

20 May 2025

Transposition of Directive (EU) 2022/2556 on Digital Operational Resilience for the Financial Sector – Legislative Measures

This circular is an update to Circular titled Regulation (EU) 2022/2554 and Amending Directive (EU) 2022/2556 on Digital Operational Resilience for the Financial Sector published on the EU Official Journal published by the Authority in January 2023. As detailed by the latter circular, Regulation (EU) 2022/2554 (the 'DORA Regulation') is accompanied by Directive (EU) 2022/2556 (the 'DORA Amending Directive').

Following the <u>Consultation Document on the National Implementation of Regulation (EU) 2022/2554 and Transposition of Directive (EU) 2022/2556 on Digital Operational Resilience for the Financial Sector, the necessary legislative legal measures which nationally transpose the DORA Amending Directive have now been published. The published legislative legal measures are as follows:</u>

- 1. Legal Notice 249 of 2024 Financial Markets Act (Cap. 345) Regulated Markets and Markets Operators (Authorisation Requirements) (Amendment No. 2) Regulations, 2024 (access here);
- 2. Legal Notice 250 of 2024 Financial Markets Act (Cap. 345) and Investment Services Act (Cap. 370) Algorithmic Trading (Amendment) Regulations, 2024 (access here);
- 3. Legal Notice 251 of 2024 Investment Services Act (Cap. 370) CRD (Administrative Penalties, Measures and Investigatory Powers) (Amendment) Regulations, 2024 (access here);
- 4. Legal Notice 252 of 2024 Investment Services Act (Cap. 370) Supervisory Review (Amendment) Regulations, 2024 (access here);
- 5. Legal Notice 253 of 2024 Banking Act (Cap. 371) Supervisory Review (Amendment), 2024 (access here);
- 6. Legal Notice 254 of 2024 Banking Act (Cap. 371) Administrative Penalties, Measures and Investigatory Powers (Amendment) Regulations, 2024 (access here);
- 7. Legal Notice 303 of 2024 Malta Financial Services Act (Cap. 330) Recovery and Resolution (Amendment No. 3) Regulations, 2024 (access here); and

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8. Act No. XI of 2025 Various Financial Services Laws (Amendment) Act, 2025 (access here).

The necessary amendments to the Authority's rules by virtue of the transposition of the DORA Amending Directive have also been published, as detailed under Circular titled <u>Transposition of Directive (EU) 2022/2556 on Digital Operational Resilience for the Financial Sector – Amendments to the Authority's Rules</u>, published by the Authority in December 2024.

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