



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 26.11.2003  
SEC(2003) 1339 final

Draft

**DECISION OF THE EEA JOINT COMMITTEE**

**amending Annex XI (Telecommunication services) and Protocol 37 to the  
EEA Agreement**

- Draft common position of the Community -  
(presented by the Commission)

## EXPLANATORY MEMORANDUM

1. In order to ensure the requisite legal security and homogeneity, the EEA Joint Committee is to integrate all the relevant Community legislation into the EEA Agreement as soon as possible after its adoption.
2. The EEA Joint Committee should therefore adopt the attached decision to amend Annex XI to the EEA Agreement by adding recently adopted acquis in the field of Telecommunication services. The decision concerns:  
  
**32002 D 0622:** Commission Decision 2002/622/EC of 26 July 2002 establishing a Radio Spectrum Policy Group.
3. Protocol 37 to the EEA Agreement is to be extended to include the Radio Spectrum Policy Group set up by Decision 2002/622/EC, and Annex XI is to be amended in order to specify the procedures for association with this Group.
4. Article 1(3)(a) of Council Regulation (EC) No 2894/94 concerning the arrangements for implementing the EEA Agreement envisages that the Council establish the Community position for decisions extending Community legislation with substantial changes.
5. The draft Decision of the EEA Joint Committee is submitted for the approval of the Council. The Commission would hope to be able to put forward the position of the Community in the EEA Joint Committee in January 2004.

Draft

## DECISION OF THE EEA JOINT COMMITTEE

### amending Annex XI (Telecommunication services) and Protocol 37 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 Articles 98 and 101 thereof,

Whereas:

- (1) Annex XI to the Agreement was amended by Decision of the EEA Joint Committee No.../... of ...<sup>1</sup>.
- (2) Protocol 37 to the Agreement was amended by Decision of the EEA Joint Committee No .../... of ...<sup>2</sup>.
- (3) Commission Decision 2002/622/EC of 26 July 2002 establishing a Radio Spectrum Policy Group<sup>3</sup> is to be incorporated into the Agreement.
- (4) For the Agreement to function well, Protocol 37 to the Agreement is to be extended to include the Radio Spectrum Policy Group set up by Decision 2002/622/EC, and Annex XI is to be amended in order to specify the procedures for association with this Group,

HAS DECIDED AS FOLLOWS:

#### *Article 1*

1. The following point shall be inserted after point 5cf (Decision No 676/2002/EC of the European Parliament and of the Council) of Annex XI to the Agreement:

‘5cg. **32002 D 0622**: Commission Decision 2002/622/EC of 26 July 2002 establishing a Radio Spectrum Policy Group (OJ L 198, 27.7.2002, p. 49).

Procedures for the association of Liechtenstein, Iceland and Norway in accordance with Article 101 of the Agreement:

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<sup>1</sup> OJ L ...  
<sup>2</sup> OJ L ...  
<sup>3</sup> OJ L 198, 27.7.2002, p. 49.

Each EFTA State may, in accordance with Article 3 of Commission Decision 2002/622/EC, appoint persons to participate as observers in the meetings of the Radio Spectrum Policy Group.

The EC Commission shall, in due time, inform the participants of the dates of the meetings of the Group and transmit to them the relevant documentation.’

2. The following point shall be inserted in Protocol 37 (containing the list provided for in Article 101) to the Agreement:

‘16. The Radio Spectrum Policy Group (Commission Decision 2002/622/EC).’

#### *Article 2*

The texts of Decision 2002/622/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 [...], 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, [...]

*For the EEA Joint Committee  
The President*

*The Secretaries  
to the EEA Joint Committee*

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\* [No constitutional requirements indicated.] [Constitutional requirements indicated.]