II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

COUNCIL DECISION

of 29 October 2012

on the signing, on behalf of the Union, and provisional application of the Agreement providing a general framework for enhanced cooperation between the European Union and the European Organisation for the Safety of Air Navigation

(2013/36/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 100(2), in conjunction with Article 218(5) thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) The European Commission has negotiated, on behalf of the Union, an Agreement providing a general framework for enhanced cooperation ('the Agreement') between the European Union and the European Organisation for the Safety of Air Navigation, in accordance with Council Decision of 6 October 2011 authorising the Commission to open negotiations.

(2) The Agreement was initialled on 24 April 2012.

(3) The Agreement should be signed and applied provisionally, pending completion of the procedures for its conclusion.

(4) It is necessary to lay down procedural arrangements for the participation of the Union in the Joint Committee established under the Agreement,

HAS ADOPTED THIS DECISION:

Article 1

The signing on behalf of the Union of the Agreement providing a general framework for enhanced cooperation between the European Union and the European Organisation for the Safety of Air Navigation is hereby authorised, subject to the conclusion of the Agreement.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement on behalf of the Union, subject to its conclusion.

Article 3

The Agreement shall be applied provisionally, in accordance with Article 13.1 of the Agreement, as from the date of its signature, pending the completion of the procedures for its conclusion.

Article 4

1. The Union shall be represented by the Commission in the Joint Committee established under Article 7 of the Agreement.

2. The Commission, after consulting a Special Committee appointed by the Council, shall determine the position to be taken by the Union in the Joint Committee, including with respect to the adoption of Annexes to the Agreement, and the adoption of amendments to those Annexes to the Agreement.

Article 5

The Commission may take any appropriate action under Articles 5, 6, 8, 9, 10 and 11 of the Agreement.

Article 6

The Commission shall regularly inform the Council of the implementation of the Agreement.

Article 7

This Decision shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

Done at Luxembourg, 29 October 2012.

For the Council

The President

E. FLOURENTZOU