

DECISION OF THE EEA JOINT COMMITTEE

No 225/2012

of 7 December 2012

amending Annex XV (State aid) to the EEA Agreement

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) Commission Regulation (EU) No 360/2012 of 25 April 2012 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to *de minimis* aid granted to undertakings providing services of general economic interest ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Commission Regulation (EC) No 69/2001 ⁽²⁾ which is incorporated into the EEA Agreement has expired and should consequently be repealed under the EEA Agreement.
- (3) Annex XV to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Annex XV to the EEA Agreement shall be amended as follows:

- (1) the text of point 1e (Commission Regulation (EC) No 69/2001) shall be deleted;
- (2) the following shall be inserted after point 1h (Commission Decision 2012/21/EU):

'1ha. **32012 R 0360:** Commission Regulation (EU) No 360/2012 of 25 April 2012 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to *de minimis* aid granted to undertakings providing services of general economic interest (OJ L 114, 26.4.2012, p. 8).

The provisions of the Regulation shall, for the purposes of this Agreement, be read with the following adaptations:

(a) in Article 1(1), the words "Article 106(2) of the Treaty" shall read "Article 59(2) of the EEA Agreement";

(b) the following shall be added in Article 1(2):

"The Regulation applies only to sectors covered by Articles 61 to 64 of the EEA Agreement.";

(c) in Article 2(1), the words "Article 107(1) of the Treaty" shall read "Article 61(1) of the EEA Agreement";

(d) in Article 2(1), the words "Article 108(3) of the Treaty" shall read "Article 1(3) of Protocol 3 to the Surveillance and Court Agreement".

Article 2

The text of Regulation (EU) No 360/2012 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 8 December 2012, provided that all the notifications under Article 103(1) of the EEA 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, 7 December 2012.

For the EEA Joint Committee

The President

Atle LEIKVOLL

⁽¹⁾ OJ L 114, 26.4.2012, p. 8.

⁽²⁾ OJ L 10, 13.1.2001, p. 30.

(*) No constitutional requirements indicated.