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DG1A.D.4(JN) – Annex XIII(398L0076)

DECISION OF THE EEA JOINT COMMITTEE
No 169/1999

of 26 November 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:

- (1) Annex XIII to the Agreement was amended by Decision of the EEA Joint Committee No 85/1999 of 25 June 1999¹;
- (2) Council Directive 98/76/EC of 1 October 1998 amending Directive 96/26/EC on admission to the occupation of road haulage operator and road passenger transport operator and mutual recognition of diplomas, certificates and other evidence of formal qualifications intended to facilitate for these operators the right to freedom of establishment in national and international transport operations² is to be incorporated into the Agreement;
- (3) Liechtenstein is to be granted a transitional period with regard to the provisions of Directive 98/76/EC,

HAS DECIDED AS FOLLOWS:

Article 1

The following shall be added in point 19 (Council Directive 96/26/EC) in Annex XIII to the Agreement:

‘, as amended by:

- **398 L 0076:** Council Directive 98/76/EC of 1 October 1998 (OJ L 277, 14.10.1998, p. 17).

¹ OJ L ...

² OJ L 277, 14.10.1998, p. 17.

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

- (a) Liechtenstein shall comply with the amendments made to the Directive by Council Directive 98/76/EC by 26 November 2000;
- (b) in Article 3(3)(c), regarding the EFTA States, "those national currencies which are non participants in the third stage of monetary union" shall read "the national currencies of the EFTA States" and "published in the *Official Journal of the European Communities*" shall read "published officially in each EFTA State";
- (c) the EFTA States shall recognise the Community certificate issued by the EC Member States in accordance with Article 3(4)(d) of the Directive. For the purposes of such recognition, in the provisions of the Community certificate set out in Annex Ia to the Directive, references to "Member State(s)" shall read "EC Member State(s), Iceland, Liechtenstein and/or Norway";
- (d) the Community and the EC Member States shall recognise the certificate issued by Iceland, Liechtenstein and Norway in accordance with the Directive as adapted in Appendix 7 to this Annex;
- (e) when issued by Iceland, Liechtenstein and Norway, the certificate shall correspond to the model set out in Appendix 7 to this Annex.'

Article 2

The Appendix in the Annex to this Decision shall become Appendix 7 to Annex XIII to the Agreement.

Article 3

The texts of Council Directive 98/76/EC in the Icelandic and Norwegian languages, which are annexed to the respective language versions of this Decision, are authentic.

Article 4

This Decision shall enter into force on 27 November 1999, 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 Communities*.

Done at Brussels, 26 November 1999.

*For the EEA Joint Committee
The President*

N. v. Liechtenstein

*The Secretaries
to the EEA Joint Committee*

G. Vik

E. Gerner

ANNEX
to Decision of the EEA Joint Committee No 169/1999

"APPENDIX 7

**CERTIFICATE REFERRED TO IN ANNEX Ia OF COUNCIL DIRECTIVE
98/76/EC, AS ADAPTED FOR THE PURPOSES OF THE EEA AGREEMENT**

(see adaptation (d) in point 19 of Annex XIII to the Agreement)

EUROPEAN ECONOMIC AREA

(Stout fawn paper - Format: DIN A4)

(Text in the official language(s) or one of the official languages of the EFTA State issuing the certificate)

Distinctive symbol of the EFTA State concerned ⁽¹⁾

Designation of the competent authority or body ⁽²⁾

CERTIFICATE OF PROFESSIONAL COMPETENCE IN NATIONAL

[AND INTERNATIONAL] ⁽³⁾ ROAD HAULAGE [PASSENGER TRANSPORT] ⁽³⁾

No...

We ⁽²⁾,.....

hereby certify:

(a) that ⁽⁴⁾

born in

on

⁽¹⁾ Distinctive symbol of the State: (IS) Iceland, (FL) Liechtenstein, (N) Norway.

⁽²⁾ Authority or body designated in advance for this purpose by each EFTA State to issue this certificate.

⁽³⁾ Delete as appropriate.

⁽⁴⁾ Surname and forenames; place and date of birth.

has passed the tests of the examination (year:.....; session:.....) ⁽⁵⁾ organised for the award of the certificate of professional competence in national [and international] ⁽³⁾ road haulage [passenger transport] ⁽³⁾ in accordance with ⁽⁶⁾

(b) that the person referred to in (a) is qualified to work in a professional capacity in an undertaking responsible for road haulage [road passenger transport] ⁽³⁾:

engaging solely in national transport ⁽³⁾

engaging in international transport ⁽³⁾.

This certificate constitutes the sufficient proof of professional competence referred to in Article 10(1) of Council Directive 96/26/EC of 29 April 1996 on admission to the occupation of road haulage operator and road passenger transport operator and mutual recognition of diplomas, certificates and other evidence of formal qualifications intended to facilitate for these operators the right to freedom of establishment in national and international transport operations, as adapted for the purposes of the Agreement on the European Economic Area.

Issued at....., on.....

.....⁽⁷⁾"

⁽⁵⁾ Identification of the examination.

⁽⁶⁾ Reference to the provisions of national law adopted in this field in accordance with the abovementioned Directive.

⁽⁷⁾ Signature and stamp of the competent authority or body issuing the certificate.