DECISION OF THE EEA JOINT COMMITTEE

No 86/2011

of 1 July 2011

amending Annex XX (Environment) 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 XX to the Agreement was amended by Decision of the EEA Joint Committee No 57/2011 of 20 May 2011 [1].

(2) Commission Regulation (EC) No 748/2009 of 5 August 2009 on the list of aircraft operators which performed an aviation activity listed in Annex I to Directive 2003/87/EC on or after 1 January 2006 specifying the administering Member State for each aircraft operator [2] is to be incorporated into the Agreement.

(3) Commission Regulation (EU) No 394/2011 of 20 April 2011 amending Regulation (EC) No 748/2009 on the list of aircraft operators that performed an aviation activity listed in Annex I to Directive 2003/87/EC of the European Parliament and of the Council on or after 1 January 2006 specifying the administering Member State for each aircraft operator as regards the expansion of the Union emission trading scheme to EEA-EFTA countries [3] is to be incorporated into the Agreement,

HAS ADOPTED THIS DECISION:

Article 1

The following point shall be inserted after point 21ar (Directive 2001/81/EC of the European Parliament and of the Council) of Annex XX to the Agreement:

'21as. **32009 R 0748**: Commission Regulation (EC) No 748/2009 of 5 August 2009 on the list of aircraft operators which performed an aviation activity listed in Annex I to Directive 2003/87/EC on or after 1 January 2006 specifying the administering Member State for each aircraft operator (OJ L 219, 22.8.2009, p. 1), as amended by:

— **32011 R 0394**: Commission Regulation (EU) No 394/2011 of 20 April 2011 (OJ L 107, 27.4.2011, p. 1).'.

Article 2

The texts of Regulations (EC) No 748/2009 and (EU) No 394/2011 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 2 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, 1 July 2011.

For the EEA Joint Committee
The President
Kurt JÄGER

[1] OJ L 196, 28.7.2011, p. 39.
[2] OJ L 219, 22.8.2009, p. 1.
[3] OJ L 107, 27.4.2011, p. 1.

(*) No constitutional requirements indicated.