

## DECISION ADB(D)08-2021

### On evaluation of the value of in-kind contributions by selected members and EUROCONTROL for the third IKOP Reporting Period (2019) of Wave 1, and corresponding allocation of voting rights to Administrative Board members

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

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 European Air Traffic Management system (SESAR)<sup>1</sup> as amended by Council Regulation (EC) No 1361/2008 of 16 December 2008<sup>2</sup> and by Council Regulation (EU) No 721/2014 of 16 June 2014<sup>3</sup> ('SJU Regulation'), and in particular Articles 4(2), 5(1)(g) and 12(5) of the Annex to the SJU Regulation, "Statutes of the joint undertaking" ('SJU Statutes'),
- The Administrative Board decision ADB(D)02-2016 of 9 March 2016 on the "Accession of new Members to the SESAR Joint Undertaking",
- The SJU Membership Agreements between the SJU and its Members signed on 6 July 2016, and in particular Article 10.3.2 thereof, and including any later amendments<sup>4</sup>,
- The Agreement between Eurocontrol and the SJU signed on 7 September 2016,
- The Administrative Board decision ADB(D)13-2016 of 23 September 2016 on "Voting rights in the Administrative Board",
- The Methodology and Validation process for Members In-Kind Contributions (IKC) in the SJU (SESAR2020 Programme only), adopted by the Administrative Board with decision ADB(D)24-2016 of 15 December 2016,
- The Administrative Board decision ADB(D)07-2019 of 7 May 2019 "On the evaluation of the value and utility of in-kind contributions by selected Members and EUROCONTROL for the first Reporting Period (2016-2017) - call H2020-SESAR-2015-2 (Wave 1)",
- The Administrative Board decision ADB(D)09-2019 of 7 May 2019 "On allocation of voting rights to Administrative Board members",
- The Administrative Board decision ADB(D)05 2020 of 6 May 2020 "On evaluation of the value of in-kind contributions by selected members and EUROCONTROL for the second IKOP Reporting Period (2018) of Wave 1, and corresponding allocation of voting rights to Administrative Board members".
- The Administrative Board decisions ADB(D)05 2021, ADB(D)06 2021 and ADB(D)07 2021 of 23 April 2021, approving adjustments of In-Kind contribution to the SJU.

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<sup>1</sup> OJ L 64, 2.3.2007, p. 1

<sup>2</sup> OJ L 352, 31.12.2008, p. 12

<sup>3</sup> OJ L 192, 1.7.2014, p. 1

<sup>4</sup> ADB Decisions ADB(D)05-2021, ADB(D)06-2021 & ADB(D)07-2021 amend the Membership Agreements established on 6 July 2016

**Whereas:**

1. Under the signed SJU Membership Agreement including and any signed amendments, each Member committed to contribute to SJU projects for a minimum level of In-Kind Contributions,
2. The value of the Members' In-kind Contributions was calculated on the basis of the costs incurred by the Members in implementing the actions under the relevant grant agreement(s) after deduction of the SJU co-financing and any other European Union co-financing to these costs,
3. The SJU evaluated the information provided in an Interim Financial Statement by the Members in order to assess the validity of this information,
4. The validation of the In-kind Contributions of certain amounts is subject to the submission of the certificates that are outstanding and these amounts will be recognized as "Contributions of Members to be validated",
5. The value of the declared in-kind Contributions, as recorded in the Article 1, is supported by duly certified cost claims and In-Kind Contribution declarations transmitted by the Members for the third Reporting Period (RP) 2019 and was established in accordance with the Methodology and Validation process for In-kind Contributions (IKC) in the SJU (SESAR2020 Programme only) above mentioned,
6. In accordance with Article 1(3) of the SJU Statutes, the conditions of accession shall include provisions related to the financial contribution of the Members of the SJU and representation within the Administrative Board and shall be presented to the Administrative Board,
7. In accordance with Article 4(2) of the SJU Statutes, the Members of the SJU shall have a number of votes in proportion to their contribution to the funds of the Joint Undertaking,
8. In accordance with Article 9 of the SJU Administrative Board's Rules of Procedure, a Written Procedure for the approval of the current decision was launched on 12 April 2021 and concluded on 26 April of 2021 with positive results,

**HAS DECIDED AS FOLLOWS:**

**Article 1**

The certified values of In-kind Contributions (columns 3 and 4 below), that contribute:

- to the achievement of tasks and the activities performed by the SJU Members in the third Reporting Period (RP) as set out in the SJU Membership Agreement and the relevant Grant Agreements, and
- to the achievement of the levels of in-kind contribution committed in the SJU Membership Agreement (see columns 1 and 2 below).

The certification requirements follow the provisions in the SJU Guidance documents<sup>5</sup>, unless identified as "*Contributions of Members to be validated*".

The values of financial contribution made during RP-3 (column 5 below) as contribution to the running costs<sup>6</sup> of the SJU, as set out in the Membership Agreements.

The calculated voting rights allocated to the members of the Administrative Board (column 7 and 8 below), established in proportion to the total (RP-1 + RP-2 + RP-3) validated and reported actual In-Kind and financial contributions for the period up to December 2019 (column 6 below) are as follows:

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<sup>5</sup> Guidance for Members and Auditors: Certification of the declaration of IKOP and Annexes.

<sup>6</sup> For the Union contribution, the figure represents financial contribution to both running and operational costs of the JU



<u>Members</u>	Total Net Contribution SESAR2020 Member calls (EUR)	Of which financial contribution (EUR)	Net In-kind Contribution RP-3 Validated (EUR)	Net In-kind Contribution RP-3 Not-Validated (EUR)	Financial Contribution RP-3 (EUR)	Total Net Contribution to Dec 2019 (EUR)	Voting Rights Accrued (%)	Number of Votes (1000)
European Union	500,000,000	500,000,000	0	0	112,618,000	461,329,000	47.66%	477
Eurocontrol	492,256,781	25,000,000	61,801,027	0	1,973,113	196,412,508	25.00%	250
Airspace Users	0	0	0	0	0	0	10.00%	100
<b>Other Members in total</b>	<b>297,125,484</b>	<b>17,100,534</b>	<b>45,979,414</b>	<b>-972,876</b>	<b>1,319,005</b>	<b>167,890,680</b>	<b>17.34%</b>	<b>173</b>
AIRBUS	26,761,006	1,667,271	4,493,763	-281,961	119,091	20,291,888	2.10%	21
AT-ONE Consortium	12,495,693	627,887	2,438,023	0	44,849	7,306,401	0.75%	8
B4 Consortium	2,382,455	397,076	446,221	-5,465	28,363	1,410,449	0.15%	1
COOPANS Consortium	9,275,779	599,718	710,548	0	42,837	4,264,909	0.44%	4
DASSAULT Aviation	1,944,203	137,522	331,679	0	20,781	927,564	0.10%	1
DFS	8,483,712	672,725	2,100,348	0	48,052	8,194,502	0.85%	9
DSNA	9,831,225	641,023	1,528,476	-80,888	45,788	5,810,878	0.60%	6
ENAIRE	16,452,269	834,917	2,352,972	0	59,637	7,801,078	0.81%	8
ENAV	8,143,260	643,950	1,351,172	0	45,997	4,297,489	0.44%	4
FREQUENTIS Consortium	6,885,998	475,866	1,221,359	-349,825	33,991	3,281,078	0.34%	3
HONEYWELL AEROSPACE	15,324,183	777,926	2,019,526	0	55,566	8,602,993	0.89%	9
INDRA	21,534,500	1,656,500	2,924,046	0	118,322	13,298,458	1.37%	14
LEONARDO	48,127,620	2,291,791	5,709,422	0	163,700	21,807,134	2.25%	23
NATMIG Consortium	10,472,227	511,804	1,977,098	0	36,558	6,200,986	0.64%	6
NATS	9,363,535	655,208	1,413,114	-121,424	46,801	4,882,202	0.50%	5
SEAC2020 Consortium	2,526,810	174,831	308,689	-15,811	15,902	1,091,288	0.11%	1
SKYGUIDE	1,637,165	263,860	278,669	0	18,847	1,011,256	0.10%	1
THALES AIR SYSTEMS (LAS)	51,135,000	2,435,000	6,345,209	-117,502	257,095	23,310,248	2.41%	24
THALES AVIONICS (AVS)	34,348,844	1,635,659	8,029,077	0	116,833	24,099,878	2.49%	25
<b>TOTAL (Exc. EU)</b>	<b>789,382,265</b>	<b>42,100,534</b>	<b>107,780,441</b>	<b>-972,876</b>	<b>3,292,118</b>	<b>364,303,187</b>	n/a	n/a
<b>TOTAL (Inc. EU)</b>	<b>1,289,382,265</b>	<b>542,100,534</b>	<b>107,780,441</b>	<b>-972,876</b>	<b>115,910,118</b>	<b>825,632,187</b>	<b>100.00%</b>	<b>1000</b>

Article 2

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

Done in Brussels, 26 April 2021.

For the Administrative Board

*The Chairperson  
Henrik Hololei*

A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke at the bottom.