2010/30/EU and repealing Directives 2004/8/EC and 2006/32/EC,
Official Journal of the EU: L165, 18.6.2013, p. 13.	(d) Regulation (EU) No 525/2013 of the European Parliament and of the Council of 21 May 2013 on a mechanism for monitoring and reporting greenhouse gas emissions and for reporting other information at national and union level relevant to climate change and repealing Decision No 280/2004/EC,
Official Journal of the EU: L328, 21.12.2018, p. 82.	(e) Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources.
	3. Rules on sustainable development and waste management, as set out in the following acts:
Official Journal of the EU: L312, 21.11.2008, p. 3.	(a) Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives,
Official Journal of the EU: L330, 10.12.2013, p. 1.	(b) Regulation (EU) No 1257/2013 of the European Parliament and of the Council of 20 November 2013 on ship recycling and amending Regulation (EC) No 1013/2006 and Directive 2009/16/EC,
Official Journal of the EU: L201, 27.7.2012, p. 60.	(c) Regulation (EU) No 649/2012 of the European Parliament and of the Council of 4 July 2012 concerning the export and import of hazardous chemicals.
	4. Rules on marine, air and noise pollution as set out in the following acts:
Official Journal of the EU: L12, 18.1.2000, p. 16.	(a) Directive 1999/94/EC of the European Parliament and of the Council of 13 December 1999 relating to the availability of consumer information on fuel economy and CO ₂ emissions in respect of the marketing of new passenger cars,
Official Journal of the EU: L309, 27.11.2001, p. 22.	(b) Directive 2001/81/EC of the European Parliament and of the Council of 23 October 2001 on national emission ceilings for certain atmospheric pollutants,
Official Journal of the EU: L189, 18.7.2002, p. 12.	(c) Directive 2002/49/EC of the European Parliament and of the Council of 25 June 2002 relating to the assessment and management of environmental noise,

Official Journal of the EU: L115, 9.2.2003, p. 1.	(d) Regulation (EC) No 782/2003 of the European Parliament and of the Council of 14 April 2003 on the prohibition of organotin compounds on ships,
Official Journal of the EU: L143, 30.4.2004, p. 56.	(e) Directive 2004/35/EC of the European Parliament and of the Council of 21 April 2004 on environmental liability with regard to the prevention and remedying of environmental damage,
Official Journal of the EU: L255, 30.9.2005, p. 11.	(f) Directive 2005/35/EC of the European Parliament and of the Council of 7 September 2005 on ship-source pollution and on the introduction of penalties for infringements and amending Directive 2009/16/EC,
Official Journal of the EU: L33, 4.2.2006, p. 1.	(g) Regulation (EC) No 166/2006 of the European Parliament and of the Council of 18 January 2006 concerning the establishment of a European pollutant release and transfer register and amending Council Directives 91/689/EEC and 96/61/EC,
Official Journal of the EU: L94, 28.3.2014, p. 1.	(h) Directive 2009/33/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of clean and energy-efficient road transport vehicles
Official Journal of the EU: L140, 5.6.2009, p. 1.	(i) Regulation (EC) No 443/2009 of the European Parliament and of the Council of 23 April 2009 setting emission performance standards for new passenger cars as part of the Community' s integrated approach to reduce CO ₂ emissions from light-duty vehicles,
Official Journal of the EU: L286, 31.10.2009, p. 1.	(j) Regulation (EC) No 1005/2009 of the European Parliament and of the Council of 16 September 2009 on substances that deplete the ozone layer,
Official Journal of the EU: L285, 31.10.2009, p. 36.	(k) Directive 2009/126/EC of the European Parliament and of the Council of 21 October 2009 on Stage II petrol vapour recovery during refueling of motor vehicles at service stations (OJ L 285 of 31.10.2009, p. 36),
Official Journal of the EU: L145, 31.5.2011, p. 1.	(l) Regulation (EU) No 510/2011 of the European Parliament and of the Council of 11 May 2011 setting emission performance standards for new light commercial vehicles as part of the Union' s integrated approach to reduce CO ₂ emissions from light-duty vehicles,
Official Journal of the EU: L307, 28.10.2014, p. 1.	(m) Directive 2014/94/EU of the European Parliament and of the Council of 22 October 2014 on the deployment of alternative fuels infrastructure,

Official Journal of the EU: L123, 19.5.2015, p. 55.	(n) Regulation (EU) 2015/757 of the European Parliament and of the Council of 29 April 2015 on the monitoring, reporting and verification of carbon dioxide emissions from maritime transport
Official Journal of the EU: L313, 28.11.2015, p. 1.	(o) Directive (EU) 2015/2193 of the European Parliament and of the Council of 25 November 2015 on the limitation of emissions of certain pollutants into the air from medium combustion plants.
	5. Rules on the protection and management of water and soil, as set out in the following acts:
Official Journal of the EU: L288, 6.11.2007, p. 27.	(a) Directive 2007/60/EC of the European Parliament and of the Council of 23 October 2007 on the assessment and management of flood risks,
Official Journal of the EU: L348, 24.12.2008, p. 84.	(b) Directive 2008/105/EC of the European Parliament and of the Council of 16 December 2008 on environmental quality standards in the field of water policy, amending and subsequently repealing Council Directives 82/176/EEC, 83/513/EEC, 84/156/EEC, 84/491/EEC and 86/280/EEC and amending Directive 2000/60/EC of the European Parliament and of the Council,
Official Journal of the EU: L26, 28.1.2012, p. 1.	(c) Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment.
	6. Rules relating to the protection of nature and biodiversity, as set out in the following acts:
Official Journal of the EU: L263, 3.10.2001, p. 1.	(a) Council Regulation (EC) No 1936/2001 of 27 September 2001 laying down control measures applicable to fishing for certain stocks of highly migratory fish,
Official Journal of the EU: L150, 30.4.2004, p. 12.	(b) Council Regulation (EC) No 812/2004 of 26 April 2004 laying down measures concerning bycatches of cetaceans in fisheries and amending Regulation (EC) No 88/98,
Official Journal of the EU: L286, 31.10.2009, p. 36.	(c) Regulation (EC) No 1007/2009 of the European Parliament and of the Council of 16 September 2009 on trade in seal products,

Official Journal of the EU: L201, 30.7.2008, p. 8.	(d) Council Regulation (EC) No 734/2008 of 15 July 2008 on the protection of vulnerable marine ecosystems in the high seas from the adverse impacts of bottom fishing gears,
Official Journal of the EU: L20, 26.1.2010, p. 7.	(e) Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds,
Official Journal of the EU: L295, 12.11.2010, p. 23.	(f) Regulation (EU) No 995/2010 of the European Parliament and of the Council of 20 October 2010 laying down the obligations of operators who place timber and timber products on the market,
Official Journal of the EU: L317, 4.11.2014, p. 35.	(g) Regulation (EU) No 1143/2014 of the European Parliament and of the Council of 22 October 2014 on the prevention and management of the introduction and spread of invasive alien species.
Official Journal of the EU: L396, 30.12.2006, p. 1.	7. Rules on chemicals, as set out in the act of the European Union titled "Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the registration, evaluation, authorization and restriction of chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC".
Official Journal of the EU: 150, 14.6.2018, p. 1.	8. Rules relating to organic products, as set out in the act of the European Union titled "Regulation (EU) 2018/848 of the European Parliament and of the Council of 30 May 2018 on organic production and labeling of organic products and repealing Council Regulation (EC) No 834/2007".
	F. Point (vi) of paragraph (a) of subsection (1) of section 4 – radiation protection and nuclear safety Rules on nuclear safety, as set out in the following acts:
Official Journal of the EU: L172, 2.7.2009, p. 18.	(a) Council Directive 2009/71/Euratom of 25 June 2009 establishing a Community framework for the nuclear safety of nuclear installations,

Official Journal of the EU: L296, 7.11.2013, p. 12.	(b) Council Directive 2013/51/Euratom of 5 December 2013 laying down requirements for the protection of the health of the general public with regard to radioactive substances in water intended for human consumption,
Official Journal of the EU: L13, 17.1.2014, p. 1.	(c) Council Directive 2013/59/Euratom of 5 December 2013 laying down basic safety standards for protection against the dangers arising from exposure to ionizing radiation, and repealing Directives 89/618/Euratom, 90/641/Euratom, 96/29/Euratom, 97/43/Euratom and 2003/122/Euratom,
Official Journal of the EU: L199, 2.8.2011, p. 48.	(d) Council Directive 2011/70/Euratom of 19 July 2011 establishing a Community framework for the responsible and safe management of spent fuel and radioactive waste,
Official Journal of the EU: L337, 5.12.2006, p. 21.	(e) Council Directive 2006/117/Euratom of 20 November 2006 on the supervision and control of shipments of radioactive waste and spent fuel,
Official Journal of the EU: L13, 20.1.2016, p. 2.	(f) Council Regulation (Euratom) 2016/52 of 15 January 2016 laying down maximum permitted levels of radioactive contamination of food and feed following a nuclear accident or any other case of radiological emergency, and repealing Regulation (Euratom) No 3954/87 and Commission Regulations (Euratom) No 944/89 and (Euratom) No 770/90,
Official Journal of the EU: L148, 19.6.1993, p. 1.	(g) Council Regulation (Euratom) No 1493/93 of 8 June 1993 on shipments of radioactive substances between member states.
	G. Point (vii) of paragraph (a) of subsection (1) of section 4 – food and feed safety, animal health and animal welfare:
Official Journal of the EU: L31, 1.2.2002, p. 1.	1. Union food and feed law governed by the general principles and requirements as defined in the act of the European Union titled “Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety.
	2. Animal health, as regulated by the following acts:
Official Journal of the EU: L84, 31.3.2016, p. 1.	(a) Regulation (EU) 2016/429 of the European Parliament and of the Council of 9 March 2016 on transmissible animal diseases and amending

	and repealing certain acts in the area of animal health (“animal health law”),
Official Journal of the EU: L300, 14.11.2009, p. 1.	(b) Regulation (EC) No 1069/2009 of the European Parliament and of the Council of 21 October 2009 laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002 (animal by-products regulation).
Official Journal of the EU: L95, 7.4.2017, p. 1.	3. Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation)
	4. Rules and standards on the protection and well-being of animals, as set out in the following acts:
Official Journal of the EU: L221, 8.8.1998 p. 23.	(a) Council Directive 98/58/EC of 20 July 1998 concerning the protection of animals kept for farming purposes,
Official Journal of the EU: L3, 5.1.2005, p. 1.	(b) Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97,
Official Journal of the EU: L303, 18.11.2009, p. 1.	(c) Council Regulation (EC) No 1099/2009 of 24 September 2009 on the protection of animals at the time of killing,

Official journal of the EU: L94, 9.4.1999, p. 24.	(d) Council Directive 1999/22/EC of 29 March 1999 relating to the keeping of wild animals in zoos,
Official Journal of the EU: L276, 20.10.2010, p. 33.	(e) Directive 2010/63/EU of the European Parliament and of the Council of 22 September 2010 on the protection of animals used for scientific purposes.
	H. Point (viii) of paragraph (a) of subsection (1) of section 4 – public health:
	1. Measures setting high standards of quality and safety of organs and substances of human origin, as regulated by the following acts:
Official Journal of the EU: L33, 8.2.2003, p. 30.	(a) Directive 2002/98/EC of the European Parliament and of the Council of 27 January 2003 setting standards of quality and safety for the collection, testing, processing, storage and distribution of human blood and blood components and amending Directive 2001/83/EC,
Official Journal of the EU: L102, 7.4.2004, p. 48.	(b) Directive 2004/23/EC of the European Parliament and of the Council of 31 March 2004 on setting standards of quality and safety for the donation, procurement, testing, processing, preservation, storage and distribution of human tissues and cells,
Official Journal of the EU: L207, 6.8.2010, p. 14.	(c) Directive 2010/53/EU of the European Parliament and of the Council of 7 July 2010 on standards of quality and safety of human organs intended for transplantation.
	2. Measures setting high standards of quality and safety for medicinal products and devices of medical use, as regulated by the following acts:
Official Journal of the EU: L18, 22.1.2000, p. 1.	(a) Regulation (EC) No 141/2000 of the European Parliament and of the Council of 16 December 1999 on orphan medicinal products,
Official Journal of the EU: L311, 28.11.2001, p. 67.	(b) Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to medicinal products for human use,
Official Journal of the EU: L4, 4.01.2019 p. 43.	(c) Regulation (EU) 2019/6 of the European Parliament and of the Council of 11 December 2018 on veterinary medicinal products and repealing Directive 2001/82/EC,

Official Journal of the EU: L136, 30.4.2004, p. 1.	(d) Regulation (EC) No 726/2004 of the European Parliament and of the Council of 31 March 2004 laying down Community procedures for the authorization and supervision of medicinal products for human and veterinary use and establishing a European Medicines Agency,
Official Journal of the EU: L378, 27.12.2006, p. 1.	(e) Regulation (EC) No 1901/2006 of the European Parliament and of the Council of 12 December 2006 on medicinal products for paediatric use and amending Regulation (EEC) No 1768/92, Directive 2001/20/EC, Directive 2001/83/EC and Regulation (EC) No 726/2004,
Official Journal of the EU: L324, 10.12.2007, p. 121.	(f) Regulation (EC) No 1394/2007 of the European Parliament and of the Council of 13 November 2007 on advanced therapy medicinal products and amending Directive 2001/83/EC and Regulation (EC) No 726/2004,
Official Journal of the EU: L158, 27.5.2014, p. 1.	(g) Regulation (EU) No 536/2014 of the European Parliament and of the Council of 16 April 2014 on clinical trials on medicinal products for human use and repealing Directive 2001/20/EC.
Official Journal of the EU: L88, 4.4.2011, p. 45.	3. Patients' rights, as regulated by the act of the European Union titled "Directive 2011/24/EU of the European Parliament and of the Council of 9 March 2011 on the application of patients' rights in cross-border healthcare".
Official Journal of the EU: L127, 29.4.2014, p. 1.	4. Manufacture, presentation and sale of tobacco and related products, as regulated by the act of the European Union titled "Directive 2014/40/EU of the European Parliament and of the Council of 3 April 2014 on the approximation of the laws, regulations and administrative provisions of the member states concerning the manufacture, presentation and sale of tobacco and related products and repealing Directive 2001/37/EC".
	I. Point (ix) of paragraph (a) of subsection (1) of section 4 – consumer protection:
	Consumer rights and consumer protection, as regulated by the following acts:
Official Journal of the EU: L80, 18.3.1998, p. 27.	(a) Directive 98/6/EC of the European Parliament and of the Council of 16 February 1998 on consumer protection in the indication of the prices of products offered to consumers,

Official Journal of the EU: L136, 22.5.2019, p. 1.	(b) Directive (EU) 2019/770 of the European Parliament and of the Council of 20 May 2019 on certain aspects concerning contracts for the supply of digital content and digital services,
Official Journal of the EU: L136, 22.5.2019, p. 28.	(c) Directive (EU) 2019/771 of the European Parliament and of the Council of 20 May 2019 on certain aspects concerning contracts for the sale of goods, amending Regulation (EU) 2017/2394 and Directive 2009/22/EC, and repealing Directive 1999/44/EC,
Official Journal of the EU: L171, 7.7.1999, p. 12.	(d) Directive 1999/44/EC of the European Parliament and of the Council of 25 May 1999 on certain aspects of the sale of consumer goods and associated guarantees,
Official Journal of the EU: L271, 9.10.2002, p. 16.	(e) Directive 2002/65/EC of the European Parliament and of the Council of 23 September 2002 concerning the distance marketing of consumer financial services and amending Council Directive 90/619/EEC and Directives 97/7/EC and 98/27/EC,
Official Journal of the EU: L149, 11.6.2005, p. 22.	(f) Directive 2005/29/EC of the European Parliament and of the Council of 11 May 2005 concerning unfair business-to-consumer commercial practices in the internal market and amending Council Directive 84/450/EEC, Directives 97/7/EC, 98/27/EC and 2002/65/EC of the European Parliament and of the Council and Regulation (EC) No 2006/2004 of the European Parliament and of the Council (“Unfair Commercial Practices Directive”)
Official Journal of the EU: L133, 22.5.2008, p. 66.	(g) Directive 2008/48/EC of the European Parliament and of the Council of 23 April 2008 on credit agreements for consumers and repealing Council Directive 87/102/EEC,
Official Journal of the EU: L304, 22.11.2011, p. 64.	(h) Directive 2011/83/EU of the European Parliament and of the Council of 25 October 2011 on consumer rights, amending Council Directive 93/13/EEC and Directive 1999/44/EC of the European Parliament and of the Council and repealing Council Directive 85/577/EEC and Directive 97/7/EC of the European Parliament and of the Council,
Official Journal of the EU: L257, 28.8.2014, p. 214.	(i) Directive 2014/92/EU of the European Parliament and of the Council of 23 July 2014 on the comparability of fees related to payment accounts,

	payment account switching and access to payment accounts with basic features.
	J. Point (x) της of paragraph (a) of subsection (1) of section 4 – protection of privacy and personal data, and security of network and information systems:
Official Journal of the EU: L201, 21.7.2002, p. 37.	(a) Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector (Directive on privacy and electronic communications),
Official Journal of the EU: L119, 4.5.2016, p. 1.	(b) Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (general data protection regulation),
Official Journal of the EU: L194, 19.7.2016, p. 1.	(c) Directive (EU) 2016/1148 of the European Parliament and of the Council of 6 July 2016 concerning measures for a high common level of security of network and information systems across the Union.
	Part II
	Subsection (2) of section 4 refers to the following Union legislation
	A. Point (ii) of paragraph (a) of subsection (1) of section 4 – financial services, products and markets, and prevention of money laundering and terrorist financing:
	1. Financial services:
Official Journal of the EU: L302, 17.11.2009, p. 32.	(a) Directive 2009/65/EC of the European Parliament and of the Council of 13 July 2009 on the coordination of laws, regulations and administrative provisions relating to undertakings for collective investment in transferable securities (UCITS),
Official Journal of the EU: L354, 23.12.2016, p. 37.	(b) Directive (EU) 2016/2341 of the European Parliament and of the Council of 14 December 2016 on the activities and supervision of institutions for occupational retirement provision (IORPs),
Official Journal of the EU: L157, 9.6.2006, p. 87.	(c) Directive 2006/43/EC of the European Parliament and of the Council of 17 May 2006 on statutory audits of annual accounts and consolidated

	accounts, amending Council Directives 78/660/EEC and 83/349/EEC and repealing Council Directive 84/253/EEC,
Official Journal of the EU: L173, 12.6.2014, p. 1.	(d) Regulation (EU) No 596/2014 of the European Parliament and of the Council of 16 April 2014 on market abuse (market abuse regulation) and repealing Directive 2003/6/EC of the European Parliament and of the Council and Commission Directives 2003/124/EC, 2003/125/EC and 2004/72/EC,
Official Journal of the EU: L176, 27.6.2013, p. 338.	(e) Directive 2013/36/EU of the European Parliament and of the Council of 26 June 2013 on access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms, amending Directive 2002/87/EC and repealing Directives 2006/48/EC and 2006/49/EC,
Official Journal of the EU: L172, 12.6.2014, p. 349.	(f) Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Directive 2002/92/EC and Directive 2011/61/EU, p. 349.
Official Journal of the EU: L257, 27.8.2014, p. 1.	(g) Regulation (EU) No 909/2014 of the European Parliament and of the Council of 23 July 2014 on improving securities settlement in the European Union and on central securities depositories and amending Directives 98/26/EC and 2014/65/EU and Regulation (EU) No 236/2012,
Official Journal of the EU: L352, 9.12.2014, p. 1.	(h) Regulation (EU) No 1286/2014 of the European Parliament and of the Council of 26 November 2014 on key information documents for packaged retail and insurance-based investment products (PRIIPs) (OJ L 352 of 9.12.2014, p. 1),
Official Journal of the EU: L337, 23.12.2015, p. 1.	(i) Regulation (EU) 2015/2365 of the European Parliament and of the Council of 25 November 2015 on transparency of securities financing transactions and of reuse and amending Regulation (EU) No 648/2012,
Official Journal of the EU: L26, 2.2.2016, p. 19.	(j) Directive (EU) 2016/97 of the European Parliament and of the Council of 20 January 2016 on insurance distribution,
Official Journal of the EU: L168, 30.6.2017, p. 12.	(k) Regulation (EU) 2017/1129 of the European Parliament and of the Council of 14 June 2017 on the prospectus to be published when securities

	are offered to the public or admitted to trading on a regulated market and repealing Directive 2003/71/EC.
	2. Prevention of money laundering and terrorist financing:
Official Journal of the EU: L141, 5.6.2015, p. 73.	(a) Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, amending Regulation (EU) No 648/2012 of the European Parliament and of the Council, and repealing Directive 2005/60/EC of the European Parliament and of the Council and Commission Directive 2006/70/EC,
Official Journal of the EU: L141, 5.6.2015, p. 1.	(b) Regulation (EU) 2015/847 of the European Parliament and of the Council of 20 May 2015 on information accompanying transfers of funds and repealing Regulation (EC) No 1781/2006.
	B. Point (iv) of paragraph (a) of subsection (1) of section 4 – transport safety:
Official Journal of the EU: L122, 24.4.2014, p. 18.	(a) Regulation (EU) No 376/2014 of the European Parliament and of the Council of 3 April 2014 on the reporting, analysis and follow -up of occurrences in civil aviation amending Regulation (EU) No 996/2010 of the European Parliament and of the Council and repealing Directive 2003/42/EC of the European Parliament and of the Council and Commission Regulations (EC) No 1321/2007 and (EC) No 1330/2007,
Official Journal of the EU: L329, 10.12.2013, p. 1.	(b) Directive 2013/54/EU of the European Parliament and of the Council of 20 November 2013 concerning certain flag State responsibilities for compliance with and enforcement of the Maritime Labour Convention, 2006,
Official Journal of the EU: L131, 28.5.2009, p. 57.	(c) Directive 2009/16/EC of the European Parliament and of the Council of 23 April 2009 on port State control.
	C. Point (v) of paragraph (a) of subsection (1) of section 4 – protection of the environment:
Official Journal of the EU: L178, 28.6.2013, p. 66.	Directive 2013/30/EU of the European Parliament and of the Council of 12 June 2013 on safety of offshore oil and gas operations and amending Directive 2004/35/EC.