

Basic information	
<p>2011/0392(COD)</p> <p>COD - Ordinary legislative procedure (ex-codecision procedure) Regulation</p>	Procedure completed
<p>European satellite navigation systems: implementation and exploitation 2014-2020</p> <p>Repealing Regulation (EC) No 876/2002 2001/0136(CNS) Repealing Regulation (EC) No 683/2008 2004/0156(COD) Repealed by 2018/0236(COD) See also 2013/0064(COD)</p> <p>Subject</p> <p>3.30.03.06 Communications by satellite</p>	

Key players				
European Parliament	Committee responsible		Rapporteur	Appointed
	ITRE Industry, Research and Energy		MARINESCU Marian-Jean (PPE)	26/01/2012
			Shadow rapporteur	
			ȚICĂU Silvia-Adriana (S&D)	
			HALL Fiona (ALDE)	
			LAMBERTS Philippe (Verts /ALE)	
			TOŠENOVSKÝ Evžen (ECR)	
		REMEK Vladimír (GUE /NGL)		
	Committee for opinion		Rapporteur for opinion	Appointed
	AFET Foreign Affairs		TERHO Sampo (EFD)	06/03/2012
	BUDG Budgets		CARVALHO Maria da Graça (PPE)	06/02/2012
	TRAN Transport and Tourism		FOSTER Jacqueline (ECR)	19/12/2011
Council of the European Union	Council configuration		Meetings	Date
	Transport, Telecommunications and Energy		3213	2012-12-20

	Transport, Telecommunications and Energy	3278	2013-12-05
	Transport, Telecommunications and Energy	3134	2011-12-12
	Transport, Telecommunications and Energy	3171	2012-06-07
European Commission	Commission DG		Commissioner
	Internal Market, Industry, Entrepreneurship and SMEs		TAJANI Antonio
European Economic and Social Committee			
European Committee of the Regions			

Key events			
Date	Event	Reference	Summary
30/11/2011	Legislative proposal published	COM(2011)0814 	Summary
12/12/2011	Debate in Council		Summary
15/12/2011	Committee referral announced in Parliament, 1st reading		
07/06/2012	Debate in Council		Summary
20/12/2012	Debate in Council		Summary
18/09/2013	Vote in committee, 1st reading		
04/10/2013	Committee report tabled for plenary, 1st reading	A7-0321/2013	Summary
19/11/2013	Debate in Parliament		
20/11/2013	Decision by Parliament, 1st reading	T7-0477/2013	Summary
20/11/2013	Results of vote in Parliament		
05/12/2013	Act adopted by Council after Parliament's 1st reading		
11/12/2013	Final act signed		
11/12/2013	End of procedure in Parliament		
20/12/2013	Final act published in Official Journal		

Technical information	
Procedure reference	2011/0392(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	Repealing Regulation (EC) No 876/2002 2001/0136(CNS) Repealing Regulation (EC) No 683/2008 2004/0156(COD) Repealed by 2018/0236(COD) See also 2013/0064(COD)

Legal basis	Treaty on the Functioning of the European Union TFEU 172
Other legal basis	Rules of Procedure EP 165
Mandatory consultation of other institutions	European Economic and Social Committee European Committee of the Regions
Stage reached in procedure	Procedure completed
Committee dossier	ITRE/7/08051

Documentation gateway				
European Parliament				
Document type	Committee	Reference	Date	Summary
Committee draft report		PE489.561	05/06/2012	
Committee opinion	BUDG	PE487.670	07/06/2012	
Amendments tabled in committee		PE492.596	27/06/2012	
Committee opinion	AFET	PE489.360	10/07/2012	
Committee opinion	TRAN	PE483.662	12/07/2012	
Committee report tabled for plenary, 1st reading/single reading		A7-0321/2013	04/10/2013	Summary
Text adopted by Parliament, 1st reading/single reading		T7-0477/2013	20/11/2013	Summary
Council of the EU				
Document type		Reference	Date	Summary
Draft final act		00026/2013/LEX	11/12/2013	
European Commission				
Document type		Reference	Date	Summary
Legislative proposal		COM(2011)0814 	30/11/2011	Summary
Document attached to the procedure		SEC(2011)1446 	30/11/2011	
Document attached to the procedure		SEC(2011)1447 	30/11/2011	
Commission response to text adopted in plenary		SP(2014)87	30/01/2014	
Follow-up document		COM(2017)0616 	23/10/2017	Summary
Follow-up document		SWD(2017)0346 	23/10/2017	
National parliaments				
	Parliament			

Document type	/Chamber	Reference	Date	Summary
Contribution	PT_PARLIAMENT	COM(2011)0814	24/02/2012	
Contribution	CZ_SENATE	COM(2017)0616	23/02/2018	
Other institutions and bodies				
Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES0837/2012	28/03/2012	

Additional information			
Source	Document	Date	
National parliaments	IPEX		
European Commission	EUR-Lex		
European Commission	EUR-Lex		

Final act
Regulation 2013/1285 OJ L 347 20.12.2013, p. 0001 Summary

European satellite navigation systems: implementation and exploitation 2014-2020

2011/0392(COD) - 30/11/2011 - Legislative proposal

PURPOSE: to propose a new financial and governance framework concerning the two European satellite radio navigation programmes, Galileo and EGNOS (GPS signal augmentation) for the period 2014-2020.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

BACKGROUND: Regulation (EC) No 683/2008 defines the framework for the public governance and financing of the Galileo and EGNOS programmes. In particular, it allocates **EUR 3405 million for the period from 1 January 2007 to 31 December 2013**.

As provided for in the Regulation, the Commission adopted a report to the European Parliament and to the Council on the [mid-term review](#) of the European satellite navigation programmes on 18 January 2011. As a result of this report, the Council, among other things, expressed its support once again for the European satellite navigation programmes as defined in Regulation (EC) No 683/2008. It also noted the overall cost estimates and the fact that the Commission would submit a proposal including changes to the governance model with a view to the next multiannual financial framework.

For its part, in its [resolution](#) adopted on 8 June 2011, the Parliament also restated its support for the European satellite navigation programmes and considered that it should be principally funded by the Union budget. It asked the Commission to submit legislative proposals quickly with particular emphasis on the need to provide a long-term, stable framework, in particular for operation of the systems.

In its [Communication](#) dated 29 June 2011, accompanied by a [proposal for a Council Regulation](#) of the same date, the Commission proposed to assign EUR 7 000 million to the financing of the European satellite navigation programmes during the next multiannual financial framework for the 2014-2020 period. Nevertheless, it indicated here that it is necessary to maintain efforts to control costs and that new management procedures should be planned for the long-term. It should be noted that this sum of EUR 7 000 million, at 2011 constant prices, is an absolute ceiling and corresponds to a sum of EUR 7 897 million at current prices.

The Commission recalls that it should be borne in mind that the Galileo and EGNOS programmes are flagship projects of the Union and fit in perfectly with the Europe 2020 strategy and policies for sustainable development. It should also be emphasised that the European satellite navigation programmes does not only concern the Member States with the greatest involvement in the space field: they concern all the Member States of the Union directly. As part of Europe 2020's [flagship initiative 'An Industrial Policy for the Globalisation Era'](#) the Commission is responsible for developing an effective space policy to provide the tools to address some of the key global challenges and in particular to deliver Galileo.

IMPACT ASSESSMENT: the impact assessment focused on the continued implementation of the programmes and on two particular key problems: i) firstly, the configuration of future services, given that the budget allocated for the period 2008-2013 is insufficient to complete the infrastructure of the system established under the Galileo programme and to ensure the operation of EGNOS; and ii) the definition of the operational governance model and the financing required.

On the first point:

- concerning the system established under the Galileo programme, evaluation of the various options has shown that the best option is to retain the services initially specified, with the exception of the (Safety of Life) SoL service. This solution, which requires less infrastructure on the ground, reduces the costs;
- with regard to EGNOS, the system is already operational and many users are enjoying its benefits. In addition, when the SoL service was declared operational, the Commission gave assurances regarding the continuity of this service to users who went on to make significant investments. Ending the EGNOS programme is not an option in this context.

On the second point, the impact assessment concluded that the Commission, representing the Union, should remain responsible for the programmes while the Union continues to ensure their funding alone, as proposed by the Commission.

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

CONTENT:

The proposed Regulation meets the requests of the Parliament and the Council while taking into account the contents of the Commission Communication of 29 June 2011. It is the basic act for European satellite navigation programmes for the period covered by the next multiannual financial framework, providing in particular for **funding and the governance model for the programmes**. Given the magnitude of the changes to be made to Regulation (EC) No 683/2008, it was deemed necessary to propose that it be replaced with a new Regulation rather than amended.

The Commission proposes to earmark **EUR 7 000 million** (EUR 7 897 million in current prices) to guarantee the completion of the EU satellite navigation infrastructure and to ensure the exploitation of the systems **until 2020**, such as the operations of the space and terrestrial infrastructures, the necessary replenishment/replacement activities, certification procedures, and notably the provision of services.

The proposal also recalls that the Union remains the owner of the systems. Therefore the management of the programmes' **exploitation should be delegated to the European GNSS Agency while management of the programmes' deployment should be delegated to the European Space Agency**.

In order to enable the European Parliament and the Council to gain a full picture of the conditions under which the European GNSS Agency would be obliged to carry out the tasks entrusted to it under the new governance model, particularly concerning resources, the Commission will submit a proposal in 2012 for the amendment of Regulation (EU) No 912/2010 and of the associated financial statement.

BUDGETARY IMPACT: the Union will continue to finance the Galileo and EGNOS programmes alone. **Its contribution to the programmes for the period 2014-2020 shall not exceed EUR 7 897 million at current prices**. It covers three main activities, namely, completion of the deployment phase of the Galileo programme, the exploitation phase of the same programme and operation of the EGNOS system. The latter includes ongoing improvement of the services provided by the system in order to meet the changing needs of users.

Retaining the expertise acquired within the Commission is an essential factor in ensuring the continuity of the programmes. Consequently, the Commission will retain temporary agents currently in employment for periods to be determined in accordance with the various phases of the programmes and will transfer personnel to the European GNSS Agency.

DELEGATED ACTS: the proposal contains provisions empowering the Commission to adopt delegated acts in accordance with Article 290 of the Treaty on the Functioning of the European Union.

European satellite navigation systems: implementation and exploitation 2014-2020

2011/0392(COD) - 12/12/2011

The Commission presented its proposal for a regulation on the implementation and exploitation of the European satellite navigation programmes EGNOS and Galileo to ministers. The proposal, which will replace Regulation (EC) No 683/2008, establishes in particular the rules for the financing and governance of the programmes for the period 2014 to 2020.

The incoming Danish presidency will continue work on this proposal.

European satellite navigation systems: implementation and exploitation 2014-2020

2011/0392(COD) - 07/06/2012

The Council agreed on a **partial general approach** on a draft regulation defining a new financial and governance framework for the European satellite navigation systems (EGNOS and Galileo), for the period covered by the multiannual financial framework 2014-2020. The regulation will replace the current 2008 basic regulation for the European satellite navigation programmes, adopted in 2008 and covering the years 2007 to 2013.

Subcontracting: as a result of ministers' discussions, the presidency compromise proposal has been slightly amended as regards the provision on subcontracting under the procurement rules. In order to foster participation of small and medium-sized enterprises, it has been specified that subcontracting should be made by competitive tendering "at the appropriate levels of subcontracting".

Security accommodation: in addition, a statement on security accreditation activities was adopted, inviting the Commission to present a proposal so as to ensure that compliance of the systems with the security requirements is checked in an independent manner.

Financing: the programmes will be financed from the EU budget, with resources needed for the period 2014- 2020 estimated at around EUR 7.9 billion at current prices. The exact amount of funding to be made available by the EU is left out of the partial general approach, as it will depend on the outcome of the discussions on the next multiannual financial framework. Additional funding may be provided by member states to cover additional elements in particular cases. Third countries and international organisations may also make additional contributions.

Activities: the activities to be financed under the regulation concern the completion of the deployment phase of Galileo (that is, the establishment of space and ground-based infrastructures) and the exploitation of the Galileo and EGNOS systems.

Governance: the governance tasks will be clearly divided between the Commission, the European Space Agency and the European GNSS Agency:

- the Commission will bear the overall responsibility, managing the funds, organising the delegation of tasks, monitoring the implementation of programmes and ensuring their security;
- the European GNSS Agency will be responsible for tasks related to the exploitation phase of the Galileo and EGNOS programmes, including programme management and marketing of services. The implementation of security procedures will also be part of its remit;
- the European Space Agency will be responsible for tasks related in particular to the design and procurement of the system during the deployment phase of the Galileo programme. In addition, it will cooperate with the GNSS Agency in the exploitation of the Galileo and EGNOS programmes, in particular as regards technical support and future technical development.

Public procurement: the draft regulation also contains rules on public procurement in the programmes, promoting the widest participation possible throughout the Union and ensuring fair competition conditions. Tenderers will be asked to subcontract a share of the contract.

Galileo will be an independent European global satellite-based navigation system, providing five services: (i) an open service (OS) free for the user and providing signals for timing and positioning; (ii) a commercial service (CS) for applications for professional or commercial use requiring higher performance than offered by the open service; (iii) public regulated service (PRS) using strong, encrypted signals and restricted to government-authorised users; (iv) a contribution to the international search and rescue service (S&R) system by detecting emergency signals; and (v) a contribution to integrity monitoring services aimed at users of safety-of-life (SoL) applications; the SoL function, which will be provided in cooperation with the American GPS, allows users for whom safety is essential, for instance airlines or maritime companies, to be alerted when certain margins of accuracy are not met.

The first initial services (OS, PRS and S&R) are due to be available by 2014-2015. The system will be fully operational when all satellites are in place. This should be achieved in 2019/2020.

The Commission pointed out that it had some misgivings about the general approach agreed upon by the Council, in particular as regards the lack of delegation of powers to the Commission for the amendment of certain elements of the regulation

The partial general approach still needs to be **complemented by a provision on the financial envelope**. One delegation, which is in principle in favour of the text, abstained for the time being, pending the decision on the budgetary part.

European satellite navigation systems: implementation and exploitation 2014-2020

2011/0392(COD) - 23/10/2017 - Follow-up document

This report from the Commission presents the interim evaluation of the European satellite navigation programmes, Galileo and EGNOS, and the evaluation of the European GNSS Agency (GSA), as required by Regulation (EU) No 1285/2013 on the implementation and exploitation of the European satellite navigation systems ("the GNSS Regulation") and Regulation (EU) No 912/2010 setting up the European GNSS Agency ("the GSA Regulation").

The interim evaluation focuses on the period from 1 January 2014 to 31 December 2016.

The evidence presented in the interim evaluation demonstrated that overall **the implementation of the GNSS Regulation and of the GSA Regulation has shown good results** in the light of the general evaluation criteria and specific requirements for the European GNSS programmes. The Galileo and EGNOS programmes have achieved all the milestones that were set for the period concerned and progress is being made towards delivering on all the programme implementation objectives set for 2020.

Market uptake: over the evaluation period, the market uptake of Galileo and EGNOS has progressed well. The European GNSS industry has grown and accounted for **25% of the global GNSS market in 2015**.

The vast majority of new navigation chipsets include the processing of Galileo signals and are gradually integrated in user receivers in various market segments. All new products of the two largest smartphone manufacturers include Galileo-compatible chipsets.

As for EGNOS, major socio-economic benefits have already been produced especially in three industrial domains with the largest market penetration: aviation, agriculture and surveying.

System deployment and services: the Galileo programme has achieved its key objective set out for the evaluation period. The system was **declared operational** and is providing initial services since December 2016, namely an initial open service (OS), search and rescue support service (SAR) and public regulated service (PRS).

The **space segment** of Galileo was enhanced with 14 additional satellites launched in the evaluation period. In November 2016, for the first time ever, four Galileo satellites were launched together on an Ariane-5 rocket.

EGNOS now provides the highest quality guided approach services available today to airline and aerodrome operators, with an increase in flight and landing safety, and benefits related to the optimisation of fuel consumption. More than **230 airports in 20 countries** are using EGNOS landing approach procedures at the end of 2016.

Budget: for the period 2014-2020, the European Union allocated a total budget of **EUR 7 071.73 million** for the Galileo and EGNOS programmes. This envelope covers programme management activities, Galileo deployment and exploitation activities, EGNOS exploitation activities and risks associated with these activities. As of end 2016, the Galileo and EGNOS programmes are **on track to respect the budget boundaries** set by the GNSS Regulation for the period 2014-2020. The Commission monitors the budget closely to ensure its stays within the limit.

GSA: over the period 2014-2016, the Agency has been efficient overall in terms of smooth running, working methods and use of resources. Between 2014 and 2016 with the increasing responsibilities entrusted to the GSA, the total budget managed by the Agency has grown by 85.9%, and the GSA staff has increased by 22.1%.

Next steps: looking to the future, the Commission aims to provide a **long-term vision for the programmes**, allowing businesses and users to reap the benefits of the European satellite navigation systems. In this context, the Commission will strive for **greater synergies between space and defence programmes**, in line with the recently adopted Space Strategy for Europe and Defence Action Plan.

The European market for users of Galileo and EGNOS will expand. Also, the traditional GNSS market will be complemented with the field of Internet of Things, smart cities and Big Data. **The next years will be crucial** for consolidating the achievements and preparing the evolution of the programmes.

European satellite navigation systems: implementation and exploitation 2014-2020

2011/0392(COD) - 20/12/2012

The Council took note of the **state of play** on the draft Regulation defining a new financial and governance framework for the European satellite navigation systems (EGNOS and Galileo), for the period covered by the multi-annual financial framework 2014-2020.

In June 2012, the Council agreed on a **partial general approach** to the draft Regulation, leaving out, for the time being, the financial envelope for the satellite navigation programmes.

Parliament could accept a significant part of the Council's partial general approach, and agreement could also be reached on a number of technical issues. **However, the following issues in particular remain to be settled:**

- **Maximisation of the socio-economic benefits from the programmes through the development of applications:** Parliament considers that applications are the only way to show the citizens the socio-economic benefits they can obtain from Galileo and EGNOS and that it would not be worth to have a system up and running if it could not be used for services and related applications.
- **Breakdown of activities and of the funds to be assigned to the programmes:** Parliament considers that, in order to ensure transparency and accountability as regards the use of taxpayers' money allocated to the programmes, activities and funds should be broken down in a clear and detailed manner, including the amount to be allocated to the financing of the development of applications.
- **Governance of the programmes:** Parliament considers that the EU GNSS Agency should play a crucial role to ensure the maximisation of the socio-economic benefits of the programmes.
- **Extension of the EGNOS coverage to candidate countries, third countries belonging to the Single European Sky and countries of the European Neighbourhood Policy:** Parliament attaches the utmost importance to such an extension and wants to reinforce the relevant provisions in the draft Regulation.
- **The issue of powers to be delegated to the Commission for certain decisions concerning the implementation of the Regulation:** Parliament considers that a number of measures and requirements should be established and amended by the Commission using only the delegated acts procedure, in order to guarantee Parliament's full involvement in the programmes.

The Council is invited to take note of the content of the progress report with a view to inviting the Council's preparatory bodies to continue the negotiations with Parliament in order to **reach an agreement as soon as possible on this file**.

Any subsequent progress is **closely linked to the result of the negotiations under way on the next multiannual financial framework (MFF)**. No decision can be taken for as long as the amount to be assigned in the MFF to satellite navigation remains unknown. For this reason, any agreement reached between the two legislators may have to be reviewed.

European satellite navigation systems: implementation and exploitation 2014-2020

2011/0392(COD) - 04/10/2013 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Industry, Research and Energy adopted the report by Marian-Jean MARINESCU (EPP, RO) on the proposal for a regulation of the European Parliament and of the Council on the implementation and exploitation of European satellite navigation systems.

The committee recommends that the position of Parliament adopted in first reading following the ordinary legislative procedure should amend the Commission proposal as follows:

The European satellite navigation systems and programmes:

1) The system established under the **Galileo** programme shall be a **civil system under civil control** and an autonomous global navigation satellite system (GNSS) infrastructure consisting of a constellation of satellites and a global network of ground stations.

Amongst other things, the GALILEO programme should contribute to integrity monitoring services aimed at users of **safety-of-life** applications in compliance with international standards.

2) The **EGNOS** system shall be a regional satellite navigation system infrastructure monitoring and correcting open signals emitted by existing global satellite navigation systems, as well as those of the open service offered by the system established under the Galileo programme, when they become available.

The EGNOS programme must ensure that the signals emitted by the EGNOS system can be used to fulfil certain functions and must **as a priority**, provide these functions **within the area of the Member States' territories geographically located in Europe as soon as possible**. The geographical coverage of the EGNOS system may be extended to other regions of the world, in particular to the territories of candidate countries, subject to technical feasibility and on the basis of international agreements.

Galileo programme phasing: the development and validation phase is scheduled to be completed by **2013**, while the deployment phase is to be completed by **2020**.

The latter must comprise the construction, establishment and protection of all ground-based infrastructures, in particular of the infrastructures required to control the satellites and related evolutive maintenance and operations.

The exploitation phase shall begin progressively between **2014 and 2015** with provision of the initial services for the open service, search and rescue service and public regulated service.

Ownership: the Union shall be the owner of all tangible and intangible assets created or developed under the programmes. The Commission shall ensure, through an appropriate framework, the optimal use of the assets; in particular, it shall manage the intellectual property rights related to the programmes as effectively as possible.

Financing: the Union shall finance the activities relating to Galileo and EGNOS programmes without prejudice to any contribution from any other funding source.

The financing shall be broken down as follows:

- for the activities regarding GALILEO deployment phase: EUR 1.93 billion at current prices;
- for the activities regarding GALILEO exploitation phase: EUR 3 billion at current prices;
- for the activities regarding EGNOS exploitation phase: EUR 1.58 billion at current prices;

for the activities associated with the management and monitoring of the programmes: EUR 0.56173 billion at current prices.

In the interest of flexibility and to ensure a smooth running of the programmes, the Commission must be able to re-allocate funds from one category to another up to a **ceiling of 10% of the total amount**. It shall inform the European Parliament and the Council of any re-allocation of funds between categories of expenditure.

Governance of the programmes: public governance of the programmes shall be based on the principles of:

- a **strict division of tasks and responsibilities** between the various bodies involved, in particular the Commission, the European GNSS Agency and the ESA, under the overall responsibility of the Commission;

- **sincere cooperation** between these bodies and the Member States;
- **strong control** of programmes, including for strict adherence to cost and schedule by all the bodies involved, within their fields of responsibility, with respect to the objectives of the programmes;
- **optimisation and rationalisation** of the use of existing structures, in order to avoid any duplications of technical expertise;
- the use of the **best practice** project management systems and techniques to oversee the implementation of the programmes.

Role of the Commission: the Commission will have the **overall responsibility for the programmes**. It shall manage the funds allocated under this Regulation and oversee the implementation of all programme activities, in particular with respect to the cost, schedule and performance. In this context, it must provide the Member States and the European Parliament, in a timely manner, with all relevant information pertaining to the programmes.

The Commission must also ensure the security of the programmes, including the security of the systems and their operation.

The role of the European GNSS Agency: this Agency must perform the following tasks:

- **ensure security accreditation** through its Security Accreditation Board, and the operation of the Galileo Security Monitoring Centre;
- **contribute to the promotion and marketing of services** including by carrying out the necessary market analysis, in particular through the market report produced annually by the European GNSS Agency on the market for applications and services, by establishing close contacts with users and potential users of the systems with a view to collecting information on their needs, and by drawing up an action plan for the adoption by user community, comprising in particular relevant actions relating to standardisation and certification.

The European GNSS Agency shall **enter into the working arrangements with the ESA** that are necessary for the fulfilment of their respective tasks under this Regulation for the exploitation phase of the programmes.

The role of the European Space Agency: for the deployment phase of the Galileo programme the Commission shall without delay conclude a delegation agreement with the ESA detailing the latter's tasks, in particular as regards the design, development and procurement of the system.

For the exploitation phase of the programmes, the European GNSS Agency should conclude working arrangements with the ESA setting out the latter's tasks. The working arrangements shall address the ESA's role in particular as regards:

- conception, design, monitoring, procurement and validation in the framework of the development of future generations of the systems;
- technical support in the framework of operation and maintenance of the existing generation of the systems.

Public procurement: in order to reduce the risk of poor contract performance or of non-performance, contracting authorities should, wherever appropriate, **specify requirements related to the reliability of supplies** and of the provision of services.

In addition, in the case of purchases of goods and services of a sensitive nature, contracting authorities may subject such purchases to specific requirements, particularly with a view to ensuring security of information

In order to better evaluate the total cost of a product, service or work being tendered, including their long term operational cost, **the total cost over the useful life-cycle** of the product, service or work being tendered should be taken into account.

European satellite navigation systems: implementation and exploitation 2014-2020

2011/0392(COD) - 20/11/2013 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 603 votes to 29 with 59 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council on the implementation and exploitation of European satellite navigation systems.

Parliament adopted its position in first reading following the ordinary legislative procedure. The amendments adopted in plenary were the result of a compromise between Parliament and Council. They amend the Commission proposal as follows:

The European satellite navigation systems and programmes:

The system established under the Galileo programme shall be a **civil system under civil control**. GALILEO should contribute to integrity monitoring services aimed at users of **safety-of-life** applications in compliance with international standards.

The EGNOS system shall be a regional satellite navigation system infrastructure monitoring and correcting open signals emitted by existing global satellite navigation systems, as well as those of the open service offered by the system established under the Galileo programme, when they become available.

EGNOS's functions shall be provided **within the Member States' territories geographically located in Europe as soon as possible**. The geographical coverage may be **extended to other regions** of the world, in particular to the territories of candidate countries, subject to technical feasibility and on the basis of international agreements.

Galileo programme phasing: these are as follows:

- a **development and validation phase**, to be completed **by 31 December 2013**;
- a **deployment phase to be completed by 31 December 2020**, comprising the construction, establishment and protection of all space-based infrastructure (in particular of all the satellites necessary) and of all ground-based infrastructure and the related evolutive maintenance and operations;
- an **exploitation phase to begin progressively between 2014 and 2015** with the provision of the initial services for the open service, search and rescue service and public regulated service.

The EGNOS exploitation phase mainly comprises: (i) the management, maintenance, continuous improvement, evolution and protection of the space-based infrastructure, and of the ground-based infrastructure; (ii) the provision and marketing of the services.

Ownership: the Union shall be the owner of all tangible and intangible assets created or developed under the programmes. The Commission shall ensure, through an appropriate framework, the optimal use of the assets; in particular, it shall manage the **intellectual property rights** related to the programmes as effectively as possible.

Financing: the Union shall finance the activities relating to Galileo and EGNOS programmes without prejudice to any contribution from any other funding source. The financial envelope is set at **EUR 7 071.73 million** in current prices for the period from 1 January 2014 to 31 December 2020 broken down as follows:

- for the activities regarding GALILEO deployment phase: EUR 1.93 billion at current prices;
- for the activities regarding GALILEO exploitation phase: EUR 3 billion at current prices;
- for the activities regarding EGNOS exploitation phase: EUR 1.58 billion at current prices;
- for the activities associated with the management and monitoring of the programmes: EUR 0.56173 billion at current prices.

In the interest of flexibility and to ensure a smooth running of the programmes, the Commission must be able to re-allocate funds from one category to another up to a **ceiling of 10% of the total amount**. It shall inform the European Parliament and the Council of any re-allocation of funds between categories of expenditure.

Governance of the programmes: public governance of the programmes shall be based on the principles of:

- a **strict division of tasks and responsibilities** between the various bodies involved, in particular the Commission, the European GNSS Agency and the ESA, under the overall responsibility of the Commission;
- **sincere cooperation** between these bodies and the Member States;
- **strong control** of programmes, including for strict adherence to cost and schedule by all the bodies involved;
- **rationalisation** of the use of existing structures, in order to avoid any duplications of technical expertise;
- the use of the **best practice** project management systems and techniques to oversee the implementation of the programmes.

Role of the Commission: the Commission will have the **overall responsibility for the programmes**. It shall manage the funds and oversee the implementation of all programme activities, in particular with respect to the cost, schedule and performance. In this context, it must provide the Member States and the European Parliament, in a timely manner, with all relevant information pertaining to the programmes.

The Commission must also ensure the **security of the programmes**, including the security of the systems and their operation. It must determine the location of the ground-based infrastructure of the systems in accordance with security requirements, following an open and transparent process and ensure its operation.

The role of the European GNSS Agency: the Agency must:

- **ensure security accreditation** through its Security Accreditation Board, and the operation of the Galileo Security Monitoring Centre;
- **contribute to the promotion and marketing of services** including by (i) establishing close contacts with users and potential users of the European GNSS and (ii) drawing up an action plan for the adoption by user community, comprising in particular relevant actions relating to standardisation and certification.

The role of the European Space Agency: for the deployment phase of the Galileo programme the Commission shall without delay conclude a **delegation agreement** with the ESA detailing the latter's tasks, in particular as regards the design, development and procurement of the system.

The ESA will **cooperate with the European GNSS Agency on the basis of working arrangements** with the ESA setting out the latter's tasks. The working arrangements shall address the ESA's role in particular as regards:

- conception, design, monitoring, procurement and validation in the framework of the development of future generations of the systems;
- technical support in the framework of operation and maintenance of the existing generation of the systems.

Public procurement: in order to reduce the risk of poor contract performance or of non-performance, contracting authorities should, wherever appropriate, specify requirements related to the **reliability of supplies** and of the provision of services.

In addition, in the case of purchases of goods and services of a sensitive nature, they may subject such purchases to specific requirements, particularly with a view to **ensuring security of information**.

In order to better evaluate the total cost of a product, service or work being tendered, including their long term operational cost, **the total cost over the useful life-cycle** of the product, service or work being tendered should be taken into account.

Review: by 30 June 2017, the Commission shall present an evaluation report on the implementation of the Regulation. The evaluation shall also address technological developments relating to the systems.

European satellite navigation systems: implementation and exploitation 2014-2020

2011/0392(COD) - 11/12/2013 - Final act

PURPOSE: adoption of a new financial and governance framework concerning the two European satellite radio navigation programmes, Galileo and EGNOS for the period 2014-2020.

LEGISLATIVE ACT: Regulation (EU) n° 1285/2013 of the European Parliament and of the Council on the implementation and exploitation of European satellite navigation systems and repealing Council Regulation (EC) No 876/2002 and Regulation (EC) No 683/2008 of the European Parliament and of the Council.

CONTENT: since the Galileo and EGNOS programmes are at an advanced development stage leading to systems in an exploitation phase, this Regulation aims to meet their needs, particularly in terms of governance and security, to satisfy the requirement for sound financial management and to promote the use of the systems.

The Galileo programme includes: (i) a definition phase which has been completed, (ii) a development and validation phase until 2013, (iii) a deployment phase which was launched in 2008 and is due for completion in 2020, and (iv) an exploitation phase which should be launched progressively from 2014-15 in order to have a fully operational system in 2020.

The system established under the Galileo programme will be a **civil system** under civil control and an **autonomous** global navigation satellite system (GNSS) infrastructure. It must:

- offer an open service (OS), which is free of charge to the user and provide positioning and synchronisation information;
- contribute to integrity-monitoring services aimed at users of safety-of-life applications in compliance with international standards;
- offer a commercial service (CS) for the development of applications for professional or commercial use;
- offer a public regulated service (PRS) restricted to government-authorized users, for sensitive applications;
- contribute to the search and rescue support service (SAR) of the COSPAS-SARSAT system by detecting distress signals transmitted by beacons.

The EGNOS programme has been in the exploitation phase since its open service and 'safety of life' service were declared operational in October 2009 and March 2011 respectively.

The EGNOS system is a **regional satellite navigation system infrastructure**, monitoring and correcting open signals emitted by existing global satellite navigation systems, as well as the open service signals offered by the system established under the Galileo programme, when they become available.

EGNOS shall be provided **within the Member States' territories geographically located in Europe as soon as possible**. The geographical coverage of the EGNOS system may be extended to other regions of the world, in particular to the territories of candidate countries, subject to technical feasibility.

Financing: the Union shall finance the activities relating to Galileo and EGNOS programmes, without prejudice to any contribution from any other funding source.

The financial envelope is set at **EUR 7 071.73** million in current prices for the period from 1 January 2014 to 31 December 2020, divided as follows:

- for the activities relating to the completion of the deployment phase of the Galileo programme, EUR 1 930 million;
- for the activities relating to the exploitation phase of the Galileo programme, EUR 3 000 million;
- for the activities relating to the exploitation phase of the EGNOS programme, EUR 1 580 million;

- for the activities relating to the management and monitoring of the Galileo and EGNOS programmes, EUR 561.73 million.

A **maximum of EUR 100 million** at constant prices will be used to finance activities relating to research and development of fundamental elements, such as Galileo-enabled chipsets and receivers.

Governance: public governance of the Galileo and EGNOS programmes shall be based on the principles of:

- a **strict division of tasks** and responsibilities between the various entities involved, in particular the Commission, the European GNSS Agency and ESA, under the overall responsibility of the Commission;
- **strong control of programmes**, including for strict adherence to cost and schedule by all the entities involved;
- **optimisation and rationalisation of the use of existing structures**, in order to avoid any duplications of technical expertise.

The **Commission shall have overall responsibility for the Galileo and EGNOS programmes**. It shall manage the funds allocated under this Regulation and oversee the implementation of all programme activities, in particular with respect to their cost, schedule and performance. It shall ensure the **security** of the Galileo and EGNOS programmes.

For its part, **the European GNSS Agency** shall ensure through its Security Accreditation Board, the security accreditation and also the promotion and marketing of the services.

For the deployment phase of the Galileo programme, the Union should **conclude a delegation agreement with ESA** setting out the tasks of ESA in that phase, in particular as regards the design, development and procurement of the system.

Public contracts: as the Galileo and EGNOS programmes will be, in principle, financed by the Union, public procurement under those programmes should **comply with Union rules** on public contracts and should aim, first and foremost, to obtain best value for money, control costs, mitigate risks, improve efficiency and reduce reliance on a single supplier.

Contracting authorities should, wherever appropriate, specify requirements relating to the **reliability of supplies and of the provision of services**.

In addition, they may, in the case of the purchase of goods and services of a sensitive nature, subject such purchase to specific requirements, particularly with a view to ensuring **security of information**. The total cost over the useful **lifecycle** of the product, service or work being tendered should also be taken into account.

Evaluation: by 30 June 2017, the Commission will present an evaluation report on the implementation of the Regulation. The evaluation shall also address technological developments relating to the systems.

ENTRY INTO FORCE: 23/12/2013. The Regulation is applicable from 01/01/2014.

DELEGATED ACT: the Commission will adopt delegated acts laying down the high level objectives necessary to ensure the security of the Galileo and EGNOS programmes. The power to adopt delegated acts is be conferred on the Commission for an indeterminate period from 1 January 2014. The European Parliament or the Council may object to a delegated act within two months of notification of that act (which may be extended by two months.) If Parliament or Council raise objections, the delegated act will not enter into force.