DECISION OF THE EEA JOINT COMMITTEE

No 13/2005

of 8 February 2005

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 179/2004 of 9 December 2004 ([1]).

(2) Commission Decision 2004/446/EC of 29 April 2004 specifying the basic parameters of the Noise, Freight Wagons and Telematic applications for freight Technical Specifications for Interoperability referred to in Directive 2001/16/EC ([2]), as corrected by OJ L 193, 1.6.2004, p. 1, is to be incorporated into the Agreement.

(3) Commission Decision 2004/447/EC of 29 April 2004 modifying Annex A to Decision 2002/731/EC of 30 May 2002 and establishing the main characteristics of Class A system (ERTMS) of the control-command and signalling subsystem of the trans-European conventional rail system referred to in Directive 2001/16/EC of the European Parliament and of the Council ([3]), as corrected by OJ L 193, 1.6.2004, p. 53, is to be incorporated into 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 37d (Directive 2001/16/EC of the European Parliament and of the Council):

'37e. **32004 D 0446**: Commission Decision 2004/446/EC of 29 April 2004 specifying the basic parameters of the Noise, Freight Wagons and Telematic applications for freight Technical Specifications for Interoperability referred to in Directive 2001/16/EC (OJ L 155, 30.4.2004, p. 1), as corrected by OJ L 193, 1.6.2004, p. 1.'

([1]) OJ L 133, 26.5.2005, p. 37.

([2]) OJ L 155, 30.4.2004, p. 1.

([3]) OJ L 155, 30.4.2004, p. 65.

2. The following shall be added in point 37ab (Commission Decision 2002/731/EC):

', as amended by:

— **32004 D 0447**: Commission Decision 2004/447/EC of 29 April 2004 (OJ L 155, 30.4.2004, p. 65), as corrected by OJ L 193, 1.6.2004, p. 53.'

3. The following point shall be inserted after point 37e (Commission Decision 2004/446/EC):

'37f. **32004 D 0447**: Commission Decision 2004/447/EC of 29 April 2004 modifying Annex A to Decision 2002/731/EC of 30 May 2002 and establishing the main characteristics of Class A system (ERTMS) of the control-command and signalling subsystem of the trans-European conventional rail system referred to in Directive 2001/16/EC of the European Parliament and of the Council (OJ L 155, 30.4.2004, p. 65), as corrected by OJ L 193, 1.6.2004, p. 53.'

Article 2

The texts of Decisions 2004/446/EC, as corrected by OJ L 193, 1.6.2004, p. 1 and 2004/447/EC, as corrected by OJ L 193, 1.6.2004, p. 53, 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 9 February 2005, 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, 8 February 2005.

For the EEA Joint Committee
The President
Richard WRIGHT

(*) No constitutional requirements indicated.