

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 25 October 2004

concerning the conclusion of an Agreement in the form of an Exchange of Letters between the European Community and the Kingdom of Norway on Protocol 2 to the bilateral Free Trade Agreement between the European Economic Community and the Kingdom of Norway

(Text with EEA relevance)

(2004/859/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 in conjunction with the first sentence of the first subparagraph of Article 300(2) thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) Protocol 2 to the bilateral free trade agreement between the European Economic Community and the Kingdom of Norway⁽¹⁾, of the one hand, and Protocol 3 to the EEA Agreement, as amended by Decision No 140/2001 of the EEA Joint Committee⁽²⁾, of the other hand, determine the trade arrangements for certain agricultural and processed agricultural products between the Contracting Parties.
- (2) At the time of the adoption of Decision No 140/2001, the EC and Norway stated in a joint declaration that the non-agricultural component of customs duties on products in Table I of Protocol 3 must be eliminated. On this basis, discussions between Commission and Norwegian officials were concluded on 11 March 2004. The new tariff concessions shall be implemented by an EEA Joint Committee Decision amending Protocol 3 to the EEA Agreement.
- (3) An agreement in the form of an exchange of letters between the European Community and the Kingdom of Norway on Protocol 2 to the bilateral Free Trade

Agreement between the European Economic Community and the Kingdom of Norway, has also been negotiated in order to take into account the results of these discussions.

- (4) The measures necessary for the implementation of this Decision should be adopted in accordance with Council Decision 1999/468/EEC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission⁽³⁾.

- (5) The Agreement should be approved,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement in the form of an Exchange of Letters between the European Community and the Kingdom of Norway concerning Protocol No 2 to the bilateral Free Trade Agreement between the European Economic Community and the Kingdom of Norway is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council is hereby authorised to designate the person empowered to sign the Agreement in order to bind the Community.

⁽¹⁾ OJ L 171, 27.6.1973, p. 2.

⁽²⁾ OJ L 22, 24.1.2002, p. 34.

⁽³⁾ OJ L 184, 17.7.1999, p. 23.

Article 3

The measures necessary for the implementation of this Decision shall be adopted in accordance with the procedure referred to in Article 4(2).

Article 4

1. The Commission shall be assisted by the management committee on horizontal questions concerning trade in processed agricultural products referred to in Article 16 of Council Regulation (EC) No 3448/93⁽¹⁾, hereinafter referred to as 'the Committee'.

2. Where reference is made to this paragraph, Articles 4 and 7 of Decision 1999/468/EC shall apply.

The period laid down in Article 4(3) of Decision 1999/468/EC shall be set at one month.

3. The Committee shall adopt its Rules of Procedure.

Done at Luxembourg, 25 October 2004

For the Council

The President

R. VERDONK

⁽¹⁾ OJ L 318, 20.12.1993, p. 18. Regulation as last amended by Regulation (EC) No 2580/2000 (OJ L 298, 25.11.2000, p. 5).