



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 22.10.2003
SEC(2003) 1120 final

Draft

DECISION OF THE EEA JOINT COMMITTEE
amending Annex XIII (Transport) 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 XIII to the EEA Agreement by adding recently adopted acquis in the field of Transport. The decision concerns:

32002L0025: Commission Directive 2002/25/EC of 5 March 2002 amending Council Directive 98/18/EC on safety rules and standards for passenger ships
3. The proposal allows Norway to maintain its existing regulation that requires that fixed local application fire-fighting systems be fitted on any passenger vessels having machinery spaces above 500m³ in gross volume, independently of the number of passengers the vessels are classified to carry. The regulation is only applicable to Norwegian flagged vessels engaged in national traffic.
4. Article 1(3)(a) of Council Regulation (EC) No 2894/94 concerning the arrangements for implementing the EEA Agreement envisages that the Council establishes 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 November 2003.

Draft

DECISION OF THE EEA JOINT COMMITTEE
amending Annex XIII (Transport) 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 Article 98 thereof,

Whereas:

- (1) Annex XIII to the Agreement was amended by Decision of the EEA Joint Committee No .../... of ...¹.
- (2) Commission Directive 2002/25/EC of 5 March 2002 amending Council Directive 98/18/EC on safety rules and standards for passenger ships² is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following shall be added in point 56f (Council Directive 98/18/EC) of Annex XIII to the Agreement:

‘, as amended by:

- 32002 L 0025: Commission Directive 2002/25/EC of 5 March 2002 (OJ L 98, 15.4.2002, p. 1).

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

Without prejudice to the obligations contained in Annex I, Chapter II-2, Part A, Point 6.9, Norway may maintain its regulation requiring fixed local application fire-fighting systems to be fitted on passenger vessels having machinery spaces above 500m³ in gross volume, irrespective of the number of passengers the vessels are classified to carry.’

¹ OJ L ..., ..., p. ...

² OJ L 98, 15.4.2002, p. 1.

Article 2

The texts of Directive 2002/25/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*

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