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**DECISION OF THE EEA JOINT COMMITTEE**  
**No 92/2010**

**of 2 July 2010**

**amending Annex XVIII (Health and safety at work, labour law, and equal treatment for men and women) and Protocol 37 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 Articles 98 and 101 thereof,

Whereas:

- (1) Annex XVIII to the Agreement was amended by Decision of the EEA Joint Committee No 54/2010 of 30 April 2010<sup>1</sup>.
- (2) Protocol 37 to the Agreement was amended by Decision of the EEA Joint Committee No 159/2009 of 4 December 2009<sup>2</sup>.
- (3) Commission Decision 2009/17/EC of 19 December 2008 setting up the Committee of Experts on Posting of Workers<sup>3</sup> is to be incorporated into the Agreement.
- (4) For the Agreement to function well, Protocol 37 to the Agreement is to be amended to include the Committee of Experts on Posting of Workers set up by Decision 2009/17/EC, and Annex XVIII is to be amended in order to specify the procedures for association with this Committee,

HAS DECIDED AS FOLLOWS:

*Article 1*

The following point shall be inserted after point 30 (Directive 96/71/EC of the European Parliament and of the Council) of Annex XVIII to the Agreement:

‘30a. **32009 D 0017**: Commission Decision 2009/17/EC of 19 December 2008 setting up the Committee of Experts on Posting of Workers (OJ L 8, 13.1.2009, p. 26).

Modalities for the association of the EFTA States in accordance with Article 101 of the Agreement:

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<sup>1</sup> OJ L 181, 15.7.2010, p. 22.

<sup>2</sup> OJ L 62, 11.3.2010, p. 65.

<sup>3</sup> OJ L 8, 13.1.2009, p. 26.

Each EFTA State may, in accordance with Article 3 of Commission Decision 2009/17/EC, appoint two persons to participate as observers in the meetings of the Committee of Experts on Posting of Workers.’

#### *Article 2*

The following point shall be inserted in Protocol 37 (containing the list provided for in Article 101) to the Agreement:

’33. The Committee of Experts on Posting of Workers (Commission Decision 2009/17/EC).’

#### *Article 3*

The texts of Decision 2009/17/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 4*

This Decision shall enter into force on 3 July 2010, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee\* .

#### *Article 5*

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, 2 July 2010.

*For the EEA Joint Committee  
The President*

*Stefán Haukur Jóhannesson*

*The Secretaries  
to the EEA Joint Committee*

*Bergdis Ellertsdóttir Gianluca Grippa*

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\* No constitutional requirements indicated.