

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

Taqsimha B

L.N. 255 of 2024

**FINANCIAL MARKETS ACT
(CAP. 345)**

**INVESTMENT SERVICES ACT
(CAP. 370)**

Data Reporting Services (Amendment) Regulations, 2024

IN EXERCISE of the powers conferred by article 49 of the Financial Market Act, and 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:

1. (1) The title of these regulations is the Data Reporting Services (Amendment) Regulations, 2024 and these regulations shall be read and construed as one with the Data Reporting Services Regulations, hereinafter referred to as the "principal regulations".

Citation, scope
and
commencement.
S.L. 345.21.
S.L. 370.37.

(2) The scope of these regulations is to implement the requirements of Articles 62(1)(a), 62(2)(a) and 62(3)(a) of 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.

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

2. Sub-regulation (2) of regulation 1 of the principal regulations shall be substituted by the following new sub-regulation:

Amends
regulation 1 of
the principal
regulations.

"(2) The purpose of these regulations is to implement subparagraphs (34), (35), (36), (36a) of Article 2(1), Article 27c, Article 27g, Article 27h and Article 27i of MiFIR, and the relevant provisions of Article 4 and Articles 59 to 66 of MiFID."

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

Amends
regulation 2 of
the principal
regulations.

" "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 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 8 of
the principal
regulations.

4. Sub-regulation (5) of regulation 8 of the principal regulations shall be substituted by the following new sub-regulation:

"(5) An APA shall comply with the requirements concerning the security of network and information systems set out in the DORA Regulation."

Amends
regulation 9 of
the principal
regulations.

5. Sub-regulation (8) of regulation 9 of the principal regulations shall be substituted by the following new sub-regulation:

"(8) A CTP shall comply with the requirements concerning the security of network and information systems established in the DORA Regulation."

Amends
regulation 10 of
the principal
regulations.

6. Sub-regulation (3) of regulation 10 of the principal regulations shall be substituted by the following new sub-regulation:

"(3) An ARM shall comply with the requirements concerning the security of network and information systems set out in the DORA Regulation."
