

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

**EUROCONTROL**

- Decision of the enlarged Commission -

**DECISION N° 39**

relating to the amendment of the Financial Regulations applicable to the Route Charges System

THE PERMANENT COMMISSION FOR THE SAFETY OF AIR NAVIGATION, ENLARGED TO INCLUDE THE REPRESENTATIVES OF NON-MEMBER STATES OF THE ORGANISATION PARTICIPATING IN THE ROUTE CHARGES SYSTEM,

Having regard to the EUROCONTROL International Convention relating to Co-operation for the Safety of Air Navigation amended at Brussels on 12 February 1981, and in particular Article 5.2 thereof;

Having regard to the Multilateral Agreement relating to Route Charges, dated 12 February 1981, and in particular Articles 3.2 (e) and 6.1 (a) thereof;

HEREBY TAKES THE FOLLOWING DECISION:

**Sole Article**

Article 6 of Part Two of the Financial Regulations Applicable to the Route Charges System shall be amended by the addition of two new sub-clauses:

- "6. The Conditions of Application of the Route Charges System and Conditions of Payment, Clause 6, stipulate that any charge which has not been paid by the latest date for payment shall be increased by the addition thereto of Interest on Late Payment (ILP) at a rate decided by the competent bodies and calculated and billed in ECU. The interest shall be simple interest calculated from day to day on the unpaid overdue amount.

With regard to the collection of ILP, the Director of the Central Route Charges Office

(a) may authorise ILP bills to be suspended:-

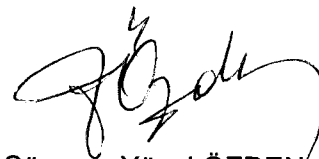
- if the whereabouts of the debtor are unknown, or
- if the debtor is insolvent or has ceased to operate, or
- in circumstances of enforced recovery by way of Administrative Recovery where the State concerned so advises, or
- in any other circumstances which the Director of the Central Route Charges Office considers to be appropriate subject to the suspension operating for a maximum period of twelve months.

(b) may authorise ILP bills to be cancelled:-

- if the delivery of the relevant route charges bills was delayed or not effected, or
- if the charging of ILP is legally uncertain.

7. In any other circumstances not provided for in 6 above, the suspension or cancellation of ILP shall be submitted to the enlarged Committee for approval by correspondence by the representatives of the Contracting States concerned."

Done at Brussels, on **9. 12. 97**



Süreyya Yücel ÖZDEN  
President of the enlarged Commission