

DECISION OF THE EEA JOINT COMMITTEE**No 229/2014****of 24 October 2014****amending Annex XIII (Transport) to the EEA Agreement [2015/1453]**

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Regulation (EC) No 117/66/EEC of the Council of 28 July 1966 on the introduction of common rules for the international carriage of passengers by coach and bus ⁽¹⁾ was repealed by Council Regulation (EEC) No 684/92 of 16 March 1992 on common rules for the international carriage of passengers by coach and bus ⁽²⁾, which are both incorporated into the EEA Agreement, and consequently the reference to Regulation (EC) No 117/66/EEC should be deleted from the EEA Agreement.
- (2) Regulation (EEC) No 1016/68 of the Commission of 9 July 1968 prescribing the model control documents referred to in Articles 6 and 9 of Council Regulation No 117/66/EEC ⁽³⁾ and Regulation (EEC) No 1172/72 of the Commission of 26 May 1972 prescribing the form of the documents referred to in Council Regulation (EEC) No 517/72 and Council Regulation (EEC) No 516/72 ⁽⁴⁾, which are incorporated into the EEA Agreement, were repealed by Commission Regulation (EEC) No 1839/92 of 1 July 1992 laying down detailed rules for the application of Council Regulation No 684/92 as regards documents for the international carriage of passengers ⁽⁵⁾, which was repealed by Commission Regulation (EC) No 2121/98 of 2 October 1998 laying down detailed rules for the application of Council Regulations (EEC) No 684/92 and (EC) No 12/98 as regards documents for the carriage of passengers by coach and bus ⁽⁶⁾, which is incorporated into the EEA Agreement, and consequently the references to Regulations (EEC) No 1016/68 and (EEC) No 1172/72 should be deleted from the EEA Agreement.
- (3) Council Regulation (EEC) No 3164/76 of 16 December 1976 on the Community quota for the carriage of goods by road between Member States ⁽⁷⁾ was repealed by Council Regulation (EEC) No 881/92 of 26 March 1992 on access to the market in the carriage of goods by road within the Community to or from the territory of a Member State or passing across the territory of one or more Member States ⁽⁸⁾, which are both incorporated into the EEA Agreement, and consequently the reference to Regulation (EEC) No 3164/76 should be deleted from the EEA Agreement.
- (4) Commission Regulation (EEC) No 1102/89 of 27 April 1989 laying down certain measures for implementing Council Regulation (EEC) No 1101/89 on structural improvements in inland waterway transport ⁽⁹⁾, which is incorporated into the EEA Agreement, was repealed by Commission Regulation (EC) No 805/1999 of 16 April 1999 laying down certain measures for implementing Council Regulation (EC) No 718/1999 on a Community-fleet capacity policy to promote inland waterway transport ⁽¹⁰⁾, which was repealed by Commission Regulation (EC) No 181/2008 of 28 February 2008 laying down certain measures for implementing Council Regulation (EC) No 718/1999 on a Community fleet capacity policy to promote inland waterway transport ⁽¹¹⁾, which is incorporated into the EEA Agreement, and consequently the reference to Regulation (EEC) No 1102/89 should be deleted from the EEA Agreement.

⁽¹⁾ OJ L 147, 9.8.1966, p. 2688.

⁽²⁾ OJ L 74, 20.3.1992, p. 1.

⁽³⁾ OJ L 173, 22.7.1968, p. 8.

⁽⁴⁾ OJ L 134, 12.6.1972, p. 1.

⁽⁵⁾ OJ L 187, 7.7.1992, p. 5.

⁽⁶⁾ OJ L 268, 3.10.1998, p. 10.

⁽⁷⁾ OJ L 357, 29.12.1976, p. 1.

⁽⁸⁾ OJ L 95, 9.4.1992, p. 1.

⁽⁹⁾ OJ L 116, 28.4.1989, p. 30.

⁽¹⁰⁾ OJ L 102, 17.4.1999, p. 64.

⁽¹¹⁾ OJ L 56, 29.2.2008, p. 8.

(5) Commission Regulation (EC) No 2326/96 of 4 December 1996 apportioning, for 1996, the contributions by the Community and the Member States concerned to the scrapping funds referred to in Council Regulation (EEC) No 1101/89 on structural improvements in inland waterway transport⁽¹⁾, which is incorporated into the EEA Agreement, has become obsolete and is consequently to be repealed under the EEA Agreement.

(6) Regulation (EC) No 2327/2003 of the European Parliament and of the Council of 22 December 2003 establishing a transitional points system applicable to heavy goods vehicles travelling through Austria for 2004 within the framework of a sustainable transport policy⁽²⁾, which is incorporated into the EEA Agreement, has become obsolete and is consequently to be repealed under the EEA Agreement.

(7) Commission Regulation (EC) No 287/2008 of 28 March 2008 on the extension of the period of validity of referred to in Article 2c(3) of Regulation (EC) No 1702/2003⁽³⁾, which is incorporated into the EEA Agreement, has become obsolete and is consequently to be repealed under the EEA Agreement.

(8) Council Directive 89/684/EEC of 21 December 1989 on vocational training for certain drivers of vehicles carrying dangerous goods by road⁽⁴⁾, which is incorporated into the EEA Agreement, was repealed by Council Directive 94/55/EC of 21 November 1994 on the approximation of the laws of the Member States with regard to the transport of dangerous goods by road⁽⁵⁾, which was repealed by Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008 on the inland transport of dangerous goods⁽⁶⁾, which is incorporated into the EEA Agreement, and consequently the reference to Directive 89/684/EEC should be deleted from the EEA Agreement.

(9) Council Directive 91/670/EEC of 16 December 1991 on mutual acceptance of personnel licences for the exercise of functions in civil aviation⁽⁷⁾ and Directive 2004/36/EC of the European Parliament and of the Council of 21 April 2004 on the safety of third-country aircraft using Community airports⁽⁸⁾ were repealed by Regulation (EC) No 216/2008 of the European Parliament and of the Council of 20 February 2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, and repealing Council Directive 91/670/EEC, Regulation (EC) No 1592/2002 and Directive 2004/36/EC⁽⁹⁾ as from the entry into force of Commission Regulation (EU) No 965/2012 of 5 October 2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council⁽¹⁰⁾ and Commission Regulation (EU) No 1178/2011 of 3 November 2011 laying down technical requirements and administrative procedures related to civil aviation aircrew pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council⁽¹¹⁾ respectively, which are all incorporated into the EEA Agreement, and consequently the reference to Directive 2004/36/EC and Directive 91/670/EEC should be deleted from the EEA Agreement.

(10) Eighth Directive 97/44/EC of the European Parliament and of the Council of 22 July 1997 on summer-time arrangements⁽¹²⁾, which is incorporated into the EEA Agreement, has become obsolete and is consequently to be repealed under the EEA Agreement.

(11) Council Directive 1999/36/EC of 29 April 1999 on transportable pressure equipment⁽¹³⁾ was repealed by Directive 2010/35/EU of the European Parliament and of the Council of 16 June 2010 on transportable pressure equipment and repealing Council Directives 76/767/EEC, 84/525/EEC, 84/526/EEC, 84/527/EEC and 1999/36/EC⁽¹⁴⁾, which are both incorporated into the EEA Agreement, and consequently the references to Directive 1999/36/EC should be deleted from the EEA Agreement.

⁽¹⁾ OJ L 316, 5.12.1996, p. 13.

⁽²⁾ OJ L 345, 31.12.2003, p. 30.

⁽³⁾ OJ L 87, 29.3.2008, p. 3.

⁽⁴⁾ OJ L 398, 30.12.1989, p. 33.

⁽⁵⁾ OJ L 319, 12.12.1994, p. 7.

⁽⁶⁾ OJ L 260, 30.9.2008, p. 13.

⁽⁷⁾ OJ L 373, 31.12.1991, p. 21.

⁽⁸⁾ OJ L 143, 30.4.2004, p. 76.

⁽⁹⁾ OJ L 79, 19.3.2008, p. 1.

⁽¹⁰⁾ OJ L 296, 25.10.2012, p. 1.

⁽¹¹⁾ OJ L 311, 25.11.2011, p. 1.

⁽¹²⁾ OJ L 206, 1.8.1997, p. 62.

⁽¹³⁾ OJ L 138, 1.6.1999, p. 20.

⁽¹⁴⁾ OJ L 165, 30.6.2010, p. 1.

(12) Commission Decision 1999/569/EC of 28 July 1999 on the basic parameters for the command-and-control and signalling subsystem relating to the trans-European high-speed rail system⁽¹⁾ and Commission Decision 2001/260/EC of 21 March 2001 on the basic parameters of the command-control and signalling subsystem of the trans-European high-speed rail system referred to as 'ERTMS characteristics' in Annex II⁽³⁾ to Directive 96/48/EC⁽²⁾, which are incorporated into the EEA Agreement, ceased to have effect by virtue of Commission Decision 2002/731/EC of 30 May 2002 concerning the technical specification for interoperability relating to the control-command and signalling subsystem of the trans-European high-speed rail system referred to in Article 6(1) of Council Directive 96/48/EC⁽³⁾, which is incorporated into the EEA Agreement, and consequently the references to Decisions 1999/569/EC and 2001/260/EC should be deleted from the EEA Agreement.

(13) Decision 2002/731/EC was repealed by Commission Decision 2006/860/EC of 7 November 2006 concerning a technical specification for interoperability relating to the control-command and signalling subsystem of the trans-European high speed rail system and modifying Annex A to Decision 2006/679/EC concerning the technical specification for interoperability relating to the control-command and signalling subsystem of the trans-European conventional rail system⁽⁴⁾, which are both incorporated into the EEA Agreement, and consequently the reference to Decision 2002/731/EC should be deleted from the EEA Agreement.

(14) Commission Decision 2002/733/EC of 30 May 2002 concerning the technical specification for interoperability relating to the energy subsystem of the trans-European high-speed rail system referred to in Article 6(1) of Directive 96/48/EC⁽⁵⁾ was repealed by Commission Decision 2008/284/EC of 6 March 2008 concerning a technical specification for interoperability relating to the energy sub-system of the trans-European high-speed rail system⁽⁶⁾, which are both incorporated into the EEA Agreement, and consequently the reference to Decision 2002/733/EC should be deleted from the EEA Agreement.

(15) Commission Decision 2004/446/EC of 29 April 2004 specifying the basic parameters of the Noise, Freight Wagons and Telematic applications for freight Technical Specifications for Interoperability referred to in Directive 2001/16/EC⁽⁷⁾, which is incorporated into the EEA Agreement, ceased to be applicable by virtue of Commission Decision 2006/66/EC of 23 December 2005 concerning the technical specification for interoperability relating to the subsystem rolling stock — noise of the trans-European conventional rail system⁽⁸⁾, which was repealed by Commission Decision 2011/229/EU of 4 April 2011 concerning the technical specifications of interoperability relating to the subsystem 'rolling stock – noise' of the trans-European conventional rail system⁽⁹⁾, which is incorporated into the EEA Agreement, and consequently the reference to Decision 2004/446/EC should be deleted from the EEA Agreement.

(16) Appendix 1 to Annex XIII to the EEA Agreement has become obsolete and should consequently be deleted from the EEA Agreement.

(17) Annex XIII to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The text of points 17f (Council Directive 1999/36/EC), 24 (Council Directive 89/684/EEC), 26 (Council Regulation (EEC) No 3164/76), 26e (Regulation (EC) No 2327/2003 of the European Parliament and of the Council), 30 (Council Regulation (EC) No 117/66/EEC), point 31 (Commission Regulation (EEC) No 1016/68), point 34 (Commission Regulation (EEC) No 1172/72), 37ab (Commission Decision 2002/731/EC), 37ad (Commission Decision 2002/733/EC), 37b (Commission Decision 1999/569/EC), 37c (Commission Decision 2001/260/EC), 37e (Commission Decision 2004/446/EC), 42c (Council Directive 1999/36/EC), 44a (Commission Regulation (EC) No 2326/96), 45 (Commission Regulation (EEC) No 1102/89), 66pa (Commission Regulation (EC) No 287/2008), 66r (Directive 2004/36/EC of the European Parliament and of the Council), 68a (Council Directive 91/670/EEC) and 68b (Eighth Directive 97/44/EC of the European Parliament and of the Council) and Appendix 1 of Annex XIII to the EEA Agreement is deleted.

⁽¹⁾ OJ L 216, 14.8.1999, p. 23.

⁽²⁾ OJ L 93, 3.4.2001, p. 53.

⁽³⁾ OJ L 245, 12.9.2002, p. 37.

⁽⁴⁾ OJ L 342, 7.12.2006, p. 1.

⁽⁵⁾ OJ L 245, 12.9.2002, p. 280.

⁽⁶⁾ OJ L 104, 14.4.2008, p. 1.

⁽⁷⁾ OJ L 155, 30.4.2004, p. 1.

⁽⁸⁾ OJ L 37, 8.2.2006, p. 1.

⁽⁹⁾ OJ L 99, 13.4.2011, p. 1.

Article 2

This Decision shall enter into force on 1 November 2014, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

Article 3

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, 24 October 2014.

For the EEA Joint Committee

The President

Kurt JÄGER

(*) No constitutional requirements indicated.