

## DECISION OF THE EEA JOINT COMMITTEE

No 54/2010

of 30 April 2010

**amending Annex XVIII (Health and safety at work, labour law, and equal treatment for men and women) to the EEA Agreement**

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex XVIII to the Agreement was amended by Decision of the EEA Joint Committee No 147/2009 of 4 December 2009 <sup>(1)</sup>.
- (2) Directive 2009/38/EC of the European Parliament and of the Council of 6 May 2009 on the establishment of a European Works Council or a procedure in Community-scale undertakings and Community-scale groups of undertakings for the purposes of informing and consulting employees (Recast) <sup>(2)</sup> is to be incorporated into the Agreement.
- (3) Directive 2009/38/EC repeals, with effect from 6 June 2011, Council Directive 94/45/EC <sup>(3)</sup>, which is incorporated into the Agreement and which is consequently to be repealed under the Agreement with effect from 6 June 2011,

HAS DECIDED AS FOLLOWS:

*Article 1*

Annex XVIII to the Agreement shall be amended as follows:

1. the current point 27 (Council Directive 94/45/EC) shall be renumbered as point 27a;
2. the following point shall be inserted after point 26 (Council Directive 92/56/EEC deleted):

'27. **32009 L 0038**: Directive 2009/38/EC of the European Parliament and of the Council of 6 May 2009 on the establishment of a European Works Council or a procedure in Community-scale undertakings and Community-scale groups of undertakings for the purposes of informing and consulting employees (Recast) (OJ L 122, 16.5.2009, p. 28).';

3. the text of new point 27a (Council Directive 94/45/EC) shall be deleted with effect from 6 June 2011.

*Article 2*

The texts of Directive 2009/38/EC 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 1 May 2010, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (\*).

*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, 30 April 2010.

*For the EEA Joint Committee**The President*

Alan SEATTER

<sup>(1)</sup> OJ L 62, 11.3.2010, p. 45.

<sup>(2)</sup> OJ L 122, 16.5.2009, p. 28.

<sup>(3)</sup> OJ L 254, 30.9.1994, p. 64.

(\*) Constitutional requirements indicated.