



**DECISION OF THE EEA JOINT COMMITTEE**  
**No 93/2008**

**of 4 July 2008**

**amending Protocol 31 to the EEA Agreement,  
on cooperation in specific fields outside the four freedoms**

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 Articles 86 and 98 thereof,

Whereas:

- (1) Protocol 31 to the Agreement was amended by Decision of the EEA Joint Committee No 63/2007 of 15 June 2007<sup>1</sup>.
- (2) It is appropriate to extend the cooperation of the Contracting Parties to the Agreement to include Regulation (EC) No 294/2008 of the European Parliament and of the Council of 11 March 2008 establishing the European Institute of Innovation and Technology<sup>2</sup>.
- (3) Protocol 31 to the Agreement should therefore be amended in order to allow for this extended cooperation to take place,

HAS DECIDED AS FOLLOWS:

*Article 1*

The following shall be inserted after paragraph 10 of Article 1 of Protocol 31 to the Agreement:

- ‘11. (a) The EFTA States shall participate fully in the European Institute of Innovation and Technology, hereinafter referred to as the “Institute”, as set up by the following Community act:
- **32008 R 0294**: Regulation (EC) No 294/2008 of the European Parliament and of the Council of 11 March 2008 establishing the European Institute of Innovation and Technology (OJ L 97, 9.4.2008, p. 1).

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<sup>1</sup> OJ L 304, 22.11.2007, p. 43.

<sup>2</sup> OJ L 97, 9.4.2008, p. 1.

- (b) The EFTA States shall contribute financially to the activities referred to under (a) in accordance with Article 82(1)(a) of and Protocol 32 to the Agreement.
- (c) The EFTA States shall apply to the Institute and to its staff the Protocol of Privileges and Immunities of the European Communities.
- (d) By way of derogation from Article 12(2)(a) of the Conditions of employment of other servants of the European Communities, nationals of the EFTA States enjoying their full rights as citizens may be engaged under contract by the Director of the Institute.
- (e) By virtue of Article 79(3) of the Agreement Part VII (Institutional Provisions) of the Agreement shall apply to this paragraph.
- (f) Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents shall, for the application of this Regulation, apply to any documents of the Institute regarding the EFTA States as well.'

#### *Article 2*

This Decision shall enter into force on the day following the last notification to the EEA Joint Committee under Article 103(1) of the Agreement\* .

#### *Article 3*

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*

*The Secretaries  
to the EEA Joint Committee*

*Bergdis Ellertsdóttir Matthias Brinkmann*

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\* No constitutional requirements indicated.