

DECISION OF THE EEA JOINT COMMITTEE

No 41/2012

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 79/2009 of the European Parliament and of the Council of 14 January 2009 on type-approval of hydrogen-powered motor vehicles, and amending Directive 2007/46/EC ⁽²⁾ is to be incorporated into the Agreement.
- (3) Regulation (EC) No 595/2009 of the European Parliament and of the Council of 18 June 2009 on type-approval of motor vehicles and engines with respect to emissions from heavy duty vehicles (Euro VI) and on access to vehicle repair and maintenance information and amending Regulation (EC) No 715/2007 and Directive 2007/46/EC and repealing Directives 80/1269/EEC, 2005/55/EC and 2005/78/EC ⁽³⁾, as corrected by OJ L 200, 31.7.2009, p. 52, is to be incorporated into the Agreement.
- (4) Commission Regulation (EU) No 183/2011 of 22 February 2011 amending Annexes IV and VI to Directive 2007/46/EC of the European Parliament and of the Council establishing a framework for the approval of motor vehicles and their trailers and of systems, components and separate technical units intended for such vehicles (Framework Directive) ⁽⁴⁾ is to be incorporated into the Agreement.
- (5) Regulation (EC) No 595/2009 repeals with effect from 31 December 2013, Council Directive 80/1269/EEC ⁽⁵⁾, Directive 2005/55/EC of the European Parliament and of the Council ⁽⁶⁾ and Commission Directive 2005/78/EC ⁽⁷⁾

which are incorporated in the Agreement and are therefore to be repealed under the Agreement with effect from 31 December 2013,

HAS ADOPTED THIS DECISION:

Article 1

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

- (1) the text of points 43 (Council Directive 80/1269/EEC), 45zl (Directive 2005/55/EC of the European Parliament and of the Council) and 45zo (Commission Directive 2005/78/EC) shall be deleted with effect from 31 December 2013;

- (2) the following indent shall be added in point 45zt (Regulation (EC) No 715/2007 of the European Parliament and of the Council):

— **32009 R 0595**: Regulation (EC) No 595/2009 of the European Parliament and of the Council of 18 June 2009 (OJ L 188, 18.7.2009, p. 1), as corrected by OJ L 200, 31.7.2009, p. 52.;

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

— **32009 R 0079**: Regulation (EC) No 79/2009 of the European Parliament and of the Council of 14 January 2009 (OJ L 35, 4.2.2009, p. 32),

— **32009 R 0595**: Regulation (EC) No 595/2009 of the European Parliament and of the Council of 18 June 2009 (OJ L 188, 18.7.2009, p. 1), as corrected by OJ L 200, 31.7.2009, p. 52,

— **32011 R 0183**: Commission Regulation (EU) No 183/2011 of 22 February 2011 (OJ L 53, 26.2.2011, p. 4).;

⁽¹⁾ OJ L 161, 21.6.2012, p. 12.

⁽²⁾ OJ L 35, 4.2.2009, p. 32.

⁽³⁾ OJ L 188, 18.7.2009, p. 1.

⁽⁴⁾ OJ L 53, 26.2.2011, p. 4.

⁽⁵⁾ OJ L 375, 31.12.1980, p. 46.

⁽⁶⁾ OJ L 275, 20.10.2005, p. 1.

⁽⁷⁾ OJ L 313, 29.11.2005, p. 1.

(4) the following points shall be inserted after point 45zzi (Commission Regulation (EU) No 458/2011):

‘45zzj. **32009 R 0079**: Regulation (EC) No 79/2009 of the European Parliament and of the Council of 14 January 2009 on type-approval of hydrogen-powered motor vehicles, and amending Directive 2007/46/EC (OJ L 35, 4.2.2009, p. 32).

45zzk. **32009 R 0595**: Regulation (EC) No 595/2009 of the European Parliament and of the Council of 18 June 2009 on type-approval of motor vehicles and engines with respect to emissions from heavy duty vehicles (Euro VI) and on access to vehicle repair and maintenance information and amending Regulation (EC) No 715/2007 and Directive 2007/46/EC and repealing Directives 80/1269/EEC, 2005/55/EC and 2005/78/EC (OJ L 188, 18.7.2009, p. 1), as corrected by OJ L 200, 31.7.2009, p. 52.’

Article 2

The texts of Regulations (EC) No 79/2009, (EC) No 595/2009, as corrected by OJ L 200, 31.7.2009, p. 52, and Regulation

(EU) No 183/2011 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.