

DECISION OF THE EEA JOINT COMMITTEE

No 311/2019

of 13 December 2019

amending Annexes X (Services in general) and XIX (Consumer Protection) to the EEA Agreement
[2020/329]

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) Regulation (EU) 2018/302 of the European Parliament and of the Council of 28 February 2018 on addressing unjustified geo-blocking and other forms of discrimination based on customers' nationality, place of residence or place of establishment within the internal market and amending Regulations (EC) No 2006/2004 and (EU) 2017/2394 and Directive 2009/22/EC ⁽¹⁾, as corrected by OJ L 66, 8.3.2018, p. 1, is to be incorporated into the EEA Agreement.
- (2) Annexes X and XIX to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following is inserted after point 3a (Commission Implementing Decision 2014/89/EU) of Annex X to the EEA Agreement:

- '4. **32018 R 0302:** Regulation (EU) 2018/302 of the European Parliament and of the Council of 28 February 2018 on addressing unjustified geo-blocking and other forms of discrimination based on customers' nationality, place of residence or place of establishment within the internal market and amending Regulations (EC) No 2006/2004 and (EU) 2017/2394 and Directive 2009/22/EC (OJ L 60I, 2.3.2018, p. 1), as corrected by OJ L 66, 8.3.2018, p. 1.

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

- (a) As regards the EFTA States, Article 1(6) shall not apply.
- (b) In Article 2(17), the words "Article 57 TFEU" shall read "Article 37 of the EEA Agreement".
- (c) In Articles 3(3) and 4(5), the words "Union law" shall read "the EEA Agreement".
- (d) In Article 4(4), as regards the EFTA States, the words "the provisions of Chapter 1 of Title XII of Directive 2006/112/EC" shall read "special national rules for small enterprises".
- (e) In Articles 6(1) and 11(2), the words "Article 101 TFEU" shall read "Article 53 of the EEA Agreement".
- (f) In Article 11(2), as regards the EFTA States:
 - (i) the words "2 March 2018" shall read "the date of entry into force of Decision of the EEA Joint Committee No 311/2019 of 13 December 2019";
 - (ii) the words "23 March 2020" shall read "two years after the date of entry into force of Decision of the EEA Joint Committee No 311/2019 of 13 December 2019".

⁽¹⁾ OJ L 60I, 2.3.2018, p. 1.

Article 2

The following indent is added in points 7d (Directive 2009/22/EC of the European Parliament and of the Council) and 7f (Regulation (EC) No 2006/2004 of the European Parliament and of the Council) of Annex XIX to the EEA Agreement:

- ‘— **32018 R 0302**: Regulation (EU) 2018/302 of the European Parliament and of the Council of 28 February 2018 (OJ L 60I, 2.3.2018, p. 1), as corrected by OJ L 66, 8.3.2018, p. 1.’

Article 3

With effect from 17 January 2020, the following shall be added in point 7f (Regulation (EU) 2017/2394 of the European Parliament and of the Council) of Annex XIX to the EEA Agreement:

‘, as amended by:

- **32018 R 0302**: Regulation (EU) 2018/302 of the European Parliament and of the Council of 28 February 2018 (OJ L 60I, 2.3.2018, p. 1), as corrected by OJ L 66, 8.3.2018, p. 1.’

Article 4

The text of Regulation (EU) 2018/302, as corrected by OJ L 66, 8.3.2018, p. 1, 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 5

This Decision shall enter into force on 14 December 2019, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

Article 6

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, 13 December 2019.

For the EEA Joint Committee
The President
Gunnar PÁLSSON

(*) Constitutional requirements indicated.