

**EUROPEAN ORGANISATION FOR THE SAFETY OF AIR NAVIGATION**

**EUROCONTROL**

- Decisions of the Permanent Commission -

**DECISION No 21/135**

***concerning the further extension of Permanent Commission Decisions No 128 and No 129 following the delayed entry into force of the amendments to the Maastricht Agreement***

THE PERMANENT COMMISSION FOR THE SAFETY OF AIR NAVIGATION,

Having regard to the EUROCONTROL International Convention relating to Co-operation for the Safety of Air Navigation, as amended by the Protocol signed at Brussels on 12 February 1981 ("amended Convention"), and in particular Articles 2.2 (b) and 7.1 thereof;

Having regard to Decision of the Permanent Commission No 128 dated 9.12.15 concerning the implementation of an Agency-wide cost allocation methodology and the allocation on a permanent basis of the cost of support services for the operation of Maastricht UAC and the cost of the compensation for national tax levied on pensions and ancillary benefits paid by the Organisation to former staff members who were assigned to MUAC (hereinafter referred to as Permanent Commission Decision No 128);

Having regard to Decision of the Permanent Commission No 129 dated 9.12.15 concerning the taking of decisions on measures of an operational, technical, financial or budgetary nature, including on investments, as well as the mandate of Director MUAC to arrange support services, required for the operation of MUAC (hereinafter referred to as Permanent Commission Decision No 129);

Having regard to the Declaration dated 19.4.16 of the National Contracting Parties to the Maastricht Agreement concerning the financing, on a temporary basis, of the compensation for national tax levied on pensions and ancillary benefits paid by the Organisation to former staff members who were assigned to MUAC and the costs of the support services required for the operation of MUAC (hereinafter referred to as the Declaration);

Having regard to Permanent Commission Measure No 17/231 and Permanent Commission Decision No 131, both dated 1 December 2017, by which the Permanent Commission approved amendments to the Maastricht Agreement and the Statute of the Agency required to implement the objectives of Permanent Commission Decisions No 128 and No 129 on a permanent basis;

Considering that Permanent Commission Decisions No 128 and No 129 envisaged completion of the entry into force of the relevant amendments of the legal instruments by 31 December 2019;

Considering that the National Contracting Parties to the Maastricht Agreement required more time to ratify the amendments to the Maastricht Agreement and complete their entry into force;

Considering that Permanent Commission Decision No 133 of 13.6.19 extended Permanent Commission Decisions No 128 and No 129 until the entry into force of the amendments to the Maastricht Agreement or to 31.12.21 at the latest;

Considering that the National Contracting Parties to the Maastricht Agreement extended their Declaration accordingly on 13.6.19;

Considering that despite having made good progress with the ratification of the amendments to the Maastricht Agreement, not all National Contracting Parties to the Maastricht Agreement will be able to complete their respective national ratification process in time for the amendments to the Maastricht Agreement to enter into force on 1.1.22 at the latest;

Considering therefore that it is necessary to further extend the time frame for bringing the amendments of the Maastricht Agreement into force and to further extend Permanent Commission Decisions No 128 and No 129 until the entry into force of the amendments to the Maastricht Agreement or to 31.12.22 at the latest;

Considering that the National Contracting Parties to the Maastricht Agreement have agreed to further extend their Declaration of 19.4.16 accordingly;

On the proposal of the Provisional Council,

HEREBY TAKES THE FOLLOWING DECISION:

Article 1

Permanent Commission Decision No 128 and Permanent Commission Decision No 129, extended by Permanent Commission Decision No 133, shall be further extended until the date of entry into force of the amendments to the Maastricht Agreement or to 31.12.22 at the latest.

Article 2

The present Decision shall enter into force on the day of its signature. It shall apply from that date or from the date of applicability of the Declaration of the National Contracting Parties further extending their Declaration of 19 April 2016, whichever is the later.

Done at Brussels on 25.11.21

Renato Brkanović  
Vice-President of the Commission

