

**DECISION  
GB(D)16-2022**

**Delegation of power of signature of the  
SESAR 3 JU - EUROCONTROL Data Protection Administrative Arrangement  
to the SESAR 3 JU Executive Director**

THE GOVERNING BOARD OF 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 642/2014<sup>1</sup> (“Single Basic Act” or “SBA”), in particular Articles 17(2)(b1), 19(2) and (3), 35 and 157,
- 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 (“EUDPR”), and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC,

Whereas:

- Article 35 of the SBA establishes that where the implementation of this Regulation requires the processing of personal data, this operation shall be processed in accordance with EUDPR.
- Any Union body shall inform the European Data Protection Supervisor when drawing up administrative measures and internal rules relating to the processing of personal data in accordance with Article 41(1) of EUDPR.
- In the absence of an adequacy decision, SESAR 3 JU may only transfer personal data to an international organisation (EUROCONTROL) by - *inter alia* - provisions to be inserted into an administrative arrangement, which include enforceable and effective Data Subject rights, subject to the prior authorisation from the European Data Protection Supervisor, as per Article 48(3)(b) of EUDPR.
- SESAR 3 JU negotiated with EUROCONTROL safeguards provisions governing any transfer of personal data between both organisations, which resulted in a specific Data Protection Administrative Arrangement.
- On 16 September 2022, upon closure of its informal consultation ref. 2022-0613 of the European Data Protection Supervisor under Articles 41 of EUDPR, SESAR 3 JU requested the European Data Protection Supervisor to authorise the safeguards provisions negotiated with EUROCONTROL to govern its transfer of personal data to EUROCONTROL in accordance with 48(3)(b) of EUDPR.

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<sup>1</sup> OJ L 427, 30.11.2021, p. 17

## Governing Board

HAS DECIDED AS FOLLOWS:

### Article 1

The text of the SESAR 3 JU - EUROCONTROL Data Protection Administrative Arrangement in Annex I is approved.

### Article 2

The powers of signature of the SESAR 3 JU - EUROCONTROL Data Protection Administrative Arrangement re delegated to the Executive Director of SESAR 3 JU.

### Article 3

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

Done in Brussels, 13 October 2022.

For the SESAR 3 JU Governing Board

*The Chairperson*

Annex I: SESAR 3 JU - EUROCONTROL Data Protection Administrative Arrangement