

DECISION OF THE EEA JOINT COMMITTEE No 49/2022
of 18 March 2022
amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement
[2022/1117]

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) 2018/858 of the European Parliament and of the Council of 30 May 2018 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles, amending Regulations (EC) No 715/2007 and (EC) No 595/2009 and repealing Directive 2007/46/EC ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Regulation (EU) 2018/858 repeals Directive 2007/46/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Parliament and of the Council ⁽²⁾, which is incorporated into the EEA Agreement and which is consequently to be repealed under the EEA Agreement.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) Annex II to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

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

- (1) the following is inserted after point 50 (Regulation (EU) 2019/26 of the European Parliament and of the Council):

'51. **32018 R 0858**: Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles, amending Regulations (EC) No 715/2007 and (EC) No 595/2009 and repealing Directive 2007/46/EC (OJ L 151, 14.6.2018, p. 1).

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

- (a) in Article 9(1) to (5), the words "the Commission" shall be replaced with the words "the EFTA Surveillance Authority" when the type-approval has been granted in one of the EFTA States;
- (b) the EFTA States shall participate in the Forum for Exchange of Information on Enforcement established in Article 11 and the Forum on Access to Vehicle Information established in Article 66;
- (c) in Article 15(2), the words "or the EFTA Surveillance Authority if the type-approval has been granted in one of the EFTA States" shall be added after the words "the Commission";
- (d) notwithstanding the provisions of Protocol 1 to this Agreement, in Article 53(1)-(6) the words "or the EFTA Surveillance Authority with regard to the EFTA States", shall be added after the words "the Commission";
- (e) notwithstanding the provisions of Protocol 1 to this Agreement, in Article 54 the words "or the EFTA Surveillance Authority with regard to the EFTA States", shall be added after the words "the Commission";

⁽¹⁾ OJ L 151, 14.6.2018, p. 1.

⁽²⁾ OJ L 263, 9.10.2007, p. 1.

- (f) notwithstanding the provisions of Protocol 1 to this Agreement, in Article 56(6), the words “or the EFTA Surveillance Authority with regard to the EFTA States”, shall be added after the words “the Commission”;
- (g) the following subparagraph shall be added to Article 85(1):
“The tasks in Article 85(1) shall for undertakings concerned in the EFTA States be carried out by the EFTA Surveillance Authority.”;
- (h) the following subparagraph shall be added to Article 85(4):
“For the EFTA States, the EFTA States shall determine the allocation of the amounts of the administrative fines.”;
- (2) the following indent is added in points 45zt (Regulation (EC) No 715/2007 of the European Parliament and of the Council) and 45zzk (Regulation (EC) No 595/2009 of the European Parliament and of the Council):
‘— **32018 R 0858**: Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018 (OJ L 151, 14.6.2018, p. 1).’;
- (3) the text of point 45zx (Directive 2007/46/EC of the European Parliament and of the Council) is deleted.

Article 2

The text of Regulation (EU) 2018/858 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 19 March 2022, 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, 18 March 2022.

For the EEA Joint Committee
The President
Nicolas VON LINGEN

(*) Constitutional requirements indicated.