

Governing Board

DECISION GB(D)18-2023

Change of the SESAR 3 JU membership subsequent to the transfer of the Irish Aviation Authority air navigation services to the Irish Air Navigation Service known as “AirNav Ireland”

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 1 as amended by Council Regulation (EU) 2023/1782 of 25 July 2023 (“Single Basic Act”), in particular Articles 8(2), 8(4) and Annex III,
- Governing Board Decision GB(D)10-2022 on the “Approval of the Membership Agreement between the SESAR 3 Joint Undertaking members other than the Union and delegation of power of signature of the Membership Agreement to the Executive Director of the SESAR 3 Joint Undertaking”,
- SESAR 3 Joint Undertaking Membership Agreement Ref. S3JU/LC/002-CTR, in particular Articles 7 and 18,
- The Adhesion form to the Membership Agreement signed by the Irish Aviation Authority (“IAA”) on 12 December 2022,
- The Irish Air Navigation and Transport Act number 40 of 7 December 2022 (“Air Navigation and Transport Act 2022”), in particular Article 50,

Whereas:

- The restructuring of the Irish Aviation Authority (IAA) through the separation of the provision of air navigation services from the regulatory function by the creation of a new legal entity, the Irish Air Navigation Service (AirNav Ireland), was formalized by the enactment of the Air Navigation and Transport Act 2022.
- The SESAR 3 JU was informed of the transfer of the provision of air navigation services - including Membership to SESAR 3 JU - to AirNav Ireland taking effect as from 1 May 2022.
- AirNav Ireland acts as the legal and universal successor in respect of all legal commitments and obligations related to the provision of air navigation services of IAA in accordance with Article 50 of the Air Navigation and Transport Act 2022 on continuation of instruments.

¹ OJ L 427, 30.11.2021, p. 17

- The Governing Board was informed in a timely manner about the restructuring of IAA, in line with Article 8 of the Single Basic Act, as documented in the GB minutes of 26 June 2023,
- The change to SESAR 3 JU membership resulting of the notified transfer of membership from the Irish Aviation Authority to AirNav Ireland is neither likely to negatively affect the SESAR 3 JU's business continuity or the Union's or the Joint Undertaking's interest as referred in Article 8 of the Single Basic Act,

HAS DECIDED AS FOLLOWS:

Article 1

As per Article 7 of the Membership Agreement, the Governing Board authorises this change to the membership composition, which shall be formalised by the signature of the amended adhesion form attached hereto as Annex 1 by AirNav Ireland.

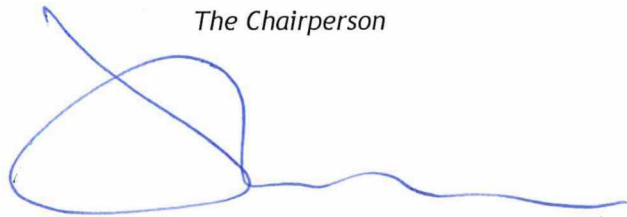
Article 2

The SESAR 3 Joint Undertaking shall immediately publish an updated list of its members on its website, together with the date when such change took effect as per Article 8(8) of the SBA.

Done in Brussels, on 14 December 2023

For the SESAR 3 JU Governing Board

The Chairperson

A handwritten signature in blue ink, consisting of a large, stylized loop followed by a horizontal line.