DECISION OF THE EEA JOINT COMMITTEE

No 79/2011

of 1 July 2011

amending Annex XI (Electronic communication, audiovisual services and information society) 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 107/2009 of 22 October 2009 [1].

(2) Commission Decision 2010/87/EU of 5 February 2010 on standard contractual clauses for the transfer of personal data to processors established in third countries under Directive 95/46/EC of the European Parliament and of the Council [2] is to be incorporated into the Agreement.

(3) Decision 2010/87/EU repeals Commission Decision 2002/16/EC [3], which is incorporated into the Agreement and which is consequently to be repealed under the Agreement,

HAS ADOPTED THIS DECISION:

Article 1

The text of point 5ef (Commission Decision 2002/16/EC) of Annex XI to the Agreement shall be replaced by the following:

'**32010 D 0087**: Commission Decision 2010/87/EU of 5 February 2010 on standard contractual clauses for the transfer of personal data to processors established in third countries under Directive 95/46/EC of the European Parliament and of the Council (OJ L 39, 12.2.2010, p. 5).'.

Article 2

The text of Decision 2010/87/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 July 2011, provided that all the notifications pursuant to 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 July 2011.

For the EEA Joint Committee
The President
Kurt JÄGER

[1] OJ L 334, 17.12.2009, p. 4.
[2] OJ L 39, 12.2.2010, p. 5.
[3] OJ L 6, 10.1.2002, p. 52.

(*) No constitutional requirements indicated.