

DECISION OF THE EEA JOINT COMMITTEE**No 88/2004****of 8 June 2004****amending Protocol 31 to the Agreement, on cooperation in specific fields outside the four freedoms**

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 Articles 86 and 98 thereof,

Whereas:

- (1) Protocol 31 to the Agreement was amended by Decision of the EEA Joint Committee No 65/2004 of 26 April 2004 ⁽¹⁾.
- (2) According to Article 3(2) of Protocol 31 to the Agreement, the EFTA States participate fully in the European Environment Agency as set up in Council Regulation (EEC) No 1210/90 ⁽²⁾.
- (3) Council Regulation (EEC) No 1210/90 has been amended by Regulation (EC) No 1641/2003 of the European Parliament and of the Council of 22 July 2003 amending Council Regulation (EEC) No 1210/90 on the establishment of the European Environment Agency and the European Environment Information and Observation Network ⁽³⁾.
- (4) Protocol 31 to the Agreement should therefore be amended in order to reflect the changes to the European Environment Agency and the European environment information and observation network made by Regulation (EC) No 1641/2003,

HAS DECIDED AS FOLLOWS:

Article 1

Protocol 31 to the Agreement shall be amended as follows:

1. The following shall be added at the end of Article 3(2)(a):

'and Regulation (EC) No 1641/2003 of the European Parliament and of the Council ⁽³⁾.

⁽³⁾ OJ L 245, 29.9.2003, p. 1.'

2. The following subparagraph shall be inserted after Article 3(2)(m):

'(n) Regulation (EC) No 1049/2001 of the European Parliament and the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents shall, for the application of Regulation (EEC) No 1210/90, apply to any documents of the Agency regarding the EFTA States as well.'

⁽¹⁾ OJ L 277, 26.8.2004, p. 182.

⁽²⁾ OJ L 120, 11.5.1990, p. 1.

⁽³⁾ OJ L 245, 29.9.2003, p. 1.

Article 2

This Decision shall enter into force on the day following the last notification to the EEA Joint Committee under Article 103(1) of the Agreement (*).

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, 8 June 2004.

For the EEA Joint Committee

The President

S. GILLESPIE

(*) No constitutional requirements indicated.