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DECISION OF THE EEA JOINT COMMITTEE
No 107/2009

of 22 October 2009

amending Annex XI (Telecommunication services) 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 XI to the Agreement was amended by Decision of the EEA Joint Committee No 96/2009 of 25 September 2009¹.
- (2) Regulation (EC) No 544/2009 of the European Parliament and of the Council of 18 June 2009 amending Regulation (EC) No 717/2007 on roaming on public mobile telephone networks within the Community and Directive 2002/21/EC on a common regulatory framework for electronic communications networks and services² is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

Annex XI to the Agreement shall be amended as follows:

1. The following shall be added in point 5cu (Regulation (EC) No 717/2007 of the European Parliament and of the Council):

‘, as amended by:

- **32009 R 0544**: Regulation (EC) No 544/2009 of the European Parliament and of the Council of 18 June 2009 (OJ L 167, 29.6.2009, p. 12).

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

The following subparagraphs shall be added in Article 1(4):

¹ OJ L 304, 19.11.2009, p. 8.

² OJ L 167, 29.6.2009, p. 12.

“In the absence of a published exchange rate of the euro to the Icelandic króna by the European Central Bank on the date of the entry into force of the Decision of the EEA Joint Committee No 107/2009 incorporating this Regulation into the EEA Agreement, the exchange rate published by the Icelandic Central Bank on that same date shall apply.

For the purposes of the subsequent reductions in those limits provided for in Article 3(2) and Article 4(2), the reference exchange rates applied to determine the revised values shall, in the case of the Icelandic króna and in the absence of a corresponding publication by the European Central Bank, be those published by the Icelandic Central Bank one month preceding the date from which the revised values apply.”

2. The following indent shall be added in point 5cl (Directive 2002/21/EC of the European Parliament and of the Council):

‘- **32009 R 0544**: Regulation (EC) No 544/2009 of the European Parliament and of the Council of 18 June 2009 (OJ L 167, 29.6.2009, p. 12).’

Article 2

The texts of Regulation (EC) No 544/2009 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 23 October 2009, 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, 22 October 2009.

*For the EEA Joint Committee
The President*

O. H. Sletnes

*The Secretaries
to the EEA Joint Committee*

B. Ellertsdóttir L-O. Hollner

* Constitutional requirements indicated.