

# THE MBR'S NEWSLETTER

The Official Newsletter of the Malta Business Registry



## IN THIS ISSUE:

**MBR** | MALTA  
BUSINESS  
REGISTRY

- Notice to the General Public: The Register of Insolvency Practitioners
- Notice by the Registrar – New Incorporations Order Form
- CRF Conference 2023 Agenda
- Be a sponsor in the CRF Conference 2023
- Form 1 Instructional Video

# FOREWORD BY THE REGISTRAR AND CHIEF EXECUTIVE OFFICER

Dr. Geraldine Spiteri Lucas



This second quarter of 2023 was marked by the MBR's commitment to provide the highest level of service to our clients, and in the continuance of streamlining our operations in accordance to the reorganisational approach of our specialised teams. A new Incorporations Order Form, to be duly filled in and included with the pack of documents being submitted, was introduced as a mandatory measure when submitting incorporation documents of all types of new commercial partnerships in hard copy format. This ensured that all relevant streamlined contact details of the Company Service Providers (CSP) or applicant are readily available to our Incorporations Team, should the need for further clarifications arise.

In May, the Insolvency and Receivership Service within the MBR announced that, in terms of Article 10 of the Insolvency Practitioners Act (Act XXV of 2022) (the "Act"), it shall establish and maintain a public register to be known as the Register of Insolvency Practitioners, thus introducing the facility, in terms of Article 29 of the Act, for any person who, on the date of the coming into force of this Act, is eligible for the provisional authorisation to act as an insolvency practitioner.

During this quarter, the MBR continued in its commitment to provide training to interested parties coming from various specialised sectors, including over 400 CSPs. In May we had the pleasure to host an informative session entitled The Interaction between Public Notaries and the Malta Business Registry. This served as an opportunity to provide better understanding on the use of the MBR's portal and online facilities, as well as to enhance the means of cooperation between both parties. In June, the MBR and Malta Government Investments Ltd teamed together to assist state owned companies meet their statutory obligations with the Registry. A half day information and networking seminar was organised specifically for company secretaries and senior board members of state owned companies, covering in detail the role of the Company Secretary and the Director, the requirements for signing of documents, how changes within the company need to be notified and the legal obligations toward the Registrar for the upkeep of a company.

The MBR also participated in international fora, namely the European AFC Summit held in Dublin, the EBRA Conference held in Paris and the Workshop on European Corporate and Household Insolvency International Monetary Fund held in Vienna.

As reported in our last Newsletter, ongoing preparations for the Corporate Registers Forum Annual General Conference being held in Malta between the 17th and the 20th October, continued readily and are gaining in intensity as we get closer to this prestigious and important event. Having the theme 'Together - Building Bridges, Sharing Experiences', wide interest is being recorded daily from numerous participants, supporters and sponsors. I take this opportunity to invite you to keep abreast of all developments by visiting [www.crfmalta2023.org](http://www.crfmalta2023.org).

# NOTICE TO THE GENERAL PUBLIC: THE REGISTER OF INSOLVENCY PRACTITIONERS



The Insolvency and Receivership Service within the Malta Business Registry (the “MBR”) would like to bring to the attention of practitioners and the general public that, in terms of Article 10 of the Insolvency Practitioners Act (Act XXV of 2022) (the “Act”), it shall establish and maintain a public register to be known as the Register of Insolvency Practitioners that shall separately identify the following:

- the insolvency practitioners;
- the registered firms;
- any categorisation of the functions of each insolvency practitioner and the extent of the authorisation of each insolvency practitioner and registered firm;
- the insolvency practitioners whose authorisation has been suspended, revoked or withdrawn in full or in part by reference to any category of authorisation;
- the registered firms whose registration has been suspended, revoked or withdrawn in full or in part by reference to any category of authorisation; and
- the insolvency practitioners or registered firms who are deemed by the Insolvency and Receivership Service to be in default of their obligations in terms of this Act or of any regulations or directives made under it.

The details to be kept in this register shall include the following:

- the name and surname in the case of an insolvency practitioner or the name and designation of the type of legal entity of the registered firm;
- the office address and the electronic mail address of each insolvency practitioner and registered firm;
- in the case of a registered firm, a list of the insolvency practitioners and the information of the insolvency practitioners employed or otherwise connected with the registered firm;
- the date of birth and the identity card number or the passport number of the insolvency practitioners and in the case of the registered firms the registration number of the registered firm and the information in relation to any insolvency practitioner employed or otherwise connected with the registered firm;
- the warrant or licence number of the insolvency practitioners.

Furthermore, Article 29 of the Act includes a transitory provision which introduces an interim measure for the provisional authorisation of the aforementioned persons. Following the coming into effect of the Act, the Insolvency and Receivership Service within the MBR would like to bring to the attention of the general public the requirement for Insolvency Practitioners to obtain a provisional authorisation to act in the field of dissolution and insolvency in terms of Article 4 of the Act.

In terms of Article 29 of the Act, any person who, on the date of the coming into force of this Act:

- is authorised to exercise the profession of an advocate, accountant or auditor; and
- has been appointed as a provisional administrator, liquidator, or a special controller within the meaning of the Companies Act; or
- has otherwise served as an expert or practiced as a lawyer within the Civil Court (Commercial Section), or the Civil Court, First Hall in commercial law or shipping law related cases within the preceding five (5) years from the coming into force of this Act; or
- otherwise proves to the satisfaction of the Insolvency and Receivership Service, of having adequate experience in pre-insolvency, corporate restructuring, business finance, or liquidation,

is invited to file an application with the MBR using the form below of this notice, for the issuance of such provisional authorisation to carry out the said functions in terms of the Act. Applications, duly signed in original, can either be delivered to the MBR to the attention of the Insolvency and Receivership Service or submitted by email on [ip.irs@mbr.mt](mailto:ip.irs@mbr.mt) using qualified signature that is in conformity with the requirements set out by Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC ("eIDAS").

# NOTICE BY THE REGISTRAR – NEW INCORPORATIONS ORDER FORM



Our commitment at the MBR is to provide the highest level of service to our clients. In view of this, to enhance our ability to offer a more efficient service, when submitting incorporation documents of all types of new commercial partnerships in hard copy format, all applicants, including Company Service Providers (CSP), are hereby being notified that from next **Tuesday 2nd May, 2023**, **the attached form** should be duly filled in and included with the pack of documents being submitted.

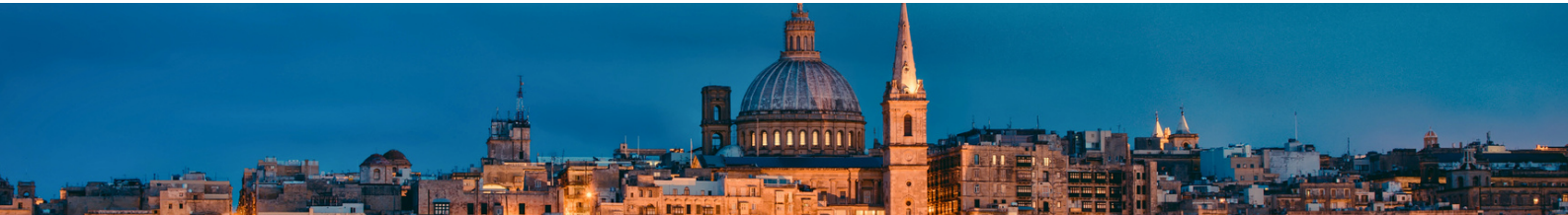
This will help the Incorporations Team to ensure that they have the contact details of the CSP/applicant if they need to contact them for further clarifications.

Notwithstanding the above we encourage all those involved in the industry to make use of our online system and the e-signing facility for the incorporation of companies.

May we further remind you that our opening hours are from Monday to Thursday from 9.00 a.m. till 12.00 p.m. and from 13.00 p.m. till 14.30 p.m. The Incorporations team can be contacted by email on: [incorporations@mbr.mt](mailto:incorporations@mbr.mt)

# CONFERENCE AGENDA

# TOGETHER – BUILDING BRIDGES , SHARING EXPERIENCES



Dates: 17th –20th October 2023

Venue: The Link Hall, Malta Business Registry, Zejtun,  
Malta.

**TOPIC 1: ANTI MONEY LAUNDERING & REGISTRIES  
TRANSPARENCY**

**TOPIC 2: DIGITALISATION**

**TOPIC 3: THE EU INITIATIVES**

**TOPIC 4: SECTOR – SPECIFIC COMPANIES AND  
REGISTRIES**

# BE A SPONSOR



CORPORATE REGISTER FORUM 2023



## 5 DIFFERENT SPONSORSHIP PACKAGES

### FOR SPONSORING THE 4 DAY CONFERENCE

- **Diamond**
- **Platinum**
- **Gold**
- **Silver**
- **Bronze**

## FOR MORE INFO



<https://www.crfmalta2023.org/sponsors>



[crfmalta2023@mbr.mt](mailto:crfmalta2023@mbr.mt)

Should you wish to sponsor one of the corporate social events may we tempt you to look at the

**Kafe' (Coffee Package), Bibita (Drinks Reception Package), and/or the L-Ikła ta' Filghaxija (Evening Dinner Package).**

# FORM 1 INSTRUCTIONAL VIDEO

An instructional video, click on the play button to be redirected to the video



# MBR

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BUSINESS  
REGISTRY

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