

Chapter 8

Commission Implementing Regulation (EU) 2016/347

Article 2 Format for drawing up and updating the insider list

(1) Issuers and emission allowance market participants,

Issuers, UK emission allowance market participants, auction platforms and auctioneers, FCA 2021/16

or any person acting on their behalf or on their account, shall ensure that their insider list, drawn up pursuant to Article 18 of Regulation (EU) No 596/2014, is divided into separate sections relating to different inside information. New sections shall be added to the insider list upon the identification of new inside information, as defined in Article 7 of Regulation (EU) No 596/2014.

Each section of the insider list shall only include details of individuals having access to the inside information relevant to that section.

(2) The persons referred to in paragraph 1 may insert a supplementary section into their insider list with the details of individuals who have access at all times to all inside information ("permanent insiders").

The details of permanent insiders included in the supplementary section referred to in the first subparagraph shall not be included in the other sections of the insider list referred to in paragraph 1.

(3) The persons referred to in paragraph 1 shall draw up and keep the insider list up to date in an electronic format in accordance with Template 1 of Annex I.

Where the insider list contains the supplementary section referred to in paragraph 2, the persons referred to in paragraph 1 shall draw up and keep that section updated in an electronic format in accordance with Template 2 of Annex I.

(4) The electronic formats referred to in paragraph 3 shall at all times ensure:

(a) the confidentiality of the information included by ensuring that access to the insider list is restricted to clearly identified persons from within the

issuer and emission allowance market participant,

issuer, UK emission allowance market participant, auction platform and auctioneer, FCA 2021/16

or any person acting on their behalf or on their account that need that access due to the nature of their function or position;

(b) the accuracy of the information contained in the insider list;

(c) the access to and the retrieval of previous versions of the insider list.

(5) The insider list referred to in paragraph 3 shall be submitted using the electronic means specified by the Financial Conduct Authority. The Financial Conduct Authority shall publish on its website the electronic means to be used. Those electronic means shall ensure that completeness, integrity and confidentiality of the information are maintained during the transmission.