DECISION OF THE EEA JOINT COMMITTEE

No 82/2003

of 20 June 2003

amending Annex XIV (Competition) 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 XIV to the Agreement was amended by Decision of the EEA Joint Committee No 137/2002 of 27 September 2002 [1].

(2) Commission Regulation (EC) No 358/2003 of 27 February 2003 on the application of Article 81(3) of the Treaty to certain categories of agreements, decisions and concerted practices in the insurance sector [2] is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following point shall be inserted after point 15a (Commission Regulation (EEC) No 3932/92) in Annex XIV to the Agreement:

'15b. **32003 R 0358**: Commission Regulation (EC) No 358/2003 of 27 February 2003 on the application of Article 81(3) of the Treaty to certain categories of agreements, decisions and concerted practices in the insurance sector (OJ L 53, 28.2.2003, p. 8).

The provisions of the Regulation shall, for the purposes of the present Agreement, be read with the following adaptations:

(a) In Article 10, introductory paragraph, the phrase "pursuant to Article 7 of Regulation (EEC) No 1534/91," shall read "either on its own initiative or at the request of the other surveillance authority or a State falling within its competence or of a natural or legal person claiming a legitimate interest";

(b) the following paragraph shall be added at the end of Article 10: "The competent surveillance authority may in such cases issue a decision in accordance with Articles 6 and 8 of Regulation No 17, or the corresponding provisions envisaged in Protocol 21 to the EEA Agreement, without any notification from the undertakings being required".'

Article 2

The texts of Regulation (EC) No 358/2003 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

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[1] OJ L 336, 12.12.2002, p. 40.
[2] OJ L 53, 28.2.2003, p. 8.

Article 3

This Decision shall enter into force on 21 June 2003, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

It shall apply from 1 April 2003.

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, 20 June 2003.

For the EEA Joint Committee

The President

P. WESTERLUND

(*) No constitutional requirements indicated.