**MALTA FINANCIAL SERVICES AUTHORITY**

REPORTING OF INFRINGEMENTS REGULATIONS (S.L. 476.04)

REPORTING OF INFRINGEMENT FORM

This form has been created in terms of Article 32 of Regulation (EU) No 596/2014 of the European Parliament and of the Council of 16 April 2014 on market abuse (‘MAR’/ the ‘Regulation’) and Reporting of Infringement Regulations, Subsidiary Legislation 476.04 which was issued under the Prevention of Financial Markets Abuse Act, Chapter 474 of the Laws of Malta.

Should you wish to report a potential or actual infringement of the Regulation, kindly fill in this form. Information on potential and actual infringements communicated to the MFSA via this form should be used only to help bring to the attention of the Authority any possible market abuse offences, which will assist the MFSA in carrying out its supervisory function in ensuring market integrity.

The Authority would only be in a position to best consider your report provided that we receive detailed and complete information.

The completed form should be sent to mar.infringement@mfsa.mt. In the email subject line, we kindly ask you to include ‘MAR Report of infringement’.

In the event that you would wish to remain anonymous whilst reporting a potential or actual infringement of the Regulation you may do so by completing the form in writing and sending it to the MFSA by post, including any supporting documentation, to the following address.

MAR Reporting of Infringement Unit

Triq L-Imdina, Zone 1,

Central Business District, Birkirkara

CBD 1010, Malta

In such a case, kindly mark the envelope as ‘Confidential’ and it shall be treated accordingly.

Upon receipt of your report, we will send you an acknowledgement of receipt with a number assigned to your report, provided that the report is not submitted anonymously and that contact details are disclosed. We kindly ask you to keep record of this reference number should further correspondence ensue with the MFSA. The MFSA may contact you if additional information or clarification is needed.

Please note that all information that is submitted to the MFSA via this report will in principle be treated as confidential, except where such disclosure is required by National Law in the context of further investigations or subsequent judicial proceedings. The MFSA is also entitled to exchange information with certain other public, local and/or foreign authorities, as may be the case pursuant to any relevant applicable laws and regulations.

The information provided by yourself shall be retained in line with the MFSAs Data Retention Policy outlined within its Privacy Notice and at a later date access to this information may be given to those parties entitled to such access, subject to the legitimate interest of other persons in the protection of their business secrets. The right of access to the information does not extend to confidential information involving third parties.

The more detailed the information provided in the form is, the better equipped the MFSA will be to consider such information and process your report effectively. However, the MFSA acknowledges that you may not wish to disclose your identity and/or the identity of the firm on behalf of which you are submitting this form, if any. In this respect, please note that section 2 of the form is optional and you are not obliged to fill in the information required therein. Kindly note that all other sections within the form are mandatory and should be completed to the extent possible.

Should you provide us with any personal data in this report, the MFSA ensures that any processing of personal data is in accordance with Regulation (EU) 2016/679 (General Data Protection Regulation), the Data Protection Act (Chapter 586 of the Laws of Malta) and any other relevant European Union and national law. For further details, you may refer to the MFSA Privacy Notice available on the MFSA webpage [www.mfsa.mt](http://www.mfsa.mt/). Accordingly, please note that the MFSA is the date controller.

1. **Would you like to submit the report anonymously?** *(Mark as appropriate)*

[ ] Yes

[ ] No

1. **If no, kindly submit the following identification details.**

|  |  |
| --- | --- |
| **Name** |  |
| **Surname** |  |
| **Postal Address** |  |
| **Telephone Number** |  |
| **Email Address** |  |
| **Occupation**  |  |

1. **Does the infringement that you wish to report concern an issuer of financial instruments admitted to listing and trading on a trading venue or a person professionally arranging or executing transactions?** *(Mark as appropriate)*

[ ] Issuer of Financial Instruments

[ ] Person Professionally Arranging or Executing Transactions

[ ] Other:

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1. **Please state the name of the entity being reported** *(If applicable)*

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1. **Information Regarding the Actual or Potential Infringement.**
	1. Please state whether this form is being submitted to report a potential or actual infringement.

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* 1. Who are the main parties involved in the actual or potential infringement?

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* 1. Place and date when the events in question occurred.

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* 1. The name and type of financial instrument concerned

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* 1. Kindly indicate (to the extent possible) the legal obligation under the Market Abuse Regulation that was infringed, or which may be infringed.

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* 1. Describe the nature of the alleged infringement.

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* 1. Kindly include any other relevant information regarding the alleged infringement.

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1. **Documents to support the report** *(mark as appropriate)*

[ ] Not Applicable.

[ ] I am enclosing documents to support this report.

[ ] I know of the existence of documents that support this report.

In the latter case, below kindly indicate how the MFSA can obtain these documents?

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1. **Prior Reporting**
2. Have you reported this matter to other authorities? (*mark as appropriate)*

[ ] Yes

[ ] No

If in the affirmative, when and to which authority did you report?

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1. Have you reported/escalated this matter internally to your organisation? *(mark as appropriate)*

[ ] Yes

[ ] No

If in the affirmative, please include the full name and current position of the person to whom this breach has been reported.

|  |  |
| --- | --- |
| **Name** |  |
| **Surname** |  |
| **Position** |  |