

DECISION OF THE EEA JOINT COMMITTEE
No 117/2021

of 19 March 2021

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) 2021/236 of 21 December 2020 amending technical standards laid down in Delegated Regulation (EU) 2016/2251 as regards to the timing of when certain risk management procedures will start to apply for the purpose of the exchange of collateral¹ is to be incorporated into the EEA Agreement.
- (2) Commission Delegated Regulation (EU) 2021/237 of 21 December 2020 amending regulatory technical standards laid down in Delegated Regulations (EU) 2015/2205, (EU) 2016/592 and (EU) 2016/1178 as regards the date at which the clearing obligation takes effect for certain types of contracts² 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

Annex IX to the EEA Agreement shall be amended as follows:

1. Point 31bcp (Commission Delegated Regulation (EU) 2015/2205) is amended as follows:
 - (i) The following indent is added:

‘- **32021 R 0237**: Commission Delegated Regulation (EU) 2021/237 of 21 December 2020 (OJ L 56, 17.2.2021, p. 6).’
 - (ii) The text of adaptation (b)(iii) is replaced by the following:

‘as regards the EFTA States, the text of point (b) in the first subparagraph of paragraph 2 shall read as follows:

“the later of the following dates in case an equivalence decision adopted pursuant to Article 13(2) of Regulation (EU) No 648/2012 for the purposes of Article 4 of that Regulation covering the OTC derivative contracts referred to in the Annex to this Regulation in respect of the relevant third country applies in the EEA:

¹ OJ L 56, 17.2.2021, p. 1.

² OJ L 56, 17.2.2021, p. 6.

- (i) 60 days after the date of entry into force of the decision of the EEA Joint Committee containing the decision adopted pursuant to Article 13(2) of Regulation (EU) No 648/2012 for the purposes of Article 4 of that Regulation covering the OTC derivative contracts referred to in the Annex to this Regulation in respect of the relevant third country;
 - (ii) the date when the clearing obligation takes effect pursuant to paragraph 1”.’
 - (iii) Adaptation (c) is deleted.
- 2. Point 31bcq (Commission Delegated Regulation (EU) 2016/592) is amended as follows:
 - (i) The following indent is added:
 - ‘- **32021 R 0237**: Commission Delegated Regulation (EU) 2021/237 of 21 December 2020 (OJ L 56, 17.2.2021, p. 6).’
 - (ii) The text of adaptation (b)(iii) is replaced by the following:
 - ‘as regards the EFTA States, the text of point (b) in the first subparagraph of paragraph 2 shall read as follows:
 - “the later of the following dates in case an equivalence decision adopted pursuant to Article 13(2) of Regulation (EU) No 648/2012 for the purposes of Article 4 of that Regulation covering the OTC derivative contracts referred to in the Annex to this Regulation in respect of the relevant third country applies in the EEA:
 - (i) 60 days after the date of entry into force of the decision of the EEA Joint Committee containing the decision adopted pursuant to Article 13(2) of Regulation (EU) No 648/2012 for the purposes of Article 4 of that Regulation covering the OTC derivative contracts referred to in the Annex to this Regulation in respect of the relevant third country;
 - (ii) the date when the clearing obligation takes effect pursuant to paragraph 1”.’
 - (iii) Adaptation (c) is deleted.
- 3. Point 31bcr (Commission Delegated Regulation (EU) 2016/1178) is amended as follows:
 - (i) The following indent is added:
 - ‘- **32021 R 0237**: Commission Delegated Regulation (EU) 2021/237 of 21 December 2020 (OJ L 56, 17.2.2021, p. 6).’
 - (ii) The text of adaptation (b)(iii) is replaced by the following:
 - ‘as regards the EFTA States, the text of point (b) in the first subparagraph of paragraph 2 shall read as follows:
 - “the later of the following dates in case an equivalence decision adopted pursuant to Article 13(2) of Regulation (EU) No 648/2012 for the purposes of Article 4 of that Regulation covering the OTC derivative contracts referred to in the Annex to this Regulation in respect of the relevant third country applies in the EEA:

- (i) 60 days after the date of entry into force of the decision of the EEA Joint Committee containing the decision adopted pursuant to Article 13(2) of Regulation (EU) No 648/2012 for the purposes of Article 4 of that Regulation covering the OTC derivative contracts referred to in the Annex to this Regulation in respect of the relevant third country;
 - (ii) the date when the clearing obligation takes effect pursuant to paragraph 1”.’
 - (iii) Adaptation (c) is deleted.
4. Point 31bcs (Commission Delegated Regulation (EU) 2016/2251) is amended as follows:
- (i) The following indent is added:
 - ‘- **32021 R 0236:** Commission Delegated Regulation (EU) 2021/236 of 21 December 2020 (OJ L 56, 17.2.2021, p. 1).’
 - (ii) The text of adaptation (a) is replaced by the following:
 - ‘In Article 35, as regards the EFTA States:
 - (i) the words “16 August 2012” shall read “1 July 2017”;
 - (ii) the words “18 February 2021” shall read “the date of entry into force of Decision of the EEA Joint Committee No 117/2021 of 19 March 2021”.’

Article 2

The texts of Delegated Regulations (EU) 2021/236 and (EU) 2021/237 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 20 March 2021, 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, 19 March 2021.

*For the EEA Joint Committee
The President*

Clara Ganslandt

* No constitutional requirements indicated.

*The Secretaries
To the EEA Joint Committee*

Hege M. Hoff

Mikołaj Karłowski

Not yet published