

MALTA

**ATT Nru X tal-2025**

ATT maħruġ b'ligi mill-Parlament ta' Malta.

**ATT sabiex jemenda l-Att dwar Provdituri ta' Servizz lil Kumpaniji, Kap. 529.**

**ACT No. X of 2025**

AN ACT enacted by the Parliament of Malta.

**AN ACT to amend the Company Service Providers Act, Cap. 529.**



Nagħti l-kunsens tiegħi.

(L.S.)

**MYRIAM SPITERI DEBONO**  
**President**

16 ta' Mejju, 2025

**ATT Nru X tal-2025**

*ATT sabiex jemenda l-Att dwar Provdituri ta' Servizz lil Kumpaniji, Kap. 529.*

IL-PRESIDENT bil-parir u l-kunsens tal-Kamra tad-Deputati, imlaqqgħa f'dan il-Parlament, u bl-awtorità tal-istess, ħarget b'ligi dan li ġej:-

1. It-titolu fil-qosor ta' dan l-Att huwa l-Att tal-2025 li jemenda l-Att dwar Provdituri ta' Servizz lil Kumpaniji u dan l-Att għandu jinqara u jinftiehem haġa waħda mal-Att dwar Provdituri ta' Servizz lil Kumpaniji, hawn iżjed 'il quddiem imsejjaħ l-"Att prinċipali".

Titolu fil-qosor.  
Kap. 529.

2. Il-kliem "kumpanija" jew "kumpaniji", kull fejn jokkorru, għandhom jiġu sostitwiti bil-kliem "kumpanija" jew "kumpaniji" rispettivament.

Emenda ġenerali fl-Att prinċipali.

3. L-artikolu 1 tal-Att prinċipali għandu jiġi emendat kif ġej:

Emendi għall-artikolu 1 tal-Att prinċipali.

(a) fis-subartikolu (2) tiegħu l-kliem "L-għan ta' dan l-Att" għandhom jiġu sostitwiti bil-kliem "L-għan prinċipali ta' dan l-Att", u l-kliem "provdituri ta' servizz lil kumpaniji" għandhom jiġu sostitwiti bil-kliem "persuni li jipprovdu servizzi lil kumpaniji"; u

(b) is-subartikolu (3) tiegħu għandu jiġi sostitwit bis-subartikolu ġdid li ġej:

"(3) L-Awtorità għandha twettaq il-funzjonijiet u d-dmirijiet tagħha bħala l-awtorità kompetenti għall-finijiet tal-Artikolu 47 tad-Direttiva (UE) 2015/849, kif imsemmi fis-subartikolu (2) u traspost fil-liġi nazzjonali, sa fejn l-imsemmi artikolu japplika għal persuni li jipprovdu servizzi lil kumpaniji, u għandha twettaq il-funzjonijiet u d-dmirijiet tagħha skont dan l-Att, inkluż sabiex tiżgura konformità mad-dispożizzjonijiet ta' dan l-Att u kwalunkwe regolamenti magħmula, u regoli maħruġa tahtu."

Emendi għall-artikolu 2 tal-Att prinċipali.

4. Is-subartikolu (1) tal-artikolu 2 tal-Att prinċipali għandu jiġi emendat kif ġej:

(a) minnufih wara t-tifsira "ġurisdizzjoni approvata" għandha tiġi miżjudha t-tifsira ġdida li ġejja:

" "involvimenti" għandu jkollha l-istess tifsira kif mogħti lilha fir-Regoli;"

(b) minnufih wara t-tifsira "il-Ministru" għandha tiġi miżjudha t-tifsira ġdida li ġejja:

" "permezz ta' negozju" tfisser il-provvista ta' servizzi lil kumpaniji b'tali mod kif jista' jiġi stabbilit permezz tar-Regoli maħruġa mill-Awtorità skont l-artikolu 8(1)(e);"

(ċ) it-tifsira "persuna awtorizzata" għandha tiġi sostitwita bit-tifsira ġdida li ġejja:

" "persuna awtorizzata" tfisser provditur ta' servizz lil kumpaniji awtorizzati mill-Awtorità skont dan l-Att;"

(d) minnufih wara t-tifsira "persuna awtorizzata" għandhom jiġu miżjudha t-tifsiriet godda li ġejjin:

" "persuna notifikata" tfisser provditur ristrett ta' servizzi lil kumpaniji li jkun innotifika lill-Awtorità bl-intenzjoni tiegħu li jaġixxi bħala tali skont id-dispożizzjonijiet ta' dan l-Att u kwalunkwe regolamenti magħmula, u regoli maħruġa tahtu;

"persuna registrata" tfisser provditur limitat ta' servizzi lil kumpaniji registrat mill-Awtorità skont id-dispożizzjonijiet ta' dan l-Att;"

(e) fit-tifsira "preskritt" il-kliem "b'regolamenti magħmulin taħt dan l-Att;" għandhom jiġu sostitwiti bil-kliem "b'regolamenti magħmula, jew regoli maħruġa, taħt dan l-Att;"

(f) it-tifsira "provviduri ta' servizz lil kumpaniji" għandha tiġi sostitwita bit-tifsira ġdida li ġejja:

" "provvidur ta' servizzi lil kumpaniji" tfisser kwalunkwe persuna, għajr provvidur limitat ta' servizzi lil kumpaniji, li tipprovdi jew tippreżenta ruħha li tipprovdi kwalunkwe servizzi lil kumpaniji lil terzi permezz ta' negozju;"

(g) minnufih wara t-tifsira "provvidur ta' servizzi lil kumpaniji", kif sostitwita, għandhom jiġu miżjudha t-tifsiriet ġodda li ġejjin:

" "provvidur limitat ta' servizzi lil kumpaniji" tfisser kwalunkwe persuna fiżika li:

(a) permezz ta' negozju, tipprovdi jew tippreżenta ruħha li tipprovdi kwalunkwe wieħed mis-servizzi li ġejjin lil partijiet terzi:

(i) taġixxi bħala direttur u, jew segretarju ta' kumpanija f'kumpanija u, jew soċju f'soċjetà; u, jew

(ii) taġixxi f'kariga simili fir-rigward ta' entitajiet ġuridici oħra; u

(b) għandha l-ħsieb li jkollha għaxar (10) jew inqas involvimenti f'xi ħin jew ieħor u li, f'kull każ, ma għandux ikollha aktar minn għaxar (10) involvimenti f'xi ħin jew ieħor;

"provvidur ristrett ta' servizzi lil kumpaniji" tfisser kwalunkwe persuna fiżika li:

(a) taġixxi bħala direttur u, jew bħala segretarju ta' kumpanija f'kumpanija u, jew soċju f'soċjetà u, jew tokkupa kariga simili fir-rigward ta' entitajiet ġuridici oħra; u

(b) ma taġixx jew ma tokkupa l-ebda kariga kif imsemmi fil-paragrafu (a) permezz ta' negozju; u

(ċ) tissodisfa r-rekwiżiti stabbiliti fir-Regoli maħruġa mill-Awtorità skont l-artikolu 8(1)(f);"

(h) minnufih wara t-tifsira "rabtiet mill-qrib" għandha tiġi miżjuda t-tifsira ġdida li ġejja:

" "servizzi lil kumpaniji" tfisser kwalunkwe wieħed mis-servizzi li ġejjin:

(a) il-formazzjoni ta' kumpaniji jew ta' entitajiet ġuridiċi oħra;

(b) taġixxi bħala, jew twettaq l-arrangamenti meħtieġa sabiex persuna oħra taġixxi bħala direttur jew segretarju ta' kumpanija, soċju f'soċjetà jew tokkupa kariga simili fir-rigward ta' entitajiet ġuridiċi oħra;

(ċ) il-forniment ta' uffiċċju registrat, indirizz kummerċjali għall-korrispondenza jew amministrattiv u servizzi oħra relatati ma' kumpanija, soċjetà jew kwalunkwe entità ġuridika oħra;"

Emendi għall-  
artikolu 3 tal-  
Att prinċipali.

5. L-artikolu 3 tal-Att prinċipali għandu jiġi emendat kif ġej:

(a) in-nota marginali tiegħu għandha tiġi sostitwita bin-nota marginali ġdida li ġejja:

"Rekwiziti għall-forniment ta' servizzi lil kumpaniji f'Malta.";

(b) is-subartikolu (1) tiegħu għandu jiġi sostitwit bis-subartikolu ġdid li ġej:

"(1) L-ebda persuna ma għandha taġixxi bħala provditur ta' servizzi lil kumpaniji jew provditur limitat ta' servizzi lil kumpaniji, jew tippreżenta ruħha li taġixxi bħala tali, f'Malta jew minn Malta sakemm dik il-persuna ma tkunx debitament awtorizzata jew registrata, kif applikabbli, sabiex tagħmel dan skont dan l-Att u kwalunkwe regolamenti magħmula, u regoli maħruġa tahtu.";

(ċ) is-subartikolu (1A) tiegħu għandu jiġi sostitwit bis-subartikolu ġdid li ġej:

"(1a) Bla ħsara għall-artikolu 3B, l-ebda persuna ma għandha taġixxi bħala provditur ristrett ta' servizzi lil kumpaniji f'Malta jew minn Malta sakemm dik il-persuna ma tkunx debitament innotifikat lill-Awtorità dwar dan

skont dan l-Att u kwalunkwe regolamenti magħmula, u regoli maħruġa taħtu.";

(d) is-subartikolu (1B) tiegħu għandu jiġi mħassar;

(e) is-subartikolu (4) tiegħu għandu jiġi sostitwit bis-subartikolu ġdid li ġej:

"(4) Fil-każ ta' xi dubju dwar jekk persuna għandhiex tiġi meqjusa bħala provditur ta' servizzi lil kumpaniji, bħala provditur limitat ta' servizzi lil kumpaniji, jew bħala provditur ristrett ta' servizzi lil kumpaniji billi jwettaq xi attività partikolari, il-kwistjoni għandha tiġi deċiża b'mod konklussiv mill-Awtorità.";

(f) is-subartikolu (5) tiegħu għandu jiġi emendat kif ġej:

(i) il-paragrafu (a) tiegħu għandu jiġi sostitwit b'dan il-paragrafu ġdid li ġej:

"(a) Id-dispożizzjonijiet tas-subartikolu (1) ma għandhomx japplikaw fir-rigward ta' persuni li jkunu ġew liċenzjati, reġistrati jew xort'oħra awtorizzati sabiex jaġixxu, jew jipprezentaw ruħhom bħala li jaġixxu, bħala provditur ta' servizzi lil kumpaniji jew bħala provditur limitat ta' servizzi lil kumpaniji mill-awtorità rilevanti ta' ġurisdizzjoni approvata:

Iżda kwalunkwe tali persuna għandha tinnotifika lill-Awtorità, bil-miktub, dwar l-intenzjoni tagħha li ttipprovi, jew tippreżenta ruħha li ttipprovi, servizzi lil kumpanija permezz ta' negozju f'Malta jew minn Malta, mill-inqas disgħin (90) jum qabel ma tagħmel dan u diment li tali persuna tircievi minghand l-Awtorità konferma bil-miktub li ma toġġezzjonax għaliha:

Iżda wkoll l-Awtorità għandha tiddetermina jekk kwalunkwe tali persuna għandhiex titqies bħala persuna awtorizzata jew persuna reġistrata għall-finijiet ta' dan l-Att u kwalunkwe regolamenti magħmula u, jew Regoli maħruġa taħtu:

Iżda wkoll fejn l-Awtorità tiddetermina li kwalunkwe tali persuna għandha titqies bħala persuna awtorizzata, hija għandha tiddetermina taħt liema waħda mill-klassijiet stabbiliti fl-Iskeda taqa' dik il-

persuna u, fejn tali persuna tkun ikklassifikata bħala CSP tal-Klassi A jew CSP tal-Klassi B skont l-imsemmija Skeda, hija għandha tiddetermina wkoll jekk tali persuna hijiex oġġla mil-limitu jew taħt il-limitu skont kwalunkwe Regoli mahruġa mill-Awtorità skont l-artikolu 5(2B)."; u

(ii) minnufih wara l-paragrafu (a) tiegħu għandu jiġi miżjud il-paragrafu ġdid li ġej:

"(aa) Meta persuna kif imsemmija fil-paragrafu (a) li tirċievi konferma bil-miktub mill-Awtorità skont l-imsemmi paragrafu jkollha l-ħsieb li tagħmel tibdil fir-rigward tas-servizzi lil kumpaniji li tippovdi u, jew l-involvimenti tagħha li jkun jeħtieġ li jiġi stabbilit mill-ġdid jekk tali persuna għandhiex titqies bħala persuna awtorizzata jew persuna reġistrata għall-finijiet ta' dan l-Att u ta' kwalunkwe regolamenti magħmula u, jew Regoli mahruġa tahtu u, jew taht liema mill-klassijiet stabbiliti fl-Iskeda u, jew mil-limiti stabbiliti fir-Regoli għandha taqa', kif applikabbli, tali persuna għandha tissottometti notifika lill-Awtorità bil-miktub mill-inqas tletin (30) jum qabel ma tagħmel dan:

Izda dan it-tibdil jista' jsir biss jekk dik il-persuna tirċievi mingħand l-Awtorità konferma bil-miktub li ma toġġezżjonax għall-istess:

Izda wkoll f'dawk il-każijiet, l-Awtorità tista' timmodifika d-determinazzjoni preċedenti tagħha dwar jekk dik il-persuna għandhiex titqies bħala persuna awtorizzata jew persuna reġistrata għall-finijiet ta' dan l-Att u kwalunkwe regolamenti magħmula u, jew Regoli mahruġa tahtu u, jew taht liema mill-klassijiet stabbiliti fl-Iskeda u, jew mil-limiti stabbiliti fir-Regoli tali persuna għandha taqa', kif applikabbli.";

(g) fis-subartikolu (6) tiegħu l-kliem "fis-subartikoli (1a) u (5)" għandhom jiġu sostitwiti bil-kliem "fis-subartikolu (5)", u l-kliem "bħala provditur ta' servizz lil kumpaniji" għandhom jiġu sostitwiti bil-kliem "fir-rigward tal-forniment ta' servizzi lil kumpaniji".

jìgu miżjuda l-artikoli godda li ġejjin:

"Rekwiżiti għal awtorizzazzjoni u reġistrazzjoni.

3A. (1) Bla hsara għad-dispożizzjonijiet tal-artikolu 3(5), kwalunkwe persuna li jkollha l-ħsieb li taġixxi bhala provditur ta' servizzi lil kumpaniji, jew li taġixxi bhala tali, f'Malta jew minn Malta, għandha tapplika mal-Awtorità għal awtorizzazzjoni sabiex tagħmel dan.

(2) Bla hsara għad-dispożizzjonijiet tal-artikolu 3(5), kwalunkwe persuna li jkollha l-ħsieb li taġixxi bhala provditur limitat ta' servizzi lil kumpaniji, jew tipprezenta ruħha li taġixxi bhala tali, f'Malta jew minn Malta, għandha tapplika mal-Awtorità għar-reġistrazzjoni sabiex tagħmel dan.

(3) L-Awtorità tista', fid-diskrezzjoni tagħha u fi kwalunkwe hin, titlob lil kwalunkwe mill-persuni msemmija f'dan l-artikolu sabiex tipprovi kwalunkwe informazzjoni jew dokumentazzjoni li l-Awtorità tista' tqis meħtieġa, u tali persuna għandha tikkollabora mal-Awtorità u għandha minnufih tiġbor u tibgħat mingħajr dewmien żejjed dik l-informazzjoni u d-dokumentazzjoni li l-Awtorità tista' titlob.

Rekwiżit ta' notifika.

3B. (1) Kwalunkwe persuna li taġixxi bhala provditur ristrett ta' servizzi lil kumpaniji f'Malta jew minn Malta għandha tinnotifika lill-Awtorità b'dan skont id-dispożizzjonijiet ta' dan l-Att u kwalunkwe regolamenti magħmula, u r-regoli maħruġa tahtu.

(2) Notifika kif imsemmija fis-subartikolu (1) għandha tkun:

(a) magħmula fi żmien erbatax (14)-il jum mid-data meta l-provditur ristrett ta' servizzi lil kumpaniji jkollu għall-ewwel darba l-kariga ta' direttur jew segretarju ta' kumpanija f'kumpanija, jew soċju f'soċjetà, jew kariga simili fir-rigward ta' entitajiet ġuridiċi oħra; u

(b) akkumpanjata bid-dritt tan- notifika, li ma jingħatax lura, kif jista' jiġi preskritt permezz ta' regolamenti magħmula taht dan l-Att.

(3) L-Awtorità tista', fid-diskrezzjoni tagħha u fi kwalunkwe ħin, titlob lil kwalunkwe persuna kif imsemmija f'dan l-artikolu sabiex tipprovdi kwalunkwe informazzjoni jew dokumentazzjoni li l-Awtorità tista' tqis meħtieġa, u tali persuna għandha tikkollabora mal-Awtorità u għandha minnufih tiġbor u tibgħat, mingħajr l-ebda dewmien żejjed, tali informazzjoni u dokumentazzjoni li l-Awtorità tista' titlob.

(4) Għandu jiġi stabbilit mill-Awtorità registru tal-persuni notifikati kollha u dan għandu jiġi aġġornat fuq bażi regolari."

Emenda tal-artikolu 4 tal-Att prinċipali.

7. L-artikolu 4 tal-Att prinċipali għandu jiġi emendat kif ġej:

(a) in-nota marginali tiegħu għandha tiġi sostitwita bin-nota marginali ġdida li ġejja:

"Applikazzjoni għal awtorizzazzjoni jew registrazzjoni.";

(b) il-kliem "Applikazzjoni għal awtorizzazzjoni bħala provditur ta' servizz lil kumpanniji skont l-artikolu 3 għandha ssir lill-Awtorità u:" għandhom jiġu sostitwiti bil-kliem "Persuna li tapplika għal awtorizzazzjoni jew registrazzjoni skont id-dispożizzjonijiet tal-artikolu 3A(1) u (2) rispettivament għandha tissottometti lill-Awtorità applikazzjoni li:";

(ċ) fil-paragrafu (ċ) tiegħu l-kliem "għall-awtorizzazzjoni" għandhom jiġu mħassra; u

(d) fil-paragrafu (d) tiegħu l-kelma "awtorizzazzjoni" għandha tiġi sostitwita bil-kliem "awtorizzazzjoni jew registrazzjoni".

Emenda tal-artikolu 5 tal-Att prinċipali.

8. L-artikolu 5 tal-Att prinċipali għandu jiġi emendat kif ġej:

(a) in-nota marginali tiegħu għandha tiġi sostitwita bin-nota marginali ġdida li ġejja:

"Setgħa tal-Awtorità li tirrifjuta jew tagħti awtorizzazzjoni jew registrazzjoni.";

(b) is-subartikolu (1) tiegħu għandu jiġi emendat kif ġej:

(i) il-kliem "L-Awtorità tista' tikkonċedi jew tirrifjuta l-awtorizzazzjoni li dwarha tkun saret applikazzjoni taħt dan l-Att. Tali awtorizzazzjoni tista'

tkun waħda ġenerali jew inkella tista' tkun ristretta għal xi attivitajiet speċifiċi partikolari. L-Awtorità m'għandhiex, mingħajr preġudizzju għall-artikolu 3, tagħti awtorizzazzjoni li tkun saret applikazzjoni għaliha taħt dan l-Att kemm-il darba ma tkunx sodisfatta li:" għandhom jiġu sostitwiti bil-kliem "L-Awtorità tista' tagħti jew tirrifjuta awtorizzazzjoni jew reġistrazzjoni li tkun saret applikazzjoni għalihom taħt dan l-Att. Tali awtorizzazzjoni jew reġistrazzjoni jistgħu jkunu ġenerali jew inkella jistgħu jkunu ristretti għal xi attivitajiet speċifiċi partikolari. L-Awtorità ma għandhiex, bla ħsara għall-artikolu 3, tagħti awtorizzazzjoni jew reġistrazzjoni li tkun saret applikazzjoni għaliha taħt dan l-Att kemm-il darba ma tkunx sodisfatta li:"; u

(ii) fis-subparagrafu (i) tal-paragrafu (ċ) tiegħu l-kliem "li din taġixxi bħala provditur ta' servizz lil kumpanniji" għandhom jiġu sostitwiti bil-kliem "tipprovdi servizzi lil kumpaniji", u l-kliem "mas-servizzi ta' provditur ta' servizz lil kumpanniji" għandhom jiġu sostitwiti bil-kliem "mal-għoti ta' servizzi lil kumpaniji";

(ċ) fis-subartikolu (2) tiegħu l-kliem "tirrofta awtorizzazzjoni" għandhom jiġu sostitwiti bil-kliem "tirrifjuta awtorizzazzjoni jew reġistrazzjoni";

(d) fis-subartikolu (2A) tiegħu l-kliem "l-applikant għandu jiġi klassifikat" għandhom jiġu sostitwiti bil-kliem "l-applikanti li jkunu qed japplikaw għal awtorizzazzjoni għandhom jiġu klassifikati" u l-kliem "meta l-applikant" għandhom jiġu sostitwiti bil-kliem "meta kwalunkwe tali applikant";

(e) fis-subartikolu (3) tiegħu l-kliem "tagħti l-awtorizzazzjoni" għandhom jiġu sostitwiti bil-kliem "tagħti l-awtorizzazzjoni jew ir-reġistrazzjoni" u l-kliem "tat l-awtorizzazzjoni" għandhom jiġu sostitwiti bil-kliem "tat l-awtorizzazzjoni jew ir-reġistrazzjoni";

(f) is-subartikolu (4) tiegħu għandu jiġi sostitwit bis-subartikolu ġdid li ġej:

"(4) Meta japplika għal awtorizzazzjoni jew reġistrazzjoni, l-applikant għandu jissottometti applikazzjoni kompluta skont id-dispożizzjonijiet applikabbli ta' dan l-Att u kwalunkwe regolamenti magħmula, u r-regoli maħruġa tahtu:

Iżda l-Awtorità tista' fi kwalunkwe hin titlob lill-applikant jipprovdi kwalunkwe informazzjoni addizzjonali li tista' tqis meħtieġa sabiex tipproċessa l-applikazzjoni:

Iżda wkoll meta l-applikant jonqos milli jipprovdi kwalunkwe informazzjoni addizzjonali li tista' tintalab mill-Awtorità fi żmien tliet (3) xhur minn meta ssirlu t-talba, l-Awtorità għandha tqis li dik l-applikazzjoni giet irtirata mill-applikant.";

(g) is-subartikolu (5) tiegħu għandu jiġi sostitwit bis-subartikolu ġdid li ġej:

"(5) Il-persuni awtorizzati u reġistrati għandhom ikunu soġġetti għal kwalunkwe drittijiet superviżorji li jistgħu jiġu preskritti permezz ta' regolamenti magħmula taħt dan l-Att.";

(h) fis-subartikolu (6) tiegħu l-kliem "tal-provdituri ta' servizz lil kumpanniji kollha li jkunu ngħataw awtorizzazzjoni skont dan l-Att" għandhom jiġu sostitwiti bil-kliem "tal-persuni kollha awtorizzati u reġistrati"; u

(i) fis-subartikolu (7) tiegħu l-kliem "Provditur ta' servizz lil kumpanniji għandu javża" għandhom jiġu sostitwiti bil-kliem "Persuna awtorizzata jew reġistrata għandha tavża" u l-kliem "bħala persuna awtorizzata" għandhom jiġu sostitwiti bil-kliem "bħala persuna awtorizzata jew reġistrata, kif ikun applikabbli".

Emenda tal-artikolu 6 tal-Att prinċipali.

9. L-artikolu 6 tal-Att prinċipali għandu jiġi emendat kif ġej:

(a) in-nota marginali tiegħu għandha tiġi sostitwita bin-nota marginali ġdida li ġejja:

"Setgħa tal-Awtorità li tħassar awtorizzazzjoni jew reġistrazzjoni.";

(b) is-subartikolu (1) tiegħu għandu jiġi emendat kif ġej:

(i) il-kliem "6. L-Awtorità tista', f'kull waqt, tħassar awtorizzazzjoni mogħtija skont dan l-Att meta:" għandhom jiġu sostitwiti bil-kliem "6. (1) L-Awtorità tista', f'kull waqt, tħassar awtorizzazzjoni jew reġistrazzjoni mogħtija skont dan l-Att meta:";

(ii) fil-paragrafu (a) tiegħu l-kelma "awtorizzata" għandha tiġi sostitwita bil-kliem "awtorizzata jew registrata";

(iii) il-paragrafu (b) tiegħu għandu jiġi sostitwit bil-paragrafu ġdid li ġej:

"(b) il-persuna awtorizzata jew registrata tkun kisret xi dispożizzjoni ta' dan Att jew kwalunkwe regolamenti jew regoli magħmula tahtu jew tkun naqset milli tissodisfa jew tħares xi obbligu jew kondizzjoni li dik il-persuna awtorizzata jew registrata, jew l-awtorizzazzjoni jew ir-registrazzjoni mogħtija lilha, kif applikabbli, ikunu soġġetti għalihom bis-saħħa ta' dan l-Att jew kwalunkwe regolamenti jew regoli magħmula tahtu, inkluż kwalunkwe ksur fir-rigward tal-qafas ta' governanza u kontroll tal-persuna awtorizzata jew registrata;"

(iv) fil-paragrafu (ċ) tiegħu l-kliem "il-persuna awtorizzata jew xi persuna li tkun qiegħda taġixxi f'isem dik il-persuna awtorizzata" għandhom jiġu sostitwiti bil-kliem "il-persuna awtorizzata jew registrata jew xi persuna li tkun qiegħda taġixxi f'isem dik il-persuna awtorizzata jew registrata";

(v) il-paragrafu (d) tiegħu għandu jiġi sostitwit bil-paragrafu ġdid li ġej:

"(d) il-persuna awtorizzata jew registrata tkun waqfet milli taġixxi bħala provditur ta' servizzi lil kumpaniji jew provditur limitat ta' servizzi lil kumpaniji, kif applikabbli;"

(vi) fil-paragrafu (e) tiegħu l-kelma "awtorizzazzjoni" għandha tiġi sostitwita bil-kliem "awtorizzazzjoni jew ir-registrazzjoni, kif applikabbli,"

(vii) fil-paragrafu (f) tiegħu l-kelma "awtorizzata" għandha tiġi sostitwita bil-kliem "awtorizzata jew registrata";

(viii) fil-paragrafu (fA) tiegħu l-kelma "awtorizzata" għandha tiġi sostitwita bil-kliem "awtorizzata jew registrata"; u

(ix) il-paragrafu (g) tiegħu għandu jiġi sostitwit

bil-paragrafu ġdid li ġej:

"(g) ikun hemm ċirkostanzi oħra li taħthom l-Awtorità kienet tkun prekluzja milli tagħti awtorizzazzjoni jew reġistrazzjoni taħt dan l-Att jew meta l-Awtorità tkun xort'oħra irrifjutat li tagħti dik l-awtorizzazzjoni jew reġistrazzjoni, kif applikabbli.";

(ċ) fis-subartikolu (2) tiegħu l-kliem "l-awtorizzazzjoni ta' provditur ta' servizz lil kumpaniji" għandhom jiġu sostitwiti bil-kliem "l-awtorizzazzjoni jew ir-reġistrazzjoni mogħtija taħt dan l-Att"; u

(d) is-subartikolu (3) tiegħu għandu jiġi sostitwit bis-subartikolu ġdid li ġej:

"(3) Kwalunkwe persuna li l-awtorizzazzjoni jew r-reġistrazzjoni tagħha tiġi mħassra għandha, fi żmien sittin (60) jum mid-data tat-tħassir tal-awtorizzazzjoni jew tar-reġistrazzjoni, kif applikabbli, tiżgura li s-servizzi li kienet qiegħda tipprovdi lil kumpaniji jew lil persuni ġuridiċi oħra fit-termini tal-awtorizzazzjoni jew r-reġistrazzjoni tagħha, jiġu trasferiti lil persuna oħra li debitament tkun awtorizzata jew reġistrata skont dan l-Att:

Iżda dan is-subartikolu ma għandux japplika għat-tħassir ta' awtorizzazzjoni jew reġistrazzjoni skont il-paragrafu (f) tas-subartikolu (1):

Iżda wkoll kwalunkwe persuna li l-awtorizzazzjoni jew ir-reġistrazzjoni tagħha għiet imħassra skont il-paragrafu (f) tas-subartikolu (1) għandha tiżgura li s-servizzi li kienet qiegħda tipprovdi lil kumpaniji jew entitajiet ġuridiċi oħra skont l-awtorizzazzjoni jew ir-reġistrazzjoni tagħha, jiġu trasferiti lil persuna oħra li tkun debitament awtorizzata jew reġistrata, jew li ma tkunx teħtieġ li tiġi awtorizzata jew reġistrata, skont dan l-Att, jew inkella jiġu terminati skont il-liġi applikabbli, qabel ma l-Awtorità tilqa' t-talba għat-tħassir tal-awtorizzazzjoni jew ir-reġistrazzjoni."

Emenda tal-artikolu 7 tal-Att prinċipali.

**10.** L-artikolu 7 tal-Att prinċipali għandu jiġi emendat kif ġej:

(a) is-subartikolu (1) tiegħu għandu jiġi emendat kif ġej:

(i) fil-paragrafu (a) tiegħu l-kliem "xi kondizzjoni li l-awtorizzazzjoni tkun soġġetta" għandhom

jigü sostitwiti bil-kliem "xi kondizzjoni li l-awtorizzazzjoni jew ir-registrazzjoni jkunu soġġetti";

(ii) il-paragrafu (b) tiegħu għandu jiġi sostitwit bil-paragrafu ġdid li ġej:

"(b) tirrifjuta applikazzjoni għal awtorizzazzjoni jew registrazzjoni jew thassar awtorizzazzjoni jew registrazzjoni,";

(iii) il-kelma "awtorizzata" għandha tiġi sostitwita bil-kliem "awtorizzata jew registrata"; u

(b) fis-subartikolu (3) tiegħu l-kelma "awtorizzata" għandha tiġi sostitwita bil-kliem "awtorizzata jew registrata".

**11.** L-artikolu 8 tal-Att prinċipali għandu jiġi emendat kif ġej:

Emenda tal-artikolu 8 tal-Att prinċipali.

(a) fil-paragrafu (e) tas-subartikolu (1) tiegħu l-kliem "li qegħda twettaq l-attivitajiet ta' provditur ta' servizz lil kumpanniji, fil-kummerċ" għandhom jiġu sostitwiti bil-kliem "li qiegħda tipprovdi servizzi lil kumpaniji fil-kummerċ" u minnufih wara għandu jiġi miżjud il-paragrafu ġdid li ġej:

"(ea) tistabbilixxi r-rekwiżiti li għandhom jiġu sodisfatti, b'zieda ma' kwalunkwe tali rekwiżiti stabbiliti f'dan l-Att, sabiex persuna tkun ikkunsidrata bħala provditur ta' servizzi lil kumpaniji,"; u

(b) minnufih wara s-subartikolu (2) tiegħu għandu jiġi miżjud is-subartikolu ġdid li ġej:

"(3) Għall-finijiet ta' dan l-artikolu, "provdituri ta' servizzi lil kumpaniji" tfisser persuni li jipprovdu servizzi lil kumpaniji skont id-dispożizzjonijiet ta' dan l-Att u kwalunkwe regolamenti magħmula, u regoli maħruġa taħtu."

**12.** Fis-subartikolu (1) tal-artikolu 9 tal-Att prinċipali l-kelma "fl-awtorizzazzjoni" għandha tiġi sostitwita bil-kliem "fl-awtorizzazzjoni jew registrazzjoni".

Emenda tal-artikolu 9 tal-Att prinċipali.

**13.** Fis-subartikolu (1) tal-artikolu 10 tal-Att prinċipali l-kliem "bħala provditur ta' servizz lil kumpanniji jew li kienet qegħda tipprovdi servizzi li jeħtieġu awtorizzazzjoni skont dan l-Att" għandhom jiġu sostitwiti bil-kliem "bħala provditur ta' servizzi lil kumpaniji, provditur limitat ta' servizzi lil kumpaniji jew provditur ristrett ta' servizzi lil kumpaniji, jew li kienet qiegħda tipprovdi

Emenda tal-artikolu 10 tal-Att prinċipali.

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servizzi li jeħtiegu awtorizzazzjoni, registrazzjoni jew notifika skont dan l-Att".

Emenda tal-artikolu 11 tal-Att prinċipali.

**14.** Is-subartikolu (2) tal-artikolu 11 tal-Att prinċipali għandu jiġi emendat kif ġej:

(a) minnufih wara l-paragrafu (a) tiegħu għandu jiġi miżjud il-paragrafu ġdid li ġej:

"(aa) tkun teħtieg li persuna li tkun qiegħda tipprovdi servizzi lil kumpaniji tieqaf milli tipprovdi tali servizzi lil kumpaniji, irrispettivament jekk dik il-persuna jkollhiex permess sabiex tipprovdi tali servizzi taħt dan l-Att"; u

(b) fil-paragrafu (ċ) tiegħu l-kliem "provditur ta' servizz lil kumpaniji" għandhom jiġu sostitwiti bil-kliem "persuna awtorizzata, registrata jew notifikata" u l-kliem "provditur ta' servizz lil kumpaniji awtorizzat" għandhom jiġu sostitwiti bil-kliem "persuna awtorizzata, registrata jew notifikata, kif applikabbli".

Emenda tal-artikolu 12 tal-Att prinċipali.

**15.** Is-subartikolu (1) tal-artikolu 12 tal-Att prinċipali għandu jiġi sostitwit bis-subartikolu ġdid li ġej:

Kap. 330. "(1) Id-dispożizzjonijiet tal-artikolu 17 tal-Att dwar l-Awtorità għas-Servizzi Finanzjarji ta' Malta għandhom japplikaw, *mutatis mutandis*, fir-rigward ta' provduri ta' servizzi lil kumpaniji, provduri limitati ta' servizzi lil kumpaniji u provduri ristretti ta' servizzi lil kumpaniji .".

Emenda tal-artikolu 14 tal-Att prinċipali.

**16.** Is-subartikolu (1) tal-artikolu 14 tal-Att prinċipali għandu jiġi emendat kif ġej:

(a) fil-paragrafu (a) tiegħu l-kliem "provdituri ta' servizz lil kumpaniji" għandhom jiġu sostitwiti bil-kliem "persuni li jipprovdu servizzi lil kumpaniji";

(b) fil-paragrafu (b) tiegħu l-kliem "tal-artikoli 3 u 4" għandhom jiġu sostitwiti bil-kliem "tal-artikoli 3, 3A, 3B u 4";

(ċ) fil-paragrafu (d) tiegħu l-kliem "provdituri ta' servizz lil kumpaniji" għandhom jiġu sostitwiti bil-kliem "persuni li jipprovdu servizzi lil kumpaniji"; u

(d) fil-paragrafu (eA) tiegħu l-kliem "provdituri ta' servizz lil kumpaniji" għandhom jiġu sostitwiti bil-kliem "persuni li jipprovdu servizzi lil kumpaniji".

**17.** Fis-subartikolu (1) tal-artikolu 15 tal-Att prinċipali l-kliem "ta' awtorizzazzjoni" għandhom jiġu mhassra. Emenda tal-artikolu 15 tal-Att prinċipali.

**18.** Is-subartikolu (2) tal-artikolu 16 tal-Att prinċipali għandu jiġi emendat kif ġej: Emenda tal-artikolu 16 tal-Att prinċipali.

(a) fil-paragrafu (a) tiegħu l-kliem "provvidur ta' servizz lil kumpanniji awtorizzat" għandhom jiġu sostitwiti bil-kliem "persuna awtorizzata jew reġistrata, kif applikabbli," u l-kelma "awtorizzazzjoni" għandha tiġi sostitwita bil-kliem "awtorizzazzjoni jew reġistrazzjoni, kif applikabbli,";

(b) fil-paragrafu (b) tiegħu l-kliem "u l-artikolu 15(8)" għandhom jiġu mhassra; u

(ċ) il-paragrafu (ċ) tiegħu għandu jiġi sostitwit bil-paragrafu ġdid li ġej:

"(ċ) kwalunkwe każ ta' applikazzjoni għal awtorizzazzjoni jew reġistrazzjoni, kif applikabbli, jew tħassir ta' awtorizzazzjoni jew reġistrazzjoni, kif applikabbli skont l-artikoli 5 u 6;"

**19.** L-artikolu 17 tal-Att prinċipali għandu jiġi emendat kif ġej: Emenda tal-artikolu 17 tal-Att prinċipali.

(a) fin-nota marginali tiegħu l-kliem "provviduri ta' servizz lil kumpanniji" għandhom jiġu sostitwiti bil-kliem "provviduri ta' servizzi lil kumpaniji jew provviduri limitati ta' servizzi lil kumpaniji"; u

(b) il-kliem "għal awtorizzazzjoni bhala provvidur ta' servizz lil kumpanniji" għandhom jiġu sostitwiti bil-kliem "għal awtorizzazzjoni jew reġistrazzjoni taht dan l-Att".

**20.** Minnufih wara l-artikolu 19 tal-Att prinċipali għandu jiġi miżjud l-artikolu ġdid li ġej: Żieda ta' artikolu ġdid fl-Att prinċipali.

"Dispożizzjonijiet tranżitorji fir-rigward ta' provviduri ristretti ta' servizzi lil kumpaniji. Att Nru X tal-2025.

20. Minkejja d-dispożizzjonijiet tal-artikoli 3(1A) u 3B(1), persuni li kienu jaġixxu bhala provviduri ristretti ta' servizzi lil kumpaniji f'Malta jew minn Malta qabel id-data tal-bidu fis-sehħ tal-Att tal-2025 li jemenda l-Att dwar Provviduri ta' Servizzi lil Kumpaniji jistgħu jkomplu jaġhmlu dan diment li debitament jinnotifikaw lill-Awtorità dwar l-intenzjoni tagħhom li jaġhmlu dan skont id-dispożizzjonijiet tal-artikolu 3B sa mhux iktar tard minn xahrejn (2) minn tali data:

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Iżda fejn kwalunkwe tali persuna tonqos milli tinnotifika lill-awtorità kompetenti matul tali perjodu, dik il-persuna għandha minnufih tieqaf milli taġixxi bħala provditur ristrett ta' servizzi lil kumpaniji .".

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Mgħoddi mill-Kamra tad-Deputati fis-Seduta Nru 340 tat-12 ta' Meju, 2025.

ANĠLU FARRUGIA  
*Speaker*

ELEANOR SCERRI  
*Skrivan tal-Kamra tad-Deputati*

I assent.

(L.S.)

**MYRIAM SPITERI DEBONO**  
**President**

16th May, 2025

**ACT No. X of 2025**

*AN ACT to amend the Company Service Providers Act, Cap. 529.*

BE IT ENACTED by the President, by and with the advice and consent of the House of Representatives, in this present Parliament assembled, and by the authority of the same as follows:-

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

Short title.

Cap. 529.

2. In the Maltese version only of the principal Act, the words "kumpanija" or "kumpaniji", wherever they occur, shall be substituted by the words "kumpanija" or "kumpaniji" respectively.

General amendment to the principal Act.

3. Article 1 of the principal Act shall be amended as follows:

Amendment of article 1 of the principal Act.

(a) in sub-article (2) thereof the words "The purpose of this Act" shall be substituted by the words "The main purpose of this Act" and the words "company service providers" shall be substituted by the words "persons providing company services"; and

(b) sub-article (3) thereof shall be substituted by the

following new sub-article:

"(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."

Amendment of article 2 of the principal Act.

4. Sub-article (1) of article 2 of the principal Act shall be amended as follows:

(a) the definition "authorised person" shall be substituted by the following new definition:

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

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

" "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);"

(c) immediately after the definition "close links" there shall be added the following new definition:

" "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;"

(d) the definition "company service provider" shall be substituted by the following new definition:

" "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;"

(e) immediately after the definition "EEA State" there shall be added the following new definitions:

" "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;"

(f) immediately after the definition "Minister" there shall be added the following new definition:

" "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;"

(g) in the definition "prescribed" the words "by regulations made under this Act." shall be substituted by the words "by regulations made, or rules issued under this Act;" and

(h) immediately after the definition "prescribed", as

amended, there shall be added the following new definitions:

" "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);".

Amendment of  
article 3 of the  
principal Act.

5. Article 3 of the principal Act shall be amended as follows:

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

"Requirements for the provision of company services in, or from Malta.";

(b) sub-article (1) thereof shall be substituted by the following new sub-article:

"(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.";

(c) sub-article (1A) thereof shall be substituted by the following new sub-article:

"(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.";

(d) sub-article (1B) thereof shall be deleted;

(e) sub-article (4) thereof shall be substituted by the following new sub-article:

"(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.";

(f) sub-article (5) thereof shall be amended as follows:

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

"(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)."; and

(ii) immediately after paragraph (a) thereof there shall be added the following new paragraph:

"(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."; and

(g) in sub-article (6) thereof the words "in sub-articles (1a) and (5)" shall be substituted by the words "in sub-article (5)", and the words "as a company service provider" shall be substituted by the words "relating to the provision of company services".

**6.** Immediately after article 3 of the principal Act there shall

be added the following new articles:

"Authorisation  
and registration  
requirements.

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.

(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.

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."

Amendment of article 4 of the principal Act.

7. Article 4 of the principal Act shall be amended as follows:

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

"Application for authorisation or registration.";

(b) the words "An application for authorisation as a company service provider in terms of article 3 shall be made to the Authority and shall:" shall be substituted by the words "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:";

(c) in paragraph (c) thereof the words "for authorisation" shall be deleted; and

(d) in paragraph (d) thereof the word "authorisation" shall be substituted by the words "authorisation or registration".

Amendment of article 5 of the principal Act.

8. Article 5 of the principal Act shall be amended as follows:

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

"Power of the Authority to refuse or grant authorisation or registration.";

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

(i) the words "The Authority may grant or refuse to grant authorisation applied for under this Act. Such authorisation may be general or may be restricted to particular specified activities. The Authority shall not, without prejudice to article 3, grant authorisation applied

for under this Act unless it is satisfied that:" shall be substituted by the words "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:"; and

(ii) in sub-paragraph (i) of paragraph (c) thereof the words "acting as a company service provider" shall be substituted by the words "providing company services", and the words "the services of a company service provider" shall be substituted by the words "the provision of company services";

(c) in sub-article (2) thereof the word "authorisation" shall be substituted by the words "authorisation or registration";

(d) in sub-article (2A) thereof the words "the applicant shall be classified" shall be substituted by the words "applicants applying for an authorisation shall be classified", and the words "when an applicant" shall be substituted by the words "when any such applicant";

(e) in sub-article (3) thereof the words "granting authorisation" shall be substituted by the words "granting authorisation or registration", and the words "granted authorisation" shall be substituted by the words "granted authorisation or registration";

(f) sub-article (4) thereof shall be substituted by the following new sub-article:

"(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.";

(g) sub-article (5) thereof shall be substituted by the following new sub-article:

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

(h) in sub-article (6) thereof the words "of all company service providers to whom authorisation has been granted in terms of this Act" shall be substituted by the words "of all authorised and registered persons"; and

(i) in sub-article (7) thereof the words "A company service provider shall notify" shall be substituted the words "An authorised or registered person shall notify" and the words "as an authorised person" shall be substituted by the words "as an authorised or registered person, as applicable,".

Amendment of  
article 6 of the  
principal Act.

**9.** Article 6 of the principal Act shall be amended as follows:

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

"Power of the Authority to cancel an authorisation or registration.";

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

(i) the words "6. (1) The Authority may, at any time, cancel an authorisation granted in terms of this Act where:" shall be substituted by the words "6. (1) The Authority may, at any time, cancel an authorisation or registration granted in terms of this Act where:";

(ii) in paragraph (a) thereof the word "authorised" shall be substituted by the words "authorised or registered";

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

"(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;"

(iv) in paragraph (c) thereof the words "authorised person or someone acting on behalf of such authorised person" shall be substituted by the words "authorised or registered person or someone acting on behalf of such authorised or registered person";

(v) paragraph (d) thereof shall be substituted by the following new paragraph:

"(d) the authorised or registered person has ceased to act as a company service provider or a limited company service provider, as applicable;"

(vi) in paragraph (e) thereof the word "authorisation" shall be substituted by the words "authorisation or registration, as applicable,";

(vii) in paragraph (f) thereof the word "authorised" shall be substituted by the words "authorised or registered";

(viii) in paragraph (fA) thereof the word "authorised" shall be substituted by the words "authorised or registered"; and

(ix) paragraph (g) thereof shall be substituted by the following new paragraph:

"(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.";

(c) in sub-article (2) thereof the words "the authorisation of a company service provider" shall be substituted by the words "an authorisation or registration granted under this Act"; and

(d) sub-article (3) thereof shall be substituted by the

following new sub-article:

"(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."

Amendment of article 7 of the principal Act.

**10.** Article 7 of the principal Act shall be amended as follows:

(a) sub-article (1) thereof shall be amended as follows:

(i) in paragraph (a) thereof the words "any condition to which the authorisation is subject" shall be substituted by the words "any condition to which the authorisation or registration are subject";

(ii) paragraph (b) thereof shall be substituted by the following new paragraph:

"(b) to refuse an application for an authorisation or registration or to cancel an authorisation or registration,";

(iii) the word "authorised" shall be substituted by the words "authorised or registered"; and

(b) in sub-article (3) thereof the word "authorised" shall be substituted by the words "authorised or registered".

**11.** Article 8 of the principal Act shall be amended as follows: Amendment of article 8 of the principal Act.

(a) in paragraph (e) of sub-article (1) thereof the words "to be carrying on the activities of a company service provider by way of business" shall be substituted by the words "to be providing company services by way of business" and immediately thereafter there shall be added the following new paragraph:

"(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;" and

(b) immediately after sub-article (2) thereof there shall be added the following new sub-article:

"(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."

**12.** In sub-article (1) of article 9 of the principal Act the word "authorisation" shall be substituted by the words "authorisation or a registration". Amendment of article 9 of the principal Act.

**13.** In sub-article (1) of article 10 of the principal Act the words "as a company service provider or who was providing services which require authorisation according to this Act" shall be substituted by the words "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". Amendment of article 10 of the principal Act.

**14.** Sub-article (2) of article 11 of the principal Act shall be amended as follows: Amendment of article 11 of the principal Act.

(a) immediately after paragraph (a) thereof there shall be added the following new paragraph:

"(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;" and

(b) in paragraph (c) thereof the words "a company service provider" shall be substituted by the words "an authorised, registered or notified person" and the words

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"authorised company service provider" shall be substituted by the words "authorised, registered or notified person, as applicable".

Amendment of article 12 of the principal Act.

**15.** Sub-article (1) of article 12 of the principal Act shall be substituted by the following new sub-article:

Cap. 330. "(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."

Amendment of article 14 of the principal Act.

**16.** Sub-article (1) of article 14 of the principal Act shall be amended as follows:

(a) in paragraph (a) thereof the words "company service providers" shall be substituted by the words "persons providing company services";

(b) in paragraph (b) thereof the words "articles 3 and 4" shall be substituted by the words "articles 3, 3A, 3B and 4";

(c) in paragraph (d) thereof the words "corporate service providers" shall be substituted by the words "persons providing company services"; and

(d) in paragraph (eA) thereof the words "company service providers" shall be substituted by the words "persons providing company services".

Amendment of article 15 of the principal Act.

**17.** In sub-article (1) of article 15 of the principal Act the word "authorisation" shall be deleted.

Amendment of article 16 of the principal Act.

**18.** Sub-article (2) of article 16 of the principal Act shall be amended as follows:

(a) in paragraph (a) thereof the words "authorised company service provider" shall be substituted by the words "authorised or registered person, as applicable," and the word "authorisation" shall be substituted by the words "authorisation or registration, as applicable,";

(b) in paragraph (b) thereof the words "and article 15(8)" shall be deleted; and

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

"(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;"

**19.** Article 17 of the principal Act shall be amended as follows:

Amendment of article 17 of the principal Act.

(a) in the marginal note thereof the words "company service providers" shall be substituted by the words "company service providers or limited company service providers"; and

(b) the words "for authorisation as a company service provider" shall be substituted by the words "for authorisation or registration under this Act".

**20.** Immediately after article 19 of the principal Act there shall be added the following new article:

Addition of new article to the principal Act.

"Transitory provisions relating to restricted company service providers. 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."

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VERŻJONI ELETTRONIKA

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Passed by the House of Representatives at Sitting No. 340 of the  
12th May, 2025.

ANĠLU FARRUGIA  
*Speaker*

ELEANOR SCERRI  
*Clerk of the House of Representatives*



# VERŻJONI ELETTRONIKA