



# Malta Digital Assets Regulatory Framework

# Promethean Advisory Malta: Your Partner for Digital Asset Compliance & Innovation

Promethean Advisory Malta provides end-to-end advisory for businesses operating in the blockchain and digital asset space. Malta offers one of the most advanced and innovation-friendly regulatory environments in the European Union ("EU"), balancing technological progress with robust investor protection and compliance standards.

Our value proposition is to deliver comprehensive support for licensing, structuring and compliance under Malta's Virtual Financial Assets ("VFA") regime and the evolving Markets in Crypto-Assets ("MiCA") aligned framework, ensuring your business thrives in a regulated and secure environment.

## Digital Asset Licensing & Advisory Services

We specialize in assisting firms with obtaining the necessary Malta Financial Services Authority ("MFSA") authorisations for Virtual Financial Asset Services and transitioning to MiCA compliance. Our expertise covers the full lifecycle of licensing for exchanges, custodians and Crypto-Asset Service Providers ("CASPs").

Key Benefits of partnering with us include:

- **Tailored Licensing Solutions:** Guidance on whether your assets fall under the VFA Act, Markets in Financial Instruments Directive ("MiFID") II, or MiCA, and selection of the optimal licensing route.
- **Flexible Legal Framework:** Combine regulated entities (e.g., VFA Service Providers, CASPs) with unregulated structures (e.g., holding companies, technology Special Purposes Vehicle) ("SPVs").

## Licensing & Structuring Support

We navigate the complexities of Malta's regulatory landscape, including the abolition of VFA Agents and the shift toward MiFID-based and MiCA-compliant licensing. Our approach ensures full compliance while maintaining operational flexibility.

Our services include:

- **Financial Instrument Test:** Determining whether your token qualifies as a Virtual Token, Financial Instrument, Electronic Money, or VFA.
- **End-to-End Licensing:** From initial application strategy to MFSA submission and approval.
- **Transition Planning:** Supporting firms moving from the VFA regime to MiCA, including streamlined processes for entities already in the licensing pipeline.

## Tailored Legal & Corporate Structures

We design structures that align with your business model and regulatory obligations, including:

- **VFA Service Providers:** For exchanges, custodians and brokers.
- **CASPs Classes under MiCA:**
  - **Class 1:** Advisory & order transmission (€50K capital).
  - **Class 2:** Custody & exchange (€125K capital)
  - **Class 3:** Trading platforms (€150K capital).
- **Integrated Solutions:** Combining regulated entities with technology and IP holding companies for operational efficiency.

## Compliance & Governance

Our compliance framework ensures adherence to Anti-Money Laundering and Countering the Financing of Terrorism ("**AML/CFT**"), Information and Communications Technology ("**ICT**") governance in line with the Digital Operational Resilience Act ("**DORA**") and MFSA standards:

- **Policies & Manuals:** AML/CFT, cybersecurity, risk management, outsourcing oversight.
- **Governance Standards:** Dual control, local substance and independent compliance functions.
- **Ongoing Support:** MFSA reporting, internal audits and regulatory updates.

## Tax Efficiency & Strategic Advantage

Malta offers a competitive tax regime for digital asset businesses:

- Effective 5% corporate tax rate through the full imputation system.
- No tax on foreign-source income not remitted to Malta.
- Access to 70+ double tax treaties and EU directives.
- No wealth, inheritance, or capital gains tax on foreign assets.



## Why Choose Promethean Advisory Malta?

- **End-to-End Support:** From licensing to operational compliance.
- **Multidisciplinary Expertise:** Legal, tax, and regulatory professionals with deep blockchain experience.
- **Regulatory Insight:** Direct engagement with MFSA and alignment with EU MiCA standards.
- **Trusted Guidance:** Ensuring clarity, compliance and strategic growth.



## PROMETHEAN ADVISORY LIMITED

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