

DECISION OF THE EEA JOINT COMMITTEE
No 318/2015
of 11 December 2015
amending Annex XIII (Transport) to the EEA Agreement [2017/1829]

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 80/2009 of the European Parliament and of the Council of 14 January 2009 on a Code of Conduct for computerised reservation systems and repealing Council Regulation (EEC) No 2299/89 ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Regulation (EC) No 80/2009 repeals Council Regulation (EEC) No 2299/89 ⁽²⁾ which is incorporated into the EEA Agreement and which is consequently to be deleted from the EEA Agreement.
- (3) Annex XIII to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The text of point 63 (Council Regulation (EEC) No 2299/89) of Annex XIII to the EEA Agreement is replaced by the following:

'32009 R 0080: Regulation (EC) No 80/2009 of the European Parliament and of the Council of 14 January 2009 on a Code of Conduct for computerised reservation systems and repealing Council Regulation (EEC) No 2299/89 (OJ L 35, 4.2.2009, p. 47).

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

- (a) In Article 8(1), with regard to the EFTA States, "Community" and "Commission" shall read "EFTA States".
- (b) Article 8(2) shall not apply with regard to the EFTA States. The EFTA States shall monitor the application of the discriminatory or non-equivalent treatment of air carriers of the EFTA States by system vendors in third countries.
- (c) In Article 11(8), with regard to the EFTA States, the words "by Directive 95/46/EC, by the national provisions adopted pursuant thereto and by the provisions of international agreements to which the Community is party" shall read "by Directive 95/46/EC and by the national provisions adopted pursuant thereto". In Article 11(9), with regard to the EFTA States, the words "the provisions of that Directive, the national provisions adopted pursuant thereto and the provisions of international agreements to which the Community is party" shall read "the provisions of that Directive and the national provisions adopted pursuant thereto".
- (d) In Articles 13, 14, 15 and 16, with regard to the EFTA States, "Commission" shall read "EFTA Surveillance Authority", "Court of Justice of the European Communities" shall read "EFTA Court" and "Articles 81 and 82 of the Treaty" shall read "Articles 53 and 54 of the EEA Agreement".

Article 2

The texts of Regulation (EC) No 80/2009 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

⁽¹⁾ OJ L 35, 4.2.2009, p. 47.

⁽²⁾ OJ L 220, 29.7.1989, p. 1.

Article 3

This Decision shall enter into force on 12 December 2015, 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, 11 December 2015.

For the EEA Joint Committee
The President
Oda SLETNES

(*) Constitutional requirements indicated.

Declaration by the EFTA States

to Decision No 318/2015 of 11 December 2015 incorporating Regulation (EC) No 80/2009 of the European Parliament and of the Council of 14 January 2009 on a Code of Conduct for computerised reservation systems and repealing Council Regulation (EEC) No 2299/89

'The repealed Council Regulation (EEC) No 2299/89 and Regulation (EC) No 80/2009 of the European Parliament and of the Council deal among other things with the authority to impose fines in a specific area of competition law. The incorporation of the latter Regulation is without prejudice to the institutional solutions with regard to future acts conferring powers to impose fines outside the area of competition law.'
