

PROTOCOL 44^{1}

ON SAFEGUARD MECHANISMS PURSUANT TO ENLARGEMENTS OF THE EUROPEAN ECONOMIC AREA

1. Application of Article 112 of the Agreement to the General Economic Safeguard Clause and the safeguard mechanisms contained in certain transitional arrangements in the Field of Free Movement of Persons and Road Transport

Article 112 of the Agreement shall also be applicable to the situations specified or referred to

- (a) in the provisions of Article 37 of the Act of Accession of 16 April 2003, of Article 36 of the Act of Accession of 25 April 2005 and of Article 37 of the Act of Accession of 9 December 2011, and
- (b) in the safeguard mechanisms contained in the transitional arrangements under the headings "Transition period" in Annex V (Free movement of workers) and Annex VIII (Right of establishment), in point 30 (Directive 96/71/EC of the European Parliament and of the Council) of Annex XVIII (Health and safety at work, labour law, and equal treatment for men and women), in point 26c (Council Regulation (EEC) No 3118/93) and point 53a (Council Regulation (EEC) No 3577/92) of Annex XIII (Transport) with the same time limits, scope and effects as set out in those provisions.

2. Internal Market Safeguard Clause

The general decision-making procedure provided for by the Agreement shall also be applicable to decisions taken by the European Commission in application of Article 38 of the Act of Accession of 16 April 2003, of Article 37 of the Act of Accession of 25 April 2005, and of Article 38 of the Act of Accession of 9 December 2011.

^{1} Protocol inserted by the 2004 EEA Enlargement Agreement (OJ L 130, 29.4.2004, p. 3 and EEA Supplement No 23, 29.4.2004, p. 1), e.i.f. 1.5.2004, subsequently replaced by the 2007 EEA Enlargement Agreement (OJ L 221, 25.8.2007, p. 15 and EEA Supplement No 39, 26.6.2008, p. 1), provisionally applicable as of 1.8.2007, e.i.f. 9.11.2011, subsequently replaced by the 2014 EEA Enlargement Agreement (OJ L 170, 11.6.2014, p.5 and EEA Supplement No 58, 9.10.2014, p.1), provisionally applicable as of 12.4.2014, e.i.f. pending.