



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 27 February 2013**

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2013/0054 (NLE)**

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**PROPOSAL**

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from:	European Commission
dated:	25 February 2013
No Cion doc.:	COM(2013) 91 final
Subject:	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 (Statistics)

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Delegations will find attached a proposal from the Commission, submitted under a covering letter from Mr Jordi AYET PUIGARNAU, Director, to Mr Uwe CORSEPIUS, Secretary-General of the Council of the European Union.

Encl.: COM(2013) 91 final



EUROPEAN  
COMMISSION

Brussels, 25.2.2013  
COM(2013) 91 final

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 Area<sup>1</sup>, and in particular Article 1(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Agreement on the European Economic Area<sup>2</sup> (“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 definitions<sup>3</sup> should be incorporated in the EEA Agreement, with certain adaptations for Norway, Iceland and Liechtenstein.

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<sup>1</sup> OJ L 305, 30.11.1994, p. 6.

<sup>2</sup> OJ L 1, 3.1.1994, p. 3.

<sup>3</sup> 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 definitions<sup>1</sup> 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.’

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<sup>1</sup> 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*

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