

DECISION OF THE EEA JOINT COMMITTEE

No 56/2010

of 30 April 2010

amending Annex XXII (Company law) 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 XXII to the Agreement was amended by Decision of the EEA Joint Committee No 37/2010 of 12 March 2010 ⁽¹⁾.
- (2) Directive 2009/101/EC of the European Parliament and of the Council of 16 September 2009 on coordination of safeguards which, for the protection of the interests of members and third parties, are required by Member States of companies within the meaning of the second paragraph of Article 48 of the Treaty, with a view to making such safeguards equivalent (codified version) ⁽²⁾ is to be incorporated into the Agreement.
- (3) Directive 2009/102/EC of the European Parliament and of the Council of 16 September 2009 in the area of company law on single-member private limited liability companies (codified version) ⁽³⁾ is to be incorporated into the Agreement.
- (4) Directive 2009/101/EC repeals First Council Directive 68/151/EEC ⁽⁴⁾, which is incorporated into the Agreement and which is consequently to be repealed under the Agreement.
- (5) Directive 2009/102/EC repeals Twelfth Council Company Law Directive 89/667/EEC ⁽⁵⁾, which is incorporated into the Agreement and which is consequently to be repealed under the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

Annex XXII to the Agreement shall be amended as follows:

1. the text of point 1 (First Council Directive 68/151/EEC) shall be replaced by the following:

'32009 L 0101: Directive 2009/101/EC of the European Parliament and of the Council of 16 September 2009 on coordination of safeguards which, for the protection of the interests of members and third parties, are required by Member States of companies within the meaning of the

second paragraph of Article 48 of the Treaty, with a view to making such safeguards equivalent (OJ L 258, 1.10.2009, p. 11).

The provisions of the Directive shall, for the purposes of this Agreement, be read with the following adaptation:

The following shall be added in Article 1:

"— Iceland:

hlutafélag, einkahlutafélag, samlagsfélag;

— Liechtenstein:

die Aktiengesellschaft, die Gesellschaft mit beschränkter Haftung, die Kommandit-aktiengesellschaft;

— Norway:

aksjeselskap, allmennaksjeselskap."';

2. the text of point 9 (Twelfth Council Directive 89/667/EEC) shall be replaced by the following:

'32009 L 0102: Directive 2009/102/EC of the European Parliament and of the Council of 16 September 2009 in the area of company law on single-member private limited liability companies (OJ L 258, 1.10.2009, p. 20).

The provisions of the Directive shall, for the purposes of this Agreement, be read with the following adaptation:

The following shall be added in Annex I:

"— Iceland:

einkahlutafélag;

— Liechtenstein:

die Gesellschaft mit beschränkter Haftung;

— Norway:

aksjeselskap."';

Article 2

The texts of Directives 2009/101/EC and 2009/102/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.

⁽¹⁾ OJ L 143, 10.6.2010, p. 33.

⁽²⁾ OJ L 258, 1.10.2009, p. 11.

⁽³⁾ OJ L 258, 1.10.2009, p. 20.

⁽⁴⁾ OJ L 65, 14.3.1968, p. 8.

⁽⁵⁾ OJ L 395, 30.12.1989, p. 40.

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

(*) No constitutional requirements indicated.