

Agreement on the
European Economic Area

The EEA Joint Committee

DECISION OF THE EEA JOINT COMMITTEE
No 15/1999
of 29 January 1999

amending Annex XIII (Transport)
to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as adjusted by the Protocol Adjusting the Agreement on the European Economic Area, hereinafter referred to as “the Agreement”, and in particular Article 98 thereof,

Whereas Annex XIII to the Agreement was amended by Decision No 121/98 of the EEA Joint Committee of 18 December 1998¹;

Whereas Protocol No 9 to the Act concerning the conditions of accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments of the Treaties on which the European Union is founded² has replaced, from the date of accession of Austria to the European Union on 1 January 1995, the Agreement between the European Economic Community and the Republic of Austria on the transit of goods by road and rail³;

Whereas Articles 11 and 12 of Protocol No 9 to the Act of Accession of Austria, Finland and Sweden provide for a special regime concerning the transit of heavy goods vehicles through Austria and concerning the international carriage of goods by road to and from Austria based on a system of Rights of Transit (Ecopoints);

Whereas Commission Regulation (EC) No 3298/94⁴ of 21 December 1994 lays down detailed measures concerning the system of Rights of Transit (Ecopoints) for heavy goods vehicles transiting through Austria, established by Article 11 of Protocol No 9 to the Act of Accession of Austria, Finland and Sweden;

Whereas Commission Regulation (EC) No 1524/96 of 30 July 1996⁵ amends Regulation (EC) No 3298/94;

¹ OJ L ...

² OJ C 241, 29.8.1994, p. 21 as adjusted by OJ L 1, 1.1.1995, p. 1.

³ OJ L 373, 21.12.1992, p. 6.

⁴ OJ L 341, 30.12.1994, p. 20.

⁵ OJ L 190, 31.7.1996, p. 13.

Whereas Protocol 9 to the Act of Accession of Austria, Finland and Sweden, Commission Regulation (EC) No 3298/94 and Commission Regulation (EC) No 1524/96 are to be incorporated into the Agreement;

Whereas the adaptations to Council Regulation (EEC) No 881/92 of 26 March 1992 on access to the market in the carriage of goods by road within the Community to or from the territory of a Member State or passing across the territory of one or more Member States⁶ made by Chapter VI, A, point 6 of Annex I to the Act of Accession of Austria, Finland and Sweden are to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following shall be added in point 26a (Council Regulation (EEC) No 881/92) in Annex XIII to the Agreement:

“, and as amended and supplemented by:

- **1 94 N:** Act concerning the conditions of accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments of the Treaties on which the European Union is founded (OJ C 241, 29.8.1994, p. 21 as adjusted by OJ L 1, 1.1.1995, p. 1);
- **394 R 3298:** Commission Regulation (EC) No 3298/94 of 21 December 1994 laying down detailed measures concerning the system of Rights of Transit (Ecopoints) for heavy goods vehicles transitting through Austria, established by Article 11 of Protocol No 9 to the Act of Accession of Austria, Finland and Sweden (OJ L 341, 30.12.1994, p. 20);
- **396 R 1524:** Commission Regulation (EC) No 1524/96 of 30 July 1996 amending Regulation (EC) No 3298/94, with regard to the system of ecopoints for heavy goods vehicles transitting through Austria (OJ L 190, 31.7.1996, p. 13).”

Article 2

Adaptations (a) to (g) in point 26a (Council Regulation (EEC) No 881/92) in Annex XIII to the Agreement shall be replaced by the following:

“(a) Article 1(2) shall be replaced by the following:

⁶ OJ L 95, 9.4.1992, p. 1 as corrected by OJ L 213, 29.7.1992, p. 36.

"In the event of carriage from a Contracting Party to a third country and vice versa, this Regulation shall not apply to that part of any journey carried out within the territory of a Contracting Party of loading or unloading, unless otherwise agreed by the Contracting Parties.";

(b) Article 1(3) shall be replaced by the following:

"This Regulation shall not affect provisions, relating to the carriage from an EFTA State to a third country referred to in paragraph 2, laid down in bilateral agreements concluded between an EFTA State and a third country which, either under bilateral authorisations or under liberalisation agreements allow loading and unloading in a Contracting Party by hauliers established in another Contracting Party, provided the principle of non-discrimination between Community hauliers and hauliers from an EFTA State is respected.";

(c) the EFTA States shall recognise the Community authorisations issued by the EC Member States in accordance with that Regulation. For the purposes of such recognition, in the General Provisions of the Community authorisation, set out in Annex I to this Regulation, references to "Community" shall read "Community and Iceland, Liechtenstein and Norway" and references to "Member States" shall read "EC Member State(s) and (or) Iceland, Liechtenstein and Norway.";

(d) the Community and the EC Member States shall recognise the authorisations issued by an EFTA State in accordance with this Regulation, as adapted in part b) of Annex I in Appendix 1 to the present Annex;

(e) when issued by an EFTA State, the authorisations shall correspond to the model set out in Appendix 1 to the present Annex."

Article 3

The Appendix in the Annex to this Decision shall replace Appendix 1 to Annex XIII to the Agreement.

Article 4

The following point shall be inserted after point 26a (Council Regulation (EEC) No 881/92) in Annex XIII to the Agreement:

“26aa. **1 94 N:** Protocol No 9 to the Act concerning the conditions of accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments of the Treaties on which the European Union is founded (OJ C 241, 29.8.1994, p. 21 as adjusted by OJ L 1, 1.1.1995, p. 1), as amended and supplemented by:

- **394 R 3298:** Commission Regulation (EC) No 3298/94 of 21 December 1994 laying down detailed measures concerning the system of Rights of Transit (Ecopoints) for heavy goods vehicles transitting through Austria, established by Article 11 of Protocol No 9 to the Act of Accession of Austria, Finland and Sweden (OJ L 341, 30.12.1994, p. 20);
- **396 R 1524:** Commission Regulation (EC) No 1524/96 of 30 July 1996 amending Regulation (EC) No 3298/94, with regard to the system of ecopoints for heavy goods vehicles transitting through Austria (OJ L 190, 31.7.1996, p. 13).

The provisions of the Regulation shall, for the purposes of the present Agreement, be read with the following adaptations:

- (a) By adding the ecopoints calculated, on the basis of the reference year 1991, for a total of 25 700 single transit trips per year (Iceland: 100; Liechtenstein: 21 000; Norway: 4 600), the table in Article 9 of the Regulation shall read as follows:

Year	Percentage of ecopoints	Ecopoints for vehicles of Contracting Parties
(1)	(2)	(3)
1991	100,0 %	23.962.280
1998	54,8 %	13.131.329
1999	51,9 %	12.436.423
2000	49,8 %	11.933.215
2001	48,5 %	11.621.706
2002	44,8 %	10.735.101
2003	40,0 %	9.584.912

(b) the table in Annex D of the Regulation shall read as follows:

EC Member States, Liechtenstein, Iceland and Norway	Units
Austria	214 800
Belgium	32 500
Denmark	40 500
Germany	482 500
Greece	60 500
Spain	1 200
Finland	4 600
France	5 000
Ireland	1 000
Iceland	100
Italy	510 000
Liechtenstein	21 000
Luxemburg	5 000
Netherlands	123 500
Norway	4 600
Portugal	400
Sweden	7 500
United Kingdom	8 500
Total	1 523 200''

Article 5

The texts of the adaptations to Council Regulation (EEC) No 881/92 made by Chapter VI, A, point 6 of Annex I to the Act concerning the conditions of accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the European Union is founded, of Protocol No 9 to the Act of Accession of Austria, Finland and Sweden, of Commission Regulation (EC) No 3298/94 and of Commission Regulation (EC) No 1524/96 in the Icelandic and Norwegian languages, which are annexed to the respective language version of this Decision, are authentic.

Article 6

This Decision shall enter into force on 30 January 1999, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee.

Article 7

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Communities*.

Done at Brussels, 29 January 1999.

For the EEA Joint Committee
The President

.....
F. Barbaso

The Secretaries
to the EEA Joint Committee

.....

G. Vik E. Gerner

ANNEX
to Decision of the EEA Joint Committee No 15/1999

APPENDIX I

**DOCUMENTS SET OUT IN THE ANNEX TO COUNCIL REGULATION (EEC)
No 881/92, AS ADAPTED FOR THE PURPOSES OF THE EEA AGREEMENT**

(see adaptation (e) in point 26a of Annex XIII to the Agreement)

ANNEX I

(a)

(Blue card - DIN A4)

(First page of the authorisation)

(Text in (one of) the official language(s) of the EFTA State issuing the authorisation)

State issuing the authorisation
Distinguishing sign ⁽¹⁾

Name of the competent
authority or body

AUTHORISATION No.....
for the international carriage of goods by road for hire or reward

This authorisation entitles.....
.....
.....
.....⁽²⁾

to engage in the international carriage of goods by road for hire or reward by any route, for journeys or parts of journeys effected for hire or reward within the territory of the European Community and Iceland, Liechtenstein and Norway⁽³⁾ as laid down in Council Regulation (EEC) No 881/92 of 26 March 1992 as adapted for the purposes of the Agreement on the European Economic Area (EEA Agreement), and subject to the general provisions of this authorisation.

Particular remarks:
.....
.....

This authorisation shall be valid from..... to.....

Issued in....., on.....⁽⁴⁾

(1) The distinguishing signs are IS (Iceland), (FL) Liechtenstein, (N) Norway.
(2) Name or business name and full address of the haulier.
(3) Hereinafter referred to as "the EFTA States".
(4) Signature and stamp of the issuing competent authority or body.

(b)

(Second page of the authorisation)

This authorisation is issued under Council Regulation (EEC) No 881/92 of 26 March 1992 as adapted for the purposes of the EEA Agreement.

It entitles the holder to engage in the international carriage of goods by road for hire or reward by any route for journeys or parts of journeys effected within the territories of the European Community and the EFTA States and, when appropriate, subject to the conditions laid down herein:

- where the point of departure and the point of arrival are situated in two different States which are either EC Member States or EFTA States, with or without transit through one or more EC Member States or EFTA States or third countries,
- from an EC Member State or an EFTA State to a third country or vice versa, with or without transit through one or more EC Member States or EFTA States or third countries,
- between third countries with transit through the territory of one or more EC Member States or EFTA States,

and unladen journeys in connection with such carriage.

In the case of carriage from an EC Member State or EFTA State to a third country or vice versa, this authorisation is not valid for that part of the journey effected in the EC Member States or EFTA State of loading or unloading.

The authorisation is personal to the holder and is not transferable.

It may be withdrawn by the competent authority of the EFTA State which issued it, notably where the haulier has:

- not complied with all the conditions for using the authorisation,
- supplied incorrect information with regard to the data needed for the issue or extension of the authorisation.

The original of the authorisation must be kept by the haulage undertaking.

A certified copy of the authorisation must be kept in the vehicle⁽¹⁾.

In the case of a coupled combination of vehicles it must accompany the motor vehicle. It covers the coupled combination of vehicles even if the trailer or semi-trailer is not registered or authorised to use the roads in the name of the authorisation holder or if it is registered or authorised to use the roads in an EC Member State or another EFTA State.

The authorisation must be produced whenever required by an authorised inspecting officer.

Within the territory of each EC Member State and EFTA State the holder must comply with the laws, regulations and administrative provisions in force in that State, in particular with regard to transport and traffic.

⁽¹⁾ "Vehicle" means a motor vehicle registered in an EFTA State or a coupled combination of vehicles, the motor vehicle of which at least is registered in an EFTA State, used exclusively for the carriage of goods.