

DECISION OF THE EEA JOINT COMMITTEE No 214/2020
of 11 December 2020
amending Annex IX (Financial services) to the EEA Agreement [2023/2016]

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) 2017/1991 of the European Parliament and of the Council of 25 October 2017 amending Regulation (EU) No 345/2013 on European venture capital funds and Regulation (EU) No 346/2013 on European social entrepreneurship funds ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) 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 is added in point 31bd (Regulation (EU) No 345/2013 of the European Parliament and of the Council):

‘, as amended by:

- **32017 R 1991**: Regulation (EU) 2017/1991 of the European Parliament and of the Council of 25 October 2017 (OJ L 293, 10.11.2017, p. 1).

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

Paragraphs 2 to 6 of Article 10 and point (b) of Article 13(1) shall not apply to existing managers in relation to existing qualifying venture capital funds during the terms of those funds as at the date of entry into force of Decision of the EEA Joint Committee No 214/2020 of 11 December 2020. Those managers shall ensure that they are able to justify at all times the sufficiency of their own funds to maintain operational continuity.’

2. The following is added in point 31be (Regulation (EU) No 346/2013 of the European Parliament and of the Council):

‘, as amended by:

- **32017 R 1991**: Regulation (EU) 2017/1991 of the European Parliament and of the Council of 25 October 2017 (OJ L 293, 10.11.2017, p. 1).

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

Paragraphs 2 to 6 of Article 11 and point (b) of Article 14(1) shall not apply to existing managers in relation to existing qualifying social entrepreneurship funds during the terms of those funds as at the date of entry into force of Decision of the EEA Joint Committee No 214/2020 of 11 December 2020. Those managers shall ensure that they are able to justify at all times the sufficiency of their own funds to maintain operational continuity.’

⁽¹⁾ OJ L 293, 10.11.2017, p. 1.

Article 2

The text of Regulation (EU) 2017/1991 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 12 December 2020, 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 64/2018 of 23 March 2018 ⁽²⁾, 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, 11 December 2020.

For the EEA Joint Committee
The President
Sabine MONAUNI

* Constitutional requirements indicated.

⁽²⁾ OJ L 26, 30.1.2020, p. 60