

Mutual assistance – general obligations.

Article 1

The competent authorities in Iceland shall provide assistance as promptly as possible to the competent authorities in other EEA Member States in order to ensure the supervision of service provision in the internal market of the European Economic Area.

The competent authorities in Iceland shall, at the request of the competent authorities in another EEA Member State and in accordance with the statutory powers of the relevant authority, provide the competent authorities of the other EEA Member State with information on providers and carry out checks, inspections and investigations of the activities of providers.

The relevant authority shall decide on the most appropriate measures to be taken in each individual case in order to meet a request made pursuant to the second paragraph.

The Icelandic authorities shall ensure that providers supply their competent authorities with all the information

necessary for supervising their activities.

In the event of difficulty in meeting a request made pursuant to the second paragraph, the authority concerned shall notify the relevant authority in the other EEA Member State with a view to finding a solution.

The competent authorities shall ensure that registers in which providers have been entered and which may be consulted by the competent authorities in Iceland, may also be consulted by the equivalent competent authorities of the other EEA Member States.

Supervision of providers who are established in Iceland and provide services in another EEA Member State without being established there

Article 2

Providers who are established in Iceland are subject to supervision by the competent Icelandic authorities, even if they provide services in another EEA Member State without being established there.

The competent Icelandic authorities shall not refrain from taking measures or supervise providers established in

Iceland on the grounds that their services are provided or can be expected to cause damage in another EEA Member State.

Notwithstanding the provision of the first paragraph, the competent Icelandic authorities shall not be obliged to carry out factual checks in another EEA Member State where a provider exercises a service activity without establishment. If needed, the competent Icelandic authorities shall request the assistance of the competent authorities of the EEA Member State where the service is being provided in carrying out checks and controls.

Supervision of providers who provide services in Iceland without establishment

Article 3

Where a provider provides a service in Iceland without being established there, the competent authorities of the Member State where the provider is established are responsible for the supervision of the provider.

At the request of the competent authority in the EEA Member State where the provider is established, the

Icelandic authorities, in accordance with the statutory powers of the authority concerned, shall take the necessary measures to ensure effective supervision of a provider who provides services in Iceland without being established there. The relevant authority shall decide on the most appropriate measures to be taken in each individual case in order to meet a request made pursuant to the first sentence.

Article 4

In cases where the Icelandic authorities are permitted, pursuant to Article 13 of Act No 76/2011 on services in the internal market of the European Economic Area and regulations established on the basis thereof, to apply Icelandic rules in respect of providers who provide services in Iceland without being established there, the Icelandic authorities shall be responsible for the supervision of those providers.

In accordance with the first paragraph, the Icelandic authorities shall take the necessary measures to ensure that providers who provide services in Iceland without establishment comply with the rules governing access to

and provision of a service and shall carry out the necessary supervision of their activities.

In addition, the Icelandic authorities may, on their own initiative, conduct on-the-spot checks of providers who provide services in Iceland without establishment, provided that those checks are not discriminatory, are proportionate and are not motivated by the fact that the provider is established in another EEA Member State.

Mutual assistance in the event of case-by-case derogations

Article 5

Notwithstanding the provisions of Article 13 of Act No 76/2011 on services in the internal market of the European Economic Area, the competent authorities may, in exceptional circumstances, take special measures with regard to a provider intending to provide services in Iceland without establishment, as provided for in Article 14 of the Act.

Before taking special measures pursuant to the first paragraph, the competent authority in Iceland shall ask the competent authority of the EEA Member State of