Handbook on EEA EFTA procedures for incorporating EU acts into the EEA Agreement
Foreword

The Agreement on the European Economic Area extends the Single Market of the European Union to three of the EFTA States – Iceland, Liechtenstein and Norway. The EEA Agreement is dynamic, as EEA-relevant EU legislation is incorporated regularly into its various annexes to ensure that the rules of the Single Market are applied in the EEA EFTA States as well as in the EU Member States.

Maintaining a homogenous economic area is a constant challenge and, at the time of writing, a considerable number of EEA-relevant acts are awaiting incorporation into the EEA Agreement. The “EEA Efficiency Project” was embarked upon following a request made by Iceland, Liechtenstein and Norway to the EFTA Secretariat in the summer of 2013 to look into ways of processing and incorporating EEA-relevant acts in a more efficient manner. This request resulted in a set of new procedures, which were adopted by the EFTA Standing Committee in May 2014.

This EFTA Bulletin outlines these processes and serves as a reference tool for all those involved in the daily processing of EEA-relevant acts. For other readers, it will shed light on the procedures that are followed by the EEA EFTA States and the EFTA Secretariat.

Procedures alone are not enough to guarantee a sustainable reduction in the number of acts awaiting incorporation, but I am confident that by combining our efforts we can reduce this number substantially.

This second edition of the handbook represents an important first step towards further streamlining these procedures, resolving an issue which came to light during the 2016 review, namely the need to reduce the number of forms used for the processing of EU acts (cf. page 13). It also contains an updated list of categories of acts subject to the fast-track procedure, which includes seven new categories (cf. Appendix 2).

I would like to thank the Member States and members of the EFTA Secretariat for their continued cooperation in making this project a success.

Kristinn F. Árnason
Secretary-General
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EEA EFTA procedures for incorporating EU acts into the EEA Agreement

In accordance with the Agreement on the European Economic Area (the EEA Agreement), EEA-relevant acts are incorporated into the EEA Agreement through EEA Joint Committee Decisions (JCDs). The EEA EFTA States, with the support of the EFTA Secretariat, prepare for the incorporation of these acts.

On 8 May 2014, in response to the high number of EEA-relevant acts awaiting incorporation into the EEA Agreement, the EFTA Standing Committee1 amended the procedures for the incorporation of EU acts into the Agreement.

There are three main changes:

a. Early assessment of EEA horizontal challenges2 in European Commission proposals for acts of the European Parliament (EP) and of the Council, or acts of the Council. This should allow for possible challenges to be addressed as early as possible;

b. Early start of the incorporation process for Commission acts in order to take advantage of the time lapse between the publication of these acts in the Comitology register or Commission register (EU registers) and their publication in the Official Journal of the European Union (OJ); and

c. Fast-track procedure for straightforward acts that by their nature do not raise any challenges (see Subcommittees I-IV Decision on the categories of acts subject to the fast-track procedure in Appendix 2).

The following is a summary of the main steps in the incorporation process, with a focus on the changes introduced to the procedures in May 2014. The full text of the Standing Committee Decision can be found in Appendix 1 to this handbook.

Main Steps in the Incorporation Process


Delays in the incorporation of EEA-relevant acts often stem from the late tackling of EEA horizontal challenges. The procedures aim to facilitate discussions on these challenges at an earlier stage, following the publication of Commission proposals for EEA-relevant EP/Council or Council acts. By addressing EEA horizontal challenges in the relevant forums in parallel with substance issues, delays in the incorporation process can be avoided.

The procedures set out that the EFTA Secretariat shall, within one week of publication of the proposal, provide the relevant Working Group/Expert Group (WG/EG)3 with the Commission proposal, along with the Secretariat’s assessment of possible EEA horizontal challenges contained therein. The procedures also set out an obligation for the EEA EFTA experts to provide the Secretariat with their assessment of any possible EEA horizontal challenges that they have identified within six weeks. Both the Secretariat’s

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1 The Standing Committee of the EFTA States serves as a forum in which the EEA EFTA States consult one another and arrive at a common position before meeting with the EU in the EEA Joint Committee.
2 EEA horizontal challenges may arise when a provision in an act or proposal has a material and/or structural impact on EEA law or the EEA institutional framework. Horizontal challenges may occur, for example, in relation to the delegation of competence in the EU pillar, fines to be imposed by an EU institution or body, reference to criminal sanctions or provisions with third-country elements.
3 Working Groups and Expert Groups are set up under the Standing Committee structure in the various policy fields and are made up of experts from the EFTA States.
assessment and the feedback provided by the EEA EFTA experts will be registered in the Secretariat’s database, thereby enabling the EEA EFTA States and the Secretariat to run reports providing an overview of the EEA horizontal challenges that have been identified.

See point 1.1. of the Standing Committee Decision (Appendix 1) for more details.

2. Early start of incorporation process for Commission acts

The formal processing of Commission acts by EEA EFTA experts will start when these acts are no longer subject to any substance changes. In practice, this applies to:

a. Delegated acts that have been adopted by the Commission and submitted to the EP and the Council, which have the right to oppose them within a certain deadline; and

b. Implementing acts that have been approved by a Commission committee by positive vote.

These acts are usually published in the EU registers between several months and a few days before their publication in the OJ. However, some Commission acts will not be available in an EU register before being published in the OJ.

The procedures aim to take advantage of this time lapse by formally starting the incorporation process of a Commission act upon its publication in an EU register. The Secretariat will, within one week of publication of a Commission act, provide the WG/EG with the act, together with the Secretariat’s assessment of possible EEA horizontal challenges contained therein. The EEA EFTA experts must assess the act and prepare for its incorporation, even though it has not yet been published in the OJ. Experts are notified once it has been published in the OJ.

See point 2.1. of the Standing Committee Decision (Appendix 1) for more details.

3. Fast-track procedure for straightforward acts

A fast-track procedure has been introduced for straightforward acts. This procedure applies to acts that, by their nature, do not raise any EEA horizontal challenges, do not need any adaptations and do not call for any constitutional requirements.4 The EEA EFTA States have identified a list of categories of acts that are considered suitable for this procedure (see Appendix 2). In addition, the Secretariat can initiate the fast-track procedure for acts that do not fall under any of the predefined categories, if it considers that they fulfil the criteria mentioned above.

When such an act is identified, either in an EU register or in the OJ, the Secretariat will, within one week of publication of the act, provide the WG/EG with the act and a fast-track sheet. The fast-track procedure enables the Secretariat to send a draft JCD to the Subcommittee for its approval (with the WG/EG in copy) shortly after publication of the act in the OJ, but never earlier than six weeks after the fast-track sheet has been sent to the WG/EG. The EEA EFTA experts can oppose the use of this procedure for any act at any time up until the point where the draft JCD has been sent to the relevant subcommittee5, by providing the Secretariat with a reasoned opinion as to why the fast-track procedure cannot be applied in that particular case. The standard procedure will then apply.

See point 2.2.1. of the Standing Committee Decision (Appendix 1) for more details.

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4 An EEA EFTA State may indicate that it has constitutional requirements when its constitution calls for parliamentary approval or a referendum in order for an EEA JCD to enter into force.

5 Correction made on 12 February 2015 to bring this sentence in line with the Decision of the Standing Committee No 1/2014/SC
4. **Standard procedure**

The standard procedure applies to all acts that fall under neither the fast-track procedure nor the simplified procedure (the latter only being applicable to some substance areas under the Working Group on the Food Chain). The standard procedure can be initiated upon publication of an act in an EU register or in the OJ. The Secretariat will, within one week of publication of such an act, provide the WG/EG with the act, the Secretariat’s assessment of possible EEA horizontal challenges contained therein and the standard sheet.

The EEA EFTA experts have 16 weeks to return the standard sheet to the Secretariat. The Secretariat shall remind the WG/EG about any pending standard sheets four weeks before their deadline.

See point 2.2.2. of the Standing Committee Decision (Appendix 1) for more details.

5. **Approval of draft JCDs**

If the act requires an adaptation text, the draft JCD will be sent to the WG/EG, which will have two weeks to clear it. Once cleared at WG/EG level, the Secretariat will send the draft JCD to the Subcommittee with the WG/EG in copy. The Subcommittee will then have two weeks to approve it.

If the act does not require an adaptation text, the Secretariat will send the draft JCD directly to the Subcommittee with the WG/EG in copy. The Subcommittee will have two weeks to approve it.

Once a draft JCD has been cleared by the Subcommittee, it will be sent to the EU for further processing.

See point 3.2. of the Standing Committee Decision (Appendix 1) for more details.

6. **Adoption of JCDs**

When both EFTA and the EU agree on the text of the draft JCD, it is adopted by the EEA Joint Committee, thereby incorporating the EU act into the EEA Agreement. Once adopted, the JCD enters into force on the date specified in the Decision, unless constitutional requirements are needed by one or more EEA EFTA State.

See point 3.3. of the Standing Committee Decision (Appendix 1) for more details.

7. **Constitutional requirements**

Each EEA EFTA State informs the EEA Joint Committee if any of the draft JCDs to be adopted require the fulfilment of constitutional requirements. Where constitutional requirements have been indicated, the EEA EFTA State(s) concerned must notify the Secretariat of the fulfilment of these requirements, or the delay thereof, before the expiry of the six-month period referred to in Article 103 of the EEA Agreement.

Upon receipt of such notification, the Secretariat forwards this to the other EEA EFTA States and to the EU. When all constitutional requirements have been fulfilled, the Secretariat informs all EEA EFTA States and the EU about the date of entry into force of the JCD.

See point 3.4. of the Standing Committee Decision (Appendix 1).
Charts

Introduction to charts

Over the next few pages is a series of charts which illustrate in a variety of formats and provide an overview of the procedures adopted by the Standing Committee on 8 May 2014. Below is a short description of these charts, followed by a list of abbreviations used.

EFTA involvement at different stages in the incorporation process

Overview of the involvement of the EEA EFTA States and the EFTA Secretariat at the different stages of the incorporation of EP/Council and Commission acts into the EEA Agreement.

Timeline of procedures for incorporating EP/Council acts

Overview of the timeline for processing EEA-relevant EP/Council acts on the EFTA side before a draft JCD is submitted to the EU. At the top is the timeline for the adoption of these acts by the EU.

Timeline of procedures for incorporating Commission acts

Overview of the timeline for processing EEA-relevant Commission acts on the EFTA side before a draft JCD is submitted to the EU. At the top is the timeline for the adoption of these acts by the EU.

Forms used for the processing of EU acts

Overview of the three forms to be used for the processing of EU acts under the procedures adopted by the Standing Committee on 8 May 2014 and the information they contain, depending on the adoption procedure of the acts on the EU side and their incorporation procedure into the EEA Agreement.

Incorporation process for EP/Council acts before a draft JCD is sent to the EU

Overview of the different steps and tasks to be carried out on the EFTA side in the processing of EEA-relevant EP/Council acts before a draft JCD is submitted to the EU, including the different forms issued by the EFTA Secretariat to be returned by the EEA EFTA experts.

Incorporation process for Commission acts before a draft JCD is sent to the EU (for acts published in the OJ only)

Overview of the different steps and tasks to be carried out on the EFTA side in the processing of EEA-relevant Commission acts before a draft JCD is submitted to the EU, including the different forms issued by the EFTA Secretariat to be returned by the EEA EFTA experts.

Incorporation process for Commission acts before a draft JCD is sent to the EU (for acts published in an EU register and subsequently in the OJ)

Overview of the different steps and tasks to be carried out on the EFTA side in the processing of EEA-relevant Commission acts before a draft JCD is submitted to the EU, including the different forms issued by the EFTA Secretariat to be returned by the EEA EFTA experts.
### Abbreviations and acronyms used in charts

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
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</thead>
<tbody>
<tr>
<td>COM</td>
<td>European Commission</td>
</tr>
<tr>
<td>Committee</td>
<td>One of the comitology committees that assist the Commission in executing its implementing powers</td>
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<tr>
<td>EEA</td>
<td>European Economic Area</td>
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<tr>
<td>EEAS</td>
<td>European External Action Service</td>
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<tr>
<td>EFTA</td>
<td>European Free Trade Association</td>
</tr>
<tr>
<td>EG</td>
<td>EFTA Expert Group under Subcommittees I-IV</td>
</tr>
<tr>
<td>EP</td>
<td>European Parliament</td>
</tr>
<tr>
<td>EU</td>
<td>European Union</td>
</tr>
<tr>
<td>EU register</td>
<td>Either the Comitology register (for Commission implementing acts) or the Commission register (for Commission delegated acts)</td>
</tr>
<tr>
<td>EUR-Lex</td>
<td>EU service providing legal texts of the European Union on the EU official website “europa.eu”</td>
</tr>
<tr>
<td>JCD</td>
<td>EEA Joint Committee Decision</td>
</tr>
<tr>
<td>ICE</td>
<td>Iceland/Icelandic</td>
</tr>
<tr>
<td>NOR</td>
<td>Norway/Norwegian</td>
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<tr>
<td>OJ</td>
<td>Official Journal of the European Union</td>
</tr>
<tr>
<td>SEC</td>
<td>EFTA Secretariat</td>
</tr>
<tr>
<td>SubC</td>
<td>Subcommittee(s) of the Standing Committee of the EFTA States</td>
</tr>
<tr>
<td>WG</td>
<td>EFTA Working Group under Subcommittees I-IV</td>
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</tbody>
</table>
EFTA involvement at different stages in the incorporation process

<table>
<thead>
<tr>
<th>EU adoption procedures</th>
<th>EEA EFTA procedures</th>
<th>Commission acts</th>
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</thead>
<tbody>
<tr>
<td><strong>Pipeline</strong></td>
<td><strong>Incorporation</strong></td>
<td></td>
</tr>
<tr>
<td>• EU adoption procedures</td>
<td>• Commission Proposal Form (containing SEC’s assessment of EEA horizontal challenges) sent to WG/EG</td>
<td>• No formal involvement of SEC</td>
</tr>
<tr>
<td>• EP/Council acts</td>
<td>• COM proposal sent by SEC to ICE and NOR Parliaments</td>
<td>• Left to discretion of WG/EG</td>
</tr>
<tr>
<td>• Experts return Commission Proposal Form (containing their assessment of EEA horizontal challenges) to SEC</td>
<td>• Regular updates by SEC at WG meetings on status of proposal</td>
<td>• Experts participate in COM committees or expert groups depending on priorities of EEA EFTA States</td>
</tr>
<tr>
<td>• WG/EG assess need for EEA EFTA Comments</td>
<td>• Fast-track Procedure Form for straightforward acts (e.g. codification of EP/Council act) sent to WG/EG when act published in OJ. No reply needed from experts</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• For other acts, Standard Procedure Form (containing SEC’s assessment of EEA horizontal challenges) sent to WG/EG when act published in OJ; experts return Standard Procedure Form</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• SubC (if no adaptation) / experts and SubC (if adaptation) approve draft JCD</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Early start of the procedures where possible (i.e. when act available in EU register; otherwise procedures start when act published in OJ)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• For straightforward acts, Fast-track Procedure Form sent to WG/EG; no reply needed from experts</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• For other acts, Standard Procedure Form (containing SEC’s assessment of EEA horizontal challenges) sent to WG/EG; experts return Standard Procedure Form</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• SubC (if no adaptation) / experts and SubC (if adaptation) approve draft JCD</td>
<td></td>
</tr>
</tbody>
</table>
Timeline of procedures for incorporating EP/Council acts

- **Standard Procedure (draft JCD with adaptations)**
  - COM proposal published in EUR-Lex
  - Adoption by EP/Council
  - Publication in OJ
  - Commission Proposal Form to WG/EG
  - Proposal to national parliaments
  - Draft JCD to EU
  - Standard Procedure Form to WG/EG
  - Experts return Commission Proposal Form
  - Experts return Standard Procedure Form
  - Experts reply to draft JCD
  - SubC approves draft JCD
  - Experts return Commission Proposal Form
  - Experts return Standard Procedure Form
  - Experts return Commission Proposal Form

- **Standard Procedure (draft JCD without adaptations)**
  - COM proposal published in EUR-Lex
  - Adoption by EP/Council
  - Publication in OJ
  - Commission Proposal Form to WG/EG
  - Proposal to national parliaments
  - Draft JCD to EU
  - Standard Procedure Form to WG/EG
  - Experts return Commission Proposal Form
  - Experts return Standard Procedure Form
  - SubC approves draft JCD
  - Experts return Commission Proposal Form

- **Fast-track Procedure**
  - COM proposal published in EUR-Lex
  - Adoption by EP/Council
  - Publication in OJ
  - Commission Proposal Form to WG/EG
  - Proposal to national parliaments
  - Draft JCD to EU
  - Fast-track Procedure Form to WG/EG
  - Experts return Commission Proposal Form
  - SubC approves draft JCD

**Colour code**
- EFTA Secretariat
- EEA EFTA experts
- Subcommittee
Timeline of procedures for incorporating Commission acts

STANDARD PROCEDURE (draft JCD with adaptations)
- COM draft act
- Adoption by Committee
- Publication in EU register
- Adoption by COM
- Publication in OJ

STANDARD PROCEDURE (draft JCD without adaptations)
- COM draft act
- Adoption by COM
- Publication in EU register
- EP/Council deadline to oppose (1-3 months)
- Publication in OJ

FAST-TRACK PROCEDURE
- COM draft act
- Adoption by COM
- Publication in EU register
- EP/Council deadline to oppose (1-3 months)
- Publication in OJ

Implementing acts
- Standard Procedure Form to WG/EG
- OJ information to WG/EG
- Draft JCD to WG/EG
- Draft JCD to SubC + copy to WG/EG
- Draft JCD to EU

Delegated acts
- Standard Procedure Form
- Experts return Standard Procedure Form
- SubC approves draft JCD

Subcommittee
- Experts reply to draft JCD
- SubC approves draft JCD

EFTA Secretariat
- COM draft act
- Adoption by COM
- Publication in EU register
- Adoption by COM
- Publication in OJ

EEA EFTA experts
- OJ information to WG/EG
- Draft JCD to SubC + copy to WG/EG
- Draft JCD to EU

Min. 6 w between publication and draft JCD

Colour code
- EFTA Secretariat
- EEA EFTA experts
- Subcommittee

Timeline of procedures for incorporating Commission acts

1 w
16 w
4 w
2 w
2 w
Forms used for the processing of EU acts

The procedures adopted by the Standing Committee in May 2014 formalise the tasks to be carried out by the EEA EFTA States and the EFTA Secretariat before draft a JCD is sent to the EU. For example, the procedures set out that the EFTA Secretariat and the EEA EFTA States are to assess potential EEA horizontal challenges in Commission proposals for EP/Council or Council acts. In addition, the procedures require that the process of incorporating Commission acts starts upon their “final” publication in an EU register, whenever available. Furthermore, two main incorporation procedures will be used: the fast-track procedure for straightforward acts, and the standard procedure for all other acts, under which experts have 16 weeks to return the standard procedure form.

The procedures foresee three different forms: one for Commission proposals for EP/Council or Council acts, one for acts to be incorporated according to the standard procedure, and one for acts to be incorporated according to the fast-track procedure.

Commission proposal form

This form contains:

• Information on the publication of the Commission proposal;
• The EFTA Secretariat’s assessment of possible EEA horizontal challenges;
• An assessment form of possible EEA horizontal challenges for EEA EFTA experts to fill in.
→ To be returned to the EFTA Secretariat within six weeks of receipt.

Standard procedure form

This form contains:

• Information on the publication of the act in an EU register or in the OJ;
• The EFTA Secretariat’s assessment of possible EEA horizontal challenges;
• An assessment form of possible EEA horizontal challenges for EEA EFTA experts to fill in, including the conclusion of expert’s analysis of the act under consideration (i.e. EEA relevance, requested adaptations, and constitutional requirements).
→ To be returned to the EFTA Secretariat within 16 weeks of receipt.

(to be followed by an email containing information on the publication of the act in the OJ if the act was published in an EU register first).

(continued on next page)
Fast-track procedure form

This form contains:

• Information on the publication of the act in an EU register or in the OJ;
• A form to be filled in by EEA EFTA experts if they oppose to the fast-track procedure.

→ To be returned to the EFTA Secretariat only if they oppose to the fast-track procedure.

(to be followed by an email containing information on the publication of the act in the OJ if the act was published in an EU register first).
Incorporation process for EP/Council acts before a draft JCD is sent to the EU side

**Publication of COM proposal for an EP/Council act in EUR-Lex**

- SEC assesses whether the proposal raises any EEA horizontal challenges
- SEC sends Commission Proposal Form to WG/EG, which contains SEC's assessment of EEA horizontal challenges + assessment form of EEA horizontal challenges for EEA EFTA experts to fill in
- SEC sends COM proposal to ICE and NOR Parliaments
- Experts assess COM proposal
- Experts return Commission Proposal Form

**Publication of EP/Council act in OJ**

- SEC assesses:
  - Whether the act raises any EEA horizontal challenges
  - Which procedure should apply

**STANDARD PROCEDURE**

- SEC sends Standard Procedure Form to WG/EG, which contains SEC's assessment of EEA horizontal challenges + assessment form of EEA horizontal challenges for EEA EFTA experts to fill in
- Experts assess act
- Experts return Standard Procedure Form (standard sheet – OJ)
- SEC prepares draft JCD
  - With adaptations
  - Without adaptations
  - SEC sends draft JCD to WG/EG
  - Experts assess draft JCD and reply to SEC
  - SEC sends draft JCD to SubC with copy to relevant WG/EG
  - SubC clears draft JCD with experts and replies to SEC
  - SEC sends draft JCDs to EU twice a month in packages

**FAST-TRACK PROCEDURE**

- SEC prepares draft JCD
  - Opposition to fast-track procedure (experts return Fast-track Procedure Form)
  - Experts assess act
  - SEC prepares draft JCD
  - SEC sends draft JCD to SubC with copy to relevant WG/EG
  - SubC clears draft JCD with experts and replies to SEC
  - SEC sends draft JCDs to EU twice a month in packages

**Colour code**
- EFTA Secretariat
- EEA EFTA experts
- Subcommittee
Incorporation process for Commission acts before a draft JCD is sent to the EU side 
(for acts published in the OJ only)

**Publication of COM act in OJ**

SEC assesses:
- If the act raises any EEA horizontal challenges
- Which procedure should apply

**STANDARD PROCEDURE**

SEC sends **Standard Procedure Form** to WG/EG, which contains SEC’s assessment of EEA horizontal challenges + assessment form of EEA horizontal challenges for EEA EFTA experts to fill in

Experts assess act

Experts return **Standard Procedure Form**

SEC prepares draft JCD

With adaptations

Without adaptations

SEC sends draft JCD to WG/EG

Experts assess draft JCD and reply to SEC

SEC sends draft JCD to SubC with copy to relevant WG/EG

SubC clears draft JCD with experts and replies to SEC

SEC sends draft JCDs to EU twice a month in packages

**FAST-TRACK PROCEDURE**

for straightforward acts

SEC sends **Fast-track Procedure Form** to WG/EG

Experts assess act

SEC prepares draft JCD

SEC sends draft JCD to SubC with copy to relevant WG/EG

SubC clears draft JCD with experts and replies to SEC

SEC sends draft JCDs to EU twice a month in packages

Opposition to fast-track procedure (experts return **Fast-track Procedure Form**)

**Colour code**

- EFTA Secretariat
- EEA EFTA experts
- Subcommittee
Incorporation process for Commission acts before a draft JCD is sent to the EU side
(for acts published in an EU register and in the OJ)

**Publication of COM act in an EU register**

- SEC assesses:
  - If the act raises any EEA horizontal challenges
  - Which procedure should apply

**STANDARD PROCEDURE**

SEC sends Standard Procedure Form to WG/EG, which contains SEC’s assessment of EEA horizontal challenges + assessment form of EEA horizontal challenges for EEA EFTA experts to fill in.

- Experts assess act

**FAST-TRACK PROCEDURE**

- for straightforward acts

SEC sends Fast-track Procedure Form to WG/EG

- Experts assess act
- SEC prepares draft JCD

**Publication of COM act in OJ**

SEC sends WG/EG:
- Information regarding the publication of the act in the OJ
- Document comparing version published in register with version published in OJ

- Experts return Standard Procedure Form

SEC prepares draft JCD

- With adaptations
- Without adaptations

- SEC sends draft JCD to WG/EG
- Experts assess draft JCD and reply to SEC
- SEC sends draft JCD to SubC with copy to relevant WG/EG
- SubC clears draft JCD with experts and replies to SEC
- SEC sends draft JCDs to EU twice a month in packages

Opposition to fast-track procedure (experts return Fast-track Procedure Form)

SEC sends WG/EG:
- Information regarding the publication of the act in the OJ
- Document comparing version published in register with version published in OJ

SEC sends draft JCD to SubC with copy to relevant WG/EG

SubC clears draft JCD with experts and replies to SEC

SEC sends draft JCDs to EU twice a month in packages

Charts on EEA EFTA procedures for incorporating EU acts into the EEA Agreement
Appendices

Appendix 1

Decision of the Standing Committee of the EFTA States

No 1/2014/SC

of 8 May 2014

on procedures for the incorporation of EU acts into the EEA Agreement and repealing
Decision No 1/2012/SC of 30 April 2012

THE STANDING COMMITTEE OF THE EFTA STATES,
Having regard to the procedures for the incorporation of EC acts into the EEA Agreement adopted in 1996,
Having regard to the subsequent updates of these procedures in 2006 and 2012,
Following the assessment of the procedures adopted in 2012,
Considering the need to further increase the efficiency of the EEA Agreement,
Whereas it has become necessary to establish new procedures and further streamline the existing procedures,
HAS DECIDED AS FOLLOWS:

Article 1

The procedures for the incorporation of EU acts into the EEA Agreement are adopted,
as described in the Annex to this Decision.

Article 2

Decision of the Standing Committee of the EFTA States No 1/2012/SC of 30 April 2012
is hereby repealed.

Article 3

This Decision enters into force on 20th October 2014. *

Done at Brussels, 8 May 2014.

For the Standing Committee

The Chair                    The Secretary-General

* As amended by Decision of the Standing Committee of the EFTA States No 2/2014/SC of 5 September 2014.
Annex to Decision of the Standing Committee of the EFTA States
No 1/2014/SC

Procedures for the incorporation of EU acts into the EEA Agreement

In 1996, the Standing Committee adopted procedures for the incorporation of EC acts into the EEA Agreement. These procedures were updated in 2006 and 2012. In order to increase the efficiency of the EEA Agreement, new procedures are established and existing procedures are streamlined.

PROCEDURES TO BE FOLLOWED:

1. Acts under preparation on the EU side

1.1. Commission proposals for acts to be adopted by the European Parliament and the Council or by the Council (pipeline)

When new EU legislation to be adopted by the European Parliament and the Council or by the Council is under preparation, working groups/expert groups under the Standing Committee structure (WGs/EGs) and the Secretariat cooperate as follows:

1.1.1. Identification of EEA-relevant Commission proposals

Within one week of the publication of the proposals, the Secretariat:

a) Identifies European Commission proposals falling under the scope of the EEA Agreement;

b) Provides a summary of the proposed legislation;

c) Sends a link to the Commission proposals to the relevant WG/EG;

d) At the request of an EEA EFTA State, sends the proposals to its national parliament.

Where appropriate, the Secretariat updates the WG/EG on the development of the proposal until the act is adopted by the relevant EU institution(s).

1.1.2. Identification of EEA horizontal challenges

A) Secretariat’s responsibilities

The Secretariat:

a) Carries out a preliminary analysis of the Commission proposal with a view to indicating to the relevant WG/EG possible EEA horizontal challenges. The EEA horizontal challenges analysed are the following:

- EEA relevance;
- Adaptations/explanatory note/declaration to acts amended or repealed by the proposal;
- Provisions containing references to acts not incorporated into the EEA Agreement;
- Provisions raising possible two-pillar issues not covered by Protocol 1 to the EEA Agreement;
- Provisions related to a third country/third countries;
- Provisions foreseeing fines imposed by an EU institution;
- Provisions foreseeing criminal law sanctions;
– Other horizontal issues.
b) Sends the WG/EG the results of its preliminary assessment of possible EEA horizontal challenges within one week of the publication of the proposal.

B) WGs/EGs' responsibilities

The WGs/EGs:

a) Assess the Commission proposals;
b) Identify and assess possible EEA horizontal challenges. In addition to the EEA horizontal challenges described above (1.1.2., A), the WGs/EGs also have to assess the need for bilateral agreements or other arrangements;
c) Provide the Secretariat with their feedback on possible EEA horizontal challenges within six weeks of the proposal being sent to the WGs/EGs by the Secretariat.

C) Subcommittees' responsibilities

Subcommittees I-IV:
a) Discuss the EEA horizontal challenges in Commission proposals identified by the Secretariat;
and/or
b) Discuss the EEA horizontal challenges in Commission proposals identified within the WGs/EGs.

1.1.3. EEA EFTA Comments

WGs/EGs decide whether to draft EEA EFTA Comments to a Commission proposal for an act to be adopted by the European Parliament and the Council or the Council.

They also decide whether to draft EEA EFTA Comments to any EU initiatives at an earlier stage, such as EU strategies, EU green or white papers, and reports from Committees of the European Parliament.

Before EEA EFTA Comments are sent to the relevant actors on the EU side, they are sent for approval by written procedure to the relevant subcommittee. They are also sent to the Standing Committee for information purposes.

When EEA EFTA Comments have been sent to the relevant actors on the EU side, they are taken note of by the relevant joint subcommittee and the EEA Joint Committee.

1.2. Draft Commission acts

Draft Commission implementing acts are agreed upon in Commission committees and draft Commission delegated acts are discussed within Commission expert groups.

In order to receive information on draft Commission acts, EEA EFTA experts should register on the relevant Commission mailing list.

The EEA EFTA States decide on attendance by their experts at Commission committees or expert group meetings.

When considered useful for swift incorporation, EEA EFTA experts attending such Commission meetings inform experts of other EEA EFTA States and the Secretariat about EEA-relevant acts under preparation by the Commission and discussions in the meetings.
2. Initiation of the formal EEA incorporation process

2.1. Identification of EU legislation to be considered for incorporation

The Secretariat, on a daily basis:

a) Identifies the Commission acts that are made publicly available in an EU register;

b) Monitors the Official Journal of the European Union (OJ) and identifies:
   i) acts from the European Parliament and the Council or from the Council,
   ii) acts from the Commission that have been previously published in an EU register, and
   iii) acts from the Commission that have not been previously published in the registers;

c) Compares the version of the acts published in an EU register with the version published in the OJ in order to identify possible amendments;

d) Initiates the relevant EEA EFTA procedure.

2.2. Procedures for assessment of EU legislation

There are three EEA EFTA procedures: the fast-track procedure, the standard procedure and the simplified procedure. When a procedure is initiated, the Secretariat specifies which procedure is being applied.

2.2.1. Fast-track procedure

A) Acts falling under the fast-track procedure

This procedure applies to certain categories of EU acts which by their nature do not raise any EEA horizontal challenges (see 1.1.2., A), do not need any adaptations and do not call for any constitutional requirements.

Subcommittees I-IV, after consultation with the WGs/EGs, decide on the list of categories of acts subject to this procedure. This list can be amended by the subcommittees whenever needed.

When the Secretariat considers that an act which is not on the list mentioned above is nevertheless suitable for the fast-track procedure, this procedure is initiated.

B) Secretariat’s responsibilities

a) Within one week of the publication of the act in an EU register or the OJ, the Secretariat:
   i) Verifies that the act does not raise any EEA horizontal challenges;
   ii) Sends the relevant WG/EG a link to the act and a fast-track sheet containing the information necessary to identify the act, as well as the suggested placement of the act in the EEA Agreement.

b) For acts that have been previously published in an EU register, the Secretariat sends the WG/EG, upon publication of the act in the OJ:
   i) The link to the act published in the OJ;
   ii) Further information related to the act, such as its full title, its Celex number, its date of
adoption, its OJ reference, whether it is marked as EEA relevant by the European Union and its EU compliance date;
iii) Where necessary, a document highlighting the differences between the version published in an EU register and the version published in the OJ.

C) WGs/EGs’ responsibilities

No reply to the fast-track sheet is expected from the WGs/EGs.

EEA EFTA experts in WGs/EGs:

a) Start their assessment of the act immediately after receiving the fast-track sheet and have at least six weeks to finalise their assessment;

b) Can oppose the fast-track procedure if the act entails EEA horizontal challenges or requires adaptations or constitutional requirements. The Secretariat and the experts of the other EEA EFTA States are provided with an explanation as to why the standard procedure should be applied. EEA EFTA experts can oppose the fast-track procedure at any time before a draft Joint Committee Decision (JCD) is sent to the relevant subcommittee.

In the case of opposition to the fast-track procedure, the deadline foreseen in the standard procedure (see 2.2.2.) would start when the fast-track sheet was sent to the relevant WG/EG.

2.2.2. Standard procedure

A) Acts falling under the standard procedure

This procedure applies to all EEA-relevant acts that are not eligible for the fast-track procedure (see 2.2.1.) or simplified procedure (see 2.2.3.).

B) Secretariat’s responsibilities

a) Within one week of the publication of the act, the Secretariat:
   i) Identifies possible EEA horizontal challenges (see 1.1.2., A);
   ii) Sends the relevant WG/EG a link to the act, a standard sheet containing the information necessary to identify the act as well as the suggested placement of the act in the EEA Agreement, and its assessment of EEA horizontal challenges;
   iii) Sets the 16-week deadline for replies from the WGs/EGs;
   iv) Reminds the WGs/EGs about any standard sheets that are pending, at the latest four weeks before the deadline expires.

b) For acts that have been previously published in an EU register, the Secretariat sends the WGs/EGs, upon publication of the act in the OJ:
   i) The link to the act published in the OJ;
   ii) Further information related to the act, such as its full title, its Celex number, its date of adoption, its OJ reference, whether it is marked as EEA relevant by the EU and its EU compliance date;
   iii) Where necessary, a document highlighting the differences between the version published in an EU register and the version published in the OJ.

c) The Secretariat sends reminders to the experts at regular intervals, with a copy to the subcommittee delegates who have requested them.
C) WGs/EGs’ responsibilities

EEA EFTA experts in WGs/EGs:

a) Start their assessment of the act immediately after receiving the standard sheet;
b) Provide answers to all the questions in the standard sheet (see 2.2.2., D);
c) Return the standard sheet to the Secretariat at their earliest convenience but no later than 16 weeks after it has been sent by the Secretariat;
d) Send a copy of their reply to the experts of the other EEA EFTA States.

D) Information requested in the standard sheet

The following information is requested from the EEA EFTA experts in the standard sheet:

a) Indication of possible general EEA horizontal challenges, such as:
   − Adaptations/explanatory note/declaration to acts amended or repealed by the act to incorporate;
   − Provisions containing references to acts not incorporated into the EEA Agreement;
   − Provisions raising possible two-pillar issues not covered by Protocol 1 to the EEA Agreement;
   − Provisions related to a third country/third countries;
   − Provisions foreseeing fines imposed by an EU institution;
   − Provisions foreseeing criminal law sanctions;
   − Need for bilateral agreements or other arrangements;
   − Other horizontal issues.

b) EEA relevance of the act;
c) Request for adaptations to the act;
d) Need for constitutional requirements (as referred to in Article 103 of the EEA Agreement).

2.2.3. Simplified procedure

Acts subject to the simplified procedure are applicable in the EEA EFTA States without being incorporated into the EEA Agreement by a JCD. According to the simplified procedure, the EEA EFTA States simultaneously take measures corresponding to those taken by the EU. The WG on the Food Chain is the only WG to which the simplified procedure applies.

A) Acts falling under the simplified procedure

Following agreement between the EU and the EEA EFTA States, the simplified procedure is applied to certain acts in the veterinary field, as described in paragraphs 7 and 8 of the introductory part of Annex I, Chapter I to the EEA Agreement.

The simplified procedure is also used for the processing of certain emergency acts in the food area, as described in adaptation text (i) of points 13 and 41 of Annex I to the EEA Agreement.²

B) Secretariat’s responsibilities

The Secretariat:

a) Within one week of the act being published in the OJ, sends the WG on the Food Chain a link to the act with an indication that the act is subject to the simplified procedure;

b) Four times a year, provides the EEA EFTA States with a list of acts subject to the simplified procedure published in the OJ in the course of the last three months;

c) Following approval by the WG on the Food Chain, submits the list of acts subject to the simplified procedure to the relevant subcommittee, the Standing Committee and the Joint Committee, to be taken note of four times a year.

C) WG on the Food Chain’s responsibilities

EEA EFTA experts in the WG on the Food Chain:

a) Monitor the adoption of new EU acts and decide whether they are subject to the simplified procedure;

b) Approve the list of all acts subject to the simplified procedure no later than two weeks after it has been sent by the Secretariat;

c) Inform the Secretariat if they consider that an act should not be subject to the simplified procedure; in which case the appropriate procedure (see 2.2.1. and 2.2.2.) is initiated by the Secretariat.

3. Preparation of a Joint Committee Decision (JCD)

3.1. Drafting of a JCD

3.1.1. General rules when drafting a JCD

When drafting a JCD, the Secretariat:

a) Assists in checking whether, in the case of amended acts, the basic act(s) have been incorporated with adaptations or declarations, taking this into account in the draft;

b) Ensures coherency in the adaptations;

c) Groups acts related to each other in one draft JCD where appropriate and of practical benefit. If it appears later on that one act is delaying the adoption of the draft JCD, the Secretariat and the WG/EG analyse whether it is appropriate to split the draft JCD;

d) Verifies if the present act to be incorporated depends on the incorporation or entry into force of (an) other act(s). If this is the case, it is reflected in the entry into force provision of the draft JCD.

3.1.2. Draft JCD without adaptations

If a draft JCD has no adaptations, the Secretariat has one week to send the draft to the relevant subcommittee, with the WG/EG in copy:

A) Fast-track procedure:

a) For acts that have been previously published in an EU register, the deadline of one week starts once the act has been published in the OJ.

b) Should the act be published in the OJ shortly after its publication in an EU register, the Secretariat waits a minimum of six weeks after it has sent the fast-track sheet, before submitting a draft JCD to the relevant subcommittee, with the WG/EG in copy.
c) For acts that have not been previously published in an EU register, the deadline of one week starts six weeks after the publication of the act in the OJ.

B) Standard procedure:

The Secretariat has one week to submit the draft JCD to the relevant subcommittee, with the WG/EG in copy:

a) Once the act has been published in the OJ, and
b) All completed standard sheets have been returned to the Secretariat, and
c) The EEA EFTA experts have agreed that the act is EEA relevant and requires no adaptations.

3.1.3. Draft JCD with adaptations

If a draft JCD requires adaptations, the Secretariat has four weeks to send the draft to the relevant WG/EG:

a) Once the act has been published in the OJ, and
b) All completed standard sheets have been returned to the Secretariat, and
c) The EEA EFTA experts have agreed that the act is EEA relevant and adaptations are needed.

3.2. Approval of a draft JCD

3.2.1. Approval of a draft JCD by the WG/EG

If a draft JCD has adaptations, the Secretariat sends it to the relevant WG/EG for approval. Where appropriate, an explanatory note is attached.

EEA EFTA experts in WGs/EGs:

a) Start their assessment of the draft JCD immediately after receiving it;
b) Provide feedback no later than two weeks after the draft JCD has been sent by the Secretariat;
c) Send a copy of their reply to the experts of the other EEA EFTA States.

The Secretariat sends reminders to the experts at regular intervals, with a copy to the subcommittee delegates who have requested them.

If the EEA EFTA experts request amendments to the draft JCD, the Secretariat sends an updated version to the WG/EG indicating the latest changes in the draft.

In the event that no agreement can be reached within the WG/EG, the item is referred to the relevant subcommittee for discussion.

3.2.2. Approval of a draft JCD by the subcommittee

The Secretariat sends a draft JCD and, if one exists, the explanatory note for approval, to the relevant subcommittee with the WG/EG in copy.

The subcommittee:

a) Starts its assessment of the draft JCD immediately after receiving it;
b) Provides feedback no later than two weeks after the draft JCD has been sent by the Secretariat;
c) Informs the Secretariat whether amendments are necessary;
d) Sends a copy of its reply to the subcommittee delegates of the other EEA EFTA States.
Should amendments be requested, the Secretariat revises the draft JCD accordingly and, when appropriate, sends the draft JCD for approval by the subcommittee again.

The Secretariat sends reminders to the subcommittee delegates at regular intervals.

Once a draft JCD has been cleared by the relevant subcommittee, either by written procedure or in a meeting, the Secretariat sends the draft JCD to the European External Action Service (EEAS).

In the event that no agreement can be reached within the subcommittee, the item is referred to the Standing Committee for further discussion. When no agreement can be reached within the joint subcommittee, the item is referred to the Joint Committee.

3.3. **Adoption of a JCD by the Joint Committee**

Approximately five weeks before the Joint Committee meeting, the Secretariat sends the long list to the EEA EFTA States. The EEA EFTA States have one week at the latest to submit their preliminary observations. The Secretariat forwards the amended preliminary long list to the EEAS for review. Two and a half weeks before the Joint Committee meeting, the EEA EFTA States and the EEAS send their final comments to the Secretariat, which sends out the confirmed long list the same day.

Each EEA EFTA State informs the Joint Committee which of the JCDs require the fulfilment of constitutional requirements.

In exceptional cases, outside Joint Committee meetings, JCDs can be adopted by written procedure in the form of exchange of letters.

3.4. **Fulfilment of constitutional requirements**

The fulfilment of constitutional requirements or the delay thereof is notified to the Secretariat by the EEA EFTA State concerned before the expiry of the six-month period referred in Article 103 of the EEA Agreement. The Secretariat forwards the notification to the other EEA EFTA States and the EEAS.

4. **Derogations from the procedures**

In urgent cases, following agreement with the EEA EFTA States, deviations can be made from the procedures as appropriate.

5. **Discussions under the Standing Committee structure**

5.1. **WG/EG level**

When an act raises difficulties for one or more of the EEA EFTA States or requires special adaptations, discussions should take place as soon as possible by email, telephone or videoconference to ensure a rapid solution. If a rapid solution cannot be found, the item is put on the agenda of the next meeting of the relevant WG/EG. The same applies for acts where one or more EEA EFTA States are late with their replies to a standard sheet or a draft JCD.

If no agreement can be found within the WG/EG, the matter can be submitted to the relevant subcommittee.

Informal discussions with the Directorates-General of the Commission are taken up when considered necessary. No informal discussions take place with the EU on acts raising EEA horizontal challenges (see 1.1.2., B), b) without the prior agreement of the relevant subcommittee.
5.2. **Subcommittee level**

Important issues, including EEA horizontal challenges (see 1.1.2., B), b), are put on the agenda of the subcommittees so that they can monitor progress and provide the necessary guidance, with a view to reaching an EEA EFTA position.

If no agreement can be found within the subcommittee, the matter can be submitted to the Standing Committee.

5.3. **Standing Committee level**

Where an act raises important issues, it is brought to the attention of the Standing Committee.
Appendix 2

Decision of Subcommittees I, II, III and IV of the
Standing Committee of the EFTA States

No 1/2016/I-II-III-IV

of 19 October 2016

establishing the list of categories of acts subject to the fast-track procedure and
repealing Decision No 1/2014/I-II-III-IV

SUBCOMMITTEES I, II, III AND IV OF THE STANDING COMMITTEE OF THE EFTA STATES,

Having regard to Article 5(1) of the Agreement on a Standing Committee of the EFTA States,

Having regard to point 2.2.1. A of the Procedures for the incorporation of EU acts into the EEA Agreement established by Decision of the Standing Committee of the EFTA States No 1/2014/SC of 8 May 2014,

Whereas the list of categories of acts subject to the fast-track procedure is to be updated,

Whereas, consequently, Decision of Subcommittees I, II, III and IV of the Standing Committee of the EFTA States No 1/2014/I-II-III-IV of 19 June 2014 on the categories of acts subject to the fast-track procedure is to be repealed,

Having consulted the EFTA Working Groups and Expert Groups assisting Subcommittees I, II, III and IV in the fields of Free Movement of Goods, Free Movement of Capital and Services, Free Movement of Persons, and Flanking and Horizontal Policies,

HAVE DECIDED AS FOLLOWS:

Article 1

The list of categories of acts subject to the fast-track procedure is set out in the Annex to this Decision.

Article 2

Decision No 1/2014/I-II-III-IV is repealed.

Article 3

This Decision enters into force on 24 October 2016.

Done in Brussels, 19 October 2016.

For Subcommittees I-II-III-IV

The Chair

Stian Christensen

The Secretaries to Subcommittees I-II-III-IV

Britt Helle

Tómas Brynjólfsson
List of categories of acts subject to the fast-track procedure

A. EP/Council acts
   - All codification\(^1\) acts that replace acts already incorporated (existing adaptations will be kept);
   - All acts related to inland waterways.

B. Commission implementing and delegated acts

   Subcommittee I

   Working Group on Competition Policy
   - Block exemptions.

   Working Group on the Food Chain
   - Rules for the organisation of official controls on products of animal origin intended for human consumption;
   - Listing of border inspection posts;
   - EU reference laboratories;
   - List of approved facilities in third countries;
   - Control, monitoring, surveillance and restrictions on movement of certain animals of susceptible species in relation to bluetongue;
   - Control measures for a number of animal diseases;
   - Compliance by Member States/regions with the requirements relating to diseases;
   - Establishment of disease-free status of Member States/regions;
   - Additional guarantees in intra-Community trade of pigs relating to Aujeszky’s disease and criteria to provide information on this disease;
   - Approving national measures for limiting the impact of certain diseases in aquaculture animals and wild aquatic animals;
   - Specific hygene rules for food of animal origin;
   - Animal health requirements governing trade in and imports of animals, semen, ova and embryos into the Community;
   - Feed additives;
   - Undesirable substances in animal feed;
   - Marketing of fodder plant seeds;
   - Marketing of cereal seeds;
   - Minimum characteristics to be covered by the examination of the various species and the minimum conditions for examining certain varieties of agricultural plant species and vegetable species;

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\(^1\) Codification is the process by which a legislative act and all its successive amendments are brought together in a single new act without any substantive changes. The new act replaces the acts being codified.
– Food additives, food flavourings and food enzymes;
– Authorisation of/refusal to authorise certain nutrition and health claims made on food;
– Food contact materials;
– Food for specific groups;
– Maximum residue levels of pesticides in or on food and feed of plant and animal origin.

**Working Group on Public Procurement**

**Public procurement**

– Revising thresholds and delegated acts that adapt the methodology of the calculation of such thresholds;
– Amending Common Procurement Vocabulary (CPV);
– Standard forms for the publication of notices.

**Procurement procedures of entities operating in the water, energy, transport and postal services sectors**

– Revising thresholds and adaptations of the methodology of the calculation of such thresholds;
– Amending Common Procurement Vocabulary (CPV);
– Standard forms for the publication of notices.

**Working Group on Technical Barriers to Trade (TBT)**

– Textile fibre names and related labelling and marking of the fibre composition of textile products.

**Expert Group on Agricultural and Forestry Tractors**

– Passenger seats;
– Operating space, access to the driving position and the doors and windows;
– Power take-offs of wheeled agricultural and forestry tractors and their protection;
– Rear-mounted roll-over protection structures of narrow-track wheeled agricultural and forestry tractors;
– Roll-over protection structures mounted in front of the driver's seat on narrow-track wheeled agricultural and forestry tractors;
– Installation, location, operation and identification of the controls;
– Certain components and characteristics;
– Type-approval of agricultural or forestry tractors, their trailers and interchangeable towed machinery, together with their systems, components and separate technical units;
– Action to be taken against the emission of gaseous and particulate pollutants by engines intended to power agricultural or forestry tractors;
– Maximum design speed of and load platforms for wheeled agricultural and forestry tractors.

**Expert Group on Chemicals**

– Classification, labelling and packaging of substances and mixtures;
– Extending the possible time periods for provisional authorisations;
– Approving biocidal active substances, or amending the annexes to the Biocidal Products Regulation;
– Detergents;
– Persistent organic pollutants;
– Amendments to the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH);
– Laying down test methods pursuant to REACH;
– Rules on, and fees and charges payable to, the European Chemicals Agency;
– Batteries, accumulators and waste batteries and accumulators.

**Expert Group on Construction**
– Marketing of construction products.

**Expert Group on Cosmetics**
– Cosmetic products.

**Expert Group on Electrical Equipment**
– Equipment and protective systems intended for use in potentially explosive atmospheres;
– Electromagnetic compatibility;
– Electrical equipment designed for use within certain voltage limits.

**Expert Group on Explosives for Civil Use**
– Pyrotechnic articles;
– Explosives precursors;
– The making available on the market and supervision of explosives for civil uses.

**Expert Group on Fertilisers**
– Fertilisers, excluding those that relate to cadmium.

**Expert Group on Machinery**
– Noise emission in the environment by equipment for use outdoors;
– Measures against the emission of gaseous and particulate pollutants from internal combustion engines to be installed in non-road mobile machinery;
– Machinery;
– Lifts and safety components for lifts.

**Expert Group on Marine Equipment**
– Marine equipment.

**Expert Group on Maximum Residue Limits (MRLs)**
– Pharmacologically active substances and their classification regarding maximum residue limits in foodstuffs of animal origin.
Expert Group on Measuring Instruments

– Non-automatic weighing instruments;
– Measuring instruments.

Expert Group on Medicinal Products and Medical Devices

– Fees payable to the European Agency for the Evaluation of Medicinal Products;
– Procedures for authorisation and supervision of medicinal products;
– Orphan medical products, ‘similar medical products’ and ‘clinical superiority’;
– Community code relating to medicinal products for human use;
– Standards of quality and safety regarding human blood and blood components;
– Standards of quality and safety regarding human tissues and cells;
– Guidelines for good manufacturing practice in respect of (investigational) medicinal products for human use;
– Herbal substances for use in traditional herbal medicinal products.

Expert Group on Motor Vehicles

– Type-approval of motor vehicles with respect to emissions from light passenger and commercial vehicles;
– Type-approval of motor vehicles and engines with respect to emissions from heavy duty vehicles and on access to vehicle repair and maintenance information;
– Type-approval of two or three-wheeled motor vehicles;
– Certain components and characteristics of two or three-wheeled motor vehicles;
– Type-approval of motor vehicles with regard to their reusability, recyclability and recoverability;
– Framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles;
– Type-approval requirements for the manufacturer’s statutory plate and for the identification number of motor vehicles and their trailers;
– Type-approval requirements for the general safety of motor vehicles, their trailers and systems, components and separate technical units;
– Approval and market surveillance of two or three-wheeled vehicles;
– Type-approval of motor vehicles with regard to the protection of pedestrians and other vulnerable road users;
– Approvals of innovative technologies for reducing CO₂ emissions.

Expert Group on Personal Protective Equipment

– Personal protective equipment.

Expert Group on Pressure Equipment

– Simple pressure vessels;
– Pressure equipment.
Expert Group on Product Safety, Market Surveillance and Product Liability
- General safety requirements for consumer products;
- Prolongation of bans on dangerous consumer products.

Expert Group on Recreational Craft
- Recreational craft and personal watercraft.

Expert Group on Telecommunications Equipment
- Radio equipment and telecommunications terminal equipment and the mutual recognition of their conformity.

Expert Group on Tobacco

Subcommittee II

Working Group on Financial Services
- Accounting standards;
- Binding technical standards drafted by the European Supervisory Authorities.

Working Group on Electronic Communication, Audiovisual Services and Information Society (ECASIS)
- Harmonisation of frequency;
- Adequacy of the protection of personal data in third countries.

Working Group on Transport

Road
- Driving licences;
- Inland transport of dangerous goods;
- Road safety and technical harmonisation.

Rail
- Certification of train drivers operating locomotives and trains on the railway system in the Community;
- Basic parameters within the field of rail transport;
- Registration of vehicles within the field of rail transport;
- Normalisation of the accounts of railway undertakings;
- Licensing of railway undertakings;
- Common safety indicators and common safety targets for assessing conformity with the requirements for obtaining railway safety certificates;
Inland waterways
- All acts related to inland waterways.

Maritime
- Acts adopted by the Committee on Safe Seas and the Prevention of Pollution from Ships (COSS Committee);
- Acts adopted by the Committee for Maritime Security (MARSEC Committee).

Air
- List of air carriers subject to an operating ban;
- Common rules in the field of civil aviation security;
- Fees and charges levied by the European Aviation Safety Agency (EASA);
- Working methods of EASA for conducting standardisation inspections;
- Continuing airworthiness of aircraft and aeronautical products, parts and appliances, and approval of organisations and personnel involved in these tasks;
- Harmonisation of technical requirements and administrative procedures in the field of civil aviation;
- Third-country aircraft using Community airports;
- Technical requirements and administrative procedures related to civil aviation aircrew, air operations, aerodromes and air traffic control;
- Single European Sky acts (only if they do not contain any horizontal challenge).

Working Group on Enterprise Policy and Internal Market Affairs
- Establishment of minimum requirements for the cross-border processing of documents signed electronically;
- Update of the technical specifications for the Trusted Lists of Certification Service Providers.

Subcommittee III

Working Group on the Recognition of Professional Qualifications
- Technical specifications and measures necessary to ensure integrity, confidentiality and accuracy of information contained in the European Professional Card for particular professions and in the Internal Market Information (IMI) file.

Working Group on Social Security
Subcommittee IV

Working Group on Consumer Affairs
- Technical aspects of the electronic complaints form (ODR).

Working Group on Heads of National Statistical Institutes
- Prodcom list.

Working Group on the Environment
- Amendment of annexes for the purpose of adaptations to scientific and technical progress;
- Establishment or update of the format of information to be provided/questionnaire;
- Amendments to the list of aircraft operators specifying the administering Member State under the EU Emissions Trading Scheme (ETS);
- Establishment or prolongation of the validity of the ecological criteria for the award of the EU Ecolabel to certain products;
- Acts related to the Eco-Management and Audit Scheme (EMAS);
- Amendments to the list of non-OCED countries to which the export for recovery of certain waste is allowed;
- Establishment of criteria determining when certain waste ceases to be waste;
- Establishment of Best Available Techniques (BATs) for industrial emissions;
- Recognition of voluntary schemes for demonstrating compliances with the sustainability criteria.