

30 November 2021

## Approval of Directors of Authorised Persons

Where persons licensed or otherwise authorised or regulated by the Competent Authority as defined in the applicable legislations (“authorised persons”) are required by law to obtain the Competent Authority’s approval prior to the appointment of a person as a director thereof, no director can be appointed by such authorised person and consequently registered with the Malta Business Registry without the Competent Authority’s prior approval.

For the purposes of the abovementioned approval the Competent Authority requires the authorised person to submit, as part of the supporting documentation to the Personal Questionnaire (“PQ”) to be submitted by the authorised person in relation to the proposed director and prior to the Competent Authority’s determination with respect to the said approval or otherwise, the following:

- (i) a copy of the minute of the general meeting [i.e. of the shareholders], or board meeting, as applicable, proposing the person to be appointed as director of the authorised person; or
- (ii) a copy of the minute of the general meeting [i.e. of the shareholders], or board meeting, as applicable, appointing, subject to the Competent Authority’s prior approval, the same person as a director of the authorised person in question with effect from the date of the said approval.

In the case of (i) above, if and once the proposed person is approved by the Competent Authority, the authorised person can then proceed to hold another general meeting [i.e. of the shareholders], or board meeting, as applicable, to appoint the person in question as a director of the authorised person with effect from the date of this additional general meeting [i.e. of the shareholders], or board meeting, as applicable, or any date, thereafter, as may be specified. The authorised person shall submit a copy of the minute of the said general meeting [i.e. of the shareholders], or board meeting, as applicable, to the Competent Authority without undue delay, and in any case by not later than one month from the date of the said general meeting [i.e. of the shareholders], or board meeting, as applicable.

In the case of (ii) above, if and once the proposed individual is approved by the Competent Authority, the appointment shall become effective from the date of approval by the Competent Authority.