

Glossary to the Investment Services Rules for Retail Collective Investment Schemes

It is proposed for the following definition to be added:

“DORA Regulation” means Regulation (EU) 2022/2554 of the European Parliament and of the Council of 14 December 2022 on digital operational resilience for the financial sector, and amending Regulations (EC) No 1060/2009, (EU) No 648/2012, (EU) No 600/2014, (EU) No 909/2014 and (EU) 2016/1011 as may be amended from time to time, and includes any binding legal instruments, guidelines and other measures that have been or may be issued thereunder;

Part BII – Malta based Retail UCITS Collective Investment Schemes

Para. 16.6 is proposed to be amended as follows:

16.6 The Scheme shall have sound administrative and accounting procedures, control and safeguard arrangements for electronic data processing, **including with regard to network and information systems that are set up and managed in accordance with the DORA Regulation**, and adequate internal control mechanisms. These shall include, in particular, rules for personal transactions by its employees or for the holding or management of investments in financial instruments in order to invest ~~its initial capital~~ **on its own account** and ensuring, at least, that each transaction involving the Scheme may be reconstructed according to its origin, the parties to it, its nature, and the time and place at which it was effected and that the assets of the Scheme are invested according to the instruments of incorporation, prospectus and legal provisions in force.