

EFTA COURT

Action brought on 9 November 2018 by the EFTA Surveillance Authority against Iceland.

(Case E-3/18)

An action against Iceland was brought before the EFTA Court on 9 November 2018 by the EFTA Surveillance Authority, represented by Carsten Zatschler, Catherine Howdle, and Ingibjörg Ólöf Vilhjálmsdóttir, 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 Iceland has failed to adopt the measures necessary to make the Act referred to at point 7ja of Annex XIX to the Agreement on the European Economic Area (Commission Implementing Regulation (EU) 2015/1051 of 1 July 2015 on the modalities for the exercise of the functions of the online dispute resolution platform, on the modalities of the electronic complaint form and on the modalities of the cooperation between contact points provided for in Regulation (EU) No 524/2013 of the European Parliament and of the Council on online dispute resolution for consumer disputes), as adapted by Protocol 1 to the EEA Agreement, part of its internal legal order as required by 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 Iceland's failure to comply, no later than 23 April 2018, with a reasoned opinion delivered by the EFTA Surveillance Authority on 21 February 2018 regarding that State's failure to implement into its national legal order *Commission Implementing Regulation (EU) 2015/1051 of 1 July 2015 on the modalities for the exercise of the functions of the online dispute resolution platform, on the modalities of the electronic complaint form and on the modalities of the cooperation between contact points provided for in Regulation (EU) No 524/2013 of the European Parliament and of the Council on online dispute resolution for consumer disputes*, as referred to at point 7ja of Annex XIX to the Agreement on the European Economic Area, and as adapted to that Agreement by way of Protocol 1 thereto ("the Act").

- The EFTA Surveillance Authority submits that Iceland has failed to fulfil its obligations under Article 7 of the EEA Agreement by failing to adopt the measures necessary to implement the Act within the time prescribed.