

Book II - Issuers and financial disclosure

Title I - Admission of financial securities to trading on a regulated market and offer of securities to the public

Chapter II - Information to be disseminated when securities are admitted to trading on a regulated market or offered to the public

Section 3 - Special cases

Paragraph 2 - Public offers unrelated to financial securities

General regulation of the AMF

Article 212-38-13 into force since 22 November 2019

DISCLAIMER : Information boxes have been inserted within the General Regulation. They allow for a direct access to the relevant European regulations on the subject matter.

The user will be redirected to the European regulations as initially published in the Official Journal of the European Union and to the subsequent corrigenda, if any. The AMF does not guarantee the completeness of the redirections to these European regulations and corrigenda.

The boxes are located at the most relevant level of the GRAMF depending on the provision of the EU regulations to which they refer (Book, Title, Chapter, Section, etc.).

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Article 212-38-13

I. Any promotional marketing materials relating to an offer of securities to the public referred to in Article 212-38-1, regardless of their form and dissemination method, shall be transmitted to the AMF prior to their dissemination. The promotional marketing materials referred to in the first paragraph shall:

- 1 • State that a prospectus has been or will be published and indicate where investors can or will be able to obtain it;
- 2 • Be clearly recognisable as such;
- 3 • Contain no false or misleading statements;
- 4 • Contain information that is balanced between the relative advantages and risks of an investment in the securities being offered, and consistent with the information in the prospectus, if already published, or with information which should be in

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the prospectus, if the latter is to be published subsequently ;

- 5 • Contain a notice drawing the reader's attention to the section of the prospectus on risk factors;

The AMF may require that promotional marketing materials contain a warning about certain exceptional characteristics of the issuer or the guarantors, if any, or the securities being offered to the public.

II. Where a prospectus has not been drawn up for an offer to the public, any promotional marketing materials shall contain a warning stating that the offer is not subject to a prospectus submitted for the approval of the AMF.

↘ **Version into force since 22 November 2019**