



How EU Law becomes EEA Law

The European Economic Area (EEA) Agreement enables Iceland, Liechtenstein and Norway (EEA EFTA States) to participate in the EU Internal Market. It covers the free movement of goods, services, capital and persons, competition and state aid rules, and certain horizontal and flanking areas.

For an EU act to apply to the EEA EFTA States, it must be incorporated into the EEA Agreement through an EEA Joint Committee Decision. The aim is to incorporate acts as closely as possible to the date of entry into force in the EU in order to ensure that the same rules apply throughout the EEA.

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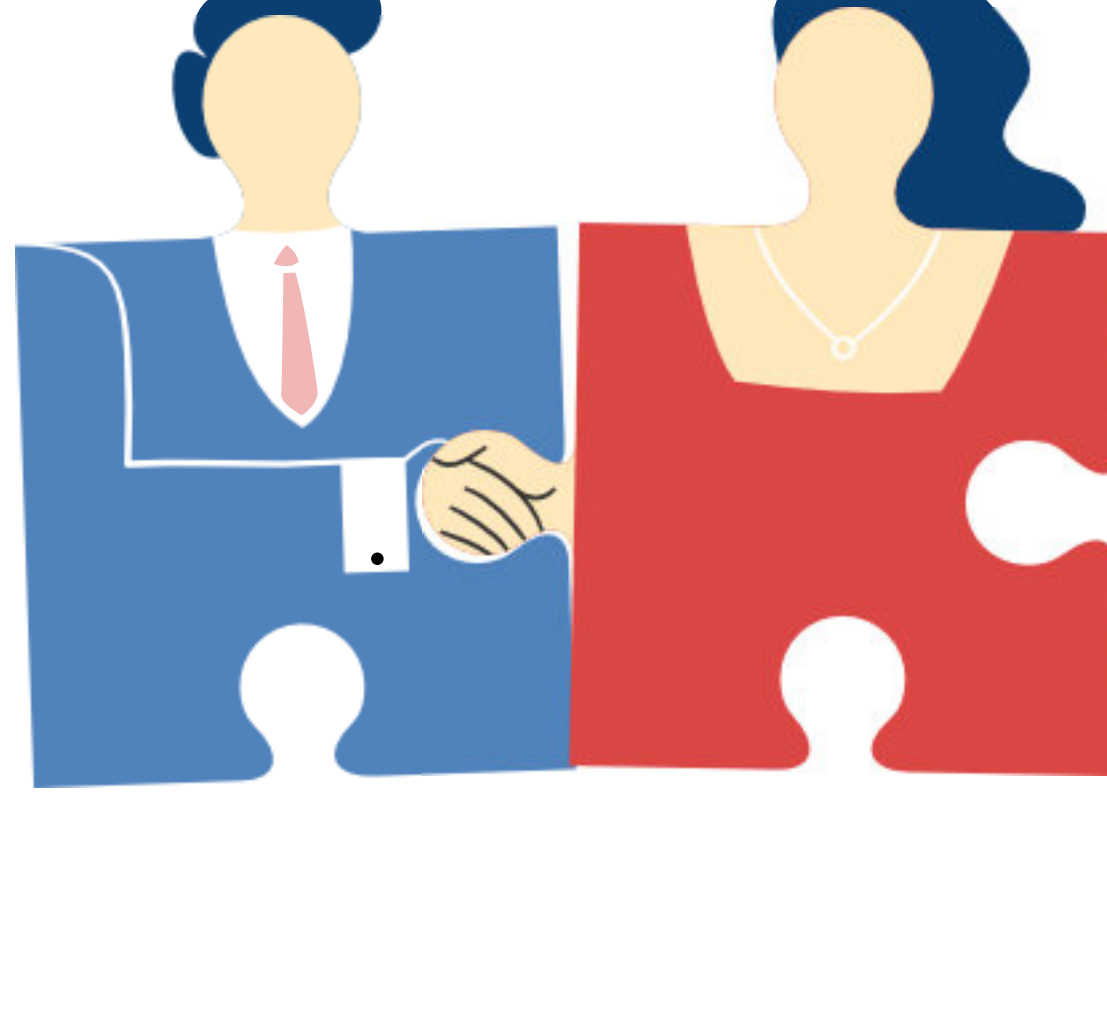
Stage I

The EEA EFTA States contribute to EU decision shaping

When the European Commission assesses the need to regulate a new area or review existing EEA-relevant legislation, experts from the EEA EFTA States participate. Early in the process, they help to identify issues that might affect the EEA EFTA States and contribute with technical expertise.

1. Experts from EEA EFTA States influence EU decision shaping

When drawing up new legislation, the European Commission discusses the drafts in expert groups and committees where the EEA EFTA States are represented, but without the right to vote. The EEA EFTA States can also submit EEA EFTA Comments to the EU institutions on important policy issues.



Early assessment of Commission proposals

The procedures for incorporation of EU acts into the EEA Agreement provide for an early assessment of EEA horizontal challenges in Commission proposals. This is the stage where the EEA EFTA States often identify the need to submit an EEA EFTA Comment.



Stage II

The EEA EFTA States establish a common position on the incorporation of an act into the EEA Agreement

The Secretariat identifies EU adopted legal acts that may be relevant for the EEA and launches the process for incorporating them into the EEA Agreement by informing the relevant EFTA Working Group or Expert Group.

Experts in the EFTA Working Group or Expert Group discuss the implications of an act and whether any adaptations are necessary. A Decision incorporating the act is drafted and then approved by the EEA EFTA States before it is submitted to the EU.

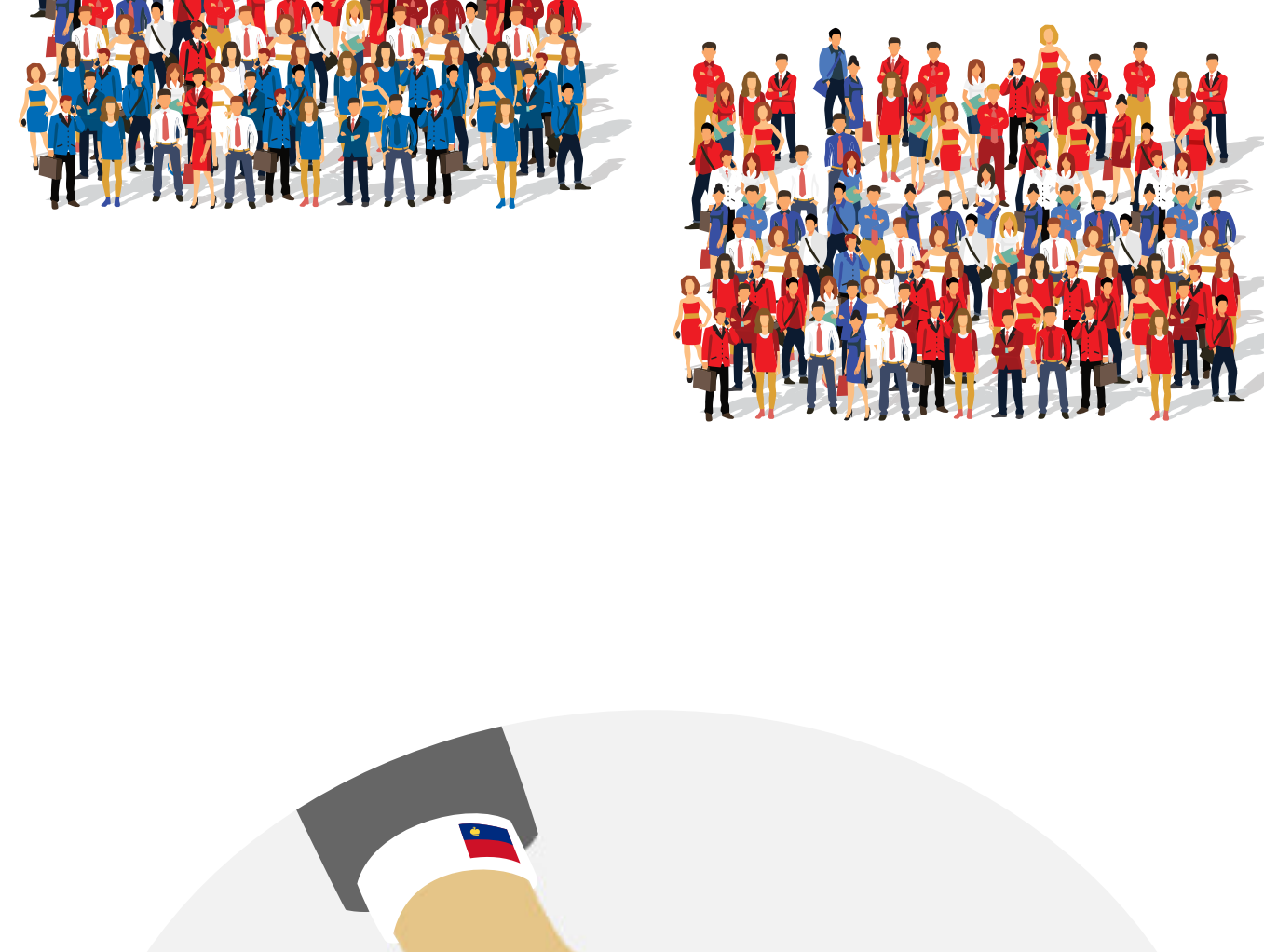


Experts assess the act

Experts in EFTA Working Groups or Expert Groups assess whether the act is EEA relevant and if it contains provisions that need to be adapted for the purposes of the EEA Agreement.

National procedures in each EEA EFTA State for clearing acts

Once the incorporation procedure has started, national procedures are launched in all three EEA EFTA States. The procedures vary among the three countries and according to the nature of the legal acts.



The EEA EFTA States consolidate their positions into a draft Decision incorporating the act

Based on feedback from experts, a draft Decision incorporating the act into the EEA Agreement is prepared. This draft is sent to the EEA EFTA States for approval.



Stage III

The EU reviews the draft Decision



The Commission reviews the draft Decision

The EEAS launches an inter-service consultation on the draft Decision with the relevant Directorates-General of the Commission. If the Decision needs to be revised, the EEAS and the EFTA Secretariat manage communications between the two sides, ensuring that experts agree informally before moving forward.



Draft Decisions that contain substantive adaptations or budgetary consequences go to the Council of the European Union

The draft Decision is reviewed and discussed with the EU Member States before being formally approved by the Council of the European Union.



Stage IV

The EEA Joint Committee adopts the Decision incorporating the act

When the EU has finalised its internal approval procedure, the draft Decision incorporating the act is ready to be adopted by the EEA Joint Committee.



List of acts ready to be incorporated

A list of draft Joint Committee Decisions ready for approval is agreed on by the EEA EFTA States and the EU and put on the agenda for the next meeting of the EEA Joint Committee.



The EEA Joint Committee adopts the Decision

The EEA Joint Committee is responsible for managing the EEA Agreement and typically meets 6-8 times per year. It is a forum in which views are exchanged and decisions taken by consensus to incorporate EU acts into the EEA Agreement.



Stage V

Entry into force of a Joint Committee Decision

Decisions normally enter into force one day after adoption in the EEA Joint Committee. As soon as the Decisions have entered into force, the annexes to the EEA Agreement are updated to reflect the newly incorporated acts, which must be made part of the internal legal order of the EEA EFTA States.

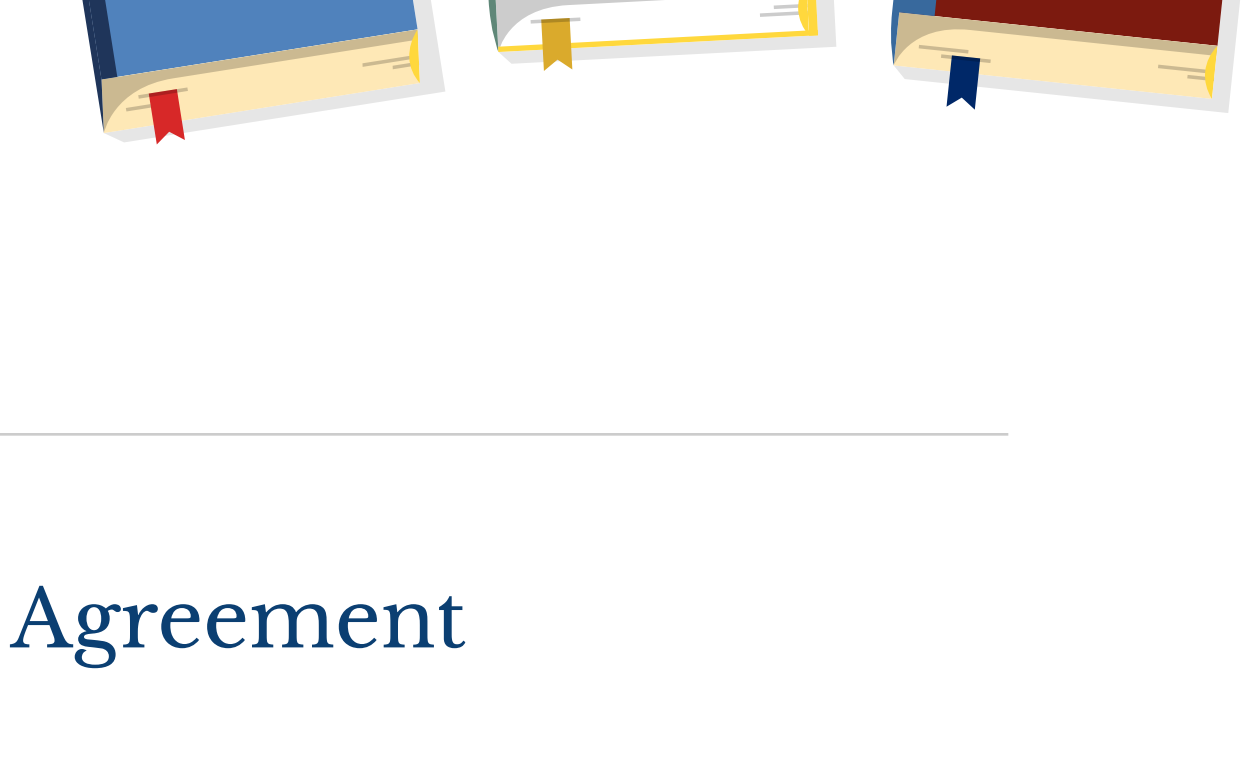
Some decisions must be approved by the national Parliaments

According to different requirements that follow from the constitutions of the EEA EFTA States, a Decision that calls for amendments to national legislation requires parliamentary approval in the EEA EFTA States before its entry into force. A Decision with such constitutional requirements does not enter into force for any of the EEA EFTA States until the requirements have been fulfilled in all EEA EFTA States.



The EEA EFTA States are obliged to implement incorporated acts

Acts that have been incorporated into the EEA Agreement and entered into force, are binding. The EEA EFTA States must make them part of their internal legal order. The EFTA Surveillance Authority monitors compliance with the legislation incorporated into the EEA Agreement in the three EEA EFTA States.



Benefits of the EEA Agreement

725 000
students

Erasmus students learning abroad

€16 trillion

The world's second largest economy

31

countries

Research and cooperation across 31 countries.

X

benefits

Data protection and security, roaming, etc.