DECISION OF THE EEA JOINT COMMITTEE

No 119/2009

of 22 October 2009

amending Protocol 26 (On the powers and functions of the EFTA Surveillance Authority in the field of State aid) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

(1) Protocol 26 to the Agreement was amended by Decision of the EEA Joint Committee No 132/2007 of 26 October 2007 [1].

(2) Commission Regulation (EC) No 271/2008 of 30 January 2008 amending Regulation (EC) No 794/2004 implementing Council Regulation (EC) No 659/1999 laying down detailed rules for the application of Article 93 of the EC Treaty [2] is to be included in the Agreement.

(3) According to Article 1 of Protocol 26 to the Agreement, the EFTA Surveillance Authority is entrusted with equivalent powers and similar functions to those of the EC Commission for the application of the rules applicable to State aid, and Regulation (EC) No 271/2008 is therefore to be included in Protocol 26 to the Agreement for information purposes only,

HAS DECIDED AS FOLLOWS:

Article 1

The following shall be added in Point 2 (Commission Regulation (EC) No 794/2004) of Article 2 of Protocol 26 to the Agreement:

', as amended by:

— **32008 R 0271**: Commission Regulation (EC) No 271/2008 of 30 January 2008 (OJ L 82, 25.3.2008, p. 1).'

Article 2

The text of Regulation (EC) No 271/2008 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 23 October 2009, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

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, 22 October 2009.

For the EEA Joint Committee
The President
Oda Helen SLETNES

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[1] OJ L 100, 10.4.2008, p. 1.
[2] OJ L 82, 25.3.2008, p. 1.
(*) No constitutional requirements indicated.