

DECISION OF THE EEA JOINT COMMITTEE
No 107/2020

of 14 July 2020

amending Annex XIII (Transport) 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) Directive (EU) 2017/2108 of the European Parliament and of the Council of 15 November 2017 amending Directive 2009/45/EC on safety rules and standards for passenger ships¹ is to be incorporated into the EEA Agreement.
- (2) Directive (EU) 2017/2109 of the European Parliament and of the Council of 15 November 2017 amending Council Directive 98/41/EC on the registration of persons sailing on board passenger ships operating to or from ports of the Member States of the Community and Directive 2010/65/EU of the European Parliament and of the Council on reporting formalities for ships arriving in and/or departing from ports of the Member States² is to be incorporated into the EEA Agreement.
- (3) Directive (EU) 2017/2110 of the European Parliament and of the Council of 15 November 2017 on a system of inspections for the safe operation of ro-ro passenger ships and high-speed passenger craft in regular service and amending Directive 2009/16/EC and repealing Council Directive 1999/35/EC³ is to be incorporated into the EEA Agreement.
- (4) Directive (EU) 2017/2110 repeals Council Directive 1999/35/EC⁴, which is incorporated into the EEA Agreement and which is consequently to be repealed under the EEA Agreement.
- (5) Annex XIII to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

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

1. The following is added in point 56b (Directive 2009/16/EC of the European Parliament and of the Council):
 - ‘- **32017 L 2110**: Directive (EU) 2017/2110 of the European Parliament and of the Council of 15 November 2017 (OJ L 315, 30.11.2017, p. 61).

¹ OJ L 315, 30.11.2017, p. 40.

² OJ L 315, 30.11.2017, p. 52.

³ OJ L 315, 30.11.2017, p. 61.

⁴ OJ L 138, 1.6.1999, p. 1.

The provisions of the Directive shall, for the purposes of this Agreement, be read with the following adaptation:

In Article 24(4) subparagraph 2, the words “and the EFTA Surveillance Authority” shall be inserted after the words “Member States”.’

2. The text of point 56ca (Council Directive 1999/35/EC) is replaced by the following:

‘**32017 L 2110:** Directive (EU) 2017/2110 of the European Parliament and of the Council of 15 November 2017 on a system of inspections for the safe operation of ro-ro passenger ships and high-speed passenger craft in regular service and amending Directive 2009/16/EC and repealing Council Directive 1999/35/EC (OJ L 315, 30.11.2017, p. 61).

The provisions of the Directive shall, for the purposes of this Agreement, be read with the following adaptation:

In Article 10(5), the words “and the EFTA Surveillance Authority” shall be inserted after the words “Member States”.’

3. The following is added in point 56e (Council Directive 98/41/EC):

‘- **32017 L 2109:** Directive (EU) 2017/2109 of the European Parliament and of the Council of 15 November 2017 (OJ L 315, 30.11.2017, p. 52).

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

- (a) As regards the EFTA States, in Article 5(4) first sentence, the words “Union and national legislation” shall read “the EEA Agreement and national legislation”, and in Article 5(4) second sentence, the words “Union law” shall read “the provisions of the EEA Agreement”.
- (b) Articles 8(2) and 10(4), as regards the EFTA States, the words “Union or national law” shall read “the EEA Agreement or national law”.
- (c) In Article 9(3)(a), the words “, the EFTA Surveillance Authority” shall be inserted before the words “and Member States”.’

4. The following is added in point 56f (Directive 2009/45/EC of the European Parliament and of the Council):

‘- **32017 L 2108:** Directive (EU) 2017/2108 of the European Parliament and of the Council of 15 November 2017 (OJ L 315, 30.11.2017, p. 40).

The provisions of the Directive shall, for the purposes of this Agreement, be read with the following adaptation:

In Article 9(4) subparagraph 7, the words “, the EFTA Surveillance Authority” shall be inserted before the words “and Member States”.’

5. The following is added in point 56l (Directive 2010/65/EU of the European Parliament and of the Council):

‘, as amended by:

- **32017 L 2109:** Directive (EU) 2017/2109 of the European Parliament and of the Council of 15 November 2017 (OJ L 315, 30.11.2017, p. 52).’

Article 2

The texts of Directives (EU) 2017/2108, (EU) 2017/2109 and (EU) 2017/2110 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 15 July 2020, provided that all the notifications under Article 103(1) of the EEA Agreement have been made*, or on the day of the entry into force of the Decision of the EEA Joint Committee incorporating Directive 2009/15 into the EEA Agreement, whichever is the later.

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, 14 July 2020.

*For the EEA Joint Committee
The President*

Sabine Monauri

*The Secretaries
To the EEA Joint Committee*

Hege M. Hoff

Mikołaj Karłowski

* No constitutional requirements indicated.