

Nru 9

31. 07. 2026

MALTA

KAMRA TAD-DEPUTATI

HOUSE OF REPRESENTATIVES

ABBOZZ ta' Ligi mressaq mill-Onorevoli Owen Bonnici, M.P., Ministru għall-Akkomodazzjoni u l-Artijiet, f'isem il-Ministru għall-Finanzi, u moqri għall-Ewwel darba fis-Seduta tas-27 ta' Lulju 2026.

A BILL introduced by the Honourable Owen Bonnici, M.P., Minister for Accommodation and Lands, on behalf of the Minister for Finance, and read the First time at the Sitting of the 27th July 2026.

ATT biex jemenda diversi liġijiet li għandhom x'jaqsmu mal-punt ta' aċċess uniku Ewropew (ESAP).

AN ACT to amend various laws relating to the European single access point (ESAP).

ELEANOR SCERRI

Skrivan tal-Kamra tad-Deputati

ELEANOR SCERRI

Clerk of the House of Representatives

ABBOZZ TA' LIĠI msejjah

ATT biex jemenda diversi liġijiet li għandhom x'jaqsmu mal-punt ta' aċċess uniku Ewropew (ESAP).

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

1. (1) It-titolu fil-qosor ta' dan l-Att hu l-Att tal-2026 li jemenda Liġijiet Varji relatati mal-Punt ta' Aċċess Uniku Ewropew (ESAP). Titolu fil-qosor u għan.

(2) L-għan ta' dan l-Att hu li jittrasponi parzjalment id-dispożizzjonijiet tad-Direttiva (UE) 2023/2864 tal-Parlament Ewropew u tal-Kunsill tat-13 ta' Diċembru 2023 li temenda ċerti Direttivi fir-rigward tal-istabbiliment u l-funzjonament tal-punt ta' aċċess uniku Ewropew, u sabiex jimplimenta r-rekwiżiti tar-Regolament (UE) 2023/2869 tal-Parlament Ewropew u tal-Kunsill tat-13 ta' Diċembru 2023 li jemenda ċerti Regolamenti fir-rigward tal-istabbiliment u l-funzjonament tal-punt ta' aċċess uniku Ewropew.

TAQSIMA I EMENDI GHALL-ATT DWAR IL-PROFESSJONI TAL- ACCOUNTANCY

2. Din it-Taqsima temenda l-Att dwar il-Professjoni tal-*Accountancy* u għandha tinqara u tinftiehem haġa waħda mal-Att dwar il-Professjoni tal-*Accountancy*, hawn aktar 'il quddiem f'din it-Taqsima msejjaħ l-"Att prinċipali". Emendi għall-Att dwar il-Professjoni tal-*Accountancy*. Kap. 281.

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

(a) minnufih wara t-tifsira "entità ta' interess pubbliku" għandha tiġi miżjuda t-tifsira ġdida li ġejja:

" "ESAP" tfisser il-punt ta' aċċess uniku Ewropew skont ir-Regolament dwar l-ESAP";

(b) minnufih wara t-tifsira "Regolament dwar l-Awditjar" għandha tiġi miżjuda t-tifsira ġdida li ġejja:

" "Regolament dwar ESAP" tfisser ir-Regolament 2023/2859/UE tal-Parlament Ewropew u tal-Kunsill tat-13 ta' Diċembru 2023 li jistabbilixxi punt ta' aċċess uniku Ewropew li jipprovdi aċċess ċentralizzat għal informazzjoni disponibbli pubblikament ta' rilevanza għas-servizzi finanzjarji, is-swieq kapitali u s-sostenibbiltà, kif emendat minn żmien għal żmien, u jinkludi kwalunkwe miżuri ta' implimentazzjoni li nħarġu jew jistgħu jinħarġu tahtu;"

Emenda tal-artikolu 7 tal-Att prinċipali.

4. Fis-subartikolu (15) tal-artikolu 7 tal-Att prinċipali minnufih wara l-kliem "fuq il-*website* tal-Bord." għandu jiġi miżjud il-kliem li ġej:

"Mill-10 ta' Jannar 2030, l-informazzjoni fir-reġistru dwar id-detenturi ta' ċertifikati ta' Prattika, ditti tal-awditjar, awdituri ta' pajjiż terz u entitajiet tal-awditjar ta' pajjiż terz għandha tkun aċċessibbli fuq l-ESAP stabbilit taht ir-Regolament ESAP. Għal dak il-għan, il-korp ta' ġbir kif imfisser fil-punt (2) tal-Artikolu 2 tar-Regolament ESAP għandu jkun ir-reġistru pubbliku. L-imsemmija informazzjoni għandha tikkonforma mar-rekwiziti li ġejjin:

(a) għandha tiġi sottomessa f'format ta' data li tista' tiġi estratta kif imfisser fil-punt (3) tal-Artikolu 2 tar-Regolament ESAP; u

(b) għandha tkun akkumpanjata mill-metadata li ġejja:

(i) l-ismijiet kollha tal-awditur statutorju jew ditta tal-awditjar li għalihom hija relatata l-informazzjoni;

(ii) fejn disponibbli, l-identifikatur tal-entità ġuridika tad-ditta tal-awditjar, speċifikat skont il-punt (b) tal-Artikolu 7(4) tar-Regolament ESAP;

(iii) it-tip ta' informazzjoni, kif klassifikata skont il-punt (ċ) tal-Artikolu 7(4) tar-Regolament ESAP; u

(iv) indikazzjoni dwar jekk l-informazzjoni jkunx fiha data personali."

5. Minnufih wara s-subartikolu (4) tal-artikolu 20A tal-Att prinċipali għandu jiġi miżjud is-subartikolu ġdid li ġej:

Emenda tal-artikolu 20A tal-Att prinċipali.

"(5) Mill-10 ta' Jannar 2030, l-informazzjoni msemmija f'dan l-artikolu għandha ssir aċċessibbli fuq l-ESAP stabbilit taħt ir-Regolament ESAP. Għal dak il-ghan, il-korp ta' ġbir għandu jkun l-Bord. L-imsemmija informazzjoni għandha tikkonforma mar-rekwiżiti li ġejjin:

(a) għandha tiġi sottomessa f'format ta' data li tista' tiġi estratta kif imfisser fil-punt (3) tal-Artikolu 2 tar-Regolament ESAP; u

(b) għandha tkun akkumpanjata mill-metadata li ġejja:

(i) l-ismijiet kollha tal-awditur statutorju jew ditta tal-awditjar li għalihom hija relatata l-informazzjoni;

(ii) fejn disponibbli, l-identifikatur tal-entità ġuridika tad-ditta tal-awditjar, speċifikat skont il-punt (b) tal-Artikolu 7(4) tar-Regolament ESAP;

(iii) it-tip ta' informazzjoni, kif klassifikata skont il-punt (ċ) tal-Artikolu 7(4) tar-Regolament ESAP; u

(iv) indikazzjoni dwar jekk l-informazzjoni jkunx fiha data personali."

TAQSIMA II

EMENDI GHALL-ATT DWAR IS-SWIEQ FINANZJARJI

6. Din it-Taqsima temenda l-Att dwar is-Swieq Finanzjarji u għandha tinqara u tinftiehem haġa waħda mal-Att dwar is-Swieq Finanzjarji, hawn aktar 'il quddiem f'din it-Taqsima msejjaħ l-"Att prinċipali".

Emendi għall-Att dwar is-Swieq Finanzjarji. Kap. 345.

7. Fis-subartikolu (1) tal-artikolu 2 tal-Att prinċipali minnufih wara t-tifsira "forma dematerjalizzata" għandha tiġi miżjuda t-tifsira ġdida li ġejja:

Emenda tal-artikolu 2 tal-Att prinċipali.

" "format li jinqara mill-magni" għandu jkollha l-istess tifsira kif mogħti lilha fl-Artikolu 2 tar-Regolament ESAP;"

C 276

Emenda tal-
artikolu 2A tal-
Att prinċipali.

8. Minnufih wara s-subartikolu (3) tal-artikolu 2A tal-Att prinċipali għandhom jiġu miżjuda s-subartikoli ġodda li ġejjin:

Kap. 330. "(4) L-Awtorità għas-Servizzi Finanzjarji ta' Malta stabbilita bl-Att dwar l-Awtorità għas-Servizzi Finanzjarji ta' Malta għandha tkun il-mekkaniżmu mahtur uffiċjalment f'Malta skont l-Artikolu 21(2) tad-Direttiva dwar Trasparenza, u għandha twettaq funzjonijiet u dmirijiet għall-finijiet tad-Direttiva dwar Trasparenza u l-MAR, u kwalunkwe referenza f'dan l-Att għall-mekkaniżmu mahtur uffiċjalment għandha tinqara u tinftiehem skont hekk:

Izda tali funzjoni għandha titwettaq mill-Awtorità għas-Servizzi Finanzjarji ta' Malta b'effett mill-10 ta' Lulju 2026.

(5) L-awtorità kompetenti għandha twettaq il-funzjonijiet u d-dmirijiet ta' korp ta' ġbir skont ir-Regolament ESAP, meta tkun hekk magħżula taht dan l-Att jew kwalunkwe regolamenti magħmula tahtu."

Emenda tal-
artikolu 4B tal-
Att prinċipali.

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

(a) is-subartikolu (4) tiegħu għandu jiġi emendat kif ġej:

(i) fil-paragrafu (a) tiegħu l-kliem "u jagħmel pubblika," għandhom jiġu sostitwiti bil-kliem "u jagħmel pubblika, kif ukoll jagħmel aċċessibbli fuq l-ESAP skont id-dispożizzjonijiet tas-subartikolu (5),";

(ii) fil-paragrafu (b) tiegħu l-kliem "jagħmel pubbliku," għandhom jiġu sostitwiti bil-kliem "jagħmel pubbliku, kif ukoll jagħmel aċċessibbli fuq l-ESAP skont id-dispożizzjonijiet tas-subartikolu (5),";

(b) minnufih wara s-subartikolu (4) tiegħu, kif emendat, għandhom jiġu miżjuda s-subartikoli ġodda li ġejjin:

"(5) Għall-finijiet li l-informazzjoni msemmija fis-subartikolu (4) issir aċċessibbli fuq l-ESAP, operaturi fis-suq għandhom, meta jagħmlu pubblika dik l-informazzjoni, jissottomettuha wkoll fl-istess hin lill-korp ta' ġbir:

Izda għall-finijiet ta' dan is-subartikolu, il-korp ta' ġbir għandu jkun l-awtorità kompetenti:

Izda wkoll tali obbligu għandu japplika b'effett mill-10 ta' Jannar 2030.

(6) L-informazzjoni msemmija fis-subartikolu (5) għandha tikkonforma mar-rekwiżiti li ġejjin:

(a) għandha tiġi sottomessa f'format ta' data li tista' tiġi estratta jew, fejn meħtieġ mil-liġi tal-Unjoni jew mil-liġi nazzjonali, f'format li jinqara mill-magni; u

(b) għandha tkun akkumpanjata mill-metadata li ġejja:

(i) l-ismijiet kollha tal-operatur fis-suq jew tal-emittent li għalihom hi relatata l-informazzjoni;

(ii) l-identifikatur tal-entità ġuridika tal-operatur fis-suq jew tal-emittent, kif speċifikat skont il-punt (b) tal-Artikolu 7(4) tar-Regolament ESAP;

(iii) id-daqs tal-operatur fis-suq jew tal-emittent, kif speċifikat skont il-punt (d) tal-Artikolu 7(4) tar-Regolament ESAP;

(iv) it-tip ta' informazzjoni kif klassifikata skont il-punt (ċ) tal-Artikolu 7(4) tar-Regolament ESAP; u

(v) indikazzjoni dwar jekk l-informazzjoni jkunx fiha data personali:

Izda għall-finijiet tas-subparagrafu (ii), l-operatur fis-suq u l-emittent għandhom jiksbu identifikatur tal-entità ġuridika."

10. L-artikolu 21E tal-Att prinċipali għandu jiġi emendat kif ġej:

Emenda tal-artikolu 21E tal-Att prinċipali.

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

"(1) Għall-fini li l-informazzjoni regolata ssir aċċessibbli fuq l-ESAP, l-emittent jew il-persuna li tkun applikat għall-ammissjoni għall-kummerċ għandha, meta tiżvela tali informazzjoni, tissottomettiha wkoll fl-istess hin lill-korp ta' ġbir:

Izda għall-finijiet ta' dan is-subartikolu, il-korp ta' ġbir għandu jkun l-awtorità kompetenti:

Izda wkoll tali obbligu għandu japplika b'effett mill-10 ta' Lulju 2026.";

(b) minnufih wara s-subartikolu (1) tiegħu, kif

sostitwit, għandu jiġi miżjud is-subartikolu ġdid li ġej:

"(1a) Għall-fini li d-deċiżjonijiet imsemmija fl-artikolu 39G, sal-limitu li tali deċiżjonijiet jirrigwardaw ir-rekwiżiti tat-trasparenza li għandha x'taqsam ma' informazzjoni regolata, issir aċċessibbli fuq l-ESAP, il-korp ta' ġbir għandu jkun l-awtorità kompetenti:

Izda tali obbligu għandu japplika b'effett mill-10 ta' Lulju 2026.";

(ċ) fis-subartikolu (2) tiegħu l-kliem "msemmija fil-proviso għas-subartikolu (1)" għandhom jiġu sostitwiti bil-kliem "msemmija fis-subartikolu (1A)";

(d) minnufih wara s-subartikolu (2) tiegħu, kif emendat, għandhom jiġu miżjuda s-subartikoli ġodda li ġejjin:

"(3) Għall-fini li l-informazzjoni msemmija fl-Artikoli 3j(1) u (2), 9a(7), 9b(5), 9c(2) u (7), u 14(2) tad-Direttiva dwar l-Azzjonisti, kif trasposta fir-Regoli tas-Swieq Kapitali, issir aċċessibbli fuq l-ESAP, il-konsulent delegat jew il-kumpanija għandhom, meta jagħmlu pubblika dik l-informazzjoni, jissottomettuha wkoll fl-istess waqt lill-korp ta' ġbir:

Izda għall-finijiet ta' dan is-subartikolu, il-korp ta' ġbir għandu jkun l-awtorità kompetenti:

Izda wkoll tali obbligu għandu japplika b'effett mill-10 ta' Jannar 2030.

(4) L-informazzjoni msemmija fis-subartikolu (3) għandha tikkonforma mar-rekwiżiti li ġejjin:

(a) għandha tiġi sottomessa f'format ta' data li tista' tiġi estratta, jew fejn meħtieġ mil-liġi tal-Unjoni jew liġi nazzjonali, f'format li jinqara mill-magni; u

(b) għandha tkun akkumpanjata mill-metadata li ġejja:

(i) l-ismijiet kollha tal-konsulent delegat jew tal-kumpanija li għalihom hija relatata l-informazzjoni;

(ii) l-identifikatur ta' entità ġuridika tal-konsulent delegat jew tal-kumpanija, kif speċifikat skont il-punt (b) tal-Artikolu 7(4) tar-Regolament ESAP;

(iii) id-daqs skont il-kategorija tal-konsulent delegat jew tal-kumpanija, kif speċifikat skont il-punt (d) tal-Artikolu 7(4) tar-Regolament ESAP;

(iv) is-setturi industrijali tal-attivitajiet ekonomiċi tal-kumpanija, kif speċifikati skont il-punt (e) tal-Artikolu 7(4) tar-Regolament ESAP;

(v) it-tip ta' informazzjoni, kif klassifikata skont il-punt (ċ) tal-Artikolu 7(4) tar-Regolament ESAP; u

(vi) indikazzjoni dwar jekk l-informazzjoni jkunx fiha data personali:

Iżda għall-finijiet tas-subparagrafu (ii), konsulenti delegati u kumpaniji għandhom jiksbu identifikatur ta' entità ġuridika.

(5) Għall-fini li l-informazzjoni msemmija fl-Artikoli 4(2)(ċ), 6(1) u (2), u 9(5) tad-Direttiva dwar Offerti ta' Xiri, kif trasposta fir-Regoli tas-Swieq Kapitali, issir aċċessibbli fuq l-ESAP, il-kumpanija għandha, meta tagħmel pubblika tali informazzjoni, tissottomettiha wkoll fl-istess waqt lill-korp ta' ġbir:

Iżda għall-finijiet ta' dan is-subartikolu, il-korp ta' ġbir għandu jkun l-awtorità kompetenti:

Iżda wkoll tali dmir għandu japplika b'effett mill-10 ta' Jannar 2030.

(6) L-informazzjoni msemmija fis-subartikolu (5) għandha tikkonforma mar-rekwiżiti li ġejjin:

(a) għandha tiġi sottomessa f'format ta' data li tista' tiġi estratta, jew fejn meħtieġ mil-liġi tal-Unjoni jew liġi nazzjonali, f'format li jinqara mill-magni; u

(b) għandha tkun akkumpanjata mill-metadata li ġejja:

(i) l-isem tal-kumpanija li għaliha hija relatata l-informazzjoni;

(ii) l-identifikatur tal-kumpanija, kif speċifikat skont il-punt (b) tal-Artikolu 7(4) tar-Regolament ESAP;

(iii) id-daqs tal-kumpanija skont il-kategorija, kif speċifikat skont il-punt (d) tal-Artikolu 7(4) tar-Regolament ESAP;

(iv) is-setturi industrijali tal-attivitàjiet ekonomiċi tal-kumpanija, kif speċifikati skont il-punt (e) tal-Artikolu 7(4) tar-Regolament ESAP;

(v) it-tip ta' informazzjoni, kif klassifikata skont il-punt (ċ) tal-Artikolu 7(4) tar-Regolament ESAP; u

(vi) indikazzjoni dwar jekk l-informazzjoni jkunx fiha data personali:

Iżda għall-finijiet tas-subparagrafu (ii), il-kumpaniji għandhom jiksbu identifikatur ta' entità ġuridika."

Emenda tal-artikolu 39G tal-Att prinċipali.

11. Fis-subartikolu (1) tal-artikolu 39G tal-Att prinċipali l-kliem "b'dik id-deċiżjoni." għandhom jiġu sostitwiti bil-kliem "b'dik id-deċiżjoni:", u minnufih wara għandu jiġi miżjud il-proviso ġdid li ġej:

"Iżda sa fejn tali deċiżjoni tirrigwarda r-rekwiżiti tat-trasparenza li għandhom x'jaqsmu ma' informazzjoni regolata, l-imsemmija deċiżjoni għandha wkoll tkun aċċessibbli fuq l-ESAP skont l-artikolu 21E."

Emenda tal-artikolu 39GA tal-Att prinċipali.

12. Fis-subartikolu (1) tal-artikolu 39GA tal-Att prinċipali l-kliem "sit elettroniku uffiċjali tal-awtorità kompetenti." għandhom jiġu sostitwiti bil-kliem "sit elettroniku uffiċjali tal-awtorità kompetenti:" u minnufih wara għandu jiġi miżjud il-proviso ġdid li ġej:

"Iżda tali deċiżjonijiet għandhom ikunu aċċessibbli fuq l-ESAP skont l-artikolu 16A tar-Regolamenti dwar Financial Markets Act (Covered Bonds)."

S.L. 345.27.

Emenda tal-artikolu 39H tal-Att prinċipali.

13. Fil-proviso għas-subartikolu (5) tal-artikolu 39H tal-Att prinċipali l-kliem "għandha tippubblika minnufih" għandhom jiġu sostitwiti bil-kliem "għandha tippubblika minnufih, kif ukoll tagħmel aċċessibbli fuq l-ESAP skont id-dispożizzjonijiet tal-artikolu 39IA,".

Emenda tal-artikolu 39I tal-Att prinċipali.

14. Fil-proviso għas-subartikolu (5) tal-artikolu 39I tal-Att prinċipali l-kliem "għandha tippubblika" għandhom jiġu sostitwiti bil-kliem "għandha tippubblika, kif ukoll tagħmel aċċessibbli fuq l-ESAP skont id-dispożizzjonijiet tal-artikolu 39IA,".

Żieda ta' artikolu ġdid fl-Att prinċipali.

15. Minnufih wara l-artikolu 39I tal-Att prinċipali, kif emendat, għandu jiġi miżjud l-artikolu ġdid li ġej:

"Aċċessibilità ta' informazzjoni fuq l-ESAP.

39IA. (1) Sabiex l-informazzjoni msemmija fl-artikoli 39H(5) u 39I(5) tkun aċċessibbli fuq l-ESAP, il-korp ta' għbir għandu jkun l-awtorità kompetenti:

Iżda tali obbligu għandu japplika b'effett mill-10 ta' Jannar 2030.

(2) L-informazzjoni msemmija fis-subartikolu (1) għandha tikkonforma mar-rekwiżiti li ġejjin:

(a) għandha tiġi sottomessa f'format ta' data li tista' tiġi estratta; u

(b) għandha tkun akkumpanjata mill-metadata li ġejja:

(i) l-ismijiet kollha tad-ditta tal-investment jew tal-operatur tas-suq li għaliha hija relatata l-informazzjoni;

(ii) meta jkun disponibbli, l-identifikatur tal-entità ġuridika tad-ditta tal-investment jew tal-operatur tas-suq, kif speċifikat skont il-punt (b) tal-Artikolu 7(4) tar-Regolament ESAP;

(iii) it-tip ta' informazzjoni, kif klassifikata skont il-punt (c) tal-Artikolu 7(4) tar-Regolament ESAP;

(iv) indikazzjoni dwar jekk l-informazzjoni jkunx fiha data personali."

TAQSIMA III

EMENDI GĦALL-ATT DWAR SERVIZZI TA' INVESTIMENT

16. Din it-Taqsima temenda l-Att dwar Servizzi ta' Investment u għandha tinqara u tinftiehem haġa waħda mal-Att dwar Servizzi ta' Investment, hawn aktar 'il quddiem f'din it-Taqsima msejjaħ l-"Att prinċipali".

Emendi għall-Att dwar Servizzi ta' Investment. Kap. 370.

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

Emenda tal-artikolu 2 tal-Att prinċipali.

(a) minnufih wara t-tifsira "CRR" għandha tiġi miżjuda t-tifsira ġdida li ġejja:

" "data personali" għandu jkollha l-istess tifsira bħal dik assenjata lilha fir-Regolament (UE) 2016/679 tal-Parlament Ewropew u tal-Kunsill tas-27 ta' April 2016 dwar il-protezzjoni tal-persuni fiżiċi fir-rigward tal-ipproċessar ta' *data* personali u dwar il-moviment liberu ta' tali *data*, u li jhassar id-Direttiva 95/46/KE (Regolament Ġenerali dwar il-Protezzjoni tad-*Data*);";

(b) minnufih wara t-tifsira "entità ta' riżoluzzjoni" għandha tiġi miżjuda t-tifsira ġdida li ġejja:

" "ESAP" tfisser punt ta' aċċess uniku Ewropew skont id-dispożizzjonijiet tar-Regolament ESAP";

(ċ) minnufih wara t-tifsira "Fond ta' Investiment Alternattiv jew AIF", għandha tiġi miżjuda t-tifsira ġdida li ġejja:

" "format li jinqara mill-magni" għandu jkollha l-istess tifsira kif mogħti lilha fl-Artikolu 2 tar-Regolament ESAP";

(d) minnufih wara t-tifsira "format li jinqara mill-magni", kif miżjuda, għandha tiġi miżjuda t-tifsira ġdida li ġejja:

" "format ta' data li tista' tiġi estratta" għandu jkollha l-istess tifsira kif mogħti lilha fl-Artikolu 2 tar-Regolament ESAP";

(e) minnufih wara t-tifsira "Korp ta' amministrazzjoni" għandha tiġi miżjuda t-tifsira ġdida li ġejja:

" "korp ta' ġbir" għandu jkollha l-istess tifsira kif mogħti lilha fl-Artikolu 2 tar-Regolament ESAP";

(f) minnufih wara t-tifsira "*Manager* ta' Fond ta' Investiment Alternattiv jew AIFM" għandha tiġi miżjuda t-tifsira ġdida li ġejja:

" "metadata" għandu jkollha l-istess tifsira kif mogħti lilha fl-Artikolu 2 tar-Regolament ESAP";

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

" "Regolament ESAP" tfisser ir-Regolament (UE) 2023/2859 tal-Parlament Ewropew u tal-Kunsill tat-13 ta' Diċembru 2023 li jistabbilixxi punt ta' aċċess uniku Ewropew li jipprovdi aċċess ċentralizzat għal informazzjoni disponibbli pubblikament ta' rilevanza għas-servizzi finanzjarji, is-swieq kapitali u s-sostenibbiltà, kif emendat minn żmien għal żmien, u għandha tinkludi kwalunkwe miżuri ta' implimentazzjoni li ġew maħruġa, jew jistgħu jinħarġu tahtu";

Emenda tal-artikolu 2A tal-Att prinċipali.

18. Minnufih wara s-subartikolu (4) tal-artikolu 2A tal-Att prinċipali għandu jiġi miżjud is-subartikolu ġdid li ġej:

"(5) L-awtorità kompetenti għandha twettaq il-

funzjonijiet u d-dmirijiet ta' korp ta' ġbir skont id-dispożizzjonijiet tar-Regolament ESAP, meta tkun hekk magħżula taht dan l-Att jew taht kwalunkwe regolamenti magħmula tahtu."

19. Fis-subartikolu (10) tal-artikolu 6 tal-Att prinċipali l-kliem "f'dan l-artikolu." għandhom jiġu sostitwiti bil-kliem "f'dan l-artikolu, inkluż għall-finijiet li jkun aċċessibbli fuq l-ESAP:" u minnufih wara għandu jiġi miżjud il-proviso ġdid li ġej:

Emenda tal-artikolu 6 tal-Att prinċipali.

"Iżda sabiex tali informazzjoni tkun aċċessibbli fuq l-ESAP, għandha tkun f'format ta' data li tista' tiġi estratta u jkollha magħha l-metadata li ġejja:

(a) l-ismijiet kollha tad-ditta ta' investiment li għaliha hija relatata l-informazzjoni;

(b) fejn disponibbli, l-identifikatur ta' entità ġuridika tad-ditta ta' investiment, kif speċifikat skont il-punt (b) tal-Artikolu 7(4) tar-Regolament ESAP;

(ċ) it-tip ta' informazzjoni, kif klassifikata skont il-punt (ċ) tal-Artikolu 7(4) tar-Regolament ESAP;

(d) indikazzjoni dwar jekk l-informazzjoni jkunx fiha data personali:

Iżda wkoll tali obbligu għandu japplika b'effett mill-10 ta' Jannar 2030:

Iżda wkoll sa fejn l-awtorizzazzjoni tirrigwarda Kumpanija ta' Maniġġar UCITS, tali informazzjoni għandha tkun aċċessibbli fuq l-ESAP skont id-dispożizzjonijiet tal-artikolu 35."

20. Fis-subartikolu (4) tal-artikolu 16A tal-Att prinċipali l-kliem "għall-partijiet involuti." għandhom jiġu sostitwiti bil-kliem "għall-partijiet involuti:" u minnufih wara għandu jiġi miżjud il-proviso ġdid li ġej:

Emenda tal-artikolu 16A tal-Att prinċipali.

"Iżda wkoll sa fejn tali żvelar jirrigwarda ksur li għandu x'jaqşam mad-Direttiva UCITS, tali informazzjoni għandha tkun aċċessibbli wkoll fuq l-ESAP skont id-dispożizzjonijiet tal-artikolu 35."

21. Minnufih wara l-artikolu 34 tal-Att prinċipali għandu jiġi

Żieda ta' artikolu ġdid fl-Att prinċipali.

miżjud l-artikolu ġdid li ġej:

"Aċċessibilità għal informazzjoni fuq l-ESAP.

35. (1) Għall-fini li l-informazzjoni msemmija fl-Artikoli 68(1) u Artikolu 78(1) tad-Direttiva UCITS, kif trasposta fir-Regoli dwar Servizzi tal-Investment, tkun aċċessibbli fuq l-ESAP, Kumpanija ta' Maniġġar UCITS jew l-UCITS għandhom, meta jagħmlu pubblika dik l-informazzjoni, jissottomettuha wkoll fl-istess waqt lill-korp ta' ġbir:

Izda għall-finijiet ta' dan is-subartikolu, il-korp ta' ġbir għandu jkun l-awtorità kompetenti:

Izda wkoll tali obbligu għandu japplika b'effett mill-10 ta' Jannar 2028.

(2) L-informazzjoni msemmija fis-subartikolu (1) għandha tikkonforma mar-rekwiżiti li ġejjin:

(a) għandha tiġi sottomessa f'format ta' data li tista' tiġi estratta jew, meta jkun hekk meħtieġ mil-liġi tal-Unjoni jew mill-liġi nazzjonali, f'format li jinqara mill-magni; u

(b) għandha tkun akkumpanjata mill-metadata li ġejja:

(i) l-ismijiet kollha tal-UCITS li għaliha hija relatata l-informazzjoni;

(ii) l-identifikatur ta' entità ġuridika tal-UCITS, kif speċifikat skont il-punt (b) tal-Artikolu 7(4) tar-Regolament ESAP;

(iii) id-daqs tal-UCITS skont il-kategorija, kif speċifikat skont il-punt (d) tal-Artikolu 7(4) tar-Regolament ESAP;

(iv) it-tip ta' informazzjoni, kif klassifikata skont il-punt (ċ) tal-Artikolu 7(4) tar-Regolament ESAP; u

(v) indikazzjoni dwar jekk l-informazzjoni jkunx fiha data personali:

Izda għall-finijiet tas-subparagrafu (ii), l-UCITS għandhom jiksbu identifikatur ta' entità ġuridika.

(3) Għall-fini li l-informazzjoni msemmija fl-artikolu 6(10) tkun aċċessibbli fuq l-ESAP, il-korp ta' ġbir għandu jkun l-awtorità kompetenti:

Izda tali obbligu għandu japplika b'effett mill-10 ta' Jannar 2028.

(4) L-informazzjoni msemmija fis-subartikolu (3) għandha tikkonforma mar-rekwiżiti li ġejjin:

(a) għandha tiġi sottomessa f'format ta' data li tista' tiġi estratta; u

(b) għandha tkun akkumpanjata mill-metadata li ġejja:

(i) l-ismijiet kollha tal-Kumpanija ta' Maniġġar UCITS li għaliha hija relatata l-informazzjoni;

(ii) meta jkun disponibbli, l-identifikatur ta' entità ġuridika tal-Kumpanija ta' Maniġġar UCITS, kif speċifikat skont il-punt (b) tal-Artikolu 7(4) tar-Regolament ESAP;

(iii) it-tip ta' informazzjoni, kif klassifikata skont il-punt (c) tal-Artikolu 7(4) tar-Regolament ESAP;

(iv) indikazzjoni dwar jekk l-informazzjoni jkunx fiha data personali.

(5) Għall-fini li l-informazzjoni msemmija fl-artikolu 16A(4) tkun aċċessibbli fuq l-ESAP, il-korp ta' ġbir għandu jkun l-awtorità kompetenti:

Izda tali obbligu għandu japplika b'effett mill-10 ta' Jannar 2028.

(6) L-informazzjoni msemmija fis-subartikolu (5) għandha tikkonforma mar-rekwiziti li ġejjin:

(a) għandha tiġi sottomessa f'format ta' data li tista' tiġi estratta; u

(b) għandha tkun akkumpanjata mill-metadata li ġejja:

(i) l-ismijiet kollha tal-UCITS li għaliha hija relatata l-informazzjoni;

(ii) meta jkun disponibbli, l-identifikatur ta' entità ġuridika tal-UCITS, kif speċifikat skont il-punt (b) tal-Artikolu 7(4) tar-Regolament ESAP;

(iii) it-tip ta' informazzjoni, kif klassifikata skont il-punt (c) tal-Artikolu 7(4) tar-Regolament ESAP;

(iv) indikazzjoni dwar jekk l-informazzjoni jkunx fiha data personali.

(7) Għall-fini li l-informazzjoni msemmija fl-Artikolu 44 tal-IFD, kif trasposta fir-Regoli dwar Servizzi ta' Investiment, tkun aċċessibbli fuq l-ESAP, ditti ta' investiment jew impriži prinċipali għandhom, meta jagħmlu pubblika dik l-informazzjoni, jissottomettuha wkoll fl-istess waqt lill-korp ta' ġbir:

Iżda għall-finijiet ta' dan is-subartikolu, il-korp ta' ġbir għandu jkun l-awtorità kompetenti:

Iżda wkoll tali obbligu għandu japplika b'effett mill-10 ta' Jannar 2030.

(8) L-informazzjoni msemmija fis-subartikolu (7) għandha tikkonforma mar-rekwiżiti li ġejjin:

(a) għandha tiġi sottomessa f'format ta' data li tista' tiġi estratta, meta jkun hekk meħtieġ mil-liġi tal-Unjoni jew mill-liġi nazzjonali, f'format li jinqara mill-magni; u

(b) għandha tkun akkumpanjata mill-metadata li ġejja:

(i) l-ismijiet kollha tad-ditta ta' investiment jew impriża prinċipali li magħhom hija relatata l-informazzjoni;

(ii) l-identifikatur ta' entità ġuridika tad-ditta ta' investiment jew impriża prinċipali, kif speċifikat skont il-punt (b) tal-Artikolu 7(4) tar-Regolament ESAP;

(iii) id-daqs tad-ditta ta' investiment jew impriża prinċipali skont il-kategorija, kif speċifikat skont il-punt (d) tal-Artikolu 7(4) tar-Regolament ESAP;

(iv) it-tip ta' informazzjoni, kif klassifikata skont il-punt (ċ) tal-Artikolu 7(4) tar-Regolament ESAP;

(v) indikazzjoni dwar jekk l-informazzjoni jkunx fiha data personali:

Iżda għall-finijiet tas-subparagrafu (ii), kumpaniji għandhom jiksbu identifikatur ta' entità ġuridika.

(9) Sabiex l-informazzjoni msemija fl-Artikolu 3g(1) tad-Direttiva 2007/36/KE tal-Parlament Ewropew u tal-Kunsill tal-11 ta' Lulju 2007 dwar l-eżerċizzju ta' ċerti drittijiet ta' l-azzjonisti ta' kumpanniji kkwotati, kif trasposta fir-Regoli dwar Servizzi tal-Investment, tkun aċċessibbli fuq l-ESAP, ditta ta' investment, AIFM jew Kumpanija ta' Maniġġar UCITS għandha, meta tagħmel pubblika tali informazzjoni, tissottomettiha wkoll fl-istess waqt lill-korp ta' ġbir:

Iżda għall-finijiet ta' dan is-subartikolu, il-korp ta' ġbir għandu jkun l-awtorità kompetenti:

Iżda wkoll tali obbligu għandu japplika b'effett mill-10 ta' Jannar 2030.

(10) L-informazzjoni msemija fis-subartikolu (9) għandha tikkonforma mar-rekwiziti li ġejjin:

(a) għandha tiġi sottomessa f'format ta' data li tista' tiġi estratta jew, meta jkun hekk meħtieġ mil-liġi tal-Unjoni jew mill-liġi nazzjonali, f'format li jinqara mill-magni; u

(b) għandha tkun akkumpanjata mill-metadata li ġejja:

(i) l-ismijiet kollha tad-ditta ta' investment, AIFM jew Kumpanija ta' Maniġġar UCITS li għalihom hija relatata l-informazzjoni;

(ii) l-identifikatur ta' entità ġuridika tad-ditta ta' investment, AIFM jew Kumpanija ta' Maniġġar UCITS, kif speċifikat skont il-punt (b) tal-Artikolu 7(4) tar-Regolament ESAP;

(iii) id-daqs skont il-kategorija tad-ditta ta' investment, AIFM jew Kumpanija ta' Maniġġar UCITS, kif speċifikat skont il-punt (d) tal-Artikolu 7(4) tar-Regolament ESAP;

(iv) is-setturi industrijali tal-attivitajiet ekonomiċi tal-kumpanija, kif speċifikat skont il-punt (e) tal-Artikolu 7(4) tar-Regolament ESAP;

(v) it-tip ta' informazzjoni, kif klassifikata skont il-punt (ċ) tal-Artikolu 7(4) tar-Regolament ESAP;

(vi) indikazzjoni dwar jekk l-informazzjoni jkunx fiha data personali:

Iżda għall-finijiet tas-subparagrafu (ii), ditta ta' investiment, AIFM jew Kumpanija ta' Maniġġar UCITS għandhom jiksbu identifikatur ta' entità ġuridika."

TAQSIMA IV EMENDI GHALL-ATT DWAR IL-KUMMERĊ BANKARJU

Emendi għall-Att dwar il-Kummerċ Bankarju. Kap. 371.

22. Din it-Taqsima temenda l-Att dwar il-Kummerċ Bankarju u għandha tinqara u tinftiehem haġa waħda mal-Att dwar il-Kummerċ Bankarju, hawn aktar 'il quddiem f'din it-Taqsima msejjaħ l-"Att prinċipali".

Emenda tal-artikolu 2 tal-Att prinċipali.

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

(a) minnufih wara t-tifsira "CRR" għandha tiġi miżjuda t-tifsira ġdida li ġejja:

" "data personali" għandu jkollha l-istess tifsira kif mogħti lilha fil-GDPR;";

(b) minnufih wara t-tifsira "entità ta' riżoluzzjoni" għandha tiġi miżjuda t-tifsira ġdida li ġejja:

" "ESAP" tfisser punt ta' aċċess uniku Ewropew skont ir-Regolament ESAP;";

(ċ) minnufih wara t-tifsira "fondi proprji" għandha tiġi miżjuda t-tifsira ġdida li ġejja:

" "format ta' data li tista' tiġi estratta" għandu jkollha l-istess tifsira kif mogħti lilha fl-Artikolu 2 tar-Regolament ESAP;";

(d) minnufih wara t-tifsira "korp ġuridiku" għandha tiġi miżjuda t-tifsira ġdida li ġejja:

" "korp ta' ġbir" għandu jkollha l-istess tifsira kif mogħti lilha fl-Artikolu 2 tar-Regolament ESAP;";

(e) minnufih wara t-tifsira "*manager*" għandha tiġi miżjuda t-tifsira ġdida li ġejja:

" "metadata" għandu jkollha l-istess tifsira kif mogħti lilha fl-Artikolu 2 tar-Regolament ESAP;";

(f) minnufih wara t-tifsira "Regolament DORA" għandha

tigi miżjuda t-tifsira ġdida li ġejja:

" "Regolament ESAP" tfisser ir-Regolament (UE) 2023/2859 tal-Parlament Ewropew u tal-Kunsill tat-13 ta' Diċembru 2023 li jistabbilixxi punt ta' aċċess uniku Ewropew li jipprovdi aċċess ċentralizzat għall-informazzjoni disponibbli pubblikament ta' rilevanza għas-servizzi finanzjarji, is-swieq kapitali u s-sostenibbiltà, kif emendat minn żmien għal żmien, u għandu tinkludi kwalunkwe miżuri ta' implimentazzjoni li nħarġu, jew li jistgħu jinħarġu tahtu;"

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

Emenda tal-artikolu 4 tal-Att prinċipali.

(a) fis-subartikolu (1) tiegħu l-kliem "fit-twettiq ta' dmirijietu." għandhom jiġu sostitwiti bil-kliem "fit-twettiq ta' dmirijietu:" u minnufih wara għandu jiġi miżjud il-proviso ġdid li ġej:

"Iżda għandu jkun ukoll fid-dmir tal-awtorità kompetenti li twettaq il-funzjonijiet u d-dmirijiet ta' korp ta' ġbir skont ir-Regolament ESAP, meta tkun hekk magħżula taht dan l-Att jew kwalunkwe regolamenti magħmula tahtu.";

(b) fis-subartikolu (2) tiegħu l-kliem "(Hatra ta' Awtorità Responsabbli biex timplimenta Strumenti Makro-prudenzjali)." għandhom jiġu sostitwiti bil-kliem "(Hatra ta' Awtorità Responsabbli biex timplimenta Strumenti Makro-prudenzjali):" u minnufih wara għandu jiġi miżjud il-proviso ġdid li ġej:

"Iżda għall-finijiet tal-iżvelar fl-Artikolu 131(12) tas-CRD aċċessibbli fuq l-ESAP, skont id-dispożizzjonijiet tal-Artikolu 116a tas-CRD, l-awtorità kompetenti għandha tkun il-korp ta' ġbir."

25. Minnufih wara s-subartikolu (3) tal-artikolu 35B tal-Att prinċipali għandu jiġi miżjud is-subartikolu ġdid li ġej:

Emenda tal-artikolu 35B tal-Att prinċipali.

"(4) L-informazzjoni ppubblikata skont id-dispożizzjonijiet ta' dan l-artikolu għandha wkoll tkun aċċessibbli fuq l-ESAP mill-korp ta' ġbir:

Iżda għall-finijiet ta' dan is-subartikolu, il-korp ta' ġbir għandu jkun l-awtorità kompetenti:

Iżda wkoll l-informazzjoni li għandha tigi sottomessa f'format ta' data li tista' tigi estratta u għandha tkun akkumpanjata mill-metadata li ġejja:

(a) l-ismijiet kollha tal-persuni fiżiċi jew istituzzjonijiet li għalihom tirreferi l-informazzjoni;

(b) fejn ikun disponibbli, l-identifikatur tal-entità ġuridika tal-istituzzjoni, kif speċifikat skont il-punt (b) tal-Artikolu 7(4) tar-Regolament ESAP;

(ċ) it-tip ta' informazzjoni, kif ikklassifikata skont il-punt (ċ) tal-Artikolu 7(4) tar-Regolament ESAP;

(d) indikazzjoni dwar jekk l-informazzjoni tkunx fiha data personali:

Iżda wkoll tali obbligu għandu japplika b'effett mill-10 ta' Jannar 2030."

TAQSIMA V EMENDI GĦALL-ATT DWAR IL-KUMMERĊ TAL- ASSIGURAZZJONI

Emendi għall-Att dwar il-Kummerċ tal-Assigurazzjoni. Kap. 403.

26. Din it-Taqsima temenda l-Att dwar il-Kummerċ tal-Assigurazzjoni u għandha tinqara u tinftiehem haġa waħda mal-Att dwar il-Kummerċ tal-Assigurazzjoni, hawn aktar 'il quddiem f'din it-Taqsima msejjaħ l-"Att prinċipali".

Emenda tal-artikolu 2 tal-Att prinċipali.

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

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

" "data personali" għandu jkollha l-istess tifsira kif mogħti lilha fir-Regolament (UE) 2016/679 tal-Parlament Ewropew u tal-Kunsill tas-27 ta' April 2016 dwar il-protezzjoni tal-persuni fiżiċi fir-rigward tal-ipproċessar ta' *data* personali u dwar il-moviment liberu ta' tali *data*, u li jhassar id-Direttiva 95/46/KE (Regolament Ġenerali dwar il-Protezzjoni tad-*Data*);";

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

" "ESAP" tfisser il-punt ta' aċċess uniku Ewropew skont ir-Regolament ESAP;";

(ċ) minnufih wara t-tifsira "fondi tal-kumpannija stess" għandhom jiġu miżjudha t-tifsiriet ġodda li ġejjin:

" "format li jinqara mill-magni" għandu jkollha l-istess tifsira kif mogħti lilha fl-Artikolu 2 tar-Regolament ESAP;

"format ta' data li tista' tiġi estratta" għandu jkollha l-istess tifsira kif mogħti lilha fl-Artikolu 2 tar-Regolament ESAP;;

(d) minnufih wara t-tifsira "grupp" għandha tiġi miżjuda t-tifsira ġdida li ġejja:

" "korp ta' ġbir" għandu jkollha l-istess tifsira kif mogħti lilha fl-Artikolu 2 tar-Regolament ESAP;;

(e) minnufih wara t-tifsira "*manager* fl-assigurazzjoni" għandha tiġi miżjuda t-tifsira ġdida li ġejja:

" "metadata" għandu jkollha l-istess tifsira kif mogħti lilha fl-Artikolu 2 tar-Regolament ESAP;;

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

" "Regolament ESAP" tfisser ir-Regolament (UE) 2023/2859 tal-Parlament Ewropew u tal-Kunsill tat-13 ta' Diċembru 2023 li jistabbilixxi punt ta' aċċess uniku Ewropew li jipprovdi aċċess ċentralizzat għal informazzjoni disponibbli pubblikament ta' rilevanza għas-servizzi finanzjarji, is-swieq kapitali u s-sostenibbiltà, kif jista' jkun emendat minn żmien għal żmien, u għandu jinkludi kwalunkwe miżuri ta' implimentazzjoni li nħarġu, jew li jistgħu jinħarġu tahtu;"

28. L-artikolu 3 tal-Att prinċipali għandu jiġi enumerat mill-ġdid bħala s-subartikolu (1) u minnufih wara għandu jiġi miżjud is-subartikolu ġdid li ġej:

Emenda tal-artikolu 3 tal-Att prinċipali.

"(2) Għandu jkun ukoll fid-dmir tal-awtorità kompetenti li twettaq il-funzjonijiet u d-dmirijiet ta' korp ta' ġbir skont id-dispożizzjonijiet tar-Regolament ESAP, meta tkun hekk magħżula taht dan l-Att jew kwalunkwe regolamenti magħmula tahtu."

29. Fis-subartikolu (13) tal-artikolu 7 tal-Att prinċipali l-kliem "dan l-artikolu." għandhom jiġu sostitwiti bil-kliem "dan l-artikolu, inkluż għall-fini li tagħmilha aċċessibbli fuq l-ESAP."

Emenda tal-artikolu 7 tal-Att prinċipali.

30. L-artikolu 18F tal-Att prinċipali għandu jiġi emendat kif ġej:

Emenda tal-artikolu 18F tal-Att prinċipali.

(a) fis-subartikolu (1) tiegħu l-kliem "tiżvela pubblikament" għandhom jiġu sostitwiti bil-kliem "tiżvela

pubblikament, inkluż li tagħmel aċċessibbli fuq l-ESAP skont is-subartikolu (8);

(b) minnufih wara s-subartikolu (7) tiegħu għandhom jiġu miżjuda s-subartikoli ġodda li ġejjin:

L.S. 403.17. "(8) Għall-fini li tagħmel l-informazzjoni msemija fis-subartikolu (1) u fir-regolament 40(1) tar-Regolamenti dwar *Insurance Business (Supervision of Insurance and Reinsurance Undertakings in a Group)* aċċessibbli fuq l-ESAP, impriża tal-assigurazzjoni u tar-rijassigurazzjoni għandhom, meta jagħmlu pubblika dik l-informazzjoni, ukoll jissottomettuha fl-istess waqt lill-korp ta' ġbir:

Iżda għall-finijiet ta' dan is-subartikolu, il-korp ta' ġbir għandu jkun l-awtorità kompetenti:

Iżda wkoll tali obbligu għandu japplika b'effett mill-10 ta' Jannar 2030.

(9) L-informazzjoni msemija fis-subartikolu (8) għandha tikkonforma mar-rekwiżiti li ġejjin:

(a) għandha tiġi sottomessa f'format ta' data li tista' tiġi estratta jew, fejn meħtieġ mil-liġi tal-Unjoni jew mill-liġi nazzjonali, f'format li jinqara mill-magni; u

(b) għandha tkun akkumpanjata mill-metadata li ġejja:

(i) l-ismijiet kollha tal-impriża tal-assigurazzjoni u tar-rijassigurazzjoni li għalihom tirreferi l-informazzjoni;

(ii) l-identifikatur ta' entità ġuridika tal-impriża tal-assigurazzjoni u tar-rijassigurazzjoni, kif speċifikat skont il-punt (b) tal-Artikolu 7(4) tar-Regolament ESAP;

(iii) id-daqs skont il-kategorija tal-impriża tal-assigurazzjoni u tar-rijassigurazzjoni, kif speċifikat skont il-punt (d) tal-Artikolu 7(4) tar-Regolament ESAP;

(iv) it-tip ta' informazzjoni, kif klassifikata skont il-punt (ċ) tal-Artikolu 7(4) tar-Regolament ESAP;

(v) indikazzjoni dwar jekk l-informazzjoni tkunx fiha data personali:

Iżda għall-finijiet tas-subparagrafu (ii), kumpaniji għandhom jiksbu identifikatur ta' entità ġuridika."

31. Fis-subartikolu (6) tal-artikolu 27 tal-Att prinċipali l-kliem "l-Att." għandhom jiġu sostitwiti bil-kliem "dan l-Att, inkluż sabiex tagħmilha aċċessibbli fuq l-ESAP." Emenda tal-artikolu 27 tal-Att prinċipali.

TAQSIMA VI EMENDI GHALL-ATT DWAR ID-DISTRIBUZZJONI TAL- ASSIGURAZZJONI

32. Din it-Taqsima temenda l-Att dwar id-Distribuzzjoni tal-Assigurazzjoni u għandha tinqara u tinftiehem haġa waħda mal-Att dwar id-Distribuzzjoni tal-Assigurazzjoni, hawn aktar 'il quddiem f'din it-Taqsima msejjah l-"Att prinċipali". Emendi għall-Att dwar id-Distribuzzjoni tal-Assigurazzjoni. Kap. 487.

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

(a) minnufih wara t-tifsira "*coverholder*" għandha tiġi miżjuda t-tifsira ġdida li ġejja:

" "*data* personali" għandu jkollha l-istess tifsira mogħti lilha fir-Regolament (UE) 2016/679 tal-Parlament Ewropew u tal-Kunsill tas-27 ta' April 2016 dwar il-protezzjoni tal-persuni fiżiċi fir-rigward tal-ipproċessar ta' *data* personali u dwar il-moviment liberu ta' tali *data*, u li jhassar id-Direttiva 95/46/KE (Regolament Ġenerali dwar il-Protezzjoni tad-*Data*);";

(b) minnufih wara t-tifsira "*EIOPA*" għandha tiġi miżjuda t-tifsira ġdida li ġejja:

" "*ESAP*" tfisser il-punt ta' aċċess uniku Ewropew skont ir-Regolament ESAP;";

(ċ) minnufih wara t-tifsira "*fondi tal-persuna stess*", għandu jiġi miżjud t-tifsir ġdid li ġej:

" "*format li jinqara mill-magni*" għandu jkollha l-istess tifsira kif mogħti lilha fl-Artikolu 2 tar-Regolament ESAP;

"*format li minnu tista' tiġi estratta d-data*" għandu jkollha l-istess tifsira kif mogħti lilha fl-Artikolu 2 tar-Regolament ESAP;";

(d) minnufih wara t-tifsira "*corp ġuridiku*" għandha tiġi

miżjuda t-tifsira ġdida li ġejja:

" "korp tal-ġbir" għandu jkollha l-istess tifsira kif mogħti lilha fl-Artikolu 2 tar-Regolament ESAP;"

(e) minnufih wara t-tifsira "*manager* fl-assigurazzjoni" għandha tiġi miżjuda t-tifsira ġdida li ġejja:

" "metadata" għandu jkollha l-istess tifsira kif mogħti lilha fl-Artikolu 2 tar-Regolament ESAP;"

(f) minnufih wara t-tifsira ġdida "Reġistru tal-*Managers*" għandha tiġi miżjuda t-tifsira ġdida li ġejja:

" "Regolament ESAP" jew "Regolament (UE) 2023/2859" tfisser ir-Regolament (UE) 2023/2859 tal-Parlament Ewropew u tal-Kunsill tat-13 ta' Diċembru 2023 li jistabbilixxi punt ta' aċċess uniku Ewropew li jipprovdi aċċess ċentralizzat għal informazzjoni disponibbli pubblikament ta' rilevanza għas-servizzi finanzjarji, is-swieq kapitali u s-sostenibbiltà, kif jista' jkun emendat minn żmien għal żmien, u jinkludi miżuri ta' implimentazzjoni li ġew maħruġa, jew jistgħu jiġu maħruġa tahtu;"

Emenda tal-artikolu 4 tal-Att prinċipali.

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

(a) is-subartikolu (1A) tiegħu għandu jiġi enumerat mill-ġdid bħala (1a);

(b) is-subartikolu (1B) tiegħu għandu jiġi enumerat mill-ġdid bħala (1b);

(ċ) minnufih wara s-subartikolu (1b) tiegħu, kif emendat, għandu jiġi miżjud is-subartikolu ġdid li ġej:

"(1ċ) L-awtorità kompetenti għandha twettaq il-funzjonijiet u d-dmirijiet ta' korp tal-ġbir skont id-dispożizzjonijiet tar-Regolament ESAP, meta tkun hekk magħżula taht dan l-Att jew kwalunkwe regolamenti magħmula tahtu."

Emenda tal-artikolu 53A tal-Att prinċipali.

35. Minnufih wara l-ewwel proviso tas-subartikolu (1) tal-artikolu 53A tal-Att prinċipali għandu jiġi miżjud il-proviso ġdid li ġej:

"Iżda wkoll meta tiġi ppubblikata xi penali amministrattiva jew xi miżura oħra, kif ukoll xi informazzjoni li għandha x'taqsam mal-appell, tali informazzjoni għandha tkun aċċessibbli fuq l-ESAP skont id-dispożizzjonijiet tar-regolament 15 tar-Regolamenti dwar *Insurance Distribution (Penalties and other measures) Regulations*". L.S. 487.08.

TAQSIMA VII EMENDI GHALL-ATT DWAR PENSJONIJIET TAL-IRTIRAR

36. Din it-Taqsima temenda l-Att dwar Pensjonijiet tal-Irtirar u għandha tinqara u tinftiehem haġa waħda mal-Att dwar Pensjonijiet tal-Irtirar, hawn aktar 'il quddiem f'din it-Taqsima msejjaħ l-"Att prinċipali".

Emendi għall-Att dwar Pensjonijiet tal-Irtirar. Kap. 514.

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

Emenda tal-artikolu 2 tal-Att prinċipali.

(a) minnufih wara t-tifsira "benefiċjarju" għandha tiġi miżjuda t-tifsira ġdida li ġejja:

" *"data personali"* għandu jkollha l-istess tifsira assenjata lilha fir-Regolament (UE) 2016/679 tal-Parlament Ewropew u tal-Kunsill tas-27 ta' April 2016 dwar il-protezzjoni tal-persuni fiżiċi fir-rigward tal-ipproċessar ta' *data personali* u dwar il-moviment liberu ta' tali *data*, u li jhassar id-Direttiva 95/46/KE (Regolament Ġenerali dwar il-Protezzjoni tad-*Data*);";

(b) minnufih wara t-tifsira "EIOPA" għandha tiġi miżjuda t-tifsira ġdida li ġejja:

" *"ESAP"* tfisser il-punt ta' aċċess uniku Ewropew skont ir-Regolament ESAP;";

(ċ) minnufih wara t-tifsira "fond għall-irtirar" għandhom jiġu miżjuda t-tifsir ġdid li ġej:

" *"format li jista' jinqara mill-magni"* għandu jkollha l-istess tifsira kif mogħti lilha fl-Artikolu 2 tar-Regolament ESAP;";

" *"format li minnu tista' tiġi estratta d-data"* għandu jkollha l-istess tifsira assenjata lilha fl-Artikolu 2 tar-Regolament ESAP;";

(d) minnufih wara t-tifsira "kontributor" għandha tiġi

miżjuda t-tifsira ġdida li ġejja:

" "korp ta' ġbir" għandu jkollha l-istess tifsira kif mogħti lilha fl-Artikolu 2 tar-Regolament ESAP;"

(e) minnufih wara t-tifsira "membru" għandha tiġi miżjuda t-tifsira ġdida li ġejja:

" "metadata" għandu jkollha l-istess tifsira kif mogħti lilha fl-Artikolu 2 tar-Regolament ESAP;"

(f) minnufih wara t-tifsira "Regola tal-Pensjonijiet" għandha tiġi miżjuda t-tifsira ġdida li ġejja:

" "Regolament ESAP" jew "Regolament (UE) 2023/2859" tfisser ir-Regolament (UE) 2023/2859 tal-Parlament Ewropew u tal-Kunsill tat-13 ta' Diċembru 2023 li jistabbilixxi punt ta' aċċess uniku Ewropew li jipprovdi aċċess ċentralizzat għal informazzjoni disponibbli pubblikament ta' rilevanza għas-servizzi finanzjarji, is-swieq kapitali u s-sostenibbiltà, kif jista' jkun emendat minn żmien għal żmien, u jinkludi miżuri ta' implimentazzjoni li ġew maħruġa, jew jistgħu jiġu maħruġa tahtu;"

Emenda tal-artikolu 21 tal-Att prinċipali.

38. Minnufih wara s-subartikolu (2) tal-artikolu 21 tal-Att prinċipali, għandhom jiġu miżjuda s-subartikoli ġodda li ġejjin:

"(3) Sabiex l-informazzjoni msemmija fl-Artikoli 23(2), 29 u 30 tad-Direttiva għall-Pensjonijiet ta' Rtirar Okkupazzjonali, kif trasposta fir-Regoli dwar Pensjonijiet tkun aċċessibbli fuq l-ESAP, l-IORPS għandha, meta tippubblika tali informazzjoni tissottomettiha wkoll fl-istess waqt lill-korp tal-ġbir:

Iżda għall-finijiet ta' dan is-subartikolu, l-korp tal-ġbir għandu jkun l-awtorità kompetenti:

Iżda wkoll tali obbligu għandu japplika b'effett mill-10 ta' Jannar 2030.

(4) L-informazzjoni msemmija fis-subartikolu (3) għandha tikkonforma mar-rekwiżiti li ġejjin:

(a) għandha tiġi sottomessa f'format li minnu tista' tiġi estratta d-data jew, fejn ikun meħtieġ mil-liġi tal-Unjoni jew mill-liġi nazzjonali, f'format li jista' jinqara mill-magni; u

(b) għandha tkun akkumpanjata mill-metadata li ġejja:

- (i) l-ismijiet kollha tal-IORP li għalihom tirreferi l-informazzjoni;
- (ii) l-identifikatur ta' entità ġuridika tal-IORP, kif speċifikat skont il-punt (b) tal-Artikolu 7(4) tar-Regolament ESAP;
- (iii) id-daqs tal-IORP, skont il-kategorija, kif speċifikat skont il-punt (d) tal-Artikolu 7(4) tar-Regolament ESAP;
- (iv) it-tip ta' informazzjoni, kif klassifikata skont il-punt (ċ) tal-Artikolu 7(4) tar-Regolament ESAP;
- (v) indikazzjoni dwar jekk l-informazzjoni tkunx fiha *data* personali:

Iżda għall-finijiet tas-subparagrafu (ii) l-IORPS għandhom jiksbu identifikatur ta' entità ġuridika."

39. Minnufih wara s-subartikolu (1) tal-artikolu 38 tal-Att prinċipali għandu jigi miżjud is-subartikolu ġdid li ġej:

Emenda tal-artikolu 38 tal-Att prinċipali.

"(1a) L-awtorità kompetenti għandha twettaq il-funzjonijiet u dmirijiet ta' korp tal-ġbir skont ir-Regolament ESAP meta l-awtorità tkun inkarigata taht dan l-Att jew kwalunkwe regolamenti magħmua tahtu."

40. Fis-subartikolu (4) tal-artikolu 46 tal-Att prinċipali l-kliem "li tista' tistabbilixxi," għandhom jigu sostitwiti bil-kliem "li tista' tistabbilixxi, kif ukoll tagħmel aċċessibbli fuq l-ESAP permezz ta' kwalunkwe regolamenti magħmula taht dan l-Att,".

Emenda tal-artikolu 46 tal-Att prinċipali.

Għanijiet u Raġunijiet

L-għanijiet u r-raġunijiet ta' dan l-Abbozz ta' Liġi huma sabiex tiġi trasposta d-Direttiva (UE) 2023/2864 tal-Parlament Ewropew u tal-Kunsill tat-13 ta' Diċembru 2023 li temenda ċerti Direttivi fir-rigward tal-istabbiliment u l-funzjonament tal-punt ta' aċċess uniku Ewropew.

**A BILL
entitled**

AN ACT to amend various laws relating to the European single access point (ESAP).

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. (1) The short title of this Act is the Various Laws relating to the European Single Access Point (ESAP) (Amendment) Act, 2026. Short title and scope.

(2) The scope of this Act is to partially transpose the provisions of Directive (EU) 2023/2864 of the European Parliament and of the Council of 13 December 2023 amending certain Directives as regards the establishment and functioning of the European single access point, and to implement the requirements of Regulation (EU) 2023/2869 of the European Parliament and of the Council of 13 December 2023 amending certain Regulations as regards the establishment and functioning of the European single access point.

**PART I
AMENDMENTS TO THE ACCOUNTANCY PROFESSION ACT**

2. This Part amends the Accountancy Profession Act and it shall be read and construed as one with the Accountancy Profession Act, hereinafter in this Part referred to as the "principal Act". Amendments to the Accountancy Profession Act. Cap. 281.

3. In sub-article (1) of article 2 of the principal Act immediately after the definition "connected undertaking" there shall be added the following new definitions: Amendment of article 2 of the principal Act.

" "ESAP" means the European single access point in accordance with the ESAP Regulation;

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"ESAP Regulation" means Regulation 2023/2859/EU of the European Parliament and of the Council of 13 December 2023 establishing a European single access point providing centralised access to publicly available information of relevance to financial services, capital markets and sustainability, as amended from time to time, and includes any implementing measures that have been or may be issued thereunder;"

Amendment of
article 7 of the
principal Act.

4. In sub-article (15) of article 7 of the principal Act immediately after the words "the Board's website." there shall be added the following words:

"From 10 January 2030, the information in the register regarding holders of practising certificates, audit firms, third-country auditors and third-country audit entities shall be made accessible on the ESAP established under the ESAP Regulation. For that purpose, the collection body as defined in point (2) of Article 2 of the ESAP Regulation shall be the public register. The said information shall comply with the following requirements:

(a) it shall be submitted in a data extractable format as defined in point (3) of Article 2 of the ESAP Regulation; and

(b) it shall be accompanied by the following metadata:

(i) all the names of the statutory auditor or audit firm to which the information relates;

(ii) where available, the legal entity identifier of the audit firm, as specified in accordance with point (b) of Article 7(4) of the ESAP Regulation;

(iii) the type of information, as classified in accordance with point (c) of Article 7(4) of the ESAP Regulation; and

(iv) an indication of whether the information contains personal data."

Amendment of
article 20A of
the principal
Act.

5. Immediately after sub-article (4) of article 20A of the

principal Act there shall be added the following new sub-article:

"(5) From 10 January 2030, the information referred to in this article shall be made accessible on the ESAP established under the ESAP Regulation. For that purpose, the collection body shall be the Board. The said information shall comply with the following requirements:

(a) it shall be submitted in a data extractable format as defined in point (3) of Article 2 of the ESAP Regulation; and

(b) it shall be accompanied by the following metadata:

(i) all the names of the statutory auditor or audit firm to which the information relates;

(ii) where available, the legal entity identifier of the audit firm, as specified in accordance with point (b) of Article 7(4) of the ESAP Regulation;

(iii) the type of information, as classified in accordance with point (c) of Article 7(4) of the ESAP Regulation; and

(iv) an indication of whether the information contains personal data."

PART II

AMENDMENTS TO THE FINANCIAL MARKETS ACT

6. This Part amends the Financial Markets Act and it shall be read and construed as one with the Financial Markets Act, hereinafter in this Part referred to as the "principal Act".

Amendments to the Financial Markets Act. Cap. 345.

7. In sub-article (1) of article 2 of the principal Act immediately after the definition "local regulated market" there shall be added the following new definition:

Amendment of article 2 of the principal Act.

" "machine-readable format" shall have the same meaning as assigned to it in Article 2 of the ESAP Regulation;"

8. Immediately after sub-article (3) of article 2A of the principal

Amendment of article 2A of the principal Act.

Act there shall be added the following new sub-articles:

Cap. 330. "(4) The Malta Financial Services Authority established by the Malta Financial Services Authority Act shall be the officially appointed mechanism in Malta in accordance with Article 21(2) of the Transparency Directive, and shall carry out functions and duties for the purposes of the Transparency Directive and the MAR, and any reference in this Act to the officially appointed mechanism shall be read and construed accordingly:

Provided that such function shall be carried out by the Malta Financial Services Authority with effect from 10 July 2026.

(5) The competent authority shall carry out the functions and duties of the collection body in accordance with the ESAP Regulation, when it is designated as such under this Act or any regulations made thereunder."

Amendment of article 4B of the principal Act.

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

(a) sub-article (4) thereof shall be amended as follows:

(i) in paragraph (a) thereof the words "and make public," shall be substituted by the words "and make public, as well as make accessible on ESAP in terms of sub-article (5),";

(ii) in paragraph (b) thereof the words "make public," shall be substituted by the words "make public, as well as make accessible on ESAP in terms of sub-article (5),";

(b) immediately after sub-article (4) thereof there shall be added the following new sub-articles:

"(5) For the purpose of making the information referred to in sub-article (4) accessible on ESAP, market operators shall, when making such information public, also submit it at the same time to the collection body:

Provided that for the purposes of this sub-article, the collection body shall be the competent authority:

Provided further that such obligation shall apply with effect from 10 January 2030.

(6) The information referred to in sub-article (5) shall comply with the following requirements:

(a) it shall be submitted in a data extractable format or, where required by Union law or national law, in a machine-readable format; and

(b) it shall be accompanied by the following metadata:

(i) all the names of the market operator or issuer to which the information relates;

(ii) the legal entity identifier of the market operator or issuer, as specified in accordance with point (b) of Article 7(4) of the ESAP Regulation;

(iii) the size of the market operator or issuer, as specified in accordance with point (d) of Article 7(4) of the ESAP Regulation;

(iv) the type of information, as classified in accordance with point (c) of Article 7(4) of the ESAP Regulation; and

(v) an indication of whether the information contains personal data:

Provided that for the purposes of subparagraph (ii), the market operator and issuer shall obtain a legal entity identifier."

10. Article 21E of the principal Act shall be amended as follows:

Amendment of article 21E of the principal Act.

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

"(1) For the purpose of making regulated information accessible on ESAP, the issuer or the person who has applied for admission to trading shall, when disclosing such information, also submit it at the same time to the collection body:

Provided that for the purposes of this sub-article, the collection body shall be the competent authority:

Provided further that such obligation shall apply with effect from 10 July 2026.";

(b) immediately after sub-article (1) thereof, as

substituted, there shall be added the following new sub-article:

"(1a) For the purpose of making the decisions referred to in article 39G, to the extent that such decisions concern transparency requirements relating to regulated information accessible on ESAP, the collection body shall be the competent authority:

Provided that such obligation shall apply with effect from 10 July 2026.";

(c) in sub-article (2) thereof the words "referred to in the proviso to sub-article (1)" shall be substituted by the words "referred to in sub-article (1A)";

(d) immediately after sub-article (2) thereof, as amended, there shall be added the following new sub-articles:

"(3) For the purpose of making the information referred to in Articles 3j(1) and (2), 9a(7), 9b(5), 9c(2) and (7), and 14(2) of the Shareholders' Rights Directive, as transposed in the Capital Markets Rules, accessible on ESAP, the proxy advisor or company shall, when making such information public, also submit it at the same time to the collection body:

Provided that for the purposes of this sub-article, the collection body shall be the competent authority:

Provided further that such obligation shall apply with effect from 10 January 2030.

(4) The information referred in sub-article (3) shall comply with the following requirements:

(a) it shall be submitted in a data extractable format or, where required by Union law or national law, in a machine-readable format; and

(b) it shall be accompanied by the following metadata:

(i) all the names of the proxy advisor or company to which the information relates;

(ii) the legal entity identifier of the proxy advisor or company, as specified in accordance with point (b) of Article 7(4) of the ESAP Regulation;

(iii) the size by category of the proxy advisor or of the company, as specified in accordance with point (d) of Article 7(4) of the ESAP Regulation;

(iv) the industry sectors of the economic activities of the company, as specified in accordance with point (e) of Article 7(4) of the ESAP Regulation;

(v) the type of information, as classified in accordance with point (c) of Article 7(4) of the ESAP Regulation; and

(vi) an indication of whether the information contains personal data:

Provided that for the purposes of subparagraph (ii), proxy advisors and companies shall obtain a legal entity identifier.

(5) For the purpose of making the information referred to in Articles 4(2)(c), 6(1) and (2), and 9(5) of the Takeover Bids Directive, as transposed in the Capital Markets Rules, accessible on ESAP, the company shall, when making such information public, also submit it at the same time to the collection body:

Provided that for the purposes of this sub-article, the collection body shall be the competent authority:

Provided further that such obligation shall apply with effect from 10 January 2030.

(6) The information referred in sub-article (5) shall comply with the following requirements:

(a) it shall be submitted in a data extractable format or, where required by Union law or national law, in a machine-readable format; and

(b) it shall be accompanied by the following metadata:

(i) the name of the company to which the information relates;

(ii) the legal entity identifier of the company, as specified in accordance with point (b) of Article 7(4) of the ESAP Regulation;

(iii) the size of the company by category, as specified in accordance with point (d) of Article 7(4) of the ESAP Regulation;

(iv) the industry sectors of the economic activities of the company, as specified in accordance with point (e) of Article 7(4) of the ESAP Regulation;

(v) the type of information, as classified in accordance with point (c) of Article 7(4) of the ESAP Regulation; and

(vi) an indication of whether the information contains personal data:

Provided that for the purposes of subparagraph (ii), companies shall obtain a legal entity identifier."

Amendment of article 39G of the principal Act.

11. In sub-article (1) of article 39G of the principal Act the words "that decision." shall be substituted by the words "that decision:", and immediately thereafter there shall be added the following new proviso:

"Provided that to the extent that the decision concerns transparency requirements relating to regulated information, the said decision shall also be made accessible on ESAP in accordance with article 21E."

Amendment of article 39GA of the principal Act.

12. In sub-article (1) of article 39GA of the principal Act the words "website of the competent authority." shall be substituted by the words "website of the competent authority:", and immediately thereafter there shall be added the following new proviso:

"Provided that such decisions shall also be made accessible on ESAP in terms of article 16A of the Financial Markets (Covered Bonds) Regulations."

S.L. 345.27.

Amendment of article 39H of the principal Act.

13. In the proviso to sub-article (5) of article 39H of the principal Act the words "make public" shall be substituted by the words "make public, as well as make accessible on ESAP in accordance with the provisions of article 39IA,".

Amendment of article 39I of the principal Act.

14. In the proviso to sub-article (5) of article 39I of the principal Act the words "make public" shall be substituted by the words "make public, as well as make accessible on ESAP in accordance with the provisions of article 39IA,".

Addition of a new article to the principal Act.

15. Immediately after article 39I of the principal Act, as amended,

there shall be added the following new article:

"Accessibility of
information on
ESAP.

39IA. (1) For the purpose of making the information referred to in article 39H(5) and 39I(5) accessible on ESAP, the collection body shall be the competent authority:

Provided that such obligation shall apply with effect from 10 January 2030.

(2) The information referred in sub-article (1) shall comply with the following requirements:

(a) it shall be submitted in a data extractable format; and

(b) it shall be accompanied by the following metadata:

(i) all the names of the investment firm or market operator to which the information relates;

(ii) where available, the legal entity identifier of the investment firm or market operator as specified in accordance with point (b) of Article 7(4) of the ESAP Regulation;

(iii) the type of information, as classified in accordance with point (c) of Article 7(4) of ESAP Regulation;

(iv) an indication of whether the information contains personal data."

PART III

AMENDMENTS TO THE INVESTMENT SERVICES ACT

16. This Part amends the Investment Services Act and shall be read and construed as one with the Investment Services Act, hereinafter in this Part referred to as the "principal Act".

Amendments to
the Investment
Services Act.
Cap. 370.

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

Amendment of
article 2 of the
principal Act.

(a) immediately after the definition "the BRRD" there shall be added the following new definition:

" "collection body" shall have the same meaning as assigned to it in Article 2 of the ESAP Regulation;"

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

" "data extractable format" shall have the same meaning as assigned to it in Article 2 of the ESAP Regulation;"

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

" "ESAP" means the European single access point in accordance with the ESAP Regulation;

"ESAP Regulation" means Regulation (EU) 2023/2859 of the European Parliament and of the Council of 13 December 2023 establishing a European single access point providing centralised access to publicly available information of relevance to financial services, capital markets and sustainability, as amended from time to time, and includes any implementing measures that have been, or may be issued thereunder;"

(d) immediately after the definition "licence holder" there shall be added the following new definition:

" "machine-readable format" shall have the same meaning as assigned to it in Article 2 of the ESAP Regulation;"

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

" "metadata" shall have the same meaning as assigned to it in article 2 of the ESAP Regulation;"

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

" "personal data" shall have the same meaning as assigned to it in Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation);".

Amendment of
article 2A of the
principal Act.

18. Immediately after sub-article (4) of article 2A of the principal Act there shall be added the following new sub-article:

"(5) The competent authority shall carry out the functions and duties of the collection body in terms of the ESAP

Regulation, when it is designated as such under this Act or any regulations made thereunder."

19. In sub-article (10) of article 6 of the principal Act the words "this article." shall be substituted by the words "this article, including for the purpose of making it accessible on ESAP:", and immediately thereafter there shall be added the following new proviso:

Amendment of article 6 of the principal Act.

"Provided that for the purpose of making such information accessible on ESAP, it shall be in a data extractable format and accompanied by the following metadata:

(a) all the names of the investment firm to which the information relates;

(b) where available, the legal entity identifier of the investment firm, as specified in accordance with point (b) of Article 7(4) of the ESAP Regulation;

(c) the type of information, as classified in accordance with point (c) of Article 7(4) of the ESAP Regulation;

(d) an indication of whether the information contains personal data:

Provided further that such obligation shall apply with effect from 10 January 2030:

Provided further that to the extent that the authorisation concerns a UCITS management company, such information shall be made accessible on ESAP in accordance with article 35."

20. In sub-article (4) of article 16A of the principal Act the words "to the parties involved." shall be substituted by the words "to the parties involved:" and immediately thereafter there shall be added the following new proviso:

Amendment of article 16A of the principal Act.

"Provided that to the extent that such disclosure concerns breaches relating to the UCITS Directive, such information shall also be made accessible on ESAP in accordance with the provisions of article 35."

21. Immediately after article 34 of the principal Act, there

Addition of a new article to the principal Act.

shall be added the following new article:

"Accessibility of
information on
ESAP.

35. (1) For the purpose of making the information referred to in Article 68(1) and Article 78(1) of the UCITS Directive, as transposed in the Investment Services Rules, accessible on ESAP, a UCITS management company or a UCITS shall, when making that information public, also submit it at the same time to the collection body:

Provided that for the purposes of this sub-article, the collection body shall be the competent authority:

Provided further that such obligation shall apply with effect from 10 January 2028.

(2) The information referred in sub-article (1) shall comply with the following requirements:

(a) it shall be submitted in a data extractable format or, where required by Union law or national law, in a machine-readable format; and

(b) it shall be accompanied by the following metadata:

(i) all the names of the UCITS to which the information relates;

(ii) the legal entity identifier of the UCITS, as specified in accordance with point (b) of Article 7(4) of the ESAP Regulation;

(iii) the size of the UCITS by category, as specified in accordance with point (d) of Article 7(4) of the ESAP Regulation;

(iv) the type of information, as classified in accordance with point (c) of Article 7(4) of the ESAP Regulation; and

(v) an indication of whether the information contains personal data:

Provided that for the purposes of subparagraph (ii), UCITS shall obtain a legal entity identifier.

(3) For the purpose of making the information referred to in article 6(10) accessible on ESAP, the collection body shall be the competent authority:

Provided that such obligation shall apply with effect from 10 January 2028.

(4) The information referred in sub-article shall comply with the following requirements:

(a) it shall be submitted in a data extractable format; and

(b) it shall be accompanied by the following metadata:

(i) all the names of the UCITS management company to which the information relates;

(ii) where available, the legal entity identifier of the UCITS management company as specified in accordance with point (b) of Article 7(4) of the ESAP Regulation;

(iii) the type of information, as classified in accordance with point (c) of Article 7(4) of the ESAP Regulation;

(iv) an indication of whether the information contains personal data.

(5) For the purpose of making the information referred to in article 16A(4) accessible on ESAP, the collection body shall be the competent authority:

Provided that such obligation shall apply with effect from 10 January 2028.

(6) The information referred in sub-article (5) shall comply with the following requirements:

(a) it shall be submitted in a data extractable format; and

(b) it shall be accompanied by the following metadata:

(i) all the names of the UCITS to which the information relates;

(ii) where available, the legal entity identifier of the UCITS as specified in terms of point (b) of Article 7(4) of the ESAP Regulation;

(iii) the type of information, as classified in accordance with point (c) of Article 7(4) of the ESAP Regulation;

(iv) an indication of whether the information contains personal data.

(7) For the purpose of making the information referred to in Article 44 of the IFD, as transposed in the Investment Services Rules, accessible on ESAP, investment firms or parent undertakings shall, when making that information public, also submit it at the same time to the collection body:

Provided that for the purposes of this sub-article, the collection body shall be the competent authority:

Provided further that such obligation shall apply with effect from 10 January 2030.

(8) The information referred in sub-article (7) shall comply with the following requirements:

(a) it shall be submitted in a data extractable format or, where required by Union law or national law, in a machine-readable format; and

(b) it shall be accompanied by the following metadata:

(i) all the names of the investment firm or parent undertaking to which the information relates;

(ii) the legal entity identifier of the investment firm or parent undertaking, as specified in accordance with point (b) of Article 7(4) of the ESAP Regulation;

(iii) the size of the investment firm or parent undertaking by category, as specified in terms of point (d) of Article 7(4) of the ESAP Regulation;

(iv) the type of information, as classified in accordance with point (c) of Article 7(4) of the ESAP Regulation;

(v) an indication of whether the information contains personal data:

Provided that for the purposes of subparagraph (ii), companies shall obtain a legal entity identifier.

(9) For the purpose of making the information referred to in Article 3g(1) of Directive 2007/36/EC of the European Parliament and of the Council of 11 July 2007 on the exercise of certain rights of shareholders in listed companies, as transposed in the Investment Services Rules, accessible on ESAP, an investment firm, AIFM or UCITS management company shall, when making that information public, also submit it at the same time to the collection body:

Provided that for the purposes of this sub-article, the collection body shall be the competent authority:

Provided further that such obligation shall apply with effect from 10 January 2030.

(10) The information referred in sub-article (9) shall comply with the following requirements:

(a) it shall be submitted in a data extractable format or, where required by Union law or national law, in a machine-readable format; and

(b) it shall be accompanied by the following metadata:

(i) all the names of the investment firm, AIFM or UCITS management company to which the information relates;

(ii) the legal entity identifier of the investment firm, AIFM or UCITS management company, as specified in accordance with point (b) of Article 7(4) of the ESAP Regulation;

(iii) the size by category of the investment firm, AIFM or UCITS management company, as specified in accordance with point (d) of Article 7(4) of the ESAP Regulation;

(iv) the industry sectors of the economic activities of the company, as specified in accordance with point (e) of Article 7(4) of the ESAP Regulation;

(v) the type of information, as classified in terms of point (c) of Article 7(4) of the ESAP Regulation;

(vi) an indication of whether the information contains personal data:

Provided that for the purposes of sub-paragraph (ii), an investment firm, AIFM or UCITS management company shall obtain a legal entity identifier."

PART IV AMENDMENTS TO THE BANKING ACT

Amendments to
the Banking Act.
Cap. 371.

22. This Part amends the Banking Act and it shall be read and construed as one with the Banking Act, hereinafter in this Part referred to as the "principal Act".

Amendment of
article 2 of the
principal Act.

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

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

" "collection body" shall have the same meaning as assigned to it in Article 2 of the ESAP Regulation;"

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

" "data extractable format" shall have the same meaning as assigned to it in Article 2 of the ESAP Regulation;"

(c) immediately after the definition "eligible deposits" there shall be added the following new definitions:

" "ESAP" means the European single access point in accordance with the ESAP Regulation;

"ESAP Regulation" means Regulation (EU) 2023/2859 of the European Parliament and of the Council of 13 December 2023 establishing a European single access point providing centralised access to publicly available information of relevance to financial services, capital markets and sustainability, as may be amended from time to time, and includes any implementing measures that have been, or may be issued thereunder;"

(d) immediately after the definition "Member State" there shall be added the following new definition:

" "metadata" shall have the same meaning as assigned to it in Article 2 of the ESAP Regulation;"

(e) immediately after the definition "payment service user" there shall be added the following new definition:

" "personal data" shall have the same meaning as assigned to it in the GDPR;"

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

Amendment of article 4 of the principal Act.

(a) in sub-article (1) thereof the words "in the discharge of its duties." shall be substituted by the words "in the discharge of its duties:" and immediately thereafter there shall be added the following new proviso:

"Provided that it shall also be the duty of the competent authority to carry out the functions and duties of the collection body in accordance with the ESAP Regulation, when it is designated as such under this Act or any regulations made thereunder.";

(b) in sub-article (2) thereof the words "(Appointment of Designate Authority to implement Macro-Prudential Instruments) Regulations." shall be substituted by the words "(Appointment of Designate Authority to implement Macro-Prudential Instruments) Regulations:" and immediately thereafter there shall be added the following new proviso:

"Provided that for the purpose of making the disclosure in Article 131(12) of the CRD accessible on ESAP, in accordance with Article 116a of the CRD, the competent authority shall be the collection body."

25. Immediately after sub-article (3) of article 35B of the principal Act, there shall be added the following new sub-article:

Amendment of article 35B of the principal Act.

"(4) The information published in accordance with this article shall also be made accessible on ESAP by the collection body:

Provided that for the purposes of this sub-article, the collection body shall be the competent authority:

Provided further that the information shall be submitted in a data extractable format and shall be accompanied by the following metadata:

(a) all the names of the natural persons or institutions to which the information relates;

(b) where available, the legal entity identifier of the institution, as specified in accordance with point (b) of Article 7(4) of the ESAP Regulation;

(c) the type of information, as classified in terms of point (c) of Article 7(4) of ESAP Regulation;

(d) an indication of whether the information contains personal data:

Provided further that such obligation shall apply with effect from 10 January 2030."

PART V

AMENDMENTS TO THE INSURANCE BUSINESS ACT

Amendments to the Insurance Business Act. Cap. 403.

26. This Part amends the Insurance Business Act and it shall be read and construed as one with the Insurance Business Act, hereinafter in this Part referred to as the "principal Act".

Amendment of article 2 of the principal Act.

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

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

" "collection body" shall have the same meaning as assigned to it in Article 2 of the ESAP Regulation;"

(b) immediately after the definition "country outside Malta" there shall be added the following new definition:

" "data extractable format" shall have the same meaning as assigned to it in Article 2 of the ESAP Regulation;"

(c) immediately after the definition "EIOPA", there shall be added the following new definitions:

" "ESAP" means the European single access point in accordance with the ESAP Regulation;

"ESAP Regulation" means Regulation (EU) 2023/2859 of the European Parliament and of the Council of 13 December 2023 establishing a European single access point providing centralised access to publicly available information of relevance to financial services, capital markets and sustainability, as may be amended from time

to time, and shall include any implementing measures that have been, or may be issued thereunder;";

(d) immediately after the definition "long term business" there shall be added the following new definition:

" "machine-readable format" shall have the same meaning as assigned to in Article 2 of the ESAP Regulation;";

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

" "metadata" shall have the same meaning as assigned to it in Article 2 of the ESAP Regulation;";

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

" "personal data" shall have the same meaning as assigned to it in Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation);".

28. Article 3 of the principal Act shall be renumbered as sub-article (1) and immediately thereafter there shall be added the following new sub-article:

Amendment of article 3 of the principal Act.

"(2) It shall also be the duty of the competent authority to carry out the functions and duties of the collection body in accordance with the ESAP Regulation, when it is designated as such under this Act or any regulations made thereunder.".

29. In sub-article (13) of article 7 of the principal Act the words "this article." shall be substituted by the words "this article, including for the purpose of making it accessible on ESAP.".

Amendment of article 7 of the principal Act.

30. Article 18F of the principal Act shall be amended as follows:

Amendment of article 18F of the principal Act.

(a) in sub-article (1) thereof the words "disclose publicly," shall be substituted by the words "disclose publicly, including by making accessible on ESAP in accordance with sub-article (8),";

(b) immediately after sub-article (7) thereof there shall be added the following new sub-articles:

S.L. 403.17. "(8) For the purpose of making the information referred to in sub-article (1) and regulation 40(1) of the Insurance Business (Supervision of Insurance and Reinsurance Undertakings in a Group) Regulations accessible on ESAP, insurance or reinsurance undertakings shall, when making such information public, also submit it at the same time to the collection body:

Provided that for the purposes of this sub-article, the collection body shall be the competent authority:

Provided further that such obligation shall apply with effect from 10 January 2030.

(9) The information referred to in sub-article (8) shall comply with the following requirements:

(a) it shall be submitted in a data extractable format or, where required by Union law or national law, in a machine-readable format; and

(b) it shall be accompanied by the following metadata:

(i) all the names of the insurance or reinsurance undertaking to which the information relates;

(ii) the legal entity identifier of the insurance or reinsurance undertaking, as specified in accordance with point (b) of Article 7(4) of the ESAP Regulation;

(iii) the size of the insurance or reinsurance undertaking by category, as specified in accordance with point (d) of Article 7(4) of the ESAP Regulation;

(iv) the type of information, as classified in accordance with point (c) of Article 7(4) of the ESAP Regulation;

(v) an indication of whether the information contains personal data:

Provided that for the purposes of subparagraph (ii), companies shall obtain a legal entity identifier."

31. In sub-article (6) of article 27 of the principal Act the words "the Act." shall be substituted by the words "this Act, including for the purpose of making it accessible on ESAP." Amendment of article 27 of the principal Act.

PART VI

AMENDMENTS TO THE INSURANCE DISTRIBUTION ACT

32. This Part amends the Insurance Distribution Act and it shall be read and construed as one with the Insurance Distribution Act, hereinafter in this Part referred to as the "principal Act". Amendments to the Insurance Distribution Act. Cap. 487.

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

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

" "collection body" shall have the same meaning as assigned to it in Article 2 of the ESAP Regulation;"

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

" "data extractable format" shall have the same meaning as assigned to it in Article 2 of the ESAP Regulation;"

(c) immediately after the definition "EIOPA" there shall be added the following new definitions:

" "ESAP" means the European Single Access Point in accordance with the ESAP Regulation;"

"ESAP Regulation" or "Regulation (EU) 2023/2859" means Regulation (EU) 2023/2859 of the European Parliament and of the Council of 13 December 2023 establishing a European single access point providing centralised access to publicly available information of relevance to financial services, capital markets and sustainability, as may be amended from time to time, and includes any implementing measures that have been, or may be issued thereunder;"

(d) immediately after the definition "local company" there shall be added the following new definition:

" "machine-readable format" shall have the same

C 320

meaning as assigned to it in Article 2 of the ESAP Regulation;";

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

" "metadata" shall have the same meaning as assigned to it in Article 2 of the ESAP Regulation;";

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

" "personal data" shall have the same meaning as that assigned to it in Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation);".

Amendment of
article 4 of the
principal Act.

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

(a) sub-article (1A) thereof shall be renumbered as (1a);

(b) sub-article (1B) thereof shall be renumbered as (1b);

(c) immediately after sub-article (1b) thereof, as renumbered, there shall be added the following new sub-article:

"(1c) The competent authority shall carry out the functions and duties of the collection body in accordance with the ESAP Regulation, when it is designated as such under this Act or any regulations made thereunder.".

Amendment of
article 53A of
the principal
Act.

35. Immediately after the first proviso of sub-article (1) of article 53A of the principal Act there shall be added the following new proviso:

"Provided further that when publishing any administrative penalty or other measure, as well as any information relating to appeal, such information shall be made accessible on ESAP in accordance with regulation 15 of the Insurance Distribution (Penalties and other measures) Regulations.".

S.L. 487.08.

PART VII
AMENDMENTS TO THE RETIREMENT PENSIONS ACT

36. This Part amends the Retirement Pensions Act and it shall be read and construed as one with the Retirement Pensions Act, hereinafter in this Part referred to as the "principal Act".

Amendments to the Retirement Pensions Act. Cap. 514.

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

Amendment of article 2 of the principal Act.

(a) immediately after the definition "beneficiary" there shall be added the following new definition:

" "collection body" shall have the same meaning assigned to it in Article 2 of the ESAP Regulation;"

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

" "data extractable format" shall have the same meaning assigned to it in Article 2 of the ESAP Regulation;"

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

" "ESAP" means the European single access point in accordance with the ESAP Regulation;"

(d) immediately after the new definition "ESAP", there shall be added the following new definition:

"ESAP Regulation" means Regulation (EU) 2023/2859 of the European Parliament and of the Council of 13 December 2023 establishing a European single access point providing centralised access to publicly available information of relevance to financial services, capital markets and sustainability, as may be amended from time to time, and includes any implementing measures that have been, or may be issued thereunder;"

(e) immediately after the definition "licence holder" there shall be added the following new definition:

" "machine-readable format" shall have the same meaning assigned to it in Article 2 of the ESAP Regulation;"

C 322

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

" "metadata" shall have the same meaning assigned to it in Article 2 of the ESAP Regulation;";

(g) immediately after the definition "Pension Rules" there shall be added the following new definition:

" "personal data" shall have the same meaning as assigned to it in Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation);".

Amendment of
article 21 of the
principal Act.

38. Immediately after sub-article (2) of article 21 of the principal Act there shall be added the following new sub-articles:

"(3) For the purpose of making the information referred to in Articles 23(2), 29 and 30 of the Occupational Pensions Directive, as transposed in the Pension Rules accessible on the ESAP, the IORPS shall, when making such information public also submit it at the same time to the collection body:

Provided that for the purposes of this sub-article the collection body shall be the competent authority:

Provided further that such obligation shall be in force from 10 January 2030.

(4) The information referred to in sub-article (3) shall comply with the following requirements:

(a) it shall be submitted in a data extractable format or, where required by Union law or national law, in a machine-readable format;

(b) it shall be accompanied by the following metadata:

(i) all the names of the IORP to which the information relates;

(ii) the legal entity identifier of the IORP, as specified in accordance with point (b) of Article 7(4) of the ESAP Regulation;

(iii) the size of the IORP by category, as specified in accordance with point (d) of Article 7(4) of the ESAP Regulation;

(iv) the type of information, as classified in accordance with point (c) of Article 7(4) of the ESAP Regulation;

(v) an indication of whether the information contains personal data:

Provided that for the purposes of sub-paragraph (ii) the IORPS shall obtain a legal entity identifier."

39. Immediately after sub-article (1) of article 38 of the principal Act there shall be added the following new sub-article: Amendment of article 38 of the principal Act.

"(1a) The competent authority shall carry out the functions and duties of the collection body in terms of the ESAP Regulation when it is the designated authority in accordance with this Act or any regulations made thereunder."

40. In sub-article (4) of article 46 of the principal Act the words "may determine," shall be substituted by the words "may determine, as well as make accessible on ESAP in accordance with any regulations made under this Act,". Amendment of article 46 of the principal Act.

Objects and Reasons

The objects and reasons of this Bill are to transpose Directive (EU) 2023/2864 of the European Parliament and of the Council of 13 December 2023 amending certain Directives as regards the establishment and functioning of the European single access point.

