

DECISION

ADB(D)02-2016

ACCESSION OF NEW MEMBERS TO THE SESAR JOINT UNDERTAKING (SJU)

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 of the European Air Traffic Management system (SESAR)¹ (SJU Regulation) as modified by Council Regulation (EC) No 1361/2008 of 16 December 2008² and amended by Council Regulation (EU) No 721/2014 of 16 June 2014³, in particular Article 1.3, Article 1.4, Article 1.5, Article 5.1(d), and Article 5.1(m) of the Annex to the SJU Regulation "Statutes of the joint undertaking" and Recitals (7), (10) and (15) of Council Regulation (EU) No 721/2014, and
- 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) (Horizon 2020) and repealing Decision No 1982/2006/EC⁴, and in particular Article 25 thereof,

Whereas:

- The duration of the SJU has been extended up to 31 December 2024 to complete Step 2 and Step 3 of the European ATM Master Plan under the SESAR 2020 Work Programme co-funded by Horizon 2020 as earmarked in the Union's 2014-2020 multi-annual financial framework;
- SJU membership shall end by 31 December 2016 with regard to the Members who, as of 1 January 2017, do not contribute to the SESAR 2020 Work Programme (SESAR 2020);
- In order to establish the SJU Membership to ensure the implementation of SESAR 2020, an open Call for Expressions of interest to become candidate Member of the SJU (Ref. SJU/LC/0110-CEI) was published on 9 July 2014;
- Out of twenty four submitted valid applications received from the original SJU Members and from new entities in reply to the Call for Expressions of Interest, nineteen entities were recommended as candidate members after evaluation of their applications by the SJU and independent experts;
- On 23 October 2014, the Executive Director presented to the Administrative Board:
 - o a proposal for organising the next steps of the Membership Accession Process, which encompassed three successive phases, the second of which concerned the dialogue with candidate members; and
 - o the "*Report of the Executive Director to the Administrative Board on the outcome of the call for expressions of interest to become candidate member of the SESAR Joint Undertaking*" (ref. SJU/LC/0110-CEI)" recommending the 19 candidate Members;

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 347, 20.12.2013, p. 104

- On 4 November 2014 the Administrative Board endorsed the report presented by the Executive Director and empowered him to negotiate the conditions of accession in accordance with Article 1(3) of the SJU Statutes annexed to the SJU Regulation;
- As a consequence of Phase 2 of the Membership Accession Procedure, the SJU with its candidate Members updated the draft SESAR2020 R&I Programme and this document formed the basis for the SJU to produce the SESAR2020 Multiannual Work Programme;
- The SESAR 2020 Multiannual Work Programme was adopted by the Administrative Board on 7 July 2015 (ADB(D)05-2015) and provides, in combination with the Annual Work Programmes, a description of the objectives to be pursued under SESAR 2020, of the actions to be performed in this context as well as the terms and conditions according to which the SJU shall fund the Actions to be performed by its Members;
- Having made the necessary preparations in accordance with the requirements of awarding grants under Horizon 2020 the Annual Work Programme 2015 Amendment No 1 (AWP2015-1) was approved by the Administrative Board on 23 October 2015 (Decision ADB(D)11-2015). The rules governing Phase 3 of the SJU Membership Accession Process were attached as Annex X to the AWP2015-1;
- The Executive Director was authorized on 19 November 2015 under decision ADB(D)04-2015 'to close the Phase 2 of the Membership Accession Process' and 'to launch the Call for Final Membership Applications, in accordance with the draft "Membership Agreement"' (attached to the decision as Annex1). This call constituted Phase 3 of the Membership Accession Process, was described in the approved Rules and was addressed exclusively to the 19 selected candidate Members;
- The Call for Final Membership SJU/LC/0122-CFP launched on 25 November 2015 was completed on 29 March 2016 with the submission by the Executive Director to the Administrative Board of his recommendation for the final awarding of Membership to nineteen (19) entities;
- To secure eligibility for Membership, specific conditions are described in the SJU Regulation, and were re-iterated as part of the Membership Accession Process. Consequently, applicants have included information on their proposed financial contribution to the SJU as well as their operational capacity, including the additional entities they propose to engage, against the SESAR 2020 Multiannual Work Programme adopted by the Board on 7 July 2015 (ADB(D)05-2015). The proposed financial contribution shall be recorded and maintained in the Membership Agreement;
- Article 9(1) of the SJU Regulation states that the SJU may conclude specific agreements with and award grants to its members, in accordance with the applicable financial regulations;
- In accordance with Articles 9 and 11 of the Administrative Board Rules of Procedure, a Written Procedure for the adoption of the current decision was launched on 29 February 2016. This procedure was performed in accordance with Article 6 of the SJU Statutes and so was addressed only to the European Commission due to the existence of a potential conflict of interest with the other voting Members.
- Noting the need for SEAC Consortium to conclude its Membership Accession requirement in accordance with SJU Regulation, and in particular with Article 12(3) of the SJU Statutes, before 7 July 2016.
- The Written Procedure was concluded on 9 March with positive results;

HAS DECIDED AS FOLLOWS:

Sole Article

The following nineteen (19) entities may accede, as members, to SJU:

- 1) Airbus SAS
- 2) AT-One (Consortium comprising: Deutsches Zentrum für Luft- und Raumfahrt e. V. (DLR); Stichting Nationaal Lucht-en Ruimtevaartlaboratorium (NLR))

- 3) B4 Consortium (Consortium comprising: Polish Air Navigation Services Agency: (PANSNA); The State Enterprise "Oro navigacija" (ON) - Lithuania; Air Navigation Services of the Czech Republic (ANS CR); Letové prevádzkové služby Slovenskej republiky Štátny podnik (LPS SR s.p.))
- 4) Coopans (Consortium comprising: Naviair; CROATIA CONTROL, Croatian Air Navigation Services; Limited; Irish Aviation Authority (IAA); Luftfartsverket (LFV); Österreichische Gesellschaft für Zivilluftfahrt mit beschränkter Haftung - Austro Control.)
- 5) Dassault Aviation SA
- 6) Deutsche Flugsicherung GmbH - DFS
- 7) Direction des Services de la Navigation Aérienne - DSNA
- 8) ENAV S.p.A.
- 9) Entidad Publica Empresarial - ENAIRE
- 10) Finmeccanica S.p.A.
- 11) Frequentis SESAR Partners (Consortium comprising: Frequentis AG; ATOS Be; Hungarian Air Navigation Services Private Limited Company - HungaroControl.)
- 12) Honeywell Aerospace SAS
- 13) INDRA Sistemas S.A.
- 14) NATS (En Route) Plc
- 15) North European ATM Industry Group - NATMIG Consortium (comprising: SINTEF ICT; Saab Aktiebolag; Airtel ATN Ltd.)
- 16) SESAR European Airports Consortium - SEAC (Consortium comprising: Heathrow Airport Ltd; Flughafen München GmbH; Aeroports de Paris S.A.; Flughafen Zürich AG; Schiphol Nederland B.V; Avinor AS; Swedavia AB.)
- 17) Skyguide, Swiss Civil and Military Air Navigation Services Ltd
- 18) Thales Air Systems SAS
- 19) Thales Avionics SAS


The Executive Director is authorised to sign the Membership Agreement (as adopted by the decision ADB(D)04-2015 of the Administrative Board of 19 November 2015) with each of the above mentioned nineteen (19) entities, subject to them fulfilling the relevant requirements of the SJU regulation.

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

Done in Brussels, 9 March 2016.

For the Administrative Board

The Chairperson
Henrik Hololei

A handwritten signature in black ink, consisting of several vertical strokes followed by a circular loop and a long, sweeping horizontal stroke that curves upwards at the end.