

*- Statute -*

**1. NAME**

The name of the Association is the “Malta Bankers’ Association” (In this Statute it shall be referred to as the ‘Association’).

**2. ADDRESS**

The office of the Association shall be at Il-Ħaġra, Mdina Road, Attard ATD 9032, Malta or any other place which the Association may determine from time to time.

**3. OBJECTS**

**3.1** The objects of the Association are:

- (a) To identify and discuss matters of common interest to its members and implement or organise the implementation of the relative solution.
- (b) To develop and maintain harmony or coherence in policies on issues of common interest to its members and to engage in advocacy with the authorities and other bodies, where necessary.
- (c) To discuss developments in the banking and financial services sector.
- (d) To encourage, promote, sponsor or assist in any manner, research on matters relating to banking and finance.
- (e) To strive to enhance the public image of the banking industry in Malta.
- (f) To do all other things which may be incidental, ancillary, consequential or conducive to the attainment of the above objects, including engaging in knowledge partnerships with other entities, organisations and firms where the resources and capacity of the Association are limited.

**3.2** In pursuing the objects set out in Clause 3.1, the Association and its members shall at all times ensure compliance with competition legislation and rules. To this end, the Association and its members shall adhere to the ‘Competition Policy Code of Conduct’ incorporated in this Statute as Appendix III.

#### **4. MEMBERS**

- 4.1** Membership in the Association is open to all banks, licensed to operate as such in Malta in terms of the Banking Act, Cap. 371, and to European credit institutions which establish a branch in Malta in terms of the European Passport Rights for Credit Institutions Regulations. New membership applications must be submitted to, and be approved by, the Board.
- 4.2** Members shall each designate a point of contact for the purposes of liaison on administrative matters with the Secretariat so as to ensure proper dissemination to all members with respect to those topics that do not fall under the remit of the designated Standing Committees.

#### **5. PRESENT MEMBERS**

The present members of the Association are listed in Appendix I, which shall be updated by the Secretary General from time to time to reflect any changes in the Association's membership.

#### **6. GOVERNANCE**

The governance of the Association shall vest in the Board, supported by its Standing Committees, and the Secretariat, represented by the Secretary General.

#### **7. THE BOARD**

- 7.1** **COMPOSITION** – All members of the Association shall have the right to appoint a representative to the Board. The representative shall be a member bank's Chief Executive Officer or, exceptionally, a Senior Executive designated by that bank to act as its Board member. Only those member banks which have extra shares assigned to them for budget purposes in accordance with Clause 10.4, will have the right to vote during the Board Meetings.

All eligible Board members will hold office from conclusion of the Annual General Meeting following approval of the Budget for that same calendar year, till the conclusion of the next Annual General Meeting.

All Chief Executive Officers or Senior Executives sitting on the Board shall be members of the Board but not members of the Association, where membership is limited only to banks as aforesated.

- 7.2** **REPRESENTATION** - The legal representation of the Association shall vest in the Board. Without prejudice to Clause 10.5, contracts and/or transactions with third parties shall only be binding on the Association if signed jointly by the Chair of the Board and another member of the Board. The judicial representation of the Association shall vest in the Chair of the Board PROVIDED that (i) no judicial proceedings are to be initiated without the approval of the Board, (ii) the Board may, at any time, confirm and ratify any proceedings

started by the Chair of the Board without the Board's approval, and (iii) the Chair of the Board is to bring to the notice of the Board as soon as practical, the fact of the service on him of any judicial act.

**7.3.1 POWERS** - The Board shall be primarily responsible for establishing policy rules or guidelines to be followed by all the members of the Association and to define focus areas and tasks to be studied and/or implemented by the designated Standing Committees. Annual budgets drawn up by the Secretariat in terms of Clause 10.2 shall be approved by the Board.

**7.3.2** The Board shall also have the power to decide on any issue of a general or specific nature and shall also establish the priority in attention and dealing to be given or followed by the designated Standing Committees.

**7.3.3** The Board may decide any issue or matter of whatever nature definitively or refer any issue, matter or task to the designated Standing Committees, for study and/or implementation within the specific terms of reference given.

**7.4.1 MEETINGS OF BOARD** - The Board shall meet as often as its members deem necessary, but not less than four times a year.

**7.4.2** The members of the Board should seek to achieve unanimity of ideas, but if this cannot be achieved, decisions should be taken by a simple majority of members present and voting. In the case of a tie, the Chair shall have a casting vote.

**7.4.3** The Board shall have a Chair and a Deputy Chair, both of whom shall be elected, upon conclusion of two consecutive Annual General Meetings, by and from amongst the representatives of the member banks which at the time are designated as "core domestic banks" by the local competent authorities for financial stability purposes. Notwithstanding the foregoing, the election for the Chair and the Deputy Chair shall be held in the presence of all members present at the Annual General Meeting.

Provided further that if during the course of a year of office (current year) the Chair or Deputy Chair of the Board no longer remains the representative of the member bank represented by him, the new representative of that member bank shall automatically be the Chair or Deputy Chair of the Board until the end of that current year.

**7.4.4** The members of the Board are expected to attend all meetings, but a member may nominate an alternate member in his stead. Such alternate member may be another member of the Board of the Association, or a Senior Executive of the bank represented by the nominating member. The name of the alternate member must be advised in writing to the Secretary General before or at the beginning of the meeting.

**7.4.5** The alternate member shall be considered for all intents and purposes as an ordinary member of the Board during the meeting for which he/she is nominated and shall, if applicable, have a vote for every member nominating him.

- 7.4.6** A member of the Board may be accompanied by one or more persons who is/are not members of the Board for the purpose of assistance on technical matters. Such accompanying person shall not have a right to vote.
- 7.4.7** If the Chair of the Board is not present at a meeting of the Board, his/her post shall be filled during that meeting by the Deputy Chair of the Board. In the absence of both the Chair and the Deputy Chair at a meeting of the Board, the representatives present of the other banks which are designated as “core domestic banks” by the competent authorities for financial stability purposes shall elect from among themselves a Chair for that meeting.
- 7.4.8** A simple majority of members of the Board who are eligible to vote at meetings, shall constitute a quorum. In the absence of a quorum after the lapse of thirty minutes from the time notified for the meeting (i) the member or members present shall adjourn the meeting to another day (not being less than eight and not more than twenty days) at the same time and place and with the same agenda, but (ii) if no member is present, the meeting shall be cancelled.
- 7.4.9** The Secretary General, as Secretary of the Board, shall on the request of the Chair of the Board convene meetings of the Board provided that if a meeting has not been called for a period exceeding six months, any member of the Board shall have the right to convene such a meeting.
- 7.4.10** A meeting shall be considered properly called if all members of the Board have been notified of the date, time and place of the meeting at least seven days before the date of such meeting; provided that in matters of urgency a twenty four hour notice shall be considered sufficient notice. An urgent meeting may be called only on the initiative of the Chair of the Board or the expressed wish of not less than two members of the Board duly notified to the Secretary General.
- 7.4.11** A member of the Board may waive the notice period of any meeting and any such meeting held with the consent of all the members without the preceding notice period shall be considered valid.
- 7.4.12** The calling of a meeting shall also include an agenda unless the matter is of an urgent nature, or the members of the Board have waived this requirement before or during the meeting so convened.
- 7.4.13** The Board may regulate its procedure as the members may, by majority agreement, deem fit.
- 7.4.14** A resolution in writing, signed by all the members for the time being entitled to receive notice of a meeting of the Board, shall be as valid and effectual as if it had been passed at a meeting of the Board duly convened and held.
- 7.5.1** **MINUTES** - Proceedings of all meetings of the Board shall be recorded and the minutes shall be submitted by the Secretary General to the next following meeting for approval and signature by the Chair of the Board.

**7.5.2** Such records shall be considered strictly confidential and shall be kept by the Secretary General.

**7.5.3** The Board, through its interaction with the designated Standing Committees, may require the establishment of technical working-groups composed of persons (not necessarily limited to the members of a Standing Committee) nominated by the members of the Association, for the purpose of researching, completing or commenting on any task assigned by the Board.

**7.6** **THE STANDING COMMITTEES** – In the exercise of its functions, the Board shall be supported by Standing Committees as may be required, with a remit to contribute focus and provide advice on those areas of industry interest as the Board shall determine.

**7.6.1** The Standing Committees are governed by the contents of Annex I - which includes detailed information on their functions, responsibilities and governance - and which forms an integral part of this Statute.

**7.6.2** The Board and the Secretary General shall establish the most efficient communication channels with the Standing Committees, which shall include reporting, two-way attendance at meetings, and liaison between respective Chairs including through creation of a forum for discussion, amongst others.

## **8. THE SECRETARY GENERAL**

**8.1** The Association shall have a Secretary General who shall be the most senior executive of the Association, and shall be supported by staff as necessary, together making up the ‘Secretariat’.

**8.2** The Secretary General shall act as Secretary of the Board but shall not be a member of the Board and will not have any right to vote.

**8.3** The Secretary General shall be responsible for the sending of circulars or notices, and recording of meetings of the Board, and for co-ordinating the keeping of records of the Association, including Action Points and/or decisions/minutes drafted by the Standing Committees. He/She shall also have such other powers and duties as the Board shall determine from time to time.

**8.4** The Secretary General shall have an honorarium as decided by the Board.

**8.5** The Secretary General shall hold office for a period or periods to be established by the Board.

## **9. TERMINATION OF MEMBERSHIP OF ASSOCIATION**

Membership of the Association is terminated by a member’s:

- (a) resignation, provided that the resigning member shall remain responsible for any unfulfilled obligations;
- (b) ceasing to carry on the business of banking in Malta and/or having its licence revoked or suspended in terms of law;
- (c) exclusion – a member who has acted in serious breach of agreements or whose activity or non-activity is considered to be detrimental to the other members of the Association, or to the national economy, may be considered for exclusion on presentation to the Chair of the Board of a motion by at least two members of the Association.
  - i. Upon receipt of the motion, the Chair shall convene an ad hoc meeting of the Board to consider the motion, such meeting to be held not later than 15 days from receipt of the motion. The member concerned will be given the opportunity to be heard at this Board meeting, but otherwise will not participate in or vote at the meeting if that member is represented on the Board.
  - ii. The Board will decide whether or not to proceed to convene an Extraordinary General Meeting to consider the motion further. Such Board decision will be taken in line with clause 7.4.2 of the Statute i.e. by a simple majority of Board members present and voting. In the case of a tie, the Chair shall have a casting vote.
  - iii. If the Board decides to put the motion to an Extraordinary General Meeting, the Chair will forthwith issue a written notice to all members of the Association, stating the purpose of the meeting. Such notice must be dispatched to members not less than 10 days before the date fixed for the meeting. The member concerned will again be given the opportunity to be heard at the Extraordinary General Meeting, but otherwise will not participate in or vote at the meeting.
  - iv. The motion will be put to the vote of the other members of the Association by secret ballot, and shall be effective only if agreed to by at least two thirds of the members present. PROVIDED, however, that the votes cast in favour also total at least two thirds of the votes held by the members present.
- (d) non-payment of contributions – when a member is in arrears in an amount equivalent to one year and fails to settle the arrears within thirty days from a written intimation by the Secretary General.

## **10. FINANCE**

- 10.1 The financial year of the Association shall begin on 1<sup>st</sup> January and end on 31<sup>st</sup> December.
- 10.2 An annual budget shall be drawn up by the Secretariat and approved by the Board, in line with Clause 7.3.1.

10.3 The annual basic contribution shall amount to 30% of the total contribution for that financial year, equally divisible by the number of members, to which shall be added further contributions in accordance with Clause 10.4.

10.4 The outstanding balance of the budget which is not covered by members' basic contributions shall be covered by additional contributions based on a number of extra shares assigned to members according to the number of staff (without distinction as to status) employed by them as at 31<sup>st</sup> December of the year immediately preceding the year in respect of which the budget is drawn up.

The distribution of these extra shares shall be made on the basis of the said criteria as detailed in Appendix II.

10.5 The Association shall keep an account or accounts with any bank which the Association shall deem fit. These accounts shall be operated by the Secretary General or by another employee of the Secretariat as may be resolved from time to time by the Chair of the Board.

## **11. ANNUAL GENERAL MEETING**

11.1 The Annual General meeting shall be held not later than 30<sup>th</sup> June of each year.

11.2 The following matters only shall be considered at the Annual General Meeting:

- (a) The Annual Report and Accounts of the Association;
- (b) Appointment of an Auditor of the Association;
- (c) Election of Board members in terms of Clause 7.1.

11.3 Notice of the Annual General Meeting must contain the Agenda and must be dispatched to the members of the Association not less than seven days before the date fixed for the meeting.

11.4 The incumbent Chair of the Board shall act as Chair of the Annual General Meeting.

11.5 The provisions of Clause 7.4.4 shall also apply to an Annual General Meeting.

11.6 If the Chair of the Board is not present at the Annual General Meeting, the post of Chair of the General Meeting shall be filled during that meeting by the Deputy Chair of the Board. In the absence of both the Chair and the Deputy Chair at the Annual General Meeting, the representatives present of the other banks which are designated as "core domestic banks" by the competent authorities for financial stability purposes shall elect from among themselves a Chair for that Annual General Meeting.

11.7 A simple majority of members entitled to attend and vote at the meeting will constitute a quorum.

- 11.8** Each member bank will have a number of votes proportional to the member's contribution to the budget for the year in which the vote takes place, such that each Euro 1 contributed will entitle the member to one vote.
- 11.9** Decisions shall be passed with the consent of a simple majority of members present. PROVIDED, however, that the votes cast in favour also total at least more than 50% of the votes held by members present.

## **12. EXTRAORDINARY GENERAL MEETINGS**

- 12.1** An Extraordinary General Meeting shall be called at the request of not less than half the total number of members, or by the Chair of the Board pursuant to Clause 9 (c)(iii) of the Statute.
- 12.2.** Such meetings shall be conducted in accordance with Clauses 11.3, 11.4, 11.5, 11.6, and 11.7.
- 12.3** Decisions shall be passed in accordance with Clauses 11.8 and 11.9, except that the exclusion of a member shall require approval as stipulated in Clause 9 (c)(iv) of the Statute.
- 12.4** A resolution in writing, signed by all the members for the time being entitled to receive notice of and to attend and vote at an Extraordinary General Meeting, shall be as valid and effectual as if it had been passed at an Extraordinary General Meeting duly convened and held.

## **13. AMENDMENTS OF THIS STATUTE**

Amendments of this Statute shall be carried out at an Extraordinary General Meeting convened for this purpose.

## **14. LIQUIDATION**

In case of liquidation of the Association, the assets of the Association shall be disposed of according to decisions taken in an Extraordinary General Meeting.

Approved at an Extraordinary General Meeting of the Association held on \_\_\_\_\_ to take effect as from that date.

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Chair

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Secretary General



**Malta Bankers' Association Members as at 20<sup>th</sup> December 2023**

Akbank T.A.S.  
APS Bank p.l.c.  
BNF Bank p.l.c.  
Bank of Valletta p.l.c.  
Credorax Bank Ltd. (Trading as Shift4)  
Credit Europe Bank N.V.  
ECCM Bank p.l.c.  
Garanti BBVA Malta Branch  
FCM Bank Ltd.  
FIMBank p.l.c.  
HSBC Bank Malta p.l.c.  
IIG Bank (Malta) Ltd.  
Izola Bank p.l.c.  
Lidion Bank p.l.c.  
Lombard Bank Malta p.l.c.  
MeDirect Bank (Malta) p.l.c.  
Merkanti Bank Ltd.  
Multitude Bank p.l.c.  
Novum Bank Ltd.  
Sparkasse Bank Malta p.l.c.

**Distribution of extra shares for budget purposes**

The distribution of extra shares shall be made on the basis of the criteria set out in Clause 10.4 as follows:

<b>Number of Staff</b>	<b>Number of extra shares</b>
0-24	0
25-49	1
50-99	2
100-149	3
150-199	4
200-249	5
250-299	6
300-349	7
350-399	8
400-449	9
450-499	10
500-599	11
600-699	12
700-799	13
800-899	14
900-999	15
1,000-1,199	16
1,200-1,399	17
1,400-1,599	18
1,600-1,799	19
1,800-1,999	20
>2,000	21

The determination of the individual shares for budget year t, shall be based on the estimated figures for the financial year t-1 which must be notified to the Secretariat by 15<sup>th</sup> October of financial year t-1.

Failing such notification, the Secretariat shall determine the number of extra shares for the member concerned by estimating the number of persons employed by the member on the basis of such external information as it is able to obtain.

## **Competition Policy Code of Conduct**

This Code of Conduct has been prepared in order to ensure the Association's compliance with the competition rules. Adherence to the following antitrust guidance will help to ensure that all meetings within the framework of the Association, such as Board meetings, Standing Committee meetings and working group meetings, do not give rise to any competition concerns. These antitrust guidelines complement any existing compliance frameworks of individual members.

### ***Membership of the Association must be non-discriminatory and transparent***

The Association must ensure that rules and admission criteria for membership of the Association are at all times transparent, proportionate, non-discriminatory and based upon objective standards. Membership of the Association and any of its committees is at all times on a voluntary basis.

### ***Association to act in accordance with competition rules***

The Association is a forum for the exchange of information and concerns of general interest relating to the development of the market. It will at no point in time serve as a forum for the exchange of competitively sensitive information between its members. In particular, the Association binds itself to never:

1. take decisions or make recommendations which prevent the members from taking independent commercial decisions;
2. issue formal or informal pricing or output recommendations to its members;
3. develop Association rules or practices that restrict members from advertising their prices or discounts, soliciting for business or otherwise competing with other members;
4. require members to provide the Association with competitively sensitive information, such as information about pricing and/or output intentions;
5. publish messages suggesting that lower prices means lower quality;
6. adopt rules that restrict members' advertising and promotional business practices, beyond ensuring such practices are legal, truthful and not misleading;
7. prevent members from using different standard contractual conditions from any developed by the Association itself, if they wish to do so;
8. set and promote any industry standards, codes of practice or standard terms and conditions which raise barriers to market entry or discriminate against any particular group of customers.

### ***Members should not exchange competitively sensitive information***

The discussion between Association members should be limited to exchanging information and discussing concerns of general interest to the development of the market, and should not involve any exchange of competitively sensitive information. In particular, the following information should not be exchanged:

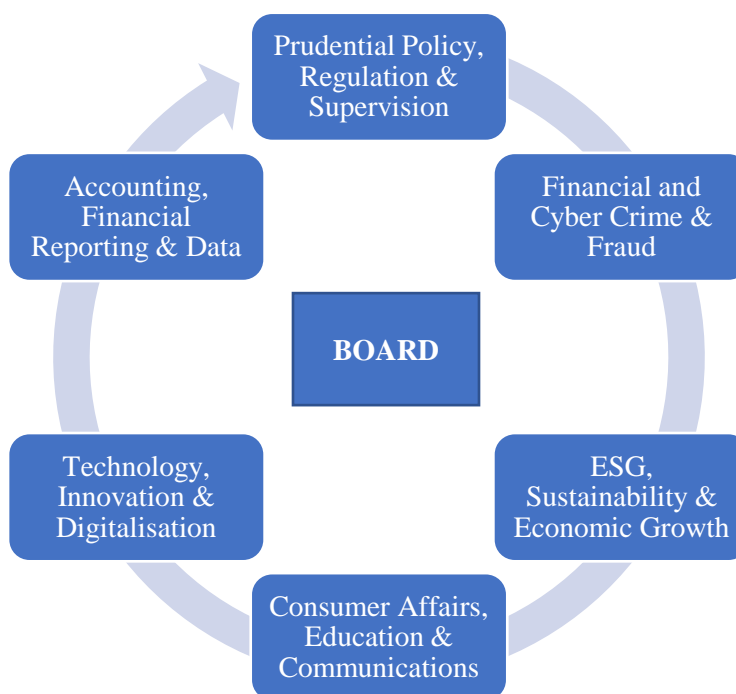
- Pricing information including current/recent pricing and future pricing intentions;
- Current/recent customer information;
- Future customer strategy;
- Current/recent margin information; and
- Current input/supply costs.

*All Association Meetings should follow a standard procedure*

All meetings should be conducted in accordance with the following standard procedure:

- (i) All designated Standing Committees should have written Terms of Reference as provided herein.
- (ii) Written Agendas and Action Points agreed and/or if relevant of necessary Minutes, should be prepared for meetings of the designated Standing Committees and any technical working-groups.
- (iii) In the context of less formal meetings, it will be sufficient for a Note for Record to only indicate the topics discussed, what was agreed, and any action points arising.
- (iv) If a topic which could give rise to antitrust concerns is ever raised during a Board meeting, the Chair should terminate the discussion immediately and such termination noted in the Minutes.

## THE STANDING COMMITTEES



### 1. SCOPE AND CONSTITUTION

- 1.1. There shall be a number of Standing Committees covering areas of current or potential interest to the Association, and which shall provide the Board with expertise, focus and advice as may be required.
- 1.2. For each Standing Committee, Terms of Reference shall be drawn up designed to articulate and clarify the role and responsibilities of the Standing Committee and are to apply to each such committee without exception.
- 1.3. The Standing Committee shall be composed of a Chair and members nominated by the Association's members. Representatives of the Secretariat may participate as may be necessary. A secretary of the Standing Committee shall be appointed in line with Section 2 of this Annex.
- 1.4. The Standing Committee shall operate under the direction of the Board to execute the implementation of the Board's objectives.
- 1.5. The Standing Committee may refer any issue, matter or task to technical working group(s) created by the Association, for research and/or implementation within the specific terms of reference or statement of work given to such working group(s).

- 1.6. The Standing Committee may request support from the Board or other Standing Committees, sub-committees or working groups, or request external advice and assistance on any matter, as may be necessary.
- 1.7. The Standing Committee shall strive to create a space for collaboration on specific themes, through the establishment of relevant knowledge partnerships between relevant entities/organisations and the Association's internal structures and/or members, that will serve to foster mutual value added.
- 1.8. The Standing Committee and its members shall at all times ensure compliance with competition legislation and rules. To this end, the Standing Committee and its members shall adhere to the 'Competition Policy Code of Conduct' incorporated as Appendix III in the Statute.

## **2. MEMBERSHIP AND MEETINGS**

- 2.1. Membership of the Standing Committee shall consist of individuals nominated by the Association's members as per Clause 1.3.
- 2.2. In the eventuality that one of the members cannot attend, an alternate may be appointed to attend on the member's behalf, provided that such representative is empowered to take decisions on behalf of the absentee.
- 2.3. In the event that the remit of a Standing Committee covers various different areas, any member forming part of the Standing Committee may choose to nominate additional representatives with requisite technical experience and expertise to attend any meetings as may be necessary.
- 2.4. The Standing Committee shall be chaired by a Chair duly appointed by the Board, for a period of time as the Board shall determine.
- 2.5. The Chair shall be the Standing Committee's first point of liaison with the Board.
- 2.6. A simple majority of members attending a meeting of the Standing Committee shall be considered a quorum.
- 2.7. As a minimum, meetings will be held every quarter and, as much as possible, in synchronisation with the Board meetings.
- 2.8. Meetings shall be called by the Chair (or by the Deputy/Alternate Chair in the absence of the Chair) with the support of the secretary appointed by the Standing Committee members, establishing the exact date, time and place of meeting.
- 2.9. The said secretary shall circulate the Agenda to the members of the Standing Committee at least five working days prior to the meeting.

### **3. RECORDS**

- 3.1.** The secretary shall record Action Points and if so required, concise minutes arising from the proceedings, and all the decisions taken at meetings of the Standing Committee.
- 3.2.** Draft Action Points and/or decisions/minutes shall be distributed by the secretary to all members of the Standing Committee and the Secretariat within a reasonable time after a meeting. The draft Action Points and/or decisions/minutes shall be formally approved, following any corrections, at the following meeting of the Standing Committee. Any requested amendments to the circulated draft are to be sent to the secretary within 2 working days from the receipt of the draft Action Points and/or decisions/minutes.
- 3.3.** The Action Points and/or decisions/minutes shall be tabled for due discussion at a next meeting of the Standing Committee in terms of usual procedure.

### **4. FUNCTIONS AND RESPONSIBILITIES**

The functions and responsibilities of each Standing Committee form an integral part of this document as detailed below.

#### **4.1 *STANDING COMMITTEE ON PRUDENTIAL POLICY & REGULATION & SUPERVISION***

The Standing Committee shall act in a proactive manner and deliver focused performance in line with the direction and guidance by the Board.

The matters which should be considered by the Standing Committee shall include, but not be limited to, the following:

- i. to conduct, if necessary, research using *inter alia* surveys to foster an informed discussion on regulatory and market developments in the areas of prudential policy and regulation and supervision, and to monitor any related technical advice or guidelines issued by *inter alia* the European Central Bank, the European Banking Authority, the Basel Committee on Banking Supervision or any other relevant bodies from time to time.
- ii. to represent the Association at events/meetings relevant to the three areas for which the Standing Committee is responsible. This shall include meetings of apposite European Banking Federation (EBF) committees and workstreams, including the Banking Supervision Committee, thereby drawing on the considerable experience, expertise and information provided by those bodies.

- iii. to build knowledge partnerships with relevant third parties outside the Association, in the areas of prudential policy and regulation and supervision.
- iv. to prepare an overall strategy/roadmap of initiatives and topics which the Standing Committee plans to take on.
- v. to report to the Board on the progress and outcomes of such initiatives.
- vi. the Standing Committee shall create an environment where Association members keep abreast of EU and national regulatory initiatives relating to prudential policy, regulation and supervision, and ensure collaboration, to the extent possible, towards an efficient and constructive implementation of such regulatory initiatives;
- vii. to assist the Association in preparing feedback on proposed legislation, regulation or other initiatives, in response to a consultation procedure or request of a competent authority or Government or industry body.

#### 4.2 *STANDING COMMITTEE ON FINANCIAL CRIME, CYBER CRIME AND FRAUD*

The Standing Committee shall act in a proactive manner and deliver focused performance in line with the direction and guidance by the Board.

The Financial and Cyber Crime & Fraud Standing Committee (“FCCF”), shall provide the Board with expertise, focus and advice as may be required in the following areas:

- Anti-Money Laundering & Funding of Terrorism,
- Anti-Bribery & Corruption
- Fraud
- Sanctions
- Cyber crime

The matters which should be considered by the Standing Committee shall include, but not be limited to, the following:

- i. to conduct, if necessary, research using *inter alia* surveys to foster an informed discussion on regulatory and market developments in the areas of financial crime, cybercrime and fraud.
- ii. to represent the Association at events/meetings relevant to the three areas for which the Standing Committee is responsible. This shall include meetings of apposite EBF committees and workstreams, including the AML & Financial Crime Expert Group and the Executive Committee Financial Crime Strategy Group, thereby drawing on the considerable experience, expertise and information provided by those bodies.
- iii. to build knowledge partnerships with relevant third parties outside the Association, in the areas of financial crime, cybercrime and fraud.



- iv. to prepare an overall strategy/roadmap of initiatives and topics which the Standing Committee plans to take on.
- v. to report to the Board on the progress and outcomes of such initiatives.
- vi. Members will be required to nominate additional representatives with requisite technical experience and expertise to form part of the three working groups – Fraud, Cyber Crime and Sanctions.
- vii. the Standing Committee shall create an environment whereby Association members are enabled to liaise as necessary to share sanitised information on the more serious cases of fraud experienced, in order to allow them to identify techniques being employed by fraudsters, and to enable them to take the necessary preventive measures in a timely manner.
- viii. the Standing Committee will seek to assist the strengthening of the rapport between the banks and the Police, in the area of financial crime and fraud, through periodic interaction with the Economic Crimes Unit in order to *inter alia* share respective experiences.
- ix. the Standing Committee shall create an environment where Association members keep abreast of EU and national regulatory initiatives relating to the prevention of, financial crime and money laundering and funding of terrorism, including Implementing Procedures and other legislation and Guidance Notes issued by the Financial Intelligence Analysis Unit (FIAU) from time to time, and ensure collaboration, to the extent possible, towards an efficient and constructive implementation of such regulatory initiatives.
- x. the Standing Committee shall engage members in discussions on pertinent anti-money laundering issues with a view to sharing experiences and best practices, and establishing, to the extent possible, a common position on such issues.
- xi. the Standing Committee shall liaise with, and engage with, *inter alia*, the FIAU, MFSA, or any other relevant bodies (e.g. the Sanctions Monitoring Board), as deemed appropriate, on any financial crime matters.
- xii. the Standing Committee shall ensure the Association's representation, in meetings of the Joint Committee for the Prevention of Money Laundering and Funding of Terrorism, which Committee is chaired by the FIAU.
- xiii. the Standing Committee shall ensure to provide a forum where members can share their experiences on cybercrime with the aim of ensuring collaboration and timely sharing of experiences.
- xiv. the Standing Committee shall ensure the timely dissemination amongst its members of any information received from the EBF's Cyber Security Expert Group, which tackles both cyber security and cybercrime matters.

- xv. Working groups dedicated to Fraud, Cyber Crime and Sanctions will be created. These will be engaged by the Committee on an ad-hoc basis to research, discuss matters and submit recommendations to the committee as necessary. The Chair and/or Deputy Chair of the standing committee shall precede these committees or delegate accordingly.

#### 4.3 *STANDING COMMITTEE ON ESG, SUSTAINABILITY AND ECONOMIC GROWTH*

The Standing Committee shall act in a proactive manner and deliver focused performance in line with the direction and guidance provided by the Board.

The matters which should be considered by the Standing Committee shall include, but not be limited to, the following:

- i. to keep abreast of all European and national regulatory initiatives relating to Environmental, Social, and Governance (ESG) including any guidance in relation thereto which may be issued by the competent authorities from time to time.
- ii. to collaborate, to the extent possible, towards an efficient and constructive implementation of such regulatory initiatives.
- iii. to conduct, if necessary, research using *inter alia* surveys to foster an informed discussion on regulatory and market developments in the areas of ESG, sustainability and economic growth.
- iv. to engage members in discussion of all pertinent issues with a view to sharing their experiences and best practices, and establishing, to the extent possible, a common position on such issues. Additionally, to conduct research for the purpose of proactive discussions in relation to both regulatory and market developments in the areas related to ESG.
- v. to liaise with, and engage in discussions with various stakeholders or bodies, as deemed appropriate.
- vi. to represent the Association at events/meetings relevant to the ESG and prepare an overall strategy/roadmap of initiatives and topics the Committee plans to take on.
- vii. to report to the Board on the progress and outcomes of such initiatives.
- viii. to represent the Association at events/meetings relevant to the three areas for which the Standing Committee is responsible. This shall include meetings of apposite EBF committees and workstreams like the ESG Financial Markets Task Force, ESG Reporting Tasks Force, ESG Risks Tasks Force and others.

#### 4.4 *STANDING COMMITTEE ON CONSUMER AFFAIRS, EDUCATION AND COMMUNICATIONS*

The Standing Committee shall act in a proactive manner and deliver focused performance in line with the direction and guidance provided by the Board. The general scope of the Consumer Affairs, Education and Communications Standing Committee is broadly to consider all consumer matters related to banking in general, including data protection.

The matters which should be considered by the Standing Committee shall include, but not be limited to, the following:

- i. to keep abreast of all EU or national regulatory initiatives which may directly or indirectly have an impact on members' services to consumers and clients.
- ii. to collaborate, to the extent possible, towards an efficient and constructive implementation of such regulatory initiatives.
- iii. to engage members in discussion of all pertinent consumer issues with a view to sharing their experiences and best practices, and establishing, to the extent possible, a common position on such issues.
- iv. to conduct if necessary, research using *inter alia* surveys to foster an informed discussion on regulatory and market developments in the areas of consumer affairs, education and communication including from the perspective of data protection.
- v. to prepare an overall strategy/roadmap of initiatives and topics to promote outreach through financial literacy programmes such as the European Money Week and European Money Quiz.
- vi. the Standing Committee will seek to liaise and cooperate, where necessary, with relevant authorities or bodies in the three areas for which the Standing Committee is responsible in order to discuss/address any consumer-related issues affecting the banking sector.
- vii. to represent the Association at events/meeting relevant to the three areas for which the Standing Committee is responsible. This shall include meetings of apposite EBF committees and workstreams.

##### Strategy and Roadmap of Initiatives

The Consumer Affairs, Education & Communications Standing Committee shall directly support in implementing change in the local financial services sector, as mapped out in MFSA & MFSAC strategies, with a particular focus on the recently introduced National Strategy for Financial Services. The Committee shall achieve this by:

- a. Education and Communication Strategy: Develop an education and communication strategy to help consumers understand their rights and responsibilities when dealing

with the bank. This should include developing educational materials, such as brochures and guides, and creating a communication plan to reach consumers through various channels, such as social media, email, and in-branch materials.

- b. Consumer Complaints: Develop a process for receiving, investigating, and resolving consumer complaints related to banking services. This should include procedures for ensuring that complaints are handled fairly and impartially, and that consumers are provided with timely and accurate information about the status of their complaints.
- c. Monitoring and Evaluation: Define the process for monitoring and evaluating the effectiveness of the committee's activities and the impact on consumer education and communication. This should include the establishment of performance indicators, such as the number of complaints received and resolved, the level of consumer awareness, and the satisfaction of consumers with the services provided by the bank.
- d. Review and Amendment: Define the process for reviewing and amending the terms of reference as required to ensure that they remain relevant and effective over time. This should include a review of the committee's activities and outcomes on a regular basis to identify areas for improvement and make recommendations for change where necessary.

#### 4.5 *STANDING COMMITTEE ON TECHNOLOGY, INNOVATION AND DIGITALISATION*

The Standing Committee shall act in a proactive manner and deliver focused performance in line with the direction and guidance provided by the Board. The scope is to enable members to liaise as necessary to discuss and share as necessary, sanitised information on technology, innovation and digitalisation including cyber fraud.

The matters which should be considered by the Standing Committee shall include, but not be limited to, the following:

- i. to conduct, if necessary, research using *inter alia* surveys to foster an informed discussion on regulatory and market developments in the areas of technology, innovation and digitalisation including payments and cybersecurity.
- ii. to build knowledge partnerships with relevant third parties outside the Association, in the areas of technology, innovation and digitalisation.
- iii. to prepare an overall strategy/roadmap of initiatives and topics which the Standing Committee plans to take on.
- iv. to report to the Board on the progress and outcomes of such initiatives.
- v. to represent the Association at events/meeting relevant to the three areas for which the Standing Committee is responsible. This shall include meetings of apposite EBF

committees and workstreams including AI Expert Group, Data Economy HL Expert Group, EXCO Digital Strategy Group, Payments Expert Group and others.

#### 4.6 *STANDING COMMITTEE ON ACCOUNTING & FINANCIAL REPORTING & DATA*

The Standing Committee shall act in a proactive manner and deliver focused performance in line with the direction and guidance by the Board.

The matters which should be considered by the Standing Committee shall include, but not be limited to, the following:

- i. to conduct if necessary, research using *inter alia* surveys to foster an informed discussion on regulatory and market developments in the areas of Accounting and Financial Reporting and Data.
- ii. to represent the Association at events/meetings relevant to the three areas for which the Standing Committee is responsible. This shall include meetings of apposite EBF committees and workstreams, including the Accounting Committee, thereby drawing on the considerable experience, expertise and information provided by those bodies.
- iii. to build knowledge partnerships with relevant third parties outside the Association, in the areas of Accounting and Financial Reporting and Data.
- iv. to prepare an overall strategy/roadmap of initiatives and topics which the Standing Committee plans to take on.
- v. to report to the Board on the progress and outcomes of such initiatives.
- vi. the Standing Committee shall, in the areas of Accounting and Financial Reporting, create an environment where Association members share their experiences and concerns regarding EU initiatives in these areas, as well as relevant developments in IFRSs (International Financial Reporting Standards).
- vii. The Standing Committee shall liaise with, and engage in discussions with, *inter alia*, the Malta Institute of Accountants and other representative bodies, as deemed appropriate, on any Accounting and Financial Reporting matters.
- viii. to liaise on any issues, matters or tasks in relation to taxation with any technical working group(s) established by the Association and to collaborate with this technical working group (i) to obtain updates on any research done with respect to specific matters and (ii) towards the resolution of any taxation issues being handled and any key communication between the taxation technical working group and the Commissioner for Revenue and other relevant entities as the case may be.