

**DECISION**  
**ADB(D)-01-2013**

**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.
5. The results of the Reallocation process which took place during 2011 and brought to an amendment of the Multilateral Framework Agreement to take into account the modifications to the Programme activities in accordance with the decision of the Administrative Board ADB(10)2011 of 15 December 2011. This Reallocation process, nevertheless, did not result in an amendment of the Membership Agreements which may be subject to modification as result of the Reallocation process to be performed during 2013.

**Whereas:**

1. The contribution of the European Commission at the end of 2012 which amounted to EUR 640.118.280 in terms of actual commitments - of which EUR 267.265.000 paid - in front of an overall commitment of EUR 700.000.000;
2. The contribution of Eurocontrol at the end of 2012 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 263.601.401, in front of an overall commitment of EUR 700.000.000. At the end of 2012, EUR 177.605.351 were recorded as contributions and EUR 85.996.050 estimated as contributions to be validated;
3. The net contributions of the other SJU Members at the end of 2012 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 213.016.739. At the end of 2012, EUR 134.572.313 were recorded as net contributions and EUR 78.444.396 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 2013, a resource reallocation exercise and a possible BAFO III will be performed in 2013;
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 14 March 2013, 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, 14 March 2013

For the Administrative Board

A handwritten signature in blue ink, consisting of a stylized 'M' followed by the name 'Ruete' in a cursive script.

Matthias Ruete  
*The Chairperson*