

EEE 1607/18

REPORT

Subject: Progress report by the EEA Joint Committee to the 50th meeting of the EEA Council

Decision making

1. The EEA Joint Committee has adopted 117 Joint Committee Decisions (JCDs) incorporating 174 legal acts since the EEA Council of 23 May 2018. In the period from 1 January to 26 October 2018, the EEA Joint Committee has adopted 219 JCDs incorporating 375 legal acts. In the same period of 2017, 207 JCDs incorporating 414 legal acts were adopted.
2. As of 5 November 2018, there were 612 outstanding legal acts where the compliance date in the EU had passed, compared to 554 acts on 10 May 2018. Since May 2018 therefore the overall number of outstanding legal acts has increased by 10.5 %.
3. The number of JCDs awaiting the fulfilment of constitutional requirements, where the six-month period had expired, increased from 12 on 10 May 2018 to 18 on 5 November 2018.
4. Important decisions incorporated since the 49th meeting of the EEA Council include:
 - Decisions No 112/2018 and 113/2018 concerning the European Market Infrastructure Regulation (EMIR),
 - Decision No 114/2018 concerning driving licenses,

- Decision No 146/2018 concerning defence-related products,
- Decision No 154/2018 concerning the protection of natural persons with regard to the processing of personal data and on the free movement of such data (General Data Protection Regulation).
- Decision No 158/2018 concerning cross-border portability of online content services,
- Decisions No 213/2018 and 214/2018 concerning insurance distribution (IDD),
- Decision No 215/2018 concerning the enforcement of the Posting of Workers Directive.

Decision shaping

5. The EEA EFTA States are participating in 16 EU programmes and 21 agencies, of which 16 are regulatory agencies and five executive agencies.
6. Since the last EEA Council, the EEA Joint Committee has taken note of EEA EFTA Comments on the following subjects:
 - The Goods Package,
 - The EU Cybersecurity Agency (ENISA) and the Cybersecurity Act,
 - The marketing and use of explosives precursors,
 - Work-life balance,
 - Contracts for the sales of goods,
 - Erasmus 2021-2027.

Briefings in the Joint Committee

7. Briefings were provided in the EEA Joint Committee on the following topics:

- Multiannual Financial Framework 2021-2027,
- Capital controls in Iceland,
- Capital controls in Greece.

Status of outstanding issues

8. The discussions on the following issues have not yet been concluded:

- The Directive on the Deposit Guarantee Scheme,
- The Directive and Regulation on Capital Requirements (CRD IV and CRR),
- The Directive and Regulation on Markets in Financial Instruments (MiFID II and MiFIR),
- Ship Inspection and Survey Organizations,
- The Single European Railway Area,
- The remaining part of the 2009 TELECOM package, including the Regulation establishing the Body of European Regulators for Electronic Communications (BEREC),
- The Third Postal Directive,

9. The Joint Committee has reiterated its determination to work towards the rapid conclusion of these issues.

Financial Mechanisms

10. The Agreement on the EEA Financial Mechanism and the Agreement on the Norwegian Financial Mechanism for the period 2014-2021 imply total contributions of 1548.1 and 1253.7 million euro, respectively. As of 5 November 2018, Memoranda of Understanding have been signed with Bulgaria, Croatia, the Czech Republic, Estonia, Greece, Latvia, Lithuania, Malta, Poland, Portugal, Romania, Slovakia and Slovenia.
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