

**AGREEMENT AMENDING PROTOCOL 4 TO THE AGREEMENT
BETWEEN THE EFTA STATES ON THE ESTABLISHMENT OF A
SURVEILLANCE AUTHORITY AND A COURT OF JUSTICE**

THE REPUBLIC OF AUSTRIA,
THE REPUBLIC OF FINLAND,
THE REPUBLIC OF ICELAND,
THE KINGDOM OF NORWAY AND
THE KINGDOM OF SWEDEN,

Having regard to the Agreement between the EFTA States on the Establishment of a Surveillance Authority and a Court of Justice as adjusted by the Protocol Adjusting the Agreement between the EFTA States on the Establishment of a Surveillance Authority and a Court of Justice, hereinafter referred to as the Surveillance and Court Agreement, and in particular Article 49 thereof,

In agreement with the EFTA Surveillance Authority,

Having regard to Decision No 3/94 of 8 February 1994 of the EEA Joint Committee amending Protocol 21 to the EEA Agreement, on the implementation of competition rules applicable to undertakings,

Whereas, therefore, Protocol 4 to the Surveillance and Court Agreement should be amended,

HAVE AGREED AS FOLLOWS:

Article 1

Article 1(2) of Chapter XI of Protocol 4 to the Surveillance and Court Agreement shall be replaced by the following:

«2. This Chapter shall apply only to air transport between airports within the territory covered by the EEA Agreement.»

Article 2

1. This Agreement shall be approved by the EFTA States in accordance with their respective constitutional requirements.

It shall be deposited with the Government of Sweden which shall notify all other EFTA States.

The instruments of acceptance shall be deposited with the Government of Sweden which shall notify all other EFTA States.

2. This Agreement shall enter into force on the day Decision No 3/94 of 8 February 1994 of the EEA Joint Committee amending Protocol 21 to the EEA Agreement, on the implementation of competition rules applicable to undertakings, enters into force or on the day all instruments of acceptance have been deposited by the EFTA States, whichever day is the later.

IN WITNESS WHEREOF the undersigned plenipotentiaries, being duly authorized thereto, have signed this Agreement

Done at Brussels, this seventh day of March 1994.