AGREEMENT

whereby the EEA EFTA States join

the Joint Procurement Agreement to procure the CBAM Common Central Platform

This Agreement (the "Agreement") is made and entered into on [day][month] 2026 by and between:

- the European Commission (the "Commission") on its own account and on behalf of the Member States, who are all parties to the Joint Procurement Agreement to procure the Carbon Border Adjustment Mechanism Common Central Platform (accordingly, the "participating Member States" and the "Joint Procurement Agreement"), represented for the purposes of this Agreement by Mr Gerassimos Thomas, the Director-General of the Directorate-General for Taxation and Customs Union;

and

- the following two members of the European Free Trade Association which are contracting parties of the Agreement on the European Economic Area ("EEA EFTA States"):

  - Iceland, represented for the purposes of this Agreement by [person and entity appointed by the State (Ambassador/Minister etc.)];

  - the Kingdom of Norway, represented for the purposes of this Agreement by [person and entity appointed by the State (Ambassador/Minister etc.)].

hereinafter jointly referred to as "the Parties"

PREAMBLE

WHEREAS:

(1) The Joint Procurement Agreement between the Commission and the Member States, as provided for in Article 20(2) of Regulation (EU) 2023/956 of the European Parliament and of the Council of 10 May 2023 establishing a carbon border adjustment mechanism

("CBAM")[1]. This Agreement sets out in particular the practical modalities for the evaluation of the requests for participation or the tenders, the award of the contract, the law applicable to the contract and the competent court for hearing disputes.

(2) Article 168(2) of Regulation (EU, Euratom) 2024/2509 of the European Parliament and of the Council of 23 September 2024 on the financial rules applicable to the general budget of the Union[2] provides for the possibility for the European Commission to conduct joint procurement procedures with the EFTA States if this possibility has been specifically provided for in a bilateral or multilateral treaty.

(3) By Decision No 283/2026 of 25 September 2026, the EEA Joint Committee amended Annex XX to the Agreement on the European Economic Area ("EEA Agreement") in order to provide for the possibility for the EEA EFTA States to take part in the joint procurement.

(4) Participation of Iceland and Norway in the joint procurement procedure and in the resulting contract(s) for the establishment and operation of the Common Central Platform for the Sales and Repurchases of CBAM certificates requires that they become parties to the Joint Procurement Agreement.

(5) Pursuant to Article 4(6) of the Joint Procurement Agreement, the Member States participating in that agreement have authorised the Commission to sign, on their behalf, an agreement with an EEA EFTA State allowing that State to join the Joint Procurement Agreement, subject to the information of the other Contracting Parties to this effect via the Advisory Group referred to in Article 5 of that Joint Procurement Agreement. Pursuant to Article 4(6), the agreement with an EEA EFTA state is to constitute an amendment to the Joint Procurement Agreement.

(6) The Joint Procurement Advisory Group was informed, pursuant to Article 5(2), of the Commission proposal for allowing the EEA EFTA States to join the Joint Procurement Agreement.

(7) Pursuant to the same Article 4(6), the agreement with an EEA EFTA state to join the Joint Procurement Agreement is to constitute an amendment to the Joint Procurement Agreement.

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[1] OJ L 130, 16.5.2023, p. 52.
[2] OJ L, 2024/2509, 26.9.2024.

(8) Nothing in this Agreement affects the rights and obligations of the Member States or the Commission under the Treaties.

(9) Pursuant to Article 39(6) of the Joint Procurement Agreement, parties joining after its entry into force are bound by acts already adopted in connection with that Agreement.

PARTIES TO THIS AGREEMENT HAVE AGREED

on the terms below including the **Annex I "**Confirmation of completion of national procedures for the approval of this Agreement or the absence of a need for such procedures in accordance with Article 4(4)"

Article 1

Subject Matter

This Agreement amends the Joint Procurement Agreement pursuant its Article 4(6). Upon the entry into force of this Agreement, Iceland and Norway shall become parties to the Joint Procurement Agreement.

Article 2

Rights and Obligations of Iceland and Norway

1. Iceland and Norway shall be bound, as of the entry into force of this Agreement, by the Joint Procurement Agreement in its entirety, including any Annexes thereto, save where this Agreement amends the Joint Procurement Agreement.
2. Iceland and Norway shall be bound, as of the entry into force of this Agreement, by all acts already adopted in connection with the Joint Procurement Agreement as of the date of entry into force of the Joint Procurement Agreement.
3. The terms "participating Member State(s)" and "Contracting Party (-ies)" used in the Joint Procurement Agreement shall be understood, as of the entry into force of this Agreement, to include Iceland and Norway.
4. Iceland and Norway may participate fully in the work of the Advisory Group but shall not have voting rights in the Joint Procurement Advisory Group established under

Article 5 of the Joint Procurement Agreement. Iceland and Norway shall not be counted for the purposes of establishing a common accord, qualified majority or simple majority among Member States.

Article 3

Amendments, Term and Termination

1. Upon its entry into force in accordance with Article 4(4), this Agreement shall become an integral part of the Joint Procurement Agreement. The general terms of the Joint Procurement Agreement shall apply also to this Agreement save where this Agreement amends the Joint Procurement Agreement.
2. Any amendments to this Agreement shall only be made in accordance with Article 37 of the Joint Procurement Agreement and shall constitute changes to the latter agreement.

Article 4

Signature and Entry into Force

1. This Agreement shall be established and executed in the equally authentic linguistic versions set out in Annex I of the Joint Procurement Agreement, each linguistic version being in an official language of the Union.
2. The Commission, on one hand, and Iceland and Norway, on the other hand, shall sign one original of this Agreement.
3. The Commission shall act as depository of this Agreement. It shall supply duly certified copies of this Agreement to each of the participating Member States as soon as practicable.
4. This Agreement shall enter into force on the day following the day on which the Commission, Iceland and Norway have signed the original of this Agreement, and the Commission has received the Confirmations referred to in Annex I (Confirmation of completion of national procedures for the approval of this Agreement or the absence of a need for such procedures).

Article 5

Publication

This Agreement and any amendments thereto shall be published in all official languages of the Union in the "C" Series of the *Official Journal of the European Union*.

IN WITNESS WHEREOF the undersigned, being duly authorised, have signed this Agreement.

Signed in _____, on _____

1) For the European Commission: _____

Deputising for Gerassimos Thomas, Maria Elena Scoppio, Director for Indirect taxation and tax administration

2) For Iceland: _____

Person and entity appointed by the State (Ambassador to the EU/Minister etc)

3) For Norway: _____

Person and entity appointed by the State (Ambassador to the EU/Minister etc)

Annex I

Confirmation of completion of national procedures for the approval of this Agreement or the absence of a need for such procedures in accordance with Article 4(4)

[Letter-head of authority representing [Iceland or Norway] for the purposes of this Agreement]

European Commission

Director-General, Directorate-General for Taxation and Customs Union

Rue Joseph II 79, 1000 Brussels

Email: TAXUD-CBAM-JPA@ec.europa.eu

Re: Confirmation of completion of national procedures for the approval of the Agreement pursuant to Article 4(6) of the Joint Procurement Agreement to Establish and Manage the Common Central Platform for the Sales and Repurchases of CBAM certificates or the absence of a need for such procedures in accordance with Article 4(4) of this Agreement

Dear Sir/Madam,

We refer to Article 4(4) of the above-mentioned Agreement entered into between the Commission and [Iceland] [Kingdom of Norway].

EITHER

We hereby notify you that our national procedures for the approval of the above-mentioned Agreement were completed on [date].

OR

We hereby notify you that no national procedures are required for the approval of the above-mentioned Agreement by [Iceland] [Kingdom of Norway].

Yours faithfully,

[National Authority]

[Name, Function]

[Address]

Fax: [xxx]