

DECISION
ADB(D)03-2018

Adopting the final list of SESAR Joint Undertaking foreground generated under SESAR 1 programme

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 1(3), Article 5.1(l), Article 9, and Article 18, of the Annex to the SJU Regulation, "Statutes of the joint undertaking" ('SJU Statutes'),
- The Multilateral Framework Agreement⁴, and in particular Article 15.1.2 thereof;
- The Administrative Board decision ADB(D)08-2013 on SJU Foreground identification Process;
- The Administrative Board decision ADB(D)15-2015 on SJU Foreground Identification Process for the Period starting from 1 January 2014 to 30 June 2015;
- The Administrative Board decision ADB(D)23-2016 adopting the final list of SJU Foreground from 1 January 2014 to 30 June 2015; and
- The Administrative Board decision ADB(D)08-2017 adopting the list of SESAR joint undertaking foreground generated under SESAR 1 programme as of 31/05/2017.

Whereas:

- Following the process described and applied in the Administrative Board Decisions ADB(D)08-2013, ADB(D)15-2015, ADB(D)23-2016 and ADB(D)08-2017, the relevant project members:
 - made an initial assessment of the ownership status of each deliverable generated under the SESAR 1 Programme before submitting it to the SJU, and
 - indicated on each deliverable their assessment regarding the ownership of the Deliverables, in particular if it had to be considered as SJU Foreground.
- At each Control Gate, the SJU and the project members then discussed the initial assessment made by the Members;
- The previously adopted lists already contained the first automatic classification of the "SJU Foreground" depending on the type of deliverable resulting of the project (i.e. Operational Service and Environment Definition (OSED), Safety and Performance Requirements (SPR), Interoperability Requirements (INTEROP), Technical Specifications (TS), Validation Reports (VALR), Concept of Operations (CONOPS), Detailed Operational Descriptions (DODs), Architecture Description Document (ADD), Technical Architecture Descriptions (TADs), ATM

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 Amended Multilateral Framework Agreement Ref. SJU/LC/0028-CTR

Article 2

The SJU hereby gives access rights to all deliverables identified as “SJU Foreground - SESAR2020 baseline” to all SESAR 2020 Members and their Linked Third Parties (within the sense of the SESAR JU Membership Agreement Ref. SJU/LC/307-CTR) for the purpose of executing the SESAR2020 Programme on a royalty-free, non-exclusive, non-transferable and worldwide basis.

SESAR JU Members shall give access rights to all deliverables identified as “MB Foreground - SESAR2020 baseline” to all SESAR 2020 Members and their Linked Third Parties (within the sense of the SESAR JU Membership Agreement Ref. SJU/LC/307-CTR) for the purpose of executing the SESAR2020 Programme on a royalty-free, non-exclusive, non-transferable and worldwide basis.

Article 3

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

Done in Brussels, 9 February 2018

For the Administrative Board

The Chairperson

Henrik Hololei

