

27 January 2025

## Addendum to MFSA Circular dated 26 March 2024 bearing subject “Update on the Guidance on Technology Arrangements, ICT and Security Risk Management, and Outsourcing Arrangements”

Reference is made to Virtual Financial Asset Service Providers as authorised by the MFSA in terms of the Virtual Financial Assets Act [Chapter 590 of the Laws of Malta] and Crypto-asset Service Providers in terms of article 2(1)(f) in terms of the [Digital Operational Resilience Act \[Regulation 2022/2554\]](#).

Reference is made to the MFSA Circular titled [Update on the Guidance on Technology Arrangements, ICT and Security Risk Management, and Outsourcing Arrangements](#) published by the Authority in March 2024 , where it is noted:

*“[A]s of the date of applicability of the DORA Regulation (17 January 2025):*

*“1. The Guidance Document will no longer apply to Authorised Persons which are in scope of the DORA Regulation;*

*“2. The Guidance Document will continue applying to Authorised Persons which are not in scope of the DORA Regulation. A list of such Authorised Persons is provided in Annex 1 of this Circular.*

The MFSA notes that as per article 58(3) of the Markets In Crypto-Assets Act [Chapter 647 of the Laws of Malta], Crypto-asset Service Providers may continue to provide their services until 1 July 2026 or until they are granted or refused an authorisation pursuant to article 63 of the Markets in Crypto-Assets [Regulation 2023/1114], whichever comes first.

In this regard, until a Virtual Financial Asset Service Provider who is duly authorised by the MFSA in terms of the Virtual Financial Assets Act [Chapter 590 of the Laws of Malta] obtains a licence to operate in terms of article 63 of the Markets in Crypto-Assets [Regulation 2023/1114], the said licence holder shall be subject to the MFSA [Guidance on Technology Arrangements, ICT and Security Risk Management, and Outsourcing Arrangements](#).

However, immediately upon attaining an MFSA licence to operate in terms of article 63 of the Markets in Crypto-Assets [Regulation 2023/1114], the Digital Operational Resilience Act [Regulation 2022/2554] shall apply to the Crypto-asset Service Provider and the MFSA

Guidance on Technology Arrangements, ICT and Security Risk Management, and Outsourcing Arrangements shall cease to apply.

Authorised Persons may request further information by sending an email to the Supervisory ICT Risk and Cybersecurity function on [sirc@mfsa.mt](mailto:sirc@mfsa.mt).