

DECISION OF THE EEA JOINT COMMITTEE
No 41/2017
of 3 February 2017
amending Annex XVI (Procurement) to the EEA Agreement [2018/1775]

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 Decision (EU) 2016/1804 of 10 October 2016 on the detailed rules for the application of Articles 34 and 35 of Directive 2014/25/EU of the European Parliament and of the Council on procurement by entities operating in the water, energy, transport and postal services sectors ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Implementing Decision (EU) 2016/1804 repeals Commission Decision 2005/15/EC of 7 January 2005 ⁽²⁾, which is incorporated into the EEA Agreement and which is consequently to be repealed under the EEA Agreement.
- (3) Annex XVI to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Annex XVI to the EEA Agreement shall be amended as follows:

- (1) the following point is inserted after point 6 g (Commission Implementing Regulation (EU) 2015/1986):
‘6h. **32016 D 1804**: Commission Implementing Decision (EU) 2016/1804 of 10 October 2016 on the detailed rules for the application of Articles 34 and 35 of Directive 2014/25/EU of the European Parliament and of the Council on procurement by entities operating in the water, energy, transport and postal services sectors (OJ L 275, 12.10.2016, p. 39).’;
- (2) the text of point 6b (Commission Decision 2005/15/EC) is deleted.

Article 2

The text of Implementing Decision (EU) 2016/1804 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 4 February 2017, 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, 3 February 2017.

For the EEA Joint Committee

The President

Claude MAERTEN

⁽¹⁾ OJ L 275, 12.10.2016, p. 39.

⁽²⁾ OJ L 7, 11.1.2005, p. 7.

(*) Constitutional requirements indicated.