DECISION OF THE EEA JOINT COMMITTEE

No 143/2009

of 4 December 2009

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 110/2009 of 22 October 2009 [1].

(2) Commission Regulation (EC) No 68/2009 of 23 January 2009 adapting for the ninth time to technical progress Council Regulation (EEC) No 3821/85 on recording equipment in road transport [2] is to be incorporated into the Agreement.

(3) Commission Directive 2009/4/EC of 23 January 2009 counter measures to prevent and detect manipulation of records of tachographs, amending Directive 2006/22/EC of the European Parliament and of the Council on minimum conditions for the implementation of Council Regulations (EEC) Nos 3820/85 and 3821/85 concerning social legislation relating to road transport activities and repealing Council Directive 88/599/EEC [3] is to be incorporated into the Agreement.

(4) Commission Directive 2009/5/EC of 30 January 2009 amending Annex III to Directive 2006/22/EC of the European Parliament and of the Council on minimum conditions for the implementation of Council Regulations (EEC) Nos 3820/85 and 3821/85 concerning social legislation relating to road transport activities [4], as corrected by OJ L 256, 29.9.2009, p. 38, is to be incorporated into the Agreement.

(5) Commission Recommendation 2009/60/EC of 23 January 2009 on guidelines for best enforcement practice concerning checks of recording equipment to be carried out at roadside checks and by authorised workshops [5] is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

Annex XIII to the Agreement is to be amended as follows:

1. the following indent shall be added in point 21 (Council Regulation (EEC) No 3821/85):

'— **32009 R 0068**: Commission Regulation (EC) No 68/2009 of 23 January 2009 (OJ L 21, 24.1.2009, p. 3).';

2. the following shall be added in point 21a (Directive 2006/22/EC of the European Parliament and of the Council):

', as amended by:

— **32009 L 0004**: Commission Directive 2009/4/EC of 23 January 2009 (OJ L 21, 24.1.2009, p. 39),

[1] OJ L 334, 17.12.2009, p. 10.
[2] OJ L 21, 24.1.2009, p. 3.
[3] OJ L 21, 24.1.2009, p. 39.
[4] OJ L 29, 31.1.2009, p. 45.
[5] OJ L 21, 24.1.2009, p. 87.

— **32009 L 0005**: Commission Directive 2009/5/EC of 30 January 2009 (OJ L 29, 31.1.2009, p. 45), as corrected by OJ L 256, 29.9.2009, p. 38.';

3. the following point shall be inserted after point 95 (Commission Recommendation 2004/358/EC):

'96. **32009 H 0060**: Commission Recommendation 2009/60/EC of 23 January 2009 on guidelines for best enforcement practice concerning checks of recording equipment to be carried out at roadside checks and by authorised workshops (OJ L 21, 24.1.2009, p. 87).'

Article 2

The texts of Regulation (EC) No 68/2009, Directives 2009/4/EC and 2009/5/EC, as corrected by OJ L 256, 29.9.2009, p. 38, and Recommendation 2009/60/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 5 December 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, 4 December 2009.

For the EEA Joint Committee
The President
Oda Helen SLETNES

(*) No constitutional requirements indicated.