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EFTA SURVEILLANCE
AUTHORITY

Minutes of College Meeting 26 – 15 July 2015

Members present: Helga Jónsdóttir and Frank Büchel

Officials present: Ólafur Einarsson, Gjermund Mathisen, Brit Helle, Markus Schneider, Kristin Bangsund, Ólafur Hannesson, Charlotte Fornø, Gabrielle Somers, Astrður Scheving-Thorsteinsson, Laurits Nielsen, Sandra Gertz, Andreas Kjeldsberg Pihl and Nina Hoppe

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1. **Agenda**

Event 763568

The College approved the Agenda

2. **Decisions taken by delegation procedure**

Event 764121

The College took note the decision taken by delegation procedure

3. **Case 72858: Complaint case against Norway regarding insurance intermediation**

Decision 753931

The College adopted a decision to close a complaint case arising from an alleged failure by Norway to respect its obligations arising from Article 36 EEA and/or the *Directive 2002/92/EC on insurance mediation* or *Directive 2002/83 concerning life assurance* by engaging in discriminatory practices against non-Norwegian companies wishing to perform insurance intermediation activities in Norway and against non-Norwegian providers and intermediaries of open

architecture unit linked life insurance contracts, as **Decision No. 279/15/COL**

4. **Case 74967: Complaint case against Iceland for an alleged breach of Directive 2003/6/EC on market abuse**

Decision **762337**

The College adopted a decision to close a complaint case against Iceland concerning an alleged breach of *Directive 2003/6/EC of the European Parliament and of the Council of 28 January 2003 on insider dealing and market manipulation* by the Supreme Court of Iceland, as **Decision No. 280/15/COL**

5. **Case 71388: Complaint case against Norway concerning exit taxation**

Decision **763235**

The College adopted a decision to close a complaint case arising from an alleged failure by Norway to comply with its obligation under Article 31 of the EEA Agreement on the freedom of establishment by maintaining in force restrictive rules on exit taxation, as **Decision No. 281/15/COL**

6. **Case 71261: Own initiative case against Norway concerning exit taxation**

Decision **763252**

The College adopted a decision to close an own initiative case arising from an alleged failure by Norway to comply with its obligation under Article 31 of the EEA Agreement on the freedom of establishment by maintaining in force restrictive rules on exit taxation, as **Decision No. 282/15/COL**

7. **Case 73390: Complaint case against Iceland concerning an alleged breach of Directive 2011/92/EU (Environmental Impact Assessment)**

Decision **753871**

The College adopted a decision to close a case against Iceland commenced following receipt of a complaint against that State concerning the alleged failure of Iceland to comply with Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment in relation to the proposed construction of 155 km of gravel roads in connection with the construction of high voltage overhead electricity lines from Blanda power station to Akureyri, commonly referred to as the Blöndulína 3 Project, as **Decision No. 283/15/COL**

8. **Case 76421: Follow-up case on the implementation of the EFTA Court's judgment in Case E-4/14 concerning Iceland's non-implementation of Directive No 2007/23 on pyrotechnic articles**

RDO 760004

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 for failure to comply with the EFTA Court judgment in Case E-4/14 EFTA Surveillance Authority v Iceland concerning Iceland's non-implementation of *Directive 2007/23 of the European Parliament and of the Council of 23 May 2007 on the placing on the market of pyrotechnic articles*, as **Decision No. 284/15/COL**

9. Case 75928: Non-implementation by Iceland of Directive 2013/10/EU (Aerosol dispensers - labelling provisions)**Decision 763790**

The College adopted a decision to bring a matter against Iceland before the EFTA Court in accordance with Article 31(2) of the Agreement between the EFTA States on the Establishment of a Surveillance Authority and a Court of Justice due to the failure by Iceland to adopt the measures necessary to implement the Act referred to at point 1 of Chapter VIII of Annex II to the Agreement on the European Economic Area (*Commission Directive 2013/10/EU of 19 March 2013 amending Council Directive 75/324/EEC on the approximation of the laws of the Member States relating to aerosol dispensers in order to adapt its labelling provisions to Regulation (EC) No 1272/2008 of the European Parliament and of the Council on classification, labelling and packaging of substances and mixtures*) as adapted to the EEA Agreement by Protocol 1, into its national law, as **Decision No. 285/15/COL**

10. Case 75931: Non-implementation by Iceland of Directive 2011/88/EU on the provisions for engines placed on the market under the flexibility scheme**Decision 763771**

The College adopted a decision to bring a matter against Iceland before the EFTA Court in accordance with Article 31(2) of the Agreement between the EFTA States on the Establishment of a Surveillance Authority and a Court of Justice due to the failure by Iceland to adopt the measures necessary to implement the Act referred to at point 1a of Chapter XXIV of Annex II to the Agreement on the European Economic Area (*Directive 2011/88/EU of the European Parliament and of the Council of 16 November 2011 amending Directive 97/68/EC as regards the provisions for engines placed on the market under the flexibility scheme*) as adapted to the EEA Agreement by Protocol 1, into its national law, as **Decision No. 286/15/COL**

11. Case 75782: Non-implementation by Liechtenstein of Directive 2011/62/EU (amendment to the Community code relating to medicinal products for human use regarding falsified medicinal products)

Decision 761961

The College adopted a decision to bring a matter against Liechtenstein before the EFTA Court in accordance with Article 31(2) of the Agreement between the EFTA States on the Establishment of a Surveillance Authority and a Court of Justice due to the failure by Liechtenstein to adopt the measures necessary to implement the Acts referred to at point 15q of Chapter XIII of Annex II to the Agreement on the European Economic Area (*Directive 2011/62/EU of the European Parliament and of the Council of 8 June 2011 amending Directive 2001/83/EC on the Community Code relating to medicinal products for human use, as regards the prevention of the entry into the legal supply chain of falsified medicinal products and Directive 2012/26/EU of the European Parliament and of the Council of 25 October 2012 amending Directive 2001/83/EC as regards pharmacovigilance*), as adapted to the EEA Agreement by Protocol 1, into its national law and/or its failure to notify the Authority of such measures, as **Decision No. 287/15/COL**

12. **Case 75913: Non-implementation by Liechtenstein of Directive 2010/53/EU (standards of quality and safety of human organs intended for transplantation)**

Decision 762918

The College adopted a decision to bring a matter against Liechtenstein before the EFTA Court in accordance with Article 31(2) of the Agreement between the EFTA States on the Establishment of a Surveillance Authority and a Court of Justice due to the failure by Liechtenstein to adopt the measures necessary to implement the Act referred to at point 15zn of Chapter XIII of Annex II to the Agreement on the European Economic Area (*Directive 2010/53/EU of the European Parliament and of the Council of 7 July 2010 on standards of quality and safety of human organs intended for transplantation, as corrected*), as adapted to the EEA Agreement by Protocol 1, into its national law, as **Decision No. 288/15/COL**

13. **Case 71623: EU-ETS decision to instruct the Central Administrator of the EU Transaction Log to enter changes to Iceland's International Credit Entitlement table**

Decision 762719

The College adopted a decision to instruct the Central Administrator of the European Union Transaction Log to enter changes to the international credit entitlement table of Iceland into the European Union transaction log, as **Decision No. 289/15/COL**

14. **Case 73858: Revised manual of Administrative Procedures for Aviation and Maritime Security Inspections (2015)**

Decision 761887

The College adopted a decision to adopt the revised Authority's Manual of Administrative Procedures for Aviation and Maritime Security Inspections, and to repeal College Decision No 156/12/COL, as **Decision No. 290/15/COL**

15. Case 59802: Negotiations on the relationship between the EFTA-EEA Member States and Switzerland on aviation security

Decision 762135

The College adopted a decision to authorise the Internal Market Affairs Directorate to open negotiations for Agreement between the Swiss Confederation, of the one part, and the EFTA Surveillance Authority, on the other part, on the security procedures for the exchange of classified information, as **Decision No. 291/15/COL**

16. Case 55914: Authorisation for College members to take urgent decisions during the holiday period - Summer 2015

Decision 763996

The College adopted a decision to authorise Acting President Ms. Helga Jónsdóttir, or if she is prevented from so doing, College Member Mr. Frank Büchel, to take urgent decisions during the holiday period – 16 July to 28 August 2015, as **Decision No. 292/15/COL**

17. Decision taken by written procedure

None

18. Other Business

None


19. Minutes of the College Meeting no. 26, held on 15 July 2015

Event 763569

The College approved the Minutes of the College Meeting held on 15 July 2015



Helga Jónsdóttir
Acting President



Markus Schneider
Acting Director