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**DECISION OF THE EEA JOINT COMMITTEE**  
**No 162/2004**

**of 3 December 2004**

**amending Annex II (Technical regulations, standards, testing and certification)**  
**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 II to the Agreement was amended by Decision of the EEA Joint Committee No 142/2004 of 29 October 2004<sup>1</sup>.
- (2) Directive 2003/102/EC of the European Parliament and of the Council of 17 November 2003 relating to the protection of pedestrians and other vulnerable road users before and in the event of a collision with a motor vehicle and amending Council Directive 70/156/EEC<sup>2</sup> is to be incorporated into the Agreement.
- (3) Commission Decision 2004/90/EC of 23 December 2003 on the technical prescriptions for the implementation of Article 3 of Directive 2003/102/EC of the European Parliament and of the Council relating to the protection of pedestrians and other vulnerable road users before and in the event of a collision with a motor vehicle and amending Directive 70/156/EEC<sup>3</sup> is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

*Article 1*

Chapter I of Annex II to the Agreement shall be amended as follows:

1. The following indents shall be added in point 1 (Council Directive 70/156/EEC):
  - ‘- **32003 L 0102**: Directive 2003/102/EC of the European Parliament and of the Council of 17 November 2003 (OJ L 321, 6.12.2003, p. 15),
  - **32004 D 0090**: Commission Decision 2004/90/EC of 23 December 2003 (OJ L 31, 4.2.2004, p. 21).’

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<sup>1</sup> OJ L 102, 21.4.2005., p 8.

<sup>2</sup> OJ L 321, 6.12.2003, p. 15.

<sup>3</sup> OJ L 31, 4.2.2004, p. 21.

2. The following points shall be inserted after point 45zc (Directive 2003/97/EC of the European Parliament and of the Council):

‘45zd.**32003 L 0102**: Directive 2003/102/EC of the European Parliament and of the Council of 17 November 2003 relating to the protection of pedestrians and other vulnerable road users before and in the event of a collision with a motor vehicle and amending Council Directive 70/156/EEC (OJ L 321, 6.12.2003, p. 15).

45ze.**32004 D 0090**: Commission Decision 2004/90/EC of 23 December 2003 on the technical prescriptions for the implementation of Article 3 of Directive 2003/102/EC of the European Parliament and of the Council relating to the protection of pedestrians and other vulnerable road users before and in the event of a collision with a motor vehicle and amending Directive 70/156/EEC (OJ L 31, 4.2.2004, p. 21).’

#### *Article 2*

The texts of Directive 2003/102/EC and Decision 2004/90/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 4 December 2004, 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, 3 December 2004.

*For the EEA Joint Committee  
The President*

*Kjartan Jóhannsson*

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\* No constitutional requirements indicated.

*The Secretaries  
to the EEA Joint Committee*

*Ø. Hovdinn M. Brinkmann*