

**DECISION OF THE EEA JOINT COMMITTEE No 40/2020  
of 20 March 2020**

**amending Annexes II (Technical regulations, standards, testing and certification) and XX  
(Environment) to the EEA Agreement [2023/354]**

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ("the EEA Agreement"), and in particular Article 98 thereof,

Whereas:

- (1) Decision (EU) 2018/853 of the European Parliament and of the Council of 30 May 2018 amending Regulation (EU) No 1257/2013 and Directives 94/63/EC and 2009/31/EC of the European Parliament and of the Council and Council Directives 86/278/EEC and 87/217/EEC as regards procedural rules in the field of environmental reporting and repealing Council Directive 91/692/EEC <sup>(1)</sup> is to be incorporated into the EEA Agreement.
- (2) Decision (EU) 2018/853 repeals Council Directive 91/692/EEC <sup>(2)</sup>, which is incorporated into the EEA Agreement and which is consequently to be repealed under the EEA Agreement.
- (3) Annexes II and XX to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

*Article 1*

The following is added in point 8 (European Parliament and Council Directive 94/63/EC) of Chapter XVII of Annex II to the EEA Agreement:

‘, as amended by:

- **32018 D 0853**: Decision (EU) 2018/853 of the European Parliament and of the Council of 30 May 2018 (OJ L 150, 14.6.2018, p. 155).’

*Article 2*

Annex XX to the EEA Agreement shall be amended as follows:

1. The following indent is added in points 18 (Council Directive 87/217/EEC) and 32 (Council Directive 86/278/EEC):  
‘— **32018 D 0853**: Decision (EU) 2018/853 of the European Parliament and of the Council of 30 May 2018 (OJ L 150, 14.6.2018, p. 155).’
2. The following is added in points 21at (Directive 2009/31/EC of the European Parliament and of the Council) and 32fh (Regulation (EU) No 1257/2013 of the European Parliament and of the Council):  
‘, as amended by:  
— **32018 D 0853**: Decision (EU) 2018/853 of the European Parliament and of the Council of 30 May 2018 (OJ L 150, 14.6.2018, p. 155).’
3. The text of point 1c (Council Directive 91/692/EEC) is deleted.

*Article 3*

The text of Decision (EU) 2018/853 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

<sup>(1)</sup> OJ L 150, 14.6.2018, p. 155.

<sup>(2)</sup> OJ L 377, 31.12.1991, p. 48.

*Article 4*

This Decision shall enter into force on 21 March 2020, provided that all the notifications under Article 103(1) of the EEA Agreement have been made \*.

*Article 5*

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 20 March 2020.

*For the EEA Joint Committee*  
*The President*  
Clara GANSLANDT

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(\*) No constitutional requirements indicated.