

**DECISION**  
**ADB(D)-01-2012**

**Allocation of voting rights to Board members**

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

**Having regard to:**

1. Article 4.2 of the SJU Statutes, annexed to Council Regulation (EC) No 219/2007 of 27 February 2007, as last modified by Council Regulation (EC) No 1361/2008, establishing the SJU,
2. The Administrative Board decision of 1 December 2008 on "*voting rights at the Administrative Board*",
3. The Administrative Board provisional decision ADB(D)-7-2009 of 26 March 2009 on the award of the membership to the SJU candidate members (item 6b), decision confirmed by the formal adoption of the European Union's position by the European Commission on 28 April 2009, reference C(2009)(3040),
4. The Administrative Board decision ADB(D)-29-2009 of 14 December 2009 on the Report of the Executive Director on the award of the activities in the context of IBAFO2.

**Whereas:**

1. The contribution of the European Commission at the end of 2011 which amounted to EUR 530.0 million in terms of actual commitments - of which EUR 197.6 million paid - in front of an overall commitment of EUR 700 million;
2. The contribution of Eurocontrol at the end of 2011 which, taking into account the committed cash contribution and the results of IBAFO I and II awards and the results of the reallocation exercise conducted in 2011, amounts to EUR 663.4 million, in front of an overall commitment of EUR 700 million. At the end of 2011, EUR 80.8 million were recorded as contributions and EUR 59.3 million estimated as contributions to be validated;
3. The net contributions of the other SJU Members at the end of 2011 which, taking into account the committed cash and in kind contributions resulting from IBAFO I and II awards and the results of reallocation exercise conducted in 2011, amount to EUR 624.9.4 million. At the end of 2011, EUR 54.4 million were recorded as net contributions and EUR 90.5 million estimated as net contributions to be validated;
4. The fact that the value of cash and in kind contributions is subject to the provisions of Article 13 of the Multilateral Framework Agreement;
5. As agreed by the Administrative Board in approving the Annual Work Plan 2012, a Tiger Team will provide recommendations in order to increase the Programme efficiency for the use of resources and to rationalize some aspects of the Programme which may result in a possible IBAFO III or in an important reallocation of resources;
6. Consequently, it appears pre-mature to bring any adjustment to the voting rights to take into account the effective contribution(s) of each member;

In its ordinary meeting of 29 March 2012, HAS DECIDED AS FOLLOWS:

Article 1

The voting rights allocated to the members of the SJU in accordance with Article 4.2 of SJU Statutes Article 9.2 of the Agreement between Eurocontrol and the SJU of 12 June 2009 and the Membership Agreements between the SJU and its other Members signed on 12 June 2009, are maintained as follows:

| <u>Members</u> | <u>Total Net Contribution EUR</u> | <u>Voting rights</u> |
|----------------|-----------------------------------|----------------------|
| European Union | 700.000.000                       | 31,12%               |
| Eurocontrol    | 700.000.000                       | 31,12%               |
| Airspace Users | 0                                 | 10,00%               |
| AENA           | 38.229.532                        | 1,70%                |
| AIRBUS         | 57.135.108                        | 2,54%                |
| ALENIA         | 20.273.751                        | 0,90%                |
| DFS            | 37.765.865                        | 1,68%                |
| DSNA           | 35.365.585                        | 1,57%                |
| ENAV           | 37.251.347                        | 1,66%                |
| FREQUENTIS     | 16.443.707                        | 0,73%                |
| HONEYWELL      | 21.327.194                        | 0,95%                |
| INDRA          | 71.184.108                        | 3,17%                |
| NATMIG         | 20.918.226                        | 0,93%                |
| NATS           | 37.304.399                        | 1,66%                |
| NORACON        | 33.961.368                        | 1,51%                |
| SEAC           | 8.802.249                         | 0,39%                |
| SELEX          | 53.722.711                        | 2,39%                |
| THALES         | 134.529.876                       | 5,98%                |
| <b>Total</b>   | <b>2.024.215.026</b>              | <b>100,00%</b>       |

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

Done in Brussels, 29 March 2012

For the Administrative Board



Matthias Ruete  
*The Chairperson*