

**DECISION OF THE EEA JOINT COMMITTEE****No 20/2018****of 9 February 2018****amending Annex IX (Financial services) to the EEA Agreement [2019/2056]**

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) Directive 2013/14/EU of the European Parliament and of the Council of 21 May 2013 amending Directive 2003/41/EC on the activities and supervision of institutions for occupational retirement provision, Directive 2009/65/EC on the coordination of laws, regulations and administrative provisions relating to undertakings for collective investment in transferable securities (UCITS) and Directive 2011/61/EU on Alternative Investment Funds Managers in respect of over-reliance on credit ratings<sup>(1)</sup> is to be incorporated into the EEA Agreement.
- (2) Directive 2014/91/EU of the European Parliament and of the Council of 23 July 2014 amending Directive 2009/65/EC on the coordination of laws, regulations and administrative provisions relating to undertakings for collective investment in transferable securities (UCITS) as regards depositary functions, remuneration policies and sanctions<sup>(2)</sup>, as corrected by OJ L 52, 27.2.2016, p. 37, 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. The following indents are added in point 30 (Directive 2009/65/EC of the European Parliament and of the Council):

— **32013 L 0014**: Directive 2013/14/EU of the European Parliament and of the Council of 21 May 2013 (OJ L 145, 31.5.2013, p. 1),

— **32014 L 0091**: Directive 2014/91/EU of the European Parliament and of the Council of 23 July 2014 (OJ L 257, 28.8.2014, p. 186), as corrected by OJ L 52, 27.2.2016, p. 37.'

2. The following adaptations are inserted in point 30 (Directive 2009/65/EC of the European Parliament and of the Council):

'(f) In Article 23(4), as regards the EFTA States, the words "18 March 2016" shall read "the date of entry into force of Decision of the EEA Joint Committee No 20/2018 of 9 February 2018" and the words "before 18 March 2018" shall read "within two years of the date of entry into force of Decision of the EEA Joint Committee No 20/2018 of 9 February 2018".

<sup>(1)</sup> OJ L 145, 31.5.2013, p. 1.

<sup>(2)</sup> OJ L 257, 28.8.2014, p. 186.

(g) In Article 99:

- (i) in paragraph 2, the words “and the EFTA Surveillance Authority, as the case may be,” shall be inserted after the word “ESMA”;
- (ii) in paragraph 6, as regards the EFTA States, the words “17 September 2014” shall read “the date of entry into force of Decision of the EEA Joint Committee No 20/2018 of 9 February 2018”;
- (iii) in paragraph 6, as regards the EFTA States, the words “the relevant Union law” shall read “the relevant provisions of the EEA Agreement”.

3. The following is added in point 31bb (Directive 2011/61/EU of the European Parliament and of the Council):

‘ as amended by:

— **32013 L 0014**: Directive 2013/14/EU of the European Parliament and of the Council of 21 May 2013 (OJ L 145, 31.5.2013, p. 1).’

4. The following indent is added in point 31d (Directive 2003/41/EC of the European Parliament and of the Council):

‘— **32013 L 0014**: Directive 2013/14/EU of the European Parliament and of the Council of 21 May 2013 (OJ L 145, 31.5.2013, p. 1).’

#### Article 2

The texts of Directives 2013/14/EU and 2014/91/EU, as corrected by OJ L 52, 27.2.2016, p. 37, 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 10 February 2018, 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 the Decision of the EEA Joint Committee incorporating Directive 2010/78/EC into the EEA Agreement, 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, 9 February 2018.

For the EEA Joint Committee  
The President  
Claude MAERTEN

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(\*) Constitutional requirements indicated.