Malta

Your local contact

Lee Ann Agius
Senior Manager, PwC Malta
+356 7973 6159
lee.ann.agius@pwc.com

Yuv Ramdharrysing
Senior Associate, PwC Malta
+356 7973 6096
yuv.ramdharrysing@pwc.com

Status	The law has been published. However, it has not yet come into effect.
Name of National Law	Measures for a High Common Level of Cybersecurity across the European Union (Malta) Order, Subsidiary Legislation 460.41 (hereafter the "Order")
Entered into force	The Order has been published through Legal Notice 71 of 2025, that being said its date of application is yet to be announced, in accordance with Article 1(3) of the Order which reads: "This order shall come into force on such a date or dates as the Minister responsible for critical infrastructure protection may by notice in the Gazette establish and different dates may be so established for different provisions and, or purposes of this order".
Link to current draft or equivalent	https://legislation.mt/eli/sl/460.41/eng
Scope (deviating from NIS-2-Directive)	The Order provides that both medium-sized enterprises and those which exceed the ceilings for medium-sized enterprises fall within scope of the law. In addition, the Order provides that Article 3(4) of the Annex to Commission Recommendation 2003/361/EC, which relates to additional conditions for enterprises to qualify as an SME, shall not apply.
Registration	• (Essential and important entities providing services in Malta as well as entities providing domain name registration services in Malta are required to register on the national self-registration mechanism established by the Critical Infrastructure Protection Department ("CIP Department"). • Other entities, such as DNS service providers, TLD name registries, entities providing domain name registration services, cloud computing service providers amongst others, are required to submit certain prescribed information to the CIP Department.
Information Security Standards referenced	The Order does not specifically refer to an information security standard; however, it does set out various cybersecurity risk management measures that in-scope entities shall adopt, including policies on risk analysis and information system security, incident handling, business continuity, supply chain security, the use of encryption and the use of multi-factor authentication (among others).
Incident reporting	In terms of the Order, in-scope entities must report any incident which has a significant impact on the provision of their services to Malta's Computer Security Incident Response Team ("CSIRT"). In addition, where appropriate, essential and important entities must notify the recipients of their services, without undue delay, significant incidents that are likely to adversely affect the provision of their services. Such entities are also required to report any information enabling CSIRT to determine any cross-border impact of the incident.
Authority / CSIRT	The CIP Department and the CSIRT are the national supervisory authorities responsible for monitoring the sectors, sub-sectors and types of entities listed in the First and Second Schedule. Notwithstanding the above, the Malta Communications Authority has been designated as the competent authority for two specific sectors: • Digital Infrastructure and • Postal and Courier Services.

Malta

Fines (deviating from NIS-2-Directive)	• The Order follows the NIS-2-Directive - accordingly, the CIP Department may impose fines of up to EUR 10.000.000 or 2% of global turnover for essential entities and up to EUR 7.000.000 or 1.4% of global turnover for important entities.
Worth mentioning	The Order also establishes a framework for reporting vulnerabilities to the CSIRT regarding ICT products, processes, or services. Natural or legal persons reporting such vulnerabilities are lawfully authorised to carry out such reporting in terms of Article 337C of the Criminal Code (which regulates unlawful access to, or use of, information), insofar as such reporting is in accordance with the coordinated vulnerability disclosure policy of such entity.

Your local contact

Lee Ann Agius
Senior Manager, PwC Malta
+356 7973 6159
lee.ann.agius@pwc.com

Yuv Ramdharrysing
Senior Associate, PwC Malta
+356 7973 6096
yuv.ramdharrysing@pwc.com