



**COUNCIL OF
THE EUROPEAN UNION**

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(OR. en)**

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Subject: COUNCIL DECISION on the position to be taken by the European Union in the EEA Joint Committee concerning an amendment to Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms

COUNCIL DECISION No .../2012/EU

of

**on the position to be taken by the European Union in the EEA Joint Committee
concerning an amendment to Protocol 31 to the EEA Agreement,
on cooperation in specific fields outside the four freedoms**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 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,

¹ OJ L 305, 30.11.1994, p. 6.

Whereas:

- (1) The Agreement on the European Economic Area¹ ("the EEA Agreement") entered into force on 1st January 1994.
- (2) Pursuant to Article 98 of the EEA Agreement, the EEA Joint Committee may decide to amend, among others, Protocol 31 to the EEA Agreement.
- (3) Protocol 31 to the EEA Agreement contains provisions and arrangements concerning cooperation in specific fields outside the four freedoms.
- (4) It is appropriate to continue the cooperation of the Contracting Parties to the EEA Agreement in Union actions funded from the general budget of the European Union regarding the implementation, operation and development of the internal market.
- (5) Protocol 31 to the EEA Agreement should therefore be amended in order to allow for this extended cooperation to continue beyond 31 December 2011.
- (6) The position of the Union in the EEA Joint Committee should be based on the attached draft Decision,

HAS ADOPTED THIS DECISION:

¹ OJ L 1, 3.1.1994, p. 3.

Article 1

The position to be taken by the European Union in the EEA Joint Committee on the proposed amendment to Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms, 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

DRAFT

DECISION No .../2012 OF THE EEA JOINT COMMITTEE

of

**amending Protocol 31 to the EEA Agreement,
on cooperation in specific fields outside the four freedoms**

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 Articles 86 and 98 thereof,

Whereas:

- (1) Protocol 31 to the Agreement was amended by Decision of the EEA Joint Committee No .../... of ...¹.
- (2) It is appropriate to continue the cooperation of the Contracting Parties to the Agreement in Union actions funded from the general budget of the European Union regarding the implementation, operation and development of the Internal Market.
- (3) Protocol 31 to the Agreement should therefore be amended in order to allow for this extended cooperation to continue beyond 31 December 2011,

HAS ADOPTED THIS DECISION:

¹ OJ L ...

Article 1

Article 7 of Protocol 31 to the Agreement shall be amended as follows:

1. The words 'years 2004, 2005, 2006, 2007, 2008, 2009, 2010 and 2011' in paragraph 6 shall be replaced by the words 'years 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011 and 2012'.
2. The words 'years 2006, 2007, 2008, 2009, 2010 and 2011' in paragraph 7 shall be replaced by the words 'years 2006, 2007, 2008, 2009, 2010, 2011 and 2012'.
3. The words 'years 2008, 2009, 2010 and 2011' in paragraph 8 shall be replaced by the words 'years 2008, 2009, 2010, 2011 and 2012'.

Article 2

This Decision shall enter into force on the day following the last notification to the EEA Joint Committee under Article 103(1) of the Agreement* .

It shall apply from 1 January 2012.

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

Article 3

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*
