

"New EU rules on the protection of whistleblowers"

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***TRAINING SEMINAR ON ANTI-MONEY LAUNDERING
AND COUNTERING THE FINANCING OF TERRORISM***

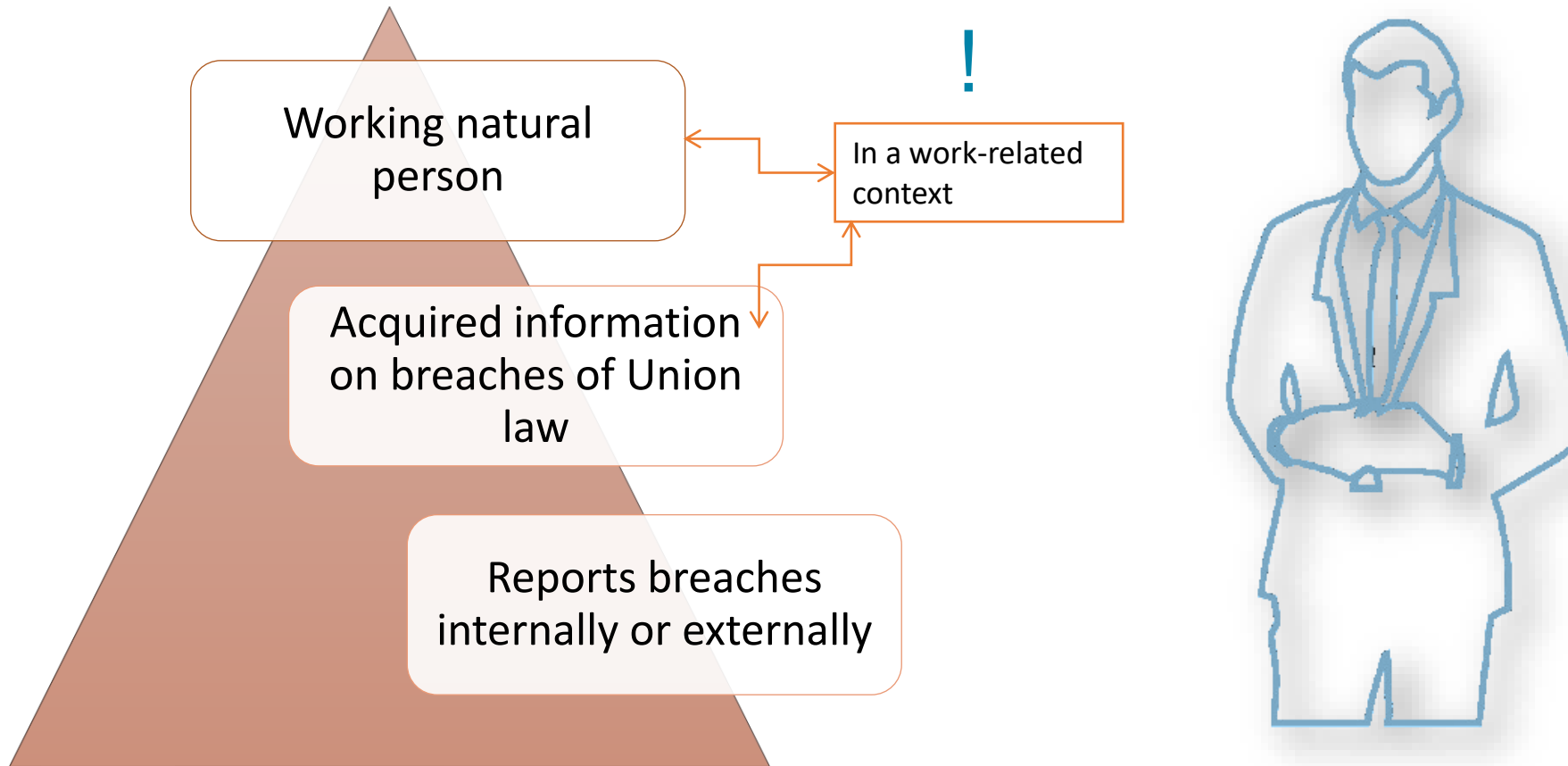
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Why whistleblowers are important?




Who actually is the whistleblower?



Working Natural person




Workers, civil servants



Contractors
Subcontractors
Suppliers



Self-employed



Work-based relationship
which has since ended or is
yet to begin



Shareholders
Members of companies'
bodies
Volunteers, trainees



Facilitators
Colleagues or relatives
Legal entities connected in a
work-related context

Reporting Channels

Internal Channel

- Legal entities in the public sector and legal entities in the private sector with more than 50 workers should establish channels and procedures for internal reporting and follow-up;
- Legal entities in the private sector falling with the scope of the Union acts in the annex to the Directive should also establish such channels and procedures;
- Operating of the reporting channels may be outsourced.

External Channel

- After having first reported through internal reporting channels; or
- Directly reporting through external reporting channels;
- Through independent and autonomous reporting channels;
- Member States will designate the competent authorities;
- Information regarding the receipt of reports and follow-up;
- Public disclosures.

Reports

Reporting is protected if:

- Whistleblowers had **reasonable grounds** to believe that the information on breaches reported was true at the **time of reporting**; and
- Fell within the **scope** of the new Directive;
- Whistleblowers reported either **internally** or **externally** with accordance with the Directive.

- Legal entities to establish channels and procedures for internal reporting and follow-up;
- Member States to establish external reporting channels;

Protection of the Whistleblower

- Suspension, lay-off, dismissal;
- Demotion or withholding of promotion;
- Transfer of duties, changes of location of place of work , change in working hours, reduction in wages;
- Withholding of training;
- Negative performance assessment or employment reference;
- Disciplinary measures, financial or other penalties;

- Coercion, intimidation, harassment;
- Discrimination, disadvantageous or unfair treatment;
- Failure to convert/to renew an employment contract; termination;
- Harm to person's reputation, financial loss;
- Blacklisting;
- Termination or cancellation of contracts, licenses or permits;
- Psychiatric or medical referrals.