DECISION OF THE EEA JOINT COMMITTEE

No 171/2004

of 3 December 2004

amending Annex XIII (Transport) 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) Annex XIII to the Agreement was amended by Decision of the EEA Joint Committee No 158/2004 of 29 October 2004 ([1]).

(2) Regulation (EC) No 261/2004 of the European Parliament and of the Council of 11 February 2004 establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights, and repealing Regulation (EEC) No 295/91 ([2]) is to be incorporated into the Agreement.

(3) Regulation (EC) No 261/2004 repeals Council Regulation (EEC) No 295/91 ([3]), which is incorporated into the Agreement and which is consequently to be deleted from the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

Annex XIII to the Agreement shall be amended as follows:

1. The following point shall be inserted after point 68aa (Council Regulation (EC) No 2027/97):

'68ab. **32004 R 0261**: Regulation (EC) No 261/2004 of the European Parliament and of the Council of 11 February 2004 establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights, and repealing Regulation (EEC) No 295/91 (OJ L 46, 17.2.2004, p. 1).'

2. The text of point 68 (Council Regulation (EEC) No 295/91) shall be deleted.

([1]) OJ L 102, 21.4.2005, p. 41.

([2]) OJ L 46, 17.2.2004, p. 1.

([3]) OJ L 36, 8.2.1991, p. 5.

Article 2

The texts of Regulation (EC) No 261/2004 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 4 December 2004, 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, 3 December 2004.

For the EEA Joint Committee
The President
Kjartan JÓHANNSSON

(*) No constitutional requirements indicated.