

## Minutes of College Meeting No. 23 - 5 September 2012

Members present: Oda Helen Sletnes, Sverrir Haukur Gunnlaugsson and Sabine Monauni-Tömördy

Officials present: Maria Segura Catalán, Ólafur Jóhannes Einarsson, Lennart Garnes, Rodolphe Muñoz, Magdalena Suszycka-Jasch, Karoline Mathisen, Steven Verhulst, Erik Eidem, Xavier Lewis, Trygve Mellvang-Berg and Janecke Aarnæs

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### 1. Agenda

Event [641239](#)

The College approved the Agenda

### 2. Decision(s) taken by delegation procedure

**Decision 294/12/COL** on a Comment on the Icelandic Technical Regulation Notification 2012/9005/IS, taken by Sverrir Haukur Gunnlaugsson on 2 August 2012

### 3. **Case 71462: Non-implementation by Norway of Directive 2009/22/EC (injunctions for the protection of consumers' interests)**

Event [637061](#)

The College adopted the decision to close a case against Norway for failure to implement the Act referred to at point 7d of Annex XIX of the Agreement on the European Economic Area (*Directive 2009/22/EC of the European Parliament and of the Council of 23 April 2009 on injunctions for the protection of consumers' interests*), as adapted to the EEA Agreement by Protocol 1 thereto, into its national law and its failure to notify the Authority forthwith thereof, as **Decision No. 295/12/COL**

### 4. **Case 71463: Non-implementation by Iceland of Directive 2009/22/EC (injunctions for the protection of consumers' interests)**

Event [637068](#)

The College adopted the decision to deliver a reasoned opinion to Iceland, in accordance with Article 31 of the Agreement between the EFTA States on the Establishment of a Surveillance Authority and a Court of Justice concerning the failure by Iceland to adopt the measures necessary to implement the Act referred to at point 7d of Annex XIX to the Agreement on the European Economic Area (*Directive 2009/22/EC of the European Parliament and of the Council of 23 April 2009 on injunctions for the protection of consumers' interests*) or, in any event, its failure to notify the Authority forthwith of the measures it has adopted to implement the Act, as **Decision No. 296/12/COL**

5. **Case 67726: Complaint concerning the requirement of appointing a co-trustee resident in Liechtenstein if trusteeship is operated from abroad**

Event [641100](#)

The College adopted the decision to deliver a reasoned opinion to Liechtenstein, in accordance with Article 31 of the Agreement between the EFTA States on the Establishment of a Surveillance Authority and a Court of Justice concerning Liechtenstein's failure to comply with Articles 14(1) and 16(1) of Directive 2006/123/EC (the Services Directive), alternatively Articles 31 and 36 EEA, by requiring the appointment of a co-trustee resident in Liechtenstein if the trustee of a trust is resident in another EEA State, as **Decision No. 297/12/COL**

6. **Case 71118: Non-incorporation by Iceland of Regulation (EC) No 999/2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies**

Event [637611](#)

The College adopted the decision to deliver a reasoned opinion to Iceland, in accordance with Article 31 of the Agreement between the EFTA States on the Establishment of a Surveillance Authority and a Court of Justice concerning the failure by Iceland to make the Act referred to at point 7.1.12 of Chapter I of Annex I to the Agreement on the European Economic Area (*Regulation (EC) No 999/2001 of the European Parliament and of the Council of 22 May 2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies*) as such part of its internal legal order, as **Decision No. 298/12/COL**

7. **Case 66524: Request from Norway to be authorised to grant exception from Regulation (EC) No 561/2006 on driving and resting time in road transport**

Event [631549](#)

The College adopted the decision to reject Norway's request for exemptions from Article 7 of the Act referred to at point 24e in Chapter II of Annex XIII to the Agreement of the European Economic Area (*Regulation (EC) No 561/2006 of the*

*European Parliament and of the Council of 15 March 2006 on the harmonisation of certain social legislation relating to road transport and amending Council Regulations (EEC) No 3821/85 and (EC) No 2135/98 and repealing Council Regulation (EEC) No 3820/85), as adapted by the EEA Agreement by Protocol 1 thereto, as **Decision No. 299/12/COL***

**8. Case 72107: Decision to adopt new rules on public access to documents 2012**

Event [639933](#)

The College adopted the decision to adopt new rules on public access to documents 2012, as **Decision No. 300/12/COL**

**9. Case 55914: Decision to amend the EFTA Surveillance Authority's Manual of Operational Procedures for the 27<sup>th</sup> time (access to documents) – sections 8.4 and 9.1 and Annex I**

Event [642350](#)

The College adopted the decision to amend the Authority's Manual of Operational Procedures for the 27<sup>th</sup> time (adopt new rules on public access to documents) – sections 8.4 and 9.1 and Annex I, as **Decision No. 301/12/COL**

**10. Case 69598: Decision to submit a proposal for a decision to be adopted by the Standing Committee designating Committees to assist the EFTA Surveillance Authority in carrying out its functions under Article 3 of Protocol 1 of the EEA Agreement**

Event [616749](#)

The College adopted the decision to adopt the proposal to submit a proposal for a decision to be adopted by the Standing Committee designating Committees to assist the EFTA Surveillance Authority in carrying out its functions under Article 3 of Protocol 1 to the Agreement between the EFTA States on the Establishment of a Surveillance Authority and a Court of Justice and repealing certain Standing Committee Decisions, as **Decision No. 302/12/COL**

The proposal will be forwarded to the Standing Committee.

The College requests that the services report to it annually on the activities of the committees.

**11. Other Business**

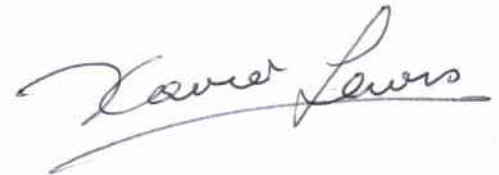
None

12. Minutes of the College Meeting no. 23, held on 5 September 2012

Event [645198](#)

The College approved the Minutes of the College Meeting held on 5 September 2012

  
Oda Helen Sletnes  
President

  
Xavier Lewis  
Director