

DECISION OF THE EEA JOINT COMMITTEE
No 62/2018

of 23 March 2018

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) 2015/35 of 10 October 2014 supplementing Directive 2009/138/EC of the European Parliament and of the Council on the taking-up and pursuit of the business of Insurance and Reinsurance (Solvency II)¹, as corrected by OJ L 307, 25.11.2015, p. 31, is to be incorporated into the EEA Agreement.
- (2) Commission Delegated Regulation (EU) 2016/467 of 30 September 2015 amending Commission Delegated Regulation (EU) 2015/35 concerning the calculation of regulatory capital requirements for several categories of assets held by insurance and reinsurance undertakings² is to be incorporated into the EEA Agreement.
- (3) Commission Delegated Regulation (EU) 2016/2283 of 22 August 2016 correcting the German language version of Delegated Regulation (EU) 2015/35 supplementing Directive 2009/138/EC of the European Parliament and of the Council on the taking-up and pursuit of the business of Insurance and Reinsurance (Solvency II)³ is to be incorporated into the EEA Agreement.
- (4) Commission Delegated Regulation (EU) 2017/669 of 16 December 2016 correcting the Bulgarian, Croatian, Czech, Estonian, French, Greek, Lithuanian, Maltese, Romanian, Slovak and Swedish language versions of Delegated Regulation (EU) 2015/35 supplementing Directive 2009/138/EC of the European Parliament and of the Council on the taking-up and pursuit of the business of Insurance and Reinsurance (Solvency II)⁴ is to be incorporated into the EEA Agreement.
- (5) Commission Implementing Regulation (EU) 2015/460 of 19 March 2015 laying down implementing technical standards with regard to the procedure concerning the approval of an internal model in accordance with Directive 2009/138/EC of the European Parliament and of the Council⁵ is to be incorporated into the EEA Agreement.

¹ OJ L 12, 17.1.2015, p. 1.

² OJ L 85, 1.4.2016, p. 6.

³ OJ L 346, 20.12.2016, p. 111.

⁴ OJ L 97, 8.4.2017, p. 3.

⁵ OJ L 76, 20.3.2015, p. 13.

- (6) Commission Implementing Regulation (EU) 2015/461 of 19 March 2015 laying down implementing technical standards with regard to the process to reach a joint decision on the application to use a group internal model in accordance with Directive 2009/138/EC of the European Parliament and of the Council⁶ is to be incorporated into the EEA Agreement.
- (7) Commission Implementing Regulation (EU) 2015/462 of 19 March 2015 laying down implementing technical standards with regard to the procedures for supervisory approval to establish special purpose vehicles, for the cooperation and exchange of information between supervisory authorities regarding special purpose vehicles as well as to set out formats and templates for information to be reported by special purpose vehicles in accordance with Directive 2009/138/EC of the European Parliament and of the Council⁷ is to be incorporated into the EEA Agreement.
- (8) Commission Implementing Regulation (EU) 2015/498 of 24 March 2015 laying down implementing technical standards with regard to the supervisory approval procedure to use undertaking-specific parameters in accordance with Directive 2009/138/EC of the European Parliament and of the Council⁸ is to be incorporated into the EEA Agreement.
- (9) Commission Implementing Regulation (EU) 2015/499 of 24 March 2015 laying down implementing technical standards with regard to the procedures to be used for granting supervisory approval for the use of ancillary own-fund items in accordance with Directive 2009/138/EC of the European Parliament and of the Council⁹ is to be incorporated into the EEA Agreement.
- (10) Commission Implementing Regulation (EU) 2015/500 of 24 March 2015 laying down implementing technical standards with regard to the procedures to be followed for the supervisory approval of the application of a matching adjustment in accordance with Directive 2009/138/EC of the European Parliament and of the Council¹⁰ is to be incorporated into the EEA Agreement.
- (11) Commission Implementing Regulation (EU) 2015/2011 of 11 November 2015 laying down implementing technical standards with regard to the lists of regional governments and local authorities, exposures to whom are to be treated as exposures to the central government in accordance with Directive 2009/138 of the European Parliament and of the Council¹¹ is to be incorporated into the EEA Agreement.
- (12) Commission Implementing Regulation (EU) 2015/2012 of 11 November 2015 laying down implementing technical standards with regard to the procedures for decisions to set, calculate and remove capital add-ons in accordance with Directive 2009/138/EC of the European Parliament and of the Council¹² is to be incorporated into the EEA Agreement.
- (13) Commission Implementing Regulation (EU) 2015/2013 of 11 November 2015 laying down implementing technical standards with regard to standard deviations in relation

⁶ OJ L 76, 20.3.2015, p. 19.

⁷ OJ L 76, 20.3.2015, p. 23.

⁸ OJ L 79, 25.3.2015, p. 8.

⁹ OJ L 79, 25.3.2015, p. 12.

¹⁰ OJ L 79, 25.3.2015, p. 18.

¹¹ OJ L 295, 12.11.2015, p. 3.

¹² OJ L 295, 12.11.2015, p. 5.

to health risk equalisation systems in accordance with Directive 2009/138/EC of the European Parliament and of the Council¹³ is to be incorporated into the EEA Agreement.

- (14) Commission Implementing Regulation (EU) 2015/2014 of 11 November 2015 laying down implementing technical standards with regard to the procedures and templates for the submission of information to the group supervisor and for the exchange of information between supervisory authorities in accordance with Directive 2009/138/EC of the European Parliament and of the Council¹⁴ is to be incorporated into the EEA Agreement.
- (15) Commission Implementing Regulation (EU) 2015/2015 of 11 November 2015 laying down implementing technical standards on the procedures for assessing external credit assessments in accordance with Directive 2009/138/EC of the European Parliament and of the Council¹⁵ is to be incorporated into the EEA Agreement.
- (16) Commission Implementing Regulation (EU) 2015/2016 of 11 November 2015 laying down the implementing technical standards with regard to the equity index for the symmetric adjustment of the standard equity capital charge in accordance with Directive 2009/138/EC of the European Parliament and of the Council¹⁶ is to be incorporated into the EEA Agreement.
- (17) Commission Implementing Regulation (EU) 2015/2017 of 11 November 2015 laying down implementing technical standards with regard to the adjusted factors to calculate the capital requirement for currency risk for currencies pegged to the euro in accordance with Directive 2009/138/EC of the European Parliament and of the Council¹⁷ is to be incorporated into the EEA Agreement.
- (18) Commission Implementing Regulation (EU) 2015/2450 of 2 December 2015 laying down implementing technical standards with regard to the templates for the submission of information to the supervisory authorities according to Directive 2009/138/EC of the European Parliament and of the Council¹⁸ is to be incorporated into the EEA Agreement.
- (19) Commission Implementing Regulation (EU) 2015/2451 of 2 December 2015 laying down implementing technical standards with regard to the templates and structure of the disclosure of specific information by supervisory authorities in accordance with Directive 2009/138/EC of the European Parliament and of the Council¹⁹ is to be incorporated into the EEA Agreement.
- (20) Commission Implementing Regulation (EU) 2015/2452 of 2 December 2015 laying down implementing technical standards with regard to the procedures, formats and templates of the solvency and financial condition report in accordance with Directive 2009/138/EC of the European Parliament and of the Council²⁰ is to be incorporated into the EEA Agreement.

¹³ OJ L 295, 12.11.2015, p. 9.

¹⁴ OJ L 295, 12.11.2015, p. 11.

¹⁵ OJ L 295, 12.11.2015, p. 16.

¹⁶ OJ L 295, 12.11.2015, p. 18.

¹⁷ OJ L 295, 12.11.2015, p. 21.

¹⁸ OJ L 347, 31.12.2015, p. 1.

¹⁹ OJ L 347, 31.12.2015, p. 1224.

²⁰ OJ L 347, 31.12.2015, p. 1285.

- (21) Commission Implementing Regulation (EU) 2016/165 of 5 February 2016 laying down technical information for the calculation of technical provisions and basic own funds for reporting with reference dates from 1 January until 30 March 2016 in accordance with Directive 2009/138/EC of the European Parliament and of the Council (Solvency II)²¹ is to be incorporated into the EEA Agreement.
- (22) Commission Implementing Regulation (EU) 2016/869 of 27 May 2016 laying down technical information for the calculation of technical provisions and basic own funds for reporting with reference dates from 31 March until 29 June 2016 in accordance with Directive 2009/138/EC of the European Parliament and of the Council on the taking-up and pursuit of the business of Insurance and Reinsurance²² is to be incorporated into the EEA Agreement.
- (23) Commission Implementing Regulation (EU) 2016/1376 of 8 August 2016 laying down technical information for the calculation of technical provisions and basic own funds for reporting with reference dates from 30 June until 29 September 2016 in accordance with Directive 2009/138/EC of the European Parliament and of the Council on the taking-up and pursuit of the business of Insurance and Reinsurance²³ is to be incorporated into the EEA Agreement.
- (24) Commission Implementing Regulation (EU) 2016/1630 of 9 September 2016 laying down implementing technical standards with regard to the procedures for the application of the transitional measure for the equity risk sub-module in accordance with Directive 2009/138/EC of the European Parliament and of the Council²⁴ is to be incorporated into the EEA Agreement.
- (25) Commission Implementing Regulation (EU) 2016/1800 of 11 October 2016 laying down implementing technical standards with regard to the allocation of credit assessments of external credit assessment institutions to an objective scale of credit quality steps in accordance with Directive 2009/138/EC of the European Parliament and of the Council²⁵ is to be incorporated into the EEA Agreement.
- (26) Commission Implementing Regulation (EU) 2016/1868 of 20 October 2016 amending and correcting Implementing Regulation (EU) 2015/2450 laying down implementing technical standards with regard to the templates for the submission of information to the supervisory authorities according to Directive 2009/138/EC of the European Parliament and of the Council²⁶ is to be incorporated into the EEA Agreement.
- (27) Commission Implementing Regulation (EU) 2016/1976 of 10 November 2016 laying down technical information for the calculation of technical provisions and basic own funds for reporting with reference dates from 30 September until 30 December 2016 in accordance with Directive 2009/138/EC of the European Parliament and of the Council on the taking-up and pursuit of the business of Insurance and Reinsurance²⁷ is to be incorporated into the EEA Agreement.

²¹ OJ L 32, 9.2.2016, p. 31.

²² OJ L 147, 3.6.2016, p. 1.

²³ OJ L 224, 18.8.2016, p. 1.

²⁴ OJ L 243, 10.9.2016, p. 1.

²⁵ OJ L 275, 12.10.2016, p. 19.

²⁶ OJ L 286, 21.10.2016, p. 35.

²⁷ OJ L 309, 16.11.2016, p. 1.

- (28) Commission Delegated Decision (EU) 2015/1602 of 5 June 2015 on the equivalence of the solvency and prudential regime for insurance and reinsurance undertakings in force in Switzerland based on Articles 172(2), 227(4) and 260(3) of Directive 2009/138/EC of the European Parliament and of the Council²⁸ is to be incorporated into the EEA Agreement.
- (29) Commission Delegated Decision (EU) 2015/2290 of 12 June 2015 on the provisional equivalence of the solvency regimes in force in Australia, Bermuda, Brazil, Canada, Mexico and the United States and applicable to insurance and reinsurance undertakings with head offices in those countries²⁹, as corrected by OJ L 328, 12.12.2015, p. 126, is to be incorporated into the EEA Agreement.
- (30) Commission Delegated Decision (EU) 2016/309 of 26 November 2015 on the equivalence of the supervisory regime for insurance and reinsurance undertakings in force in Bermuda to the regime laid down in Directive 2009/138/EC of the European Parliament and of the Council and amending Commission Delegated Decision (EU) 2015/2290³⁰ is to be incorporated into the EEA Agreement.
- (31) Commission Delegated Decision (EU) 2016/310 of 26 November 2015 on the equivalence of the solvency regime for insurance and reinsurance undertakings in force in Japan to the regime laid down in Directive 2009/138/EC of the European Parliament and of the Council³¹ is to be incorporated into the EEA Agreement.
- (32) Annex IX to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following is inserted after point 1a (deleted) of Annex IX to the EEA Agreement:

- ‘1aa. **32015 D 1602:** Commission Delegated Decision (EU) 2015/1602 of 5 June 2015 on the equivalence of the solvency and prudential regime for insurance and reinsurance undertakings in force in Switzerland based on Articles 172(2), 227(4) and 260(3) of Directive 2009/138/EC of the European Parliament and of the Council (OJ L 248, 24.9.2015, p. 95).
- 1ab. **32015 D 2290:** Commission Delegated Decision (EU) 2015/2290 of 12 June 2015 on the provisional equivalence of the solvency regimes in force in Australia, Bermuda, Brazil, Canada, Mexico and the United States and applicable to insurance and reinsurance undertakings with head offices in those countries (OJ L 323, 9.12.2015, p. 22), as corrected by OJ L 328, 12.12.2015, p. 126, as amended by:
- **32016 D 0309:** Commission Delegated Decision (EU) 2016/309 of 26 November 2015 (OJ L 58, 4.3.2016, p. 50).
- 1ac. **32016 D 0309:** Commission Delegated Decision (EU) 2016/309 of 26 November 2015 on the equivalence of the supervisory regime for insurance and reinsurance undertakings in force in Bermuda to the regime laid down in Directive 2009/138/EC

²⁸ OJ L 248, 24.9.2015, p. 95.

²⁹ OJ L 323, 9.12.2015, p. 22.

³⁰ OJ L 58, 4.3.2016, p. 50.

³¹ OJ L 58, 4.3.2016, p. 55.

of the European Parliament and of the Council and amending Commission Delegated Decision (EU) 2015/2290 (OJ L 58, 4.3.2016, p. 50).

- 1ad. **32016 D 0310:** Commission Delegated Decision (EU) 2016/310 of 26 November 2015 on the equivalence of the solvency regime for insurance and reinsurance undertakings in force in Japan to the regime laid down in Directive 2009/138/EC of the European Parliament and of the Council (OJ L 58, 4.3.2016, p. 55).
- 1b. **32015 R 0035:** Commission Delegated Regulation (EU) 2015/35 of 10 October 2014 supplementing Directive 2009/138/EC of the European Parliament and of the Council on the taking-up and pursuit of the business of Insurance and Reinsurance (Solvency II) (OJ L 12, 17.1.2015, p. 1), as corrected by OJ L 307, 25.11.2015, p. 31, as amended by:
- **32016 R 0467:** Commission Delegated Regulation (EU) 2016/467 of 30 September 2015 (OJ L 85, 1.4.2016, p. 6),
 - **32016 R 2283:** Commission Delegated Regulation (EU) 2016/2283 of 22 August 2016 (OJ L 346, 20.12.2016, p. 11),
 - **32017 R 0669:** Commission Delegated Regulation (EU) 2017/669 of 16 December 2016 (OJ L 97, 8.4.2017, p. 3).

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

- (a) In Article 85, as regards the EFTA States, the following paragraph shall be added:

“The supervisory authority may determine that other regional governments and local authorities, for which a credit assessment by a nominated ECAI is not available, shall be treated as exposures with a credit quality step one step higher than the credit quality step assigned from the rating of the central government of the jurisdiction in which they are established.”

- (b) In Article 192(4), as regards the EFTA States, the following subparagraph shall be added:

“The supervisory authority may set a higher value than zero as a floor for the loss-given-default in order to ensure an overall capital charge for the mortgage loan exposure in line with the capital charge for such exposures held by credit institutions in accordance with Regulation (EU) No 575/2013.”

- (c) In Article 288, the following paragraphs shall be added:

“In the case of the EFTA States, where the factors and criteria under this Article are being assessed, the EFTA Surveillance Authority shall, without undue delay, pass on to EIOPA all information necessary for it to prepare a draft for the EFTA Surveillance Authority.”

- 1c. **32015 R 0460:** Commission Implementing Regulation (EU) 2015/460 of 19 March 2015 laying down implementing technical standards with regard to the procedure concerning the approval of an internal model in accordance with Directive 2009/138/EC of the European Parliament and of the Council (OJ L 76, 20.3.2015, p. 13).
- 1d. **32015 R 0461:** Commission Implementing Regulation (EU) 2015/461 of 19 March 2015 laying down implementing technical standards with regard to the process to

reach a joint decision on the application to use a group internal model in accordance with Directive 2009/138/EC of the European Parliament and of the Council (OJ L 76, 20.3.2015, p. 19).

- 1e. **32015 R 0462:** Commission Implementing Regulation (EU) 2015/462 of 19 March 2015 laying down implementing technical standards with regard to the procedures for supervisory approval to establish special purpose vehicles, for the cooperation and exchange of information between supervisory authorities regarding special purpose vehicles as well as to set out formats and templates for information to be reported by special purpose vehicles in accordance with Directive 2009/138/EC of the European Parliament and of the Council (OJ L 76, 20.3.2015, p. 23).
- 1f. **32015 R 0498:** Commission Implementing Regulation (EU) 2015/498 of 24 March 2015 laying down implementing technical standards with regard to the supervisory approval procedure to use undertaking-specific parameters in accordance with Directive 2009/138/EC of the European Parliament and of the Council (OJ L 79, 25.3.2015, p. 8).
- 1g. **32015 R 0499:** Commission Implementing Regulation (EU) 2015/499 of 24 March 2015 laying down implementing technical standards with regard to the procedures to be used for granting supervisory approval for the use of ancillary own-fund items in accordance with Directive 2009/138/EC of the European Parliament and of the Council (OJ L 79, 25.3.2015, p. 12).
- 1h. **32015 R 0500:** Commission Implementing Regulation (EU) 2015/500 of 24 March 2015 laying down implementing technical standards with regard to the procedures to be followed for the supervisory approval of the application of a matching adjustment in accordance with Directive 2009/138/EC of the European Parliament and of the Council (OJ L 79, 25.3.2015, p. 18).
- 1i. **32015 R 2011:** Commission Implementing Regulation (EU) 2015/2011 of 11 November 2015 laying down implementing technical standards with regard to the lists of regional governments and local authorities, exposures to whom are to be treated as exposures to the central government in accordance with Directive 2009/138 of the European Parliament and of the Council (OJ L 295, 12.11.2015, p. 3).
- 1j. **32015 R 2012:** Commission Implementing Regulation (EU) 2015/2012 of 11 November 2015 laying down implementing technical standards with regard to the procedures for decisions to set, calculate and remove capital add-ons in accordance with Directive 2009/138/EC of the European Parliament and of the Council (OJ L 295, 12.11.2015, p. 5).
- 1k. **32015 R 2013:** Commission Implementing Regulation (EU) 2015/2013 of 11 November 2015 laying down implementing technical standards with regard to standard deviations in relation to health risk equalisation systems in accordance with Directive 2009/138/EC of the European Parliament and of the Council (OJ L 295, 12.11.2015, p. 9).
- 1l. **32015 R 2014:** Commission Implementing Regulation (EU) 2015/2014 of 11 November 2015 laying down implementing technical standards with regard to the procedures and templates for the submission of information to the group supervisor and for the exchange of information between supervisory authorities in accordance with Directive 2009/138/EC of the European Parliament and of the Council (OJ L 295, 12.11.2015, p. 11).

- 1m. **32015 R 2015:** Commission Implementing Regulation (EU) 2015/2015 of 11 November 2015 laying down implementing technical standards on the procedures for assessing external credit assessments in accordance with Directive 2009/138/EC of the European Parliament and of the Council (OJ L 295, 12.11.2015, p. 16).
- 1n. **32015 R 2016:** Commission Implementing Regulation (EU) 2015/2016 of 11 November 2015 laying down the implementing technical standards with regard to the equity index for the symmetric adjustment of the standard equity capital charge in accordance with Directive 2009/138/EC of the European Parliament and of the Council (OJ L 295, 12.11.2015, p. 18).
- 1o. **32015 R 2017:** Commission Implementing Regulation (EU) 2015/2017 of 11 November 2015 laying down implementing technical standards with regard to the adjusted factors to calculate the capital requirement for currency risk for currencies pegged to the euro in accordance with Directive 2009/138/EC of the European Parliament and of the Council (OJ L 295, 12.11.2015, p. 21).
- 1p. **32015 R 2450:** Commission Implementing Regulation (EU) 2015/2450 of 2 December 2015 laying down implementing technical standards with regard to the templates for the submission of information to the supervisory authorities according to Directive 2009/138/EC of the European Parliament and of the Council (OJ L 347, 31.12.2015, p. 1), as amended by:
- **32016 R 1868:** Commission Implementing Regulation (EU) 2016/1868 of 20 October 2016 (OJ L 286, 21.10.2016, p. 35).
- 1q. **32015 R 2451:** Commission Implementing Regulation (EU) 2015/2451 of 2 December 2015 laying down implementing technical standards with regard to the templates and structure of the disclosure of specific information by supervisory authorities in accordance with Directive 2009/138/EC of the European Parliament and of the Council (OJ L 347, 31.12.2015, p. 1224).
- The provisions of the Implementing Regulation shall, for the purposes of this Agreement, be read with the following adaptation:
- In Article 1, as regards the EFTA States:
- (i) point (a) shall not apply;
 - (ii) in point (b), the words “Union law” shall be replaced by “the EEA Agreement”.
- 1r. **32015 R 2452:** Commission Implementing Regulation (EU) 2015/2452 of 2 December 2015 laying down implementing technical standards with regard to the procedures, formats and templates of the solvency and financial condition report in accordance with Directive 2009/138/EC of the European Parliament and of the Council (OJ L 347, 31.12.2015, p. 1285).
- 1s. **32016 R 0165:** Commission Implementing Regulation (EU) 2016/165 of 5 February 2016 laying down technical information for the calculation of technical provisions and basic own funds for reporting with reference dates from 1 January until 30 March 2016 in accordance with Directive 2009/138/EC of the European Parliament and of the Council (Solvency II) (OJ L 32, 9.2.2016, p. 31).
- 1t. **32016 R 0869:** Commission Implementing Regulation (EU) 2016/869 of 27 May 2016 laying down technical information for the calculation of technical provisions and basic own funds for reporting with reference dates from 31 March until 29 June

2016 in accordance with Directive 2009/138/EC of the European Parliament and of the Council on the taking-up and pursuit of the business of Insurance and Reinsurance (OJ L 147, 3.6.2016, p. 1).

- 1u. **32016 R 1376:** Commission Implementing Regulation (EU) 2016/1376 of 8 August 2016 laying down technical information for the calculation of technical provisions and basic own funds for reporting with reference dates from 30 June until 29 September 2016 in accordance with Directive 2009/138/EC of the European Parliament and of the Council on the taking-up and pursuit of the business of Insurance and Reinsurance (OJ L 224, 18.8.2016, p. 1).
- 1v. **32016 R 1630:** Commission Implementing Regulation (EU) 2016/1630 of 9 September 2016 laying down implementing technical standards with regard to the procedures for the application of the transitional measure for the equity risk sub-module in accordance with Directive 2009/138/EC of the European Parliament and of the Council (OJ L 243, 10.9.2016, p. 1).
- 1w. **32016 R 1800:** Commission Implementing Regulation (EU) 2016/1800 of 11 October 2016 laying down implementing technical standards with regard to the allocation of credit assessments of external credit assessment institutions to an objective scale of credit quality steps in accordance with Directive 2009/138/EC of the European Parliament and of the Council (OJ L 275, 12.10.2016, p. 19).
- 1x. **32016 R 1976:** Commission Implementing Regulation (EU) 2016/1976 of 10 November 2016 laying down technical information for the calculation of technical provisions and basic own funds for reporting with reference dates from 30 September until 30 December 2016 in accordance with Directive 2009/138/EC of the European Parliament and of the Council on the taking-up and pursuit of the business of Insurance and Reinsurance (OJ L 309, 16.11.2016, p. 1).

Article 2

The texts of Delegated Regulations (EU) 2015/35, as corrected by OJ L 307, 25.11.2015, p. 31, (EU) 2016/467, (EU) 2016/2283 and (EU) 2017/669, Implementing Regulations (EU) 2015/460, (EU) 2015/461, (EU) 2015/462, (EU) 2015/498, (EU) 2015/499, (EU) 2015/500, (EU) 2015/2011, (EU) 2015/2012, (EU) 2015/2013, (EU) 2015/2014, (EU) 2015/2015 (EU) 2015/2016, (EU) 2015/2017, (EU) 2015/2450, (EU) 2015/2451, (EU) 2015/2452, (EU) 2016/165, (EU) 2016/869, (EU) 2016/1376, (EU) 2016/1360, (EU) 2016/1800, (EU) 2016/1868 and (EU) 2016/1976 and Delegated Decisions (EU) 2015/1602, (EU) 2015/2290, as corrected by OJ L 328, 12.12.2015, p. 126, (EU) 2016/309 and (EU) 2016/310 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 24 March 2018, 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 the Decision of the EEA Joint Committee incorporating Directive 2014/51/EU of the European Parliament and of the Council into the EEA Agreement, whichever is the later.

* [No constitutional requirements indicated.] [Constitutional requirements indicated.]

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, 23 March 2018.

*For the EEA Joint Committee
The President*

Claude Maerten

*The Secretaries
to the EEA Joint Committee*

Dag Wernø Holter Vaclav Navratil

Provisional Text