



2024/119

18.1.2024

DECISION OF THE EEA JOINT COMMITTEE No 117/2021
of 19 March 2021
amending Annex IX (Financial services) to the EEA Agreement [2024/119]

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area (“the EEA Agreement”), and in particular Article 98 thereof,

Whereas:

- (1) Commission Delegated Regulation (EU) 2021/236 of 21 December 2020 amending technical standards laid down in Delegated Regulation (EU) 2016/2251 as regards to the timing of when certain risk management procedures will start to apply for the purpose of the exchange of collateral ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Commission Delegated Regulation (EU) 2021/237 of 21 December 2020 amending regulatory technical standards laid down in Delegated Regulations (EU) 2015/2205, (EU) 2016/592 and (EU) 2016/1178 as regards the date at which the clearing obligation takes effect for certain types of contracts ⁽²⁾ is to be incorporated into the EEA Agreement.
- (3) Annex IX to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Annex IX to the EEA Agreement shall be amended as follows:

1. Point 31bcp (Commission Delegated Regulation (EU) 2015/2205) is amended as follows:

(i) The following indent is added:

‘ **32021 R 0237**: Commission Delegated Regulation (EU) 2021/237 of 21 December 2020 (OJ L 56, 17.2.2021, p. 6).’

(ii) The text of adaptation (b)(iii) is replaced by the following:

‘as regards the EFTA States, the text of point (b) in the first subparagraph of paragraph 2 shall read as follows:

“the later of the following dates in case an equivalence decision adopted pursuant to Article 13(2) of Regulation (EU) No 648/2012 for the purposes of Article 4 of that Regulation covering the OTC derivative contracts referred to in the Annex to this Regulation in respect of the relevant third country applies in the EEA:

(i) 60 days after the date of entry into force of the decision of the EEA Joint Committee containing the decision adopted pursuant to Article 13(2) of Regulation (EU) No 648/2012 for the purposes of Article 4 of that Regulation covering the OTC derivative contracts referred to in the Annex to this Regulation in respect of the relevant third country;

(ii) the date when the clearing obligation takes effect pursuant to paragraph 1”.’

(iii) Adaptation (c) is deleted.

2. Point 31bcq (Commission Delegated Regulation (EU) 2016/592) is amended as follows:

(i) The following indent is added:

‘ **32021 R 0237**: Commission Delegated Regulation (EU) 2021/237 of 21 December 2020 (OJ L 56, 17.2.2021, p. 6).’

⁽¹⁾ OJ L 56, 17.2.2021, p. 1.

⁽²⁾ OJ L 56, 17.2.2021, p. 6.

- (ii) The text of adaptation (b)(iii) is replaced by the following:

‘as regards the EFTA States, the text of point (b) in the first subparagraph of paragraph 2 shall read as follows:

“the later of the following dates in case an equivalence decision adopted pursuant to Article 13(2) of Regulation (EU) No 648/2012 for the purposes of Article 4 of that Regulation covering the OTC derivative contracts referred to in the Annex to this Regulation in respect of the relevant third country applies in the EEA:

- (i) 60 days after the date of entry into force of the decision of the EEA Joint Committee containing the decision adopted pursuant to Article 13(2) of Regulation (EU) No 648/2012 for the purposes of Article 4 of that Regulation covering the OTC derivative contracts referred to in the Annex to this Regulation in respect of the relevant third country;
- (ii) the date when the clearing obligation takes effect pursuant to paragraph 1”.

- (iii) Adaptation (c) is deleted.

3. Point 31bcr (Commission Delegated Regulation (EU) 2016/1178) is amended as follows:

- (i) The following indent is added:

‘- **32021 R 0237**: Commission Delegated Regulation (EU) 2021/237 of 21 December 2020 (OJ L 56, 17.2.2021, p. 6).’

- (ii) The text of adaptation (b)(iii) is replaced by the following:

‘as regards the EFTA States, the text of point (b) in the first subparagraph of paragraph 2 shall read as follows:

“the later of the following dates in case an equivalence decision adopted pursuant to Article 13(2) of Regulation (EU) No 648/2012 for the purposes of Article 4 of that Regulation covering the OTC derivative contracts referred to in the Annex to this Regulation in respect of the relevant third country applies in the EEA:

- (i) 60 days after the date of entry into force of the decision of the EEA Joint Committee containing the decision adopted pursuant to Article 13(2) of Regulation (EU) No 648/2012 for the purposes of Article 4 of that Regulation covering the OTC derivative contracts referred to in the Annex to this Regulation in respect of the relevant third country;
- (ii) the date when the clearing obligation takes effect pursuant to paragraph 1”.

- (iii) Adaptation (c) is deleted.

4. Point 31bcs (Commission Delegated Regulation (EU) 2016/2251) is amended as follows:

- (i) The following indent is added:

‘- **32021 R 0236**: Commission Delegated Regulation (EU) 2021/236 of 21 December 2020 (OJ L 56, 17.2.2021, p. 1).’

- (ii) The text of adaptation (a) is replaced by the following:

‘In Article 35, as regards the EFTA States:

- (i) the words “16 August 2012” shall read “1 July 2017”;
- (ii) the words “18 February 2021” shall read “the date of entry into force of Decision of the EEA Joint Committee No 117/2021 of 19 March 2021”.

Article 2

The texts of Delegated Regulations (EU) 2021/236 and (EU) 2021/237 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 20 March 2021, provided that all the notifications under Article 103(1) of the EEA Agreement have been made *.

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 19 March 2021.

For the EEA Joint Committee
The President
Clara GANSLANDT

* No constitutional requirements indicated.