DECISION OF THE EEA JOINT COMMITTEE

No 38/2006

of 10 March 2006

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 17/2006 of 27 January 2006 [1].

(2) It is appropriate to extend the cooperation of the Contracting Parties to the Agreement to include Council Regulation (EC) No 2236/95 of 18 September 1995 laying down general rules for the granting of Community financial aid in the field of trans-European networks [2].

(3) It is appropriate to extend the cooperation of the Contracting Parties to the Agreement to include Regulation (EC) No 1655/1999 of the European Parliament and of the Council of 19 July 1999 amending Regulation (EC) No 2236/1995 laying down general rules for the granting of Community financial aid in the field of trans-European networks [3].

(4) Regulation (EC) No 788/2004 of the European Parliament and of the Council of 21 April 2004 amending Council Regulation (EC) No 2236/95 and Regulations (EC) No 1655/2000, (EC) No 1382/2003 and (EC) No 2152/2003 with a view to adapting the reference amounts to take account of the enlargement of the European Union [4] was included by Decision of the EEA Joint Committee No 90/2004 [5] of 8 June 2004.

(5) It is appropriate to extend the cooperation of the Contracting Parties to the Agreement to include Regulation (EC) No 807/2004 of the European Parliament and of the Council of 21 April 2004 amending Council Regulation (EC) No 2236/95 laying down general rules for the granting of Community financial aid in the field of trans-European networks [6].

(6) It is appropriate to extend the cooperation of the Contracting Parties to the Agreement to include Regulation (EC) No 1159/2005 of the European Parliament and of the Council of 6 July 2005 amending Council Regulation (EC) No 2236/95 laying down general rules for the granting of Community financial aid in the field of trans-European networks [7].

(7) It is appropriate to extend the cooperation of the Contracting Parties to the Agreement to include Decision No 1336/97/EC of the European Parliament and of the Council of 17 June 1997 on a series of guidelines for trans-European telecommunications networks [8].

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[1] OJ L 92, 30.3.2006, p. 46.
[2] OJ L 228, 23.9.1995, p. 1.
[3] OJ L 197, 29.7.1999, p. 1.
[4] OJ L 138, 30.4.2004, p. 17.
[5] OJ L 349, 25.11.2004, p. 52.
[6] OJ L 143, 30.4.2004, p. 46.
[7] OJ L 191, 22.7.2005, p. 16.
[8] OJ L 183, 11.7.1997, p. 12.

(8) It is appropriate to extend the cooperation of the Contracting Parties to the Agreement to include Decision No 1376/2002/EC of the European Parliament and of the Council of 12 July 2002 amending Decision No 1336/97/EC on a series of guidelines for trans-European telecommunications networks ([1]).

(9) The cooperation with regard to Regulation (EC) No 2236/95 and the subsequent amendments to it shall be restricted to the field of trans-European telecommunications networks.

(10) Protocol 31 to the Agreement should therefore be amended in order to allow for this extended cooperation to take place with effect from 1 January 2006,

HAS DECIDED AS FOLLOWS:

Article 1

Article 2 of Protocol 31 to the Agreement shall be amended as follows:

1. The following point shall be inserted after point 6 (Promotion of the European digital content on the global networks):

'7. The EFTA States shall, as from 1 January 2006, participate in the activities which may result from the following acts, to the extent they are related to projects of common interest in the field of trans-European telecommunications networks:

— **395 R 2236**: Council Regulation (EC) No 2236/95 of 18 September 1995 laying down general rules for the granting of Community financial aid in the field of trans-European networks (OJ L 228, 23.9.1995, p. 1), as amended by:

— **399 R 1655**: Regulation (EC) No 1655/1999 of the European Parliament and of the Council of 19 July 1999 (OJ L 197, 29.7.1999, p. 1),

— **32004 R 0788**: Regulation (EC) No 788/2004 of the European Parliament and of the Council of 21 April 2004 (OJ L 138, 30.4.2004, p. 17),

— **32004 R 0807**: Regulation (EC) No 807/2004 of the European Parliament and of the Council of 21 April 2004 (OJ L 143, 30.4.2004, p. 46),

— **32005 R 1159**: Regulation (EC) No 1159/2005 of the European Parliament and of the Council of 6 July 2005 (OJ L 191, 22.7.2005, p. 16).

— **397 D 1336**: Decision No 1336/97/EC of the European Parliament and of the Council of 17 June 1997 on a series of guidelines for trans-European telecommunications networks (OJ L 183, 11.7.1997, p. 12), as amended by:

— **32002 D 1376**: Decision No 1376/2002/EC of the European Parliament and of the Council of 12 July 2002 (OJ L 200, 30.7.2002, p. 1).'

2. The following paragraph shall be added in point 2:

'Regarding the activities referred to in paragraph 7, the EFTA States shall contribute financially to the budget lines 09 03 04 and 09 01 04 03 (trans-European telecommunications networks), as well as to the subsequent corresponding budget lines, in accordance with Article 82(1)(a) of the Agreement.'

([1]) OJ L 200, 30.7.2002, p. 1.

3. The text of point 3 shall be replaced by the following:

'The EFTA States shall, as from the start of cooperation in programmes and actions referred to in paragraphs 5, 6 and 7, participate fully in the EC committees which assist the EC Commission in the management, development and implementation of these programmes and actions.'

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 2006.

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, 10 March 2006.

For the EEA Joint Committee
The President
R. WRIGHT

(*) No constitutional requirements indicated.