DECISION OF THE EEA JOINT COMMITTEE
No 317/2019
of 13 December 2019
amending Annex XIII (Transport) to the EEA Agreement [2020/335]

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) Commission Implementing Regulation (EU) 2019/123 of 24 January 2019 laying down detailed rules for the implementation of air traffic management (ATM) network functions and repealing Commission Regulation (EU) No 677/2011 (¹) is to be incorporated into the EEA Agreement.

(2) Implementing Regulation (EU) 2019/123 repeals Commission Regulation (EU) No 677/2011 (²), which is incorporated in the EEA Agreement and which is consequently to be repealed under the EEA Agreement.

(3) Annex XIII to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

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

1. The following point is inserted after point 66xi (Commission Implementing Decision (EU) 2019/903) of Annex XIII to the EEA Agreement:


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

(a) Notwithstanding the provisions of Protocol 1 to the Agreement, the term “Member State(s)” shall be understood to include, in addition to its meaning in the Implementing Regulation, the EFTA States.

(b) As regards the EFTA States, the term “Network Manager” shall refer to the Network Manager appointed by the Standing Committee of the EFTA States.

(c) As regards the EFTA States, the term “Performance Review Body” shall refer to the Performance Review Body designated by the Standing Committee of the EFTA States.

(d) In Article 4(1), with regard to the EFTA States, the words “Commission Decision adopted in accordance with Article 5(2) of Regulation (EC) No 549/2004” shall read “Decision by the Standing Committee of the EFTA States”.

(e) In Article 5, as regards the EFTA States, the word “Commission” shall read “Standing Committee of the EFTA States”.

(f) In Article 6, as regards the EFTA States, the word “Commission” shall read “Standing Committee of the EFTA States”.

(g) In Article 7(3)(k), the words “, the Standing Committee of the EFTA States, the EFTA Surveillance Authority” shall be inserted after the word “Commission”.

(h) In Article 7(4), the words “, the Standing Committee of the EFTA States, the EFTA Surveillance Authority” shall be inserted after the word “Commission”.

(i) In Article 18(4)(b), the words “and one representative of the EFTA Surveillance Authority” shall be inserted after the word “Commission”.

(j) In Article 19(2), the following point shall be added in the first subparagraph:

“(j) the EFTA State holding the Chairmanship of the Standing Committee of the EFTA States.”

(k) In Article 22(3), first sentence, the words “, the Standing Committee of the EFTA States, the EFTA Surveillance Authority” shall be inserted after the words “to the Commission”.

(l) In Article 23, first sentence, with regard to the EFTA States, the word “Commission” shall read “EFTA Surveillance Authority”.

2. The text of point 66wn (Commission Regulation (EU) No 677/2011) is deleted.

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**Article 2**

The text of Implementing Regulation (EU) 2019/123 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

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**Article 3**

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 (*). A

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**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, 13 December 2019.

*For the EEA Joint Committee*

*The President*

Gunnar PÁLSSON

(*) No constitutional requirements indicated.