

**DECISION OF THE EEA JOINT COMMITTEE**  
**No 187/2019**

**of 10 July 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) 2016/778 of 2 February 2016 supplementing Directive 2014/59/EU of the European Parliament and of the Council with regard to the circumstances and conditions under which the payment of extraordinary ex post contributions may be partially or entirely deferred, and on the criteria for the determination of the activities, services and operations with regard to critical functions, and for the determination of the business lines and associated services with regard to core business lines<sup>1</sup> is to be incorporated into the EEA Agreement.
- (2) Commission Delegated Regulation (EU) 2016/1401 of 23 May 2016 supplementing Directive 2014/59/EU of the European Parliament and of the Council establishing a framework for the recovery and resolution of credit institutions and investment firms with regard to regulatory technical standards for methodologies and principles on the valuation of liabilities arising from derivatives<sup>2</sup> is to be incorporated into the EEA Agreement.
- (3) Commission Delegated Regulation (EU) 2017/867 of 7 February 2017 on classes of arrangements to be protected in a partial property transfer under Article 76 of Directive 2014/59/EU of the European Parliament and of the Council<sup>3</sup> is to be incorporated into the EEA Agreement.
- (4) Commission Delegated Regulation (EU) 2018/344 of 14 November 2017 supplementing Directive 2014/59/EU of the European Parliament and of the Council with regard to regulatory technical standards specifying the criteria relating to the methodologies for valuation of difference in treatment in resolution<sup>4</sup> is to be incorporated into the EEA Agreement.
- (5) Commission Delegated Regulation (EU) 2018/345 of 14 November 2017 supplementing Directive 2014/59/EU of the European Parliament and of the Council with regard to regulatory technical standards specifying the criteria relating to the methodology for assessing the value of assets and liabilities of institutions or entities<sup>5</sup> is to be incorporated into the EEA Agreement.

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<sup>1</sup> OJ L 131, 20.5.2016, p. 41.

<sup>2</sup> OJ L 228, 23.8.2016, p. 7.

<sup>3</sup> OJ L 131, 20.5.2017, p. 15.

<sup>4</sup> OJ L 67, 9.3.2018, p. 3.

<sup>5</sup> OJ L 67, 9.3.2018, p. 8.

- (6) Commission Implementing Regulation (EU) 2018/308 of 1 March 2018 laying down implementing technical standards for Directive 2014/59/EU of the European Parliament and of the Council with regard to formats, templates and definitions for the identification and transmission of information by resolution authorities for the purposes of informing the European Banking Authority of the minimum requirement for own funds and eligible liabilities<sup>6</sup> is to be incorporated into the EEA Agreement.
- (7) Annex IX to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

*Article 1*

The following points are inserted after point 19bh (Commission Delegated Regulation (EU) 2016/1712) of Annex IX to the EEA Agreement:

- ‘19bi. **32016 R 0778**: Commission Delegated Regulation (EU) 2016/778 of 2 February 2016 supplementing Directive 2014/59/EU of the European Parliament and of the Council with regard to the circumstances and conditions under which the payment of extraordinary ex post contributions may be partially or entirely deferred, and on the criteria for the determination of the activities, services and operations with regard to critical functions, and for the determination of the business lines and associated services with regard to core business lines (OJ L 131, 20.5.2016, p. 41).
- 19bj. **32016 R 1401**: Commission Delegated Regulation (EU) 2016/1401 of 23 May 2016 supplementing Directive 2014/59/EU of the European Parliament and of the Council establishing a framework for the recovery and resolution of credit institutions and investment firms with regard to regulatory technical standards for methodologies and principles on the valuation of liabilities arising from derivatives (OJ L 228, 23.8.2016, p. 7).
- 19bk. **32017 R 0867**: Commission Delegated Regulation (EU) 2017/867 of 7 February 2017 on classes of arrangements to be protected in a partial property transfer under Article 76 of Directive 2014/59/EU of the European Parliament and of the Council (OJ L 131, 20.5.2017, p. 15).
- 19bl. **32018 R 0308**: Commission Implementing Regulation (EU) 2018/308 of 1 March 2018 laying down implementing technical standards for Directive 2014/59/EU of the European Parliament and of the Council with regard to formats, templates and definitions for the identification and transmission of information by resolution authorities for the purposes of informing the European Banking Authority of the minimum requirement for own funds and eligible liabilities (OJ L 60, 2.3.2018, p. 7).
- 19bm. **32018 R 0344**: Commission Delegated Regulation (EU) 2018/344 of 14 November 2017 supplementing Directive 2014/59/EU of the European Parliament and of the Council with regard to regulatory technical standards specifying the criteria relating to the methodologies for valuation of difference in treatment in resolution (OJ L 67, 9.3.2018, p. 3).
- 19bn. **32018 R 0345**: Commission Delegated Regulation (EU) 2018/345 of 14 November 2017 supplementing Directive 2014/59/EU of the European Parliament and of the Council with regard to regulatory technical standards specifying the criteria relating

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<sup>6</sup> OJ L 60, 2.3.2018, p. 7.

to the methodology for assessing the value of assets and liabilities of institutions or entities (OJ L67, 9.3.2018, p. 8).<sup>7</sup>

#### *Article 2*

The texts of Delegated Regulations (EU) 2016/778, (EU) 2016/1401, (EU) 2017/867, (EU) 2018/344, (EU) 2018/345 and of Implementing Regulation (EU) 2018/308 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 11 July 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 21/2018 of 9 February 2018<sup>7</sup> 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, 10 July 2019.

*For the EEA Joint Committee  
The President*

*Gunnar Pálsson*

*The Secretaries  
to the EEA Joint Committee*

*Hege M. Hoff*

*Mikołaj Karłowski*

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\* [No constitutional requirements indicated.]

<sup>7</sup> OJ L 60, 28.2.2019, p. 34