

DECISION OF THE EEA JOINT COMMITTEE
No 238/2013
of 13 December 2013
amending Annex XX (Environment) to the EEA Agreement

THE EEA JOINT COMMITTEE,

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

Whereas:

- (1) Commission Decision 2010/634/EU of 22 October 2010 adjusting the Union-wide quantity of allowances to be issued under the Union Scheme for 2013 and repealing Decision 2010/384/EU ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Commission Decision 2013/447/EU of 5 September 2013 on the standard capacity utilisation factor pursuant to Article 18(2) of Decision 2011/278/EU ⁽²⁾ is to be incorporated into the EEA Agreement.
- (3) Commission Decision 2013/448/EU of 5 September 2013 concerning national implementation measures for the transitional free allocation of greenhouse gas emission allowances in accordance with Article 11(3) of Directive 2003/87/EC of the European Parliament and of the Council ⁽³⁾ is to be incorporated into the EEA Agreement.
- (4) Annex XX to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Annex XX to the EEA Agreement shall be amended as follows:

1. The following point is inserted after point 21alc (Commission Decision 2011/278/EU):

'21alca. **32013 D 0447**: Commission Decision 2013/447/EU of 5 September 2013 on the standard capacity utilisation factor pursuant to Article 18(2) of Decision 2011/278/EU (OJ L 240, 7.9.2013, p. 23).'

2. The following is inserted after point 21ale (Commission Regulation (EU) No 550/2011):

'21alf. **32010 D 0634**: Commission Decision 2010/634/EU of 22 October 2010 adjusting the Union-wide quantity of allowances to be issued under the Union Scheme for 2013 and repealing Decision 2010/384/EU (OJ L 279, 23.10.2010, p. 34), as amended by:

— **32013 D 0448**: Commission Decision 2013/448/EU of 5 September 2013 (OJ L 240, 7.9.2013, p. 27).

21alg. **32013 D 0448**: Commission Decision 2013/448/EU of 5 September 2013 concerning national implementation measures for the transitional free allocation of greenhouse gas emission allowances in accordance with Article 11(3) of Directive 2003/87/EC of the European Parliament and of the Council (OJ L 240, 7.9.2013, p. 27).

The provisions of the Decision shall, for the purposes of this Agreement, be read with the following adaptation:

Articles 1 and 2 shall not apply.'

⁽¹⁾ OJ L 279, 23.10.2010, p. 34.

⁽²⁾ OJ L 240, 7.9.2013, p. 23.

⁽³⁾ OJ L 240, 7.9.2013, p. 27.

Article 2

The texts of Decisions 2010/634/EU, 2013/447/EU and 2013/448/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 14 December 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, 13 December 2013.

For the EEA Joint Committee
The President
Thórir IBSEN

(*) No constitutional requirements indicated.