

**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 <sup>(1)</sup> is to be incorporated into the EEA Agreement.
- (2) Implementing Regulation (EU) 2019/123 repeals Commission Regulation (EU) No 677/2011 <sup>(2)</sup>, which is incorporated in the EEA Agreement and which is consequently to be repealed under the EEA Agreement.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:

'66xj. **32019 R 0123:** 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 (OJ L 28, 31.1.2019, p. 1.)

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".

<sup>(1)</sup> OJ L 28, 31.1.2019, p. 1.

<sup>(2)</sup> OJ L 185, 15.7.2011, p. 1.

- (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.

*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.

*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 (\*)

*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

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(\*) No constitutional requirements indicated.