



CNMV PUBLIC STATEMENT ON THE TEMPORARY TRADING PROHIBITION APPLICABLE TO PERSONS DISCHARGING MANAGERIAL RESPONSIBILITIES WITHIN AN ISSUER IN RELATION TO QUATERLY FINANCIAL INFORMATION

13 October 2021

On 3 May 2021, Spanish Law 5/2021, of 12 April, entered into force, amending the Recast Text of the Spanish Corporate Enterprises Act, approved by Spanish Royal Legislative Decree 1/2010, of 2 July, and other financial regulations, with regard to fostering the long-term involvement of listed companies' shareholders.

As a result of this amendment, the CNMV announced on 20 April 2021¹ the cessation of the obligation to draw up and publish quarterly financial reports by issuers whose shares were admitted to trading on a Spanish regulated market or on another regulated market domiciled in the European Union, where Spain was their Home Member State. Likewise, without prejudice to the foregoing, the CNMV announced the possibility for issuers to continue to publish, on a voluntary basis, the quarterly financial information.

In this context, it is considered appropriate to clarify that the restriction on trading during closed periods applicable to all persons discharging managerial responsibilities within an issuer, pursuant to Article 19 of the Regulation (EU) No 596/2014 of the European Parliament and of the Council, of 16 April 2014, on market abuse ("MAR"), solely applies with regard to the publication of an interim financial report or an annual report which the issuer is obliged to make public pursuant to the rules of the trading venue where the issuer's shares are admitted to trading or national law. Therefore, the restriction does not apply to the publication of quarterly financial information that the issuers make on a voluntary basis.

However, although the obligation to publish periodic quarterly financial information will no longer exist under the regulations governing the periodic financial information to be published by the issuers, it should be noted that the quarterly financial statements could contain inside information in certain cases, according to

¹ Link to the CNMV Public Statement:

<https://www.cnmv.es/portal/verDoc.axd?t=%7b3b61a57f-c495-45a3-95a5-28d8a86ad559%7d>

the judgement made by the issuer pursuant to Article 7 of MAR. Therefore, all persons who are aware of such information, regardless of whether or not they are persons discharging managerial responsibilities, shall refrain from trading in the security in question as long as the information is not public, in accordance with the insider dealing prohibition under Article 14 of MAR.