COMMISSION DECISION (EU) 2022/785

of 17 May 2022

approving the revised Network Performance Plan for the third reference period of the Single European Sky performance scheme (2020-2024)

(notified under document C(2022) 3022)

(Only the English text is authentic)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Commission Implementing Regulation (EU) 2019/317 of 11 February 2019 laying down a performance and charging scheme in the single European sky and repealing Implementing Regulations (EU) No 390/2013 and (EU) No 391/2013 ([1]), and in particular Article 19(3) thereof,

Whereas:

(1) Pursuant to Article 10(5) of Implementing Regulation (EU) 2019/317, the Network Manager is to draw up the Network Performance Plan, which is subject to the assessment by the Commission in accordance with Article 19(2) of that Implementing Regulation.

(2) The Network Manager initially submitted to the Commission a draft Network Performance Plan for the third reference period ('RP3') on 1 October 2019. Because of the change of circumstances caused by the outbreak of the COVID-19 pandemic, which occurred after the submission of the draft Network Performance Plan, the Commission did not conclude the assessment of that plan. The exceptional measures for RP3 adopted by the Commission in response to the COVID-19 pandemic, as set out in Commission Implementing Regulation (EU) 2020/1627 ([2]), require the Network Manager to draw up and submit to the Commission, by 1 October 2021, a revised draft Network Performance Plan for RP3.

(3) In accordance with Article 19(1) of Implementing Regulation (EU) 2019/317 and Article 3(5) of Implementing Regulation (EU) 2020/1627, the Network Manager has drawn up a revised draft Network Performance Plan for RP3 ([3]), which has been endorsed by the Network Management Board, set up by Commission Implementing Regulation (EU) 2019/123 ([4]). The Network Manager submitted the revised draft Network Performance Plan to the Commission on 30 September 2021.

(4) Pursuant to Article 19(2) of Implementing Regulation (EU) 2019/317, the Commission, assisted by the Performance Review Body, has assessed the revised draft Network Performance Plan against the criteria laid down in Annex V to that Regulation. That assessment has shown that the revised draft Network Performance Plan meets those criteria.

(5) It is therefore appropriate for the Commission to approve the final version of the revised Network Performance Plan for RP3 as drawn up by the Network Manager and submitted to the Commission on 30 September 2021,

([1]) OJ L 56, 25.2.2019, p. 1.

([2]) Commission Implementing Regulation (EU) 2020/1627 of 3 November 2020 on exceptional measures for the third reference period (2020-2024) of the single European sky performance and charging scheme due to COVID-19 pandemic (OJ L 366, 4.11.2020, p. 7).

([3]) Revised Network Performance Plan of the Network Manager for the third reference period 2020-2024 of the performance scheme, published on the EU Single Sky website (https://webgate.ec.europa.eu/eusinglesky/node_en).

([4]) Commission Implementing Regulation (EU) 2019/123 of 24 January 2019 laying down detailed rules for the implementation of air traffic management (ATM) network functions and repealing Commission Regulation (EU) No 677/2011 (OJ L 28, 31.1.2019, p. 1).

HAS ADOPTED THIS DECISION:

Article 1

The revised Network Performance Plan for the third reference period of the Single European Sky performance scheme (2020-2024), submitted by the Network Manager on 30 September 2021, is approved.

Article 2

This Decision is addressed to Eurocontrol as Network Manager ([5]).

Done at Brussels, 17 May 2022.

For the Commission
Adina VĂLEAN
Member of the Commission

([5]) Commission Decision C(2019) 3228 of 6 May 2019