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ANNEX

ANNEX

to the

Proposal for a COUNCIL DECISION

on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee, concerning the amendment to Annex IX (Financial services) and Protocol 37 (containing the list provided for in Article 101) to the EEA Agreement

(Participation of the EEA EFTA States in Member State Expert Group on Sustainable Finance)

ANNEX

DECISION OF THE EEA JOINT COMMITTEE

amending Annex IX (Financial services) and Protocol 37 (containing the list provided for in Article 101) 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) Regulation (EU) 2019/2088 of the European Parliament and of the Council of 27 November 2019 on sustainability-related disclosures in the financial services sector[1] is to be incorporated into the EEA Agreement.

(2) Regulation (EU) 2020/852 of the European Parliament and of the Council of 18 June 2020 on the establishment of a framework to facilitate sustainable investment, and amending Regulation (EU) 2019/2088[2] is to be incorporated into the EEA Agreement.

(3) Annex IX and Protocol 37 to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following is inserted after point 31nb (Commission Delegated Regulation (EU) 2019/1851) of Annex IX to the EEA Agreement:

'31o. **32019 R 2088**: Regulation (EU) 2019/2088 of the European Parliament and of the Council of 27 November 2019 on sustainability-related disclosures in the financial services sector (OJ L 317, 9.12.2019, p. 1), as amended by:

- 32020 R 0852: Regulation (EU) 2020/852 of the European Parliament and of the Council of 18 June 2020 (OJ L 198, 22.6.2020, p. 13).

The provisions of the Regulation shall, for the purposes of this Agreement, be read with the following adaptations:

(a) As regards the EFTA States, the derogations set out in Articles 4(3) and (4) shall apply from the date of entry into force of Decision of the EEA Joint Committee No …/… of [this decision] or a date designated under national law no later than 12 months thereafter.

(b) In Article 20, as regards the EFTA States:

(a) in the second paragraph, the words "from 10 March 2021" shall read "from the date of entry into force of Decision of the EEA Joint Committee No …/… of [this decision] or a date designated under national law no later than 12 months thereafter";

[1] OJ L 317, 9.12.2019, p. 1.
[2] OJ L 198, 22.6.2020, p. 13.

(b) in the third paragraph, the words “from 1 January 2022” shall read “from the date of entry into force of Decision of the EEA Joint Committee No …/… of [this decision] or a date designated under national law no later than 12 months thereafter”.

31p. 32020 R 0852: Regulation (EU) 2020/852 of the European Parliament and of the Council of 18 June 2020 on the establishment of a framework to facilitate sustainable investment, and amending Regulation (EU) 2019/2088 (OJ L 198, 22.6.2020, p. 13).

The provisions of the Regulation shall, for the purposes of this Agreement, be read with the following adaptations:

(a) In Article 13(1)(d), the words “Union law” shall be replaced by “the EEA Agreement”.

(b) In Article 27(2), as regards the EFTA States, the words “from 1 January 2022” shall read “from the date of entry into force of Decision of the EEA Joint Committee No …/… of [this decision] or a date designated under national law no later than 12 months thereafter”.’

Article 2

The following point is inserted in Protocol 37 to the EEA Agreement:

‘43. Member State Expert Group on Sustainable Finance (Regulation (EU) 2020/852).’

Article 3

The texts of Regulations (EU) 2019/2088 and (EU) 2020/852 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 4

This Decision shall enter into force on the day following the last notification under Article 103(1) of the EEA Agreement[*].

Article 5

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, […].

For the EEA Joint Committee
The President
[…]

The Secretaries
To the EEA Joint Committee

[*] [No constitutional requirements indicated.] [Constitutional requirements indicated.]

[...]