DECISION OF THE EEA JOINT COMMITTEE

No 79/2003

of 20 June 2003

amending Annex XI (Telecommunication services) 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 XI to the Agreement was amended by Decision of the EEA Joint Committee No 168/2002 of 6 December 2002 [1].

(2) Decision No 676/2002/EC of the European Parliament and of the Council of 7 March 2002 on a regulatory framework for radio spectrum policy in the European Community (Radio Spectrum Decision) [2] is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following point shall be inserted after point 5ce (Regulation (EC) No 2887/2000 of the European Parliament and of the Council) of Annex XI to the Agreement:

'5cf. **32002 D 0676**: Decision No 676/2002/EC of the European Parliament and of the Council of 7 March 2002 on a regulatory framework for radio spectrum policy in the European Community (Radio Spectrum Decision) (OJ L 108, 24.4.2002, p. 1).

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

The following paragraphs shall be added to Article 6:

"4. Without prejudice to paragraphs 5 and 6, paragraphs 1 to 4 shall not apply to the EFTA States.

5. As regards the EFTA States, the EFTA States shall carry out the tasks of the Commission mentioned in paragraph 1 and inform the Standing Committee of any difficulties created, *de jure* or de facto, by third countries or international organisations for the implementation of this Decision, which shall draw up a report.

6. This Article shall be without prejudice to the EFTA States' rights and obligations under relevant international agreements."'

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[1] OJ L 38, 13.2.2003, p. 30.
[2] OJ L 108, 24.4.2002, p. 1.

Article 2

The texts of Decision No 676/2002/EC 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 21 June 2003, 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, 20 June 2003.

For the EEA Joint Committee

The President

P. WESTERLUND

(*) Constitutional requirements indicated.