MFSA MALTA FINANCIAL SERVICES AUTHORITY

Media Release

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MFSA Launches Consultation on Rules for Aircraft Financial Leasing Companies and Related Due Diligence Service Providers

Consultation proposes a regulatory framework for notified aircraft financial leasing companies, outlining governance, due diligence and AML/CFT standards while supporting Malta's aviation finance sector.

The Malta Financial Services Authority (MFSA) has launched a public consultation on proposed Rules for Notified Aircraft Financial Leasing Companies and Related Due Diligence Service Providers.

The proposed Rules complement the Financial Institutions Act (Notified Aircraft Financial Leasing Companies) Regulations, which were issued for consultation last January, by establishing the requirements for companies seeking admission to the MFSA's List of Aircraft Financial Leasing Companies, together with the obligations that will apply on an ongoing basis. They also introduce a framework governing the appointment and responsibilities of Related Due Diligence Service Providers.

Supporting Malta's Aviation Finance Sector

The proposed Rules aim to provide regulatory clarity for Malta's aircraft financial leasing sector and ensure that appropriate standards of governance, transparency and risk management are maintained.

Among the proposed measures are eligibility requirements for admission to the List, including minimum asset thresholds, governance and substance requirements, restrictions on permitted activities, and the appointment of an approved Due Diligence Service Provider. In particular, boards of directors would be responsible for ensuring ongoing compliance with the applicable legal and regulatory requirements, while Related Due Diligence Service Providers would undertake fit and proper assessments of qualifying shareholders, beneficial owners, directors, senior management and other relevant persons both at onboarding and on an ongoing basis.

The proposed Rules further reinforce Malta's anti-money laundering and countering the financing of terrorism (AML/CFT) framework by confirming that aircraft financial leasing activities constitute relevant financial business. Companies admitted to the List would therefore be required to implement appropriate AML/CFT systems and controls, appoint a Money Laundering Reporting Officer and meet ongoing regulatory reporting obligations.

The MFSA invites aircraft lessors, aviation finance professionals, legal practitioners, corporate service providers, auditors and other interested stakeholders to review the proposed Rules and submit their feedback during the consultation period.

The feedback received will assist the Authority in finalising a proportionate, effective and robust regulatory framework that appropriately supports Malta's aviation finance sector.

About MFSA

The Malta Financial Services Authority (MFSA) is the single regulator of financial services in Malta, covering banks, insurance companies, investment services, trusts and pensions. In 2018, the MFSA became the first European regulator to develop a framework to regulate virtual financial assets. The MFSA's mission, as enshrined in its Strategic Statement, is to enhance its position as an independent, proactive and trustworthy supervisory authority with the main purpose of safeguarding the integrity of markets and maintaining stability within the financial sector, for the benefit and protection of consumers. The MFSA licenses over 2,000 entities to operate in the financial services sector.

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