

Agreement on the
European Economic Area

The EEA Joint Committee

DECISION OF THE EEA JOINT COMMITTEE
No 70/97
of 4 October 1997

amending Annex XIII (Transport)
to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as adjusted by the Protocol Adjusting the Agreement on the European Economic Area, hereafter referred to as the Agreement, and in particular Article 98 thereof,

Whereas Annex XIII to the Agreement was amended by Decision of the EEA Joint Committee No 11/97 of 14 March 1997¹,

Whereas Council Regulation (EEC) No 3577/92 of 7 December 1992 applying the principle of freedom to provide services to maritime transport within Member States (maritime cabotage)² is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following point shall be inserted after point 53 (Council Regulation (EEC) No 4055/86) of Annex XIII to the Agreement:

"53a. **392 R 3577:** Council Regulation (EEC) No 3577/92 of 7 December 1992 applying the principle of freedom to provide services to maritime transport within Member States (maritime cabotage) (OJ No L 364, 12.12.1992, p. 7).

¹ OJ No L 182, 10.7.1997, p. 41.

² OJ No L 364, 12.12.1992, p. 7.

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

- (a) In situations referred to in Article 5:
- regarding the EFTA States, "Commission" shall read "EFTA Surveillance Authority";
 - if the EC Commission receives a request from an EC Member State or the EFTA Surveillance Authority from an EFTA State to adopt safeguard measures, the EEA Joint Committee shall without delay be notified thereof and be provided with all relevant information.

At the request of a Contracting Party consultations shall take place within the EEA Joint Committee. Such consultations may also be requested in cases where the EC Commission or the EFTA Surveillance Authority adopt safeguard measures on their own initiative.

Once the EC Commission or the EFTA Surveillance Authority have adopted a decision they shall immediately notify the measures taken to the EEA Joint Committee.

- (b) Article 7 shall be replaced by the following:

"Save as otherwise provided in this Agreement, the Contracting Parties shall not introduce any new restrictions on the freedom to provide services which have in fact been attained at the date of the decision by the EEA Joint Committee to include this Regulation in the Agreement."

Article 2

The texts of Council Regulation (EEC) No 3577/92 in the Icelandic and Norwegian languages, which are annexed to the respective language versions of this Decision, are authentic.

Article 3

This Decision shall enter into force on 5 October 1997, 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 Communities.

Done at Brussels, 4 October 1997.

For the EEA Joint Committee
The President

.....
E. Bull

The Secretaries
to the EEA Joint Committee

.....

G. Vik

E. Gerner

**Statements for entry into the Agreed Minutes of the EEA Joint Committee Decision
to incorporate Regulation 3577/92 into the Agreement:**

Statement by the Government of Norway

Norway does not have the intention of amending its law concerning the Norwegian International Ship (NIS) register in respect of access of NIS registered vessels to the Norwegian cabotage.

Joint Statement

The Contracting Parties state that the wording of Article 1 of Regulation 3577/92 should not be interpreted as excluding from freedom to provide maritime transport services within a Contracting Party shipowners who have their ships registered in, and flying the flag of, a Contracting Party which has no access to the sea and which consequently can have no cabotage.

