Suppliment tal-Gazzetta tal-Gvern ta' Malta Nru. 21,478, 29 ta' Lulju, 2025
Taqsima B

L.N. 155 of 2025

INVESTMENT SERVICES ACT (CAP. 370)

Investment Services Act (Provision of Investment Services and Activities by Third-Country Firms) (Amendment) Regulations, 2025

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 and scope.

1. (1) The title of these regulations is the Investment Services Act (Provision of Investment Services and Activities by Third-Country Firms) (Amendment) Regulations, 2025 and these regulations shall be read and construed as one with the Investment Services Act (Provision of Investment Services and Activities by Third-Country Firms) Regulations, hereinafter referred to as the "principal regulations". S.L. 370.43.

(2) The scope of these regulations is to further transpose, in part, Article 64(3) of Directive (EU) 2019/2034 of the European Parliament and of the Council of 27 November 2019 on the prudential supervision of investment firms and amending Directives 2002/87/EC, 2009/65/EC, 2011/61/EU, 2013/36/EU, 2014/59/EU and 2014/65/EU.

Amends regulation 7A of the principal regulations.

2. Regulation 7A of the principal regulations shall be amended as follows:

(a) in paragraph (h) thereof the words "of the branch." shall be substituted by the words "of the branch:";

(b) in paragraph (d) of the proviso thereof the words "an authorised branch belongs." shall be substituted by the words "an authorised branch belongs:" and immediately thereafter there shall be added the following new proviso:

"Provided further that the competent authority referred to in regulation 7(1) shall cooperate closely with the competent authorities of entities that are part of the same group to which branches of third-country firms authorised in accordance with regulation 5(1) belong, and ESMA and EBA, to ensure that all activities of that group in the European Union are subject to comprehensive,

consistent and effective supervision in accordance with the MIFID, the MiFIR, the CRR, the IFR, the CRD, and the IFD.".

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