DECISION OF THE EEA JOINT COMMITTEE

No 151/2009

of 4 December 2009

amending Annex XXI (Statistics) 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 XXI to the Agreement was amended by Decision of the EEA Joint Committee No 113/2009 of 22 October 2009 ([1]).

(2) Commission Regulation (EC) No 250/2009 of 11 March 2009 implementing Regulation (EC) No 295/2008 of the European Parliament and of the Council as regards the definitions of characteristics, the technical format for the transmission of data, the double reporting requirements for NACE Rev.1.1 and NACE Rev.2 and derogations to be granted for structural business statistics ([2]) is to be incorporated into the Agreement.

(3) Commission Regulation (EC) No 251/2009 of 11 March 2009 implementing and amending Regulation (EC) No 295/2008 of the European Parliament and of the Council as regards the series of data to be produced for structural business statistics and the adaptations necessary after the revision of the statistical classification of products by activity (CPA) ([3]) is to be incorporated into the Agreement.

(4) Commission Regulations (EC) No 2700/98 ([4]) and (EC) No 2702/98 ([5]), which are incorporated into the Agreement, are repealed by Regulation (EC) No 250/2009, while their provisions continue to apply as regards the collection, compilation and transmission of data for reference years up to and including 2007.

(5) Commission Regulation (EC) No 2701/98 ([6]), which is incorporated into the Agreement, is repealed by Regulation (EC) No 251/2009, while its provisions continue to apply as regards the series of data to be transmitted for reference years up to and including 2007,

HAS DECIDED AS FOLLOWS:

Article 1

Annex XXI to the Agreement shall be amended as follows:

1. the following shall be added in point 1 (Regulation (EC) No 295/2008 of the European Parliament and of the Council):

' , as amended by:

— **32009 R 0251**: Commission Regulation (EC) No 251/2009 of 11 March 2009 (OJ L 86, 31.3.2009, p. 170).';

([1]) OJ L 334, 17.12.2009, p. 15.
([2]) OJ L 86, 31.3.2009, p. 1.
([3]) OJ L 86, 31.3.2009, p. 170.
([4]) OJ L 344, 18.12.1998, p. 49.
([5]) OJ L 344, 18.12.1998, p. 102.
([6]) OJ L 344, 18.12.1998, p. 81.

2. the following points shall be inserted after point 1j (Commission Regulation (EC) No 1670/2003):

'1k. **32009 R 0250**: Commission Regulation (EC) No 250/2009 of 11 March 2009 implementing Regulation (EC) No 295/2008 of the European Parliament and of the Council as regards the definitions of characteristics, the technical format for the transmission of data, the double reporting requirements for NACE Rev.1.1 and NACE Rev.2 and derogations to be granted for structural business statistics (OJ L 86, 31.3.2009, p. 1).

1l. **32009 R 0251**: Commission Regulation (EC) No 251/2009 of 11 March 2009 implementing and amending Regulation (EC) No 295/2008 of the European Parliament and of the Council as regards the series of data to be produced for structural business statistics and the adaptations necessary after the revision of the statistical classification of products by activity (CPA) (OJ L 86, 31.3.2009, p. 170).

The provisions of the Regulation shall, for the purposes of this Agreement, be read with the following adaptation:

Liechtenstein is exempted from collecting the data of the series of data 9C and 9D according to Annex I. Liechtenstein shall supply data of the level of activity breakdown according to NACE Rev.2, 2-digit level only.';

3. the following adaptation text shall be added in points 1a (Commission Regulation (EC) No 2700/98) and 1c (Commission Regulation (EC) No 2702/98):

'The provisions of the Regulation shall, for the purposes of this Agreement, be read with the following adaptation:

In accordance with Article 6 of Regulation (EC) No 250/2009, this Regulation is repealed. Its provisions shall, however, continue to apply as regards the collection, compilation and transmission of data for reference years up to and including 2007.';

4. the following adaptation text shall be added in point 1b (Commission Regulation (EC) No 2701/98):

'The provisions of the Regulation shall, for the purposes of this Agreement, be read with the following adaptation:

In accordance with Article 2 of Regulation (EC) No 251/2009, this Regulation is repealed. Its provision shall, however, continue to apply as regards the series of data to be transmitted for reference years up to and including 2007.'

Article 2

The texts of Regulations (EC) No 250/2009 and (EC) No 251/2009 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 5 December 2009, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

(*) No constitutional requirements indicated.

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, 4 December 2009.

For the EEA Joint Committee
The President
Oda Helen SLETNES