Council Decision (EU) 2019/1912 of 11 November 2019 on the position to be taken, on behalf of the European Union, within the enlarged Commission of Eurocontrol, regarding principles for establishing the cost-base for en route charges and for the calculation of the unit rate, and regarding conditions of application of the route charges system and conditions of payment

COUNCIL DECISION (EU) 2019/1912

of 11 November 2019

on the position to be taken, on behalf of the European Union, within the enlarged Commission of Eurocontrol, regarding principles for establishing the cost-base for en route charges and for the calculation of the unit rate, and regarding conditions of application of the route charges system and conditions of payment

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 Multilateral Agreement relating to Route Charges ('the Agreement') entered into force in 1 January 1986.

(2) Pursuant to Article 3(2) of the Agreement, the enlarged Commission adopts principles governing the assessment of costs for the calculation of air navigation charges and the conditions of application and payment of such charges.

(3) The enlarged Committee, during its 112th session on 26 and 27 June 2019, adopted decisions on the proposed modifications to the principles for establishing the cost-base for en route charges and for the calculation of the unit rates, and on an update to the conditions of application of the route charges system and conditions of payment ('the decisions').

(4) It is appropriate to establish the position to be taken, on behalf of the Union, in the enlarged Commission of Eurocontrol, which will approve these modifications at its ad hoc session on 28 November 2019, as the subject matter of the decisions is largely covered by Union legislation, namely Commission Implementing Regulation (EU) 2019/317[(1)]. Those acts may therefore affect common rules or alter their scope and the Union has exclusive external competence by virtue of Article 3(2) of the Treaty.

(5) The purpose of the decisions is to ensure continued consistency with Union rules on transport, in particular Regulation (EC) No 549/2004 of the European Parliament and of the Council[(2)], and Implementing Regulation (EU) 2019/317. It is, therefore, appropriate to support the adoption of the decisions.

Changes to legislation: *There are currently no known outstanding effects for the Council Decision (EU) 2019/1912. (See end of Document for details)*

(6) The position of the Union is to be expressed by the Member States of the Union that are members of the enlarged Commission of Eurocontrol, acting jointly,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union's behalf in the written procedure before or during the ad hoc session of the enlarged Commission of Eurocontrol to be held on 28 November 2019 shall be the following:

(a) to support the updated principles for establishing the cost-base for en route charges;

(b) to support the updated conditions of application of the route charges system and conditions of payment.

Article 2

The position referred to in Article 1 shall be expressed by the Member States of the Union that are members of the enlarged Commission of Eurocontrol, acting jointly.

Article 3

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

Done at Brussels, 11 November 2019.

For the Council

The President

F. MOGHERINI