

# EUROPEAN ORGANISATION FOR THE SAFETY OF AIR NAVIGATION

## EUROCONTROL

- Decisions of the enlarged Commission -

### DECISION No. 106

***amending the Principles for establishing the cost-base for en-route charges and the calculation of the unit rates and the Rules of Procedure of the enlarged Commission***

THE ENLARGED COMMISSION:

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, and in particular Articles 2.1 (l) thereof;

Having regard to the Multilateral Agreement relating to Route Charges signed at Brussels on 12 February 1981, and in particular Articles 3.2 (a), 3.3 and 6.1 (a) 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 Nos 71 and 72 on early implementation of certain provisions of the revised Convention and in particular the establishment of a provisional Council;

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

HEREBY TAKES THE FOLLOWING DECISION:

#### Article 1

Article 1.10 of the Principles for establishing the cost base for en-route charges and the calculation of the unit rates shall be amended by the addition of the following paragraph 1.10.4:

*"1.10.4. The provisions of paragraph 1.10.1 and 1.10.2 shall also apply to any revision, in accordance with paragraph 1.4, third sub-paragraph, of the unit rate during the course of the year.*

*In so far as practicable, the Contracting States concerned shall ensure that airspace users' representatives are consulted in the enlarged Committee for route charges on the revised estimated cost-base and unit rate figures."*

## Article 2

Article 4 of the Rules of Procedure of the enlarged Commission shall be amended by the addition of the following sub-paragraph:

- "2. *No decision relating to a revision of a unit rate shall be submitted to the approval by correspondence process unless the criteria set out in paragraph 1.4, third sub-paragraph, of the Principles for Establishing the Cost-base for en-route charges and the calculation of the unit rates have been satisfied. Where such be the case, the Contracting State concerned shall duly justify its request, by supplementing its proposal with the reporting tables set out in Appendix II and with a written confirmation that all obligations in respect of consultation with airspace users' representatives, as set out in paragraph 1.10 of the Principles, have been met. If, by the specified date for reply, two or more Contracting States signify that the matter is not amenable to approval by correspondence, the matter at issue shall be placed on the agenda of the next session of the enlarged Committee or at an extraordinary session*".

## Article 3

This decision shall enter into force on 1 March 2010.

Done at Brussels on 02.03.10



G. TONELLI  
President of the Commission