

DECISION OF THE EEA JOINT COMMITTEE

No 64/2018

of 23 March 2018

amending Annex IX (Financial services) to the EEA Agreement [2020/81]

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) No 345/2013 of the European Parliament and of the Council of 17 April 2013 on European venture capital funds ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Regulation (EU) No 346/2013 of the European Parliament and of the Council of 17 April 2013 on European social entrepreneurship funds ⁽²⁾ is to be incorporated into the EEA Agreement.
- (3) Commission Implementing Regulation (EU) No 593/2014 of 3 June 2014 laying down implementing technical standards with regard to the format of the notification according to Article 16(1) of Regulation (EU) No 345/2013 of the European Parliament and of the Council on European venture capital funds ⁽³⁾ is to be incorporated into the EEA Agreement.
- (4) Commission Implementing Regulation (EU) No 594/2014 of 3 June 2014 laying down implementing technical standards with regard to the format of the notification according to Article 17(1) of Regulation (EU) No 346/2013 of the European Parliament and of the Council on European social entrepreneurship funds ⁽⁴⁾ is to be incorporated into the EEA Agreement.
- (5) Annex IX to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following is inserted after point 31bca (Commission Implementing Decision (EU) 2015/2042) of Annex IX to the EEA Agreement:

- '31bd. **32013 R 0345**: Regulation (EU) No 345/2013 of the European Parliament and of the Council of 17 April 2013 on European venture capital funds (OJ L 115, 25.4.2013, p. 1).

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.
- (b) In Articles 22 and 23, the words "or, as the case may be, the EFTA Surveillance Authority" shall be inserted after the word "ESMA".

⁽¹⁾ OJ L 115, 25.4.2013, p. 1.

⁽²⁾ OJ L 115, 25.4.2013, p. 18.

⁽³⁾ OJ L 165, 4.6.2014, p. 41.

⁽⁴⁾ OJ L 165, 4.6.2014, p. 44.

- (c) In Article 23(2), the words “Union law” shall be replaced by the words “provisions of the EEA Agreement”.
- (d) In Article 24, the words “ESMA, which” shall be replaced by the words “ESMA. ESMA or, as the case may be, the EFTA Surveillance Authority”.
- 31bda. **32014 R 0593**: Commission Implementing Regulation (EU) No 593/2014 of 3 June 2014 laying down implementing technical standards with regard to the format of the notification according to Article 16(1) of Regulation (EU) No 345/2013 of the European Parliament and of the Council on European venture capital funds (OJ L 165, 4.6.2014, p. 41).
- 31be. **32013 R 0346**: Regulation (EU) No 346/2013 of the European Parliament and of the Council of 17 April 2013 on European social entrepreneurship funds (OJ L 115, 25.4.2013, p. 18).
- 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.
- (b) In Articles 23 and 24, the words “or, as the case may be, the EFTA Surveillance Authority” shall be inserted after the word “ESMA”.
- (c) In Article 24(2), the words “Union law” shall be replaced by the words “provisions of the EEA Agreement”.
- (d) In Article 25, the words “ESMA, which” shall be replaced by the words “ESMA. ESMA or, as the case may be, the EFTA Surveillance Authority”.
- 31bea. **32014 R 0594**: Commission Implementing Regulation (EU) No 594/2014 of 3 June 2014 laying down implementing technical standards with regard to the format of the notification according to Article 17(1) of Regulation (EU) No 346/2013 of the European Parliament and of the Council on European social entrepreneurship funds (OJ L 165, 4.6.2014, p. 44).’

Article 2

The texts of Regulations (EU) No 345/2013 and (EU) No 346/2013 and Implementing Regulations (EU) No 593/2014 and (EU) No 594/2014 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 24 March 2018, 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, 23 March 2018.

For the EEA Joint Committee
The President
Claude MAERTEN

(*) Constitutional requirements indicated.