

Circular to Credit Institutions and Financial Institutions Licensed in terms of Schedule 2 and 3 of the Financial Institutions Act on the EBA Guidelines on the Security of Internet Payments

On the 31st of January 2013, the European Central Bank (“ECB”) released the [Recommendations for the Security of Internet Payments](#), as developed and published by the European Forum on the Security of Retail Payments (“Secure Pay”), which were to enter into force on the 1st of February 2015 (“Secure Pay Recommendations”). To ensure the consistent implementation of the Secure Pay Recommendations across all Member States and to provide confidence that the required investment and system changes are not carried out in vain, the European Banking Authority (“EBA”), as a member of Secure Pay, agreed to implement the Recommendations as EBA guidelines with some minor deviations (in order to bring the Secure Pay Recommendations in line with the existing Payment Services Directive¹ as a legal basis).

Accordingly, on the 19th of December 2014, the EBA, under Article 16 of the EBA Regulation No 1093/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Banking Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/78/EC, issued [Guidelines on the security of internet payments](#) (“Guidelines”).

The Guidelines apply to the provision of payment services offered through the internet by payment service providers as defined in Article 1 of the Payment Services Directive and establish a set of minimum requirements in the field of the security of internet payments. The said Guidelines will enter into force on the 1st of August 2015.

The MFSA shall, in due course, issue a Banking Rule adopting the Guidelines. To this regard, credit and financial institutions which offer payment services through the internet are being requested to refer to the Guidelines until such time the said Banking Rule is issued. Since the Central Bank of Malta (“CBM”) also has a mandate to exercise oversight on payment systems and instruments, both the MFSA and the CBM will be assuming a co-operative oversight role on the implementation of these Guidelines.

Any queries on the implementation of the Guidelines can be addressed to Mr. Karol Gabarretta, Director, Banking Supervision Unit by email on kgabarretta@mfsa.com.mt.

Communications Unit

Malta Financial Services Authority

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¹ Directive 2007/64/EC of the European Parliament and of the Council of 13 November 2007 on payment services in the internal market amending Directives 97/7/EC, 2002/65/EC, 2005/60/EC and 2006/48/EC and repealing Directive 97/5/EC.