



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 14.10.2004
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Draft

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

32003 R 1267: Regulation (EC) No 1267/2003 of the European Parliament and of the Council of 16 June 2003 amending Council Regulation (EC) No 2223/96 with respect to the time limit for transmission of the main aggregates of national accounts, to the derogations concerning the transmission of the main aggregates of national accounts and to the transmission of employment data in hours worked;

32003 R 1287: Regulation (EC, Euratom) No 1287/2003 of the Council of 15 July 2003 on the harmonisation of gross national income at market prices (GNI Regulation);

32003 D 1608: Decision No 1608/2003/EC of the European Parliament and of the Council of 22 July 2003 concerning the production and development of Community statistics on science and technology
3. Annex XXI to the EEA Agreement is to be extended to include the abovementioned regulation. The draft Decision of the EEA Joint Committee contains derogations for Liechtenstein. The reasons for these requests are as follows:
 - For Regulation (EC) No 1267/2003 and Regulation (EC) No 1287/2003, Council Regulation (EC) No 2223/96 with respect to the allocation of financial intermediation services indirectly measured (FISIM) within the European System of national and regional Accounts (ESA) does not apply to Liechtenstein.
 - For Decision No 1608/2003/EC, in Liechtenstein there are only a very few big enterprises which have R&D departments. All these enterprises operate in different sectors. For secrecy reasons data are confidential and may not be published. Additionally, the very limited capacities available within Liechtenstein for data collection, processing and development of methods and variables have to be taken into account.
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, after which the Commission will put forward the position of the Community in the EEA Joint Committee.

Draft

DECISION OF THE EEA JOINT COMMITTEE

amending Annex XXI (Statistics) 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 XXI to the Agreement was amended by Decision of the EEA Joint Committee No.../...of...¹.
- (2) Regulation (EC) No 1267/2003 of the European Parliament and of the Council of 16 June 2003 amending Council Regulation (EC) No 2223/96 with respect to the time limit for transmission of the main aggregates of national accounts, to the derogations concerning the transmission of the main aggregates of national accounts and to the transmission of employment data in hours worked² is to be incorporated into the Agreement.
- (3) Council Regulation (EC, Euratom) No 1287/2003 of 15 July 2003 on the harmonisation of gross national income at market prices (GNI Regulation)³ is to be incorporated into the Agreement.
- (4) Decision No 1608/2003/EC of the European Parliament and of the Council of 22 July 2003 concerning the production and development of Community statistics on science and technology⁴ is to be incorporated into the Agreement.
- (5) This Decision is not to apply to Liechtenstein,

HAS DECIDED AS FOLLOWS:

¹ OJ C [...], [...], p. [...].
² OJ L 180, 18.7.2003. p. 1.
³ OJ L 181, 19.7.2003 p. 1.
⁴ OJ L 230, 16.9.2003 p. 1.

Article 1

Annex XXI to the Agreement shall be amended as follows:

1. The following indent shall be added in point 19d (Council Regulation (EC) No 2223/96):

‘- **32003 R 1267:** Regulation (EC) No 1267/2003 of the European Parliament and of the Council of 16 June 2003 (OJ L 180, 18.7.2003. p. 1).

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

This Regulation shall not apply to Liechtenstein.’

2. The following point shall be inserted after point 19n (Commission Regulation (EC) No 1921/2001):

‘19o. **32003 R 1287:** Council Regulation (EC, Euratom) No 1287/2003 of 15 July 2003 on the harmonisation of gross national income at market prices (GNI Regulation) (OJ L 181, 19.7.2003. p. 1).

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

This Regulation shall not apply to Liechtenstein.’

3. The following shall be inserted after point 27 (Regulation (EC) No 2150/2002 of the European Parliament and of the Council):

‘STATISTICS ON SCIENCE AND TECHNOLOGY

28. **32003 D 1608:** Decision No 1608/2003/EC of the European Parliament and of the Council of 22 July 2003 concerning the production and development of Community statistics on science and technology (OJ L 230, 16.9.2003 p. 1).

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

This Decision shall not apply to Liechtenstein.’

Article 2

The texts of Regulation (EC) No 1267/2003, Regulation (EC, Euratom) No 1287/2003 and Decision No 1608/2003/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.]