Council of the European Union

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**LEGISLATIVE ACTS AND OTHER INSTRUMENTS**

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|---|---|
| Subject: | COUNCIL DECISION on the position to be adopted on behalf of the European Union within the EEA Joint Committee concerning the amendment of Annex IV (Energy) to the EEA Agreement (Network code on harmonised transmission tariff structures for gas) |

**COUNCIL DECISION (EU) 2026/…**

**of …**

**on the position to be adopted on behalf of the European Union within the EEA Joint Committee concerning the amendment of Annex IV (Energy) to the EEA Agreement (Network code on harmonised transmission tariff structures for gas)**

**(Text with EEA relevance)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 95, 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[1], 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, ELI: http://data.europa.eu/eli/reg/1994/2894/oj.

Whereas:

(1) The Agreement on the European Economic Area[2] (the 'EEA Agreement') entered into force on 1 January 1994.

(2) Pursuant to Article 98 of the EEA Agreement, the EEA Joint Committee is able to amend, inter alia, Annex IV (Energy) to the EEA Agreement.

(3) It is appropriate to incorporate Commission Regulation (EU) 2017/460[3] into the EEA Agreement.

(4) Annex IV (Energy) to the EEA Agreement should therefore be amended accordingly.

(5) It is therefore appropriate to establish the position to be adopted within the EEA Joint Committee concerning the amendment of Annex IV (Energy) to the EEA Agreement,

HAS ADOPTED THIS DECISION:

[2] OJ L 1, 3.1.1994, p. 3, ELI: http://data.europa.eu/eli/agree_internation/1994/1/oj.

[3] Commission Regulation (EU) 2017/460 of 16 March 2017 establishing a network code on harmonised transmission tariff structures for gas (OJ L 72, 17.3.2017, p. 29, ELI: http://data.europa.eu/eli/reg/2017/460/oj).

*Article 1*

The position to be adopted on the Union's behalf within the EEA Joint Committee concerning the proposed amendment of Annex IV (Energy) 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 date of its adoption.

Done at …, …

*For the Council*
*The President*