

Brussels, 12 December 2012
Case No:72875
Event No:655388

EFTA SURVEILLANCE
AUTHORITY

Minutes of College Meeting No. 37 - 12 December 2012

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

Officials present: Ólafur Jóhannes Einarsson, Per Andreas Bjørgan, Xavier Lewis, Helle Brit, Bernhard Zaglmayer, Magdalena Suszycka-Jasch, Jonas Pålshammar, Gabrielle Somers, Andreas Breyvik, Karoline Mathisen, Hubertus Von Rosenberg, Trygve Mellvang-Berg and Nina Hoppe

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1. Agenda

Event [655386](#)

The College approved the Agenda

2. Decision(s) taken by delegation procedure

Decision 462/12/COL to close a complaint case arising from an alleged failure by Norway to comply with the provisions of the Act referred to at point 10 of Part 1.1 of Chapter I of Annex I to the EEA Agreement, *Regulation (EC) No 998/2003 on the animal health requirements applicable to the non-commercial movement of pet animals*, by adopting/maintaining in force an administrative practice whereby imports of certain dogs from Romania are rejected, taken by Sverrir Haukur Gunnlaugsson on 5 December 2012

Decision 463/12/COL to close a complaint case arising from an alleged failure by Norway to comply with the provisions of the Act referred to at point 10 of Part 1.1 of Chapter I of Annex I to the EEA Agreement, *Regulation (EC) No 998/2003 on the animal health requirements applicable to the non-commercial movement of pet animals*, by adopting/maintaining in force an administrative practice whereby imports of certain dogs from Romania are rejected, taken by Sverrir Haukur Gunnlaugsson on 5 December 2012

Decision 464/12/COL to close a complaint case arising from an alleged failure by Norway to comply with the provisions of the Act referred to at point 10 of Part 1.1 of Chapter I of Annex I to the EEA Agreement, *Regulation (EC) No 998/2003 on the animal health requirements applicable to the non-commercial movement of pet animals*, by adopting/maintaining in force an administrative practice whereby imports of certain dogs from Romania are rejected, taken by Sverrir Haukur Gunnlaugsson on 5 December 2012

Decision 465/12/COL on a Comment on the Icelandic Draft Technical Regulation Notification 2012/9008/IS, taken by Sverrir Haukur Gunnlaugsson on 5 December 2012

3. **Case 72425: Non-implementation by Iceland of Directive 2010/68/EU (Amending Directive 96/68/EC on maritime equipment)**

Event [655087](#)

The College adopted a decision to close the case against to Iceland for failure to implement the Act referred to at point 1 of Chapter XXXII of Annex II and point 56d of Chapter V of Annex XIII of the Agreement on the European Economic Area (*Commission Directive 2010/68/EU of 22 October 2010 amending Council Directive 96/98/EC on marine equipment*), 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. 467/12/COL**

4. **Case 71383: Non-implementation by Liechtenstein of Directive 2009/114/EC (Frequency bands)**

Event [653875](#)

The College adopted a decision to close the case against to Liechtenstein for failure to implement the Act referred to at point 1 of Annex XI of the Agreement on the European Economic Area (*Directive 2009/114/EC of the European Parliament and of the Council of 16 September 2009 amending Council Directive 87/372/EEC on the frequency bands to be reserved for the coordinated introduction of public pan-European cellular digital land-based mobile communications in the Community*), 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. 468/12/COL**

5. **Case 69539: Non-implementation by Iceland of Directive 2008/63/EC (Competition in terminal equipment)**

Event [653884](#)

The College adopted a decision to close the case against to Iceland for failure to implement the Act referred to at point 12 of Annex XIV and point 4zzp of Chapter XVIII of Annex II of the Agreement on the European Economic Area (*Commission Directive 2008/63/EC of 20 June 2008 on competition in the markets*

in telecommunications terminal equipment), 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. 469/12/COL**

6. **Case 72211: Non-implementation by Norway of Directive 2011/38/EU (Maximum pH values for platelets concentrates at the end of the shelf life)**

Event [652825](#)

The College adopted a decision to close the case against to Norway for failure to implement the Act referred to at point 15v of Chapter XIII of Annex II of the Agreement on the European Economic Area (*Commission Implementing Directive 2011/38/EU of 11 April 2011 amending Annex V to Directive 2004/33/EC with regards to maximum pH values for platelets concentrates at the end of the shelf life*), 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. 470/12/COL**

7. **Case 72210: Non-implementation by Liechtenstein of Directive 2011/38/EU (Maximum pH values for platelets concentrates at the end of the shelf life)**

Event [653699](#)

The College adopted a decision to close the case against to Liechtenstein for failure to implement the Act referred to at point 15v of Chapter XIII of Annex II of the Agreement on the European Economic Area (*Commission Implementing Directive 2011/38/EU of 11 April 2011 amending Annex V to Directive 2004/33/EC with regards to maximum pH values for platelets concentrates at the end of the shelf life*), 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. 471/12/COL**

8. **Case 67789: Complaint against Norway in the field of the environment (Establishment of a liquefied natural gas plant in Risavika harbour)**

Event [654038](#)

The College adopted a decision to close a complaint case against Norway in the field of the environment regarding the establishment of a liquefied natural gas (LNG) plant in the Risavika harbour, as **Decision No. 472/12/COL**

9. **Case 68579: Complaint against Norway concerning long timelines for unemployment benefits applications of frontier workers**

Event [616670](#)

The College adopted a decision to close a case against Norway commenced following receipt of a complaint against that State in the field of social security

concerning the access to unemployment benefits, alleging an infringement of the EEA Agreement on grounds of a delayed transmission of a Form E301, as **Decision No. 473/12/COL**

10. Case 68713: Own-initiative case against Norway concerning long timelines for unemployment benefits applications of frontier workers

Event [654519](#)

The College adopted a decision to close an own-initiative case arising from an alleged failure by Norway to comply with Article 3 of the Act referred to at point 1 of Annex VI to the Agreement on the European Economic Area (*Regulation (EEC) No 1408/71 of the Council of 14 June 1971 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community*), as amended and as adapted to the EEA Agreement by Protocol 1 thereto, as **Decision No. 474/12/COL**

11. Case 70436: Complaint concerning access to family benefits of self-employed persons in Norway

Event [653752](#)

The College adopted a decision to close a complaint case arising from an alleged failure by Norway to comply with the Act referred to at point 1 of Annex VI to the Agreement on the European Economic Area (*Regulation (EEC) No 1408/71 of the Council of 14 June 1971 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community*), as amended and as adapted to the EEA Agreement by Protocol 1 thereto, as **Decision No. 475/12/COL**

12. Case 70503: Complaint concerning access to child support benefits from Iceland when residing abroad

Event [653932](#)

The College adopted a decision to close a complaint case arising from an alleged failure by Iceland to comply with the Act referred to at point 1 of Annex VI to the Agreement on the European Economic Area (*Regulation (EEC) No 1408/71 of the Council of 14 June 1971 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community*), as amended and as adapted to the EEA Agreement by Protocol 1 thereto, as **Decision No. 476/12/COL**

13. Case 72104: Incorrect implementation by Norway of the feed ban in Regulation (EC) No 999/2001 on transmissible spongiform encephalopathies (Mad cow disease, scrapie, etc)

Event [643183](#)

The College adopted a decision to send a letter of formal notice to Norway for failure to fulfil its obligations arising from Article 7 of the Act referred to at point 12 of Part 7.1 of Chapter I of Annex I to the EEA Agreement (*Commission Regulation (EC) No 1292/2005 amending Annex IV to Regulation (EC) No 999/2001 of the European Parliament and of the Council as regards animal nutrition*), as amended and as adapted to the EEA Agreement by Protocol 1 thereto, as **Decision No. 477/12/COL**

14. Case 67065: Incorrect implementation by Norway of Directive 2005/60/EC on anti-money laundering

Event [648738](#)

The College adopted a decision to deliver a reasoned opinion to Norway, 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 Norway's failure to correctly implement Article 37(1) of the Act referred to at point 23b of Annex IX to the Agreement on the European Economic Area (*Directive 2005/60/EC of the European Parliament and of the Council of 26 October 2005 on the prevention of the use of financial system for the purpose of money laundering and terrorist financing*), as **Decision No. 478/12/COL**

15. Case 64352: Incorrect implementation by Iceland of Directive 2005/60/EC on anti-money laundering

Event [648830](#)

The College adopted a 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 Iceland's failure to correctly implement Article 37(1) of the Act referred to at point 23b of Annex IX to the Agreement on the European Economic Area (*Directive 2005/60/EC of the European Parliament and of the Council of 26 October on the prevention of the use of financial system for the purpose of money laundering and terrorist financing*), as **Decision No. 479/12/COL**

16. Case 71725: Decision on the draft of Article 55 of the Liechtenstein tax act

Event [651592](#)

The College adopted a decision that the draft Article 55 of the Liechtenstein Tax Act, allowing for a tax deduction in respect of income derived from intellectual property rights, software and scientific and technical databases, does not involve state aid within the meaning of Article 61(1) of the EEA Agreement, as **Decision No. 480 /12/COL**

requested that the Liechtenstein Authorities be informed of this Decision by means

of a copy of the Decision

requested that the European Commission be informed in accordance with Protocol 27(d) of the EEA Agreement, by means of a copy of the Decision

requested that the other EFTA States, EU Member States and interested parties be informed by publishing a summary notice of this Decision, in the EEA Section of the Official Journal of the European Union and the EEA Supplement thereto,

agreed to inform the public by means of a press release in English

17. Decision taken by written procedure

Decision 466/12/COL to submit to the EFTA Committee on Technical Regulations, Standards, Testing and Certification an Opinion concerning Iceland's notification of a draft regulation on caffeine content in foodstuffs and labelling of foodstuffs containing caffeine, taken by College on 5 December 2012

18. Other Business

None

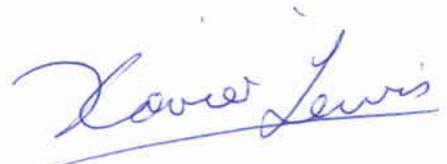
19. Minutes of the College Meeting no. 37, held on 12 December 2012

Event 655388

The College approved the Minutes of the College Meeting held on 12 December 2012



Oda Helen Sletnes
President



Xavier Lewis
Director