

Brussels, 1 October 2025
Case No: 93892
Document No: 1561271
Decision No: 154/25/COL

REASONED OPINION

delivered 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 make the Act referred to at Point 5czsd of Annex XI to the Agreement on the European Economic Area (*Commission Delegated Regulation (EU) 2023/444 of 16 December 2022 supplementing Directive (EU) 2018/1972 of the European Parliament and of the Council with measures to ensure effective access to emergency services through emergency communications to the single European emergency number '112'*) part of its internal legal order as such

1 Norway's obligation under the Agreement on the European Economic Area

Commission Delegated Regulation (EU) 2023/444 of 16 December 2022 supplementing Directive (EU) 2018/1972 of the European Parliament and of the Council with measures to ensure effective access to emergency services through emergency communications to the single European emergency number '112' ("the Act")

was incorporated into the Agreement on the European Economic Area ("the EEA Agreement") by Decision 33/2024 of the EEA Joint Committee of 2 February 2024 at Point 5czsd of Annex XI to the EEA Agreement as adapted to that agreement by Protocol 1.

It follows from Article 7 of the EEA Agreement that the EFTA States were required to take the measures necessary to ensure the Act was made part of their internal legal order as such. The time limit to do this expired on *1 February 2025*.

2 The Authority's letter of formal notice of 15 May 2025 (Doc No 1531341) and Norway's observations

On 15 May 2025, the Authority issued a letter of formal notice to Norway (Doc No 1531341), in which it concluded that by failing to take the necessary measures to make the Act part of its legal order, Norway had failed to fulfil its obligations under Article 7 of the EEA Agreement.

On 4 July 2025 Norway notified Form 1 to the Authority (Doc 1548098). In the Form 1, Norway explained that the Act had been partially implemented (namely Article 3, 4 and 5) and that an explicit reference to the Act would be adopted in autumn 2025. Following the notification, the Authority informally raised doubts concerning the validity of partial implementation of the Act in Norway. Following informal correspondence with the Authority, Norway withdrew the Form 1 on 5 September 2025 (Doc 1558859).

3 The Authority's assessment

Norway is required, under Article 7 of the EEA Agreement to take the measures necessary to ensure that the Act as such is made part of its internal legal order. So far, the Authority has received no information from the Norwegian Government indicating that necessary measures have been adopted to make the Act as such part of its internal legal order. Furthermore, the Authority is not in possession of any other information which would enable it to conclude that the Act has become part of the internal legal order of Norway.

The Authority must, therefore, conclude that, by failing to take the measures necessary to make the Act referred to at Point 5czsd of Annex XI to the EEA Agreement (*Commission Delegated Regulation (EU) 2023/444 of 16 December 2022 supplementing Directive (EU) 2018/1972 of the European Parliament and of the Council with measures to ensure effective access to emergency services through emergency communications to the single European emergency number '112'*), as adapted to that agreement by way of Protocol 1, part of its internal legal

order as such, Norway has failed to fulfil its obligations under Article 7 of the EEA Agreement.

FOR THESE REASONS,

THE EFTA SURVEILLANCE AUTHORITY,

pursuant to the first paragraph of Article 31 of the Agreement between the EFTA States on the Establishment of a Surveillance Authority and a Court of Justice, and after having given Norway the opportunity of submitting its observations,

HEREBY DELIVERS THE FOLLOWING REASONED OPINION

that by failing to make the Act referred to at Point 5czsd of Annex XI to the Agreement on the European Economic Area (*Commission Delegated Regulation (EU) 2023/444 of 16 December 2022 supplementing Directive (EU) 2018/1972 of the European Parliament and of the Council with measures to ensure effective access to emergency services through emergency communications to the single European emergency number '112'*), as adapted to the Agreement by way of Protocol 1, part of its internal legal order as such, Norway has failed to fulfil its obligations under Article 7 of that Agreement.

Pursuant to the second paragraph of Article 31 of the Agreement between the EFTA States on the Establishment of a Surveillance Authority and a Court of Justice, the EFTA Surveillance Authority requests Norway to take the measures necessary to comply with this reasoned opinion within *two months* following receipt of this reasoned opinion.

Done at Brussels,

For the EFTA Surveillance Authority

Arne Røksund
President

Stefan Barriga
Responsible College Member

Árni Páll Árnason
College Member

Melpo-Menie Joséphidès
Countersigning as Director,
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This document has been electronically authenticated by Arne Roeksund, Melpo-Menie Josephides.