

DECISION OF THE EEA JOINT COMMITTEE

No 6/2012

of 10 February 2012

amending Annex II (Technical regulations, standards, testing and certification) 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 II to the Agreement was amended by Decision of the EEA Joint Committee No 113/2011 of 21 October 2011 ⁽¹⁾.
- (2) Directive 2007/46/EC of the European Parliament and of the Council of 5 September 2007 establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles (Framework Directive) ⁽²⁾ is to be incorporated into the Agreement.
- (3) Commission Regulation (EC) No 1060/2008 of 7 October 2008 replacing Annexes I, III, IV, VI, VII, XI and XV to Directive 2007/46/EC of the European Parliament and of the Council establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles (Framework Directive) ⁽³⁾ is to be incorporated into the Agreement.
- (4) Regulation (EC) No 78/2009 of the European Parliament and of the Council of 14 January 2009 on the type-approval of motor vehicles with regard to the protection of pedestrians and other vulnerable road users, amending Directive 2007/46/EC and repealing Directives 2003/102/EC and 2005/66/EC ⁽⁴⁾ is to be incorporated into the Agreement.
- (5) Commission Regulation (EC) No 385/2009 of 7 May 2009 replacing Annex IX to Directive 2007/46/EC of the European Parliament and of the Council establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles (Framework Directive) ⁽⁵⁾ is to be incorporated into the Agreement.

(6) Directive 2007/46/EC repeals Council Directive 70/156/EEC ⁽⁶⁾ which is incorporated into the Agreement and is therefore to be repealed under the Agreement.

(7) Regulation (EC) No 78/2009 repeals Directives 2003/102/EC ⁽⁷⁾ and 2005/66/EC ⁽⁸⁾ of the European Parliament and of the Council which have been incorporated into the Agreement and are therefore to be repealed under the Agreement,

HAS ADOPTED THIS DECISION:

Article 1

Chapter I of Annex II to the Agreement shall be amended as follows:

- (1) the text of points 1 (Council Directive 70/156/EEC), 45zd (Directive 2003/102/EC of the European Parliament and of the Council) and 45zm (Directive 2005/66/EC of the European Parliament and of the Council) shall be deleted;
- (2) the following shall be inserted after point 45zw (Directive 2009/78/EC of the European Parliament and of the Council):

'45zx. **32007 L 0046:** Directive 2007/46/EC of the European Parliament and of the Council of 5 September 2007 establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles (Framework Directive) (OJ L 263, 9.10.2007, p. 1), as amended by:

— **32008 R 1060:** Commission Regulation (EC) No 1060/2008 of 7 October 2008 (OJ L 292, 31.10.2008, p. 1),

— **32009 R 0078:** Regulation (EC) No 78/2009 of the European Parliament and of the Council of 14 January 2009 (OJ L 35, 4.2.2009, p. 1),

— **32009 R 0385:** Commission Regulation (EC) No 385/2009 of 7 May 2009 (OJ L 118, 13.5.2009, p. 13).

⁽¹⁾ OJ L 341, 22.12.2011, p. 74.

⁽²⁾ OJ L 263, 9.10.2007, p. 1.

⁽³⁾ OJ L 292, 31.10.2008, p. 1.

⁽⁴⁾ OJ L 35, 4.2.2009, p. 1.

⁽⁵⁾ OJ L 118, 13.5.2009, p. 13.

⁽⁶⁾ OJ L 42, 23.2.1970, p. 1.

⁽⁷⁾ OJ L 321, 6.12.2003, p. 15.

⁽⁸⁾ OJ L 309, 25.11.2005, p. 37.

The provisions of the Directive shall, for the purposes of this Agreement, be read with the following adaptations:

- (a) in Annex VII, the following shall be added in Section 1 of paragraph 1 and in paragraph 1.1 of the Appendix:

“IS for Iceland;

FL for Liechtenstein;

16 for Norway.”;

- (b) in Annex IX, the following shall be added to the tables under point 47 of the EC CERTIFICATE OF CONFORMITY:

— Iceland: ...	— Liechtenstein: ...	— Norway: ...
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- 45zy. **32009 R 0078**: Regulation (EC) No 78/2009 of the European Parliament and of the Council of 14 January 2009 on the type-approval of motor vehicles with regard to the protection of pedestrians and other vulnerable road users, amending Directive 2007/46/EC and repealing Directives 2003/102/EC and 2005/66/EC (O) L 35, 4.2.2009, p. 1).

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

The following shall be added in point 1.1 of Annex IV:

“— IS for Iceland,

— FL for Liechtenstein,

— 16 for Norway.”’.

Article 2

The texts of Regulations (EC) No 1060/2008, (EC) No 78/2009 and (EC) No 385/2009, and Directive 2007/46/EC, 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 11 February 2012, 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, 10 February 2012.

For the EEA Joint Committee

The Acting President

Gianluca GRIPPA

(*) No constitutional requirements indicated.