

**DECISION No 1/2004 OF THE COMMUNITY/SWITZERLAND AIR TRANSPORT
COMMITTEE**

of 6 April 2004

**amending the Annex to the Agreement between the European Community and the Swiss
Confederation on Air Transport**

(2004/404/EC)

THE COMMUNITY/SWITZERLAND AIR TRANSPORT COMMITTEE,

Having regard to the Agreement between the European Community and the Swiss Confederation on Air Transport, hereinafter referred to as 'the Agreement', and in particular Article 23(4) thereof,

HAS DECIDED AS FOLLOWS:

Article 1

1. In point 1 (Third aviation package of liberalisation and other civil aviation rules) of the Annex to the Agreement the following shall be moved and added to the reference to Council Regulation (EEC) No 2299/89 on a code of conduct for computerised reservation systems:

‘, and by Council Regulation no 323/1999 of 8 February 1999.’

2. In point 1 (Third aviation package of liberalisation and other civil aviation rules) of the Annex to the Agreement the following shall be deleted:

‘No 3089/93

Council Regulation of 29 October 1993 amending Regulation (EEC) No 2299/89 on a code of conduct for computerised reservation systems.

(Article 1)’

Article 2

1. In point 2 (Competition rules) of the Annex to the Agreement the following shall be added to the reference to Council Regulation (EEC) No 17/62:

‘, and by Council Regulation (EC) No 1216/1999 of 10 June 1999.’

2. In point 2 (Competition rules) of the Annex to the Agreement the term ‘(see below)’ shall be deleted from the reference to Council Regulation No 3975/87.

3. In point 2 (Competition rules) of the Annex to the Agreement the following shall be moved and added to the reference to Council Regulation No 3975/87:

‘, as amended by Council Regulation No 1284/91 of 14 May 1991 (Article 1) and by Council Regulation No 2410/92 of 23 July 1992 (Article 1).’

4. In point 2 (Competition rules) of the Annex to the Agreement the term ‘(see below)’ shall be deleted from the reference to Council Regulation No 3976/87.

5. In point 2 (Competition rules) of the Annex to the Agreement the following shall be moved and added to the reference to Council Regulation No 3976/87:

‘, as amended by Council Regulation No 2344/90 of 24 July 1990 (Article 1), and by Council Regulation No 2411/92 of 23 July 1992 (Article 1).’

6. In point 2 (Competition rules) of the Annex to the Agreement the following shall be moved and added to the reference to Commission Regulation (EEC) No 1617/93:

‘as amended by Commission Regulation (EC) No 1523/96 of 24 July 1996 (Articles 1,2), by Commission Regulation (EC) No 1083/99 of 26 May 1999, by Commission Regulation (EC) No 1324/2001 of 29 June 2001.’

7. In point 2 (Competition rules) of the Annex to the Agreement the following shall be moved and added to the reference to Commission Directive (EEC) No 80/723:

‘, as amended by Commission Directive No 85/413 of 24 July 1985 (Articles 1-3)’

Article 3

The following shall be added to point 2 (Competition rules) of the Annex to the Agreement, after the reference to Commission Directive (EEC) No 80/723 as amended by article 2.7 of the present Decision:

‘No 447/98

Commission Regulation of 1 March 1998 on the notifications, time limits and hearings provided for in Council Regulation (EEC) No 4064/89 on the control of concentrations between undertakings.

No 2842/98

Commission Regulation of 22 December 1998 on the hearing of parties in certain proceedings under Articles 85 and 86 of the EC Treaty.

No 2843/98

Commission Regulation of 22 December 1998 on the form, content and other details of applications and notifications provided for in Council Regulations (EEC) No 1017/68, (EEC) No 4056/86 and (EEC) No 3975/87 applying the rules on competition to the transport sector.'

Article 4

This Decision shall be published in the *Official Journal of the European Union*, and the *Official Compendium of Swiss Federal Law*. It will enter into force on the first day of the second month following its adoption.

Done at Brussels, 6 [April 2004](#).

*For the Joint Committee
The Head of the Community Delegation*

Michel AYRAL

The Head of the Swiss Delegation

Max FRIEDL