

DECISION OF THE EEA JOINT COMMITTEE

No 111/2013

of 14 June 2013

amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement

THE EEA JOINT COMMITTEE,

HAS ADOPTED THIS DECISION:

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Article 1

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

Whereas:

- (1) Directive 2009/43/EC of the European Parliament and of the Council of 6 May 2009 simplifying terms and conditions of transfers of defence-related products within the Community⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Commission Directive 2010/80/EU of 22 November 2010 amending Directive 2009/43/EC of the European Parliament and of the Council as regards the list of defence-related products⁽²⁾ is to be incorporated into the EEA Agreement.
- (3) Commission Directive 2012/10/EU of 22 March 2012 amending Directive 2009/43/EC of the European Parliament and of the Council as regards the list of defence-related products⁽³⁾ is to be incorporated into the EEA Agreement.
- (4) Commission Recommendation 2011/24/EU of 11 January 2011 on the certification of defence undertakings under Article 9 of Directive 2009/43/EC of the European Parliament and of the Council simplifying terms and conditions of transfers of defence-related products within the Community⁽⁴⁾ is to be incorporated into the EEA Agreement.
- (5) Directive 2009/43/EC deals with licences for export of defence-related products to third countries. The incorporation of the Directive shall be without prejudice to the scope of the EEA Agreement as regards third country relations.
- (6) Annex II to the EEA Agreement should therefore be amended accordingly,
- (1) the following is inserted after point 3p (Commission Decision 2010/376/EU):
- '3q. **32009 L 0043:** Directive 2009/43/EC of the European Parliament and of the Council of 6 May 2009 simplifying terms and conditions of transfers of defence-related products within the Community (OJ L 146, 10.6.2009, p. 1), as amended by:
- **32010 L 0080:** Commission Directive 2010/80/EU of 22 November 2010 (OJ L 308, 24.11.2010, p. 11),
- **32012 L 0010:** Commission Directive 2012/10/EU of 22 March 2012 (OJ L 85, 24.3.2012, p. 3).
- This Directive shall not apply to Liechtenstein.
- The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:
- Article 11 shall not apply.;
- (2) under the heading 'ACTS OF WHICH THE CONTRACTING PARTIES SHALL TAKE NOTE' the following point is inserted after point 14 (Council Resolution of 8 July 1996 (96/C 224/03)):
- '15. **32011 H 0024:** Commission Recommendation 2011/24/EU of 11 January 2011 on the certification of defence undertakings under Article 9 of Directive 2009/43/EC of the European Parliament and of the Council simplifying terms and conditions of transfers of defence-related products within the Community (OJ L 11, 15.1.2011, p. 62).'

⁽¹⁾ OJ L 146, 10.6.2009, p. 1.

⁽²⁾ OJ L 308, 24.11.2010, p. 11.

⁽³⁾ OJ L 85, 24.3.2012, p. 3.

⁽⁴⁾ OJ L 11, 15.1.2011, p. 62.

Article 2

The texts of Directives 2009/43/EC, 2010/80/EU and 2012/10/EU and Recommendation 2011/24/EU 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 15 June 2013, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

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, 14 June 2013.

For the EEA Joint Committee

The President

Gianluca GRIPPA

(*) No constitutional requirements indicated.