



2023/2264

9.11.2023

DECISION OF THE EEA JOINT COMMITTEE No 115/2023
of 28 April 2023
amending Annex XIII (Transport) to the EEA Agreement [2023/2264]

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 Delegated Regulation (EU) 2019/897 of 12 March 2019 amending Regulation (EU) No 748/2012 as regards the inclusion of risk-based compliance verification in Annex I and the implementation of requirements for environmental protection ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Commission Delegated Regulation (EU) 2019/945 of 12 March 2019 on unmanned aircraft systems and on third-country operators of unmanned aircraft systems ⁽²⁾ is to be incorporated into the EEA Agreement.
- (3) Commission Delegated Regulation (EU) 2020/570 of 28 January 2020 amending and correcting Regulation (EU) No 748/2012 as regards the alignment of rules for continuing airworthiness of aircraft and aeronautical products, parts and appliances with Regulation (EU) No 1321/2014 ⁽³⁾ is to be incorporated into the EEA Agreement.
- (4) Commission Delegated Regulation (EU) 2020/723 of 4 March 2020 laying down detailed rules with regard to the acceptance of third-country certification of pilots and amending Regulation (EU) No 1178/2011 ⁽⁴⁾ is to be incorporated into the EEA Agreement.
- (5) Commission Delegated Regulation (EU) 2020/1058 of 27 April 2020 amending Delegated Regulation (EU) 2019/945 as regards the introduction of two new unmanned aircraft systems classes ⁽⁵⁾ is to be incorporated into the EEA Agreement.
- (6) Commission Delegated Regulation (EU) 2020/1234 of 9 June 2020 amending Regulation (EU) No 139/2014 as regards the conditions and procedures for the declaration by organisations responsible for the provision of apron management services ⁽⁶⁾ is to be incorporated into the EEA Agreement.
- (7) Commission Implementing Regulation (EU) 2018/1974 of 14 December 2018 amending Regulation (EU) No 1178/2011 laying down technical requirements and administrative procedures related to civil aviation aircrew pursuant to Regulation (EU) 2018/1139 of the European Parliament and of the Council ⁽⁷⁾ is to be incorporated into the EEA Agreement.
- (8) Commission Implementing Regulation (EU) 2018/1975 of 14 December 2018 amending Regulation (EU) No 965/2012 as regards air operations requirements for sailplanes and electronic flight bags ⁽⁸⁾ is to be incorporated into the EEA Agreement.

⁽¹⁾ OJ L 144, 3.6.2019, p. 1.

⁽²⁾ OJ L 152, 11.6.2019, p. 1.

⁽³⁾ OJ L 132, 27.4.2020, p. 1.

⁽⁴⁾ OJ L 170, 2.6.2020, p. 1.

⁽⁵⁾ OJ L 232, 20.7.2020, p. 1.

⁽⁶⁾ OJ L 282, 31.8.2020, p. 1.

⁽⁷⁾ OJ L 326, 20.12.2018, p. 1.

⁽⁸⁾ OJ L 326, 20.12.2018, p. 53.

- (9) Commission Implementing Regulation (EU) 2018/1976 of 14 December 2018 laying down detailed rules for the operation of sailplanes pursuant to Regulation (EU) 2018/1139 of the European Parliament and of the Council ⁽⁹⁾ is to be incorporated into the EEA Agreement.
- (10) Commission Implementing Regulation (EU) 2019/27 of 19 December 2018 amending Regulation (EU) No 1178/2011 laying down technical requirements and administrative procedures related to civil aviation aircrew pursuant to Regulation (EU) 2018/1139 of the European Parliament and of the Council ⁽¹⁰⁾ is to be incorporated into the EEA Agreement.
- (11) Commission Implementing Regulation (EU) 2019/133 of 28 January 2019 amending Regulation (EU) 2015/640 as regards the introduction of new additional airworthiness specifications ⁽¹¹⁾ is to be incorporated into the EEA Agreement.
- (12) Commission Implementing Regulation (EU) 2019/430 of 18 March 2019 amending Regulation (EU) No 1178/2011 as regards the exercise of limited privileges without supervision before the issuance of a light aircraft pilot licence ⁽¹²⁾ is to be incorporated into the EEA Agreement.
- (13) Commission Implementing Regulation (EU) 2019/947 of 24 May 2019 on the rules and procedures for the operation of unmanned aircraft ⁽¹³⁾ is to be incorporated into the EEA Agreement.
- (14) Commission Implementing Regulation (EU) 2019/1170 of 8 July 2019 amending and correcting Regulation (EC) No 29/2009 laying down requirements on data link services for the single European sky ⁽¹⁴⁾ is to be incorporated into the EEA Agreement.
- (15) Commission Implementing Regulation (EU) 2019/1383 of 8 July 2019 amending and correcting Regulation (EU) No 1321/2014 as regards safety management systems in continuing airworthiness management organisations and alleviations for general aviation aircraft concerning maintenance and continuing airworthiness management ⁽¹⁵⁾ is to be incorporated into the EEA Agreement.
- (16) Commission Implementing Regulation (EU) 2019/1384 of 24 July 2019 amending Regulations (EU) No 965/2012 and (EU) No 1321/2014 as regards the use of aircraft listed on an air operator certificate for non-commercial operations and specialised operations, the establishment of operational requirements for the conduct of maintenance check flights, the establishment of rules on non-commercial operations with reduced cabin crew on board and introducing editorial updates concerning air operations requirements ⁽¹⁶⁾, as corrected by OJ L 230, 6.9.2019, p. 10, is to be incorporated into the EEA Agreement.
- (17) Commission Implementing Regulation (EU) 2019/1387 of 1 August 2019 amending Regulation (EU) No 965/2012 as regards requirements for aeroplane landing performance calculations and the standards for assessing the runway surface conditions, update on certain aircraft safety equipment and requirements and operations without holding an extended range operational approval ⁽¹⁷⁾ is to be incorporated into the EEA Agreement.
- (18) Commission Implementing Regulation (EU) 2019/1747 of 15 October 2019 amending Regulation (EU) No 1178/2011 as regards requirements for certain flight crew licences and certificates, rules on training organisations and competent authorities ⁽¹⁸⁾ is to be incorporated into the EEA Agreement.

⁽⁹⁾ OJ L 326, 20.12.2018, p. 64.

⁽¹⁰⁾ OJ L 8, 10.1.2019, p. 1.

⁽¹¹⁾ OJ L 25, 29.1.2019, p. 14.

⁽¹²⁾ OJ L 75, 19.3.2019, p. 66.

⁽¹³⁾ OJ L 152, 11.6.2019, p. 45.

⁽¹⁴⁾ OJ L 183, 9.7.2019, p. 6.

⁽¹⁵⁾ OJ L 228, 4.9.2019, p. 1.

⁽¹⁶⁾ OJ L 228, 4.9.2019, p. 106.

⁽¹⁷⁾ OJ L 229, 5.9.2019, p. 1.

⁽¹⁸⁾ OJ L 268, 22.10.2019, p. 23.

- (19) Commission Implementing Regulation (EU) 2019/2153 of 16 December 2019 on the fees and charges levied by the European Union Aviation Safety Agency, and repealing Regulation (EU) No 319/2014 ⁽¹⁹⁾ is to be incorporated into the EEA Agreement.
- (20) Commission Implementing Regulation (EU) 2020/208 of 14 February 2020 amending Regulation (EC) No 29/2009 laying down requirements on data link services for the single European sky ⁽²⁰⁾ is to be incorporated into the EEA Agreement.
- (21) Commission Implementing Regulation (EU) 2020/270 of 25 February 2020 amending Regulation (EU) No 1321/2014 as regards transitional measures for organisations involved in the continuing airworthiness for general aviation and continuing airworthiness management and correcting that Regulation ⁽²¹⁾ is to be incorporated into the EEA Agreement.
- (22) Commission Implementing Regulation (EU) 2020/357 of 4 March 2020 amending Regulation (EU) 2018/395 as regards balloon pilot licences ⁽²²⁾ is to be incorporated into the EEA Agreement.
- (23) Commission Implementing Regulation (EU) 2020/358 of 4 March 2020 amending Implementing Regulation (EU) 2018/1976 as regards sailplane pilot licences ⁽²³⁾ is to be incorporated into the EEA Agreement.
- (24) Commission Implementing Regulation (EU) 2020/359 of 4 March 2020 amending Regulation (EU) No 1178/2011 laying down technical requirements and administrative procedures related to civil aviation aircrew pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council ⁽²⁴⁾ is to be incorporated into the EEA Agreement.
- (25) Commission Implementing Regulation (EU) 2020/639 of 12 May 2020 amending Implementing Regulation (EU) 2019/947 as regards standard scenarios for operations executed in or beyond the visual line of sight ⁽²⁵⁾ is to be incorporated into the EEA Agreement.
- (26) Commission Implementing Regulation (EU) 2020/746 of 4 June 2020 amending Implementing Regulation (EU) 2019/947 as regards postponing dates of application of certain measures in the context of the COVID-19 pandemic ⁽²⁶⁾ is to be incorporated into the EEA Agreement.
- (27) Commission Implementing Regulation (EU) 2020/1159 of 5 August 2020 amending Regulations (EU) No 1321/2014 and (EU) No 2015/640 as regards the introduction of new additional airworthiness requirements ⁽²⁷⁾ is to be incorporated into the EEA Agreement.
- (28) Commission Implementing Regulation (EU) 2020/1176 of 7 August 2020 amending Implementing Regulation (EU) 2019/1387 as regards postponing dates of application of certain measures in the context of the COVID-19 pandemic ⁽²⁸⁾ is to be incorporated into the EEA Agreement.
- (29) Commission Implementing Regulation (EU) 2019/2153 repeals Commission Regulation (EU) No 319/2014 ⁽²⁹⁾, which is incorporated into the EEA Agreement and which is consequently to be repealed under the EEA Agreement.
- (30) Annex XIII to the EEA Agreement should therefore be amended accordingly,

⁽¹⁹⁾ OJ L 327, 17.12.2019, p. 36.

⁽²⁰⁾ OJ L 43, 17.2.2020, p. 72.

⁽²¹⁾ OJ L 56, 27.2.2020, p. 20.

⁽²²⁾ OJ L 67, 5.3.2020, p. 34.

⁽²³⁾ OJ L 67, 5.3.2020, p. 57.

⁽²⁴⁾ OJ L 67, 5.3.2020, p. 82.

⁽²⁵⁾ OJ L 150, 13.5.2020, p. 1.

⁽²⁶⁾ OJ L 176, 5.6.2020, p. 13.

⁽²⁷⁾ OJ L 257, 6.8.2020, p. 14.

⁽²⁸⁾ OJ L 259, 10.8.2020, p. 10.

⁽²⁹⁾ OJ L 93, 28.3.2014, p. 58.

HAS ADOPTED THIS DECISION:

Article 1

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

1. The following indents are added in point 66ne (Commission Regulation (EU) No 1178/2011):
 - ‘— **32018 R 1974**: Commission Implementing Regulation (EU) 2018/1974 of 14 December 2018 (OJ L 326, 20.12.2018, p. 1),
 - **32019 R 0027**: Commission Implementing Regulation (EU) 2019/27 of 19 December 2018 (OJ L 8, 10.1.2019, p. 1),
 - **32019 R 0430**: Commission Implementing Regulation (EU) 2019/430 of 18 March 2019 (OJ L 75, 19.3.2019, p. 66),
 - **32019 R 1747**: Commission Implementing Regulation (EU) 2019/1747 of 15 October 2019 (OJ L 268, 22.10.2019, p. 23),
 - **32020 R 0359**: Commission Implementing Regulation (EU) 2020/359 of 4 March 2020 (OJ L 67, 5.3.2020, p. 82),
 - **32020 R 0723**: Commission Delegated Regulation (EU) 2020/723 of 4 March 2020 (OJ L 170, 2.6.2020, p. 1).’
2. The following indents and sub-indent are added in point 66nf (Commission Regulation (EU) No 965/2012):
 - ‘— **32018 R 1975**: Commission Implementing Regulation (EU) 2018/1975 of 14 December 2018 (OJ L 326, 20.12.2018, p. 53),
 - **32019 R 1384**: Commission Implementing Regulation (EU) 2019/1384 of 24 July 2019 (OJ L 228, 4.9.2019, p. 106), as corrected by OJ L 230, 6.9.2019, p. 10,
 - **32019 R 1387**: Commission Implementing Regulation (EU) 2019/1387 of 1 August 2019 (OJ L 229, 5.9.2019, p. 1), as amended by:
 - **32020 R 1176**: Commission Implementing Regulation (EU) 2020/1176 of 7 August 2020 (OJ L 259, 10.8.2020, p. 10).’
3. The following indent is added in point 66nh (Commission Regulation (EU) No 139/2014):
 - ‘— **32020 R 1234**: Commission Delegated Regulation (EU) 2020/1234 of 9 June 2020 (OJ L 282, 31.8.2020, p. 1).’
4. The following is added in point 66ni (Commission Regulation (EU) 2015/640):
 - ‘, as amended by:
 - **32019 R 0133**: Commission Implementing Regulation (EU) 2019/133 of 28 January 2019 (OJ L 25, 29.1.2019, p. 14),
 - **32020 R 1159**: Commission Implementing Regulation (EU) 2020/1159 of 5 August 2020 (OJ L 257, 6.8.2020, p. 14).’
5. The following is added in point 66nk (Commission Regulation (EU) 2018/395):
 - ‘, as amended by:
 - **32020 R 0357**: Commission Implementing Regulation (EU) 2020/357 of 4 March 2020 (OJ L 67, 5.3.2020, p. 34).’
6. The following indents are added in point 66p (Commission Regulation (EU) No 748/2012):
 - ‘— **32019 R 0897**: Commission Delegated Regulation (EU) 2019/897 of 12 March 2019 (OJ L 144, 3.6.2019, p. 1),

- **32020 R 0570**: Commission Delegated Regulation (EU) 2020/570 of 28 January 2020 (OJ L 132, 27.4.2020, p. 1).’
7. The following indents are added in point 66q (Commission Regulation (EU) No 1321/2014):
- ‘– **32019 R 1383**: Commission Implementing Regulation (EU) 2019/1383 of 8 July 2019 (OJ L 228, 4.9.2019, p. 1),
 - **32019 R 1384**: Commission Implementing Regulation (EU) 2019/1384 of 24 July 2019 (OJ L 228, 4.9.2019, p. 106), as corrected by OJ L 230, 6.9.2019, p. 10,
 - **32020 R 0270**: Commission Implementing Regulation (EU) 2020/270 of 25 February 2020 (OJ L 56, 27.2.2020, p. 20),
 - **32020 R 1159**: Commission Implementing Regulation (EU) 2020/1159 of 5 August 2020 (OJ L 257, 6.8.2020, p. 14).’
8. The text of point 66s (Commission Regulation (EU) No 319/2014) is replaced by the following:
- ‘**32019 R 2153**: Commission Implementing Regulation (EU) 2019/2153 of 16 December 2019 on the fees and charges levied by the European Union Aviation Safety Agency, and repealing Regulation (EU) No 319/2014 (OJ L 327, 17.12.2019, p. 36).
- The provisions of the Regulation shall, for the purposes of this Agreement, be read with the following adaptation:
- The following paragraph shall be added to Article 3(6):
- “Such dedicated provisions pertaining to the fees for certification tasks performed in the context of a bilateral agreement between the Union and a third country shall be replicated in the bilateral agreements that an EFTA State may conclude with the same countries with which the Union already has an agreement.”’
9. The following indents are added in point 66wg (Commission Regulation (EC) No 29/2009):
- ‘— **32019 R 1170**: Commission Implementing Regulation (EU) 2019/1170 of 8 July 2019 (OJ L 183, 9.7.2019, p. 6),
 - **32020 R 0208**: Commission Implementing Regulation (EU) 2020/208 of 14 February 2020 (OJ L 43, 17.2.2020, p. 72).’
10. The following is inserted after point 66zb (Regulation (EU) 2018/1139 of the European Parliament and of the Council):
- ‘66zba. **32018 R 1976**: Commission Implementing Regulation (EU) 2018/1976 of 14 December 2018 laying down detailed rules for the operation of sailplanes pursuant to Regulation (EU) 2018/1139 of the European Parliament and of the Council (OJ L 326, 20.12.2018, p. 64), as amended by:
- **32020 R 0358**: Commission Implementing Regulation (EU) 2020/358 of 4 March 2020 (OJ L 67, 5.3.2020, p. 57).
- 66zbb. **32019 R 0945**: Commission Delegated Regulation (EU) 2019/945 of 12 March 2019 on unmanned aircraft systems and on third-country operators of unmanned aircraft systems (OJ L 152, 11.6.2019, p. 1), as amended by:
- **32020 R 1058**: Commission Delegated Regulation (EU) 2020/1058 of 27 April 2020 (OJ L 232, 20.7.2020, p. 1).
- 66zbc. **32019 R 0947**: Commission Implementing Regulation (EU) 2019/947 of 24 May 2019 on the rules and procedures for the operation of unmanned aircraft (OJ L 152, 11.6.2019, p. 45), as amended by:
- **32020 R 0639**: Commission Implementing Regulation (EU) 2020/639 of 12 May 2020 (OJ L 150, 13.5.2020, p. 1),

— **32020 R 0746**: Commission Implementing Regulation (EU) 2020/746 of 4 June 2020 (OJ L 176, 5.6.2020, p. 13).

66zbd. **32020 R 0723**: Commission Delegated Regulation (EU) 2020/723 of 4 March 2020 laying down detailed rules with regard to the acceptance of third-country certification of pilots and amending Regulation (EU) No 1178/2011 (OJ L 170, 2.6.2020, p. 1).'

Article 2

The texts of Delegated Regulations (EU) 2019/897, (EU) 2019/945, (EU) 2020/570, (EU) 2020/723, (EU) 2020/1058 and (EU) 2020/1234, and Implementing Regulations (EU) 2018/1974, (EU) 2018/1975, (EU) 2018/1976, (EU) 2019/27, (EU) 2019/133, (EU) 2019/430, (EU) 2019/947, (EU) 2019/1170, (EU) 2019/1383, (EU) 2019/1384, as corrected by OJ L 230, 6.9.2019, p. 10, (EU) 2019/1387, (EU) 2019/1747, (EU) 2019/2153, (EU) 2020/208, (EU) 2020/270, (EU) 2020/357, (EU) 2020/358, (EU) 2020/359, (EU) 2020/639, (EU) 2020/746, (EU) 2020/1159 and (EU) 2020/1176 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 29 April 2023, 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 Decision of the EEA Joint Committee No 114/2023 of 28 April 2023 ⁽³⁰⁾, 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, 28 April 2023.

For the EEA Joint Committee

The President

Nicolas VON LINGEN

* No constitutional requirements indicated.

⁽³⁰⁾ OJ L, 2023/2294, 9.11.2023, ELI: <http://data.europa.eu/eli/dec/2023/2294/oj>