

**Annex 10
to Decision No 7/94
of the EEA Joint Committee**

Annex XI (TELECOMMUNICATION SERVICES) to the EEA Agreement shall be amended as specified below.

ACTS REFERRED TO

1. The following new points shall be inserted after point 5 (Council Directive 91/287/EEC):

- "5a. 392 D 0264: Council Decision 92/264/EEC of 11 May 1992 on the introduction of a standard international telephone access code in the community (OJ No L 137, 20.5.1992, p. 21).

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

with regard to the EFTA States, in the second subparagraph of Article 3, the words "notification of this Decision" shall be read "Decision by the EEA Joint Committee to include this Decision in the EEA Agreement".

- 5b. 392 L 0044: Council Directive 92/44/EEC of 5 June 1992 on the application of open network provision to leased lines (OJ No L 165, 19.6.1992, p. 27).

The Provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptations:

- (a) regarding the EFTA States, the reference in Article 12(a) to Articles 169 and 170 of the EEC Treaty shall be deemed to be a reference to Articles 31 and 32 of the Agreement between the EFTA States on the Establishment of a Surveillance Authority and a Court of Justice;

- (b) the following shall be added to Article 12(2):

- (a) If the procedure provided for in paragraphs 3 and 4 is invoked in a case involving one or more national regulatory authorities of EFTA States, the notification shall be made to the national regulatory authority and the EFTA Surveillance Authority;

- (b) If the procedure provided for in paragraphs 3 and 4 is invoked in a case involving two or more national regulatory authorities of both an EC and an EFTA State, the notification shall be made to the national regulatory authorities, the EC Commission and the EFTA Surveillance Authority;

- (c) the following shall be added to Article 12(3):

- (a) Where, following a notification based on paragraph (2)(a), the national regulatory authority of the EFTA Surveillance Authority finds that there is a case for further examination, it can refer it to a working group composed of representatives of EFTA States and their regulatory authorities concerned and of a representative of the EFTA Surveillance Authority acting as a chairman of the working group. The chairman, if he is satisfied that all reasonable steps have been taken at the national level, shall initiate a procedure following, mutatis mutandis, the requirements as set out in Article 12(4);

(b)Where, following a notification based on paragraph (2)(b), a national regulatory authority, the EC Commission or the EFTA Surveillance Authority finds that there is a case for further examination, it can refer it to the EEA Joint Committee. The EEA Joint Committee can, if it is satisfied that all reasonable steps have been taken at the national level, set up a working group composed of an equal number of representatives of EFTA States and their national regulatory authorities concerned on the one hand, and of an equal number of representatives of the EC Member States and their national regulatory authorities concerned on the other hand, as well as of representatives of the EFTA Surveillance Authority and the EC Commission. The EEA Joint Committee shall also appoint the chairman of the working group. The working group shall, *mutatis mutandis*, follow the procedural requirements as set out in Article 12(4)."

ACTS OF WHICH THE CONTRACTING PARTIES SHALL TAKE NOTE

The following new points shall be inserted after point 16 (Council Recommendation 91/288/EEC):

- "17. 392 Y 0114(01): Council Resolution 92/C 8/01 of 19 December 1991 on the development of the common market for satellite communications services and equipment (OJ No C 8, 14.1.1992, p. 1).
 18. 392 X 0382: Council Recommendation of 5 June 1992 on the harmonized provision of a minimum set of packet-switched data services (PSDS) in accordance with open network provision (ONP) principles (OJ No L 200, 18.7.1992, p. 1).
 19. 392 X 0383: Council Recommendation of 5 June 1992 on the provision of harmonized integrated services digital network (ISDN) access arrangements and a minimum set of ISDN offerings in accordance with open network provision (ONP) principles (OJ No L 200, 18.7.1992, p. 10).
 20. 392 Y 0625(01): Council Resolution of 5 June 1992 on the development of the integrated services digital network (ISDN) in the Community as a European-wide telecommunications infrastructure for 1993 and beyond (OJ No C 158, 25.6.1992, p. 1).
 21. 392 Y 1204(02): Council Resolution of 19 November 1992 on the promotion of Europe-wide co-operation on numbering of telecommunications services (OJ No C 318, 4.12.1992, p. 2).
 22. 393 Y 0106(01): Council Resolution of 17 December 1992 on the assessment of the situation in the Community telecommunications sector (OJ No C 2, 6.1.1993, p. 5).
 23. 392 Y 1204(01): Council Resolution of 19 November 1992 on the implementation of the European Radiocommunications Committee decisions (OJ No C 318, 4.12.1992, p. 1).
 24. 393 Y 0806(01): Council Resolution of 22 July 1993 on the review of the situation in the telecommunications sector and the need for further development in that market (OJ No C 213, 6.8.1993, p. 1).
 25. 393 Y 1216(01): Council Resolution of 7 December 1993 on the introduction of satellite personal communication services in the Community (OJ No C 339, 16.12.1993, p. 1)."
-