

PROTOCOL 26

{1} *ON THE POWERS AND FUNCTIONS OF THE EFTA SURVEILLANCE AUTHORITY IN THE FIELD OF STATE AID*

Article 1

The EFTA Surveillance Authority shall, in an agreement between the EFTA States, be entrusted with equivalent powers and similar functions to those of the EC Commission, at the time of the signature of the Agreement, for the application of the competition rules applicable to State aid of the Treaty establishing the European Economic Community, enabling the EFTA Surveillance Authority to give effect to the principles expressed in Articles 1(2)(e), 49 and 61 to 63 of the Agreement. The EFTA Surveillance Authority shall also have such powers to give effect to the competition rules applicable to State aid relating to products falling under the Treaty establishing the European Coal and Steel Community as referred to in Protocol 14.

Article 2

{2} In addition to the acts listed in Annex XV, the following acts reflect the powers and functions of the EC Commission for the application of the competition rules applicable to State aid of the Treaty establishing the European Economic Community:

1. {3} **399 R 0659**: Council Regulation (EC) No 659/1999 of 22 March 1999 laying down detailed rules for the application of Article 93 of the EC Treaty (OJ L 83, 27.3.1999, p. 1), as amended by:

- {4} **1 03 T**: Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded adopted on 16 April 2003 (OJ L 236, 23.9.2003, p. 33),

- {5} **32006 R 1791**: Council Regulation (EC) No 1791/2006 of 20 November 2006 (OJ L 363, 20.12.2006, p. 1),

- {6} **32013 R 0517**: Council Regulation (EU) No 517/2013 of 13 May 2013 (OJ L 158, 10.6.2013, p. 1).

2. {7} **32004 R 0794**: Commission Regulation (EC) No 794/2004 of 21 April 2004 implementing Council Regulation (EC) No 659/1999 laying down detailed rules for the application of Article 93 of the EC Treaty (OJ L 140, 30.4.2004, p. 1), as corrected by OJ L 25, 28.1.2005, p. 74 and OJ L 131, 25.5.2005, p. 45, as amended by:

{1} Entire text of Protocol 26 replaced by Decision No 164/2001 (OJ L 65, 7.3.2002, p. 46 and EEA Supplement No 13, 7.3.2002, p. 26), e.i.f. 1.2.2003.

{2} The words “the following act” replaced by “the following acts” by Decision No 123/2005 (OJ L 339, 22.12.2005, p. 32 and EEA Supplement No 66, 22.12.2005, p. 18), e.i.f. 1.10.2005.

{3} Numbered as point 1 by Decision No 123/2005 (OJ L 339, 22.12.2005, p. 32 and EEA Supplement No 66, 22.12.2005, p. 18), e.i.f. 1.10.2005.

{4} Indent and words “, as amended by:” added by the 2004 EEA Enlargement Agreement (OJ L 130, 29.4.2004, p. 3 and EEA Supplement No 23, 29.4.2004, p. 1), e.i.f. 1.5.2004.

{5} Indent added by Decision No 132/2007 (OJ L 100, 10.4.2008, p. 1 and EEA Supplement No 19, 10.4.2008, p.1), e.i.f. 9.11.2011.

{6} Indent added by Decision No 159/2014 (OJ L 15, 22.1.2015, p. 87 and EEA Supplement No 5, 22.1.2015, p. 10), e.i.f. pending; it shall apply from 9.7.2014.

{7} Point inserted by Decision No 123/2005 (OJ L 339, 22.12.2005, p. 32 and EEA Supplement No 66, 22.12.2005, p. 18), e.i.f. 1.10.2005.

- ^{8} **32008 R 0271**: Commission Regulation (EC) No 271/2008 of 30 January 2008 (OJ L 82, 25.3.2008, p. 1),
- ^{9} **32014 R 0372**: Commission Regulation (EU) No 372/2014 of 9 April 2014 (OJ L 109, 12.4.2014, p. 14).

^{8} Indent and words “as amended by” added by Decision No 119/2009 (OJ L 334, 17.12.2009, p. 23 and EEA Supplement No 68, 17.12.2009, p. 23), e.i.f. 23.10.2009.

^{9} Indent added by Decision No 201/2014 (OJ L 202, 30.7.2015, p. 55 and EEA Supplement No 43, 30.7.2015, p. 55), e.i.f. pending.