

DECISION OF THE EEA JOINT COMMITTEE
No 61/2004
of 26 April 2004
amending Annex XIII (Transport) 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 XIII to the Agreement was amended by Decision of the EEA Joint Committee No 2/2004 of 6 February 2004 ⁽¹⁾.
- (2) Regulation (EC) No 2320/2002 of the European Parliament and of the Council of 16 December 2002 establishing common rules in the field of civil aviation security ⁽²⁾ is to be incorporated into the Agreement.
- (3) The specific geographical location and low population density of Iceland, as well as the composition of the fleet of aircraft serving on domestic routes in Iceland require that Regulation (EC) No 2320/2002 does not apply to domestic air services in the territory of Iceland. The national security measures applicable to domestic air services in Iceland provide an adequate level of protection.
- (4) In view of the specific situation of Liechtenstein resulting from the combined effect of a very small territory, a specific geographical structure as well as from the fact that the total amount of air traffic in Liechtenstein is very limited, that no international regular air services to or from Liechtenstein are available and that the civil aviation infrastructure in Liechtenstein consists of only one heliport, Regulation (EC) No 2320/2002 should not apply to the existing civil aviation infrastructure in the territory of Liechtenstein.
- (5) Since most of the Norwegian regional airports are situated in remote areas and the national security measures applicable to domestic air services in Norway provide an adequate level of protection, the date of implementation of Regulation (EC) No 2320/2002 at certain Norwegian regional airports should be adjusted,

HAS DECIDED AS FOLLOWS:

Article 1

Annex XIII to the Agreement shall be amended as follows:

1. The following point shall be inserted after point 66g (Directive 2003/42/EC/EC of the European Parliament and of the Council):

'66h. **32002 R 2320:** Regulation (EC) No 2320/2002 of the European Parliament and of the Council of 16 December 2002 establishing common rules in the field of civil aviation security (OJ L 355, 30.12.2002, p. 1).

The provisions of the Regulation shall, for the purpose of the present Agreement, be read with the following adaptations:

- (a) The measures laid down in this Regulation shall not apply to domestic air services at airports in the territory of Iceland.

⁽¹⁾ OJ L 116, 22.4.2004, p. 42.

⁽²⁾ OJ L 355, 30.12.2002, p. 1.

- (b) The measures laid down in this Regulation shall not apply to the existing civil aviation infrastructure in the territory of Liechtenstein.
 - (c) This Regulation shall be implemented not later than 1 January 2005 at the Norwegian regional airports specified in Appendix 8 to Annex XIII, provided the following requirements are met:
 - (i) There are no international regular air services to/from the airport.
 - (ii) Necessary compensatory measures are in place at Norwegian airports where the Regulation is fully implemented concerning flights arriving from each of these regional airports — such as separating departing screened passengers from arriving passengers who have not been screened to the standard detailed in the Regulation, and re-screening of passengers and baggage — to ensure that the security level is not compromised.'
2. The heading '**APPENDIX 8**' shall be inserted at the end of Annex XIII.
3. The text in the Annex to the present Decision shall be inserted as the text of Appendix 8 to Annex XIII.

Article 2

The texts of Regulation (EC) No 2320/2002 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 27 April 2004, 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, 26 April 2004.

For the EEA Joint Committee

The President

P. WESTERLUND

(*) No constitutional requirements indicated.

ANNEX

Norwegian regional airports referred to in adaptation (c) of point 66h (Regulation (EC) No 2320/2002 of the European Parliament and of the Council):

ANDØYA (military airport with civil traffic)

BÅTSFJORD

BERLEVÅG

FØRDE, Bringeland

HAMMERFEST

HASVIK

HONNINGSVÅG, Valan

LEKNES

MEHAMN

MO I RANA, Røssvoll

MOSJØEN, Kjærstad

NAMSOS

NARVIK, Framnes

ØRSTA/VOLDA, Hovden

RØRVIK, Ryum

RØST

SANDANE, Anda

SANDNESSJØEN, Stokka

SOGNDAL, Haukåsen

SØRKJØSEN

STOKMARKNES, Skagen

SVOLVÆR, Helle

VADSØ

VÆRØY (heliport)

VARDØ, Svartnes.
