

EFTA COURT

Action brought on 3 July 2013 by the EFTA Surveillance Authority against the Kingdom of Norway

(Case E-13/13)

An action against the Kingdom of Norway was brought before the EFTA Court on 3 July 2013 by the EFTA Surveillance Authority, represented by Xavier Lewis and Catherine Howdle, acting as Agents of the EFTA Surveillance Authority, 35 Rue Belliard, B-1040 Brussels.

The EFTA Surveillance Authority requests the EFTA Court to declare that:

- 1. The Kingdom of Norway, by failing to implement correctly into its national legislation Article 37(1) of the Act referred to at point 23b of Annex IX to the Agreement on the European Economic Area (i.e. *Directive 2005/60/EC on the prevention of the use of financial systems for the purpose of money laundering and terrorist financing*) as adapted to the EEA Agreement by Protocol 1 thereto, has failed to fulfil its obligations arising under that Act and under Article 7 of the EEA Agreement.**
- 2. The Kingdom of Norway bears the costs of these proceedings.**

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

- The application addresses the failure by the Kingdom of Norway to implement correctly the Act referred to at point 23b of Annex IX to the Agreement on the European Economic Area as adapted to the EEA Agreement by Protocol 1 thereto.
- The EFTA Surveillance Authority submits that Norwegian law has not ensured the effective monitoring of the activities of certain persons who fall within the *ratione personae* scope of the Directive. It also submits that Norway has taken no action to remedy the shortcomings in its national law.
- The EFTA Surveillance Authority submits that the present situation in Norway amounts to a continuing breach of Norway's obligations to implement into national law Directive 2005/60/EC, as incorporated into the Annexes to the EEA Agreement.