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DECISION OF THE EEA JOINT COMMITTEE
No 12/2009

of 5 February 2009

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 129/2008 of 5 December 2008¹.
- (2) Directive 2007/59/EC of the European Parliament and of the Council of 23 October 2007 on the certification of train drivers operating locomotives and trains on the railway system in the Community² is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following point shall be inserted after point 42f (Regulation (EC) No 881/2004 of the European Parliament and of the Council) of Annex XIII to the Agreement:

‘42g. **32007 L 0059**: Directive 2007/59/EC of the European Parliament and of the Council of 23 October 2007 on the certification of train drivers operating locomotives and trains on the railway system in the Community (OJ L 315, 3.12.2007, p. 51).

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

- (a) Article 22(6) shall not apply.
- (b) The text of point 2(c) of Annex I shall be replaced by the following:

“the distinguishing sign of the EFTA States issuing the licence, printed in black encircled by a black ellipse. The distinguishing signs shall be as follows:

¹ OJ L 25, 29.1.2009, p. 36.

² OJ L 315, 3.12.2007, p. 51.

IS: Iceland

FL: Liechtenstein

N: Norway”

- (c) In point 2(e) of Annex I the words “European Communities model” shall be replaced by “EEA model”.’

Article 2

The texts of Directive 2007/59/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 6 February 2009, 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, 5 February 2009.

*For the EEA Joint Committee
The President*

Alan Seatter

*The Secretaries
to the EEA Joint Committee*

Bergdis Ellertsdóttir Matthias Brinkmann

* Constitutional requirements indicated.