DECISION OF THE EEA JOINT COMMITTEE

No 151/2004

of 29 October 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 129/2004 of 24 September 2004 ([1]).

(2) Directive 2004/49/EC of the European Parliament and of the Council of 29 April 2004 on safety on the Community's railways and amending Council Directive 95/18/EC on the licensing of railway undertakings and Directive 2001/14/EC on the allocation of railway infrastructure capacity and the levying of charges for the use of railway infrastructure and safety certification ([2]), as corrected by OJ L 220, 21.6.2004, p. 16, is to be incorporated into the Agreement.

(3) Directive 2004/50/EC of the European Parliament and of the Council of 29 April 2004 amending Council Directive 96/48/EC on the interoperability of the trans-European high-speed rail system and Directive 2001/16/EC of the European Parliament and of the Council on the interoperability of the trans-European conventional rail system ([3]), as corrected by OJ L 220, 21.6.2004, p. 40, is to be incorporated into the Agreement.

(4) Directive 2004/51/EC of the European Parliament and of the Council of 29 April 2004 amending Council Directive 91/440/EEC on the development of the Community's railways ([4]), as corrected by OJ L 220, 21.6.2004, p. 58, 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 42d (Commission Decision 2003/525/EC):

'42e. **32004 L 0049**: Directive 2004/49/EC of the European Parliament and of the Council of 29 April 2004 on safety on the Community's railways and amending Council Directive 95/18/EC on the licensing of railway undertakings and Directive 2001/14/EC on the allocation of

([1]) OJ L 64, 10.3.2005, p. 55.
([2]) OJ L 164, 30.4.2004, p. 44.
([3]) OJ L 164, 30.4.2004, p. 114.
([4]) OJ L 164, 30.4.2004, p. 164.

railway infrastructure capacity and the levying of charges for the use of railway infrastructure and safety certification (OJ L 164, 30.4.2004, p. 44), as corrected by OJ L 220, 21.6.2004, p. 16'.

2. The following indent shall be added in points 41b (Directive 2001/14/EC of the European Parliament and of the Council) and 42a (Council Directive 95/18/EC):

'— **32004 L 0049**: Directive 2004/49/EC of the European Parliament and of the Council of 29 April 2004 (OJ L 164, 30.4.2004, p. 44), as corrected by OJ L 220, 21.6.2004, p. 16.'

3. The following shall be added in points 37a (Council Directive 96/48/EC) and 37d (Directive 2001/16/EC of the European Parliament and of the Council):

', as amended by:

— **32004 L 0050**: Directive 2004/50/EC of the European Parliament and of the Council of 29 April 2004 (OJ L 164, 30.4.2004, p. 114), as corrected by OJ L 220, 21.6.2004, p. 40.'

4. The following indent shall be added in point 37 (Council Directive 91/440/EEC):

'— **32004 L 0051**: Directive 2004/51/EC of the European Parliament and of the Council of 29 April 2004 (OJ L 164, 30.4.2004, p. 164), as corrected by OJ L 220, 21.6.2004, p. 58.'

Article 2

The texts of Directive 2004/49/EC, as corrected by OJ L 220, 21.6.2004, p. 16, Directive 2004/50/EC, as corrected by OJ L 220, 21.6.2004, p. 40, and Directive 2004/51/EC, as corrected by OJ L 220, 21.6.2004, p. 58, 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 30 October 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, 29 October 2004.

For the EEA Joint Committee

The President

Kjartan JÓHANNSSON

(*) No constitutional requirements indicated.