MFSA MALTA FINANCIAL SERVICES AUTHORITY

Circular

20 August 2026

Circular addressed to Trustees, other Fiduciaries and Company Service Providers - AMLA Public Consultation on the Draft Regulatory Technical Standards (RTS) on the Assessment of Inherent and Residual Risk Profiles for the Non-Financial Sector

The Malta Financial Services Authority ("MFSA") would like to bring to your attention a public consultation launched by the Anti-Money Laundering Authority ("**AMLA**") concerning the **Draft Regulatory Technical Standards on the assessment of the inherent and residual risk profile of obliged entities in the non-financial sector (" Draft RTS")** issued under Article 40(2) of Directive (EU) 2024/1640 (the 6th Anti-Money Laundering Directive – "AMLD6").

In terms of Article 2 and Article 3(3) of Regulation (EU) 2024/1624 of the European Parliament and of the Council of 31 May 2024 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing ("**AMLR**"), the '**non-financial sector**' comprises of Trustees and other Fiduciary Service Providers and Company Service Providers (CSPs). Consequently, these Draft RTS are of direct relevance to persons providing such services and their operations, as they outline the proposed EU-wide methodology for assessing entity risk profiles, establishing supervisory review frequencies, and defining future risk-data collection requirements applicable to such service providers. In this regard reference is also made to the notice published by the FIAU on 15 July 2026.

1. Proposed Regulatory Standards (RTS) Framework

The Draft RTS establish a standardised methodology across the European Union for assessing the inherent and residual money laundering and terrorist financing (ML/TF) risk profiles of authorised persons within the non-financial sector.

Key features include a proportional reporting framework, where the proposed structure incorporates scaled data collection to ensure that smaller and less complex entities are subject to reduced reporting requirements, thereby maintaining a proportionate administrative burden.

In terms of the implementation timeline, to allow supervisors and authorised persons sufficient preparation time, it is proposed that the Draft RTS shall have a deferred application date starting **31 December 2028.** Until that time, national supervisors will continue applying existing supervisory risk-assessment frameworks.

2. Participation and Feedback

The Authority firmly believes that international regulatory initiatives benefit significantly from the technical expertise and practical insights of local practitioners. We consider your feedback and practical experience as frontline market participants to be of utmost value in ensuring that European supervisory frameworks remain balanced, proportionate, and workable in practice.

We are therefore bringing this public consultation procedure to the attention of all authorised persons, to invite you to actively participate, provide your valuable feedback, and assist in the EU consultation process. Your active participation and feedback are instrumental in ensuring that AMLA's proposed risk indicators, data metrics, and supervisory expectations accurately reflect the practical realities of the fiduciary and corporate services sector.

3. Details and Deadlines

Authorised persons are invited to participate in the public consultation through the Online Public Hearing which AMLA will be holding on **10 September 2026 between 10:00 and 12:00 CET**. It provides the opportunity to gain direct insight into the proposed methodology, raise operational considerations, and engage in preliminary discussions. As places are limited, early registration is highly encouraged. You can register for the hearing through the following link **by 10 September 2026.**

The Authority encourages relevant authorised persons to also formally submit their written feedback by reviewing the consultation document and responding to the relevant survey/s through the following link by **27 September 2026, 23:59 CET**.