

DECISION OF THE EEA JOINT COMMITTEE No 142/2022
of 29 April 2022
amending Annex IX (Financial services) to the EEA Agreement [2022/1586]

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) 2021/539 of 11 February 2021 amending Delegated Regulation (EU) No 1222/2014 supplementing Directive 2013/36/EU of the European Parliament and of the Council with regard to regulatory technical standards for the specification of the methodology for the identification of global systemically important institutions and for the definition of subcategories of global systemically important institutions ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Commission Delegated Regulation (EU) 2021/923 of 25 March 2021 supplementing Directive 2013/36/EU of the European Parliament and of the Council with regard to regulatory technical standards setting out the criteria to define managerial responsibility, control functions, material business units and a significant impact on a material business unit’s risk profile, and setting out criteria for identifying staff members or categories of staff whose professional activities have an impact on the institution’s risk profile that is comparably as material as that of staff members or categories of staff referred to in Article 92(3) of that Directive ⁽²⁾ is to be incorporated into the EEA Agreement.
- (3) Delegated Regulation (EU) 2021/923 repeals Commission Delegated Regulation (EU) No 604/2014 ⁽³⁾, which is incorporated into the EEA Agreement and which is consequently to be repealed under the EEA Agreement.
- (4) 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 text of point 14i (Commission Delegated Regulation (EU) No 604/2014) is replaced by the following:

‘32021 R 0923: Commission Delegated Regulation (EU) 2021/923 of 25 March 2021 supplementing Directive 2013/36/EU of the European Parliament and of the Council with regard to regulatory technical standards setting out the criteria to define managerial responsibility, control functions, material business units and a significant impact on a material business unit’s risk profile, and setting out criteria for identifying staff members or categories of staff whose professional activities have an impact on the institution’s risk profile that is comparably as material as that of staff members or categories of staff referred to in Article 92(3) of that Directive (OJ L 203, 9.6.2021, p. 1).’

- (2) The following indent is added in point 14l (Commission Delegated Regulation (EU) No 1222/2014):

‘— **32021 R 0539:** Commission Delegated Regulation (EU) 2021/539 of 11 February 2021 (OJ L 108, 29.3.2021, p. 10).’

⁽¹⁾ OJ L 108, 29.3.2021, p. 10.

⁽²⁾ OJ L 203, 9.6.2021, p. 1.

⁽³⁾ OJ L 167, 6.6.2014, p. 30.

Article 2

The texts of Delegated Regulations (EU) 2021/539 and (EU) 2021/923 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 April 2022, 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 383/2021 of 10 December 2021 †), 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 April 2022.

For the EEA Joint Committee
The President
Nicolas VON LINGEN

(*) No constitutional requirements indicated.

(†) Not yet published in the Official Journal.