

European GNSS Agency: tasks, bodies and powers

2013/0022(COD) - 06/02/2013 - Legislative proposal

PURPOSE: in view of the increased involvement of the European GNSS Agency in the implementation phase of programmes, to ensure the independence of the exercise of system security accreditation.

PROPOSED ACT: Regulation of the European Parliament and of the Council amending Regulation (EU) No 912/2010 setting up the European GNSS Agency.

PARLIAMENT'S ROLE: Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: security requirements play an essential role in the design, implementation and operation of the infrastructures emerging from the Galileo and EGNOS programmes.

The provisions of [Regulation \(EU\) No 912/2010](#) expressly lay down the terms under which the Agency must perform its task concerning security accreditation of the systems. In order to ensure that the security accreditation activities are performed in an independent manner, including, to a large extent, the Regulation provides the Agency with an independent body, the Security Accreditation Board, which constitutes one of the three separate roles of the Agency along with the Executive Director and the Administrative Board.

On 30 November 2011 the Commission adopted a [proposal for a Regulation on the implementation and exploitation of European satellite navigation systems](#). This future GNSS Regulation will replace [Regulation \(EC\) No 683/2008](#) as of 1 January 2012 and determine the governance framework during the 2014-2020 period. In particular, it stipulates that most of the tasks associated with the operation of both the Galileo and EGNOS systems will be entrusted to the European GNSS Agency. The commitment expressed by the Commission in its proposal to delegating these tasks to the Agency is shared by the European Parliament and the Council.

In this new context, it is essential to **ensure that the Security Accreditation Board is able to carry out the task entrusted to it with complete independence**, in particular *vis-à-vis* the other bodies and activities of the Agency.

IMPACT ASSESSMENT: the Commission's proposal was not subject to an impact assessment; nor did it follow formal consultation of the parties concerned.

LEGAL BASIS: Article 172 of the Treaty on the Functioning of the European Union (TFEU).

CONTENT: the proposal seeks to amend Regulation (EU) No 912/2010 with a view **ensuring the independence of the exercise of activities relating to security systems accreditation** as well as the separation between these activities and other activities of the European GNSS Agency.

To do so, the proposal provides mainly for an **increase in the powers of the Security Accreditation Board and those of the Chairperson of the Security Accreditation Board**, by partly aligning them with those of the Administrative Board and the Executive Director respectively, while providing for a cooperation requirement between the various bodies of the Agency.

Security Accreditation Board: it is proposed that this Board, and not the Administrative Board prepares and approves the part of the Agency work programmes describing the operational activities associated with security accreditation of the systems as well as the part of the annual report concerning the activities and prospects of the Agency with regard to the systems' security accreditation activities and submits them in good time to the Administrative Board so that they can be incorporated in the Agency's work programme and annual report. It must also exercise disciplinary authority over its Chairperson.

Chairperson of the Security Accreditation Board: it would be desirable to assign a role in relation to security accreditation activities to the Chairperson of the Security Accreditation Board comparable to that of the Executive Director in other Agency activities. Therefore, in addition to the function of representing the Agency, already provided for under Regulation (EU) No 912/2010, the Chairperson of the Security Accreditation Board should:

- manage the security accreditation activities under the direction of the Security Accreditation Board and ensure the implementation of the part of the Agency work programmes associated with accreditation;
- at the request of the Parliament or the Council, submit a report on the performance of its tasks and make a declaration before these institutions.

Furthermore, given the involvement of a number of **third countries** in the European GNSS programmes, including in security matters, express provision should be made for representatives of third countries to be able to participate under conditions to be specified in the work of the Security Accreditation Board.

Lastly, Regulation (EU) No 912/2010 must be made consistent with the principles contained in the shared approach of the Parliament, Council and Commission to the **decentralised agencies**, adopted by the three institutions on 5 July, 26 June and 12 June 2012 respectively.

BUDGETARY IMPLICATIONS: the legislative financial statement associated with Regulation (EU) No 912/2010, which accompanies the proposal and incorporates the new staff requirements of the Agency relating to the new tasks which may be entrusted to it, such as the exploitation of the European GNSS systems, translates these requirements in financial terms. In budgetary terms, the amounts required are already included in the Commission's proposal for the next financial framework 2014-2020. They will be financed by redeployment within the budget headings of the GNSS programmes in the same way as the additional requirements for 2013. It should be noted that the expenditure associated with the new staff requirements of the Agency will be partially offset by a reduction of 30 posts in the Commission's establishment plan during the same period, i.e. from 2014 to 2020.

The total estimated impact on the Agency's budget (operational and administrative expenditure) amounts to **EUR 204.318 million for the period 2013-2020**. This estimate is provisional because it is dependent on the adoption of the next multiannual financial framework 2014-2020 by the budgetary authority.