

17 January 2022

## The Investment Firms Regulation and Directive – Data Collection

### 1. Introduction

This communication follows up on the previous circulars/briefings issued by the Malta Financial Services Authority ('the Authority' or 'the MFSA') pertaining to the Investment Firms Regulation and Directive ('the IFRD') that came into force on 26 June 2021.

In this respect, the Authority is carrying out two data collection exercises, with the first one being applicable to **all** Investment Firms and the other which concerns Investment Firms groups **only**.

### 2. European Banking Authority Master Data Collection – applicable to all Investment Firms

The European Banking Authority ('the EBA') is undertaking an exercise whereby the National Competent Authorities ('NCAs') are required to gather specific information from those licence holders falling under their supervisory remit. In this respect, licence holders must submit this [excel file](#) duly compiled through the [LH Portal](#) using the project named **Investment Firms Reporting** and save the file using the naming convention: CODE\_JAN2022\_OTH.zip. You may wish to refer to these [guidelines](#).

Licence holders shall input information in the tab named '*Data Inputting*'. The tab named '*Description*' provides definitions of the information that is being requested. The numbers under the column named '*Property Identifier*' of Data Inputting sheet correspond to those in the Description sheet in order to facilitate the interpretation of the data being requested. Licence holders forming part of a Group shall also fill in the information under the column named '*Investment Firm Group*' and other columns as may be applicable. For example, if an Investment Firm which forms part of a Group also includes a Payment Institution, the cells under the column named '*Payment Institution*' shall be populated as well. Those licence holders which are not part of a Group, are only required to input information under the column named '*Investment Firm*'.

This is a compulsory exercise mandated by the EBA and **all Investment Firms** are expected to submit the file by **not later than 31 January 2022**. **Kindly ensure that the necessary attention is given to this request.**

### 3. Investment Firms Classification

Following the implementation of the Investment Firms [Regulation](#) (“IFR”) and [Directive](#) (“IFD”) on 26 June 2021, Investment Firm groups<sup>1</sup> are required to provide the Authority with an assessment in relation to their consolidated situation for the application of Article 7 – Prudential consolidation, or Article 8 – The group capital test of IFR.

Investment Firms are required to submit their assessment through the [LH Portal](#) using the project named **Investment Firms Reporting** and save the file using the naming convention: CODE\_JAN2022\_OTH.zip. You may wish to refer to these [guidelines](#). Kindly submit the assessment **by not later than 31 January 2022**.

### 4. Conclusion

In summary, the MFSA requires:

1. All Investment Firms to submit the Master Data Collection via LH Portal by not later than 31 January 2022.
2. Investment Firms groups to submit their assessment via LH Portal by not later than 31 January 2022;

Should you have any queries pertaining to any of the above, please do not hesitate to contact [investmentfirms@mfsa.mt](mailto:investmentfirms@mfsa.mt).

---

<sup>1</sup> means a group of undertakings which consists of a parent undertaking and its subsidiaries or of undertakings which meet the conditions set out in Article 22 of Directive 2013/34/EU of the European Parliament and of the Council, of which at least one is an investment firm and which does not include a credit institution.