

DECISION
ADB(D) 22-2009

Definition of "Total contribution"

THE ADMINISTRATIVE BOARD OF THE SESAR JOINT UNDERTAKING (SJU),

Having regard to Council Regulation (EC) 219/2007 as last modified by Council Regulation (EC) 1361/2008, here after the "SJU Regulation",

Having regard to Article 12 of the SJU Statutes (hereafter the "SJU Statutes"),

Having regard to Heading 8 (Members' contributions) of the Principles governing the accession and participation of the Members of the SJU adopted by the Administrative Board on 1 December 2008,

Having regard to Article 98.2 of the SJU Financial Rules adopted by the Administrative Board on 12 June 2009,

Having regard to Article 4(i) and Schedule 1 of the Membership Agreements (MA) and Article 9 and Schedule 1 of the Multi-lateral framework agreements (MFA) concluded between the SJU and its Members,

Whereas the percentage of cash contribution to be provided by each member of the SJU should be calculated on a basis which does not include the co-financing awarded by the SJU and other contributions provided by the Member that are not eligible for co-financing,

Whereas the provisions on cash contribution in the MA and the MFA are in line with the related provisions of the SJU Financial Rules and the Principles governing the accession and participation of the Members of the SJU,

Whereas the notion of "Total contribution" is not defined in the Financial Rules, in the Principles governing the accession and participation of the Members of the SJU or in the MA and MFA;

Whereas the breakdown of the EUROCONTROL contribution is set up in Schedule 2 of the Agreement between EUROCONTROL and the SJU;

In its ordinary meeting of 24 September 2009, **HAS DECIDED AS FOLLOWS:**

Article 1

For the purpose of calculating the in-cash contribution to the SJU of an SJU Member other than EUROCONTROL and the European Commission, their "total contribution" referred to:

- in Article 98.2 of the SJU Financial Rules,
- in the first paragraph of Heading 8 of the Principles governing the accession and participation of the Members of the SJU, as well as
- in Article 4(i) of the MA,

shall be interpreted as the Member's eligible costs defined in the MFA net of the co-financing awarded by the SJU to the Member and net of other in-kind contributions provided by the Member going beyond those amounts eligible for co-financing.

This decision shall enter into force on the date of its adoption.

Done in Brussels, 24 September 2009.

For the Administrative Board



Daniel Calleja Crespo
The Chairperson

