Suppliment tal-Gazzetta tal-Gvern ta' Malta Nru. 21,323, 4 ta' Ottubru, 2024
Taqsima B

L.N. 251 of 2024

INVESTMENT SERVICES ACT (CAP. 370)

CRD (Administrative Penalties, Measures and Investigatory Powers) (Amendment) Regulations, 2024

IN EXERCISE of the powers conferred by article 12 of the Investment Services Act, the Minister responsible for the regulation of financial services, acting on the advice of the Malta Financial Services Authority, has made the following regulations:-

Citation, scope and commencement.

1. (1) The title of these regulations is the CRD (Administrative Penalties, Measures and Investigatory Powers) (Amendment) Regulations, 2024, and these regulations shall be read and construed as one with the CRD (Administrative Penalties, Measures and Investigatory Powers) Regulations, hereinafter referred to as the "principal regulations". S.L. 370.25.

(2) The scope of these regulations is to transpose Article 4(1) of Directive (EU) 2022/2556 of the European Parliament and of the Council of 14 December 2022 amending Directives 2009/65/EC, 2009/138/EC, 2011/61/EU, 2013/36/EU, 2014/59/EU, 2014/65/EU, (EU) 2015/2366 and (EU) 2016/2341 as regards digital operational resilience for the financial sector.

(3) These regulations shall come into force on the 17th January 2025.

Amends regulation 2 of the principal regulations.

2. In sub-regulation (1) of regulation 2 of the principal regulations, immediately after the definition "CRR", there shall be added the following new definition:

" "DORA Regulation" means Regulation (EU) 2022/2554 of the European Parliament and of the Council of 14 December 2022 on digital operational resilience for the financial sector, and amending Regulations (EC) No 1060/2009, (EU) No 648/2012, (EU) No 600/2014, (EU) No 909/2014 and (EU) 2016/1011, as may be amended from time to time, and includes any binding legal instruments, guidelines and other measures that have been or may be issued thereunder;".

Amends regulation 5 of the principal regulations.

3. Sub-paragraph (vi) of paragraph (a) of regulation 5 of the principal regulations shall be substituted by the following new sub-

paragraph:

"(vi) third parties to whom the entities referred to in sub-paragraphs (i) to (iv) have outsourced functions or activities, including ICT third-party service providers referred to in Chapter V of the DORA Regulation;".

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