

EEE 1603/17

REPORT

Subject: Progress Report by the EEA Joint Committee to the 47th meeting of the EEA Council

Decision making

1. The EEA Joint Committee has adopted 142 Joint Committee Decisions (JCDs) incorporating 279 legal acts since the EEA Council of 15 November 2016. In the period from 1 January to 5 May 2017, the EEA Joint Committee has adopted 103 JCDs incorporating 221 legal acts. In the same period of 2016, 102 JCDs incorporating 180 legal acts were adopted.
2. As of 5 May 2017, there were 501 outstanding legal acts where the compliance date in the EU had passed, compared to 517 acts on 1 November 2016. Since November 2016 therefore the overall number of outstanding legal acts has decreased by 3.1 %.
3. Since the last EEA Council, the EFTA side has continued to identify and implement further measures to permanently reduce the number of outstanding acts and avoid their re-emergence.
4. The number of JCDs awaiting the fulfilment of constitutional requirements, where the six-month period had expired, increased from 11 on 1 November 2016 to 12 on 5 May 2017.

5. Important decisions incorporated since the 46th meeting of the EEA Council include:

- Decision No 254/2016 on establishing an European Platform to enhance cooperation in tackling undeclared work,
- Decision No 49/2017 on organic production and labelling of organic products,
- Decision No 59/2017 on the reuse of public sector information,
- Decision No 92/2017 on medicinal products for paediatric use,
- Decision No 93/2017 on the Third Package for the Internal Energy Market,

Decision shaping

6. The EEA EFTA States are participating in 14 EU programmes and 18 agencies, of which 13 were regulatory agencies and five executive agencies.

7. Since the last EEA Council, the EEA Joint Committee has taken note of EEA EFTA Comments on the following subjects, to which the EU side has provided oral and/ or written reactions:

- The proposal on a Body of European Regulators for Electronic Communications (BEREC)
- Geoblocking and other forms of discrimination based on customers' nationality, place of residence or place of establishment within the Internal Market,
- The review of the EU Macro-prudential Policy Framework,
- The notification procedure for national legislation pursuant to Articles 15(7) and 39(5) of the Services Directive,
- The regulatory framework for construction products and the implementation of Regulation (EU) No 305/2011 on Construction Products,

- Cooperation between national authorities responsible for the enforcement of consumer protection law,
- The evaluation of the market surveillance provisions of Regulation (EC) No 765/2008 and on actions to enhance enforcement and compliance in the Single Market for goods,
- The proposal for a directive on certain aspects concerning contracts for the supply of digital content – COM(2015) 634, and on the proposal for a directive on certain aspects concerning contracts for online and other distance sales of goods – COM(2015) 635.
- The public consultation on the fitness of EU legislation for maritime transport safety and efficiency,
- The proposal for a regulation amending Regulation (EU) No 531/2012 as regards rules for wholesale roaming markets,
- The Commission proposal for a regulation establishing CEDEFOP and repealing Regulation (EEC) No 337/75,
- The proposal for a regulation laying down rules on the making available on the market of CE marked fertilising products and amending Regulations (EC) No 1069/2009 and EC No 1107/2009.

Briefings in the Joint Committee

8. Briefings on capital controls in Iceland was provided in the EEA Joint Committee.

Status of outstanding issues

9. The discussions on the following issues have not yet been concluded:

- the Directive on the Deposit Guarantee Scheme,
- the remaining part of the 2009 TELECOM package, including the Regulation establishing the Body of European Regulators for Electronic Communications (BEREC),

- the Third Postal Directive,
- the Marine Strategy Framework Directive,
- the Offshore Safety Directive.

10. The Joint Committee has reiterated its determination to work towards the rapid conclusion of these issues.

Financial Mechanisms

11. The Agreement on the EEA Financial Mechanism for the 2014-2021 period, with a total commitment of 1548.1 million euro, was ratified by Iceland, Liechtenstein and Norway and has been applied provisionally as of 1 August 2016. The Agreement on the Norwegian Financial Mechanism for the 2014-2021 period, with a total commitment of 1253.7 million euro, was ratified by Norway and has been applied provisionally as of 1 July 2016.
12. Memoranda of Understanding on the EEA Grants have been signed with Romania, Slovakia, Bulgaria and Malta.
13. For the period 2009-2014, 993.5 million euro has been set aside under the EEA Financial Mechanism and an additional 804.6 million euro under the Norwegian Financial Mechanism. Programmes and projects under both Mechanisms may be implemented until 2017.