

Governing Board

DECISION GB(D)12-2021

Transfer of assets, liabilities and unused appropriations of SESAR JU identified by DG BUDG at the time of its closure

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 to Articles 16, 150 (4) and 174 thereof,
- 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 966/2012²,
- Governing Board decision GB(D)01-2021 adopting the Financial Rules of the Single European Sky ATM Research 3 Joint Undertaking ,
- Administrative Board decision ADB(D)19-2021 defining the procedure for the transfer of tangible and intangible assets of the SESAR Joint Undertaking as per Articles 5(1)(l) and 23 of the SESAR JU Statutes,
- Governing Board Decision GB(D)13-2021 adopting the transitional elements related to the annual work programme, budget, staff establishment plan and procurement plan of the SESAR 3 Joint Undertakings for 2021 and 2022 adopted by the Governing Board on 14 December 2021,

Whereas:

¹ OJ L 427, 30.11.2021, p. 17

² OJ L 193, 30.7.2018, p. 1.

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- (1) Article 174(9) of the Single Basic Act establishes that, from its date of entry into force, SESAR 3 JU became the legal and universal successor in respect of all contracts and grant agreements, liabilities and acquired property of SESAR JU³.
- (2) DG BUDG, acting as SESAR JU accounting officer, produced a report which details the assets and liabilities as well as the unused appropriations of SESAR JU at the time of its closure.
- (3) By decision ADB(D)19-2021, the SESAR JU Administrative Board agreed that the adoption and transfer of the identified assets and liabilities to SESAR 3 JU identified in the report produced by DG BUDG shall be formalised through the adoption of a decision by the SESAR 3 JU Governing Board upon entry into force of the Single Basic Act.
- (4) Article 174(14) of the Single Basic Act establishes that any SESAR JU unused appropriations shall be transferred to SESAR 3 JU and be first used to provide financial support to indirect actions initiated under Horizon 2020. Remaining operational appropriations may then be used for indirect actions initiated under the Single Basic Act and, in such case, shall count against the financial contribution to be provided by the Union to SESAR 3 JU,

HAS DECIDED AS FOLLOWS:

Article 1

The Governing Board adopts DG BUDG report attached hereto as Annex I, which details the assets and liabilities as well as the unused appropriations of SESAR JU at the time of its closure.

Article 2

The Governing Board agrees with the transfer of the elements, which are identified in DG BUDG report attached hereto as Annex I. These elements are mirrored the SESAR 3 JU Budget for year 2022 and will be reflected in the final annual accounts 2021.

Article 3

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

³ Established through 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) ('SJU Regulation') as amended by Council Regulation (EC) No 1361/2008 of 16 December 2008 and by Council Regulation (EU) No 721/2014 of 16 June 2014 ('SESAR JU Regulation')


The Chairperson

Annex I: Report produced by DG BUDG upon SESAR JU closure (available in STELLAR)