

DECISION OF THE EEA JOINT COMMITTEE

No 13/2013

of 1 February 2013

amending Annex IV (Energy) and Annex XXI (Statistics) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Directive 2008/92/EC of the European Parliament and of the Council of 22 October 2008 concerning a Community procedure to improve the transparency of gas and electricity prices charged to industrial end-users ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Directive 2008/92/EC repeals Council Directive 90/377/EEC ⁽²⁾, which is incorporated into the EEA Agreement and which is consequently to be repealed under the EEA Agreement.
- (3) Annexes IV and XXI to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The text of point 7 (Council Directive 90/377/EEC) of Annex IV to the EEA Agreement is replaced by the following:

'**32008 L 0092:** Directive 2008/92/EC of the European Parliament and of the Council of 22 October 2008 concerning a Community procedure to improve the transparency of gas and electricity prices charged to industrial end-users (OJ L 298, 7.11.2008, p. 9) ⁽¹⁾.

⁽¹⁾ Listed here for information purposes only: for application see Annex XXI on statistics.'

Article 2

The text of point 26 (Council Directive 90/377/EEC) of Annex XXI to the EEA Agreement is replaced by the following:

'**32008 L 0092:** Directive 2008/92/EC of the European Parliament and of the Council of 22 October 2008 concerning a Community procedure to improve the transparency of gas and electricity prices charged to industrial end-users (OJ L 298, 7.11.2008, p. 9).

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

Liechtenstein shall be exempted from the obligations foreseen in this Directive, except for the obligation to provide the industrial price data for industrial end-user band IC for electricity and for industrial end-user band I3 for gas. This data (3 price levels: prices excluding taxes and levies; prices excluding VAT and other recoverable taxes; prices including all taxes, levies and VAT) shall be provided on a half yearly basis within 2 months after the reference period by using the appropriate questionnaires provided by Eurostat.'

Article 3

The text of Directive 2008/92/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 2 February 2013, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

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, 1 February 2013.

For the EEA Joint Committee

The President

Gianluca GRIPPA

⁽¹⁾ OJ L 298, 7.11.2008, p. 9.

⁽²⁾ OJ L 185, 17.7.1990, p. 16.

(*) Constitutional requirements indicated.