



Council of the  
European Union

Brussels, 12 October 2018  
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FL 41  
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EF 252  
ECOFIN 916  
DROIPEN 155  
CRIMORG 130**

## **PROPOSAL**

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From: Secretary-General of the European Commission,  
signed by Mr Jordi AYET PUIGARNAU, Director

date of receipt: 12 October 2018

To: Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of  
the European Union

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No. Cion doc.: COM(2018) 683 final - ANNEX I

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Subject: 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 an amendment to Annex IX (Financial Services) to  
the EEA Agreement (Transfer of Funds Regulation)

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Delegations will find attached document COM(2018) 683 final - ANNEX I.

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Encl.: COM(2018) 683 final - ANNEX I



Brussels, 12.10.2018  
COM(2018) 683 final

ANNEX 1

**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 an amendment to Annex IX (Financial Services) to the EEA Agreement**

**(Transfer of Funds Regulation)**

## ANNEX 1

### DECISION OF THE EEA JOINT COMMITTEE

No

of

#### amending Annex IX (Financial services) 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) 2015/847 of the European Parliament and of the Council of 20 May 2015 on information accompanying transfers of funds and repealing Regulation (EC) No 1781/2006<sup>1</sup> is to be incorporated in the EEA Agreement.
- (2) Regulation (EU) 2015/847 repeals Regulation (EC) No 1781/2006 which is incorporated into the EEA Agreement and which is consequently to be repealed under the EEA Agreement.
- (3) 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 text of point 23ba (Commission Directive 2006/70/EC) is replaced by the following:

‘**32015 R 0847:** Regulation (EU) 2015/847 of the European Parliament and of the Council of 20 May 2015 on information accompanying transfers of funds and repealing Regulation (EC) No 1781/2006 (OJ L 141, 5.6.2015, p. 1).

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

By way of derogation from Articles 4 and 6, as regards transfers of funds in Swiss Francs in Liechtenstein and from and to Liechtenstein within its Currency Union with Switzerland, the information required by Articles 4 and 6 shall be

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<sup>1</sup>

collected and made available when requested by the payment service provider of the payee within three working days, but need not be transferred immediately with the transfers of funds as foreseen in Articles 4 and 6. This derogation shall be applicable for a transitional period expiring on 31 December 2022.’

#### *Article 2*

The text of Regulation (EU) 2015/847 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 [...], 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 .../... of ... <sup>2</sup> [incorporating AMLD IV (celex 32015L0849) into the EEA Agreement], 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, .

*For the EEA Joint Committee  
The President*

*The Secretaries  
to the EEA Joint Committee*

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\* [No constitutional requirements indicated.] [Constitutional requirements indicated.]  
<sup>2</sup> OJ L ...