

DECISION OF THE EEA JOINT COMMITTEE
No 186/2017

of 22 September 2017

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 2014/26/EU of the European Parliament and of the Council of 26 February 2014 on collective management of copyright and related rights and multi-territorial licensing of rights in musical works for online use in the internal market¹ 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

The following is inserted after point 10 (Directive 2012/28/EU of the European Parliament and of the Council) of Annex XVII to the EEA Agreement:

‘11. **32014 L 0026:** Directive 2014/26/EU of the European Parliament and of the Council of 26 February 2014 on collective management of copyright and related rights and multi-territorial licensing of rights in musical works for online use in the internal market (OJ L 84, 20.3.2014, p. 72).

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

- (a) In Article 32 of the Directive, the term “Articles 101 and 102 TFEU” shall read “Articles 53 and 54 of the EEA Agreement”.
- (b) The EFTA States shall be entitled to participate fully in the work of the expert group established by Article 41 of the Directive and shall within it have the same rights and obligations as EU Member States, except for the right to vote.
- (c) In Article 5(8), as regards the EFTA States, the words “10 October 2016” shall read “six months after the date of entry into force of Decision of the EEA Joint Committee No 186/2017 of 22 September 2017”.
- (d) In Article 31, as regards the EFTA States, the words “10 April 2017” shall read “one year after the date of entry into force of Decision of the EEA Joint Committee No 186/2017 of 22 September 2017”.

¹ OJ L 84, 20.3.2014, p. 72.

- (e) In Article 36(3), as regards the EFTA States, the words “10 April 2016” shall read “the date of entry into force of Decision of the EEA Joint Committee No 186/2017 of 22 September 2017”.
- (f) In Article 38(3), as regards the EFTA States, the words “10 October 2017” shall read “18 months after the date of entry into force of Decision of the EEA Joint Committee No 186/2017 of 22 September 2017”.
- (g) In Article 39, as regards the EFTA States, the words “10 April 2016” shall read “the date of entry into force of Decision of the EEA Joint Committee No 186/2017 of 22 September 2017”.
- (h) In Article 43, as regards the EFTA States, the words “10 April 2016” shall read “the date of entry into force of Decision of the EEA Joint Committee No 186/2017 of 22 September 2017”.

Article 2

The text of Directive 2014/26/EU 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 23 September 2017, 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, 22 September 2017

For the EEA Joint Committee

The President

Sabine Monauni

The Secretaries

To the EEA Joint Committee

Dag Wernø Holter Vaclav Navratil

* [Constitutional requirements indicated.]