DECISION OF THE EEA JOINT COMMITTEE

No 134/2005

of 21 October 2005

amending Annex XVIII (Health and safety at work, labour law, and equal treatment for men and women) 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 XVIII to the Agreement was amended by Decision of the EEA Joint Committee No 43/2005 [1].

(2) Directive 2004/37/EC of the European Parliament and of the Council of 29 April 2004 on the protection of workers from the risks related to exposure to carcinogens or mutagens at work (Sixth individual Directive within the meaning of Article 16(1) of Council Directive 89/391/EEC) [2] is to be incorporated into the Agreement.

(3) Directive 2004/37/EC repeals Council Directive 90/394/EEC [3], which is incorporated in the Agreement and which is consequently to be repealed under the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

Annex XVIII to the Agreement shall be amended as follows:

1. The following point shall be inserted after point 14 (Council Directive 90/394/EEC):

'14a. **32004 L 0037**: Directive 2004/37/EC of the European Parliament and of the Council of 29 April 2004 on the protection of workers from the risks related to exposure to carcinogens or mutagens at work (Sixth individual Directive within the meaning of Article 16(1) of Council Directive 89/391/EEC) (OJ L 158, 30.4.2004, p. 50), corrected by OJ L 229, 29.6.2004, p. 23.'

2. The text of point 14 (Council Directive 90/394/EEC) shall be deleted.

Article 2

The text of Directive 2004/37/EC, as corrected by OJ L 229, 29.6.2004, p. 23, in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

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[1] OJ L 198, 28.7.2005, p. 45.
[2] OJ L 158, 30.4.2004, p. 50, corrected by OJ L 229, 29.6.2004, p. 23.
[3] OJ L 196, 26.7.1990, p. 1.

Article 3

This Decision shall enter into force on 22 October 2005, 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, 21 October 2005.

For the EEA Joint Committee

The President

HSH Prinz Nikolaus von LIECHTENSTEIN

(*) No constitutional requirements indicated.