

DECISION
ADB(D)-05-2016

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 and Council Regulation (EU) 721/2014 of 16 June 2014, establishing the SJU,
2. The Administrative Board decision ADB(D)14-2008 of 1 December 2008 on "*Voting rights in 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 IBAFO II,
5. The results of the Reallocation 2013 and IBAFO III process which took place during 2013 and brought to an amendment of the Multilateral Framework Agreement and of the individual Membership Agreements to take into account the modifications of the Programme activities in accordance with the decision of the Administrative Board ADB(D)13-2013 of 12 December 2013,
6. The Administrative Board decision ADB(D)02-2014 of 26 June 2014 on "*Allocation of voting rights to Board members*",

Whereas:

1. At the end of 2015, the European Union had contributed to the SJU for the amount of EUR 700.000.000 in accordance with the SJU Regulation in terms of commitments and EUR 522.136.174 in terms of payments. The outstanding amount of EUR 177.863.826 will be paid during the following years to cover the requests of co-financing of the Members and the other SJU legal obligations;
2. The total amount of the resources made available by the EU is fully committed in front of the current and future obligations of the SJU, in accordance with the activities performed to achieve the SESAR R&D Programme as well as to contribute to the execution of the European ATM Master Plan 2012;
3. The contribution of Eurocontrol at the end of 2015 which, taking into account the committed cash contribution and the results of Reallocation 2013 & IBAFO III awards, amounts to EUR 670.174.405,00, in front of an overall commitment of EUR 700.000.000. At the end of 2015, out of EUR 500.812.756 accounted for in the Provisional Annual Accounts 2015, EUR 348.386.454 were recorded as contributions and EUR 152.426.302 estimated as contributions to be validated for the years 2014 and 2015;

4. The net contributions of the other SJU Members at the end of 2015 which, taking into account the committed cash and in kind contributions resulting from the results of Reallocation 2013 and IBAFO III conducted in 2013, amount to EUR 584.305.863. At the end of 2015, out of EUR 485.112.123 accounted for in the Provisional Annual Accounts 2015, EUR 394.250.962 were recorded as net contributions and EUR 90.861.161 estimated as net contributions to be validated;
5. The fact that the value of cash and in kind contributions is subject to the provisions of Article 13 of the Multilateral Framework Agreement;

In its ordinary meeting of 28 April 2016, 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 follows¹:

<u>Members</u>	<u>Total Net Contribution EUR</u>	<u>of which</u>		<u>Voting rights</u>
		<u>Total Net in Kind</u>	<u>cash</u>	
European Union	700.000.000,00	0,00	700.000.000,00	32,23%
Eurocontrol	670.174.405,00	505.174.405,00	165.000.000,00	30,86%
Airspace Users	0,00	0,00	0,00	10,00%
ENAIRE	32.647.023,00	31.092.403,00	1.554.620,00	1,50%
DFS	37.747.400,00	35.949.905,00	1.797.495,00	1,74%
DSNA	35.365.590,00	33.681.514,00	1.684.076,00	1,63%
ENAV	37.571.359,00	35.782.247,00	1.789.112,00	1,73%
NATS	33.835.093,00	32.223.898,00	1.611.195,00	1,56%
NORACON	32.687.488,00	31.130.941,00	1.556.547,00	1,51%
SEAC	8.726.743,00	8.311.184,00	415.559,00	0,40%
FREQUENTIS	16.429.337,00	15.646.988,00	782.349,00	0,76%
INDRA	62.558.708,00	59.579.722,00	2.978.986,00	2,88%
NATMIG	20.792.074,00	19.801.975,00	990.099,00	0,96%
SELEX	46.228.472,00	44.027.116,00	2.201.356,00	2,13%
THALES	121.276.975,00	115.501.881,00	5.775.094,00	5,58%
AIRBUS	57.135.108,00	54.414.389,00	2.720.719,00	2,63%
ALENIA	19.919.548,00	18.970.998,00	948.550,00	0,92%
HONEYWELL	21.384.945,00	20.366.614,00	1.018.331,00	0,98%
Total	1.954.480.268,00	1.061.656.180,00	892.824.088,00	100,00%

¹ Finmeccanica voting rights are the sum of those allocated to Selex and Alenia. .

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

Done in Brussels, 28 April 2016.

For the Administrative Board

The Chairperson
Henrik Hololei

