



EUROPEAN
COMMISSION

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2013/0054 (NLE)

Proposal for a

COUNCIL DECISION

**on the position to be adopted, on behalf of the European Union,
in the EEA Joint Committee
concerning an amendment to Annex XXI
to the EEA Agreement**

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE PROPOSAL

In order to ensure the requisite legal security and homogeneity of the Internal Market, the EEA Joint Committee is to integrate all the relevant EU legislation into the EEA Agreement as soon as possible after its adoption.

2. RESULTS OF CONSULTATIONS WITH THE INTERESTED PARTIES AND IMPACT ASSESSMENTS

The draft Decision of the EEA Joint Committee (annexed to the proposed Council Decision) aims to amend Annex XXI (Statistics) to the EEA Agreement by incorporating Commission Regulation (EU) No 555/2012 of 22 June 2012 amending Regulation (EC) No 184/2005 of the European Parliament and of the Council on Community statistics concerning balance of payments, international trade in services and foreign direct investment, as regards the update of data requirements and definitions.

The draft Decision of the EEA Joint Committee provides for exemptions for Norway and Iceland not to report balance of payments data on a monthly basis to Eurostat as required in Table 1 of Annex 1 in the Annex of Commission Regulation (EU) No 555/2012 of 22 June 2012 amending Regulation (EC) No 184/2005 of the European Parliament and of the Council since such data is either not produced in such frequency or would necessitate the complete reorganisation of the data collection framework, while Liechtenstein is exempted from the application of this Regulation based on point 19s of Annex XXI to the EEA Agreement

3. LEGAL ELEMENTS OF THE PROPOSAL

Article 1(3) of Council Regulation (EC) No 2894/94 concerning arrangements for implementing the EEA Agreement provides that the Council establishes the position to be adopted on the Union's behalf on such Decisions, on a proposal from the Commission.

The Commission submits the Draft Decision of the EEA Joint Committee for adoption by the Council as the Union's position. The Commission would hope to be able to present it in the EEA Joint Committee at the earliest possible opportunity.

Proposal for a

COUNCIL DECISION

**on the position to be adopted, on behalf of the European Union,
in the EEA Joint Committee
concerning an amendment to Annex XXI
to the EEA Agreement**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 338 (1), in conjunction with Article 218 (9) thereof,

Having regard to Council Regulation (EC) No 2894/94 of 28 November 1994 concerning arrangements for implementing the Agreement on the European Economic Area¹, and in particular Article 1(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Agreement on the European Economic Area² (“the EEA Agreement”) entered into force on 1 January 1994.
- (2) Pursuant to Article 98 of the EEA Agreement, the EEA Joint Committee may decide to amend, inter alia, Annex XXI thereto.
- (3) Annex XXI to the EEA Agreement contains specific provisions and arrangements concerning Statistics
- (4) Commission Regulation (EU) No 555/2012 of 22 June 2012 amending Regulation (EC) No 184/2005 of the European Parliament and of the Council on Community statistics concerning balance of payments, international trade in services and foreign direct investment, as regards the update of data requirements and definitions³ should be incorporated in the EEA Agreement, with certain adaptations for Norway, Iceland and Liechtenstein.

¹ OJ L 305, 30.11.1994, p. 6.

² OJ L 1, 3.1.1994, p. 3.

³ OJ L 166, 27.6.2012, p. 22.

- (5) Annex XXI to the EEA Agreement should therefore be amended accordingly.
- (6) The position of the Union in the EEA Joint Committee should be based on the attached draft Decision,

HAS ADOPTED THIS DECISION:

Article 1

The position to be adopted, on behalf of the European Union, in the EEA Joint Committee on the proposed amendment to Annex XXI to the EEA Agreement shall be based on the draft Decision of the EEA Joint Committee attached to this Decision.

Article 2

This Decision shall enter into force on the day of its adoption.

Done at Brussels,

*For the Council
The President*

ANNEX

Draft

DECISION OF THE EEA JOINT COMMITTEE No

of

amending Annex XXI (Statistics) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area (“the EEA Agreement”), and in particular Article 98 thereof,

Whereas:

- (1) Commission Regulation (EU) No 555/2012 of 22 June 2012 amending Regulation (EC) No 184/2005 of the European Parliament and of the Council on Community statistics concerning balance of payments, international trade in services and foreign direct investment, as regards the update of data requirements and definitions¹ is to be incorporated into the EEA Agreement.
- (2) Annex XXI to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Point 19s (Regulation (EC) No 184/2005 of the European Parliament and of the Council) of Annex XXI to the EEA Agreement shall be amended as follows:

1. The following indent is added:
 - ‘ **32012 R 0555**: Commission Regulation (EU) No 555/2012 of 22 June 2012 (OJ L 166, 27.6.2012, p. 22).’
2. The text of the adaptation is replaced by the following:
 - ‘(a) Points 1 and 2 of Table 1 of Annex I shall not apply to Norway.’

¹ OJ L 166, 27.6.2012, p. 22.

- (b) Table 1 of Annex I shall not apply to Iceland before May 2017.
- (c) This Regulation shall not apply to Liechtenstein.’

Article 2

The texts of Regulation (EU) No 555/2012 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 EEA Agreement have been made*.

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.]