DECISION OF THE GOVERNING BOARD

on the approval of the amended membership agreements between the Shift2Rail Joint Undertaking and the members other than the Union

№ 01/2019

THE GOVERNING BOARD OF THE SHIFT2RAIL JOINT UNDERTAKING,

Having regard to Council Regulation (EU) No 642/2014 of 16 June 2014 establishing the Shift2Rail Joint Undertaking1 (S2R JU Regulation), in particular Article 3(2), Article 8(f), and Article 17 of the Statutes annexed thereto,

Having regard to the Governing Board Decision №09/2018 on the outcome of the invitation to S2R JU Associated Members to submit an answer in view of the alignment of their activities and additional commitment to the S2R JU Programme,

Having regard to the Governing Board Decision №16/2018 regarding the amendment of the membership agreements between the Shift2Rail Joint Undertaking and the members other than the Union,

Whereas:

(1) Following the approval by the S2R JU Governing Board of the “Report regarding the outcome of the invitation to S2R JU Associated Members to submit an answer in view of the realignment of their activities and additional commitment to the Shift2Rail Programme”, the negotiation process indicated in Article 2 of the Governing Board Decision №09/2018 was launched with the aim to amend the Membership Agreements to the Shift2Rail Joint Undertaking (S2R JU).

(2) The amendments reflect the results of the Invitation to Associated Members as set out in the aforementioned Report.

(3) Furthermore, during the aforementioned negotiation process, the S2R JU Founding Members were requested to submit any possible adjustments to their contributions, considering the focus and priorities of the Programme.

(4) In addition, in order to ensure more flexibility in prioritizing the implementation of the programme research and innovation activities and to contribute to the achievement of the S2R JU objectives, there was a need to amend the provisions of Article 2(2) of the current membership agreements between the S2R JU and the members other than the Union. By Decision №16/2018 the S2R JU Governing Board adopted a new “Template Membership Agreement of the Shift2Rail Joint Undertaking”.

1 OJ L 177, 17.06.2014, p.9
(5) Article 3(2) of the Governing Board Decision Nº16/2018 states that the Executive Director of the S2R JU shall transmit the draft amended membership agreements to the Governing Board for approval.

(6) Article 3(3) of the Governing Board Decision Nº16/2018 states that upon approval of the amended membership agreements by the Governing Board and based on a delegation of signature, the S2R JU Executive Director shall sign them on behalf of the S2R JU,

HAS DECIDED AS follows:

Article 1

The Governing Board approves the amended membership agreements of the following twenty-seven members of the S2R JU other than the Union, as set out in Annexes I-XXVII to this Decision:

Founding Members
   1. Alstom Transport
   2. Ansaldo STS
   3. Bombardier Transportation
   4. Construcciones y Auxiliar de Ferrocarriles
   5. Network Rail
   6. Siemens Aktiengesellschaft
   7. Thales
   8. Trafikverket

Associated Members
   9. AERFITEC
   10. Amadeus
   11. AZD
   12. CFW
   13. DB
   14. Diginext
   15. EUROC
   16. Faively
   17. HaCon
   18. Indra
   19. Kapsch
   20. Knorr-Bremse
   21. MerMec
   22. SmartDeMain
   23. SmartRaCon
   24. SNCF
   25. Switracken
   26. Talgo
   27. VVAC*

Article 2

The Governing Board requests the Executive Director to sign the amended Membership Agreements as set out in Annexes I-XXVII on behalf of the S2R JU.

Article 3
The amended Membership Agreements supersede the previous Membership Agreements and enter into effect on the date they are signed by the last party.

*Article 4*

This Decision shall enter into force on the day following that of its adoption.

Done at Brussels, on 22nd March 2019.

For the Governing Board

Henrik HOLOLEI
*The Chairperson*

Annex I: Amended membership agreement between the Shift2Rail Joint Undertaking and Alstom Transport

Annex II: Amended membership agreement between the Shift2Rail Joint Undertaking and Ansaldo STS

Annex III: Amended membership agreement between the Shift2Rail Joint Undertaking and Bombardier Transportation

Annex IV: Amended membership agreement between the Shift2Rail Joint Undertaking and Construcciones y Auxiliar de Ferrocarriles

Annex V: Amended membership agreement between the Shift2Rail Joint Undertaking and Network Rail

Annex VI: Amended membership agreement between the Shift2Rail Joint Undertaking and Siemens Aktiengesellschaft

Annex VII: Amended membership agreement between the Shift2Rail Joint Undertaking and Thales

Annex VIII: Amended membership agreement between the Shift2Rail Joint Undertaking and Trafikverket

Annex IX: Amended membership agreement between the Shift2Rail Joint Undertaking and AERFITEC

Annex X: Amended membership agreement between the Shift2Rail Joint Undertaking and Amadeus
Annex XI: Amended membership agreement between the Shift2Rail Joint Undertaking and AZD

Annex XII: Amended membership agreement between the Shift2Rail Joint Undertaking and CFW

Annex XIII: Amended membership agreement between the Shift2Rail Joint Undertaking and DB

Annex XIV: Amended membership agreement between the Shift2Rail Joint Undertaking and Diginext

Annex XV: Amended membership agreement between the Shift2Rail Joint Undertaking and EUROC

Annex XVI: Amended membership agreement between the Shift2Rail Joint Undertaking and Faively

Annex XVII: Amended membership agreement between the Shift2Rail Joint Undertaking and HaCon

Annex XVIII: Amended membership agreement between the Shift2Rail Joint Undertaking and Indra

Annex XIX: Amended membership agreement between the Shift2Rail Joint Undertaking and Kapsch

Annex XX: Amended membership agreement between the Shift2Rail Joint Undertaking and Knorr-Bremse

Annex XXI: Amended membership agreement between the Shift2Rail Joint Undertaking and MerMec

Annex XXII: Amended membership agreement between the Shift2Rail Joint Undertaking and SmartDeMain

Annex XXIII: Amended membership agreement between the Shift2Rail Joint Undertaking and SmartRaCon

Annex XXIV: Amended membership agreement between the Shift2Rail Joint Undertaking and SNCF

Annex XXV: Amended membership agreement between the Shift2Rail Joint Undertaking and Switracken

Annex XXVI: Amended membership agreement between the Shift2Rail Joint Undertaking and Talgo

Annex XXVI: Amended membership agreement between the Shift2Rail Joint Undertaking and VVAC+