

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

## **EUROCONTROL**

- Directives of the Permanent Commission -

### **DIRECTIVE No. 17/97**

***relating to the conclusion by EUROCONTROL of operational and technical Agreements, which are necessary for the performance of the network functions.***

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 of 13 December 1960, as amended by the Protocol signed at Brussels on 12 February 1981, and in particular Articles 6.1 (b), 7.3 and 13 thereof;

Having regard to the Protocol consolidating the EUROCONTROL International Convention relating to Co-operation for the Safety of Air Navigation, which was opened for signature on 27 June 1997, and in particular Article 2.1 of the consolidated version of the Convention annexed thereto, as provisionally applied under Decision No. 71 of the Permanent Commission of 9 December 1997;

Having regard to the European Commission Decision of 7 July 2011 (C (2011) 4130) on the nomination of the Network Manager for the air traffic management (ATM) network functions of the single European sky;

Having regard to the Directive No. 11/77 of the Permanent Commission of 1 September 2011 relating to the acceptance of the nomination by the European Commission of EUROCONTROL as the Network Manager for the Air Traffic Management (ATM) network functions of the single European sky;

Whereas particularly Article 22 of European Commission Regulation (EU) No.677/2011 concerns cooperative arrangements with ANSPs of third countries as defined in Article 2, paragraph 21 of the same Regulation;

Whereas this Directive is without prejudice to the requirements for cooperative decision making, consultation, and the role of the Network Management Board as defined respectively in Articles 13, 14 and 16 of European Commission Regulation (EU) No. 677/2011;

Whereas the purpose of this Directive is to allow the Network Manager to conclude the appropriate agreements with technical and operational stakeholders necessary for the execution of the network functions, in particular agreements on the exchange of data with Air Navigation Service Providers of third countries having an impact on the network, and not to offer services to third-country Air Navigation Service Providers that could be otherwise competitively offered by Air Navigation Service Providers of the EUROCONTROL Member States;

On the proposal of the Provisional Council and of the Director General,

GIVES THE FOLLOWING DIRECTIVE TO THE AGENCY:

Article 1

The Agency is hereby authorised to conclude, on the Organisation's behalf and in its capacity as Network Manager, operational and technical agreements necessary for the performance of the network functions, with technical and operational stakeholders in Member States and in non-Member States.

Such agreements shall include the cooperative arrangements with air navigation service providers established in third countries as defined in Article 22 of European Commission Regulation (EU) No. 677/2011.

Article 2

This Directive shall enter into force at the date of its signature.

Done at Brussels on 28.3.2017

(Signed)  
Piotr SAMSON  
President of the Commission