



## Recommendations for multinationals regarding the Ethical Channel

Since the enactment of the "*Ley 2/2023, de 20 de febrero, reguladora de la protección de las personas que informen sobre infracciones normativas y de lucha contra la corrupción*", entities with subsidiaries in Spain have encountered challenges in adapting their Ethical Channel to comply with the Spanish legislation. Spain's distinctive system of autonomous regions allows some regions to develop state laws to a greater extent than others, setting it apart from other countries.

In this case, regarding the Ethical Channel, various autonomous regions, such as Andalusia or Catalonia, have established specific provisions in relation to the channel's regulations. It is crucial to note the appointment of the person(s) designated as **System Manager** responsible for overseeing the Ethical Channel. This role may be fulfilled by a single person or a collegiate body, as outlined in Article 8 of Law 2/2023. The designated individual or body is responsible for receiving and managing the communications received through the channel.

It is our recommendation that at least one individual who is fluent in Spanish and has a comprehensive understanding of the Spanish legislation is appointed to be the System Manager. This is regardless of whether an individual from the country where the parent company is based has also been selected. It is not feasible for a single individual to possess knowledge of all the existing laws pertaining to this matter across the world. This will also facilitate more effective coordination between the parent company and the subsidiary.

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In the event that a communication should arrive through the channel regarding a serious or very serious criminal or administrative offence that has taken place in a center located in Spain, there would be a person with knowledge of both the language and the Spanish legislation in order to ensure that the communication is properly managed, and an effective solution is provided.



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