

Rules of Procedure

NEFAB Financial and Performance Committee

Version 1.0

Revision history

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Article 1: Definitions

“Adviser” means an expert who supports a Representative and works for the same Contracting State as the Representative in question.

“Agenda” means a list of items for consideration at a meeting.

“Alternate” means a person appointed by a Contracting State to represent it on the Committee in the absence of the Representative.

“Committee” means a body as established by Article 10 or set up by a Council decision in accordance with Article 9.2 (m) of the NEFAB Agreement.

“Council” means the NEFAB Council as established by Article 8 of the NEFAB Agreement.

“NEFAB Agreement” means the Agreement of 4 June 2012 for the establishment of the North European Functional Airspace Block (NEFAB) between the Republic of Estonia, the Republic of Finland, the Republic of Latvia and the Kingdom of Norway.

“Representative” means a person appointed by a Contracting State to represent it on the Committee.

Article 2: Legal basis and tasks of the Committee

1. The legal basis for these rules of procedure is Article 10 of the NEFAB Agreement.
2. The remit of this Committee is within the field of a common charging policy among the Contracting States and the implementation of overall performance of NEFAB.
3. In order to fulfil its tasks as defined in the NEFAB Agreement, it shall inter alia:
 - a. assist and support the Council in order to facilitate decision-making by the Council;
 - b. submit proposals and working papers to the Council and other Committees for action or information within its area of responsibility;
 - c. perform any other tasks assigned to it by the Council.
4. The Committee may establish working/expert groups dedicated to specific tasks for a limited period of time.

Article 3: Functions of the Committee

The Financial and Performance Committee shall assist the NEFAB Council in the implementation of Articles 2.2, 5 and 24 in the NEFAB Agreement, in particular. With this in mind, it shall in particular:

- a. advise the NEFAB Council on the development and application of common principles governing charging policy between the Contracting States in the airspace concerned;
- b. advise the NEFAB Council on defining strategic objectives for the development of NEFAB
- c. if necessary, identify and establish additional performance areas;
- d. monitor and oversee NEFAB performance at strategic level;

- e. cooperate with the NSA Committee and the Civil-Military Committee in its performance of these tasks.

Article 4: Composition of the Committee

1. The Committee is composed of the following representatives:
 - a. one Representative from each of the competent authorities responsible for civil aviation.
 - b. one Representative of the NSA Committee.
 - c. one Representative of the Civil-Military Committee.
2. A representative of the air navigation service providers is invited to attend the Committee meetings, or parts thereof, not held in closed session.
3. Each Contracting State shall designate an Alternate for each of its Representatives with the same rights and obligations as assigned to the Representative.
4. A Representative may only represent one Contracting State.
5. Each Representative may be accompanied by one or more Advisers.

Article 5: Chairmanship

1. Unless otherwise agreed, the Chairmanship and the Vice-Chairmanship shall rotate each calendar year between the Contracting States.
2. At the end of the term of a Chairmanship, the Contracting State holding the Vice-Chairmanship assumes the Chairmanship for the next term.
3. In the absence of the Chair, the Vice-Chair shall preside at meetings of the Committee and perform the other duties of the Chair.
4. If the Chair or the Vice-Chair is unable to complete his/her term of office, a new Chair or Vice-Chair shall be appointed without delay by the Contracting State in question and shall hold office for the remainder of the term of his/her predecessor.

Article 6: Tasks of the Chair

In order to perform his/her tasks, the Chair shall inter alia:

- a. organise, convene and preside at the meetings of the Committee, including sending out invitations and distributing the agenda, related documents and meeting reports;
- b. organise the work of the Committee, prepare the work programme for the Committee and ensure that it is followed-up, including through an annual report;
- c. take necessary actions to ensure that scheduled work is carried out and that the Contracting States make a balanced contribution to the work of the Committee;
- d. prepare the meetings in order to facilitate the deliberations in the Committee;

- e. inform the Committee about decisions adopted by the Council;
- f. serve as focal point within the remit of the Committee;
- g. perform any other tasks assigned to him/her by the Council or by these rules of procedure.

Article 7: Observers

1. Unless the Committee objects, the Chair may invite Observers representing air navigation service providers, airspace users, airport operators, non-Contracting States, international organisations or other stakeholders to attend meetings.
2. Observers may attend the meetings of the Committee or parts thereof not held in closed session.

Article 8: Meetings

1. The Committee shall meet at such times and places as may be deemed necessary, but at least twice a year in accordance its work program and at the invitation of the Chair.
2. The Chair shall determine the dates and locations of the meetings at the beginning of his term of office.
3. The Chair may at any time, on his/her own initiative, or at the request of a Contracting State, call an extraordinary meeting if an item cannot be postponed until the next ordinary meeting. Such meetings shall take place as soon as reasonably possible.
4. In cases of necessity or urgency, the Chair may conduct a meeting by telephone or other means of telecommunication as soon as reasonably possible.
5. The Chair may consult the Committee in writing, by e-mail or by any other means of communication on matters that do not justify calling a meeting of the Committee.

Article 9: Agenda and related documents

1. The provisional Agenda shall be prepared by the Chair.
2. The provisional Agenda and related documents, submitted for action by the Committee shall be distributed with the invitation to all Representatives, and to the Observers if necessary, at least two calendar weeks before the meeting of the Committee.
3. Documents shall clearly specify whether they are submitted for action or information.
4. The Agenda shall specify the items to be addressed in closed session.
5. Any Contracting State may propose items for the Agenda not later than one calendar week before the meeting of the Committee.

6. Any new items not specified in the Agenda may be discussed if all Contracting States agree.
7. On the request of a Contracting State, an item shall be discussed in closed session.
8. The final Agenda shall be adopted at the beginning of each meeting.

Article 10: Administrative support

1. The Chair performs its functions with the support of the staff and the means at its disposal within its national administration. Support can be requested from administrations from other Contracting States if this is necessary in order to ensure the proper functioning of the Committee.
2. Unless the Committee decides otherwise, expenses arising from the performance of the Chair's duties, as well as any administrative support provided, are borne by the individual Contracting State(s).

Article 11: Decision procedure

1. Decisions of the committee shall be made by consensus of the representatives of the Contracting States. Each Contracting State has one vote.
2. If the committee is unable to reach a unanimous position the dissenting opinions shall be documented in the record of the meeting, as well as in any subsequent submission to the NEFAB Council.

Article 12: Language

The deliberations of the Committee shall be conducted in English. The decisions and other documentation shall be in English.

Article 13: Documentation of deliberations and decisions

1. The Chair shall ensure that a record of the meeting is drawn up after each committee meeting. It shall contain a brief summary of deliberations, the conclusions reached and decisions adopted, together with the timeframe for their implementation and a list of actions to be carried out.
2. The Chair shall distribute the draft record of the meeting to the Representatives within two calendar weeks of the meeting. Unless comments are received by the Chairperson within two calendar weeks, it shall be deemed to have been adopted.

Article 14: Recording of documentation

1. The Chair shall ensure that the documentation generated through the activities of the Committee is appropriately recorded.
2. Unless otherwise decided, documents relating to the activities of the Committee are deemed to be public.

Article 15: Relationship to the NEFAB Council

1. The rules of procedure of the Committee shall be approved by the Council.
2. The Chair shall regularly be in contact with the Chair of the Council.

Article 16: Final clauses

1. These rules of procedure or any part thereof may be revoked temporarily, suspended or amended by the Committee, subject to approval by the NEFAB Council.
2. In the event of any conflict between the provision of these rules of procedure and the provisions of the NEFAB Agreement, the latter shall prevail.