

EFTA COURT

Action brought on 3 June 2022 by the EFTA Surveillance Authority against Iceland

(Case E-6/22)

An action against Iceland was brought before the EFTA Court on 3 June 2022 by the EFTA Surveillance Authority, represented by Kyrre Isaksen, Ingibjörg-Ólög Vilhjálmsdóttir, and Melpo-Menie Joséphidès, acting as Agents of the EFTA Surveillance Authority, Avenue de Arts 19H, B-1000 Brussels, Belgium.

The EFTA Surveillance Authority requests the EFTA Court to:

- 1. Declare that Iceland has failed to fulfil its obligations under Article 7 of the EEA Agreement by failing to make the Act referred to at point 19bi of Annex IX to the Agreement on the European Economic Area (Commission Delegated Regulation (EU) 2016/778 of 2 February 2016 supplementing Directive 2014/59/EU of the European Parliament and of the Council with regard to the circumstances and conditions under which the payment of extraordinary ex post contributions may be partially or entirely deferred, and on the criteria for the determination of the activities, services and operations with regard to critical functions, and for the determination of the business lines and associated services with regard to core business lines), as adapted by Protocol 1 to the EEA Agreement, part of its internal legal order;**
- 2. Order Iceland to bear the costs of these proceedings.**

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

- By this application, the EFTA Surveillance Authority seeks a declaration that Iceland has failed to adopt the measures necessary to make the act referred to at point 19bi of Annex IX to the Agreement on the European Economic Area (“the EEA Agreement”), that is *Commission Delegated Regulation (EU) 2016/778 of 2 February 2016 supplementing Directive 2014/59/EU of the European Parliament and of the Council with regard to the circumstances and conditions under which the payment of extraordinary ex post contributions may be partially or entirely deferred, and on the criteria for the determination of the activities, services and operations with regard to critical functions, and for the determination of the business lines and associated services with regard to core business*

lines (“the Act”), as adapted by Protocol 1 to the EEA Agreement, part of its internal legal order.

- The EFTA Surveillance Authority submits that Iceland has failed to fulfil its obligations under Article 7 of the EEA Agreement by failing to make the Act part of its internal legal order within the time prescribed.