

DECISION OF THE EEA JOINT COMMITTEE

No 40/2012

of 30 March 2012

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 7/2012 of 10 February 2012 ⁽¹⁾.
- (2) Regulation (EC) No 661/2009 of the European Parliament and of the Council of 13 July 2009 concerning type-approval requirements for the general safety of motor vehicles, their trailers and systems, components and separate technical units intended therefor ⁽²⁾, as corrected by OJ L 337, 20.12.2011, p. 27, is to be incorporated into the Agreement.
- (3) Commission Regulation (EU) No 672/2010 of 27 July 2010 concerning type-approval requirements for windscreen defrosting and demisting systems of certain motor vehicles and implementing Regulation (EC) No 661/2009 of the European Parliament and of the Council concerning type-approval requirements for the general safety of motor vehicles, their trailers and systems, components and separate technical units intended therefor ⁽³⁾ is to be incorporated into the Agreement.
- (4) Commission Regulation (EU) No 1003/2010 of 8 November 2010 concerning type-approval requirements for the space for mounting and the fixing of rear registration plates on motor vehicles and their trailers and implementing Regulation (EC) No 661/2009 of the European Parliament and of the Council concerning type-approval requirements for the general safety of motor vehicles, their trailers and systems, components and separate technical units intended therefor ⁽⁴⁾ is to be incorporated into the Agreement.
- (5) Commission Regulation (EU) No 1005/2010 of 8 November 2010 concerning type-approval requirements for motor vehicle towing devices and implementing Regulation (EC) No 661/2009 of the European Parliament and of the Council concerning type-approval requirements for the general safety of motor vehicles, their trailers and systems, components and separate technical units intended therefor ⁽⁵⁾ is to be incorporated into the Agreement.
- (6) Commission Regulation (EU) No 1008/2010 of 9 November 2010 concerning type-approval requirements for windscreen wiper and washer systems of certain motor vehicles and implementing Regulation (EC) No 661/2009 of the European Parliament and of the Council concerning type-approval requirements for the general safety of motor vehicles, their trailers and systems, components and separate technical units intended therefor ⁽⁶⁾ is to be incorporated into the Agreement.
- (7) Commission Regulation (EU) No 1009/2010 of 9 November 2010 concerning type-approval requirements for wheel guards of certain motor vehicles and implementing Regulation (EC) No 661/2009 of the European Parliament and of the Council concerning type-approval requirements for the general safety of motor vehicles, their trailers and systems, components and separate technical units intended therefor ⁽⁷⁾ is to be incorporated into the Agreement.
- (8) Commission Regulation (EU) No 19/2011 of 11 January 2011 concerning type-approval requirements for the manufacturer's statutory plate and for the vehicle identification number of motor vehicles and their trailers and implementing Regulation (EC) No 661/2009 of the European Parliament and of the Council concerning type-approval requirements for the general safety of motor vehicles, their trailers and systems, components and separate technical units intended therefor ⁽⁸⁾ is to be incorporated into the Agreement.

⁽¹⁾ OJ L 161, 21.6.2012, p. 12.

⁽²⁾ OJ L 200, 31.7.2009, p. 1.

⁽³⁾ OJ L 196, 28.7.2010, p. 5.

⁽⁴⁾ OJ L 291, 9.11.2010, p. 22.

⁽⁵⁾ OJ L 291, 9.11.2010, p. 36.

⁽⁶⁾ OJ L 292, 10.11.2010, p. 2.

⁽⁷⁾ OJ L 292, 10.11.2010, p. 21.

⁽⁸⁾ OJ L 8, 12.1.2011, p. 1.

- (9) Commission Regulation (EU) No 109/2011 of 27 January 2011 implementing Regulation (EC) No 661/2009 of the European Parliament and of the Council as regards type-approval requirements for certain categories of motor vehicles and their trailers as regards spray suppression systems ⁽¹⁾ is to be incorporated into the Agreement.
- (10) Commission Regulation (EU) No 407/2011 of 27 April 2011 amending Regulation (EC) No 661/2009 of the European Parliament and of the Council as regards the inclusion of certain Regulations of the United Nations Economic Commission for Europe on the type-approval of motor vehicles, their trailers and systems, components and separate technical units intended therefor ⁽²⁾ is to be incorporated into the Agreement.
- (11) Commission Regulation (EU) No 458/2011 of 12 May 2011 concerning type-approval requirements for motor vehicles and their trailers with regard to the installation of their tyres and implementing Regulation (EC) No 661/2009 of the European Parliament and of the Council concerning type-approval requirements for the general safety of motor vehicles, their trailers and systems, components and separate technical units intended therefor ⁽³⁾ is to be incorporated into the Agreement.
- (12) Regulation (EC) No 661/2009 repeals Council Directive 70/221/EEC ⁽⁴⁾, Council Directive 70/222/EEC ⁽⁵⁾, Council Directive 70/311/EEC ⁽⁶⁾, Council Directive 70/387/EEC ⁽⁷⁾, Council Directive 70/388/EEC ⁽⁸⁾, Council Directive 71/320/EEC ⁽⁹⁾, Council Directive 72/245/EEC ⁽¹⁰⁾, Council Directive 74/60/EEC ⁽¹¹⁾, Council Directive 74/61/EEC ⁽¹²⁾, Council Directive 74/297/EEC ⁽¹³⁾, Council Directive 74/408/EEC ⁽¹⁴⁾, Council Directive 74/483/EEC ⁽¹⁵⁾, Council Directive 75/443/EEC ⁽¹⁶⁾, Council Directive 76/114/EEC ⁽¹⁷⁾, Council Directive 76/115/EEC ⁽¹⁸⁾, Council Directive 76/756/EEC ⁽¹⁹⁾, Council Directive 76/757/EEC ⁽²⁰⁾, Council Directive 76/758/EEC ⁽²¹⁾, Council Directive 76/759/EEC ⁽²²⁾, Council Directive 76/760/EEC ⁽²³⁾, Council Directive 76/761/EEC ⁽²⁴⁾, Council Directive 76/762/EEC ⁽²⁵⁾, Council Directive 77/389/EEC ⁽²⁶⁾, Council Directive 77/538/EEC ⁽²⁷⁾, Council Directive 77/539/EEC ⁽²⁸⁾, Council Directive 77/540/EEC ⁽²⁹⁾, Council Directive 77/541/EEC ⁽³⁰⁾, Council Directive 77/649/EEC ⁽³¹⁾, Council Directive 78/316/EEC ⁽³²⁾, Council Directive 78/317/EEC ⁽³³⁾, Council Directive 78/318/EEC ⁽³⁴⁾, Council Directive 78/549/EEC ⁽³⁵⁾, Council Directive 78/932/EEC ⁽³⁶⁾, Council Directive 89/297/EEC ⁽³⁷⁾, Council Directive 91/226/EEC ⁽³⁸⁾, Council Directive 92/21/EEC ⁽³⁹⁾, Council Directive 92/22/EEC ⁽⁴⁰⁾, Council Directive 92/24/EEC ⁽⁴¹⁾, Council Directive 92/114/EEC ⁽⁴²⁾, Directive 94/20/EC of the European Parliament and of the Council ⁽⁴³⁾, Directive 95/28/EC of the European Parliament and of the Council ⁽⁴⁴⁾, Directive 96/27/EC of the European Parliament and of the Council ⁽⁴⁵⁾, Directive 96/79/EC of the European Parliament and of the Council ⁽⁴⁶⁾, Directive 97/27/EC of the European Parliament and of the Council ⁽⁴⁷⁾, Directive 2001/85/EC of the European Parliament and of the Council ⁽⁴⁸⁾ and Directive 2003/97/EC of the European Parliament and of the Council ⁽⁴⁹⁾ which are incorporated in the Agreement and are therefore to be repealed under the Agreement with effect from 1 November 2014.
- (13) Regulation (EC) No 661/2009 repeals Council Directive 92/23/EEC ⁽⁵⁰⁾ which is incorporated in the Agreement and is therefore to be repealed under the Agreement with effect from 1 November 2017,
- ⁽¹⁾ OJ L 34, 9.2.2011, p. 2.
⁽²⁾ OJ L 108, 28.4.2011, p. 13.
⁽³⁾ OJ L 124, 13.5.2011, p. 11.
⁽⁴⁾ OJ L 76, 6.4.1970, p. 23.
⁽⁵⁾ OJ L 76, 6.4.1970, p. 25.
⁽⁶⁾ OJ L 133, 18.6.1970, p. 10.
⁽⁷⁾ OJ L 176, 10.8.1970, p. 5.
⁽⁸⁾ OJ L 176, 10.8.1970, p. 12.
⁽⁹⁾ OJ L 202, 6.9.1971, p. 37.
⁽¹⁰⁾ OJ L 152, 6.7.1972, p. 15.
⁽¹¹⁾ OJ L 38, 11.2.1974, p. 2.
⁽¹²⁾ OJ L 38, 11.2.1974, p. 22.
⁽¹³⁾ OJ L 165, 20.6.1974, p. 16.
⁽¹⁴⁾ OJ L 221, 12.8.1974, p. 1.
⁽¹⁵⁾ OJ L 266, 2.10.1974, p. 4.
⁽¹⁶⁾ OJ L 196, 26.7.1975, p. 1.
⁽¹⁷⁾ OJ L 24, 30.1.1976, p. 1.
⁽¹⁸⁾ OJ L 24, 30.1.1976, p. 6.
⁽¹⁹⁾ OJ L 262, 27.9.1976, p. 1.
⁽²⁰⁾ OJ L 262, 27.9.1976, p. 32.
⁽²¹⁾ OJ L 262, 27.9.1976, p. 54.
⁽²²⁾ OJ L 262, 27.9.1976, p. 71.
⁽²³⁾ OJ L 262, 27.9.1976, p. 85.
⁽²⁴⁾ OJ L 262, 27.9.1976, p. 96.
⁽²⁵⁾ OJ L 262, 27.9.1976, p. 122.
⁽²⁶⁾ OJ L 145, 13.6.1977, p. 41.
⁽²⁷⁾ OJ L 220, 29.8.1977, p. 60.
⁽²⁸⁾ OJ L 220, 29.8.1977, p. 72.
⁽²⁹⁾ OJ L 220, 29.8.1977, p. 83.
⁽³⁰⁾ OJ L 220, 29.8.1977, p. 95.
⁽³¹⁾ OJ L 267, 19.10.1977, p. 1.
⁽³²⁾ OJ L 81, 28.3.1978, p. 3.
⁽³³⁾ OJ L 81, 28.3.1978, p. 27.
⁽³⁴⁾ OJ L 81, 28.3.1978, p. 49.
⁽³⁵⁾ OJ L 168, 26.6.1978, p. 45.
⁽³⁶⁾ OJ L 325, 20.11.1978, p. 1.
⁽³⁷⁾ OJ L 124, 5.5.1989, p. 1.
⁽³⁸⁾ OJ L 103, 23.4.1991, p. 5.
⁽³⁹⁾ OJ L 129, 14.5.1992, p. 1.
⁽⁴⁰⁾ OJ L 129, 14.5.1992, p. 11.
⁽⁴¹⁾ OJ L 129, 14.5.1992, p. 154.
⁽⁴²⁾ OJ L 409, 31.12.1992, p. 17.
⁽⁴³⁾ OJ L 195, 29.7.1994, p. 1.
⁽⁴⁴⁾ OJ L 281, 23.11.1995, p. 1.
⁽⁴⁵⁾ OJ L 169, 8.7.1996, p. 1.
⁽⁴⁶⁾ OJ L 18, 21.1.1997, p. 7.
⁽⁴⁷⁾ OJ L 233, 25.8.1997, p. 1.
⁽⁴⁸⁾ OJ L 42, 13.2.2002, p. 1.
⁽⁴⁹⁾ OJ L 25, 29.1.2004, p. 1.
⁽⁵⁰⁾ OJ L 129, 14.5.1992, p. 95.

HAS ADOPTED THIS DECISION:

Article 1

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

(1) the text of points 4 (Council Directive 70/221/EEC), 5 (Council Directive 70/222/EEC), 6 (Council Directive 70/311/EEC), 7 (Council Directive 70/387/EEC), 8 (Council Directive 70/388/EEC), 10 (Council Directive 71/320/EEC), 11 (Council Directive 72/245/EEC), 13 (Council Directive 74/60/EEC), 14 (Council Directive 74/61/EEC), 15 (Council Directive 74/297/EEC), 16 (Council Directive 74/408/EEC), 17 (Council Directive 74/483/EEC), 18 (Council Directive 75/443/EEC), 19 (Council Directive 76/114/EEC), 20 (Council Directive 76/115/EEC), 21 (Council Directive 76/757/EEC), 22 (Council Directive 76/758/EEC), 23 (Council Directive 76/759/EEC), 24 (Council Directive 76/759/EEC), 25 (Council Directive 76/760/EEC), 26 (Council Directive 76/761/EEC), 27 (Council Directive 76/762/EEC), 28 (Council Directive 77/389/EEC), 29 (Council Directive 77/538/EEC), 30 (Council Directive 77/539/EEC), 31 (Council Directive 77/540/EEC), 32 (Council Directive 77/541/EEC), 33 (Council Directive 77/649/EEC), 34 (Council Directive 78/316/EEC), 35 (Council Directive 78/317/EEC), 36 (Council Directive 78/318/EEC), 38 (Council Directive 78/549/EEC), 39 (Council Directive 78/932/EEC), 45 (Council Directive 89/297/EEC), 45a (Council Directive 91/226/EEC), 45b (Council Directive 92/21/EEC), 45c (Council Directive 92/22/EEC), 45e (Council Directive 92/24/EEC), 45g (Council Directive 92/114/EEC), 45r (Directive 94/20/EC of the European Parliament and of the Council), 45t (Directive 95/28/EC of the European Parliament and of the Council), 45u (Directive 96/27/EC of the European Parliament and of the Council), 45v (Directive 96/79/EC of the European Parliament and of the Council), 45w (Directive 97/27/EC of the European Parliament and of the Council), 45y (Directive 2001/85/EC of the European Parliament and of the Council) and 45zc (Directive 2003/97/EC of the European Parliament and of the Council) shall be deleted with effect from 1 November 2014;

(2) the text of point 45d (Council Directive 92/23/EEC) shall be deleted with effect from 1 November 2017;

(3) the following indent shall be added in point 45zx (Directive 2007/46/EC of the European Parliament and of the Council):

— **32009 R 0661**: Regulation (EC) No 661/2009 of the European Parliament and of the Council of 13 July 2009 (OJ L 200, 31.7.2009, p. 1), as corrected by OJ L 337, 20.12.2011, p. 27.;

(4) the following shall be inserted after point 45zz (Commission Regulation (EC) No 631/2009):

‘45zza. **32009 R 0661**: Regulation (EC) No 661/2009 of the European Parliament and of the Council of 13 July 2009 concerning type-approval requirements for the general safety of motor vehicles, their trailers and systems, components and separate technical units intended therefor (OJ L 200, 31.7.2009, p. 1), as corrected by OJ L 337, 20.12.2011, p. 27, as amended by:

— **32011 R 0407**: Commission Regulation (EU) No 407/2011 of 27 April 2011 (OJ L 108, 28.4.2011, p. 13).

45zzb. **32010 R 0672**: Commission Regulation (EU) No 672/2010 of 27 July 2010 concerning type-approval requirements for windscreen defrosting and demisting systems of certain motor vehicles and implementing Regulation (EC) No 661/2009 of the European Parliament and of the Council concerning type-approval requirements for the general safety of motor vehicles, their trailers and systems, components and separate technical units intended therefor (OJ L 196, 28.7.2010, p. 5).

45zzc. **32010 R 1003**: Commission Regulation (EU) No 1003/2010 of 8 November 2010 concerning type-approval requirements for the space for mounting and the fixing of rear registration plates on motor vehicles and their trailers and implementing Regulation (EC) No 661/2009 of the European Parliament and of the Council concerning type-approval requirements for the general safety of motor vehicles, their trailers and systems, components and separate technical units intended therefor (OJ L 291, 9.11.2010, p. 22).

45zzd. **32010 R 1005**: Commission Regulation (EU) No 1005/2010 of 8 November 2010 concerning type-approval requirements for motor vehicle towing devices and implementing Regulation (EC) No 661/2009 of the European Parliament and of the Council concerning type-approval requirements for the general safety of motor vehicles, their trailers and systems, components and separate technical units intended therefor (OJ L 291, 9.11.2010, p. 36).

45zze. **32010 R 1008**: Commission Regulation (EU) No 1008/2010 of 9 November 2010 concerning type-approval requirements for windscreen wiper and washer systems of certain motor vehicles and implementing Regulation (EC) No 661/2009 of the European Parliament and of the Council concerning type-approval requirements for the general safety of motor vehicles, their trailers and systems, components and separate technical units intended therefor (OJ L 292, 10.11.2010, p. 2).

45zzf. **32010 R 1009**: Commission Regulation (EU) No 1009/2010 of 9 November 2010 concerning type-approval requirements for wheel guards of certain motor vehicles and implementing Regulation (EC) No 661/2009 of the European Parliament and of the Council concerning type-approval requirements for the general safety of motor vehicles, their trailers and systems, components and separate technical units intended therefor (OJ L 292, 10.11.2010, p. 21).

45zzg. **32011 R 0019**: Commission Regulation (EU) No 19/2011 of 11 January 2011 concerning type-approval requirements for the manufacturer's statutory plate and for the vehicle identification number of motor vehicles and their trailers and implementing Regulation (EC) No 661/2009 of the European Parliament and of the Council concerning type-approval requirements for the general safety of motor vehicles, their trailers and systems, components and separate technical units intended therefor (OJ L 8, 12.1.2011, p. 1).

45zzh. **32011 R 0109**: Commission Regulation (EU) No 109/2011 of 27 January 2011 implementing Regulation (EC) No 661/2009 of the European Parliament and of the Council as regards type-approval requirements for certain categories of motor vehicles and their trailers as regards spray suppression systems (OJ L 34, 9.2.2011, p. 2).

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

In Part 3 of Annex II, the following shall be added in point 1.1:

“IS for Iceland
FL for Liechtenstein
16 for Norway”.

45zzi. **32011 R 0458**: Commission Regulation (EU) No 458/2011 of 12 May 2011 concerning type-approval requirements for motor vehicles and their trailers with regard to the installation of their tyres and implementing Regulation (EC) No 661/2009 of the European Parliament and of the Council concerning type-approval requirements for the general safety of motor vehicles, their trailers and systems, components and separate technical units intended therefor (OJ L 124, 13.5.2011, p. 11).’.

Article 2

The texts of Regulation (EC) No 661/2009, as corrected by OJ L 337, 20.12.2011, p. 27, and Regulations (EU) No 672/2010, (EU) No 1003/2010, (EU) No 1005/2010, (EU) No 1008/2010, (EU) No 1009/2010, (EU) No 19/2011, (EU) No 109/2011, (EU) No 407/2011 and (EU) No 458/2011 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 1 May 2012, 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, 30 March 2012.

For the EEA Joint Committee
The Acting President
Gianluca GRIPPA

(*) No constitutional requirements indicated.