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

L.N. 157 of 2025

INVESTMENT SERVICES ACT
(CAP. 370)

Investment Services Act (Supervisory Review Investment Firms Directive) (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 (Supervisory Review Investment Firms Directive) (Amendment) Regulations, 2025 and these regulations shall be read and construed as one with the Investment Services Act (Supervisory Review Investment Firms Directive) Regulations, hereinafter referred to as the "principal regulations". S.L. 370.47.

(2) The scope of these regulations is to further transpose, in part, Articles 13, 14, 36, 39, 40, and 42 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 6 of the principal regulations.

2. In sub-regulation (7) of regulation 6 of the principal regulations the words "the competent authority of a Maltese clearing member" shall be substituted by the words "the competent authority of a clearing member's home Member State".

Amends regulation 7 of the principal regulations.

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

(a) in sub-regulation (1) thereof the words "regulation 6" shall be substituted by the words "regulation 6(1)";

(b) in sub-regulation (2) thereof the words "about its activities and for supervisory purposes," shall be substituted by the words "about its activities for supervisory purposes, and".

Amends regulation 9 of the principal regulations.

4. In paragraph (d) of sub-regulation (1) of regulation 9 of the principal regulations the words "the IFR" shall be substituted by the words "Regulation 1093/2010".

Amends regulation 11 of the principal regulations.

5. In sub-regulation (4) of regulation 11 of the principal regulations the words "regulations 10, 11(3), 12" shall be substituted by the words "sub-regulation (1) and regulations 9 and 10(3) of article 29 of the IFD as transposed in the Investment Services Rules,".

Amends regulation 12 of the principal regulations.

6. In sub-regulation (2) of regulation 12 of the principal regulations the words "regulation 18(1)" shall be substituted by the words "regulation 12(1)".

Amends Schedule I to the principal regulations.

7. Schedule I to the principal regulations shall be amended as follows:

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

"**SCHEDULE I**
SUPERVISORY POWERS
(regulations 11, 12 and 13)";

(b) in sub-item (a) of item (1) thereof the words "the Investment Services Rules" shall be substituted by the words "this Schedule";

(c) in paragraph (7) thereof the word "IFR" shall be substituted by the word "IFD".

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