

CHAPTER 529

COMPANY SERVICE PROVIDERS ACT

To make provision with respect to company service providers and to provide for matters ancillary or incidental thereto, and to amend various financial services laws.

24th December, 2013

ACT XX of 2013, as amended by Act XXXI of 2017, V and L of 2020, X and XXIX of 2025.

General Provisions

1. (1) The short title of this Act is the Company Service Providers Act.

Short title and scope.
Amended by:
L.2020.2;
X.2025.3.

(2) The main purpose of this Act is to implement Article 47 of Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, amending Regulation (EU) No. 648/2012 of the European Parliament and of the Council, and repealing Directive 2005/60/EC of the European Parliament and of the Council and Commission Directive 2006/70/EC, as amended from time to time, in so far as the said article applies to persons providing company services.

(3) The Authority shall carry out its functions and duties as the competent authority for the purposes of Article 47 of Directive (EU) 2015/849, as referred to in sub-article (2) and transposed in national law, insofar as the said article applies to persons providing company services, and it shall carry out its functions and duties in accordance with this Act, including to ensure compliance with the provisions of this Act and any regulations made, and rules issued thereunder.

2. (1) In this Act, unless the context otherwise requires:

"approved jurisdiction" means an EEA State or an EU Member State or any other jurisdiction which, in the opinion of the Authority, has an equal or comparable level of regulation regarding company service providers to that in Malta;

Interpretation.
Amended by:
XXXI. 2017.83;
L.2020.2;
X.2025.4.

"authorised person" means a company service provider authorised by the Authority in accordance with this Act;

"the Authority" means the Malta Financial Services Authority established in terms of the [Malta Financial Services Authority Act](#);

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"by way of business" means to provide company services in such manner as may be established in rules issued by the Authority in accordance with article 8(1)(e);

"close links" means a situation in which two or more persons are linked in any of the following ways:

- (a) by participation, in the form of direct ownership or by way of control, of 20% or more of the voting rights or capital of a body corporate;

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- (b) by control, through the relationship between a parent undertaking and a subsidiary undertaking as defined in article 2(2) of the [Companies Act](#), or a similar relationship between any natural or legal person and an undertaking; or
- (c) to one and the same third person when:
 - (i) such person is a member of the authorised person's family, including, but not limited to, the authorised person's spouse or partner, the authorised person's child or step-child, the authorised person's parents and other dependants of the authorised person;
 - (ii) such person is acting in the capacity of a company service provider of any company, the beneficial owners of which include:
 - (a) the authorised person, the authorised person's dependants, including, but not limited to, the authorised person's spouse, children or step-children; or
 - (b) a body corporate with which one is associated in terms of (a) and (b) above;
 - (iii) such person is acting as business partner of the authorised person or of any person who, by virtue of sub-paragraphs (i) or (ii) above is connected with the authorised person;

"company services" means any of the following services:

- (a) the formation of companies or other legal entities;
- (b) acting as, or making arrangements for another person to act as, director or secretary of a company, a partner in a partnership or hold a similar position in relation to other legal entities;
- (c) the provision of a registered office, a business correspondence or administrative address and other related services for a company, a partnership or any other legal entity;

"company service provider" means any person, other than a limited company service provider, that provides or holds itself out as providing any company services to third parties by way of business;

"EEA State" means a State which is a contracting party to the agreement on the European Economic Area signed in Porto on 2 May 1992 as amended by the Protocol signed in Brussels on 17 March 1993, and as amended by any subsequent Acts;

"involvements" shall have the same meaning as is assigned to it in the Rules;

"limited company service provider" means any natural person who:

- (a) provides or holds himself out as providing, by way of business, any of the following services to third parties:
 - (i) acting as a director and, or a company secretary in a company and, or a partner in a partnership; and, or
 - (ii) acting in a similar position in relation to other legal entities; and
- (b) intends to have ten (10) or less involvements at some point in time and that, in any case, shall not have more than ten (10) involvements at any point in time;

"Member State" means a Member State of the European Union and includes an EEA State;

"Minister" means the Minister responsible for the regulation of Financial Services;

"notified person" means a restricted company service provider who has notified the Authority of his intention to act as such in accordance with the provisions of this Act and any regulations made, and rules issued thereunder;

"operating in or from Malta" includes the existence of an office, branch, or other centre of professional or commercial activities of a regular nature in Malta, and does not include one or more unconnected and sporadic acts;

"overseas regulatory authority" means an authority in any country or territory outside Malta which exercises any regulatory or supervisory function in relation to financial services corresponding to a function of the Authority as defined in the [Malta Financial Services Authority Act](#);

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"person" means a natural or legal person in terms of law, and for the purposes of this Act the word "legal person" shall include a body or other association of persons whether granted legal personality, in accordance with the provisions of the Second Schedule to the [Civil Code](#), or not;

"prescribed" means prescribed by regulations made, or rules issued under this Act;

"registered person" means a limited company service provider registered by the Authority in accordance with the provisions of this Act;

"restricted company service provider" means any natural person who:

- (a) acts as a director and, or a company secretary in a company and, or a partner in a partnership and, or holds a similar position in relation to other legal entities; and
 - (b) does not act or hold any position as referred to in paragraph (a) by way of business; and
 - (c) meets the requirements established in the rules issued by the Authority in accordance with article 8(1)(f);
- (2) Any reference in this Act to any law, or provision thereof,

shall be construed as a reference to that law or provision as from time to time in force, and shall include a reference to any enactment replacing such law or provision, and to any subsidiary legislation made thereunder.

(3) Words and expressions used in this Act with reference to any other law shall, so far as necessary to give effect to this Act and consistently with the provisions thereof, have the same meaning as they have in the law with reference to which they are used in the Act.

(4) In this Act and in any regulations made thereunder, if there is any conflict between the English and Maltese text, the English text shall prevail.

Requirements for
the provision of
company services
in, or from Malta.
Amended by:
XXXI. 2017.84;
L.2020.4;
X.2025.5.

3. (1) No person shall act as a company service provider or a limited company service provider, or hold himself out to act as such, in or from Malta unless that person is duly authorised or registered, as applicable, to do so in accordance with this Act and any regulations made, and rules issued thereunder.

(1a) Without prejudice to article 3B, no person shall act as a restricted company service provider in or from Malta unless that person has duly notified the Authority of this in accordance with this Act and any regulations made, and rules issued thereunder.

(1B) *Deleted by Act [X.2025.5](#).*

(2) *Repealed by Act L.2020.4.*

(3) *Repealed by Act L.2020.4.*

(4) In the event of any doubt as to whether a person would be deemed to be a company service provider, a limited company service provider or a restricted company service provider by carrying out a particular activity, the matter shall be conclusively determined by the Authority.

(5) (a) The provisions of sub-article (1) shall not apply with respect to persons that have been licensed, registered or otherwise authorised to act, or hold themselves out to act, as a company service provider or a limited company service provider by the relevant authority of an approved jurisdiction:

Provided that any such person shall notify the Authority in writing, of its intention to provide, or hold himself out as providing, company services by way of business in or from Malta, at least ninety (90) days prior to doing so and as long as such person receives from the Authority a confirmation in writing that it does not object thereto:

Provided further that the Authority shall determine whether any such person shall be considered as an authorised person or a registered person for the purposes of this Act and any regulations made and, or Rules issued thereunder:

Provided further that where the Authority determines that any such person shall be considered as an authorised person, it shall determine under which of the classes set out in the Schedule that person falls and, where such person is classified as a Class A CSP or a

Class B CSP in accordance with the said Schedule, it shall also determine whether such person is over-threshold or under-threshold in accordance with any Rules issued by the Authority in accordance with article 5(2B).

- (aa) Where a person as referred to in paragraph (a) in receipt of a written confirmation from the Authority in accordance with the said paragraph intends to make changes with respect to the company services that it provides and, or its involvements that would warrant a redetermination as to whether such person is to be considered an authorised person or a registered person for the purposes of this Act and any regulations made and, or Rules issued thereunder and, or under which of the classes set out in the Schedule and, or the thresholds set out in the Rules such person should fall, as applicable, such person shall submit a notification to the Authority in writing at least thirty (30) days prior to doing so:

Provided that such changes may only be made if such person receives from the Authority a confirmation in writing that it does not object thereto:

Provided further that in such cases, the Authority may modify its previous determination as to whether such person is to be considered an authorised person or a registered person for the purposes of this Act and any regulations made and, or Rules issued thereunder and, or under which of the classes set out in the Schedule and, or the thresholds set out in the Rules such person shall fall, as applicable.

- (b) A notification under this sub-article shall outline the proposed activities and shall be accompanied by such information as may be required by the Authority from time to time.
- (c) To the extent that the Authority lays down any restrictions or conditions for such activities, on initial response to a notification or at any other time, such restrictions and conditions shall come into effect as stated in the response or by subsequent notice of the Authority.

(6) The Authority may, at its discretion and at any time, request any of the persons referred to in sub-article (5) to furnish any information or documentation related to such person's operations and activities relating to the provision of company services, as it may deem necessary, and such person shall collaborate with the Authority and shall promptly collate and transmit without any undue delay such information and documentation as the Authority may request.

3A. (1) Without prejudice to the provisions of article 3(5), any person intending to act as a company service provider, or hold himself out to act as such, in or from Malta, shall apply to the Authority for authorisation to do so.

Authorisation and
registration
requirements.
Added by:
X.2025.6.

(2) Without prejudice to the provisions of article 3(5), any person intending to act as a limited company service provider, or hold himself out to act as such, in or from Malta, shall apply to the Authority for registration to do so.

(3) The Authority may, at its discretion and at any time, request any of the persons referred to in this article to furnish any information or documentation as the Authority may deem necessary, and such person shall collaborate with the Authority and shall promptly collate and transmit, without any undue delay, such information and documentation as the Authority may request.

Notification
requirement.
Added by:
X.2025.6.

3B. (1) Any person acting as a restricted company service provider in or from Malta shall notify the Authority of this in accordance with the provisions of this Act and any regulations made, and rules issued thereunder.

(2) A notification as referred to in sub-article (1) shall be:

(a) made within fourteen (14) days from the date when the restricted company service provider first holds the position of a director or company secretary in a company, or a partner in a partnership, or a similar position in relation to other legal entities; and

(b) accompanied by a non-refundable notification fee, as may be prescribed by regulations made under this Act.

(3) The Authority may, at its discretion and at any time, request any person as referred to in this article to furnish any information or documentation as the Authority may deem necessary, and such person shall collaborate with the Authority and shall promptly collate and transmit, without any undue delay, such information and documentation as the Authority may request.

(4) A register of all notified persons shall be established by the Authority and shall be updated on a regular basis.

Application for
authorisation or
registration.
Amended by:
L.2020.5;
X.2025.7.

4. A person applying for authorisation or registration in accordance with article 3A(1) and (2) respectively shall submit to the Authority an application which shall:

- (a) contain or be accompanied by such information and particulars and be in such form as the Authority may require;
- (b) be verified in the manner and to the extent required by the Authority;
- (c) indicate the address in Malta for service on the applicant, of any notice or other document required or authorised to be served on him in terms of this Act; and
- (d) be accompanied by a non-refundable application fee, as may be prescribed, irrespective of whether the

authorisation or registration is granted or not by the Authority.

5. (1) The Authority may grant or refuse to grant an authorisation or registration applied for under this Act. Such authorisation or registration may be general or may be restricted to particular specified activities. The Authority shall not, without prejudice to article 3, grant an authorisation or registration applied for under this Act unless it is satisfied that:

Power of the Authority to refuse or grant authorisation or registration.
Amended by:
XXXI. 2017.85;
V. 2020.105;
L.2020.6;
X.2025.8.

- (a) the applicant is a fit and proper person to provide the services concerned and that the applicant will comply with and observe the requirements of this Act and any rules made thereunder and which are applicable to him;
- (b) the applicant is operating in or from Malta;
- (c) where the applicant is a legal person:
 - (i) its objects include providing company services and carrying on activities ancillary or incidental thereto, and do not include objects which are not compatible with the provision of company services;
 - (ii) its actual activities are compatible with its objects in terms of sub-paragraph (i);
 - (iii) the directors, administrators or partners, as the case may be, of the legal person are not less than two in number and are individuals who are fit and proper persons;
 - (iv) every person who directly or indirectly owns or controls 25% or more of the capital or voting rights in the legal person, or otherwise exercises control over the management of the legal person, is a fit and proper person;
 - (v) the name of the legal person is not inconsistent with its activities as outlined in sub-paragraphs (i) and (ii); and
 - (vi) where the legal person is not formed and registered in Malta, it is formed, constituted or incorporated in a reputable jurisdiction. For the purposes of this sub-paragraph, reputable jurisdiction shall have the meaning assigned to it in the [Prevention of Money Laundering and Funding of Terrorism Regulations](#).

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(2) When considering whether to grant or refuse to grant authorisation or registration under this Act, the Authority shall, in particular, have regard to:

- (a) the protection of investors and the general public;
- (b) the protection of the reputation of Malta taking into account Malta's international commitments;
- (c) the promotion of competition and choice.

(2A) As part of the authorisation process, applicants applying for an authorisation shall be classified at the discretion of the Authority into one (1) of the three (3) classes which determine the requirements of authorised persons in terms of the provisions of the Schedule. As part of the said process, when any such applicant is classified by the Authority as a Class A CSP or a Class B CSP in terms of the Schedule, the Authority shall also determine whether such applicant is over-threshold or under-threshold.

(2B) The Authority may issue rules laying down the requirements, conditions and criteria by which a person shall be considered to be an over-threshold or an under-threshold Class A CSP or Class B CSP.

(3) In granting authorisation or registration, the Authority may subject the applicant to such conditions as it may deem appropriate. After having granted authorisation or registration, the Authority may, from time to time, vary or revoke any condition so imposed or otherwise impose new conditions.

(4) When applying for authorisation or registration, the applicant shall submit a complete application in accordance with the applicable provisions of this Act and any regulations made, and rules issued thereunder:

Provided that the Authority may at any time request the applicant to provide any additional information it may deem necessary to process the application:

Provided further that, where an applicant fails to provide any additional information which may be requested by the Authority within three (3) months from the request being so made, the Authority shall deem such an application to have been withdrawn by the applicant.

(5) Authorised and registered persons shall be subject to any such supervisory fees as may be prescribed by regulations made under this Act.

(6) A register of all authorised and registered persons shall be established by the Authority. The register shall be publicly available on the Authority's website and it shall be updated on a regular basis.

(7) An authorised or registered person shall notify the Authority of any change or circumstance which would have a bearing upon its status as an authorised or registered person, as applicable, and, in the case of any change in its charter, statute, memorandum or articles of association or other instrument constituting the legal person, or any change of its directors, administrators or members, as the case may be such changes shall not be effective until they are notified and approved by the Authority.

6. (1) The Authority may, at any time, cancel an authorisation or registration granted in terms of this Act where:

- (a) the authorised or registered person is no longer deemed to be a fit and proper person;
- (b) the authorised or registered person has contravened any of

the provisions of this Act or any regulations or rules made thereunder or has failed to satisfy or comply with any obligation or condition to which such authorised person or registered person, or the authorisation or registration granted thereto, as applicable, is subject by virtue of this Act or any regulations or rules issued thereunder, including any breach in relation to the authorised or registered person's governance and control framework;

- (c) the authorised or registered person or someone acting on behalf of such authorised or registered person has knowingly supplied the Authority with information that is false, inaccurate or misleading;
- (d) the authorised or registered person has ceased to act as a company service provider or a limited company service provider, as applicable;
- (e) the cancellation of such authorisation or registration, as applicable, is considered desirable for the protection of the general public or the reputation of Malta;
- (f) the authorised or registered person has so requested;
- (fA) the authorised or registered person is found liable, by the Financial Intelligence Analysis Unit, for a serious, repeated or systematic breach of the Prevention of Money Laundering Act and, or of any regulations issued thereunder; or
- (g) there are other circumstances under which the Authority would have been precluded from granting an authorisation or registration under this Act or where the Authority would have otherwise refused the granting of such authorisation or registration, as applicable.

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(2) The Authority shall make public the fact that an authorisation or registration granted under this Act has been cancelled.

(3) Any person whose authorisation or registration has been cancelled shall, within sixty (60) days from the date of the cancellation of the authorisation or registration, as applicable, ensure that the services it had been providing to companies or other legal persons in terms of its authorisation or registration are transferred to another person which is duly authorised or registered in terms of this Act:

Provided that this sub-article shall not apply to the cancellation of an authorisation or registration in terms of paragraph (f) of sub-article (1):

Provided further that any person whose authorisation or registration has been cancelled in terms of paragraph (f) of sub-article (1) shall ensure that the services it had been providing to companies or other legal entities in terms of its authorisation or registration are transferred to another person which is duly authorised or registered, or which is otherwise not required to be authorised or registered in terms of this Act, or are otherwise terminated in terms of the applicable law, prior to the Authority acceding to the request for cancelling the authorisation

or registration.

Notification of
proposed refusal or
cancellation of
authorisation.
Amended by:
L.2020.8;
X.2025.10.

7. (1) Where the Authority intends -
- (a) to vary any condition to which the authorisation or registration are subject or to impose a new condition thereon; or
 - (b) to refuse an application for an authorisation or registration or to cancel an authorisation or registration,

it shall give the applicant or the authorised or registered person, as the case may be, a notice in writing of this intention, setting out the reasons for such decision.

(2) A notice given under sub-article (1) shall state that the recipient of the notice may, within such reasonable period of time after receipt thereof as may be stated in such notice, being a period of not less than forty-eight hours and not longer than thirty days, make representations in writing to the Authority giving reasons why the proposed decision should not be taken, and the Authority shall consider any representation so made before arriving at a decision.

(3) The Authority shall, as soon as practicable, notify its final decision in writing to the applicant or the authorised or registered person, as the case may be.

Duties of
auditors.
Amended by:
L.2020.9.

7A. (1) An auditor of an authorised person shall have the duty to report immediately to the Authority any fact or decision of which such auditor becomes aware in his capacity as auditor of such authorised person which:

- (a) is likely to lead to a serious qualification or refusal of the auditor's report on the accounts of such authorised person; or
- (b) constitutes or is likely to constitute a material breach of the legal or regulatory requirements applicable to authorised persons under this Act; or
- (c) gravely impairs the authorised person's ability to continue as a going concern; or
- (d) relates to any other matter which may be prescribed:

Provided that the matters mentioned in this paragraph may include matters related to any person other than the authorised person, including any person having close links with such authorised person.

(2) No duty, including the duty of professional secrecy, to which an auditor of the authorised person may be subject, shall be regarded as contravened by reason of his communicating in good faith to the Authority, whether or not in response to a request from it, any information or opinion on a matter of which the auditor has become aware in his capacity as auditor of that authorised person and which

may be relevant to the Authority under the provisions of this Act or any regulations or rules issued hereunder or is required to be communicated by virtue of this article.

8. (1) The Authority may issue rules applicable to company service providers as may be required, for the carrying into effect of this Act and may, in particular, but without prejudice to the generality of the foregoing, by such rules:

Power of the Authority to issue rules.
Amended by:
L.2020.10;
X.2025.11.

- (a) lay down requirements, conditions and criteria for the carrying out of activities by company service providers;
- (b) lay down the conduct, duties and obligations of company service providers;
- (c) lay down the responsibilities of company service providers towards the Authority and provide for the form of applications, returns, statements or notices to be made or given to the Authority;
- (d) lay down the criteria which the Authority shall take into account when determining whether a person is a fit and proper person for the purpose of this Act, including an indication of the type and nature of academic qualifications and experience as well as the additional areas of expertise which would be acceptable to the Authority when determining whether a person qualifies to be a fit and proper person;
- (e) lay down the criteria as to when a person shall be deemed by the Authority to be providing company services by way of business;
- (ea) lay down the requirements to be met, in addition to any such requirements established in this Act, for a person to be considered a company service provider;
- (f) provide for any other matters as the Authority may consider appropriate in relation to company service providers and the conduct of their activities.

(2) Such rules shall be binding on company service providers and others as may be specified therein.

(3) For the purposes of this article "company service providers" means persons providing company services in accordance with the provisions of this Act and any regulations made, and rules issued thereunder.

9. (1) Where any person contravenes or fails to comply with any of the provisions of this Act or of any regulations or rules issued thereunder, with any of the conditions imposed in an authorisation or a registration issued by the Authority, with any directive issued by the Authority, or fails to cooperate with the Authority in an investigation, the Authority may, by notice in writing and without recourse to a court hearing, impose on any such person an administrative penalty which may not exceed fifty thousand euro (€50,000) for each infringement or failure to comply, as the case may be:

Administrative penalties and other measures.
Amended by:
L.2020.11;
X.2025.12;
XXIX.2025.22.

Provided that where a person fails to comply with the provisions of article 3(1) the Authority may, by notice in writing and without recourse to a court hearing, impose on any such person an administrative penalty which may not exceed one hundred and fifty thousand euro (€150,000) for each breach or failure to comply, as the case may be.

(2) An administrative penalty imposed in terms of sub-article (1) may be imposed in the form of a fixed penalty, a daily penalty or both.

(3) The imposition by the Authority of an administrative penalty in terms of this article shall be without prejudice to any other consequence of the act or omission of the offender under civil or criminal law.

(4) The Authority shall, by means of a public statement, disclose the name of the person sanctioned, the particular breach of the provisions of this Act or of any regulations or rules issued thereunder, and the administrative penalty or administrative measure imposed.

REGULATORY AND INVESTIGATIVE POWERS

Power to require
information.
Amended by:
L.2020.12;
X.2025.13.

10. (1) Notwithstanding any other provision of this Act, the Authority may, by notice in writing, require any person who is or who was acting, or who appears to be or to have been acting, as a company service provider, a limited company service provider or a restricted company service provider, or who was providing company services which require authorisation, registration or notification in accordance with this Act, and any other person who appears to be in possession of relevant information, to do all or any of the following:

- (a) to furnish to the Authority, at such time and place and in such form as it may specify, such information and documentation as it may require with respect to any such activities as aforesaid, including the power to require existing telephone and existing data traffic records with respect to any such activities;
- (b) to furnish to the Authority any information or documentation aforesaid, verified in such manner as it may specify;
- (c) to attend before the Authority, or before a person appointed by it, at such time and place as it may specify, to answer questions and provide information and documentation with respect to any such activities as aforesaid.

(2) The Authority may take copies of any documents furnished or provided under this article.

(3) Where the person required to provide information or documentation under this article does not have the relevant information or documentation, he shall disclose to the Authority where, to the best of his knowledge, that information or documentation is, and the Authority may require any person,

whether indicated as aforesaid or not, who appears to it to be in possession of that information or documentation, to provide it.

(4) A statement made and documentation provided in pursuance of any requirement under this article may be used in evidence against the person making the statement or providing the documentation, as well as against any person to whom they relate.

(5) Without prejudice to that provided in article 642(1) of the [Criminal Code](#) and in article 588(1) of the [Code of Organization and Civil Procedure](#), the provisions of this article shall apply to all information or documentation, notwithstanding the provisions of the [Professional Secrecy Act](#).

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(6) The power to require the production of documentation under the provisions of this article shall be without prejudice to any lien or charge claimed by any person in relation to such documentation.

(7) Where the Authority has appointed a person under sub-article (1)(c), such person shall, for the purposes of carrying out the functions in relation to such appointment, have all the powers conferred on the Authority by this article and a requirement made by such appointed person shall be deemed to be and have the same force and effect as a requirement of the Authority.

11. (1) Without prejudice to any of the powers conferred on it by this Act, the Authority may, whenever it deems it necessary, give, by notice in writing, such directives as it may deem appropriate in the circumstances. Any person to whom or to which the notice is given shall obey, comply with and otherwise give effect to any such directive within the time and in the manner stated in the directive.

Power to issue
directives.
Amended by:
L.2020.13;
X.2025.14.

(2) Without prejudice to the generality of the foregoing provisions of this article, a directive under this article may -

- (a) require anything to be done or be omitted to be done, or impose any prohibition, restriction or limitation, or any other requirement, and confer powers, with respect to any transaction or other act, or to any assets, or to any other thing whatsoever;
- (aa) require a person providing company services to cease providing such company services, irrespective of whether that person is permitted to provide such services under this Act;
- (b) require that any person having functions in relation to a company service provider be removed or replaced by another person acceptable to the Authority;
- (c) require an authorised, registered or notified person to cease operations and to wind up its affairs, in accordance with such procedures and directions as may be specified in the directive, which may provide for the appointment of a person to take possession and control of all documents, records, assets and property belonging to or in the possession or control of the authorised, registered or notified person, as applicable.

(3) The power to give directives under this article shall include the power to vary, alter, add to or withdraw any directive, as well as the power to issue new or further directives.

(4) Where the Authority is satisfied that the circumstances so warrant, it may at any time make public any directive it has given under any of the provisions of this article.

Exchange of
information and
collaboration.
Amended by:
X.2025.15.
Cap. 330.

12. (1) The provisions of article 17 of the [Malta Financial Services Authority Act](#) shall apply, *mutatis mutandis*, with respect to company service providers, limited company service providers and restricted company service providers.

(2) The Authority may exercise the powers granted to it by virtue of this Act at the request of, or for the purposes of, assisting an overseas regulatory authority:

- (a) where the assistance is required by the overseas regulatory authority for the purposes of the exercise of one or more of its regulatory functions; or
- (b) where so required within the terms of Malta's international commitments; or
- (c) where so required within the terms of undertakings assumed in bilateral or multilateral agreements for the exchange of information and other forms of collaboration with overseas regulatory authorities including a request under a memorandum of understanding concluded with the Authority.

Right of entry.

13. (1) Any officer, employee or agent of the Authority, on producing, if required, evidence of his authority, may enter premises occupied by a person on whom a notice has been served under this Act for the purpose of obtaining the information or documents required by that notice, or otherwise for the purpose of the investigation, and of exercising any of the powers conferred upon it.

(2) Where any officer, employee or agent of the Authority has reasonable cause to believe that if such notice as is referred to in sub-article (1) were served it would not be complied with or that any documents to which it could relate would be removed, tampered with or destroyed, such person may, even though a notice in terms of sub-article (1) has not been served, on producing, if required, evidence of his authority, enter any premises referred to in sub-article (1) for the purpose of obtaining any information or documents specified in the authority, being information or documents that could have been required under such notice as is referred to in sub-article (1).

(3) For the purposes of any action taken under the provisions of this article, the Authority may request the assistance of the Commissioner of Police, who may for such purpose exercise such powers as are vested in him for the prevention of offences and the enforcement of law and order.

14. (1) The Minister may, on the advice of the Authority, make regulations for the better carrying out of any of the provisions of this Act, and may, in particular, but without prejudice to the generality of the foregoing, by any such regulations:

Power to make regulations.
Amended by:
L.2020.13;
X.2025.16.

- (a) further regulate the activities of persons providing company services as well as the services provided and activities carried on or in conjunction therewith or in relation thereto, providing for any matter deemed expedient;
- (b) exempt any activities or classes of persons from the requirements of articles 3, 3A, 3B and 4 and impose conditions deemed fit for eligibility for exemption;
- (c) provide for and regulate the payment by any person, as the case may be, of application, authorisation or supervisory fees and such other fees and charges payable to the Authority in respect of any matter provided for, by or under this Act or any regulations made under this article, as may be prescribed;
- (d) transpose, implement and give effect to the provisions and requirements of Directives, Regulations and any other legislative measures of the European Union requiring transposition and, or implementation, as they may be amended from time to time, including any implementing measures that have been or may be issued thereunder relating to persons providing company services and others as may be specified therein or to any other matter falling within the terms of this Act;
- (e) provide that any provision in any other law shall not apply to matters falling under the regulations;
- (eA) provide for alternative methods and mechanisms of supervision of persons providing company services, in so far as this is permissible at law;
- (eB) provide for enhanced collaboration, cooperation and information sharing, between the Authority and other authorities, agencies and any other body which the Minister may deem appropriate, with respect to the regulation and supervision of company service providers;
- (eC) amend the provisions of the Schedule to this Act;
- (f) prescribe any matter that may be or is to be prescribed.

(2) Regulations made under the provisions of this Act may be made in the English language only.

SANCTIONS AND APPEALS

15. (1) Any person who contravenes or fails to comply with any of the provisions of this Act, or contravenes or fails to comply with any condition, any obligation, requirement, directive or order made or given under any of the provisions of this Act, shall be guilty of an offence.

Offences.
Amended by:
L.2020.15;
X.2025.17.

(2) Any person who for the purposes of, or pursuant to, any of the provisions of this Act or of any rules or regulations made thereunder, or any condition, obligation, requirement, directive or order made or given as aforesaid, furnishes information or makes a statement which he knows to be inaccurate, false or misleading in any material respect, or recklessly furnishes information or makes a statement which is inaccurate, false or misleading in any material respect, shall be guilty of an offence.

(3) Any person who with intent to avoid detection of the commission of an offence under this Act removes, destroys, conceals or fraudulently alters any book, document or other paper, shall be guilty of an offence.

(4) Any person who intentionally obstructs a person exercising rights conferred by this Act shall be guilty of an offence.

(5) Any person who acts or purports to act as a company service provider in Malta without being authorised to do so by the Authority, when so required in terms of this Act, shall be guilty of an offence.

(6) Any person who is guilty of an offence under sub-articles (1), (2), (3), (4) and, or (5) and saving any higher punishment which may be provided under any other law, shall be liable, on conviction, to a fine (*multa*) not exceeding four hundred and sixty-six thousand euro (€466,000) or to a term of imprisonment not exceeding four years, or to both such fine and imprisonment.

(7) Where an offence in terms of sub-articles (1) to (5) is committed by a body or other association of persons, be it corporate or unincorporated, every person who at the time of the commission of the offence was a director, manager or other similar officer of such body or association, or was purporting to act in any such capacity, shall be guilty of that offence, unless he proves that the offence was committed without his knowledge and that he exercised all due diligence to prevent the commission of such offence.

16. (1) In this article, the Financial Services Tribunal means the tribunal established under article 21 of the [Malta Financial Services Authority Act](#).

(2) Subject to the provisions of this Act, an appeal shall lie to the Financial Services Tribunal with respect to:

- (a) any failure to inform an applicant or an authorised or registered person, as applicable, of the refusal of its application or of the cancellation of its authorisation or registration, as applicable, in terms of article 7;
- (b) any administrative penalty imposed under article 9;
- (c) any refusal of an application for an authorisation or registration, as applicable, or cancellation of authorisation or registration, as applicable, in accordance with articles 5 and 6;
- (d) any directive given under article 11 or under article 16(2)(b) of the [Malta Financial Services Authority Act](#);

- (e) the variation of any condition or the imposition of any new condition in terms of article 7.

(3) The provisions of article 21 of the [Malta Financial Services Authority Act](#) shall apply *mutatis mutandis* to appeals that may be brought before the Financial Services Tribunal in terms of this article.

Cap. 330.

DISQUALIFICATION AS A COMPANY SERVICE PROVIDER

17. A person shall not qualify for authorisation or registration under this Act if such person:

Persons not qualified to act as company service providers or limited company service providers.
Amended by:
L.2020.17;
X.2025.19.

- (a) is subject to any of the disqualifications under article 142(1) of the [Companies Act](#);
- (b) has been convicted of any of the offences under the [Malta Financial Services Authority Act](#), the [Investment Services Act](#), the [Banking Act](#), the [Financial Institutions Act](#), the [Insurance Distribution Act](#), the [Financial Markets Act](#), the [Insurance Business Act](#), the [Prevention of Financial Markets Abuse Act](#), the [Prevention of Money Laundering Act](#), the [Trusts and Trustees Act](#), the [Securitisation Act](#), the [Retirement Pensions Act](#), the [Virtual Financial Assets Act](#), and any regulations made thereunder;
- (c) is a minor; or
- (d) is subject to a disqualification order under article 320 of the [Companies Act](#).

Cap. 386.

Cap. 330.
Cap. 370.
Cap. 371.
Cap. 376.
Cap. 487.
Cap. 345.
Cap. 403.
Cap. 476.
Cap. 373.
Cap. 331.
Cap. 484.
Cap. 514.
Cap. 590.

Cap. 386.

TRANSITORY PROVISIONS

18. (1) Any person who, on the date of the coming into force of this Act, is carrying out the services of a company service provider within the meaning of this Act, shall, within three months from the date of coming into force of this Act, apply to the Authority for registration in terms of article 4.

Transitory provisions.

(2) The Authority shall accept all the applications referred to in sub-article (1) and shall process the said applications within six months from the receipt of a complete application, including receipt of all supporting documentation and fees as may be required by the Authority in processing such application.

19. (1) Persons who, on the first date of the coming into force of the amendments to the provisions of this Act introduced by virtue of [Company Service Providers \(Amendment\) Act, 2020](#), are offering any of the services of a company service provider within the meaning of this Act, and who, until such date, were not required to be registered in terms of this Act, may only continue to offer the services of a company service provider following eight months from such date of coming into force of [Company Service Providers \(Amendment\) Act, 2020](#) if:

Further transitory provisions and savings clause.
Added by:
L.2020.18.
Act No. L of 2020.

Act No. L of 2020.

Act No. L of 2020.

(a) they have applied for authorisation in terms of article 4, within two months from the first date of the coming into force of [Company Service Providers \(Amendment\) Act, 2020](#) and have been authorised by the Authority as an under-threshold company services provider within eight months of such date of coming into force; or

Act No. L of 2020.

(b) they have applied for authorisation in terms of article 4 within two months from the first date of the coming into force of [Company Service Providers \(Amendment\) Act, 2020](#), and have been provisionally authorised by the Authority as an over-threshold or Class C company services provider within eight months of such date of coming into force, subject to the submission of any additional information as may be required by the Authority and the payment of any additional fee as may be prescribed in the relevant rules or regulations issued under the Act:

Provided that, notwithstanding the provisions of article 5(4), the Authority shall notify any such person provisionally authorised in terms of paragraph (b), of its decision whether to grant or refuse authorisation, within twelve months of having granted such provisional authorisation:

Provided further that persons referred to in paragraph (b) shall *mutatis mutandis* comply with and adhere to the provisions of this Act during the said twelve month period or until such date as their application is approved or refused by the Authority, whichever is the earlier, and during such period any reference in the Act to a "company service provider" or an "authorised person" shall be deemed to include reference to a person who has been provisionally authorised under this sub-article:

(2) Any failure to meet any of the requirements mentioned in sub-article (1)(b), or to furnish any additional information requested by the Authority within the time stipulated by the Authority, or any withdrawal or abandonment of the application at any time during the said twelve month period, or the Authority's decision to refuse or grant an authorisation in terms of article 5, or if the applicant furnishes information or makes a statement which he knows to be inaccurate, false or misleading in

any material respect, or recklessly furnishes information or makes a statement which is inaccurate, false or misleading in any material respect, shall automatically render any such provisional authorisation null and without effect:

Provided that the granting of a provisional authorisation is a temporary concession and privilege, and no holder thereof shall be deemed to have acquired any vested rights therein or thereunder.

(3) The criteria by which a person shall be considered to be an over-threshold or under-threshold company services provider shall be provided for in rules issued under this Act.

(4) Subject to a complete application being submitted to the Authority in terms of sub-article (1), and before such person is authorised in terms of sub-article (1)(a) or before such person is provisionally authorised in terms of sub-article (1)(b), as the case may be, the Authority shall proceed to classify such person into one of the Classes for company service providers set out in the Schedule to this Act and into one of the thresholds mentioned in sub-article (3), and shall notify such person in writing of the outcomes of such classification and of such allocation of thresholds.

(5) Any person who, on the first date of the coming into force of [Company Service Providers \(Amendment\) Act, 2020](#), is already registered as a company service provider under this Act shall be considered to be an authorised person for the purposes of this Act. This notwithstanding, such person shall be subject to the Authority's classification process set out in sub-article (4), with no requirement, however, on such person to submit any application to the Authority.

Act No. L of 2020.

(6) Any applicant who may have already submitted an application for registration with the Authority prior to the first date of the coming into force of [Company Service Providers \(Amendment\) Act, 2020](#) and whose application had, by such date, not yet been determined by the Authority in terms of article 5, shall notify the Authority, in writing, whether such applicant intends continuing with the application or whether such applicant wishes to withdraw such application.

Act No. L of 2020.

Provided that, where an applicant does not so notify the Authority, within three months from the first date of the coming into force of [Company Service Providers \(Amendment\) Act, 2020](#), the Authority shall deem such an application to have been withdrawn.

Act No. L of 2020.

(7) Any person who, on the first date of the coming into force of [Company Service Providers \(Amendment\) Act, 2020](#), had already notified the Authority in terms of Article 3(5) prior to such coming into force of the said Act shall be subject to the Authority's classification process set out in sub-article (4), with no requirement, however, on such person to submit any application to the Authority.

Act No. L of 2020.

(8) The Authority may, at its sole discretion, direct the manner and intervals within which applications from different persons are to be received by the Authority within the period referred to in sub-article (1) above.

Transitory provisions relating to restricted company service providers.
Added by:
X.2025.20.
Act No. X of 2025.

20. Notwithstanding the provisions of articles 3(1A) and 3B(1), persons who were acting as restricted company service providers in or from Malta prior to the date of the coming into force of the [Company Service Providers \(Amendment\) Act, 2025](#) may continue to do so provided that they duly notify the Authority of their intention to do so in accordance with the provisions of article 3B by not later than two (2) months from the said date:

Provided that where any such person fails to notify the competent authority within such period, that person shall immediately cease from acting as a restricted company service provider.

Added by:
L.2020.19.

SCHEDULE

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| Class A
CSP | A company service provider authorised to provide, by way of its business, the following services to third parties: (i) formation of companies or other legal entities; and, or (ii) provision of a registered office, a business correspondence or administrative address and other related services for a company, a partnership or any other legal entity. |
| Class B
CSP | A company service provider authorised to provide, by way of its business, the service to third parties of acting as, or arranging for another person to act as director or secretary of a company, a partner in a partnership or in a similar position in relation to other legal entities. |
| Class C
CSP | A company service provider authorised to provide, by way of its business, all of the services of a company service provider specified under article 2(1) in the definition "company service provider". |
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