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PROPOSAL

From: Secretary-General of the European Commission,
signed by Mr Jordi AYET PUIGARNAU, Director

date of receipt: 19 August 2014

To: Mr Uwe CORSEPIUS, Secretary-General of the Council of the European
Union

No. Cion doc.: COM(2014) 526 Annex

Subject: ANNEX DECISION OF THE EEA JOINT COMMITTEE No .../2014 of
amending Protocol 31 to the EEA Agreement, on cooperation in specific
fields outside the four freedoms to the proposal for a Council Decision on
the position to be adopted, on behalf of the European Union, in the EEA
Joint Committee concerning an amendment to Protocol 31 to the EEA
Agreement, on cooperation in specific fields outside the four freedoms
(Satellite Navigation)

Delegations will find attached document COM(2014) 526 Annex.

Encl.: COM(2014) 526 Annex



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COM(2014) 526 final

ANNEX 1

ANNEX

**DECISION OF THE EEA JOINT COMMITTEE No .../2014
of
amending Protocol 31 to the EEA Agreement, on cooperation in specific fields outside
the four freedoms**

to the

proposal for a Council Decision

**on the position to be adopted, on behalf of the European Union, in the EEA Joint
Committee concerning an amendment to Protocol 31 to the EEA Agreement, on
cooperation in specific fields outside the four freedoms
(Satellite Navigation)**

ANNEX

DECISION OF THE EEA JOINT COMMITTEE No .../2014

of

amending Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area (“the EEA Agreement”), and in particular Articles 86 and 98 thereof,

Whereas:

- (1) Norway has participated and contributed financially to the activities resulting from the Regulation (EC) No 683/2008 of the European Parliament and of the Council¹ through the inclusion of that Regulation in Protocol 31 to the EEA Agreement.
- (2) It is appropriate to extend the cooperation of the Contracting Parties to the EEA Agreement to include Regulation (EU) No 1285/2013 of the European Parliament and of the Council of 11 December 2013 on the implementation and exploitation of European satellite navigation systems and repealing Council Regulation (EC) No 876/2002 and Regulation (EC) No 683/2008 of the European Parliament and of the Council².
- (3) It is appropriate that the participation of EFTA States in the activities resulting from Regulation (EU) No 1285/2013 commence from 1 January 2014 even if this Decision is adopted, or if the fulfilment of constitutional requirements for this Decision, if any, is notified after 10 July 2014.
- (4) Entities established in the EFTA States should be entitled to participate in activities which start before the entry into force of this Decision. The costs incurred for such activities, the implementation of which starts after 1 January 2014, may be considered eligible under the same conditions as those applicable to costs incurred by entities established in the EU Member States provided that this Decision enters into force before the end of the action concerned.
- (5) The Cooperation Agreement on Satellite Navigation between the European Union and its Member States and the Kingdom of Norway³, which was signed on 22 September 2010, applies provisionally as of 1 May 2011.
- (6) Protocol 31 to the EEA Agreement should therefore be amended in order to allow for this extended cooperation to take place from 1 January 2014. However, due to

¹ OJ L 196, 24.7.2008, p. 1

² OJ L 347, 20.12.2013, p. 1.

³ OJ L 283, 29.10.2010, p. 12.

economic constraints, the participation of Iceland in the programme should be suspended temporarily.

HAS ADOPTED THIS DECISION:

Article 1

The following is inserted after paragraph 8a of Article 1 of Protocol 31 to the EEA Agreement:

‘8aa. (a) The EFTA States shall, as from 1 January 2014, participate in the activities which may result from the following Union act:

- **32013 R 1285**: Regulation (EU) No 1285/2013 of the European Parliament and of the Council of 11 December 2013 on the implementation and exploitation of European satellite navigation systems and repealing Council Regulation (EC) No 876/2002 and Regulation (EC) No 683/2008 of the European Parliament and of the Council (OJ L 347, 20.12.2013, p. 1).

(b) The EFTA States shall contribute financially to the activities referred to under (a) in accordance with Article 82(1)(a) of and Protocol 32 to the Agreement.

(c) The cost of the extension of the geographical coverage of the EGNOS system to the territories of the participating EFTA States shall be borne by the EFTA States as part of the financial contribution to the activities referred to under (a). Such coverage extension shall be subject to technical feasibility and shall not delay the extension of the geographical coverage of the EGNOS system throughout the EU Member States' territories geographically located in Europe.

(d) At the project level, the institutions, undertakings, organizations and nationals of EFTA States shall have the rights referred to in Article 81(d) of the Agreement.

(e) The costs incurred for activities the implementation of which starts after 1 January 2014, may be considered eligible as from the beginning of the action under the grant agreement or the grant decision concerned provided that Decision of the EEA Joint Committee No.../2014 of ... enters into force before the end of the action.

(f) The EFTA States shall participate fully, without the right to vote, in all the Union committees which assist the European Commission in the management, development and implementation of the activities referred to under (a).

The participation of the EFTA States in the Union committees and groups of experts which assist the European Commission specifically in security aspects of the activities referred to under (a) shall be addressed in the rules of procedure of these committees and groups.

(g) This paragraph shall not apply to Liechtenstein.

- (h) With regard to Iceland, this paragraph shall be suspended until otherwise decided by the EEA Joint Committee.’

Article 2

This Decision shall enter into force on the day following the last notification under Article 103(1) of the EEA Agreement*.

It shall apply from 1 January 2014.

Article 3

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels,

*For the EEA Joint Committee
The President*

*The Secretaries
to the EEA Joint Committee*

* [No constitutional requirements indicated.] [Constitutional requirements indicated.]