DECISION OF THE EEA JOINT COMMITTEE

No 90/2011

of 19 July 2011

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 82/2011 of 1 July 2011 [1].

(2) Regulation (EC) No 1008/2008 of the European Parliament and of the Council of 24 September 2008 on common rules for the operation of air services in the Community [2] should be incorporated into the Agreement.

(3) Regulation (EC) No 1008/2008 repeals Council Regulations (EEC) No 2407/92 [3], (EEC) No 2408/92 [4] and (EEC) No 2409/92 [5], which are incorporated in the Agreement, and which are consequently to be repealed under the Agreement,

HAS ADOPTED THIS DECISION:

Article 1

Annex XIII to the Agreement shall be amended as follows:

(1) point 64a (Council Regulation (EEC) No 2408/92) should be replaced by the following:

'64a. **32008 R 1008**: Regulation (EC) No 1008/2008 of the European Parliament and of the Council of 24 September 2008 on common rules for the operation of air services in the Community (OJ L 293, 31.10.2008, p. 3).

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

(a) in Article 4(f) the words ", except as provided for in an agreement with a third country to which the Community is a party;" shall be replaced by the following:

". However, operating licences with legal effects in the entire EEA can be granted on the basis of exceptions to this requirement provided for in agreements with third countries to which the Community or one or more EFTA States are parties, provided the EEA Joint Committee adopts a decision to that effect.";

(b) the following is added to Article 16(9), second subparagraph:

", as well as regional airports in Iceland and the four northernmost counties in Norway." ';

(2) the text of point 65 (Council Regulation (EEC) No 2409/92) shall be deleted;

(3) the text of point 66b (Council Regulation (EEC) No 2407/92) shall be deleted.

Article 2

The text of Regulation (EC) No 1008/2008 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 20 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, 19 July 2011.

For the EEA Joint Committee
The President
Kurt JÄGER

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[1] See page 53 of this Official Journal.
[2] OJ L 293, 31.10.2008, p. 3.
[3] OJ L 240, 24.8.1992, p. 1.
[4] OJ L 240, 24.8.1992, p. 8.
[5] OJ L 240, 24.8.1992, p. 15.

(*) No constitutional requirements indicated.