



# **Q&A SESSIONS HELD IN JULY 2020**

# Online webinar: 1<sup>st</sup> July 2020

## IDPC Data Protection

### Q&A Session

One of the implications of COVID-19 was that several employees were mandated to work from home as a safety measure for their own health and safety, and that of others. As a result, people started using company devices with company data at the comfort of their homes, at the risk of not being confidential when one attends a video conference or even using company devices for personal use, without considering that this may infringe data protection law.

In order to ease the lives of employees as well as employers, who are troubled with data protection requirements, the Malta Institute of Accountants (MIA) invited Mr Ian Deguara, Deputy Commissioner at the Office of the Information and Data Protection Commissioner (IDPC) to explain further the requirements upon General Data Protection Regulation (GDPR) when working remotely, as well as answer questions raised by the attendees.

Questions raised during the session included:

- Upon COVID 19, what are the main data protection challenges of the employer and what can one do to mitigate these?
- What are some of the employee data protection implications, when working from home?
- What clauses should be included within a contract of employment/teleworking in line with the DPA to allow teleworking?



# Online webinar: 2<sup>nd</sup> July 2020

## MBR BO Forms updates Q&A Session

After the successful event held with the Malta Business Registry (MBR) back in May 2020, another Q&A session was held in July 2020. During this webinar, MBR representatives Dr Geraldine Ann Spiteri Lucas, Chief Legal Officer and Dr Deandra Schembri, Senior Legal Manager presented the latest changes to the Companies Act (Register of Beneficial Owners) Regulations, 2017 which became effective following the entry of Legal Notice 247 of 2020 which came into force on 16th June 2020.

Such changes include:

- When submitting a declaration containing information on the beneficial owners of a company, a certified true copy of the official identification document for every beneficial owner is to be submitted to Registrar.
- A company shall upon each anniversary of its registration file a return in the form set out in the First Schedule of the Regulations.
- In the eventuality of a change in the senior managing officials of a company, the said company shall, within fourteen days after the date on which the change is recorded with the company, deliver to the Registrar a notice of the change, in the form set out in the First Schedule of the Regulations.
- When there occurs at any time, any change in details on beneficial owners such as name, country of residence or official identification document number, the company may deliver to the Registrar for registration a return, in the form set out in the First Schedule of the Regulations.

Moreover, during the webinar, it was presented that penalties of up to €100,000 may be imposed by the Registrar with respect to incidents whereby the Registrar deems it necessary to update the beneficial ownership information in the register in terms of the Regulations.

As titled, the event was also an opportunity for attendees to ask questions to the MBR representatives where over 100 questions were addressed, apart from those queries submitted before the event.

A list of Q&A is currently being put together by the Institute and the MBR and will be issued to all MIA members.

