

DECISION OF THE EEA JOINT COMMITTEE
No 333/2023

of 8 December 2023

amending Annex XVII (Intellectual property) 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) 2019/790 of the European Parliament and of the Council of 17 April 2019 on copyright and related rights in the Digital Single Market and amending Directives 96/9/EC and 2001/29/EC¹ is to be incorporated into the EEA Agreement.
- (2) Annex XVII to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Annex XVII to the EEA Agreement shall be amended as follows:

1. The following is added in point 9a (Directive 96/9/EC of the European Parliament and of the Council):
‘, as amended by:
 - **32019 L 0790**: Directive (EU) 2019/790 of the European Parliament and of the Council of 17 April 2019 (OJ L 130, 17.5.2019, p. 92).’
2. The following indent is added in point 9e (Directive 2001/29/EC of the European Parliament and of the Council):
‘**32019 L 0790**: Directive (EU) 2019/790 of the European Parliament and of the Council of 17 April 2019 (OJ L 130, 17.5.2019, p. 92).’
3. The following is inserted after point 9h (deleted):
‘9i. **32019 L 0790**: Directive (EU) 2019/790 of the European Parliament and of the Council of 17 April 2019 on copyright and related rights in the Digital Single Market and amending Directives 96/9/EC and 2001/29/EC (OJ L 130, 17.5.2019, p. 92).’

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

¹ OJ L 130, 17.5.2019, p. 92.

- (a) In Article 12(4), the words “provisions of Union law” shall read “provisions of the EEA Agreement”.
- (b) In Article 13(2), as regards the EFTA States, the words “7 June 2021” shall read “the date of entry into force of Decision of the EEA Joint Committee No 333/2023 of 8 December 2023”.
- (c) In Articles 15(2) and 17(9), the words “Union law” shall read “the EEA Agreement”.
- (d) In Article 15(4), as regards the EFTA States, the words “6 June 2019” shall read “two years and one day prior to the date of entry into force of Decision of the EEA Joint Committee No 333/2023 of 8 December 2023”.
- (e) In Article 26, as regards the EFTA States, the words “7 June 2021” shall read “the date of entry into force of Decision of the EEA Joint Committee No 333/2023 of 8 December 2023”.
- (f) In Article 27, as regards the EFTA States, the words “7 June 2022” shall read “one year after the date of entry into force of Decision of the EEA Joint Committee No 333/2023 of 8 December 2023”.
- (g) In Article 29(1), as regards the EFTA States, the words “7 June 2021” shall read “the date of entry into force of Decision of the EEA Joint Committee No 333/2023 of 8 December 2023”.

Article 2

The text of Directive (EU) 2019/790 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 9 December 2023, 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, 8 December 2023.

*For the EEA Joint Committee
The President*

Pascal Schafhauser

*The Secretaries
To the EEA Joint Committee*

* Constitutional requirements indicated.

Not yet published