

DECISION OF THE EEA JOINT COMMITTEE

No 42/2013

of 15 March 2013

amending Annex XIII (Transport) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) No 646/2012 of 16 July 2012 laying down detailed rules on fines and periodic penalty payments pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Annex XIII to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following is inserted after point 66na (Commission Regulation (EC) No 103/2007) of Annex XIII to the EEA Agreement:

'66nb. **32012 R 0646**: Commission Implementing Regulation (EU) No 646/2012 of 16 July 2012 laying down detailed rules on fines and periodic penalty payments pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council (OJ L 187, 17.7.2012, p. 29).

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

- (a) Where persons or undertakings established in an EFTA State are concerned, the word "Commission" shall read "EFTA Surveillance Authority"

and the words "Court of Justice of the European Union" shall read "EFTA Court".

- (b) In Article 19, with regards to the EFTA States, the words "in accordance with Council Regulation (EC, Euratom) No 1605/2002 and Commission Regulation (EC, Euratom) No 2342/2002" shall not apply.'

Article 2

The text of Implementing Regulation (EU) No 646/2012 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 16 March 2013, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

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, 15 March 2013.

For the EEA Joint Committee

The President

Gianluca GRIPPA

⁽¹⁾ OJ L 187, 17.7.2012, p. 29.

^(*) No constitutional requirements indicated.