

**DECISION OF THE EEA JOINT COMMITTEE**  
**No 39/2020**

**of 20 March 2020**

**amending Annex II (Technical regulations, standards, testing and certification) and  
Annex X (Services in general) 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) Regulation (EU) 2016/1628 of the European Parliament and of the Council of 14 September 2016 on requirements relating to gaseous and particulate pollutant emission limits and type-approval for internal combustion engines for non-road mobile machinery, amending Regulations (EU) No 1024/2012 and (EU) No 167/2013, and amending and repealing Directive 97/68/EC<sup>1</sup>, as corrected by OJ L 231, 6.9.2019, p. 29, is to be incorporated into the EEA Agreement.
- (2) Regulation (EU) 2016/1628 repeals Directive 97/68/EC of the European Parliament and of the Council<sup>2</sup>, which is incorporated into the EEA Agreement and which is consequently to be repealed under the EEA Agreement.
- (3) Annexes II and X to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

*Article 1*

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

1. The following point is inserted after point 1h (Commission Implementing Regulation (EU) 2017/656) of Chapter XXIV:
  - ‘i. **2016 R 1628**: Regulation (EU) 2016/1628 of the European Parliament and of the Council of 14 September 2016 on requirements relating to gaseous and particulate pollutant emission limits and type-approval for internal combustion engines for non-road mobile machinery, amending Regulations (EU) No 1024/2012 and (EU) No 167/2013, and amending and repealing Directive 97/68/EC (OJ L 252, 16.9.2016, p. 53), as corrected by OJ L 231, 6.9.2019, p. 29.’
2. The following indent is added in point 40 (Regulation (EU) No 167/2013 of the European Parliament and of the Council) of Chapter II:

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<sup>1</sup> OJ L 252, 16.9.2016, p. 53.

<sup>2</sup> OJ L 59, 27.2.1998, p. 1.

- ‘- **32016 R 1628**: Regulation (EU) 2016/1628 of the European Parliament and of the Council of 14 September 2016 (OJ L 252, 16.9.2016, p. 53), as corrected by OJ L 231, 6.9.2019, p. 29.’
3. The text of point 1a (Directive 97/68/EC of the European Parliament and of the Council) of Chapter XXIV is deleted.

#### *Article 2*

The following indent is added in point 3 (Regulation (EU) No 1024/2012 of the European Parliament and of the Council) of Annex X to the EEA Agreement:

- ‘- **32016 R 1628**: Regulation (EU) 2016/1628 of the European Parliament and of the Council of 14 September 2016 (OJ L 252, 16.9.2016, p. 53), as corrected by OJ L 231, 6.9.2019, p. 29.’

#### *Article 3*

The text of Regulation (EU) 2016/1628, as corrected by OJ L 231, 6.9.2019, p. 29, 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 4*

This Decision shall enter into force on 21 March 2020, provided that all the notifications under Article 103(1) of the EEA Agreement have been made\*.

#### *Article 5*

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, 20 March 2020.

*For the EEA Joint Committee  
The President*

*Clara Ganslandt*

*The Secretaries  
To the EEA Joint Committee*

*Hege M. Hoff*

*Mikołaj Karłowski*

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\* Constitutional requirements indicated.