



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 14.10.2004
SEC(2004)1236 final

Draft

DECISION OF THE EEA JOINT COMMITTEE

**amending Protocol 31 to the Agreement, on cooperation in specific fields outside
the four freedoms**

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

EXPLANATORY MEMORANDUM

1. Protocol 31 to the EEA Agreement contains specific provisions on the cooperation between the Community and the EEA EFTA States outside the four freedoms.
2. The attached draft Decision of the EEA Joint Committee aims to modify Protocol 31 to extend the cooperation to include the establishment of a Community action programme to promote bodies active at European level and support specific activities in the field of education and training. It thus provides the legal basis for the EEA EFTA States to participate and contribute financially to this programme as from 1 January 2005. It concerns the following:

32004 D 0791: Decision No 791/2004/EC of the European Parliament and the Council establishing a Community action programme in this field.
3. Article 1.3(b) of Council Regulation (EC) No 2894/94 concerning the arrangements for implementing the EEA Agreement envisages that the Council establish the Community position for such Decisions on a proposal from the Commission.
4. The draft decision of the EEA Joint Committee is submitted for the approval of the Council, after which the Commission will put forward the position of the Community in the EEA Joint Committee at the earliest possible occasion.

Draft

DECISION OF THE EEA JOINT COMMITTEE

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.../... of ...¹.
- (2) It is appropriate to extend the cooperation of the Contracting Parties to the Agreement to include Decision No 791/2004/EC of the European Parliament and the Council establishing a Community action programme to promote bodies active at European level and support specific activities in the field of education and training².
- (3) Protocol 31 to the Agreement should therefore be amended in order to allow for this extended cooperation to take place with effect from 1 January 2005,

HAS DECIDED AS FOLLOWS:

Article 1

Article 4 of Protocol 31 to the Agreement shall be amended as follows:

1. In introductory phrase of paragraph 2h the word ‘programme’ shall be replaced with ‘programmes’.
2. The following indent shall be added in paragraph 2h:
 - ‘- **32004 D 0791**: Decision No 791/2004/EC of the European Parliament and the Council establishing a Community action programme to promote bodies active at European level and support specific activities in the field of education and training (OJ L 138, 30.4.2004, p. 31).

¹ OJ L [...], [...], p. [...].

² OJ L 138, 30.4.2004, p. 31.

The provisions of the Decision shall, for the purposes of the present Agreement, be read with the following adaptation:

The EFTA States shall participate in Action 2, 3A, 3B and 3C of the programme.’

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*.

It shall apply from 1 January 2005.

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,

*For the EEA Joint Committee
The President*

*The Secretaries
to the EEA Joint Committee*

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