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DECISION OF THE EEA JOINT COMMITTEE
No 85/2008

of 4 July 2008

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 72/2008 of 6 June 2008¹.
- (2) Regulation (EC) No 1370/2007 of the European Parliament and of the Council of 23 October 2007 on public passenger transport services by rail and by road and repealing Council Regulations (EEC) Nos 1191/69 and 1107/70² is to be incorporated into the Agreement.
- (3) Regulation (EC) No 1370/2007 repeals Council Regulation (EEC) No 1107/70³, which is incorporated into the Agreement and which is consequently to be repealed under the Agreement.
- (4) Council Regulation (EEC) No 1191/69⁴, which is incorporated into the Agreement, is repealed by Regulation (EC) No 1370/2007, while its provisions continue to apply to freight transport services for a period of three years after the entry into force of Regulation (EC) No 1370/2007,

HAS DECIDED AS FOLLOWS:

Article 1

Annex XIII to the Agreement shall be amended as follows:

1. The following point shall be inserted after point 4 (Council Regulation (EEC) No 1191/69):

¹ OJ L 257, 25.9.2008, p. 36.

² OJ L 315, 3.12.2007, p. 1.

³ OJ L 130, 15.6.1970, p. 1.

⁴ OJ L 156, 28.6.1969, p. 1.

‘4a. **32007 R 1370**: Regulation (EC) No 1370/2007 of the European Parliament and of the Council of 23 October 2007 on public passenger transport services by rail and by road and repealing Council Regulations (EEC) Nos 1191/69 and 1107/70 (OJ L 315, 3.12.2007, p. 1).’

2. The following shall be added in point 4 (Council Regulation (EEC) No 1191/69):

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

In accordance with Article 10(1) of Regulation (EC) No 1370/2007, this Regulation is repealed. Its provisions shall however continue to apply to freight transport services for a period of three years after the entry into force of Regulation (EC) No 1370/2007.’

3. The text of point 11 (Council Regulation (EEC) No 1107/70) shall be deleted.

4. The words “Article 19 of Regulation (EEC) No 1191/69,” in paragraph II of the sectoral adaptations and the text of point 4 (Council Regulation (EEC) No 1191/69) shall be deleted with effect from 3 December 2012.

Article 2

The texts of Regulation (EC) No 1370/2007 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 5 July 2008, 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, 4 July 2008.

*For the EEA Joint Committee
The President*

H. S. H. Prinz Nikolaus von Liechtenstein

* Constitutional requirements indicated.

*The Secretaries
to the EEA Joint Committee*

Bergdis Ellertsdóttir Matthias Brinkmann