

DECISION OF THE EEA JOINT COMMITTEE**No 229/2014****of 24 October 2014****amending Annex XIII (Transport) to the EEA Agreement [2015/1453]**

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) Regulation (EC) No 117/66/EEC of the Council of 28 July 1966 on the introduction of common rules for the international carriage of passengers by coach and bus ⁽¹⁾ was repealed by Council Regulation (EEC) No 684/92 of 16 March 1992 on common rules for the international carriage of passengers by coach and bus ⁽²⁾, which are both incorporated into the EEA Agreement, and consequently the reference to Regulation (EC) No 117/66/EEC should be deleted from the EEA Agreement.
- (2) Regulation (EEC) No 1016/68 of the Commission of 9 July 1968 prescribing the model control documents referred to in Articles 6 and 9 of Council Regulation No 117/66/EEC ⁽³⁾ and Regulation (EEC) No 1172/72 of the Commission of 26 May 1972 prescribing the form of the documents referred to in Council Regulation (EEC) No 517/72 and Council Regulation (EEC) No 516/72 ⁽⁴⁾, which are incorporated into the EEA Agreement, were repealed by Commission Regulation (EEC) No 1839/92 of 1 July 1992 laying down detailed rules for the application of Council Regulation No 684/92 as regards documents for the international carriage of passengers ⁽⁵⁾, which was repealed by Commission Regulation (EC) No 2121/98 of 2 October 1998 laying down detailed rules for the application of Council Regulations (EEC) No 684/92 and (EC) No 12/98 as regards documents for the carriage of passengers by coach and bus ⁽⁶⁾, which is incorporated into the EEA Agreement, and consequently the references to Regulations (EEC) No 1016/68 and (EEC) No 1172/72 should be deleted from the EEA Agreement.
- (3) Council Regulation (EEC) No 3164/76 of 16 December 1976 on the Community quota for the carriage of goods by road between Member States ⁽⁷⁾ was repealed by Council Regulation (EEC) No 881/92 of 26 March 1992 on access to the market in the carriage of goods by road within the Community to or from the territory of a Member State or passing across the territory of one or more Member States ⁽⁸⁾, which are both incorporated into the EEA Agreement, and consequently the reference to Regulation (EEC) No 3164/76 should be deleted from the EEA Agreement.
- (4) Commission Regulation (EEC) No 1102/89 of 27 April 1989 laying down certain measures for implementing Council Regulation (EEC) No 1101/89 on structural improvements in inland waterway transport ⁽⁹⁾, which is incorporated into the EEA Agreement, was repealed by Commission Regulation (EC) No 805/1999 of 16 April 1999 laying down certain measures for implementing Council Regulation (EC) No 718/1999 on a Community-fleet capacity policy to promote inland waterway transport ⁽¹⁰⁾, which was repealed by Commission Regulation (EC) No 181/2008 of 28 February 2008 laying down certain measures for implementing Council Regulation (EC) No 718/1999 on a Community fleet capacity policy to promote inland waterway transport ⁽¹¹⁾, which is incorporated into the EEA Agreement, and consequently the reference to Regulation (EEC) No 1102/89 should be deleted from the EEA Agreement.

⁽¹⁾ OJ L 147, 9.8.1966, p. 2688.

⁽²⁾ OJ L 74, 20.3.1992, p. 1.

⁽³⁾ OJ L 173, 22.7.1968, p. 8.

⁽⁴⁾ OJ L 134, 12.6.1972, p. 1.

⁽⁵⁾ OJ L 187, 7.7.1992, p. 5.

⁽⁶⁾ OJ L 268, 3.10.1998, p. 10.

⁽⁷⁾ OJ L 357, 29.12.1976, p. 1.

⁽⁸⁾ OJ L 95, 9.4.1992, p. 1.

⁽⁹⁾ OJ L 116, 28.4.1989, p. 30.

⁽¹⁰⁾ OJ L 102, 17.4.1999, p. 64.

⁽¹¹⁾ OJ L 56, 29.2.2008, p. 8.

- (5) Commission Regulation (EC) No 2326/96 of 4 December 1996 apportioning, for 1996, the contributions by the Community and the Member States concerned to the scrapping funds referred to in Council Regulation (EEC) No 1101/89 on structural improvements in inland waterway transport ⁽¹⁾, which is incorporated into the EEA Agreement, has become obsolete and is consequently to be repealed under the EEA Agreement.
- (6) Regulation (EC) No 2327/2003 of the European Parliament and of the Council of 22 December 2003 establishing a transitional points system applicable to heavy goods vehicles travelling through Austria for 2004 within the framework of a sustainable transport policy ⁽²⁾, which is incorporated into the EEA Agreement, has become obsolete and is consequently to be repealed under the EEA Agreement.
- (7) Commission Regulation (EC) No 287/2008 of 28 March 2008 on the extension of the period of validity of referred to in Article 2c(3) of Regulation (EC) No 1702/2003 ⁽³⁾, which is incorporated into the EEA Agreement, has become obsolete and is consequently to be repealed under the EEA Agreement.
- (8) Council Directive 89/684/EEC of 21 December 1989 on vocational training for certain drivers of vehicles carrying dangerous goods by road ⁽⁴⁾, which is incorporated into the EEA Agreement, was repealed by Council Directive 94/55/EC of 21 November 1994 on the approximation of the laws of the Member States with regard to the transport of dangerous goods by road ⁽⁵⁾, which was repealed by Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008 on the inland transport of dangerous goods ⁽⁶⁾, which is incorporated into the EEA Agreement, and consequently the reference to Directive 89/684/EEC should be deleted from the EEA Agreement.
- (9) Council Directive 91/670/EEC of 16 December 1991 on mutual acceptance of personnel licences for the exercise of functions in civil aviation ⁽⁷⁾ and Directive 2004/36/EC of the European Parliament and of the Council of 21 April 2004 on the safety of third-country aircraft using Community airports ⁽⁸⁾ were repealed by Regulation (EC) No 216/2008 of the European Parliament and of the Council of 20 February 2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, and repealing Council Directive 91/670/EEC, Regulation (EC) No 1592/2002 and Directive 2004/36/EC ⁽⁹⁾ as from the entry into force of Commission Regulation (EU) No 965/2012 of 5 October 2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council ⁽¹⁰⁾ and Commission Regulation (EU) No 1178/2011 of 3 November 2011 laying down technical requirements and administrative procedures related to civil aviation aircrew pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council ⁽¹¹⁾ respectively, which are all incorporated into the EEA Agreement, and consequently the reference to Directive 2004/36/EC and Directive 91/670/EEC should be deleted from the EEA Agreement.
- (10) Eighth Directive 97/44/EC of the European Parliament and of the Council of 22 July 1997 on summer-time arrangements ⁽¹²⁾, which is incorporated into the EEA Agreement, has become obsolete and is consequently to be repealed under the EEA Agreement.
- (11) Council Directive 1999/36/EC of 29 April 1999 on transportable pressure equipment ⁽¹³⁾ was repealed by Directive 2010/35/EU of the European Parliament and of the Council of 16 June 2010 on transportable pressure equipment and repealing Council Directives 76/767/EEC, 84/525/EEC, 84/526/EEC, 84/527/EEC and 1999/36/EC ⁽¹⁴⁾, which are both incorporated into the EEA Agreement, and consequently the references to Directive 1999/36/EC should be deleted from the EEA Agreement.

⁽¹⁾ OJ L 316, 5.12.1996, p. 13.

⁽²⁾ OJ L 345, 31.12.2003, p. 30.

⁽³⁾ OJ L 87, 29.3.2008, p. 3.

⁽⁴⁾ OJ L 398, 30.12.1989, p. 33.

⁽⁵⁾ OJ L 319, 12.12.1994, p. 7.

⁽⁶⁾ OJ L 260, 30.9.2008, p. 13.

⁽⁷⁾ OJ L 373, 31.12.1991, p. 21.

⁽⁸⁾ OJ L 143, 30.4.2004, p. 76.

⁽⁹⁾ OJ L 79, 19.3.2008, p. 1.

⁽¹⁰⁾ OJ L 296, 25.10.2012, p. 1.

⁽¹¹⁾ OJ L 311, 25.11.2011, p. 1.

⁽¹²⁾ OJ L 206, 1.8.1997, p. 62.

⁽¹³⁾ OJ L 138, 1.6.1999, p. 20.

⁽¹⁴⁾ OJ L 165, 30.6.2010, p. 1.

- (12) Commission Decision 1999/569/EC of 28 July 1999 on the basic parameters for the command-and-control and signalling subsystem relating to the trans-European high-speed rail system⁽¹⁾ and Commission Decision 2001/260/EC of 21 March 2001 on the basic parameters of the command-control and signalling subsystem of the trans-European high-speed rail system referred to as 'ERTMS characteristics' in Annex II(3) to Directive 96/48/EC⁽²⁾, which are incorporated into the EEA Agreement, ceased to have effect by virtue of Commission Decision 2002/731/EC of 30 May 2002 concerning the technical specification for interoperability relating to the control-command and signalling subsystem of the trans-European high-speed rail system referred to in Article 6(1) of Council Directive 96/48/EC⁽³⁾, which is incorporated into the EEA Agreement, and consequently the references to Decisions 1999/569/EC and 2001/260/EC should be deleted from the EEA Agreement.
- (13) Decision 2002/731/EC was repealed by Commission Decision 2006/860/EC of 7 November 2006 concerning a technical specification for interoperability relating to the control-command and signalling subsystem of the trans-European high speed rail system and modifying Annex A to Decision 2006/679/EC concerning the technical specification for interoperability relating to the control-command and signalling subsystem of the trans-European conventional rail system⁽⁴⁾, which are both incorporated into the EEA Agreement, and consequently the reference to Decision 2002/731/EC should be deleted from the EEA Agreement.
- (14) Commission Decision 2002/733/EC of 30 May 2002 concerning the technical specification for interoperability relating to the energy subsystem of the trans-European high-speed rail system referred to in Article 6(1) of Directive 96/48/EC⁽⁵⁾ was repealed by Commission Decision 2008/284/EC of 6 March 2008 concerning a technical specification for interoperability relating to the energy sub-system of the trans-European high-speed rail system⁽⁶⁾, which are both incorporated into the EEA Agreement, and consequently the reference to Decision 2002/733/EC should be deleted from the EEA Agreement.
- (15) Commission Decision 2004/446/EC of 29 April 2004 specifying the basic parameters of the Noise, Freight Wagons and Telematic applications for freight Technical Specifications for Interoperability referred to in Directive 2001/16/EC⁽⁷⁾, which is incorporated into the EEA Agreement, ceased to be applicable by virtue of Commission Decision 2006/66/EC of 23 December 2005 concerning the technical specification for interoperability relating to the subsystem rolling stock — noise of the trans-European conventional rail system⁽⁸⁾, which was repealed by Commission Decision 2011/229/EU of 4 April 2011 concerning the technical specifications of interoperability relating to the subsystem 'rolling stock – noise' of the trans-European conventional rail system⁽⁹⁾, which is incorporated into the EEA Agreement, and consequently the reference to Decision 2004/446/EC should be deleted from the EEA Agreement.
- (16) Appendix 1 to Annex XIII to the EEA Agreement has become obsolete and should consequently be deleted from the EEA Agreement.
- (17) Annex XIII to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The text of points 17f (Council Directive 1999/36/EC), 24 (Council Directive 89/684/EEC), 26 (Council Regulation (EEC) No 3164/76), 26e (Regulation (EC) No 2327/2003 of the European Parliament and of the Council), 30 (Council Regulation (EC) No 117/66/EEC), point 31 (Commission Regulation (EEC) No 1016/68), point 34 (Commission Regulation (EEC) No 1172/72), 37ab (Commission Decision 2002/731/EC), 37ad (Commission Decision 2002/733/EC), 37b (Commission Decision 1999/569/EC), 37c (Commission Decision 2001/260/EC), 37e (Commission Decision 2004/446/EC), 42c (Council Directive 1999/36/EC), 44a (Commission Regulation (EC) No 2326/96), 45 (Commission Regulation (EEC) No 1102/89), 66pa (Commission Regulation (EC) No 287/2008), 66r (Directive 2004/36/EC of the European Parliament and of the Council), 68a (Council Directive 91/670/EEC) and 68b (Eighth Directive 97/44/EC of the European Parliament and of the Council) and Appendix 1 of Annex XIII to the EEA Agreement is deleted.

⁽¹⁾ OJ L 216, 14.8.1999, p. 23.

⁽²⁾ OJ L 93, 3.4.2001, p. 53.

⁽³⁾ OJ L 245, 12.9.2002, p. 37.

⁽⁴⁾ OJ L 342, 7.12.2006, p. 1.

⁽⁵⁾ OJ L 245, 12.9.2002, p. 280.

⁽⁶⁾ OJ L 104, 14.4.2008, p. 1.

⁽⁷⁾ OJ L 155, 30.4.2004, p. 1.

⁽⁸⁾ OJ L 37, 8.2.2006, p. 1.

⁽⁹⁾ OJ L 99, 13.4.2011, p. 1.

Article 2

This Decision shall enter into force on 1 November 2014, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

Article 3

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, 24 October 2014.

For the EEA Joint Committee

The President

Kurt JÄGER

(*) No constitutional requirements indicated.