



Council of the  
European Union

004306/EU XXVI. GP  
Eingelangt am 05/12/17

Brussels, 5 December 2017  
(OR. en)

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**Interinstitutional File:**  
**2017/0321 (NLE)**

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15426/17  
ADD 1

AELE 93  
EEE 63  
N 64  
ISL 56  
FL 45  
ECO 75  
INST 455  
MI 929

## PROPOSAL

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

date of receipt: 4 December 2017

To: Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of  
the European Union

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No. Cion doc.: COM(2017) 726 final - ANNEX

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Subject: ANNEX to the Proposal for a Council Decision on the position to be added,  
on behalf of the European Union, within the EEA Joint Committee  
concerning amendment to Annex XX (Environment) to the EEA Agreement

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Delegations will find attached document COM(2017) 726 final - ANNEX.

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Encl.: COM(2017) 726 final - ANNEX



Brussels, 4.12.2017  
COM(2017) 726 final

ANNEX

**ANNEX**

**to the**

**Proposal for a Council Decision**

**on the position to be added, on behalf of the European Union, within the EEA Joint Committee concerning amendment to Annex XX (Environment) to the EEA Agreement**

## ANNEX

### DECISION OF THE EEA JOINT COMMITTEE No .../2017

of

### amending Annex XX (Environment) to the EEA Agreement

THE EEA JOINT COMMITTEE,

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

Whereas:

- (1) Directive (EU) 2016/802 of the European Parliament and of the Council of 11 May 2016 relating to a reduction in the sulphur content of certain liquid fuels<sup>1</sup> is to be incorporated into the EEA Agreement.
- (2) Directive (EU) 2016/802 repeals Council Directive 1999/32/EC<sup>2</sup>, which is incorporated into the EEA Agreement and which is consequently to be repealed under the EEA Agreement.
- (3) Annex XX to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

#### *Article 1*

The text of point 21ad (Council Directive 1999/32/EC) of Annex XX to the EEA Agreement is replaced by the following:

**‘32016 L 0802:** Directive (EU) 2016/802 of the European Parliament and of the Council of 11 May 2016 relating to a reduction in the sulphur content of certain liquid fuels (OJ L 132, 21.5.2016, p. 58).

The provisions of the Directive shall, for the purposes of this Agreement, be read with the following adaptation:

In Article 2(n), the words “, and Iceland, with regard to all its territory” shall be inserted after the words “Article 349 TFEU”.’

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<sup>1</sup> OJ L 132, 21.5.2016, p. 58.

<sup>2</sup> OJ L 121, 11.5.1999, p. 13.

*Article 2*

The text of Directive (EU) 2016/802 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

*Article 3*

This Decision shall enter into force on [...], provided that all the notifications under Article 103(1) of the EEA Agreement have been made\*.

*Article 4*

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*

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