

27 November 2023

Amendment to the Administrative Penalties & Measures - Publication Policy

Following the publication of the Administrative Measures & Penalties – Publication Policy ('Publication Policy') on 16 June 2023, with effective applicability going back to 1 June 2023, the MFSA has reviewed the effect of such policy and considered that, in order to ensure a consistent approach for the breaches listed in the Publication Policy, the applicability of the Publication Policy (specifically the Anonymity Principle) should be applied retrospectively to all decisions which have been published on the MFSA website and which are still visible on the MFSA website as at the date of this Circular.

As a result, the MFSA has amended the Publication Policy to reflect the fact that it now applies retrospectively. In practice, this means that the MFSA will assess the decisions which are still on the MFSA website to determine whether the Anonymity Principle, specifically Scenario 1, as established in the Publication Policy applies. If this principle applies, then such decisions which fall under this principle will be anonymized accordingly. In this respect, the MFSA will be initiating the anonymization process.

The above is with the exception of those cases which are the subject of an appeal in front of the Financial Services Tribunal or where any judicial proceedings are instituted against the MFSA, given that the identity of the investigated person would have been made public during such proceedings.

Kindly refer to the amended Publication Policy [here](#).

Should you have any queries in relation to the above, please contact us on enforcement@mfsa.mt.