

Satellite radio-navigation: structures for the management of the European programmes

2006/0090(CNS) - 12/12/2006 - Final act

PURPOSE: to enable the GNSS Supervisory Authority to complete the development phase of the Galileo programme.

LEGISLATIVE ACT: Council Regulation 1942/2006/EC amending Regulation 1321/2004/EC on the establishment of structures for the management of the European satellite radio-navigation programmes.

BACKGROUND: four phases define the establishment and the completion of the Galileo programme namely:

- **Phase 1 Definition:** 1999- 2001: Establishment of the system's architecture;
- **Phase 2 Development:** 2002-2005: Development of the system's satellites;
- **Phase 3 Deployment:** 2006-2007: Construction and launching of satellites;
- **Phase 4 Operating:** 2008- : Management of the Galileo project.

In 2002 the “Galileo Joint Undertaking” was set up in order to implement the “development” phase of the programme. The Regulation establishing the Galileo J.U. (Regulation 876/2002/EC *setting up the Galileo Joint Undertaking*) specified that the body was to be wound up upon completion of the development phase; end 2005. The deadline for the completion of the “development phase” has been extended and so too has the mandate of the Galileo J.U. to take account of the deadline’s extension. See also (CNS/2006/0115).

However, as the Galileo programme currently stands, the development phase is not expected to be completed before the end of 2008. Given that extending the lifetime of the J.U. beyond 2006 is neither cost-effective nor efficient, the Community has decided to wind up the Galileo J.U. on 31 December 2006 and transfer responsibility for completing the development phase to the European Global Navigation Satellite System (GNSS) Authority. The GNSS Authority was established in 2004 by Regulation 1321/2004/EC with a mandate to manage the public interests of the European satellite radio navigation programmes, Egnos as well as Galileo. It also acts as the regulatory authority for the programme during the “deployment” and “operational” phases and as such is well placed to take over all Galileo J.U. activities relating to the “development” phase.

CONTENT: the purpose of this Regulation, therefore, is to transfer responsibility for the development phase from the Galileo J.U. to the GNSS Authority. In order to do so Regulation 1321/2004/EC needs to be amended accordingly. The amendments, in summary, state that:

- the GNSS will take over the tasks assigned to the Galileo J.U. for the completion of the development phase;
- the GNSS will be responsible for carrying out any research relating to the development phase;
- the GNSS will be the owner of all tangible and intangible assets created or developed during the entire development phase, including those owned by the Galileo J.U. and its subcontractors. The intangible assets will include all intellectual property rights;

- the administrative board of the Authority will establish a “System Safety and Security Committee”.

ENTRY INTO FORCE: 22 December 2006.