

Suppliment tal-Gazzetta tal-Gvern ta' Malta Nru. 21,439, 16 ta' Mejju, 2025

Taqsimha B

L.N. 90 of 2025

**COMPANY SERVICE PROVIDERS ACT
(CAP. 529)**

**Company Service Providers (Exemption)
(Amendment) Regulations, 2025**

IN EXERCISE of the powers conferred by article 14 of the Company Services Providers Act, the Minister responsible for the regulation of financial services, on the advice of the Malta Financial Services Authority, has made the following regulations:-

1. The title of these regulations is the Company Service Providers (Exemption) (Amendment) Regulations, 2025 and these regulations shall be read and construed as one with the Company Service Providers (Exemption) Regulations, hereinafter referred to as the "principal regulations".

Citation.

S.L. 529.02.

2. In regulation 2 of the principal regulations immediately after the definition "Authority" there shall be added the following new definition:

Amends regulation 2 of the principal regulations.

" "holding company" means any body corporate which directly holds twenty-five per cent (25%) or more of the shares in a body corporate which is licensed, registered or otherwise authorised by the Authority, or which is authorised by an overseas regulatory authority in a recognised jurisdiction;"

3. Regulation 3 of the principal regulations shall be amended as follows:

Amends regulation 3 of the principal regulations.

(a) the marginal note thereof shall be substituted by the following new marginal note:

"Exemption from articles 3, 3A and 3B of the Act.";

(b) sub-regulation (1) thereof shall be amended as follows:

(i) the words "The following persons are hereby being exempted for the purposes of the requirement of authorisation for company service providers in terms of article 3 of the Act and shall accordingly be exempted from complying with the provisions of the Act:" shall be substituted by the words "Without prejudice to sub-

regulation (2), the following persons shall be exempt from the provisions of articles 3, 3A and 3B of the Act, as applicable:";

(ii) paragraph (b) thereof shall be deleted; and

(iii) paragraph (c) thereof shall be substituted by the following new paragraph:

"(c) a natural person who acts, or holds himself out as acting, as a director, a company secretary, a partner and, or a similar position solely in relation to a company, a partnership and, or a legal entity which is licensed, registered or otherwise authorised by the Authority and the holding company of such company or legal entity:

Provided that this exemption shall also apply to a natural person who acts, or holds himself out as acting, as a director, a company secretary, a partner and, or a similar position solely in relation to a company, a partnership and, or a legal entity which is authorised by an overseas regulatory authority in a recognized jurisdiction and the holding company of such company or legal entity; and"; and

(c) sub-regulation (2) thereof shall be substituted by the following new sub-regulation:

"(2) Any such person as referred to in paragraph (a) of sub-regulation (1) shall, prior to providing any company services, notify the Authority in writing by means of the prescribed form that they shall be providing such services and that they are exempt from the provisions of articles 3, 3A and 3B of the Act, as applicable, in accordance with these regulations."

Amends
regulation 4 of
the principal
regulations.

4. In regulation 4 of the principal regulations the words "related to such person's operations and activities as a company service provider" shall be substituted by the words "relating to the provision of company services by such person".