

EUROPEAN ORGANISATION FOR THE SAFETY OF AIR NAVIGATION

EUROCONTROL

– Decision of the enlarged Commission –

DECISION No. 21/169

approving temporary exceptional measures with respect to the “Principles for establishing the cost-base for en route charges and the calculation of the unit rates”

THE ENLARGED COMMISSION:

Having regard to the EUROCONTROL International Convention relating to the Safety of Air Navigation, as amended by the Protocol signed at Brussels on 12 February 1981, and in particular Article 5.2 thereof;

Having regard to the Multilateral Agreement relating to route charges of 12 February 1981 and in particular Articles 3.2 (a) and 6.1 (a) thereof;

Having regard to the “Principles for establishing the cost-base for en route charges and the calculation of the unit rates”;

On the proposal of the enlarged Committee and the Provisional Council;

HEREBY TAKES THE FOLLOWING DECISION:

Article 1

The following temporary exceptional measures apply for States subject to the determined cost method:

- 1. In respect of calendar years 2020 and 2021, Contracting States may calculate adjustments to unit rates, under Paragraphs 3.3.3.1 and 3.3.3.4 of the EUROCONTROL Principles, based on the relevant total determined costs for those 2 years and of the total revenue loss or total additional revenue for those 2 years resulting from the difference between the service units forecasted in the performance plan and the actually recorded service units for those 2 years. Those 2 years may be referred to as a single period and replace the period referred to in those provisions as ‘year n’. Without prejudice to the last sentence of the second indent of Paragraph 3.3.1.4 of the EUROCONTROL Principles, Contracting States may adjust unit rates in calendar years 2023 and 2024.*
- 2. In respect of calendar years 2020 and 2021, Contracting States may calculate reductions or increases of unit rates, under Paragraphs 3.3.4.1, 3.3.4.2 and 3.3.4.3 of the EUROCONTROL Principles, based on the relevant total determined costs and the relevant total actual costs for those 2 years. Those 2 years may be referred to as a single period and replace the calendar year period referred to in those provisions. Without prejudice to the last sentence of the second indent of Paragraph 3.3.1.4 of the EUROCONTROL Principles, the reductions or increases of unit rates to be applied in year n+2 may be made in calendar year 2023.*

3. *By way of derogation from Paragraph 3.3.1.4 of the EUROCONTROL Principles, those adjustments may be spread equally over 5 calendar years, starting in the year following the year in which the performance plan has been adopted. Contracting States may decide to extend this time period to a maximum of 7 calendar years, where this is necessary in order to avoid a disproportionate effect of the carry-overs on the unit rates charged to airspace users.*

Article 2

The present Decision comes into effect on the date of its signature.

Done at Brussels, on 27.9.2021

Mr Renato Brkanović
Vice-President of the Commission

