

EN

EN

EN

DECISION OF THE EEA JOINT COMMITTEE
No 65/2009

of 29 May 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 50/2009 of 24 April 2009¹.
- (2) Directive 2005/35/EC of the European Parliament and of the Council of 7 September 2005 on ship-source pollution and on the introduction of penalties for infringements², as corrected by OJ L 33, 4.2.2006, p. 87 and OJ L 105, 13.4.2006, p. 65, is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following point shall be inserted after point 56u (Regulation (EC) No 336/2006 of the European Parliament and of the Council) of Annex XIII to the Agreement:

'56v. **32005 L 0035:** Directive 2005/35/EC of the European Parliament and of the Council of 7 September 2005 on ship-source pollution and on the introduction of penalties for infringements (OJ L 255, 30.9.2005, p. 11), as corrected by OJ L 33, 4.2.2006, p. 87 and OJ L 105, 13.4.2006, p. 65.

The provisions of the Directive shall, for the purposes of this Agreement, be read with the following adaptation:

The second sentence of Article 4 shall not apply.'

¹ OJ L 162, 25.6.2009, p. 31.

² OJ L 255, 30.9.2005, p. 11.

Article 2

The texts of Directive 2005/35/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 30 May 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, 29 May 2009.

*For the EEA Joint Committee
The President*

Alan Seatter

*The Secretaries
to the EEA Joint Committee*

Bergdis Ellertsdóttir Matthias Brinkmann

* Constitutional requirements indicated.