

Brussels, 22 May 2013
Case No:73807
Event No:671948

Minutes of College Meeting No. 17 - 22 May 2013

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

Officials present: Per Andreas Bjørgan, Ólafur Johannes Einarsson, Xavier Lewis, Brit Helle, Andreas Breivik, Werner Miguel Kühn, Rakel Jensdóttir, Steven Verhulst, Kristin Bangsund Jonas Pálshammar, Nicole Portheim and Nina Hoppe

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1. Agenda

Event [671947](#)

The College approved the Agenda

2. Decisions taken by delegation procedure

Event [670746](#)

3. Case 64352: Own-initiative case: conformity assessment of the implementation of Directive 2005/60/EC in Iceland

Event [669898](#)

The College adopted a decision to close an own-initiative case arising from an alleged failure by Iceland to adopt the necessary measures to fully implement 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 adapted to the EEA Agreement by Protocol 1 thereto, into its national law, as **Decision No. 187/13/COL**

4. **Case 73615: Non-incorporation by Iceland of Regulation (EC) No 1102/2008 (Banning of exports of metallic mercury and certain mercury compounds and mixtures and the safe storage of metallic mercury)**

Event [669116](#)

The College adopted a decision to issue a letter of formal notice to Iceland for failure to incorporate the Act referred to at point 22a of Chapter IV of Annex XX of the Agreement on the European Economic Area (*Regulation (EC) No 1102/2008 of the European Parliament and of the Council of 22 October 2008 on the banning of exports of metallic mercury and certain mercury compounds and mixtures and the safe storage of metallic mercury*), 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. 188/13/COL**

5. **Case 73614: Non-incorporation by Norway of Regulation (EC) No 1102/2008 (Banning of exports of metallic mercury and certain mercury compounds and mixtures and the safe storage of metallic mercury)**

Event [669125](#)

The College adopted a decision to issue a letter of formal notice to Norway for failure to incorporate the Act referred to at point 22a of Chapter IV of Annex XX of the Agreement on the European Economic Area (*Regulation (EC) No 1102/2008 of the European Parliament and of the Council of 22 October 2008 on the banning of exports of metallic mercury and certain mercury compounds and mixtures and the safe storage of metallic mercury*), 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. 189/13/COL**

6. **Case 73635: Non-incorporation by Iceland of Commission Regulation (EU) No 1286/2011 on marine investigations**

Event [669746](#)

The College adopted a decision to issue a letter of formal notice to Iceland for failure to incorporate the Act referred to at point 55cb of Chapter V of Annex XIII of the Agreement on the European Economic Area (*Commission Regulation (EU) No 1286/2011 of 9 December 2011 adopting a common methodology for investigating marine casualties and incidents developed pursuant to Article 5(4) of Directive 2009/18/EC of the European Parliament and of the Council*), 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. 190/13/COL**

7. **Case 73617: Non-implementation by Iceland of Directive 2011/97/EU (Criteria for the storage of metallic mercury considered as waste)**

Event [669167](#)

The College adopted a decision to issue a letter of formal notice to Iceland for failure to implement the Act referred to at point 32d of Chapter V of Annex XX to the Agreement on the European Economic Area (*Council Directive 2011/97/EU of 5 December 2011 amending Directive 1999/31/EC as regards specific criteria for the storage of metallic mercury considered as waste*), as adapted to the EEA Agreement by Protocol 1 thereto, into its national law, as **Decision No. 191/13/COL**

8. Case 73618: Non-implementation by Norway of Directive 2011/97/EU (Criteria for the storage of metallic mercury considered as waste)

Event [669164](#)

The College adopted a decision to issue a letter of formal notice to Norway for failure to implement the Act referred to at point 32d of Chapter V of Annex XX to the Agreement on the European Economic Area (*Council Directive 2011/97/EU of 5 December 2011 amending Directive 1999/31/EC as regards specific criteria for the storage of metallic mercury considered as waste*), as adapted to the EEA Agreement by Protocol 1 thereto, into its national law, as **Decision No. 192/13/COL**

9. Case 73485: Incorrect incorporation by Norway of Regulation (EC) No 1774/2002 laying down health rules concerning animal by-products not intended for human consumption

Event [669650](#)

The College adopted a decision to issue a letter of formal notice to Norway for failure to implement the Act referred to at point 9b in Part 7.1 of Chapter I of Annex I to the Agreement on the European Economic Area (*Regulation (EC) No 1774/2002 of the European Parliament and of the Council of 3 October 2002 laying down health rules concerning animal by-products not intended for human consumption*), as adapted to the EEA Agreement by Protocol 1 thereto, into its national law, as **Decision No. 193/13/COL**

10. Case 70201: Own initiative case against Iceland concerning a notification obligation for all foreign investment in business operations in Iceland

Event [652269](#)

The College adopted a decision to issue a letter of formal notice to Iceland for failure to fulfil its obligation arising from Articles 31 and 40 of the Agreement on the European Economic Area by maintaining in force a notification obligation for all foreign investment in business operations in Iceland in Article 7, paragraph 1 of Act No 34/1991 on Investment by Non-residents in Business Enterprises (*lög nr. 34/1991 um fjárfestingu erlendra aðila í atvinnurekstri*), as **Decision No. 194/13/COL**

11. Cases 68809 and 69278: Complaint cases against Iceland concerning a ban on exchange rate indexed loans in ISK

Event [664124](#)

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 breach of Article 40 of the Agreement on the European Economic Area by maintaining in force a total ban on the granting of exchange rate indexed loans in Icelandic Króna, as **Decision No. 195/13/COL**

12. Case 69276: Failure by Iceland to comply with Directive 85/374/EEC on liability for defective products and with Protocol 35 to the EEA Agreement

Event [667789](#)

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 comply with the Act referred to at Annex III to the EEA Agreement (*Council Directive 85/374/EEC of 25 July 1985 on the approximation of the laws, regulations and administrative provisions of the Member States concerning liability for defective products*), as adapted to the EEA Agreement by Protocol 1 thereto, and in particular Article 3(3) thereof and with Protocol 35 to the EEA Agreement, as **Decision No. 196/13/COL**

13. Decision taken by written procedure

None

14. Other Business

None

15. Minutes of the College Meeting no. 17, held on 22 May 2013

Event [671948](#)

The College approved the Minutes of the College Meeting held on 22 May 2013



Oda Helen Sletnes
President



Xavier Lewis
Director