EUROPEAN COMMISSION

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2010/0123 (NLE)

Proposal for a

COUNCIL DECISION

on the position to be adopted in the EEA Joint Committee

concerning an amendment of Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms (Budget lines)

EXPLANATORY MEMORANDUM

1. Protocol 31 to the EEA Agreement contains specific provisions on the cooperation between the European Union and the EEA EFTA States outside the four freedoms.

2. The draft Decision of the EEA Joint Committee, annexed to the proposed Council Decision, aims to modify Protocol 31 by continuing beyond 31 December 2009 the cooperation of the Contracting Parties to the Agreement in Union actions funded from the General Budget of the Union regarding the implementation, operation and development of the Internal Market. This concerns the follow budget lines:

   12.01.04.01 Implementation and development of the internal market – Expenditure on administrative management.

   12.02.01 Implementation and development of the internal market.

   02.03.01 Operation and development of the internal market, particularly in the fields of notification, certification and sectoral approximation.

   02.01.04.01 Operation and development of the internal market, particularly in the fields of notification, certification and sectoral approximation – Expenditure on administrative management.

3. Article 1(3) of Council Regulation (EC) No 2894/94 concerning arrangements for implementing the EEA Agreement provides that the Council establishes the position to be adopted on the Union's behalf on such Decisions, on a proposal from the Commission.

4. The Commission submits the draft Decision of the EEA Joint Committee for adoption by the Council as the Union's position. The Commission would hope to be able to present it in the EEA Joint Committee at the earliest possible opportunity.

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Proposal for a

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on the position to be adopted in the EEA Joint Committee

concerning an amendment of Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms (Budget lines)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 218(9) and 114 thereof,

Having regard to Council Regulation (EC) No 2894/94 of 28 November 1994 concerning arrangements for implementing the Agreement on the European Economic Area[1], and in particular Article 1(3) thereof,

Having regard to the proposal from the Commission,

Whereas:

(1) Protocol 31 to the EEA Agreement contains specific provisions on the cooperation between the European Union and the EEA EFTA States outside the four freedoms.

(2) It is appropriate to continue beyond 31 December 2009 the cooperation of the Contracting Parties to the Agreement in Union actions funded from the General Budget of the Union regarding the implementation, operation and development of the Internal Market. This concerns the follow budget lines:

12.01.04.01 Implementation and development of the internal market – Expenditure on administrative management.

12.02.01 Implementation and development of the internal market.

02.03.01 Operation and development of the internal market, particularly in the fields of notification, certification and sectoral approximation.

02.01.04.01 Operation and development of the internal market, particularly in the fields of notification, certification and sectoral approximation – Expenditure on administrative management.

(3) It is necessary, therefore, to amend Protocol 31,

[1] OJ L 305, 30.11.1994, p. 6.

HAS DECIDED AS FOLLOWS:

Sole Article

The position to be adopted in the EEA Joint Committee on an envisaged amendment of Protocol 31 to the EEA Agreement on cooperation in specific fields outside the four freedoms is laid down in the Annex to this Decision.

Done at Brussels,

For the Council
The President

ANNEX

Draft

DECISION OF THE EEA JOINT COMMITTEE
No

of

amending Protocol 31 to the EEA Agreement,
on cooperation in specific fields outside the four freedoms

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 Articles 86 and 98 thereof,

Whereas:

(1) Protocol 31 to the Agreement was amended by Decision of the EEA Joint Committee No …/… of …[2].

(2) It is appropriate to continue the cooperation of the Contracting Parties to the Agreement in Union actions funded from the General Budget of the Union regarding the implementation, operation and development of the Internal Market.

(3) Protocol 31 to the Agreement should therefore be amended in order to allow for this extended cooperation to continue beyond 31 December 2009,

HAS DECIDED AS FOLLOWS:

Article 1

Article 7 of Protocol 31 to the Agreement shall be amended as follows:

1. The words "years 2004, 2005, 2006, 2007, 2008 and 2009" in paragraph 6 shall be replaced by the words "2004, 2005, 2006, 2007, 2008, 2009 and 2010".

2. The words "years 2006, 2007, 2008 and 2009" in paragraph 7 shall be replaced by the words "years 2006, 2007, 2008, 2009 and 2010".

[2] OJ L …

3. The words “years 2008 and 2009” in paragraph 8 shall be replaced by the words “years 2008, 2009 and 2010”.

Article 2

This Decision shall enter into force on the day following the last notification to the EEA Joint Committee under Article 103(1) of the Agreement[*].

It shall apply from 1 January 2010.

Article 3

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,

For the EEA Joint Committee
The President

The Secretaries
to the EEA Joint Committee

[*] [No constitutional requirements indicated.] [Constitutional requirements indicated.]