

EUROPEAN ORGANISATION FOR THE SAFETY OF AIR NAVIGATION

“EUROCONTROL”

- Decisions of the Permanent Commission -

DECISION No. 72

on early implementation of certain provisions in the revised Convention, in particular on the establishment of a provisional Council

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, amended by the Protocol signed at Brussels on 12 February 1981, hereinafter referred to as “the amended Convention”, and in particular Articles 1(c), 2.1(j), 6.1 and 7.1 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 the consolidated version of the Convention annexed thereto, hereinafter referred to as “the revised Convention”;

Having regard to Decision No. 71 on early implementation of certain provisions in the revised Convention, in particular in respect of the role and duties of the Organisation;

Considering the need for an early implementation, where appropriate, of the revised Convention and the need to provide the Organisation for that purpose with the means necessary to fulfil, from now on, as far as is practicable, its role and duties as provided for in the revised Convention;

Recognising in particular the need to introduce a provisional Council and its subsidiary bodies that will fulfil a central role as advisory bodies in the decision-making process in the Organisation within the limits posed by the amended Convention.

TAKES THE FOLLOWING DECISION :

1. The Commission hereby establishes a provisional Council which for the period until the entry into force of the revised Convention, shall constitute the body entrusted to adopt, and submit for the Commission’s approval, all measures to be taken for the accomplishment of the tasks referred to in the amended Convention or in Decision No. 71.

The provisional Council shall further advise the Commission on issues it deems appropriate.

All measures to be taken by the Commission for the accomplishment of the tasks referred to in the amended Convention or in Decision No. 71, shall be submitted for preparation to the provisional Council.

2. The provisional Council shall be composed of representatives of the Contracting Parties at the level of the Directors General for Civil Aviation. Each contracting Party may appoint several delegates in order, in particular, to allow the interests of both civil aviation and national defence to be represented, but shall have only a single vote.

The representatives of international organisations which can contribute to the work of the Organisation shall, where appropriate, be invited by the provisional Council, to participate as observers in its meetings.

3. Decisions taken by the provisional Council shall be taken by a majority of the votes cast, on condition that the said majority represents at least three-quarters of the weighted votes cast, according to the weighting provided for in Article 8 of the amended Convention, and at least three quarters of the Contracting Parties casting a vote.
4. The provisional Council shall establish its rules of procedure, including rules governing the election of a President and Vice-President, and the rules of application of the voting procedures and the quorum.

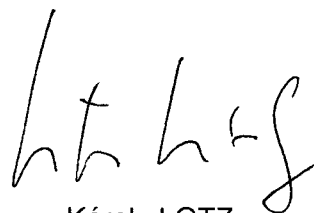
The rules shall be subject to approval of the Commission, carried by a unanimous vote.

5. The Commission hereby establishes a Performance Review Commission and a Safety Regulation Commission. These Commissions will initiate relevant proposals to the provisional Council and receive administrative support and assistance from the Agency services which have the necessary degree of independence to exercise their functions.

The Commission hereby also establishes a Civil/Military Interface Standing Committee.

6. The terms of reference and rules of procedure of the subsidiary bodies referred to in 5. above shall be subject to approval of the Commission, carried by a unanimous vote.
7. The European Community, represented by the European Commission, may participate, with observer status, in the work of the provisional Council and its subsidiary bodies.
8. The present Decision shall enter into force on 1 January 1998.

Done at Brussels on 9 December 1997



Károly LOTZ
President of the Permanent Commission