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**DECISION OF THE EEA JOINT COMMITTEE**  
**No 152/2005**

**of 2 December 2005**

**amending Annex XIII (Transport) 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 XIII to the Agreement was amended by Decision of the EEA Joint Committee No 122/2005 of 30 September 2005<sup>1</sup>.
- (2) Directive 2004/36/EC of the European Parliament and of the Council of 21 April 2004 on the safety of third-country aircraft using Community airports<sup>2</sup>, is to be incorporated into the Agreement.
- (3) The very small territory of Liechtenstein as well as its specific geographical structure and the fact that air services, including those of third-country aircrafts, are only provided in exceptionally limited numbers in Liechtenstein have to be taken into account.
- (4) The total amount of air traffic in Liechtenstein and the fact that no international regular air services to or from Liechtenstein are available and that the civil aviation infrastructure in Liechtenstein consists of only one heliport has to be taken into consideration,

HAS DECIDED AS FOLLOWS:

*Article 1*

The following point shall be inserted after point 66q (Commission Regulation (EC) No 2042/2003) of Annex XIII to the Agreement:

'66r. **32004 L 0036:** Directive 2004/36/EC of the European Parliament and of the Council of 21 April 2004 on the safety of third-country aircraft using Community airports (OJ L 143, 30.4.2004, p. 76).

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<sup>1</sup> OJ L 339, 22.12.2005, p. 30.

<sup>2</sup> OJ L 143, 30.4.2004, p. 76.

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

The measures laid down in this Directive shall not apply to the existing civil aviation infrastructure in the territory of Liechtenstein.’

#### *Article 2*

The texts of Directive 2004/36/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 3 December 2005, 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, 2 December 2005.

*For the EEA Joint Committee  
The President*

*H. S. H. Prinz Nikolaus von Liechtenstein*

*The Secretaries  
to the EEA Joint Committee*

*Ø. Hovdikkinn M. Brinkmann*

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\* Constitutional requirements indicated.