

DECISION
GB(D)19-2022

On the appointment of the SESAR 3 JU Accounting Officer

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”), in particular, Articles 13(1) (d), 26(3), 157 and 158,
- SESAR 3 JU Financial Rules adopted by the Governing Board on 13 December 2021 (hereafter the “Financial Rules”) and in particular Article 25 (“Accounting officer”),
- Service Level Agreement between the services of the European Commission and the SESAR Joint Undertaking with ref. Ares(2020)1568569 - 13/03/2020, regarding provision of DG BUDG services to SESAR JU, including accounting services,

Whereas:

1. Article 25(1) of the SESAR 3 JU Financial Rules provides that the Governing Board must appoint an accounting officer who should be totally independent in the performance of his or her duties, and be responsible for the tasks set out in that article.
2. Article 25(2) of the SESAR 3 JU Financial Rules states that two or more joint undertakings may appoint the same accounting officer.
3. The Accounting Officer of the European Commission has been appointed as the Accounting Officer of SESAR JU since 20 October 2016.
4. The European Commission (Directorate-General for Budget) has informed in its note ARES(2021)6560472 of 25 November 2021 about the termination of DG Budget’s accounting services to Joint Undertakings as from 1st December 2022.
5. Article 13(1) of the Single Basic Act states that to gain synergies and efficiencies Joint undertakings shall, within one year following the date of entry into force of the Single Basic Act, operate back-office arrangements (hereafter “BOA”), amongst other areas, in accounting (excluding treasury).
6. Following a formal request (ARES(2022)5976078) sent by the Europe Rail Joint Undertaking (“Europe Rail JU”) to all the Executive Directors of the Joint Undertakings², the SESAR 3 JU expressed an interest in the BOA for Accounting Services proposed by the Europe Rail JU, which was formalized through the signature of a service level agreement between the involved parties.
7. In respect of Article 25 of the Financial Rules, it is up to the Governing Board of each Joint Undertaking to adopt the necessary decision to entrust the Accounting Officer function to an Accounting Officer working for a “JU Accounting Provider”.

¹ OJ L 427, 30.11.2021, p.54, p.100; p.102.

² Article 3 of the Single Basic Act: (a) the Circular Bio-based Europe Joint Undertaking; (b) the Clean Aviation Joint Undertaking; (c) the Clean Hydrogen Joint Undertaking; (d) the Europe’s Rail Joint Undertaking; (e) the Global Health EDCTP3 Joint Undertaking; (f) the Innovative Health Initiative Joint Undertaking; (g) the Key Digital Technologies Joint Undertaking; (h) the Single European Sky ATM Research 3 Joint Undertaking; (i) the Smart Networks and Services Joint Undertaking. And in addition, also including the European High Performance Computing Joint Undertaking.

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8. Without prejudice to Article 158 of the Single Basic Act, which sets forth that back office arrangement shall be provided by EUROCONTROL, accounting is not covered by the SESAR 3 JU Agreement with EUROCONTROL.
9. The Accounting Officer skills and competences shall allow fulfilling of the duties established in the Financial Rules and ensure the necessary handover with the former Accounting Officer.
10. SESAR 3 JU made the necessary arrangements in order to avoid any conflict of interests as regards the nominated Accounting Officers and deputy Accounting Officers.
11. The Written Procedure, launched on 10 November 2022 to adopt decision GB(D)19-2022 on the appointment of the SESAR 3 JU Accounting Officer closed on 25 November 2022 with positive results.

HAS DECIDED AS FOLLOWS:

Article 1

Accounting Officer for the SESAR 3 JU

Ms Andrea Toth (Clean Aviation JU) is hereby appointed as the Accounting Officer of the SESAR 3 JU.

Article 2

Deputy Accounting Officer of the SESAR 3 JU

Mr Andrei Hretu (EU-Rail) is hereby appointed as the Deputy Accounting Officer of SESAR 3 JU and will also perform those tasks for the other Joint Undertakings that expressed the interest to join the BOA for Accounting Services.

The deputation will occur in case of the impossibility of the Accounting Officer appointed in Article 1 of this Decision, to perform her/his task in accordance with article 25(1) of the SESAR 3 JU Financial Rules. This role will be activated only following the written information from the Executive Director to the Governing Board. The information shall clarify the reason for deputizing activation, the name of a new Deputy Accounting Officer and the expected duration of the deputation.

Once the deputation is activated, the Deputy Accounting Officer shall be appointed with the same responsibility and at the same conditions as set out in Article 25(1) of the SESAR 3 JU Financial Rules.

Article 3

The appointment of the Accounting Officer as per Article 1 above hereby replaces the appointment of the European Commission as the Accounting Officer of SESAR 3 JU.

Article 4

The Executive Director shall make this decision publicly available on the SESAR 3 JU website.

Article 5

This decision shall enter into force on 1 December 2022.

Done in Brussels, 25 November 2022.

For the Governing Board

The Chairperson

