

## Governing Board

### DECISION GB(D)11-2023

#### Delegation of power of signature of the Amendment 1 to 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, 157 and 158;
- 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, in particular Articles 41 (1) and 48 (3) (b);
- Governing Board Decision GB(D)16-2022 on Delegation of power of signature of the Administrative Arrangement to the SESAR 3 JU Executive Director;
- Data Protection Administrative Arrangement between the SESAR 3 JU and Eurocontrol Ref S3JU/LC/006-CTR of 15 December 2022 (“Administrative Arrangement” or “DPAA”), in particular Article 14;
- Decision of the European Data Protection Supervisor (Case 2022-0933) of 14 December 2022 temporarily authorising the use of the Administrative Arrangement between the SESAR 3 JU and Eurocontrol in the context of Eurocontrol’s in-kind contributions to SESAR (“EDPS Decision” or “EDPS Authorisation”);

Whereas:

- The EDPS Authorisation is of a temporary nature and dependent on the application of recommendations on changes to the core text of the Administrative Arrangement and the modernization of Eurocontrol’s oversight and redress mechanisms for data subject rights.
- As prescribed by the EDPS Decision, the SESAR 3 JU shall, within the shortest delay, and at the latest by 30 March 2024, request the EDPS an extension of the validity of the Authorisation based on the application of the recommendations.

---

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

- Eurocontrol's modernisation project of oversight and redress mechanisms is ongoing and will be subject to further exchanges among SESAR 3 JU, the EDPS and Eurocontrol's services during 2023.
- The changes to the core text of the DPAA, which relate to the definitions and procedure for data breaches, have already been agreed by SESAR 3 JU and Eurocontrol's services and require to be enacted through a formal amendment of the DPAA.

**HAS DECIDED AS FOLLOWS:**

**Article 1**

The text of the Amendment 1 to the SESAR 3 JU - EUROCONTROL Data Protection Administrative Arrangement in Annex I is approved.

**Article 2**

The powers to sign Amendment 1 to the SESAR 3 JU - EUROCONTROL Data Protection Administrative Arrangement are delegated to the Executive Director of SESAR 3 JU.

**Article 3**

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

Done in Brussels, 26 June 2023.



For the SESAR 3 JU Governing Board

*The Chairperson*

*F. Cornelis*