

DECISION OF THE EEA JOINT COMMITTEE
No 30/2024

of 2 February 2024

amending Annex IX (Financial services) to the EEA Agreement

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) Regulation (EU) 2020/1503 of the European Parliament and of the Council of 7 October 2020 on European crowdfunding service providers for business, and amending Regulation (EU) 2017/1129 and Directive (EU) 2019/1937¹ is to be incorporated into the EEA Agreement.
- (2) Directive (EU) 2020/1504 of the European Parliament and of the Council of 7 October 2020 amending Directive 2014/65/EU on markets in financial instruments² is to be incorporated into the EEA Agreement.
- (3) Commission Delegated Regulation (EU) 2022/1988 of 12 July 2022 extending the transitional period for continuing to provide crowdfunding services in accordance with national law as referred to in Article 48(1) of Regulation (EU) 2020/1503 of the European Parliament and of the Council³ is to be incorporated into the EEA Agreement.
- (4) The EFTA States shall, when defining what jurisdictions shall be on the list of non-cooperative jurisdictions in their national legislation, take utmost account of the EU list of non-cooperative jurisdictions for tax purposes.
- (5) 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. The following indent is added in point 29bd (Regulation (EU) 2017/1129 of the European Parliament and of the Council):
 - ‘- **32020 R 1503**: Regulation (EU) 2020/1503 of the European Parliament and of the Council of 7 October 2020 (OJ L 347, 20.10.2020, p. 1).’
2. The following indent is added in point 31ba (Directive 2014/65/EU of the European Parliament and of the Council):

¹ OJ L 347, 20.10.2020, p. 1.

² OJ L 347, 20.10.2020, p. 50.

³ OJ L 273, 21.10.2022, p. 3.

‘- **32020 L 1504**: Directive (EU) 2020/1504 of the European Parliament and of the Council of 7 October 2020 (OJ L 347, 20.10.2020, p. 50).’

3. The following is inserted after point 31bj (Directive (EU) 2019/2162 of the European Parliament and of the Council):

‘31bl. **32020 R 1503**: Regulation (EU) 2020/1503 of the European Parliament and of the Council of 7 October 2020 on European crowdfunding service providers for business, and amending Regulation (EU) 2017/1129 and Directive (EU) 2019/1937 (OJ L 347, 20.10.2020, p. 1).

The provisions of the Regulation shall, for the purposes of this Agreement, be read with the following adaptations:

- (a) Notwithstanding the provisions of Protocol 1 to this Agreement, and unless otherwise provided for in this Agreement, the terms Member State(s) and competent authorities shall be understood to include, in addition to their meaning in the Regulation, the EFTA States and their competent authorities, respectively.
- (b) References to the powers of ESMA under Article 19 of Regulation (EU) No 1095/2010 of the European Parliament and of the Council in the Regulation shall be understood as referring, in the cases provided for in and in accordance with point 31i of this Annex, to the powers of the EFTA Surveillance Authority as regards the EFTA States.
- (c) Unless otherwise provided for in this Agreement, references to Union law shall be understood as referring to the EEA Agreement.
- (d) In Article 2(1)(q), as regards the EFTA States, the words “point (2) of Article 1 of Regulation (EU) No 1075/2013 of the European Central Bank” shall read “point (1) of Article 2 of Regulation (EU) 2017/2402 of the European Parliament and of the Council”.
- (e) In Article 5(2)(b), as regards the EFTA States, the words “as recognised by the relevant Union policy” shall read “as defined by the national legislation of the EFTA State concerned”.
- (f) In Article 48(1), as regards the EFTA States, the words “10 November 2022” shall read “one year after the date of entry into force of Decision of the EEA Joint Committee No 30/2024 of 2 February 2024”.

31bla. **32022 R 1988**: Commission Delegated Regulation (EU) 2022/1988 of 12 July 2022 extending the transitional period for continuing to provide crowdfunding services in accordance with national law as referred to in Article 48(1) of Regulation (EU) 2020/1503 of the European Parliament and of the Council (OJ L 273, 21.10.2022, p. 3).’

Article 2

The texts of Regulation (EU) 2020/1503, Directive (EU) 2020/1504 and Delegated Regulation (EU) 2022/1988 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 3 February 2024, 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, 2 February 2024.

*For the EEA Joint Committee
The President*

Nicolas von Lingen

*The Secretaries
To the EEA Joint Committee*

Siri Veseth Meling

Matúš Minárik

* Constitutional requirements indicated.