DECISION OF THE EEA JOINT COMMITTEE

No 145/2007

of 26 October 2007

amending Annex XIII (Transport) 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 XIII to the Agreement was amended by Decision of the EEA Joint Committee No 122/2007 of 28 September 2007 ([1]).

(2) Regulation (EC) No 2111/2005 of the European Parliament and of the Council of 14 December 2005 on the establishment of a Community list of air carriers subject to an operating ban within the Community and on informing air transport passengers of the identity of the operating air carrier, and repealing Article 9 of Directive 2004/36/EC ([2]) is to be incorporated into the Agreement.

(3) Commission Regulation (EC) No 473/2006 of 22 March 2006 laying down implementing rules for the Community list of air carriers which are subject to an operating ban within the Community referred to in Chapter II of Regulation (EC) No 2111/2005 of the European Parliament and of the Council ([3]) is to be incorporated into the Agreement.

(4) Commission Regulation (EC) No 474/2006 of 22 March 2006 establishing the Community list of air carriers which are subject to an operating ban within the Community referred to in Chapter II of Regulation (EC) No 2111/2005 of the European Parliament and of the Council ([4]) is to be incorporated into the Agreement.

(5) Commission Regulation (EC) No 910/2006 of 20 June 2006 amending Regulation (EC) No 474/2006 establishing the Community list of air carriers which are subject to an operating ban within the Community referred to in Chapter II of Regulation (EC) No 2111/2005 of the European Parliament and of the Council ([5]) is to be incorporated into the Agreement.

(6) Commission Regulation (EC) No 1543/2006 of 12 October 2006 amending Regulation (EC) No 474/2006 establishing the Community list of air carriers which are subject to an operating ban within the Community referred to in Chapter II of Regulation (EC) No 2111/2005 of the European Parliament and of the Council and as amended by Regulation (EC) No 910/2006 ([6]) is to be incorporated into the Agreement.

(7) Commission Regulation (EC) No 235/2007 of 5 March 2007 amending Regulation (EC) No 474/2006 establishing the Community list of air carriers which are subject to an operating ban within the Community ([7]) is to be incorporated into the Agreement.

(8) Commission Regulation (EC) No 787/2007 of 4 July 2007 amending Commission Regulation (EC) No 474/2006 establishing the Community list of air carriers which are subject to an operating ban within the Community ([8]) is to be incorporated into the Agreement,

([1]) OJ L 47, 21.2.2008, p. 47.
([2]) OJ L 344, 27.12.2005, p. 15.
([3]) OJ L 84, 23.3.2006, p. 8.
([4]) OJ L 84, 23.3.2006, p. 14.
([5]) OJ L 168, 21.6.2006, p. 16.
([6]) OJ L 283, 14.10.2006, p. 27.
([7]) OJ L 66, 6.3.2007, p. 3.
([8]) OJ L 175, 5.7.2007, p. 10.

HAS DECIDED AS FOLLOWS:

Article 1

Annex XIII to the Agreement shall be amended as follows:

1. The following points shall be inserted after point 66z (Directive 2006/23/EC of the European Parliament and of the Council):

'66za. **32005 R 2111**: Regulation (EC) No 2111/2005 of the European Parliament and of the Council of 14 December 2005 on the establishment of a Community list of air carriers subject to an operating ban within the Community and on informing air transport passengers of the identity of the operating air carrier, and repealing Article 9 of Directive 2004/36/EC (OJ L 344, 27.12.2005, p. 15).

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

(a) Pending the adoption of a formal decision on the incorporation of updates of the Community list by the EEA Joint Committee in accordance with the procedures laid down in the Agreement, the EFTA States shall simultaneously with the EC Member States take measures corresponding to those taken by the latter on the basis of the Community list as regards air carriers which are subject to an operating ban.

(b) In case such measures raise serious concerns for one or more EFTA States, the EFTA State(s) concerned shall immediately refer the matter to the EEA Joint Committee.

(c) The following paragraph shall be added in Article 15:

"6. The EFTA States shall participate fully in the Committee referred to in paragraph 1, except for the right to vote."

66zaa. **32006 R 0473**: Commission Regulation (EC) No 473/2006 of 22 March 2006 laying down implementing rules for the Community list of air carriers which are subject to an operating ban within the Community referred to in Chapter II of Regulation (EC) No 2111/2005 of the European Parliament and of the Council (OJ L 84, 23.3.2006, p. 8).

66zab. **32006 R 0474**: Commission Regulation (EC) No 474/2006 of 22 March 2006 establishing the Community list of air carriers which are subject to an operating ban within the Community referred to in Chapter II of Regulation (EC) No 2111/2005 of the European Parliament and of the Council (OJ L 84, 23.3.2006, p. 14), as amended by:

— **32006 R 0910**: Commission Regulation (EC) No 910/2006 of 20 June 2006 (OJ L 168, 21.6.2006, p. 16),

— **32006 R 1543**: Commission Regulation (EC) No 1543/2006 of 12 October 2006 (OJ L 283, 14.10.2006, p. 27),

— **32007 R 0235**: Commission Regulation (EC) No 235/2007 of 5 March 2007 (OJ L 66, 6.3.2007, p. 3),

— **32007 R 0787**: Commission Regulation (EC) No 787/2007 of 4 July 2007 (OJ L 175, 5.7.2007, p. 10).'

2. The following shall be added in point 66r (Directive 2004/36/EC of the European Parliament and of the Council):

', as amended by:

— **32005 R 2111**: Regulation (EC) No 2111/2005 of the European Parliament and of the Council of 14 December 2005 (OJ L 344, 27.12.2005, p. 15).'

Article 2

The texts of Regulations (EC) No 2111/2005, (EC) No 473/2006, (EC) No 474/2006, (EC) No 910/2006, (EC) No 1543/2006, (EC) No 235/2007 and (EC) No 787/2007 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 27 October 2007, provided that all the notifications under 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, 26 October 2007.

For the EEA Joint Committee

The President

Stefán Haukur JÓHANNESSON

(*) No constitutional requirements indicated.