Brussels, 22 February 2017
Doc No: 841394

Minutes of College Meeting 5 - 22 February 2017

Members present:

Sven Erik Svedman
Frank J. Büchel
Helga Jónsdóttir

Officials present:

Kathryn Bryan
Gjermund Mathisen
Anne Vestbakke
Carsten Zatschler
Marlene Lie Hakkebo
Olafur Einarsson
Caspar Ebrecht
Laurits Nielsen
Maxime Baudouin
Lisa Dutton

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1. Agenda

Document 841393

The College approved the draft agenda

2. Case 79962: College Decision 037/17/COL - Closure Decision - Closure of complaint case against the EEA EFTA states concerning the appointment of a judge to the EFTA Court

Document 839552

The College adopted a Decision to close a complaint case against Norway, Iceland and Liechtenstein concerning the appointment of a judge to the EFTA Court, as Decision No. 037/17/COL.

3. Case 76950: College Decision 034/17/COL - Letter of formal notice - independence of the data protection authority in Iceland

Document 809269

The College adopted a Decision to issue a letter of formal notice to Iceland for its failure to fulfil its obligation arising from Article 28(1)(2) of Directive 95/46 on data protection, as Decision No. 034/17/COL.

4. Case 79626: College Decision 033/17/COL - Reasoned opinion - Non-implementation by Iceland of Directive 2013/35 as regards minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents

Document 836961

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 16jc of Annex XVIII to the Agreement on the European Economic Area (32013L0035 Directive 2013/35/EU of the European Parliament and of the Council of 26 June 2013 on the minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents (electromagnetic fields) (20th individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) and repealing Directive 2004/40/EC OJ L 179, 29/06/2013, p. 1), 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. 033/17/COL. The College agreed that the competent College member would dispatch the reasoned opinion to Iceland.

5. Case 79497: College Decision 038/17/COL - Reasoned opinion to Iceland for non-incorporation of Regulation 1029/2014 as regards the quality of aeronautical data and aeronautical information - Amendment

Document 832364

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 incorporate the Act referred to at point 66wo of Annex XIII of the Agreement on the European Economic Area (Commission Implementing Regulation (EU) No 1029/2014 of 26 September 2014 amending Regulation (EU) No 73/2010 laying down requirements on the quality of aeronautical data and aeronautical information for the single European sky), as adapted to that Agreement by Protocol 1 thereto, as such into its national law, as Decision No. 038/17/COL. The College agreed that the competent College member would dispatch the reasoned opinion to Iceland.

6. Case 79496: College Decision 039/17/COL - Reasoned opinion to Iceland for non-incorporation of Regulation 73/2010 as regards the quality of aeronautical data and aeronautical information

Document 832355

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 incorporate the Act referred to at point 66wo of Annex XIII of the Agreement on the European Economic Area (Commission Regulation (EU) No 73/2010 of 26 January 2010 laying down requirements on the quality of aeronautical data and aeronautical information for the single European sky), as adapted to that Agreement by Protocol 1 thereto, as such into its national law, as Decision No. 039/17/COL. The College agreed that the competent College member would dispatch the reasoned opinion to Iceland.

7. Case 79708: College Decision 040/17/COL - Reasoned opinion to Iceland for non-incorporation of Regulation 2015/705 as regards methods of sampling and performance criteria for methods of analysis for official control of levels of erucic acid in foodstuffs

Document 838680

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 incorporate the Act referred to at point 108 of Chapter XII of Annex II of the Agreement on the European Economic Area (Commission Regulation (EU) 2015/705 of 30 April 2015 laying down methods of sampling and performance criteria for the methods of analysis for the official control of the levels of erucic acid in foodstuffs and repealing Commission Directive 80/891/EEC), as adapted to that Agreement by Protocol 1 thereto, as such into its national law, as Decision No. 040/17/COL. The College agreed that the competent College member would dispatch the reasoned opinion to Iceland.

8. Case 74881: College Decsision 041/17/COL - Reasoned opinion - Failure by Norway to fulfil its obligations under Art 31(1) EEA by maintaining rules on certain access to the taxi services market

Document 818034

PRS 842438

PRS NO 842445

The College adopted a Decision to deliver a reasoned opinion concerning certain provisions of Norwegian law governing access of transport operators to the market for taxi services and their compliance with Article 31(1) of the EEA, in accordance with Article 31 of the Agreement between the EFTA States on the Establishment of a Surveillance Authority and a Court of Justice, as Decision No. 041/17/COL. The College agreed that the competent College member would dispatch

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

9. Decisions taken by delegation procedure

The College took note of the following decisions by delegated procedure

- Document 821081
  Case 70598: College Decision 035/17/COL - Request for a derogation from Norway under Article 8(5) of Directive 91/271/EEC concerning urban waste water treatment - Municipality of Trondheim (Høvringen and Ladehammeren plants), taken by Helga Jónsdóttir on 8 February 2017.

- Document 811371
  Case 79332: College decision 036/17/COL - Safeguard measure on the basis of Article 11 and 14(5) of BR, taken by Helga Jónsdóttir on 10 February 2017.

- Document 837338
  Case 79653: College Decision 032/17/COL - Closure Decision - Complaint against Iceland concerning Bakki power line project, taken by Helga Jónsdóttir on 15 February 2017.

10. Decisions taken by written procedure

None

11. Other business

None

12. Minutes of the College Meeting 5 - Wednesday 22 February 2017

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For approval.

Sven Erik Svedman
President

Carsten Zatschler
Director

This document has been electronically signed by Carsten Zatschler, Sven Erik Svedman on 22/02/2017