

DECISION
ADB(D)03-2020

**adopting the first amended version of the
SESAR JU Single Programming Document (SPD) 2020-2022**

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

Having regard to:

- Council Regulation (EC) No 219/2007 of 27 February 2007, on the establishment of a Joint Undertaking to develop the new generation of the European Air Traffic Management system (SESAR) ⁽¹⁾, as amended by Council Regulation (EC) No 1361/2008 of 16 December 2008 ⁽²⁾ and by Council Regulation (EU) No 721/2014 of 16 June 2014 ('SESAR JU Regulation') ⁽³⁾, and the SESAR JU Statutes annexed thereto ('SESAR JU Statutes'),
- Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 ⁽⁴⁾, and in particular Articles 6, 12, 18, 53, 70 and 110 thereof,
- Regulation (EU) No 1291/2013 of the European Parliament and of the Council of 11 December 2013 establishing Horizon 2020 - the Framework Programme for Research and Innovation (2014-2020) and repealing Decision No 1982/2006/EC ('H2020 Regulation') ⁽⁵⁾, and in particular Articles 23 and 25 thereof,
- Regulation (EU) No 1290/2013 of the European Parliament and of the Council of 11 December 2013 laying down the rules for participation and dissemination in 'Horizon 2020 - the Framework Programme for Research and Innovation (2014-2020)' and repealing Regulation (EC) No 1906/2006 ('the Rules for Participation') ⁽⁶⁾, and in particular Article 11 thereof,
- Communication from the Commission C(2014) 9641 final on the guidelines for programming document for decentralised agencies and the template for the Consolidated Annual Activity Report for decentralised agencies,
- The SESAR JU Financial Rules adopted by the Administrative Board on 9 October 2019 (ref. ADB(D)-21-2019), and in particular Articles 12, 16, 31, 32, 33 and 37 thereof,

⁽¹⁾ OJ L 64, 2.3.2007, p. 1.

⁽²⁾ OJ L 352, 31.12.2008, p. 12.

⁽³⁾ OJ L 192, 1.7.2014, p. 1.

⁽⁴⁾ OJ L 193, 30.7.2018, p. 1.

⁽⁵⁾ OJ L 347, 20.12.2013, p. 104.

⁽⁶⁾ OJ L 347, 20.12.2013, p. 81.

Whereas:

- (1) By decision ADB(D)24-2019 of 17 December 2019, the SESAR JU Administrative Board adopted the SESAR JU Single Programming Document 2020-2022 ('SPD 2020-2022').
- (2) Article 12(1) of the SESAR JU Financial Rules establishes that cancelled appropriations may be entered in the estimates of revenue and expenditure up to the following three financial years. Article 16(1) of the SESAR JU Financial Rules establishes that, if the budget result is positive, it shall be entered in the budget of the SESAR JU for the following financial year as revenue. To ensure adequate financing of the SESAR 2020 Programme and continuity of SESAR JU's activities in 2020 it is necessary to enter the unused 2018 and 2019 appropriations into the 2020 budget of the SESAR JU. Therefore, Section III - paragraph 3.2 should be inserted while Section II - sub-paragraph 3.2.2 and Annexes I and II should be adjusted accordingly.
- (3) Following the ex-post audit of the SESAR 1 Programme conducted in 2019, a financial contribution of EUR 30.959.396, paid by the SESAR 1 Members to the SESAR JU in excess of actual needs, has been determined. Consequently, in respect of the principle of sound financial management, the excess financial contributions should be repaid as soon as possible to the respective SESAR 1 Members. To ensure budget adequacy for effectuating the repayments during 2020, the corresponding amount of EUR 30.959.396 must be entered in SESAR JU's 2020 Statement of revenue and in the 2020 Statement of expenditure. Additionally, planning of adoption of the corresponding Administrative Board decision and an indicator related to the repayment of excess financial contributions must be included in Section III - Chapter 2 and sub-paragraph 2.6.10 respectively.
- (4) The SESAR JU currently employs one contract agent with a contract of indefinite duration in a vacant AD7 post. To align the number of temporary agents and contract agents actually employed with the numbers envisaged for 2021, the text in Section II - sub-paragraph 3.2.1 and tables in Annex III should be adjusted.
- (5) Following the review of the topic 'Collaborative U-space-ATM interface' in the specific conditions for the IR-VLD Wave 3 call for proposals, the SESAR JU assessed that a more comprehensive description of the topic would provide additional clarity to the call participants. Therefore, the text related to the mentioned topic in Section III - sub-point 2.6.1.3.4 should be amended.
- (6) The revised SESAR JU organisation chart was adopted through the Administrative Board's decision on 6 June 2019 ⁽⁷⁾. This decision was complemented by the Executive Director's decision of 16 January 2020 on the SESAR JU functional organisational chart ⁽⁸⁾. To ensure alignment in presenting the SESAR JU's temporary agent posts per area of activity and function in the SPD 2020-2022 with the Administrative Board's and Executive Director's decisions, the Table 47 in Annex IV, part A.4, should be updated.
- (7) The Withdrawal Agreement between the European Union and the United Kingdom entered into force on 1 February 2020. Therefore, the disclaimers related to the potential withdrawal of the United Kingdom from the European Union, adapted for use in Horizon 2020 calls for proposals prior to the entry into force of the Withdrawal Agreement, should be replaced by a new notice prepared by the European Commission in Section III - sub-point 2.6.1.1.1 and removed from other parts of the document.

⁽⁷⁾ Decision ADB(D)11-2019 adopted through written procedure ADB(WP)2019-007 concluded on 6 June 2019.

⁽⁸⁾ Decision SJU/ED/689 of 16 January 2020.

- (8) The SPD 2020-2022 needs to be amended as it comprises the 2020 Annual Work Programme (2020 Annual Work Plan in the meaning of Article 2(1)(22) of the Horizon 2020 Rules for Participation), the 2020-2022 Multi-Annual Work Programme, the 2020 Budget and the 2020 Staff Establishment Plan, and serves as financing decision for the activities to be performed by the SESAR JU in 2020.
- (9) In accordance with Article 9 of the Rules of Procedure of the Administrative Board, a written procedure for the adoption of the first amended SESAR JU SPD 2020-2022 was launched on 28 February 2020 and concluded on 13 March 2020 with a positive result,

HAS DECIDED AS FOLLOWS:

Article 1

The SESAR JU SPD 2020-2022 adopted by ADB decision no. ADB(D)24-2019 of 17 December 2019, is replaced by the first amended SESAR JU SPD 2020-2022 annexed to this decision.

Article 2

This decision shall enter into force on the day following that of its adoption.

Upon adoption, the first amended SESAR JU SPD 2020-2022 shall be made publicly available on the website of the SESAR JU.

Done in Brussels, 1 April 2020.

For the SESAR JU Administrative Board


The Chairperson
Henk Holstei

Annexes:

- adopted first amended version of the SESAR JU SPD 2020-2022