

Governing Board

DECISION GB(D)03-2021

Adopting the rules on confidentiality, prevention, avoidance and management of conflicts of interest of the SESAR 3 Joint Undertaking

THE GOVERNING BOARD OF THE SESAR 3 JOINT UNDERTAKING ("SESAR 3 JU"),

Having regard to:

- Council Regulation (EU) 2021/2085 of 19 November 2021 establishing the Joint Undertakings under Horizon Europe and repealing Regulations (EC) No 219/2007, (EU) No 557/2014, (EU) No 558/2014, (EU) No 559/2014, (EU) No 560/2014, (EU) No 561/2014 and (EU) No 642/2014¹ ("Single Basic Act"), and in particular Articles 2 (14), 16 (8), 21(3), 33, 36 and 42 therein,
- The Staff Regulations of Officials (the "Staff Regulations"²) and the Conditions of Employment of Other Servants of the European Union (the "CEOS"), laid down by Council Regulation (EEC, Euratom, ECSC) No 259/68 of 29 February 1968 and subsequent amendments, and in particular Article 22 therein,
- The financial rules applicable to the general budget of the Union³ (the "Financial Regulation"), and in particular Article 61 therein,
- SESAR JU 3 GB Decision GB(D)01-2021 on the SESAR 3 JU Financial Rules and in particular Article 27 therein,
- Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents,
- Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC⁴ (the "EU DPR" or "Regulation 2018/1725 on Data Protection"), and in particular Articles 15 and 31 therein,
- Decisions of the Administrative Board of the SESAR JU ADB(D) 10-2008 and ADB(D) 03-2012 on Confidentiality, independence and management of conflict of interest of the bodies of the SESAR Joint Undertaking (the "SESAR JU Rules on Conflict of Interest"),

¹ OJ L 427, 30.11.2021, p. 17

² OJ L 56, 4.3.1968, p. 1.

³ 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 966/2012³ (the "Financial Regulation")

⁴ OJ L 295, 21.11.2018, p. 39-98

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Whereas:

- While guaranteeing the protection of confidential information, the SESAR 3 JU shall ensure access, within the limits of non-commercial and non-competitive use, to all information related to the indirect actions to the Union institutions and Union bodies, offices or agencies.
- The SESAR 3 JU staff and the Scientific Committee shall be subject to the obligation of professional secrecy.
- The SESAR 3 JU, its bodies and staff shall avoid any conflict of interest in carrying out their activities, and for that purpose, the Governing Board shall adopt rules for the prevention, avoidance and management of conflicts of interest.
- The rules for on confidentiality, prevention, avoidance and management of conflicts of interest shall apply to all staff, equally bound by Article 11 of the Staff Regulations, and the participants to the bodies and other advisory or working groups, set up by the Governing Board, of the SESAR 3 JU.
- Integrity and high standards of professional conduct by all individuals involved in the tasks and activities of the SESAR 3 JU are crucial for its own independence and reputation.
- The SESAR 3 JU rules on Conflict of Interest will be based on the rules developed for the SESAR JU. The scope of this Decision shall apply, within the limits of avoidance of duplication and discrepancies with their specific mandate, to other workforce of the SESAR 3 JU (such as contractors, experts, external consultants, and EUROCONTROL staff providing support to the SESAR 3 JU within the scope of the Article 157 of the Single Basic Act).

HAS DECIDED AS FOLLOWS:

Article 1

To adopt the Rules on confidentiality, prevention, avoidance and management of conflict of interest of the bodies of the SESAR 3 Joint Undertaking, as set out in Annex I.

Article 2

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

Done in Brussels, 14 December 2021.

For the SESAR 3 JU Governing Board



The Chairperson

Annex I: Rules on confidentiality, prevention, avoidance and management of conflicts of interest of the bodies of the SESAR 3 Joint Undertaking