



C/2024/3641

6.6.2024

Action brought on 25 April 2024 by the EFTA Surveillance Authority against Iceland

(Case E-9/24)

(C/2024/3641)

An action against Iceland was brought before the EFTA Court on 25 April 2024 by the EFTA Surveillance Authority, represented by Hildur Hjörvar, Sigrún Ingibjörg Gísladóttir and Melpo-Menie Joséphidès, acting as Agents of the EFTA Surveillance Authority, Avenue de Arts 19H, 1000 Brussels, Belgium.

The EFTA Surveillance Authority requests the EFTA Court to:

1. Declare that Iceland has failed to fulfil its obligations under the Act referred to at point 1c of Chapter A of Annex VII to the EEA Agreement (*Directive (EU) 2018/958 of the European Parliament and of the Council of 28 June 2018 on a proportionality test before adoption of new regulation of professions*), as adapted by Protocol 1 to the EEA Agreement, and under Article 7 of the EEA Agreement, by failing to adopt the measures necessary to implement the Act within the time prescribed, or in any event, by failing to inform the EFTA Surveillance Authority thereof, and
2. Order Iceland to bear the costs of these proceedings.

Legal and factual background and pleas in law adduced in support:

- By this application, the EFTA Surveillance Authority ('ESA') seeks a declaration from the Court that Iceland has failed to fulfil its obligations under the Act referred to at point 1c of Chapter A of Annex VII to the EEA Agreement, as adapted by Protocol 1 to that Agreement, and under Article 7 EEA, by failing to adopt the measures necessary to implement the Act within the time prescribed, or in any event, by failing to inform ESA thereof.
- In a reply dated 25 January 2024 to ESA's reasoned opinion of 6 December 2023, Iceland stated that the complexity of the issue at hand and unforeseen circumstances had delayed implementation.
- When the deadline for Iceland to comply with the reasoned opinion expired on 31 January 2024, ESA had received no notification that Iceland had implemented the Act. Nor was ESA in possession of any other information which indicated that the Act had been made part of Iceland's internal legal order.
- ESA notes that, at the point of lodging the present application, it had not been notified, and did not have any other information to suggest, that Iceland had implemented the Act into its national legal order.