Suppliment tal-Gazzetta tal-Gvern ta' Malta Nru. 21,685, 10 ta' Lulju, 2026

Taqsima B

L.N. 188 of 2026

INVESTMENT SERVICES ACT (CAP. 370)

Investment Services Act (Control of Assets) (Amendment) Regulations, 2026

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.

1. The title of these regulations is the Investment Services Act (Control of Assets) (Amendment) Regulations, 2026 and these regulations shall be read and construed as one with the Investment Services Act (Control of Assets) Regulations, hereinafter referred to as the "principal regulations".

S.L. 370.05.

Amends regulation 1 of the principal regulations.

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

"(2) These regulations shall not apply to depositaries of collective investment schemes, which shall be regulated by the Investment Services Act (Depositaries of Collective Investment Schemes) Regulations.".

S.L. 370.32.

Amends regulation 2 of the principal regulations.

3. Sub-regulation (2) of regulation 2 of the principal regulations shall be amended as follows:

(a) the definition "custodian" shall be deleted;

(b) immediately after the definition "customer" there shall be added the following new definition:

" "depositary" means a depositary which is qualified in accordance with regulation 16;";

(c) the proviso thereof shall be substituted by the

following new proviso:

S.L. 370.32. Provided that a depositary as defined under the Investment Services Act (Depositaries of Collective Investment Schemes) Regulations that is also licensed to carry out other investment services shall also be a subject person under these regulations in relation to such investment services other than custody for collective investment schemes and in which case, the Investment Services Act (Depositaries of Collective Investment Schemes) Regulations shall apply.".

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