



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 4.6.2007
SEC(2007) 741 final

Draft

DECISION OF THE EEA JOINT COMMITTEE

**amending Annex XI (Telecommunication services) to the EEA Agreement and
Protocol 37 to the EEA Agreement containing the list provided for in Article 101**

- 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:

32006 D 0215: Commission Decision 2006/215/EC of 15 March 2006 on setting up a high level expert group to advise the European Commission on the implementation and the development of the i2010 strategy (OJ L 80, 17.3.2006, p. 74).
3. Protocol 37 to the EEA Agreement is to be extended to include the high level expert group set up by Decision 2006/215/EC, and Annex XI is to be amended in order to specify the procedures for association with this Group.
4. Commission Decision 2005/752/EC of 24 October 2005 establishing an expert group on electronic commerce was incorporated into Annex XI of the Agreement by Decision of the EEA Joint Committee No 120/2006 of 22 September 2006. Annex XI is now to be amended in order to specify the procedures for association with this Group and Protocol 37 is to be extended to include the expert group set up by Decision 2005/752/EC.
5. 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.
6. 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 at the earliest possible occasion.

DECISION OF THE EEA JOINT COMMITTEE

amending Annex XI (Telecommunication services) to the EEA Agreement and Protocol 37 to the EEA Agreement containing the list provided for in Article 101

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 and 101 thereof,

Whereas:

- (1) Annex XI to the Agreement was amended by Decision of the EEA Joint Committee No .../... of ...¹.
- (2) Protocol 37 to the Agreement was amended by Decision of the EEA Joint Committee No .../... of ...².
- (3) Commission Decision 2006/215/EC of 15 March 2006 on setting up a high level expert group to advise the European Commission on the implementation and the development of the i2010 strategy³ 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 high level expert group set up by Decision 2006/215/EC, and Annex XI is to be amended in order to specify the procedures for association with this group.
- (5) Commission Decision 2005/752/EC of 24 October 2005 establishing an expert group on electronic commerce⁴ was incorporated into Annex XI of the Agreement by Decision of the EEA Joint Committee No 120/2006 of 22 September 2006⁵.
- (6) For the Agreement to function well, Protocol 37 to the Agreement is to be extended to include the expert group on electronic commerce set up by Decision 2005/752/EC, and Annex XI is to be amended in order to specify the procedures for association with this group,

¹ OJ L ...

² OJ L ...

³ OJ L 80, 17.3.2006, p. 74.

⁴ OJ L 282, 26.10.2005, p. 20.

⁵ OJ L 333, 30.11.2006, p. 47.

HAS DECIDED AS FOLLOWS:

Article 1

Annex XI to the Agreement shall be amended as follows:

1. The following point shall be inserted after point 5n (Commission Decision 2005/752/EC):

‘5o. 32006 D 0215: Commission Decision 2006/215/EC of 15 March 2006 on setting up a high level expert group to advise the European Commission on the implementation and the development of the i2010 strategy (OJ L 80, 17.3.2006, p. 74).

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

Each EFTA State may, in accordance with Article 3 of Commission Decision 2006/215/EC, appoint persons to participate as observers in the meetings of the i2010 High Level 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 shall be added in point 5n (Commission Decision 2005/752/EC):

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

Each EFTA State may, in accordance with Article 3 of Commission Decision 2005/752/EC, appoint a person to participate as observers in the meetings of the expert group on electronic commerce.

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.’

Article 2

The following points shall be inserted in Protocol 37 to the Agreement:

- ’18. The expert group on electronic commerce (Commission Decision 2005/752/EC).
19. The i2010 High Level Group (Commission Decision 2006/215/EC).’

Article 3

The texts of Decision 2006/215/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 4

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 5

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.]