Agenda item 8: Adoption of Recommendations or Resolutions

DRAFT RESOLUTION ON THE AUTHORITY OF THE EXECUTIVE SECRETARY IN MANAGING THE ECAC BUDGET

(Presented by the Executive Secretary of ECAC)

SUMMARY
This paper presents a proposal for a Resolution specifying the authority of the ECAC Executive Secretary in managing the budget of the organisation.

ACTION TO BE TAKEN
The Plenary Session is invited to approve the draft Resolution on the authority of the Executive Secretary in managing the ECAC budget.
Introduction

1. This paper presents a draft Resolution aiming at specifying the authority of the Executive Secretary in managing the budget of ECAC and establishing a proper legal instrument on which basis the Executive Secretary could enter in formal financial engagements (including the signature of contracts).

Proposal for a Resolution

2. According to Article 13 (3) of ECAC Constitution, the Executive Secretary is responsible to the “meeting of Directors General of Civil Aviation for the handling of the Conference’s funds”. This Article has been considered till now sufficient to grant the proper authority to the Executive Secretary in the management of the ECAC budget.

3. However, a recent consultation with the ICAO Financial Branch highlighted that the Governing Body of ECAC (i.e. the Conference of Directors General of the Civil Aviation) should establish a formal delegation of authority to the Executive Secretary as regards financial matters. In ICAO the Financial Regulations and Rules of the International Civil Aviation Organization (2008) regulate the financial matters for ICAO, granting also the associated authority to the Secretary General and to the Directors of Regional Offices. In ECAC there is no need for such Financial Regulations per se. Therefore, a Resolution adopted by Directors General at the Triennial Session (ECAC/34, 30 June – 1 July 2015) would be sufficient to give evidence of the authority granted to the Executive Secretary in managing the ECAC budget. This Resolution should also define the limits of this authority, and be fully consistent with ICAO Financial Regulation. This authority would be similar to the one granted by ICAO to its Secretary General and Regional Directors.

4. The proposed Resolution (see Attachment) was considered by the ECAC Medium Term Objectives (EMTO) Task Force at its 47th meeting (20 February 2015) and by the ECAC Legal Task Force at its 25th meeting (19 March 2015). It was then endorsed by the Co-ordinating Committee at its March meeting (CC/174, 24 March 2015) and by Directors General at DGCA/144 (6 May 2015).

Action to be taken

5. The Plenary Session is invited to approve the draft Resolution on the authority of the Executive Secretary in managing the ECAC budget.
ATTACHMENT

RESOLUTION ECAC/34-1 ON THE AUTHORITY OF THE EXECUTIVE SECRETARY IN MANAGING THE ECAC BUDGET

THE CONFERENCE

Considering Article 13 (3) of the Constitution of the European Civil Aviation Conference which establishes that the Executive Secretary is responsible to the meetings of Directors General of Civil Aviation for the handling of the Conference’s funds.

Considering the need for a formal delegation to the Executive Secretary for handling the Conference’s funds that establishes his/her authority in handling these funds and the associated limits with regard to third entities.

Having considered the Financial Regulation adopted by ICAO establishing the authority and associated limits of the Secretary General and of the Regional Directors of ICAO in handling the funds of ICAO.

RESOLVES

1) The Executive Secretary is authorised to conduct financial transactions, to receive contributions from Member States and other incomes for the organisation, and to incur the related expenditures according to the budget as adopted at the Triennial Session of the European Civil Aviation Conference.

2) The Executive Secretary is authorised to transfer sums between authorised appropriations within a financial year and to carry over any unspent balance of appropriations in any financial year during the period between normal Triennial Sessions of ECAC to the following financial year, under the conditions of not exceeding the budget adopted by Directors General.

3) The Executive Secretary shall report monthly to the Co-ordinating Committee and annually to the meeting of Directors General of the European Civil Aviation Conference on the implementation of the adopted budget.

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