

Draft DECISION ADB(D)19-2017

adopting an amendment to Annex XII "Budget 2017" of the amended consolidated SESAR JU Single Programming Document 2017-2019

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 as amended by Council Regulation (EC) No 1361/2008 of 16 December 2008² and by Council Regulation (EU) No 721/2014 of 16 June 2014³ ('SJU Regulation'), and in particular Article 5(1)(c) of the SJU Statutes annexed thereto ('SJU Statutes');
- Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002⁴ ("the Financial Regulation"), and in particular Article and 58(1)(c)(iv);
- The SJU Financial Rules adopted by the Administrative Board on 25 June 2015 particularly:
 - Article 13.1 which establishes that "the cancelled appropriations may be entered in the estimates of revenue and expenditure up to the following three financial years";
 - Article 26.1 which establishes that "the Executive Director may transfer appropriations: (a) from one title to another up to a maximum of 10% of the appropriations for the year shown on the line from which the transfer is made; (b) from one chapter to another and from one article to another without limit";
 - Articles 32 and 33 related to the establishment and amending budgets;
- Decision of the SJU Administrative Board ADB(D)18-2017 of 15 September 2017, adopting the amended consolidated SESAR JU Single Programming Document 2017-2019.

Whereas :

- A Written Procedure seeking the Board's opinion on the SJU Final Annual Accounts 2016 was launched on 23 June 2017 and closed on 30 June 2017 with a positive result. Therefore, the 2016 budget outturns (SESAR 1 and SESAR 2020) need to be included in the SESAR JU 2017-2019 Single Programming Document;

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 298, 26.10.2012, p. 1

- It is necessary to ensure for SESAR1 programme the adequate management of the payment appropriations and a sufficient margin to cover open obligations within Chapter 3.3 (“Studies...by the Members”);
- Unused 2016 appropriations for SESAR 1 and SESAR2020 need to be entered in the Annex XII “Budget 2017” of the amended consolidated SESAR JU Single Programming Document 2017-2019 to ensure payment execution related to projects of the Industrial Research Call (Wave 1);
- EC communicated by e-mail on the 6th of October to the SJU that it has been authorised to receive an additional payment appropriation to ensure payment execution related to the projects of the 1st and 2nd Exploratory Research Call;
- The following changes are required with respect to Section 1 (SESAR 1) in part 4.1 of Annex XII ‘Budget 2017’ of the Single Programming Document 2017-2019:
 - o Statement of Revenue (Section 1)
 - Inscription of additional 2016 Budget Result (EUR 31.683.988) for payment appropriations;
 - o Statement of Expenditure (Section 1)
 - An increase of EUR 31.683.988 of Payment Appropriations for Chapter 3.3 (“Studies...by the Members”) from the Budget Result 2016 to ensure that revenue and expenditure are in balance and that all open obligations towards SESAR1 projects’ financial closure are covered ;
- The following changes are required with respect to Section 2 (SESAR 2020) in part 4.2 of Annex XII ‘Budget 2017’ of the Single Programming Document 2017-2019:
 - o Statement of Revenue (Section 2)
 - Inscription of the 2016 Budget Result (EUR 6.599.732 for payment appropriations);
 - Increase of EUR 5.500.000 for the Horizon2020 contribution;
 - Inscription of unused 2016 appropriations related to Chapter 3.3 (“Studies...by the Members”) for EUR 1.470.005⁵;
 - o Statement of Expenditure (Section 2)
 - Increase of Commitment Appropriations related to Chapter 3.3 (“Studies...by the Members”) for EUR 1.470.005 corresponding to 2016 unused appropriations re-inscribed now in the estimates of revenue and expenditure;
 - Increase of Payment Appropriations for Chapter 3.1 (“Non-Members Activities”) for EUR 5.500.000 corresponding to the additional EU Contribution to be used for the execution of payments related to the 1st and 2nd Exploratory Research Call;
 - Increase of Payment Appropriations for Chapter 3.3 (“Studies...by the Members”) for EUR 8.069.737 which will be used for the execution of payments related to the Industrial Research Call (Wave 1);
- The SPD 2017-2019 needs to be amended (by means of the related delegation to the ED) as it comprises the Annual Work Programme 2017 / Annual Work Plan 2017 in the meaning of Art.

⁵ These appropriations are related to the projects of the first Industrial Research Call (Wave 1), were not used in 2016 and are now entered in the estimates of revenue and expenditure

- 2(1)(22) of the Rules for Participation, the Multi-Annual Work Programme 2017-2019, and the Budget 2017, and serves as financing decision for the activities performed by the SJU in 2017;
- A Written Procedure for the approval of this amendment to Annex XII 'Budget 2017' of the amended consolidated SESAR JU Single Programming Document 2017-2019 was launched on 25 October and concluded on 8 November with positive results.

HAS DECIDED AS FOLLOWS:

Article 1

Parts 4.1 and 4.2 of Annex XII 'Budget 2017' of the amended consolidated SESAR JU Single Programming Document (SPD) 2017-2019 (pages 90-98) is replaced by the Annex to this decision.

Article 2

The Administrative Board takes note of the budget transfers within Title 1 and Title 2 within the Authority of the Executive Director (Following Article 26.1 of the SJU Financial Rules).

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

Upon adoption, the amended SPD 2017-2019 will be made publicly available.

Done in Brussels, 8 November 2017.

For the Administrative Board

The Chairperson
Henrik Hololei



Annex: amendment to Parts 4.1 and 4.2 of Annex XII 'Budget 2017' of the amended consolidated SESAR JU Single Programming Document (SPD) 2017-2019