



NEW RULES ON INSIDER LISTS AND THE OBLIGATION TO DISCLOSE INSIDE INFORMATION FOR ISSUERS ON SME GROWTH MARKETS

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The MiFID II directive (Directive 2014/65/EU) introduced a type of trading venue, the SME Growth Market, which by definition is an MTF registered as an SME Growth Market II, i.e. a subcategory of multilateral trading facilities (“MTF”). The purpose of the SME Growth Market is to facilitate access to capital for SME (small and medium-sized enterprises) and enable such companies to grow.

Nasdaq First North Growth Market obtained status as an SME growth market in September 2019.

In order to make SME growth markets more attractive, certain amendments to the MAR entered into force on 1 January 2021 with the purpose of reducing compliance costs and administrative burdens for issuers of financial instruments admitted to trading on SME growth markets.

As of 1 January 2021, issuers of financial instruments admitted to trading on SME growth markets are entitled to draw up a “permanent insider list”. Consequently, issuers are entitled to only include persons who, by virtue of their function or position within the issuer, have regular access to inside information. This might be administrative personnel with access to inside information or personnel with managerial responsibilities. Prior to the amendment, issuers of financial instruments admitted to trading on SME growth markets could choose to draw up insider lists when requested to do so by the Danish FSA. The Danish FSA assessed that the rule had limited use, as the issuers are obliged to monitor personnel deemed as insiders on an ongoing basis.

If you have any questions or require further information regarding any of the above, please do not hesitate to contact us:



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