

EEE 1606/22

REPORT

Subject: Progress report of the EEA Joint Committee

Decision making

1. The EEA Joint Committee has adopted 123 Joint Committee Decisions (JCDs) incorporating 222 legal acts since the 54th meeting of the EEA Council on 23 May 2022. In the period from 1 January to 28 October 2022, the EEA Joint Committee has adopted 287 JCDs incorporating 516 legal acts. In comparison, during the period from 1 January to 28 October 2021, 269 JCDs incorporating 500 legal acts were adopted.
2. As of 12 October 2022, there were 574 legal acts outstanding where the compliance date in the EU had passed, compared to 614 acts on 13 April 2022. Since May 2022, therefore, the overall number of legal acts outstanding has decreased. Of the 574 legal acts outstanding on 12 October 2022, 217 acts are still in the early stages of the incorporation process, given that the compliance date in the EU has passed less than six months ago.
3. As of 12 October 2022, the number of JCDs awaiting the fulfilment of constitutional requirements where the six-month period had expired was 32, compared to 31 on 13 April 2022.

4. Important decisions incorporated since the 54th meeting of the EEA Council on 23 May 2022, include:

- Decision No 166/2022 establishing a general plan for crisis management in the field of the safety of food and feed,
- Decision No 176/2022 incorporating the Directive on Waste from Electrical and Electronic Equipment (WEEE),
- Decision No 189/2022 incorporating the Data Roaming Regulation,
- Decision No 196/2022 incorporating the General Block Exemption Regulation in the field of State Aid,
- Decision No 208/2022 incorporating Regulation (EU) 2022/1034 on a framework for the issuance, verification and acceptance of interoperable COVID-19 vaccination, test and recovery certificates (EU Digital COVID Certificate) to facilitate free movement during the COVID-19 pandemic,
- Decision No 226/2022 incorporating the Regulation establishing the InvestEU Programme,
- Decision No 227/2022 incorporating the Marine equipment act,
- Decision No 267/2022 incorporating Regulation (EU) 2021/392 on the monitoring and reporting of data relating to CO2 emissions from passenger cars,
- Decision No 271/2022 allowing for participation in the European Year of Youth 2022,
- Decision No 272/2022 incorporating Regulation 2018/273 on vine plantings,
- Decision No 285/2022 incorporating Regulation 2021/782 on rail passengers' rights and obligations,
- Decision No 288/2022 incorporating Directive 2019/1161 on the promotion of clean and energy-efficient road transport vehicles.

Decision shaping

5. The EEA EFTA States are participating in 13 EU programmes and 25 agencies, of which 19 are decentralised agencies and 6 are executive agencies.
6. Since the last EEA Council, the EEA Joint Committee has taken note of EEA EFTA Comments on the following subjects:
 - EEA EFTA Comment on the Green Bonds Regulation
 - EEA EFTA Comment on the Commission Proposal for a Regulation establishing the Union Secure Connectivity Programme
 - EEA EFTA Comment on the proposal for a revised Construction Products Regulation

Briefings in the Joint Committee

7. In the period from 24 May 2022 to 28 October 2022 the EEA Joint Committee has received briefings on:
 - EEA EFTA Comment on the Green Bonds Regulation
 - EEA EFTA Comment on the Commission Proposal for a Regulation establishing the Union Secure Connectivity Programme
 - EEA EFTA Comment on the proposal for a revised Construction Products Regulation
 - the REPowerEU plan from the European Commission

Status of issues outstanding

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

- Directive 2012/27/EU on energy efficiency,
- Regulation (EU) 2017/460 establishing a network code on harmonised transmission tariff structures for gas; Regulation (EU) 2017/459 establishing a network code on capacity allocation mechanisms in gas transmission systems and repealing Regulation (EU) No 984/2013; Regulation (EU) No 312/2014 establishing a Network Code on Gas Balancing of Transmission Networks and Regulation (EU) 2015/703 establishing a network code on interoperability and data exchange rules,
- Regulation (EU) 2018/1139 on common rules in the fields of civil aviation and establishing a European Union Aviation Safety Agency (EASA),
- Regulation (EU) 2016/1199 amending Regulation (EU) No 965/2012 as regards operational approval of performance-based navigation, certification and oversight of data services providers and helicopter offshore operations (HOFO),
- Regulation (EC) No 391/2009 on common rules and standards for ship inspection survey organizations and related acts (the Ship Inspection Package),
- Regulation (EC) No 1829/2003 on genetically modified food and feed (GM Food and Feed),
- Regulation (EU) 2019/2122 as regards certain categories of animals and goods exempted from official controls at border control posts, specific controls on passengers' personal luggage and on small consignments of goods sent to natural persons which are not intended to be placed on the market (Personal Consignments Regulation),
- Regulation (EU) 2019/1149 establishing a European Labour Authority (ELA).

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

Financial Mechanisms

10. The Agreement on the EEA Financial Mechanism and the Agreement on the Norwegian Financial Mechanism for the period 2014-2021 amounts to total contributions of 1548.1 and 1253.7 million euro, respectively.
11. Programmes and projects under both Mechanisms may be implemented through 2024. By 18 May 2021, all of the 97 programmes had been approved by the donors. The Commission has given its consent to all programmes.

The negotiations on the continuation of the EEA Financial Mechanism and the Norway Grants were launched on 16 June 2022.
