

Directive (EU) 2019/1937 of the European Parliament and of the Council of 23
October 2019 on the protection of persons who report breaches of Union law

CHAPTER I

SCOPE, DEFINITIONS AND CONDITIONS FOR PROTECTION

- Article 1 Purpose
- Article 2 Material scope
- Article 3 Relationship with other Union acts and national provisions
- Article 4 Personal scope
- Article 5 Definitions
- Article 6 Conditions for protection of reporting persons

CHAPTER II

INTERNAL REPORTING AND FOLLOW-UP

- Article 7 Reporting through internal reporting channels
- Article 8 Obligation to establish internal reporting channels
- Article 9 Procedures for internal reporting and follow-up

CHAPTER III

EXTERNAL REPORTING AND FOLLOW-UP

- Article 10 Reporting through external reporting channels
- Article 11 Obligation to establish external reporting channels and to follow up on reports
- Article 12 Design of external reporting channels
- Article 13 Information regarding the receipt of reports and their follow-up
- Article 14 Review of the procedures by competent authorities

CHAPTER IV

PUBLIC DISCLOSURES

- Article 15 Public disclosures

CHAPTER V

PROVISIONS APPLICABLE TO INTERNAL AND EXTERNAL REPORTING

- Article 16 Duty of confidentiality
- Article 17 Processing of personal data
- Article 18 Record keeping of the reports

CHAPTER VI

PROTECTION MEASURES

Article 19	Prohibition of retaliation
Article 20	Measures of support
Article 21	Measures for protection against retaliation
Article 22	Measures for the protection of persons concerned
Article 23	Penalties
Article 24	No waiver of rights and remedies

CHAPTER VII

FINAL PROVISIONS

Article 25	More favourable treatment and non-regression clause
Article 26	Transposition and transitional period
Article 27	Reporting, evaluation and review
Article 28	Entry into force
Article 29	Addressees
	Signature

ANNEX

Part I

- A. Point (a)(i) of Article 2(1) — public procurement:
 - 1. Rules of procedure for public procurement and the award of...
 - 2. Review procedures regulated by:
- B. Point (a)(ii) of Article 2(1) — financial services, products and...
- C. Point (a)(iii) of Article 2(1) — product safety and compliance:...
 - 1. Safety and compliance requirements for products placed in the Union...
 - 2. Rules on marketing and use of sensitive and dangerous products,...
- D. Point (a)(iv) of Article 2(1) — transport safety:
 - 1. Safety requirements in the railway sector, as regulated by Directive...
 - 2. Safety requirements in the civil aviation sector, as regulated by...
 - 3. Safety requirements in the road sector, as regulated by:
 - 4. Safety requirements in the maritime sector, as regulated by:
 - 5. Safety requirements, as regulated by Directive 2008/68/EC of the European...
- E. Point (a)(v) of Article 2(1) — protection of the environment:...
 - 1. Any criminal offence against the protection of the environment as...
 - 2. Rules on the environment and climate, as set out in:...
 - 3. Rules on sustainable development and waste management, as set out...
 - 4. Rules on marine, air and noise pollution, as set out...

5. Rules on the protection and management of water and soil,...
 6. Rules relating to the protection of nature and biodiversity, as...
 7. Rules on chemicals, as set out in Regulation (EC) No...
 8. Rules relating to organic products, as set out in Regulation...
- F. Point (a)(vi) of Article 2(1) — radiation protection and nuclear...
- G. Point (a)(vii) of Article 2(1) — food and feed safety,...
1. Union food and feed law governed by the general principles...
 2. Animal health, as regulated by:
 3. Regulation (EU) 2017/625 of the European Parliament and of the...
 4. Rules and standards on the protection and well-being of animals,...
- H. Point (a) (viii) of Article 2(1) — public health:
1. Measures setting high standards of quality and safety of organs...
 2. Measures setting high standards of quality and safety for medicinal...
 3. Patients' rights, as regulated by Directive 2011/24/EU of the European...
 4. Manufacture, presentation and sale of tobacco and related products, as...
- I. Point (a)(ix) of Article 2(1) — consumer protection:
- J. Point (a)(x) of Article 2(1) — protection of privacy and...

Part II

- A. Point (a)(ii) of Article 2(1) — financial services, products and...
1. Financial services:
 2. Prevention of money laundering and terrorist financing:
- B. Point (a)(iv) of Article 2(1) — transport safety:
- C. Point (a)(v) of Article 2(1) — protection of the environment:...

- (1) [OJ C 405, 9.11.2018, p. 1.](#)
- (2) [OJ C 62, 15.2.2019, p. 155.](#)
- (3) Position of the European Parliament of 16 April 2019 (not yet published in the Official Journal) and decision of the Council of 7 October 2019.
- (4) Directive 2013/36/EU of the European Parliament and of the Council of 26 June 2013 on access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms, amending Directive 2002/87/EC and repealing Directives 2006/48/EC and 2006/49/EC ([OJ L 176, 27.6.2013, p. 338](#)).
- (5) Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and investment firms and amending Regulation (EU) No 648/2012 ([OJ L 176, 27.6.2013, p. 1](#)).
- (6) Regulation (EU) 2019/1020 of the European Parliament and of the Council of 20 June 2019 on market surveillance and compliance of products and amending Directive 2004/42/EC and Regulations (EC) No 765/2008 and (EU) No 305/2011 ([OJ L 169, 25.6.2019, p. 1](#)).
- (7) Directive 2001/95/EC of the European Parliament and of the Council, of 3 December 2001 on general product safety ([OJ L 11, 15.1.2002, p. 4](#)).
- (8) Regulation (EU) No 376/2014 of the European Parliament and of the Council of 3 April 2014 on the reporting, analysis and follow-up of occurrences in civil aviation, amending Regulation (EU) No 996/2010 of the European Parliament and of the Council and repealing Directive 2003/42/EC of the European Parliament and of the Council and Commission Regulations (EC) No 1321/2007 and (EC) No 1330/2007 ([OJ L 122, 24.4.2014, p. 18](#)).
- (9) Directive 2013/54/EU of the European Parliament and of the Council of 20 November 2013 concerning certain flag State responsibilities for compliance with and enforcement of the Maritime Labour Convention, 2006 ([OJ L 329, 10.12.2013, p. 1](#)).
- (10) Directive 2009/16/EC of the European Parliament and of the Council of 23 April 2009 on port State control ([OJ L 131, 28.5.2009, p. 57](#)).
- (11) Directive 2013/30/EU of the European Parliament and of the Council of 12 June 2013, on safety of offshore oil and gas operations and amending Directive 2004/35/EC ([OJ L 178, 28.6.2013, p. 66](#)).
- (12) Council Directive 2009/71/Euratom of 25 June 2009 establishing a Community framework for the nuclear safety of nuclear installations ([OJ L 172, 2.7.2009, p. 18](#)).
- (13) Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety ([OJ L 31, 1.2.2002, p. 1](#)).
- (14) Regulation (EU) 2016/429 of the European Parliament and of the Council of 9 March 2016 on transmissible animal diseases and amending and repealing certain acts in the area of animal health ('Animal Health Law') ([OJ L 84, 31.3.2016, p. 1](#)).
- (15) Council Directive 98/58/EC of 20 July 1998 concerning the protection of animals kept for farming purposes ([OJ L 221, 8.8.1998, p. 23](#)).
- (16) Directive 2010/63/EU of the European Parliament and of the Council of 22 September 2010 on the protection of animals used for scientific purposes ([OJ L 276, 20.10.2010, p. 33](#)).
- (17) Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97 ([OJ L 3, 5.1.2005, p. 1](#)).
- (18) Council Regulation (EC) No 1099/2009 of 24 September 2009 on the protection of animals at the time of killing ([OJ L 303, 18.11.2009, p. 1](#)).
- (19) Directive (EU) 2016/1148 of the European Parliament and of the Council of 6 July 2016 concerning measures for a high common level of security of network and information systems across the Union ([OJ L 194, 19.7.2016, p. 1](#)).
- (20) Council Regulation (EC, Euratom) No 2988/95 of 18 December 1995 on the protection of the European Communities financial interests ([OJ L 312, 23.12.1995, p. 1](#)).

- (21) Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999 (OJ L 248, 18.9.2013, p. 1).
- (22) Directive (EU) 2017/1371 of the European Parliament and of the Council of 5 July 2017 on the fight against fraud to the Union's financial interests by means of criminal law (OJ L 198, 28.7.2017, p. 29).
- (23) OJ C 316, 27.11.1995, p. 49.
- (24) OJ C 313, 23.10.1996, p. 2.
- (25) OJ C 151, 20.5.1997, p. 2.
- (26) OJ C 221, 19.7.1997, p. 2.
- (27) Commission Regulation (EC) No 773/2004 of 7 April 2004 relating to the conduct of proceedings by the Commission pursuant to Articles 81 and 82 of the EC Treaty (OJ L 123, 27.4.2004, p. 18).
- (28) Regulation (EU) No 596/2014 of the European Parliament and of the Council of 16 April 2014 on market abuse (market abuse regulation) and repealing Directive 2003/6/EC of the European Parliament and of the Council and Commission Directives 2003/124/EC, 2003/125/EC and 2004/72/EC (OJ L 173, 12.6.2014, p. 1).
- (29) Commission Implementing Directive (EU) 2015/2392 of 17 December 2015 on Regulation (EU) No 596/2014 of the European Parliament and of the Council as regards reporting to competent authorities of actual or potential infringements of that Regulation (OJ L 332, 18.12.2015, p. 126).
- (30) Regulation (EU) No 1286/2014 of the European Parliament and of the Council of 26 November 2014 on key information documents for packaged retail and insurance-based investment products (PRIIPs) (OJ L 352, 9.12.2014, p. 1).
- (31) Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work (OJ L 183, 29.6.1989, p. 1).
- (32) OJ L 56, 4.3.1968, p. 1.
- (33) Council Decision 2013/488/EU of 23 September 2013 on the security rules for protecting EU classified information (OJ L 274, 15.10.2013, p. 1).
- (34) Commission Decision (EU, Euratom) 2015/444 of 13 March 2015 on the security rules for protecting EU classified information (OJ L 72, 17.3.2015, p. 53).
- (35) Council Regulation (EC) No 1/2003 of 16 December 2002 on the implementation of the rules on competition laid down in Articles 81 and 82 of the Treaty (OJ L 1, 4.1.2003, p. 1).
- (36) Commission Implementing Decision (EU) 2015/1918 of 22 October 2015 establishing the Administrative Assistance and Cooperation system ('AAC system') pursuant to Regulation (EC) No 882/2004 of the European Parliament and of the Council on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules (OJ L 280, 24.10.2015, p. 31).
- (37) Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules (OJ L 165, 30.4.2004, p. 1).
- (38) Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety (OJ L 31, 1.2.2002, p. 1).
- (39) Regulation (EC) No 2006/2004 of the European Parliament and of the Council of 27 October 2004 on cooperation between national authorities responsible for the enforcement of consumer protection laws (the Regulation on consumer protection cooperation) (OJ L 364, 9.12.2004, p. 1).
- (40) Commission Decision of 18 January 2018 setting up a group of experts on environmental compliance and governance (OJ C 19, 19.1.2018, p. 3).
- (41) Council Directive 2011/16/EU of 15 February 2011 on administrative cooperation in the field of taxation and repealing Directive 77/799/EEC (OJ L 64, 11.3.2011, p. 1).

- (42) Directive 2012/13/EU of the European Parliament and of the Council of 22 May 2012 on the right to information in criminal proceedings ([OJ L 142, 1.6.2012, p. 1](#)).
- (43) Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) ([OJ L 119, 4.5.2016, p. 1](#)).
- (44) Directive (EU) 2016/680 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA ([OJ L 119, 4.5.2016, p. 89](#)).
- (45) Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC ([OJ L 295, 21.11.2018, p. 39](#)).
- (46) Directive (EU) 2016/943 of the European Parliament and of the Council of 8 June 2016 on the protection of undisclosed know-how and business information (trade secrets) against their unlawful acquisition, use and disclosure ([OJ L 157, 15.6.2016, p. 1](#)).
- (47) Directive (EU) 2016/1919 of the European Parliament and of the Council of 26 October 2016 on legal aid for suspects and accused persons in criminal proceedings and for requested persons in European arrest warrant proceedings ([OJ L 297, 4.11.2016, p. 1](#)).