DECISION OF THE EEA JOINT COMMITTEE

No 38/2011

of 1 April 2011

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 5/2011 of 11 February 2011 [1].

(2) Commission Recommendation 2010/379/EU of 5 July 2010 on the risk of deficiencies detected during technical roadside inspections (of commercial vehicles) in accordance with Directive 2000/30/EC of the European Parliament and of the Council [2] is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

Under the heading '*ACTS OF WHICH THE CONTRACTING PARTIES SHALL TAKE NOTE*' the following point shall be inserted after point 36b (Commission Recommendation 2010/19/EU) of Annex XIII to the Agreement:

'36c. **32010 H 0379**: Commission Recommendation 2010/379/EU of 5 July 2010 on the risk assessment of deficiencies detected during technical roadside inspections (of commercial vehicles) in accordance with Directive 2000/30/EC of the European Parliament and of the Council (OJ L 173, 8.7.2010, p. 97).'.

Article 2

The text of Recommendation 2010/379/EU 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 2 April 2011, 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, 1 April 2011.

For the EEA Joint Committee
The Acting President
Gianluca GRIPPA

[1] OJ L 93, 7.4.2011, p. 33.
[2] OJ L 173, 8.7.2010, p. 97.

(*) No constitutional requirements indicated.