DECISION OF THE EEA JOINT COMMITTEE

No 96/2009

of 25 September 2009

amending Annex XI (Telecommunication services) 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 XI to the Agreement was amended by Decision of the EEA Joint Committee No 83/2009 of 3 July 2009 ([1]).

(2) Commission Decision 2008/411/EC of 21 May 2008 on the harmonisation of the 3 400-3 800 MHz frequency band for terrestrial systems capable of providing electronic communications services in the Community ([2]) is to be incorporated into the Agreement.

(3) Commission Decision 2008/477/EC of 13 June 2008 on the harmonisation of the 2 500-2 690 MHz frequency band for terrestrial systems capable of providing electronic communications services in the Community ([3]) is to be incorporated into the Agreement.

(4) Commission Decision 2008/671/EC of 5 August 2008 on the harmonised use of radio spectrum in the 5 875-5 905 MHz frequency band for safety-related applications of Intelligent Transport Systems (ITS) ([4]) is to be incorporated into the Agreement.

(5) Commission Decision 2008/673/EC of 13 August 2008 amending Decision 2005/928/EC on the harmonisation of the 169,4-169,8125 MHz frequency band in the Community ([5]) is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

Annex XI to the Agreement shall be amended as follows:

1. the following points shall be inserted after point 5czc (Commission Decision 2008/294/EC):

'5czd. **32008 D 0411**: Commission Decision 2008/411/EC of 21 May 2008 on the harmonisation of the 3 400-3 800 MHz frequency band for terrestrial systems capable of providing electronic communications services in the Community (OJ L 144, 4.6.2008, p. 77).

5cze. **32008 D 0477**: Commission Decision 2008/477/EC of 13 June 2008 on the harmonisation of the 2 500-2 690 MHz frequency band for terrestrial systems capable of providing electronic communications services in the Community (OJ L 163, 24.6.2008, p. 37).

([1]) OJ L 277, 22.10.2009, p. 35.
([2]) OJ L 144, 4.6.2008, p. 77.
([3]) OJ L 163, 24.6.2008, p. 37.
([4]) OJ L 220, 15.8.2008, p. 24.
([5]) OJ L 220, 15.8.2008, p. 29.

5czf. **32008 D 0671**: Commission Decision 2008/671/EC of 5 August 2008 on the harmonised use of radio spectrum in the 5 875-5 905 MHz frequency band for safety-related applications of Intelligent Transport Systems (ITS) (OJ L 220, 15.8.2008, p. 24).';

2. the following shall be added in point 5ct (Commission Decision 2005/928/EC):

', as amended by:

— **32008 D 0673**: Commission Decision 2008/673/EC of 13 August 2008 (OJ L 220, 15.8.2008, p. 29).'

Article 2

The texts of Decisions 2008/411/EC, 2008/477/EC, 2008/671/EC and 2008/673/EC 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 26 September 2009, 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, 25 September 2009.

For the EEA Joint Committee
The President
Oda Helen SLETNES

(*) No constitutional requirements indicated.