THIRTY-FOURTH PLENARY (TRIENNIAL) SESSION AND 60TH ANNIVERSARY

(Strasbourg, 30 June - 1 July 2015)

Agenda item 8: Adoption of Recommendations or Resolutions

DRAFT RESOLUTION AMENDING THE ANNEX TO THE ECAC CONSTITUTION GRANTING THE ASSOCIATED BODY STATUS TO THE EUROPEAN AVIATION SECURITY TRAINING INSTITUTE (EASTI)

(Presented by the Executive Secretary of ECAC)

SUMMARY

This paper presents a draft Resolution amending the Annex to the ECAC Constitution with the objective of granting the associated body status to the European Aviation Security Training Institute (EASTI).

ACTION TO BE TAKEN

The Plenary Session is invited to approve the draft Resolution amending the Annex to the ECAC Constitution (6th edition/December 2013).
Introduction

1. Following the transformation of the European Aviation Security Training Institute (EASTI) into a Foundation according to Belgian law, Directors General approved at DGCA/143 (Paris, 11 December 2014) a Cooperation Arrangement between ECAC and EASTI which was signed by Mr Frank Durinckx as Chairman of the EASTI Foundation Board and the ECAC Acting President, Mr Patrick Gandil, on 11 December 2014 (see Attachment 1). This Cooperation Arrangement regulates the relations between ECAC and EASTI and anticipates the intention to grant EASTI the status of ECAC associated body, identical to the one held by the JAA TO. Directors General noted also that a modification to the ECAC Constitution would be required in order to formalise this status at the next ECAC Triennial Session.

Amendment to the Annex to ECAC Constitution

2. Under the terms of Article 4 (2) of the ECAC Constitution, “associated bodies of the Conference shall be any Boards established under the terms ... referred to in article 1(4), for the purpose of steering activities ... and listed in the Annex to the Constitution”.

3. The Annex to the ECAC Constitution states that “Under the terms of Article 4 (2) of the Constitution the JAA Training Organisation (JAA-TO) is an associated body of the Conference”. In order to grant the ECAC associated body status to EASTI the amendment contained in the draft Resolution in the Attachment 2 is needed.

Action to be taken

4. The Plenary Session is invited to approve the draft Resolution amending the Annex to the ECAC Constitution (6th edition/December 2013).
ATTACHMENT 1

COOPERATION ARRANGEMENT
BETWEEN
EUROPEAN CIVIL AVIATION CONFERENCE (ECAC)
AND
EUROPEAN AVIATION SECURITY TRAINING INSTITUTE (EASTI)
COOPERATION ARRANGEMENT

on training activities in the field of aviation security and in other fields of civil aviation between:

The European Civil Aviation Conference (ECAC), represented by its Acting President

And

The European Aviation Security Training Institute (EASTI), private foundation under Belgian law, represented by the Chairman of the EASTI Foundation Board in accordance with Article 6.4.1. of the Articles of Association of EASTI Stichting-Foundation.

Hereafter called the “Party” or the “Parties”,

Having regard to the Constitution of ECAC, especially Articles 1 (4) and 4 (2);

Whereas the objective of ECAC includes the promotion of the continued development of a safe and secure European air transport system;

Whereas ECAC may foster the conclusion and implementation of arrangements, by a number of Member States, in furtherance of its objective;

Considering the benefits of a pan-European approach to obtaining a consistently high level of training in the field of security and in other fields of civil aviation;

Taking into account the decision of Directors General of ECAC on 29 August – 1 September 2014, agreeing with the transformation of EASTI into a Foundation according the Belgian law and inviting Mr Durinckx, in his capacity of Director of EASTI, to proceed with the formalisation of the statutes of EASTI via a Notary and tasking the ECAC Secretariat and EASTI with preparing arrangements to finalize the associated body status of EASTI;

Considering the fact that EASTI, located in Brussels – Haren (Belgium), is a well functioning training organisation providing high quality training;

Considering that EASTI has a non-profit character and is ultimately beneficially owned by all ECAC Member States;

Having regard to Article 3 of the Statutes of the Stichting-Foundation European Aviation Security Training Institute (EASTI), incorporated before Notary, Marc Wilmus, on 15 October 2014;

Have agreed as follows:

Article 1

EASTI established as a Foundation under Belgian law with a non-profit character, with its seat in Brussels – Haren (Belgium), is an associated body of ECAC, under the terms of Article 4 (2) of the ECAC Constitution.

Article 2

The Foundation Board of EASTI shall be accountable to the Co-ordinating Committee of ECAC.
Article 3

The Co-ordinating Committee of ECAC will appoint from amongst the Directors General of ECAC and the founder-member of the Foundation Board of EASTI, the Chairman of the Foundation Board of EASTI.

Article 4

The Co-ordinating Committee of ECAC will appoint the Executive Secretary of ECAC to be a member of the Foundation Board of EASTI and will appoint other members of the Foundation Board from amongst its own members.

The Foundation Board of EASTI may propose third parties to become members of the Board, whose relevance in the field of aviation, aviation security or training in these matters is beyond question, and the Co-ordinating Committee of ECAC has the right to refuse these candidatures.

Article 5

The annual budget of EASTI shall be approved by the Foundation Board of EASTI, prior to the budgetary year in question, and the Foundation Board will then, through its Chairman, inform the Co-ordinating Committee of ECAC and the Directors General of ECAC of this approval.

Article 6

This Arrangement shall enter into force on 1 January 2015.

Article 7

The Secretariat of ECAC shall be depository of the original of this Arrangement.

Article 8

Either Party may withdraw from this Arrangement by giving six months written notice to the other Party.

This Arrangement is signed in two counterparts in the English language, each being equally authentic.

For ECAC  31/3/2014

[Signature]

Acting President of ECAC

For EASTI Stichting-Foundation

[Signature]

Chairman Foundation Board of EASTI
ATTACHMENT 2

DRAFT RESOLUTION ECAC/34-2 ON GRANTING THE STATUS OF ASSOCIATED BODY TO THE EUROPEAN AVIATION SECURITY TRAINING INSTITUTE (EASTI)

THE CONFERENCE

Considering that under the terms of Article 4 (2) of the Constitution, “associated bodies of the Conference shall be any Boards established under the terms of the multilateral instruments or arrangements referred to in article 1(4), for the purpose of steering activities performed under such instruments or arrangements, and listed in the Annex to the Constitution”.

Considering that a Cooperation Arrangement between the European Civil Aviation Conference (ECAC) and the European Aviation Security Training Institute (EASTI) was signed on 11 December 2014.

RESOLVES

1. The Annex to the ECAC Constitution shall read as follows:

"Associated bodies of the Conference

Under the terms of Article 4 (2) of the Constitution the JAA Training Organisation (JAA-TO) and the European Aviation Security Training Institute (EASTI) are associated bodies of the Conference”.

2. This amended Annex will be incorporated in the next edition of ECAC.CEAC Doc. Nº20 which contains the ECAC Constitution and Rules of Procedure.

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