

DECISION OF THE EEA JOINT COMMITTEE
No 81/2019

of 29 March 2019

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) No 183/2014 of 20 December 2013 supplementing Regulation (EU) No 575/2013 of the European Parliament and of the Council on prudential requirements for credit institutions and investment firms, with regard to regulatory technical standards for specifying the calculation of specific and general credit risk adjustments¹ is to be incorporated into the EEA Agreement.
- (2) Commission Delegated Regulation (EU) No 342/2014 of 21 January 2014 supplementing Directive 2002/87/EC of the European Parliament and of the Council and Regulation (EU) No 575/2013 of the European Parliament and of the Council with regard to regulatory technical standards for the application of the calculation methods of capital adequacy requirements for financial conglomerates² is to be incorporated into the EEA Agreement.
- (3) Commission Delegated Regulation (EU) No 523/2014 of 12 March 2014 supplementing Regulation (EU) No 575/2013 of the European Parliament and of the Council with regard to regulatory technical standards for determining what constitutes the close correspondence between the value of an institution's covered bonds and the value of the institution's assets³ is to be incorporated into the EEA Agreement.
- (4) Commission Delegated Regulation (EU) No 525/2014 of 12 March 2014 supplementing Regulation (EU) No 575/2013 of the European Parliament and of the Council with regard to regulatory technical standards for the definition of market⁴ is to be incorporated into the EEA Agreement.
- (5) Commission Delegated Regulation (EU) No 526/2014 of 12 March 2014 supplementing Regulation (EU) No 575/2013 of the European Parliament and of the Council with regard to regulatory technical standards for determining proxy spread and limited smaller portfolios for credit valuation adjustment risk⁵ is to be incorporated into the EEA Agreement.

¹ OJ L 57, 27.2.2014, p. 3.

² OJ L 100, 3.4.2014, p. 1.

³ OJ L 148, 20.5.2014, p. 4.

⁴ OJ L 148, 20.5.2014, p. 15.

⁵ OJ L 148, 20.5.2014, p. 17.

- (6) Commission Delegated Regulation (EU) No 527/2014 of 12 March 2014 supplementing Directive (EU) No 2013/36/EU of the European Parliament and of the Council with regard to regulatory technical standards specifying the classes of instruments that adequately reflect the credit quality of an institution as a going concern and are appropriate to be used for the purposes of variable remuneration⁶ is to be incorporated into the EEA Agreement.
- (7) Commission Delegated Regulation (EU) No 528/2014 of 12 March 2014 supplementing Regulation (EU) No 575/2013 of the European Parliament and of the Council with regard to regulatory technical standards for non-delta risk of options in the standardised market risk approach⁷, as corrected by OJ L 265, 5.9.2014, p. 32, is to be incorporated into the EEA Agreement.
- (8) Commission Delegated Regulation (EU) No 529/2014 of 12 March 2014 supplementing Regulation (EU) No 575/2013 of the European Parliament and of the Council with regard to regulatory technical standards for assessing the materiality of extensions and changes of the Internal Ratings Based Approach and the Advanced Measurement Approach⁸ is to be incorporated into the EEA Agreement.
- (9) Commission Delegated Regulation (EU) No 530/2014 of 12 March 2014 supplementing Directive 2013/36/EU of the European Parliament and of the Council with regard to regulatory technical standards further defining material exposures and thresholds for internal approaches to specific risk in the trading book⁹ is to be incorporated into the EEA Agreement.
- (10) Commission Delegated Regulation (EU) No 604/2014 of 4 March 2014 supplementing Directive 2013/36/EU of the European Parliament and of the Council with regard to regulatory technical standards with respect to qualitative and appropriate quantitative criteria to identify categories of staff whose professional activities have a material impact on an institution's risk profile¹⁰ is to be incorporated into the EEA Agreement.
- (11) Commission Delegated Regulation (EU) No 625/2014 of 13 March 2014 supplementing Regulation (EU) No 575/2013 of the European Parliament and of the Council by way of regulatory technical standards specifying the requirements for investor, sponsor, original lenders and originator institutions relating to exposures to transferred credit risk¹¹ is to be incorporated into the EEA Agreement.
- (12) Commission Delegated Regulation (EU) No 1152/2014 of 4 June 2014 supplementing Directive 2013/36/EU of the European Parliament and of the Council with regard to regulatory technical standards on the identification of the geographical location of the relevant credit exposures for calculating institution-specific countercyclical capital buffer rates¹² is to be incorporated into the EEA Agreement.
- (13) Commission Delegated Regulation (EU) 2015/942 of 4 March 2015 amending Delegated Regulation (EU) No 529/2014 supplementing Regulation (EU) No

⁶ OJ L 148, 20.5.2014, p. 21.

⁷ OJ L 148, 20.5.2014, p. 29.

⁸ OJ L 148, 20.5.2014, p. 36.

⁹ OJ L 148, 20.5.2014, p. 50.

¹⁰ OJ L 167, 6.6.2014, p. 30.

¹¹ OJ L 174, 13.6.2014, p. 16.

¹² OJ L 309, 30.10.2014, p. 5.

575/2013 of the European Parliament and of the Council as regards regulatory technical standards for assessing the materiality of extensions and changes of internal approaches when calculating own funds requirements for market risk¹³ is to be incorporated into the EEA Agreement.

- (14) Commission Delegated Regulation (EU) 2015/1798 of 2 July 2015 correcting Delegated Regulation (EU) No 625/2014 supplementing Regulation (EU) No 575/2013 of the European Parliament and of the Council by way of regulatory technical standards specifying the requirements for investor, sponsor, original lenders and originator institutions relating to exposures to transferred credit risk¹⁴ is to be incorporated into the EEA Agreement.
- (15) Commission Delegated Regulation (EU) 2016/861 of 18 February 2016 correcting Commission Delegated Regulation (EU) No 528/2014 supplementing Regulation (EU) No 575/2013 of the European Parliament and of the Council with regard to regulatory technical standards for non-delta risk of options in the standardised market risk approach and correcting Commission Delegated Regulation (EU) No 604/2014 supplementing Directive 2013/36/EU of the European Parliament and of the Council with regard to regulatory technical standards with respect to qualitative and appropriate quantitative criteria to identify categories of staff whose professional activities have a material impact on an institution's risk profile¹⁵ is to be incorporated into the EEA Agreement.
- (16) Commission Implementing Regulation (EU) No 1423/2013 of 20 December 2013 laying down implementing technical standards with regard to disclosure of own funds requirements for institutions according to Regulation (EU) No 575/2013 of the European Parliament and of the Council¹⁶ is to be incorporated into the EEA Agreement.
- (17) Commission Implementing Regulation (EU) No 591/2014 of 3 June 2014 on the extension of the transitional periods related to own funds requirements for exposures to central counterparties in Regulation (EU) No 575/2013 and Regulation (EU) No 648/2012 of the European Parliament and of the Council¹⁷ is to be incorporated into the EEA Agreement.
- (18) Commission Implementing Regulation (EU) No 602/2014 of 4 June 2014 laying down implementing technical standards for facilitating the convergence of supervisory practices with regard to the implementation of additional risk weights according to Regulation (EU) No 575/2013 of the European Parliament and of the Council¹⁸ is to be incorporated into the EEA Agreement.
- (19) Commission Implementing Regulation (EU) No 650/2014 of 4 June 2014 laying down implementing technical standards with regard to the format, structure, contents list and annual publication date of the information to be disclosed by competent authorities in

¹³ OJ L 154, 19.6.2015, p. 1.

¹⁴ OJ L 263, 8.10.2015, p. 12.

¹⁵ OJ L 144, 1.6.2016, p. 21.

¹⁶ OJ L 355, 31.12.2013, p. 60.

¹⁷ OJ L 165, 4.6.2014, p. 31.

¹⁸ OJ L 166, 5.6.2014, p. 22.

accordance with Directive 2013/36/EU of the European Parliament and of the Council¹⁹ is to be incorporated into the EEA Agreement.

(20) 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 is inserted after point 14af (Commission Delegated Regulation (EU) 2016/101):

‘14ag. **32013 R 1423:** Commission Implementing Regulation (EU) No 1423/2013 of 20 December 2013 laying down implementing technical standards with regard to disclosure of own funds requirements for institutions according to Regulation (EU) No 575/2013 of the European Parliament and of the Council (OJ L 355, 31.12.2013, p. 60).

14ah. **32014 R 0183:** Commission Delegated Regulation (EU) No 183/2014 of 20 December 2013 supplementing Regulation (EU) No 575/2013 of the European Parliament and of the Council on prudential requirements for credit institutions and investment firms, with regard to regulatory technical standards for specifying the calculation of specific and general credit risk adjustments (OJ L 57, 27.2.2014, p. 3).

14ai. **32014 R 0523:** Commission Delegated Regulation (EU) No 523/2014 of 12 March 2014 supplementing Regulation (EU) No 575/2013 of the European Parliament and of the Council with regard to regulatory technical standards for determining what constitutes the close correspondence between the value of an institution's covered bonds and the value of the institution's assets (OJ L 148, 20.5.2014, p. 4).

14aj. **32014 R 0525:** Commission Delegated Regulation (EU) No 525/2014 of 12 March 2014 supplementing Regulation (EU) No 575/2013 of the European Parliament and of the Council with regard to regulatory technical standards for the definition of market (OJ L 148, 20.5.2014, p. 15).

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

In Article 1(b), the words “, EFTA States” shall be inserted after the words “non-euro Member States”.

14ak. **32014 R 0526:** Commission Delegated Regulation (EU) No 526/2014 of 12 March 2014 supplementing Regulation (EU) No 575/2013 of the European Parliament and of the Council with regard to regulatory technical standards for determining proxy spread and limited smaller portfolios for credit valuation adjustment risk (OJ L 148, 20.5.2014, p. 17).

14al. **32014 R 0528:** Commission Delegated Regulation (EU) No 528/2014 of 12 March 2014 supplementing Regulation (EU) No 575/2013 of the European

¹⁹ OJ L 185, 25.6.2014, p. 1.

Parliament and of the Council with regard to regulatory technical standards for non-delta risk of options in the standardised market risk approach (OJ L 148, 20.5.2014, p. 29), as corrected by OJ L 265, 5.9.2014, p. 32, as amended by:

- **32016 R 0861:** Commission Delegated Regulation (EU) 2016/861 of 18 February 2016 (OJ L 144, 1.6.2016, p. 21).

14am. **32014 R 0529:** Commission Delegated Regulation (EU) No 529/2014 of 12 March 2014 supplementing Regulation (EU) No 575/2013 of the European Parliament and of the Council with regard to regulatory technical standards for assessing the materiality of extensions and changes of the Internal Ratings Based Approach and the Advanced Measurement Approach (OJ L 148, 20.5.2014, p. 36), as amended by:

- **32015 R 0942:** Commission Delegated Regulation (EU) 2015/942 (OJ L 154, 19.6.2015, p. 1).

14an. **32014 R 0591:** Commission Implementing Regulation (EU) No 591/2014 of 3 June 2014 on the extension of the transitional periods related to own funds requirements for exposures to central counterparties in Regulation (EU) No 575/2013 and Regulation (EU) No 648/2012 of the European Parliament and of the Council (OJ L 165, 4.6.2014, p. 31).

14ao. **32014 R 0602:** Commission Implementing Regulation (EU) No 602/2014 of 4 June 2014 laying down implementing technical standards for facilitating the convergence of supervisory practices with regard to the implementation of additional risk weights according to Regulation (EU) No 575/2013 of the European Parliament and of the Council (OJ L 166, 5.6.2014, p. 22).

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

In Article 1(6):

- (i) The words “on or after 1 January 2011 and before 1 January 2014” shall be replaced by “during the three years prior to the date of entry into force of Decision of the EEA Joint Committee No 79/2019 of 29 March 2019”;
- (ii) The words “31 December 2013” shall be replaced by “the date of entry into force of Decision of the EEA Joint Committee No 79/2019 of 29 March 2019”.

14ap. **32014 R 0625:** Commission Delegated Regulation (EU) No 625/2014 of 13 March 2014 supplementing Regulation (EU) No 575/2013 of the European Parliament and of the Council by way of regulatory technical standards specifying the requirements for investor, sponsor, original lenders and originator institutions relating to exposures to transferred credit risk (OJ L 174, 13.6.2014, p. 16), as amended by:

- **32015 R 1798:** Commission Delegated Regulation (EU) 2015/1798 (OJ L 263, 8.10.2015, p. 12).’

2. The following is inserted after point 14f (Commission Implementing Regulation (EU) 2016/99):

‘14g. **32014 R 0527:** Commission Delegated Regulation (EU) No 527/2014 of 12 March 2014 supplementing Directive (EU) No 2013/36/EU of the European Parliament and of the Council with regard to regulatory technical standards

specifying the classes of instruments that adequately reflect the credit quality of an institution as a going concern and are appropriate to be used for the purposes of variable remuneration (OJ L 148, 20.5.2014, p. 21).

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

In point (i) of Article 2(c), as regards the EFTA States, the words “the annual average rate of change for the Union” shall read “the annual average rate of change for the EEA”.

- 14h. **32014 R 0530:** Commission Delegated Regulation (EU) No 530/2014 of 12 March 2014 supplementing Directive 2013/36/EU of the European Parliament and of the Council with regard to regulatory technical standards further defining material exposures and thresholds for internal approaches to specific risk in the trading book (OJ L 148, 20.5.2014, p. 50).
- 14i. **32014 R 0604:** Commission Delegated Regulation (EU) No 604/2014 of 4 March 2014 supplementing Directive 2013/36/EU of the European Parliament and of the Council with regard to regulatory technical standards with respect to qualitative and appropriate quantitative criteria to identify categories of staff whose professional activities have a material impact on an institution's risk profile (OJ L 167, 6.6.2014, p. 30), as amended by:
- **32016 R 0861:** Commission Delegated Regulation (EU) 2016/861 of 18 February 2016 (OJ L 144, 1.6.2016, p. 21).
- 14j. **32014 R 0650:** Commission Implementing Regulation (EU) No 650/2014 of 4 June 2014 laying down implementing technical standards with regard to the format, structure, contents list and annual publication date of the information to be disclosed by competent authorities in accordance with Directive 2013/36/EU of the European Parliament and of the Council (OJ L 185, 25.6.2014, p. 1).

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

- (a) In Article 2, as regards the EFTA States, the words “Union law” shall be replaced by “legislation applicable pursuant to the EEA Agreement”.
 - (b) In the first paragraph of Article 5, as regards the EFTA States, the words “by 31 July 2014” shall read “within six months after the date of entry into force of Decision of the EEA Joint Committee No 79/2019 of 29 March 2019”.
- 14k. **32014 R 1152:** Commission Delegated Regulation (EU) No 1152/2014 of 4 June 2014 supplementing Directive 2013/36/EU of the European Parliament and of the Council with regard to regulatory technical standards on the identification of the geographical location of the relevant credit exposures for calculating institution-specific countercyclical capital buffer rates (OJ L 309, 30.10.2014, p. 5).’
3. The following is inserted after point 31ea (Directive 2002/87/EC of the European Parliament and of the Council):
- ‘31eaa. **32014 R 0342:** Commission Delegated Regulation (EU) No 342/2014 of 21 January 2014 supplementing Directive 2002/87/EC of the European Parliament

and of the Council and Regulation (EU) No 575/2013 of the European Parliament and of the Council with regard to regulatory technical standards for the application of the calculation methods of capital adequacy requirements for financial conglomerates (OJ L 100, 3.4.2014, p. 1).’

Article 2

The texts of Delegated Regulations (EU) No 183/2014, (EU) No 342/2014, (EU) No 523/2014, (EU) No 525/2014, (EU) No 526/2014, (EU) No 527/2014, (EU) No 528/2014, (EU) No 529/2014, (EU) No 530/2014, (EU) No 604/2014, (EU) No 625/2014, (EU) No 1152/2014, (EU) 2015/942, (EU) 2015/1798 and (EU) 2016/861 and Implementing Regulations (EU) No 1423/2013, (EU) No 591/2014, (EU) No 602/2014 and (EU) No 650/2014 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 30 March 2019, 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 79/2019 of 29 March 2019²⁰, 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, 29 March 2019.

*For the EEA Joint Committee
The President*

Claude Maerten

*The Secretaries
to the EEA Joint Committee*

Hege M. Hoff

Mikołaj Karłowski

* No constitutional requirements indicated.
²⁰ OJ L ...