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**DECISION OF THE EEA JOINT COMMITTEE**  
**No 109/2008**

**of 26 September 2008**

**amending Protocol 31 to the EEA Agreement,  
on cooperation in specific fields outside the four freedoms**

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 Articles 86 and 98 thereof,

Whereas:

- (1) Protocol 31 to the Agreement was amended by Decision of the EEA Joint Committee No 41/2006 of 10 March 2006<sup>1</sup>.
- (2) It is appropriate to extend the cooperation of the Contracting Parties to the Agreement to include Commission Decision 2008/49/EC of 12 December 2007 concerning the implementation of the Internal Market Information System (IMI) as regards the protection of personal data<sup>2</sup>.
- (3) Protocol 31 to the Agreement should therefore be amended in order to allow for this extended cooperation to take place.
- (4) Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data<sup>3</sup> has not been incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

*Article 1*

The following sub-indent shall be added in the indent of Article 17(5)(b) (Decision 2004/387/EC of the European Parliament and of the Council) of Protocol 31 to the Agreement:

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<sup>1</sup> OJ L 147, 1.6.2006, p. 64.

<sup>2</sup> OJ L 13, 16.1.2008, p. 18.

<sup>3</sup> OJ L 8, 12.1.2001, p. 1.

‘- **32008 D 0049**: Commission Decision 2008/49/EC of 12 December 2007 concerning the implementation of the Internal Market Information System (IMI) as regards the protection of personal data (OJ L 13, 16.1.2008, p. 18).’

*Article 2*

This Decision shall enter into force on the day following the last notification to the EEA Joint Committee under Article 103(1) of the Agreement\*.

*Article 3*

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, 26 September 2008.

*For the EEA Joint Committee  
The President*

*H. S. H. Prinz Nikolaus von Liechtenstein*

*The Secretaries  
to the EEA Joint Committee*

*Bergdis Ellertsdóttir Matthias Brinkmann*

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\* Constitutional requirements indicated.