

## **EFTA COURT**

### **Action brought on 28 June 2013 by the EFTA Surveillance Authority against Iceland**

**(Case E-11/13)**

An action against Iceland was brought before the EFTA Court on 28 June 2013 by the EFTA Surveillance Authority, represented by Xavier Lewis, Clémence Perrin and Maria Moustakali, acting as Agents of the EFTA Surveillance Authority, 35 Rue Belliard, B-1040 Brussels.

The EFTA Surveillance Authority requests the EFTA Court to:

- 1. Declare that by failing to implement correctly Articles 9, paragraphs 1 and 2, and Article 10 of the Act referred to at point 13b in Annex IX to the Agreement on the European Economic Area (*Directive 2002/92/EC of the European Parliament and of the Council of 9 December 2002 on insurance mediation*), as adapted to the EEA Agreement by way of Protocol 1 thereto, within the time prescribed, Iceland has failed to fulfil its obligations under the Act and under Article 7 of the EEA Agreement.**
- 2. Order Iceland to bear the costs of these proceedings.**

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

- The application addresses the failure by Iceland to comply, no later than 4 September 2012, with reasoned opinion issued by the EFTA Surveillance Authority on 4 July 2012 on the failure to correctly implement Articles 9, paragraphs 1 and 2, and Article 10 of the Act referred to at point 13b in Annex IX to the Agreement on the European Economic Area (Directive 2002/92/EC of the European Parliament and of the Council of 9 December 2002 on insurance mediation), (the Directive).
- The EFTA Surveillance Authority submits that Iceland has failed to fulfil its obligations under Articles 9, paragraphs 1 and 2, and Article 10 of the Directive, as well as under Article 7 of the EEA Agreement, by failing to adopt the measures necessary to implement the Directive within the time prescribed.