

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 [2023/353]

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 ⁽¹⁾, 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Parliament and of the Council ⁽²⁾, which is incorporated into the EEA Agreement and which is consequently to be repealed under the EEA Agreement.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:
 - ‘1i. **32016 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:
 - ‘— **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.’

⁽¹⁾ OJ L 252, 16.9.2016, p. 53.

⁽²⁾ OJ L 59, 27.2.1998, p. 1.

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

* Constitutional requirements indicated.