



Brussels, 4 May 2026
(OR. en)

7988/26

Interinstitutional File:
2026/0079(NLE)

AELE 20
MI 315
ISL 7
N 18
FL 8
FSC 9

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: 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 (Supervision of certain benchmark administrators by ESMA)

COUNCIL DECISION (EU) 2026/...

of ...

**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
(Supervision of certain benchmark administrators by ESMA)**

(Text with EEA relevance)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 in conjunction with Article 218(9) thereof,

Having regard to Council Regulation (EC) No 2894/94 of 28 November 1994 concerning arrangements for implementing the Agreement on the European Economic Area¹, and in particular Article 1(3) thereof,

Having regard to the proposal from the European Commission,

¹ OJ L 305, 30.11.1994, p. 6, ELI: <http://data.europa.eu/eli/reg/1994/2894/oj>.

Whereas:

- (1) The Agreement on the European Economic Area² (the ‘EEA Agreement’) entered into force on 1 January 1994.
- (2) Pursuant to Article 98 of the EEA Agreement, the EEA Joint Committee may decide to amend, inter alia, Annex IX (Financial services) to the EEA Agreement.
- (3) Commission Delegated Regulations (EU) 2022/804³, (EU) 2022/805⁴ and (EU) 2024/1705⁵, should be incorporated into the EEA Agreement.

² OJ L 1, 3.1.1994, p. 3, ELI: http://data.europa.eu/eli/agree_international/1994/1/oj.

³ Commission Delegated Regulation (EU) 2022/804 of 16 February 2022 supplementing Regulation (EU) 2016/1011 of the European Parliament and of the Council by specifying rules of procedure for measures applicable to the supervision by the European Securities Markets Authority of certain benchmark administrators (OJ L 145, 24.5.2022, p. 7, ELI: http://data.europa.eu/eli/reg_del/2022/804/oj).

⁴ Commission Delegated Regulation (EU) 2022/805 of 16 February 2022 supplementing Regulation (EU) 2016/1011 of the European Parliament and of the Council by specifying fees applicable to the supervision by the European Securities Markets Authority of certain benchmark administrators (OJ L 145, 24.5.2022, p. 14, ELI: http://data.europa.eu/eli/reg_del/2022/805/oj).

⁵ Commission Delegated Regulation (EU) 2024/1705 of 11 March 2024 amending Delegated Regulation (EU) 2022/805 as regards harmonisation of certain aspects of fees charged by the European Securities and Markets Authority to certain benchmark administrators (OJ L, 2024/1705, 18.6.2024, ELI: http://data.europa.eu/eli/reg_del/2024/1705/oj).

- (4) Annex IX (Financial services) to the EEA Agreement should therefore be amended accordingly.
- (5) The position of the Union within the EEA Joint Committee should therefore be based on the attached draft Decision,

HAS ADOPTED THIS DECISION:

Article 1

The position to be adopted, on behalf of the Union, within the EEA Joint Committee on the proposed amendment of Annex IX (Financial services) to the EEA Agreement, shall be based on the draft decision of the EEA Joint Committee attached to this Decision.

Article 2

This Decision shall enter into force on the date of its adoption.

Done at ..., ...

For the Council

The President
