DECISION OF THE EEA JOINT COMMITTEE

No 106/2011

of 30 September 2011

amending Annex XXI (Statistics) 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 XXI to the Agreement was amended by Decision of the EEA Joint Committee No 89/2011 of 1 July 2011 [1].

(2) Commission Regulation (EU) No 92/2010 of 2 February 2010 implementing Regulation (EC) No 471/2009 of the European Parliament and of the Council on Community statistics relating to external trade with non-member countries, as regards data exchange between customs authorities and national statistical authorities, compilation of statistics and quality assessment [2] is to be incorporated into the Agreement.

(3) Commission Regulation (EU) No 113/2010 of 9 February 2010 implementing Regulation (EC) No 471/2009 of the European Parliament and of the Council on Community statistics relating to external trade with non-member countries, as regards trade coverage, definition of the data, compilation of statistics on trade by business characteristics and by invoicing currency, and specific goods or movements [3] is to be incorporated into the Agreement.

(4) Regulation (EU) No 113/2010 repeals, with effect from 1 January 2010, Commission Regulation (EC) No 1917/2000 [4], which is incorporated into the Agreement, but which should continue to apply to the EFTA States until the measures to comply with Regulation (EC) No 471/2009 are put into effect and consequently be repealed under the Agreement with effect from 1 January 2012,

HAS ADOPTED THIS DECISION:

Article 1

Annex XXI to the Agreement shall be amended as follows:

(1) the following points shall be inserted after point 8a (Council Regulation (EC) No 1172/95):

'8aa. **32010 R 0092**: Commission Regulation (EU) No 92/2010 of 2 February 2010 implementing Regulation (EC) No 471/2009 of the European Parliament and of the Council on Community statistics relating to external trade with non-member countries, as regards data exchange between customs authorities and national statistical authorities, compilation of statistics and quality assessment (OJ L 31, 3.2.2010, p. 4).

8ab. **32010 R 0113**: Commission Regulation (EU) No 113/2010 of 9 February 2010 implementing Regulation (EC) No 471/2009 of the European Parliament and of the Council on Community statistics relating to external trade with non-member countries, as regards trade coverage, definition of the data, compilation of statistics on trade by business characteristics and by invoicing currency, and specific goods or movements (OJ L 37, 10.2.2010, p. 1).

The provisions of the Regulation shall, for the purposes of this Agreement, be read with the following adaptations:

(a) the following subparagraph shall be added to Article 4(2):

"For the EFTA States the 'customs value' shall be defined within the respective national rules.";

(b) the following subparagraph shall be added to Article 7(2):

"For the EFTA States 'country of origin' shall be taken to mean the country in which the goods originated within the meaning of the respective national rules of origin.";

(c) the reference to Regulation (EC) No 2454/93 in Article 15(4) is not applicable.';

(2) the text of point 16a (Commission Regulation (EC) No 1917/2000) shall be deleted with effect from 1 January 2012.

Article 2

The text of Regulations (EU) No 92/2010 and (EU) No 113/2010 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

[1] OJ L 262, 6.10.2011, p. 61.
[2] OJ L 31, 3.2.2010, p. 4.
[3] OJ L 37, 10.2.2010, p. 1.
[4] OJ L 229, 9.9.2000, p. 14.

Article 3

This Decision shall enter into force on 1 October 2011, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*), or on the day of the entry into force of Decision of the EEA Joint Committee No 105/2011 of 30 September 2011 [1], whichever is the later.

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, 30 September 2011.

For the EEA Joint Committee
The President
Kurt JÄGER

(*) No constitutional requirements indicated.
[1] See page 43 of this Official Journal.