



Minutes of College Meeting 1 - 18 January 2017

Members present:

Sven Erik Svedman
Frank J. Büchel
Helga Jónsdóttir

Officials present:

Anders Ihr
Anne Vestbakke
Carsten Zatschler
Olafur Einarsson
Gabrielle Somers
Milagros Varela Choucino
Birgitte Jourdan-Andersen
Fabian Kaisen
Mihalis Kekelekis
Iris Isberg
Lisa Dutton

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1. Agenda

Document 834584

The College approved the draft agenda

2. Case 77817: College Decision 005/17/COL - Closure decision - Non-incorporation of Regulation No 1357/2014 by Norway replacing Annex III to Directive 2008/98/EC on waste

Document 833641

The College adopted a Decision to close a case on Norway's failure to take the measures necessary to implement the Act referred to at point 32ff of Annex XX of the Agreement on the European Economic Area (Commission Regulation (EU) No 1357/2014 of 18 December 2014 replacing Annex III to Directive 2008/98/EC of the European Parliament and of the Council on waste and repealing certain Directives), as adapted to that Agreement by Protocol 1 thereto, as such into its national law, as Decision No. 005/17/COL.

3. Case 77442: College Decision 007/16/COL - Decision to close a complaint case relating to the Water Framework Directive from the Municipality of Forde

Document 830500

PRS 835441

PRS NO 835442

The College adopted a Decision to close a complaint case arising from an alleged failure by Norway to comply with Directive 2000/60/EC of the European Parliament and the Council establishing a framework for Community action in the field of water policy by approving a mining project and a proposal to dispose of mining tailings in the Førde Fjord, as Decision No. 007/17/COL.

The College agreed to inform the public by means of a press release.

4. Case 76709: College Decision 008/17/COL - Decision to close a complaint alleging failure by Norway to comply with Directive 2000/60 in relation to a mining project in Western Norway

Document 830021

The College adopted a Decision to close a complaint case arising from an alleged failure by Norway to comply with Directive 2000/60/EC of the European Parliament and the Council establishing a framework for Community action in the field of water policy by approving a mining project and a proposal to dispose of mining tailings in the Førde Fjord, as Decision No. 008/17/COL.

5. Case 77424: College Decision 009/17/COL - Decision to close a complaint case regarding the Water Framework Directive from Friends of the Earth Norway

Document 830452

The College adopted a Decision to close a complaint case arising from an alleged failure by Norway to comply with Directive 2000/60/EC of the European Parliament and the Council establishing a framework for Community action in the field of water policy by approving a mining project and a proposal to dispose of mining tailings in the Førde fjord, as Decision No. 009/17/COL,

6. Case 79535: College Decision 002/17/COL - Reasoned opinion - Non-implementation by Iceland of Directive 2014/54 as regards measures facilitating the exercise of rights conferred on workers

Document 825803

The College adopted a Decision to deliver a reasoned opinion to Iceland in accordance with Article 31(1) of the Agreement between the EFTA States on the Establishment of a Surveillance Authority and a Court of Justice for that State's failure to take the measures necessary to implement the Act referred to at point 8 of Annex V to the Agreement on the European Economic Area (Directive 2014/54/EU of the European Parliament and of the Council of 16 April 2014 on measures

facilitating the exercise of rights conferred on workers in the context of freedom of movement for workers), as adapted to that Agreement by Protocol 1 thereto, into its national law and/or its failure to notify the Authority forthwith of these measures, as Decision No. 002/17/COL.

The College agreed that the competent College member would dispatch the reasoned opinion to Iceland.

7. Case 79544: College Decision 004/17/COL - Reasoned opinion to Iceland for non-implementation of Directive 2008/99 as regards the protection of the environment through criminal law

Document 832813

The College adopted a Decision to deliver a reasoned opinion to Iceland in accordance with Article 31(1) of the Agreement between the EFTA States on the Establishment of a Surveillance Authority and a Court of Justice for that State's failure to take the measures necessary to implement the Act referred to at point 1m of Annex XX to the Agreement on the European Economic Area (Directive 2008/99/EC of the European Parliament and of the Council of 19 November 2008 on the protection of the environment through criminal law), as adapted to that Agreement by Protocol 1 thereto, into its national law and/or its failure to notify the Authority forthwith of these measures, as Decision No. 004/17/COL.

The College agreed that the competent College member would dispatch the reasoned opinion to Iceland.

8. Case 79409: College Decision 006/17/COL - Reasoned opinion - Iceland - Non implementation of Directive 2009/123 amending Directive 2005/35/EC on ship-source pollution and on the introduction of penalties for infringements

Document 829222

The College adopted a Decision to deliver a reasoned opinion to Iceland in accordance with Article 31(1) of the Agreement between the EFTA States on the Establishment of a Surveillance Authority and a Court of Justice for that State's failure to take the measures necessary to implement the Act referred to at point 56v of Chapter of Annex XIII to the Agreement on the European Economic Area (Directive 2009/123/EC of the European Parliament and of the Council of 21 October 2009 amending Directive 2005/35/EC on ship-source pollution and on the introduction of penalties for infringements), as adapted to that Agreement by Protocol 1 thereto, into its national law and/or its failure to notify the Authority forthwith of these measures, as Decision No. 006/17/COL.

The College agreed that the competent College member would dispatch the reasoned opinion to Iceland.

9. Case 79536: College Decision 001/17/COL - Reasoned opinion - Non-implementation by Liechtenstein of Directive 2014/54 as regards measures facilitating the exercise of rights conferred on workers

Document 825786

The College adopted a Decision to deliver a reasoned opinion to Liechtenstein in accordance with Article 31(1) of the Agreement between the EFTA States on the Establishment of a Surveillance Authority and a Court of Justice for that State's failure to take the measures necessary to implement the Act referred to at point 8 of Annex V to the Agreement on the European Economic Area (Directive 2014/54/EU of the European Parliament and of the Council of 16 April 2014 on measures facilitating the exercise of rights conferred on workers in the context of freedom of movement for workers), as adapted to that Agreement by Protocol 1 thereto, into its national law and/or its failure to notify the Authority forthwith of these measures, as Decision No. 001/17/COL.

The College agreed that the competent College member would dispatch the reasoned opinion to Iceland.

10. Case 79262: College Decision 003/17/COL - EFTA Surveillance Authority Decision adopting the Guidelines on the notion of State aid

Document 824837

Document 812818

The College adopted a Decision to amend, for the one-hundred and second time, the procedural and substantive rules in the field of State aid by introducing new Guidelines on the notion of State aid as referred to in Article 61(1) of the Agreement on the European Economic Area, as Decision No. 003/17/COL.

11. Decisions taken by delegation procedure

None

12. Decisions taken by written procedure

None

13. List of delegated decisions under the Delegation Decisions 470/15/COL and 483/15/COL

Document 834254

The College to take note of the list of delegated decisions from 1 - 31 December 2016.

14. Other business

None

15. Minutes of the College Meeting 1 - Wednesday 18 January 2017

Document 834585

For approval.

Sven Erik Svedman
President

Carsten Zatschler
Director

This document has been electronically signed by Sven Erik Svedman, Carsten Zatschler on 18/01/2017