

DECISION OF THE EEA JOINT COMMITTEE
No 332/2023

of 8 December 2023

amending Annex XVII (Intellectual property) 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) 2019/789 of the European Parliament and of the Council of 17 April 2019 laying down rules on the exercise of copyright and related rights applicable to certain online transmissions of broadcasting organisations and retransmissions of television and radio programmes, and amending Council Directive 93/83/EEC¹ is to be incorporated into the EEA Agreement.
- (2) Annex XVII to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

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

1. The following is added in point 8 (Council Directive 93/83/EEC):
‘, as amended by:
- **32019 L 0789**: Directive (EU) 2019/789 of the European Parliament and of the Council of 17 April 2019 (OJ L 130, 17.5.2019, p. 82).’
2. The following point is inserted after point 15 (Directive (EU) 2017/1564 of the European Parliament and of the Council):
‘16. **32019 L 0789**: Directive (EU) 2019/789 of the European Parliament and of the Council of 17 April 2019 laying down rules on the exercise of copyright and related rights applicable to certain online transmissions of broadcasting organisations and retransmissions of television and radio programmes, and amending Council Directive 93/83/EEC (OJ L 130, 17.5.2019, p. 82).’

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

- (a) In Article 3(3) the words “Union law” shall read “the EEA Agreement”.
- (b) In the first paragraph of Article 11, as regards the EFTA States, the words “7 June 2021” and “7 June 2023” shall read “the date of entry into force of Decision of the EEA Joint Committee No 332/2023 of 8 December 2023” and “two years

¹ OJ L 130, 17.5.2019, p. 82.

after the date of entry into force of Decision of the EEA Joint Committee No 332/2023 of 8 December 2023”, respectively.

- (c) In the second paragraph of Article 11, as regards the EFTA States, the words “7 June 2021” and “7 June 2025” shall read “the date of entry into force of Decision of the EEA Joint Committee No 332/2023 of 8 December 2023” and “four years after the date of entry into force of Decision of the EEA Joint Committee No 332/2023 of 8 December 2023”, respectively.
- (d) In Article 12(1), as regards the EFTA States, the words “7 June 2021” shall read “the date of entry into force of Decision of the EEA Joint Committee No 332/2023 of 8 December 2023”.’

Article 2

The text of Directive (EU) 2019/789 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 9 December 2023, 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, 8 December 2023.

*For the EEA Joint Committee
The President*

Pascal Schafhauser

*The Secretaries
To the EEA Joint Committee*

Siri Veseth Meling

Matúš Minárik

* Constitutional requirements indicated.