

DECISION OF THE EEA JOINT COMMITTEE
No 70/2024

of 15 March 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) Commission Delegated Regulation (EU) 2022/2111 of 13 July 2022 supplementing Regulation (EU) 2020/1503 of the European Parliament and of the Council with regard to regulatory technical standards specifying conflicts of interest requirements for crowdfunding service providers¹ is to be incorporated into the EEA Agreement.
- (2) Commission Delegated Regulation (EU) 2022/2112 of 13 July 2022 supplementing Regulation (EU) 2020/1503 of the European Parliament and of the Council with regard to regulatory technical standards specifying requirements and arrangements for the application for authorisation as a crowdfunding service provider² is to be incorporated into the EEA Agreement
- (3) Commission Delegated Regulation (EU) 2022/2113 of 13 July 2022 supplementing Regulation (EU) 2020/1503 of the European Parliament and of the Council with regard to regulatory technical standards for the exchange of information between competent authorities in relation to investigation, supervision and enforcement activities in relation to European crowdfunding service providers for business³ is to be incorporated into the EEA Agreement.
- (4) Commission Delegated Regulation (EU) 2022/2114 of 13 July 2022 supplementing Regulation (EU) 2020/1503 of the European Parliament and of the Council with regard to regulatory technical standards specifying the entry knowledge test and the simulation of the ability to bear loss for prospective non-sophisticated investors in crowdfunding projects⁴ is to be incorporated into the EEA Agreement.
- (5) Commission Delegated Regulation (EU) 2022/2115 of 13 July 2022 supplementing Regulation (EU) 2020/1503 of the European Parliament and of the Council with regard to regulatory technical standards specifying the methodology for calculating default rates of loans offered on a crowdfunding platform⁵ is to be incorporated into the EEA Agreement.
- (6) Commission Delegated Regulation (EU) 2022/2116 of 13 July 2022 supplementing Regulation (EU) 2020/1503 of the European Parliament and of the Council with regard

¹ OJ L 287, 8.11.2022, p. 1.

² OJ L 287, 8.11.2022, p. 5.

³ OJ L 287, 8.11.2022, p. 22.

⁴ OJ L 287, 8.11.2022, p. 26.

⁵ OJ L 287, 8.11.2022, p. 33.

to regulatory technical standards specifying the measures and procedures for crowdfunding service providers' business continuity plan⁶ is to be incorporated into the EEA Agreement.

- (7) Commission Delegated Regulation (EU) 2022/2117 of 13 July 2022 supplementing Regulation (EU) 2020/1503 of the European Parliament and of the Council with regard to regulatory technical standards specifying the requirements, standard formats and procedures for complaint handling⁷ is to be incorporated into the EEA Agreement.
- (8) Commission Delegated Regulation (EU) 2022/2118 of 13 July 2022 supplementing Regulation (EU) 2020/1503 of the European Parliament and of the Council with regard to regulatory technical standards on individual portfolio management of loans by crowdfunding service providers, specifying the elements of the method to assess credit risk, the information on each individual portfolio to be disclosed to investors, and the policies and procedures required in relation to contingency funds⁸ is to be incorporated into the EEA Agreement.
- (9) Commission Delegated Regulation (EU) 2022/2119 of 13 July 2022 supplementing Regulation (EU) 2020/1503 of the European Parliament and of the Council with regard to regulatory technical standards for the key investment information sheet⁹ is to be incorporated into the EEA Agreement.
- (10) Commission Implementing Regulation (EU) 2022/2120 of 13 July 2022 laying down implementing technical standards for the application of Regulation (EU) 2020/1503 of the European Parliament and of the Council with regard to data standards and formats, templates and procedures for reporting information on projects funded through crowdfunding platforms¹⁰ is to be incorporated into the EEA Agreement.
- (11) Commission Implementing Regulation (EU) 2022/2121 of 13 July 2022 laying down implementing technical standards for the application of Regulation (EU) 2020/1503 of the European Parliament and of the Council with regard to standard forms, templates and procedures for the cooperation and exchange of information between competent authorities and ESMA in relation to European crowdfunding service providers for business¹¹ is to be incorporated into the EEA Agreement.
- (12) Commission Implementing Regulation (EU) 2022/2122 of 13 July 2022 laying down implementing technical standards for the application of Regulation (EU) 2020/1503 of the European Parliament and of the Council with regard to standard forms, templates and procedures for the cooperation and exchange of information between competent authorities concerning European crowdfunding service providers for business¹² is to be incorporated into the EEA Agreement.
- (13) Commission Implementing Regulation (EU) 2022/2123 of 13 July 2022 laying down implementing technical standards for the application of Regulation (EU) 2020/1503 of the European Parliament and of the Council with regard to the standard forms, templates and procedures for the notifications of national marketing requirements applicable to

⁶ OJ L 287, 8.11.2022, p. 38.

⁷ OJ L 287, 8.11.2022, p. 42.

⁸ OJ L 287, 8.11.2022, p. 50.

⁹ OJ L 287, 8.11.2022, p. 63.

¹⁰ OJ L 287, 8.11.2022, p. 76.

¹¹ OJ L 287, 8.11.2022, p. 86.

¹² OJ L 287, 8.11.2022, p. 101.

crowdfunding service providers by competent authorities to ESMA¹³ is to be incorporated into the EEA Agreement.

(14) Annex IX to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following is inserted after point 31bla (Commission Delegated Regulation (EU) 2022/1988) of Annex IX to the EEA Agreement:

- ‘31blb. **32022 R 2111**: Commission Delegated Regulation (EU) 2022/2111 of 13 July 2022 supplementing Regulation (EU) 2020/1503 of the European Parliament and of the Council with regard to regulatory technical standards specifying conflicts of interest requirements for crowdfunding service providers (OJ L 287, 8.11.2022, p. 1).
- 31blc. **32022 R 2112**: Commission Delegated Regulation (EU) 2022/2112 of 13 July 2022 supplementing Regulation (EU) 2020/1503 of the European Parliament and of the Council with regard to regulatory technical standards specifying requirements and arrangements for the application for authorisation as a crowdfunding service provider (OJ L 287, 8.11.2022, p. 5).

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

Unless otherwise provided for in this Agreement, references to Union law shall be understood as referring to the EEA Agreement.

- 31 added. **32022 R 2113**: Commission Delegated Regulation (EU) 2022/2113 of 13 July 2022 supplementing Regulation (EU) 2020/1503 of the European Parliament and of the Council with regard to regulatory technical standards for the exchange of information between competent authorities in relation to investigation, supervision and enforcement activities in relation to European crowdfunding service providers for business (OJ L 287, 8.11.2022, p. 22).
- 31ble. **32022 R 2114**: Commission Delegated Regulation (EU) 2022/2114 of 13 July 2022 supplementing Regulation (EU) 2020/1503 of the European Parliament and of the Council with regard to regulatory technical standards specifying the entry knowledge test and the simulation of the ability to bear loss for prospective non-sophisticated investors in crowdfunding projects (OJ L 287, 8.11.2022, p. 26).
- 31blf. **32022 R 2115**: Commission Delegated Regulation (EU) 2022/2115 of 13 July 2022 supplementing Regulation (EU) 2020/1503 of the European Parliament and of the Council with regard to regulatory technical standards specifying the methodology for calculating default rates of loans offered on a crowdfunding platform (OJ L 287, 8.11.2022, p. 33).
- 31blg. **32022 R 2116**: Commission Delegated Regulation (EU) 2022/2116 of 13 July 2022 supplementing Regulation (EU) 2020/1503 of the European Parliament and of the Council with regard to regulatory technical standards specifying the measures and procedures for crowdfunding service providers’ business continuity plan (OJ L 287, 8.11.2022, p. 38).

¹³ OJ L 287, 8.11.2022, p. 120.

- 31blh. **32022 R 2117:** Commission Delegated Regulation (EU) 2022/2117 of 13 July 2022 supplementing Regulation (EU) 2020/1503 of the European Parliament and of the Council with regard to regulatory technical standards specifying the requirements, standard formats and procedures for complaint handling (OJ L 287, 8.11.2022, p. 42).
- 31bli. **32022 R 2118:** Commission Delegated Regulation (EU) 2022/2118 of 13 July 2022 supplementing Regulation (EU) 2020/1503 of the European Parliament and of the Council with regard to regulatory technical standards on individual portfolio management of loans by crowdfunding service providers, specifying the elements of the method to assess credit risk, the information on each individual portfolio to be disclosed to investors, and the policies and procedures required in relation to contingency funds (OJ L 287, 8.11.2022, p. 50).
- 31blj. **32022 R 2119:** Commission Delegated Regulation (EU) 2022/2119 of 13 July 2022 supplementing Regulation (EU) 2020/1503 of the European Parliament and of the Council with regard to regulatory technical standards for the key investment information sheet (OJ L 287, 8.11.2022, p. 63).
- 31blk. **32022 R 2120:** Commission Implementing Regulation (EU) 2022/2120 of 13 July 2022 laying down implementing technical standards for the application of Regulation (EU) 2020/1503 of the European Parliament and of the Council with regard to data standards and formats, templates and procedures for reporting information on projects funded through crowdfunding platforms (OJ L 287, 8.11.2022, p. 76).
- 31bll. **32022 R 2121:** Commission Implementing Regulation (EU) 2022/2121 of 13 July 2022 laying down implementing technical standards for the application of Regulation (EU) 2020/1503 of the European Parliament and of the Council with regard to standard forms, templates and procedures for the cooperation and exchange of information between competent authorities and ESMA in relation to European crowdfunding service providers for business (OJ L 287, 8.11.2022, p. 86).
- 31blm. **32022 R 2122:** Commission Implementing Regulation (EU) 2022/2122 of 13 July 2022 laying down implementing technical standards for the application of Regulation (EU) 2020/1503 of the European Parliament and of the Council with regard to standard forms, templates and procedures for the cooperation and exchange of information between competent authorities concerning European crowdfunding service providers for business (OJ L 287, 8.11.2022, p. 101).

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

- (a) Unless otherwise provided for in this Agreement, references to Union law shall be understood as referring to the EEA Agreement.
- (b) As regards the EFTA States, in the first paragraph of Article 8, the words “including the Charter of Fundamental Rights of the European Union” shall not apply.
- 31bln. **32022 R 2123:** Commission Implementing Regulation (EU) 2022/2123 of 13 July 2022 laying down implementing technical standards for the application of Regulation (EU) 2020/1503 of the European Parliament and of the Council with regard to the standard forms, templates and procedures for the notifications of national marketing requirements applicable to crowdfunding service providers by competent authorities to ESMA (OJ L 287, 8.11.2022, p. 120).

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

As regards the EFTA States, in the first paragraph of Article 2, the words “28 November 2022” shall read as “the entry into force of Decision of the EEA Joint Committee No 70/2024 of 15 March 2024”.

Article 2

The texts of Delegated Regulations (EU) 2022/2111, (EU) 2022/2112, (EU) 2022/2113, (EU) 2022/2114, (EU) 2022/2115, (EU) 2022/2116, (EU) 2022/2117, (EU) 2022/2118 and (EU) 2022/2119 and Implementing Regulations (EU) 2022/2120, (EU) 2022/2121, (EU) 2022/2122 and (EU) 2022/2123 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 16 March 2024, provided that all the notifications under Article 103(1) of the EEA Agreement have been made*, or on the day of the entry into force of Decision of the EEA Joint Committee No 30/2024 of 2 February 2024¹⁴, whichever is the later.

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, 15 March 2024.

*For the EEA Joint Committee
The President*

Nicolas von Lingen

*The Secretaries
To the EEA Joint Committee*

Siri Veseth Meling

Matúš Minárik

* No constitutional requirements indicated.
¹⁴ OJL ...