Council Decision (EU) 2019/2248 of 19 December 2019 on the position to be taken on behalf of the European Union within the Joint Committee established by the Agreement on Air Transport between Canada and the European Community and its Member States

COUNCIL DECISION (EU) 2019/2248

of 19 December 2019

on the position to be taken on behalf of the European Union within the Joint Committee established by the Agreement on Air Transport between Canada and the European Community and its Member States

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 100(2), in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) The Agreement on Air Transport between Canada and the European Community and its Member States ('the Agreement') was concluded by the Union by means of Council Decision (EU) 2019/702[(1)] and entered into force on 16 May 2019.

(2) Article 17 of the Agreement establishes a Joint Committee to ensure the proper functioning and implementation of the Agreement.

(3) Article 17(8) of the Agreement provides that the Joint Committee is to adopt its rules of procedure.

(4) In order to ensure the effective implementation of the Agreement, the Joint Committee's rules of procedure should be adopted.

(5) The position of the Union within the Joint Committee should therefore be based on the attached draft Joint Committee Decision,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on behalf of the Union during the first meeting of the Joint Committee established by Article 17 of the Agreement on Air Transport between Canada and the European Community and its Member States, in relation to the adoption of the rules of procedure of the Joint Committee, shall be based on the draft Decision of the Joint Committee attached to this Decision.

Minor changes to the draft Decision of the Joint Committee may be agreed to by the representatives of the Union within the Joint Committee without a further Council Decision.

Changes to legislation: *There are currently no known outstanding effects for the Council Decision (EU) 2019/2248. (See end of Document for details)*

Article 2

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 19 December 2019.

For the Council

The President

K. MIKKONEN

***Changes to legislation:** There are currently no known outstanding effects for the Council Decision (EU) 2019/2248. (See end of Document for details)*

ANNEX

RULES OF PROCEDURE

THE JOINT COMMITTEE,

Having regard to the Agreement on Air Transport between Canada and the European Community and its Member States, and in particular Article 17 thereof,

HAS ADOPTED THE FOLLOWING RULES OF PROCEDURE:

Article 1

Heads of Delegation

1 The Joint Committee shall be composed of representatives of the Parties.

2 The Joint Committee shall be jointly chaired by the Heads of Delegation of the Parties.

Article 2

Meetings

1 The Joint Committee shall meet at least once a year, with responsibility for hosting alternating between the Parties. In addition, either Party may request the convening of a meeting of the Joint Committee pursuant to Article 17(3) of the Agreement.

2 The Joint Committee may hold meetings face-to-face or via other means (conference calls or video conferences).

Article 3

Delegations

1 Prior to a meeting, the Heads of Delegation shall inform each other of the intended composition of their delegations for that meeting.

2 Air transport industry stakeholder representatives may be invited to attend meetings as observers, if the Joint Committee so agrees.

3 The Joint Committee may agree to invite other interested parties or experts to attend meetings in order to provide information on particular subjects.

Article 4

Secretariat

An official of the European Commission and an official of the Government of Canada shall act jointly as secretaries of the Joint Committee.

Changes to legislation: *There are currently no known outstanding effects for the Council Decision (EU) 2019/2248. (See end of Document for details)*

Article 5

Agenda of the meetings

1 The Heads of Delegation shall establish the provisional agenda of each meeting by mutual agreement. To facilitate distribution to, and consultation with, members of each delegation, and to the extent possible, that provisional agenda shall be established at the latest fifteen days before the date of the meeting.

2 The agenda shall be adopted by the Joint Committee at the beginning of each meeting. Items other than those appearing on the provisional agenda may be included in the agenda if the Joint Committee so agrees.

3 The Heads of Delegation may shorten the time limit provided for in paragraph 1 in order to take into account the urgent nature of a particular matter.

Article 6

Record of the Meeting

1 A draft Record of the Meeting of each Joint Committee meeting shall be drawn up at the end of each meeting. It shall indicate the items discussed and any joint conclusions reached, including any recommendations and decisions adopted.

2 The Record of the Meeting shall be approved in writing by the Heads of Delegation within 30 days of the date of the meeting or by any other date decided by the Parties.

3 When approved, the Record of the Meeting shall be signed by the Heads of Delegation and one original copy will be filed by each of the Parties. The Parties may decide that signing and exchanging electronic copies satisfies that requirement.

4 Except as otherwise agreed, the meetings of the Joint Committee shall not be public. The Records of the Meeting and exchanges of correspondence, as the case may be, shall be public unless otherwise requested by one of the Parties. If necessary, the Joint Committee may agree to recommend the issuance of a joint press release.

Article 7

Written procedure

Where necessary, and duly motivated, decisions and recommendations of the Joint Committee may be adopted through written procedure. To that end, the Heads of Delegation shall exchange the draft measures on which the opinion of the Joint Committee is asked, which then may be confirmed by exchange of correspondence.

Article 8

Deliberations

1 The Joint Committee shall take its decisions and formulate recommendations on the basis of consensus.