# DECISION OF THE EEA JOINT COMMITTEE

## No 130/2010

## of 10 December 2010

## amending Annex II (Technical regulations, standards, testing and certification), Annex XIII (Transport) and 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 II to the Agreement was amended by Decision of the EEA Joint Committee No 57/2006 of 2 June 2006 ([1]).

(2) Annex XIII to the Agreement was amended by Decision of the EEA Joint Committee No 123/2010 of 10 November 2010 ([2]).

(3) Annex XIV to the Agreement was amended by Decision of the EEA Joint Committee No 91/2010 of 2 July 2010 ([3]).

(4) Commission Directive 2008/63/EC of 20 June 2008 on competition in the markets in telecommunications terminal equipment (codified version) ([4]) is to be incorporated into the Agreement.

(5) Council Regulation (EC) No 169/2009 of 26 February 2009 applying rules of competition to transport by rail, road and inland waterway (Codified version) ([5]) is to be incorporated into the Agreement.

(6) Directive 2008/63/EC repeals Commission Directive 88/301/EEC ([6]) which is incorporated into the Agreement and is therefore to be repealed under the Agreement.

(7) Regulation (EC) No 169/2009 repeals Council Regulation (EEC) No 1017/68 ([7]) which is incorporated into the Agreement and is therefore to be repealed under the Agreement.

(8) Regulation (EC) No 1490/2007 of the European Parliament and of the Council ([8]) repeals Council Regulation (EEC) No 954/79 ([9]) which is incorporated into the Agreement and is therefore to be repealed under the Agreement.

(9) Council Regulation (EC) No 1419/2006 ([10]) repeals Council Regulation (EEC) No 4056/86 ([11]) with a transitional period of two years for certain provisions. The period of two years has expired and both acts, which have been incorporated into the Agreement, are therefore now to be repealed under the Agreement. Regulation (EC) No 1419/2006 is to be repealed under Annexes XIII and XIV, but the reference to the act in Protocol 21 of the Agreement will remain as it amends Council Regulation (EC) No 1/2003 ([12]).

(10) Decision of the EEA Joint Committee No 60/1999 of 30 April 1999 ([13]) repealed Commission Regulation (EEC) No 1629/69 ([14]), Commission Regulation (EEC) No 1630/69 ([15]), Commission Regulation (EEC) No 4260/88 ([16]) and Commission Regulation (EEC) No 4261/88 ([17]) under Protocol 21 to the Agreement. The same acts should also be repealed under Annex XIII to the Agreement.

(11) Commission Regulation (EC) No 1459/2006 ([18]) has expired and is therefore to be repealed under the Agreement,

HAS DECIDED AS FOLLOWS:

*Article 1*

The following point shall be inserted after point 4zzo (Commission Decision 2005/631/EC) of Chapter XVIII of Annex II to the Agreement:

'4zzp. **32008 L 0063**: Commission Directive 2008/63/EC of 20 June 2008 on competition in the markets in telecommunications terminal equipment (Codified version) (OJ L 162, 21.6.2008, p. 20) ([1]).

([1]) Listed here for purposes of information only. For application, see Annex XIV on competition.'

*Article 2*

Annex XIII to the Agreement shall be amended as follows:

(1) the text of point 7 (Council Regulation (EEC) No 1017/68) shall be replaced by the following:

([1]) OJ L 245, 7.9.2006, p. 3.
([2]) OJ L 58, 3.3.2011, p. 81.
([3]) OJ L 277, 21.10.2010, p. 44.
([4]) OJ L 162, 21.6.2008, p. 20.
([5]) OJ L 61, 5.3.2009, p. 1.
([6]) OJ L 131, 27.5.1988, p. 73.
([7]) OJ L 175, 23.7.1968, p. 1.
([8]) OJ L 332, 18.12.2007, p. 1.
([9]) OJ L 121, 17.5.1979, p. 1.
([10]) OJ L 269, 28.9.2006, p. 1.
([11]) OJ L 378, 31.12.1986, p. 4.
([12]) OJ L 1, 4.1.2003, p. 1.
([13]) OJ L 284, 9.11.2000, p. 38.
([14]) OJ L 209, 21.8.1969, p. 1.
([15]) OJ L 209, 21.8.1969, p. 11.
([16]) OJ L 376, 31.12.1988, p. 1.
([17]) OJ L 376, 31.12.1988, p. 10.
([18]) OJ L 272, 3.10.2006, p. 3.

'**32009 R 0169**: Council Regulation (EC) No 169/2009 of 26 February 2009 applying rules of competition to transport by rail, road and inland waterway (Codified version) (OJ L 61, 5.3.2009, p. 1) [1].

[1] Listed here for purposes of information only. For application, see Annex XIV on Competition.';

(2) the text of points 8 (Commission Regulation (EEC) No 1629/69), 9 (Commission Regulation (EEC) No 1630/69), 50 (Council Regulation (EEC) No 4056/86), 50a (Council Regulation (EC) No 1419/2006), 51 (Commission Regulation (EEC) No 4260/88), 52 (Council Regulation (EEC) No 954/79) and 61 (Commission Regulation (EEC) No 4261/88) shall be deleted.

*Article 3*

Annex XIV to the Agreement shall be amended as follows:

(1) the text of point 10 (Council Regulation (EEC) No 1017/68) shall be replaced by the following:

'**32009 R 0169**: Council Regulation (EC) No 169/2009 of 26 February 2009 applying rules of competition to transport by rail, road and inland waterway (Codified version) (OJ L 61, 5.3.2009, p. 1).';

(2) the text of points 11 (Council Regulation (EEC) No 4056/86), 11d (Council Regulation (EC) No 1419/2006) and 11e (Commission Regulation (EC) No 1459/2006) shall be deleted;

(3) the heading '**H. PUBLIC UNDERTAKINGS**' shall be replaced by '**H. INFORMATION AND COMMUNICATION TECHNOLOGIES**';

(4) the text of point 12 (Commission Directive 88/301/EEC) shall be replaced by the following:

'**32008 L 0063**: Commission Directive 2008/63/EC of 20 June 2008 on competition in the markets in telecommunications terminal equipment (Codified version) (OJ L 162, 21.6.2008, p. 20).'

*Article 4*

The texts of Regulation (EC) No 169/2009 and Directive 2008/63/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 5*

This Decision shall enter into force on 11 December 2010, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

*Article 6*

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, 10 December 2010.

*For the EEA Joint Committee*

*The President*

Stefán Haukur JÓHANNESSON

(*) No constitutional requirements indicated.