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**DECISION OF THE EEA JOINT COMMITTEE**  
**No 97/2009**

**of 25 September 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 85/2009 of 3 July 2009<sup>1</sup>.
- (2) Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008 on the inland transport of dangerous goods<sup>2</sup> is to be incorporated into the Agreement.
- (3) Directive 2008/68/EC repeals Council Directives 94/55/EC<sup>3</sup>, 96/49/EC<sup>4</sup>, 96/35/EC<sup>5</sup> and Directive 2000/18/EC of the European Parliament and of the Council<sup>6</sup>, which are incorporated into the Agreement and which are consequently to be repealed under the Agreement,

HAS DECIDED AS FOLLOWS:

*Article 1*

Annex XIII to the Agreement shall be amended as follows:

1. The following point shall be inserted after point 13b (Directive 2000/18/EC of the European Parliament and of the Council):

‘13c. **32008 L 0068**: Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008 on the inland transport of dangerous goods (OJ L 260, 30.9.2008, p. 13).’

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<sup>1</sup> OJ L 277, 22.10.2009, p.37.

<sup>2</sup> OJ L 260, 30.9.2008, p. 13.

<sup>3</sup> OJ L 319, 12.12.1994, p. 7.

<sup>4</sup> OJ L 235, 17.9.1996, p. 25.

<sup>5</sup> OJ L 145, 19.6.1996, p. 10.

<sup>6</sup> OJ L 118, 19.5.2000, p. 41.

2. The following indent shall be added in point 47a (Directive 2006/87/EC of the European Parliament and of the Council):  

‘- **32008 L 0068**: Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008 (OJ L 260, 30.9.2008, p. 13).’
3. The text of points 13a (Council Directive 96/35/EC), 13b (Directive 2000/18/EC of the European Parliament and of the Council), 17e (Council Directive 94/55/EC) and 42b (Council Directive 96/49/EC) shall be deleted.

#### *Article 2*

The texts of Directive 2008/68/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 26 September 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, 25 September 2009.

*For the EEA Joint Committee  
The President*

*O. H. Sletnes*

*The Secretaries  
to the EEA Joint Committee*

*B. Ellertsdóttir                      L-O. Hollner*

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\* No constitutional requirements indicated.