

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

**EUROCONTROL**

- Measures of the Permanent Commission -

**MEASURE N° 84/35**

**concerning the conclusion of a revised Agreement relating to the financing of the OAT (Operational Air Traffic) part of the costs in respect of the Maastricht Centre.**

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, and in particular Articles 6.3, 11 and 12 thereof;

Having regard to the Agreement relating to the Provision and Operation of Air Traffic Services and Facilities by EUROCONTROL at the Maastricht Area Control Centre, signed at Brussels on 25 November 1986;

Considering the necessity, acknowledged by the Maastricht Coordination Group at its 37th Meeting on 11 March 1996, to revise the Agreement of 8 January 1990 between the Federal Republic of Germany and the European Organisation for the Safety of Air Navigation relating to the financing of the military part of the expenditure in respect of the Maastricht Centre;

On the proposal of the Committee of Management;

HEREBY TAKES THE FOLLOWING MEASURE:

**Article 1**

The Agreement relating to the financing of the OAT part of the costs in respect of the Maastricht Centre at annex to this measure is hereby approved.

**Article 2**

The Director General is authorised to sign the Agreement on behalf of the Organisation.

Done at Brussels on **21. 10. 96**



**Adamos ADAMIDES**  
President of the Permanent Commission

**Agreement relating to the financing of the OAT part  
of the costs in respect of the Maastricht Centre**

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The Government of the Federal Republic of Germany represented by the Federal Minister of Defence, hereinafter referred to as "Federal Republic of Germany",

on the one part,

and

the European Organisation for the Safety of Air Navigation (EUROCONTROL) established by the EUROCONTROL International Convention relating to Co-operation for the Safety of Air Navigation as amended at Brussels in 1981, represented by its Director General, Mr. Y. Lambert, hereinafter referred to as "EUROCONTROL",

on the other part,

CONSIDERING that owing to the ratio which has developed in the Maastricht Centre between the number of Operational Air Traffic (OAT) and General Air Traffic (GAT) flights to be controlled, it is necessary to revise the system for the contribution of the Federal Ministry of Defence to the costs as specified in the Agreement concluded between the Federal Republic of Germany and the European Organisation for the Safety of Air Navigation on 8 January 1990,

CONSIDERING the decision taken by the Maastricht Coordination Group at its 37th Meeting, on 11 March 1996, and notified to the Committee of Management at its 181st Session, on 12-14 March 1996,

HAVING REGARD to the Agreement between the Government of the Federal Republic of Germany and EUROCONTROL relating to the co-location of the German Air Force at the EUROCONTROL Maastricht UAC signed at Bonn on 3 November 1977 and, in particular, Article 4 thereof,

HAVING REGARD to the EUROCONTROL International Convention relating to Co-operation for the Safety of Air Navigation signed at Brussels on 13 December 1960, as amended at Brussels 12 February 1981 and, in particular Articles 6.3, 11 and 12 thereof,

HAVING REGARD to the Agreement relating to the Provision and Operation of Air Traffic Services and Facilities by EUROCONTROL at the Maastricht Area Control Centre, signed at Brussels on 25 November 1986, and in particular Article 10 thereof and Articles 3(a) and 7.1 of Annex III (Financial Protocol), thereto,

HAVING REGARD to Measure N°                    of the Permanent Commission of                    , concerning the conclusion of a revised Agreement relating to the financing of the OAT (Operational Air Traffic) part of the costs in respect of the Maastricht Centre,

HAVE AGREED AS FOLLOWS :

### Article 1

The special contribution to be paid by the Federal Republic of Germany to EUROCONTROL in respect of the military part of the investment and operating budgetary costs at the Maastricht Centre shall be calculated on the basis of the following principles:

- a) 100% of the costs which are exclusively attributable to Operational Air Traffic (OAT) shall be allocated to the Federal Ministry of Defence. The Federal Ministry of Defence shall make no contribution to costs which are exclusively attributable to General Air Traffic;
- b) 10% of the costs which are attributable to those portions of installations, services and facilities used jointly by civil and military air traffic shall be allocated to the Federal Ministry of Defence.

### Article 2

The principles referred to in Article 1 above shall apply for a period of 10 (ten) years as from the date of entry into force of this Agreement.

### Article 3

The cost sharing arrangements referred to in Article 1 above may be subject to revision where drastic changes of circumstances would so require.

### Article 4

The present Agreement shall enter into force on 1 January 1997 and shall supersede as from that date the Agreement of 8 January 1990 relating to the financing of the military part of the expenditure in respect of the Maastricht Centre.

Done at \_\_\_\_\_ on \_\_\_\_\_

in two original copies in the German and English languages, both texts being equally authentic.

For the Federal Republic of Germany

For the European Organisation  
for the Safety of Air Navigation

Federal Ministry of Defence  
Fü L III 4

the Director General

STIEGLITZ

Y. LAMBERT