

DECISION OF THE EEA JOINT COMMITTEE
No 19/2020

of 7 February 2020

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) 2015/760 of the European Parliament and of the Council of 29 April 2015 on European long-term investment funds¹ is to be incorporated into the EEA Agreement.
- (2) Commission Delegated Regulation (EU) 2018/480 of 4 December 2017 supplementing Regulation (EU) 2015/760 of the European Parliament and of the Council with regard to regulatory technical standards on financial derivative instruments solely serving hedging purposes, sufficient length of the life of the European long-term investment funds, assessment criteria for the market for potential buyers and valuation of the assets to be divested, and the types and characteristics of the facilities available to retail investors² is to be incorporated into the EEA Agreement.
- (3) Annex IX to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following points are inserted after point 31bfh (Commission Delegated Regulation (EU) 2018/1229) of Annex IX to the EEA Agreement:

‘31bgc. **32015 R 0760**: Regulation (EU) 2015/760 of the European Parliament and of the Council of 29 April 2015 on European long-term investment funds (OJ L 123, 19.5.2015, p. 98).

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.

¹ OJ L 123, 19.5.2015, p. 98.

² OJ L 81, 23.3.2018, p. 1.

(b) In Article 35(3) and (4), the words “or, as the case may be, the EFTA Surveillance Authority” shall be inserted after the word “ESMA”.

31bgca. **32018 R 0480**: Commission Delegated Regulation (EU) 2018/480 of 4 December 2017 supplementing Regulation (EU) 2015/760 of the European Parliament and of the Council with regard to regulatory technical standards on financial derivative instruments solely serving hedging purposes, sufficient length of the life of the European long-term investment funds, assessment criteria for the market for potential buyers and valuation of the assets to be divested, and the types and characteristics of the facilities available to retail investors (OJ L 81, 23.3.2018, p. 1)

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

In Article 6(2), as regards the EFTA States, the words “1 May 2019” shall read “one year after the date of entry into force of Decision of the EEA Joint Committee No 19/2020 of 7 February 2020”.’

Article 2

The texts of Regulation (EU) 2015/760 and Delegated Regulation (EU) 2018/480 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 8 February 2020, 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, 7 February 2020.

*For the EEA Joint Committee
The President*

Clara Ganslandt

*The Secretaries
To the EEA Joint Committee*

* [Constitutional requirements indicated.]

Not yet published