



MDIA
Malta Digital Innovation Authority

Innovative Technology Arrangements (ITA) Application Form

Name of Applicant

(Name and surname or company registered name, as applicable)

In case of a personal application, indicate the name/s the MDIA shall issue to Certification to:

Personal applicants go to Section 1

Corporate applicants go to Section 2

Instructions for completion

- The completed and signed form in original must reach the Malta Digital Innovation Authority (MDIA). For processing purposes, a scanned version of the Application Form and attachments can be initially sent to applications@mdia.gov.mt.
- Applicant must sign the form in the space provided and initial every page of the form and attachments.
- All submissions must be completed in English. Documents provided in other languages must have an English translation attached thereto. The translation should be dated, signed and certified by an independent person of proven competence, confirming the integrity of the translation.
- Use N/A in response to any question which is not applicable.
- Where indicated, provide answers in a separate Appendix as Appendices to the form. Appendices are to be duly labelled and cross-referred to in the corresponding section of the form. If an appendix covers more than one question, answers are to clearly include the corresponding question number. The person legally authorised to represent the applicant and signing this form must initial ALL pages and the appendices.
- The MDIA reserves the right to request additional information. Failure to provide any information when requested by the MDIA may result in the application being delayed or even refused, based on the information available to the MDIA at the time, impacting the outcome of the application.
- It is the applicant's responsibility to advise the MDIA immediately of any changes to the information provided in the Innovative Technology Arrangement (ITA) Application Form. Failure to do so could result in suspension or revocation of the relevant certification.
- Any misrepresentation in completing this form may render void the attached Innovative Technology Arrangement (ITA) Application. If any enclosures are not submitted, rationale for non-submission needs to be provided.
- This form shall not be accepted unless all relevant sections have been completed and the required documents have been submitted in full.

1. Personal Details

1.1 Name and Surname

--

1.2 Date of Birth

1.3 Place of birth

--	--

1.4 Title (Mr. MS. Dr. etc)

1.5 Profession

--	--

1.6 Residential address

--

1.7 Email Address

--

1.8 Mobile number

1.9 ID Card number/ Passport number

--	--

1.9 List of all countries where you have been issued with a passport

Country

Date of Issue

Expiry Date

Country	Date of Issue	Expiry Date

1.10 Is your country of residence different from you country of domicile?

- Yes
 No

1.10.1 If yes, please specify country of domicile

--

Personal applicants must complete a Fit and Proper Questionnaire as part of the application process.

In addition, please provide a certified copy of a valid identification document. If identification document provided does not indicate the residential address, a certified document must be provided as proof of residential address. Please refer to Notes in Section 11 for guidance on acceptable certifications and a list of acceptable documents for verification of address.

2. Corporate Details

2.1 Registered name

2.2 Date of Registration/ Establishment

2.3 Country of Registration

2.4 Registered Address

2.5 Operating Address (if different from 2.4)

2.6 Office telephone number

2.7 Email Address

2.8 Main Contact Person

Name and Surname

Mobile Number

<input type="text"/>	<input type="text"/>
----------------------	----------------------

2.9 Director (or equivalent) Details

Name and Surname

ID Card / Passport Number

Nationality

2.10 Qualifying Shareholders

In a separate Appendix, please provide an explanation of the ownership and control structure of the entity, as well as, a corporate structure chart showing the ownership structure to the extent that would be required to determine who the qualifying shareholders.

A qualifying shareholder is defined as, any shareholder holding more than twenty-five per cent (25%) of the shares or ownership interests in the legal organisation or who, through provisions of the statute, has special voting or other rights permitting him to exercise effective control over the activities of the legal organisation.

Every qualifying shareholder must:

- Complete a Fit and Proper Questionnaire
- Provide a certified copy of a valid identification document. If the identification document provided does not indicate the residential address, a certified document must be provided as proof of residential address. Please refer to Notes in Section 11 for guidance on acceptable certifications and a list of acceptable documents for verification of address.

Name and Surname	ID Card/Passport Number	Nationality
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

Corporate entities must provide original or certified copies of:

- Memorandum and Articles of Association, or equivalent document
- If directors and shareholders details are not included in the Memorandum and Articles of Association:
 - Directors register, or equivalent document
 - Shareholders register, or equivalent document

3. Description of ITA

3.1 Indicate which of the following apply to the ITA for which certification is being sought:

Off-DLT Application Layer	<input type="checkbox"/>
DLT Application Layer	<input type="checkbox"/>
DLT Implementation Layer	<input type="checkbox"/>
Networking, Infrastructure and Physical	<input type="checkbox"/>

A blueprint of the ITA being submitted for certification must be attached to this application form. Blueprints not adhering to the standards issued by the MDIA will not be accepted by the authority and therefore delay the application process.

3.2 Does the ITA include or involve a DLT asset¹?

Yes

No

3.2.1. If the answer to question 3.2 is 'Yes', indicate the type of DLT asset:

Virtual Token	<input type="checkbox"/>
Electronic Money	<input type="checkbox"/>
Financial Instrument	<input type="checkbox"/>

If the ITA is a DLT Asset, provide a completed Financial Instrument Test

¹ DLT Asset as defined in the Virtual Financial Assets Act, 2018

3.3 Are you applying for a Conditional Certification as defined in Chapter 2 of the MDIA Guidelines?

- Yes
- No

In a separate Appendix, provide a description of:

3.3.1. The issues on which there is non-compliance with Article 8 of the ITAS. Include also a description of the technical challenges encountered that are preventing the ITA from achieving full compliance. Contents of this section must be confirmed by a Recognised Systems Auditor.

Details provided in Appendix _____.

3.3.2. The matter which needs to be overcome for such issues to be addressed:

Details provided in Appendix _____.

3.3.3. The manner in which such issues may be addressed:

Details provided in Appendix _____.

3.3.4. The time frame within which these issues are expected to be addressed:

Details provided in Appendix _____.

4. Justification for seeking certification of the ITA

In a separate Appendix, explain the justification why the certification is being sought clearly indicating:

- a) the mandate that entitles the applicant to submit such an application; and
- b) the governance structure of the ITA.

Details provided in Appendix _____.

5. Compliance

5.1 With respect to compliance requirements, In a separate Appendix provide an explanation as to how the proposed ITA shall carry out any obligations imposed upon it by applicable law.

The explanation must indicate whether compliance is achieved through the ITA or otherwise. If the former, the functionality must be described in the Blueprint.

Applicable law, shall include but is not limited to:

- a) the prevention of money laundering and the financing of terrorism;
- b) the protection of personal data,
- c) the respect of the rights of consumers; and
- d) other mandatory laws, depending on the purpose and functionalities of the ITA.

Details provided in Appendix ____.

6. Administrator

This section is applicable only for corporate applicants.

An 'administrator' means an officer or any person who is appointed to carry out representative and fiduciary functions in the control and administration of a legal organisation, and any person who carries out such functions even if under another name, but shall not include a technical administrator or a resident agent under the Innovative Technology Arrangements and Services Act, 2018 or a VFA agent under and Virtual Financial Assets Act, 2018, and the term 'board of administrators' shall be construed accordingly.

6.1	Is an Administrator as defined above being appointed?	<input type="checkbox"/> Yes <input type="checkbox"/> No
------------	--	---

6.1.1 If yes, give details in the space provided below.

Name and Surname

ID Card / Passport Number

Nationality

Date of Birth

Residential Address

Appointed administrator needs to:

- Complete a Fit and Proper Questionnaire
- Provide a certified copy of a valid identification document. If identification document provided does not indicate the residential address, a certified document must be provided as proof of residential address. Please refer to Notes in Section 11 for guidance on acceptable certifications and a list of acceptable documents for verification of address.

7. Technical Administrator

If the ITA is appointing more than one TA, questions 7.1 and 7.2 must be completed in a separate Appendix for all TAs.

A letter of appointment for every TA must be provided to the Authority.

7.1 Details of the Technical Administrator the ITA is appointing:

Full Name

MDIA Recognition Number

7.2 Detailed description of what the Technical Administrator shall be doing:

Details provided in Appendix _____.

Declaration by Technical Administrator.

I hereby confirm to the Malta Digital Innovation Authority that:

- The ITA is able satisfy all pre-requisites for the certification which may be granted to it under this ITAS Act;
- The ITA meets standards on a continuing basis and to address critical matters, as are stated in Guidelines, if any, by the Authority in the event they occur;
- I can demonstrate to the MDIA how this ITA is meeting standards on a continuing basis and how critical matters are addressed;
- The ITA can vary parameters or functionalities where the objective of the system is to address mandatory legal requirements which may reasonably be predicted to change over time; and
- with reference to matters, if any, upon which, the Technical Administrator; the Authority or Lead Authority; or any other designated person, may be given the discretion or may be required to intervene and which are addressed by the software, all authorisations or powers required to carry out such interventions exist and operate as intended.

Signed: _____

Name: _____

Date: _____

8 Resident Agent

8.1	Will the ITA be appointing a Resident Agent?	<input type="checkbox"/> Yes <input type="checkbox"/> No
------------	---	---

8.1.1 If you answered Yes to Question 8.1, provide details:

Name and Surname

ID Card / Passport Number

Nationality

Date of Birth

Residential Address

Appointed Resident Agent needs to:

- Complete a Fit and Proper Questionnaire
- Provide a certified copy of a valid identification document. If identification document provided does not indicate the residential address, a certified document must be provided as proof of residential address. Please refer to Notes in Section 11 for guidance on acceptable certifications and a list of acceptable documents for verification of address.

Acceptance by Resident Agent

I hereby confirm to the Malta Digital Innovation Authority, my acceptance to act as a Resident Agent in terms of Article 15 of the Innovative Technology Arrangements and Services Act, for the ITA in respect of which this application is being submitted.

Signed: _____

Name: _____

Date: _____

9. Processing Fee

Certification of ITA Stage 1 Processing Fee is due to the MDIA concurrently with the submission of the completed ITA Application Form referring to the following payment details:

Name: Malta Digital Innovation Authority
Bank: Bank of Valletta
Account No.: 40025428465
Reference: Name of applicant – ITA Stage 1 Processing Fee

Date payment effected	Remitting Bank	Amount*
<input type="text"/>	<input type="text"/>	<input type="text"/>

* Amount paid:	
Stage 1: Initial Processing Fee - €2,000	<input type="checkbox"/>
Appointment of Resident Agent - €250	<input type="checkbox"/>

Refer to [Legal Notice 355 / 2018](#), for all applicable fees with regards to the Processing and Registration fees.

10. Declaration

I, _____ holder of Identity Card/ Passport Number _____

and residing at _____,

declare that I have personally completed this Service Provider Application Form to which this Declaration is appended and that I am duly authorised to represent the applicant.

I hereby certify that all the information provided and all the statements contained in and attached to this Application Form are correct, accurate, complete and true to the best of my knowledge, information and belief, and that there are no other facts relevant to this Application Form of which the Malta Digital Innovation Authority (MDIA) should be made aware.

I confirm that I understand that knowingly or recklessly making a false statement to the MDIA may be tantamount to a criminal offence.

I understand that misinterpretation or failure to submit any information requested by the MDIA shall be deemed as good and sufficient cause for a refusal to issue the Recognition being applied for or an eventual revocation if such misinterpretation or failure is discovered at a later stage.

I undertake that should the information provided in relation to this Application Form cease to be correct, or if there are any changes in the information provided in the Application Form, I shall advise the MDIA immediately thereof. I understand that failure to do so could result in any Recognition issued being reviewed and possibly suspended or revoked.

I hereby declare that there is no other information of which the MDIA should be made aware and I have not withheld or misinterpreted any material facts.

The Malta Digital Innovation Authority (MDIA) is a data controller under the terms of the Data Protection Act. (Cap. 586 of the Laws of Malta). I understand that the information provided on this form or attached herewith will be processed for the purposes necessary for the MDIA to carry out its functions and meet its legal obligations.

I understand that the data may be shared with third parties who fulfil a service on behalf of and under the express instruction of the MDIA and other bodies where it is necessary to do so in order to carry out the MDIA's functions and where the MDIA is legally required or permitted to do so.

I understand that any material or information which I provide to the MDIA will be treated as confidential and will only be disclosed to others where it is necessary to do so in order to carry out the MDIA's functions or where the MDIA is required by law to disclose the information.

I understand that the Authority may carry out quality reviews of registered Systems Auditors and in the process require access to documentation from the Systems Auditor including documentation supporting the Systems Audit process and related quality procedures.

By signing this declaration, I am agreeing to all of the above statements.

Signed: _____
for and on behalf of Applicant

Name: _____

Position: _____

Date: _____

11. Notes

11.1 Certification of Documents

Where documents are to be certified as true copies, certification must be carried out by an independent natural person authorised to do so under the laws of an EU/EEA jurisdiction or other jurisdiction approved by the MDIA, such as a legal professional, accountancy professional or a notary. The certifier must make a written statement in the English Language confirming that:

- the document is a true copy of the original document;
- the document has been seen and verified by the certifier; and
- the photo is a true likeness of the individual, where applicable.

Furthermore, the certifier must sign and date the copy document (indicating his name clearly beneath the signature) and clearly indicate his profession, designation or capacity on it and provide his contact details.

If the document is composed of more than one page the certifier can either:

- a. Certify each page individually; or
- b. Certify the top of the first page and add a statement detailing the number of pages of the original documentation seen.

11.2 Proof of residential address

For verification of the residential address, any one of the following documents can be used. Provided that, the residential address and the full name of the individual are referred to in a clear and unequivocal manner in the document itself. Documents provided must not be older than 6 months.

- a recent statement or reference letter issued by a recognised credit institution;
- a recent utility bill in relation to services linked to that residential property;
- correspondence from a central or local government authority, department or agency; or
- an official conduct certificate.

12. Enclosures

Mark the applicable boxes ensuring completion of application form.

Personal applicants

	Yes	N/A	Appendix x Ref No.
• Fit and proper questionnaire	<input type="checkbox"/>		
• Certified copy of identification document	<input type="checkbox"/>		
• Proof of address	<input type="checkbox"/>	<input type="checkbox"/>	

Corporate applicants

	Yes	N/A	Appendix Ref No.
• Explanation of the ownership and control structure of the entity	<input type="checkbox"/>		
• Corporate structure chart showing the ownership structure to the extent that would be required to determine who the Qualifying Shareholder is	<input type="checkbox"/>		
• Memorandum and Articles of Association, or equivalent document	<input type="checkbox"/>		
• Directors register, or equivalent	<input type="checkbox"/>	<input type="checkbox"/>	
• Shareholders register, or equivalent	<input type="checkbox"/>	<input type="checkbox"/>	
• Certified copies of identification documents of Qualifying Shareholders	<input type="checkbox"/>		
• Proof of address of Qualifying Shareholders	<input type="checkbox"/>	<input type="checkbox"/>	
• Fit and proper questionnaire for all Qualifying Shareholders	<input type="checkbox"/>		

All applicants

	Yes	N/A	Appendix Ref No.
• Business model	<input type="checkbox"/>		
• Blueprint	<input type="checkbox"/>		
• If applying under Article 8(5) of the ITAS Act, confirmation by a registered Systems Auditor of the requirements that the ITA is not in compliance with and the technical challenges encountered.	<input type="checkbox"/>	<input type="checkbox"/>	
• Proof of appointment for every Technical Administrator	<input type="checkbox"/>		
• Fit and Proper Questionnaire of every Technical Administrator	<input type="checkbox"/>		
• Proof of appointment of Resident Agent	<input type="checkbox"/>	<input type="checkbox"/>	
• Fit and Proper Questionnaire of Resident Agent	<input type="checkbox"/>	<input type="checkbox"/>	
• Certified copies of identification documents of Resident Agent	<input type="checkbox"/>	<input type="checkbox"/>	
• Proof of address of Resident Agent	<input type="checkbox"/>	<input type="checkbox"/>	
• Fit and Proper Questionnaire of Administrator	<input type="checkbox"/>	<input type="checkbox"/>	
• Certified copy of identification documents of Administrator	<input type="checkbox"/>	<input type="checkbox"/>	
• Proof of address of Administrator	<input type="checkbox"/>	<input type="checkbox"/>	