

L.N. of 2023

**FINANCIAL MARKET ACT
(CAP. 345)**

**INVESTMENT SERVICES ACT
(CAP. 370)**

Data Reporting Services (Amendment) Regulations, 2023

IN EXERCISE of the powers conferred by article 49 of the Financial Market Act, and article 12 of the Investment Services Act, the Minister responsible for the regulation of Financial Services, acting on the advice of the Malta Financial Services Authority, has made the following regulations:

Citation.

1. (1) The title of these regulations is Data Reporting Services (Amendment) Regulations, 2023 and these regulations shall be read and construed as one with the Data Reporting Services Regulations, S.L. 345.21 and S.L. 370.37, hereinafter referred to as “the principal regulations”.

(2) The purpose of these regulations is to implement Articles 62(1)(a), 62(2)(a) and 63(3)(a) of 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.

Amends regulation 2 of the principal regulations

2. Sub-regulation (1) of regulation 2 of the principal regulations shall be amended as follows:

(a) immediately after the definition "data reporting services provider", there shall be added the following new definition:

““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 amended from time to time, and includes any implementing measures that have been or may be issued thereunder;”;

Amends regulation 8 of the principal regulations

3. Sub-regulation (5) of regulation 8 of the principal regulations shall be substituted by the following:

“(5) An APA shall comply with the requirements concerning the security of network and information systems set out in DORA Regulation;”

Amends regulation 9 of the principal regulations

4. Sub-regulation (8) of regulation 9 of the principal regulations shall be substituted by the following:

“(8) A CTP shall comply with the requirements concerning the security of network and information systems set out in DORA Regulation;”

Amends regulation 10 of the principal regulations

5. Sub-regulation (3) of regulation 10 of the principal regulations shall be substituted by the following:

“(5) An ARM shall comply with the requirements concerning the security of network and information systems set out in DORA Regulation;”