



Annual Report
2009

Acronyms

| | |
|-----------------|--|
| ABAC | The web-based accounting system developed for the Directorate-General for the Budget |
| COTIF | Convention relative aux Transports Internationaux Ferroviaires |
| CRTSI | Conventional Rail, Technical Specification for Interoperability |
| CSIs | Common Safety Indicators |
| CSMs | Common Safety Methods |
| CSTs | Common Safety Targets |
| DMI | Driver Machine Interface |
| DNV | Det Norske Veritas |
| DREAM | Database for Railway Economic Analysis Management |
| ECM | Entity in Charge of Maintenance |
| ECVVR | European Centralised Virtual Vehicle Register |
| EMC | Electromagnetic compatibility |
| ERA | European Railway Agency |
| ERADIS | ERA Database on Interoperability and Safety |
| ERATV | European Register of Authorised Types of Vehicles |
| ERTMS | European Rail Traffic Management System |
| ESO | European Standardisation Organisation |
| ETCR | European Training Centre for Railways |
| ETCS | European Train Control System |
| EU | European Union |
| Eurostat | The statistical office of the European Union |
| GSMR | Global System for Mobile Communications (Railway) |
| HR | Human Resources |
| ICS | Internal Control Standards |
| IM | Infrastructure Manager |
| IT | Information Technology |
| JPCR | Joint Programming Committee Rail |
| MoU | Memorandum of Understanding |
| MSs | Member States |
| NIB | National Investigation Body |

| | |
|-----------------------------|--|
| NNTR | Notified National Technical Rule |
| NB(s) | Notified Body(ies) |
| NB(-)Rail | European Committee Group: coordination group of Notified Bodies (Rail) |
| NRVs | National Reference Values |
| NSAs | National Safety Authorities |
| NVR | National Vehicle Register |
| OSJD | Organisation for Cooperation of Railways |
| OTIF | Organisation for International Carriage by Rail |
| RAC | Risk Acceptance Criteria |
| RID | Règlement concernant le transport internationale ferroviaire des marchandises dangereuses |
| RINA (Notified Body) | Private company |
| RISC | Railway Interoperability and Safety Committee (formerly known as the 'Article 21' committee) |
| RU | Railway Undertaking |
| SMS | Safety Management System |
| SNCF | Société Nationale des Chemins de Fer français |
| SRS | System Requirements Specification |
| TEN-T | Trans-European Transport Network |
| TSI | Technical Specifications for Interoperability |
| TSI CCS | Technical Specifications for Interoperability Control Command Signalling |
| UIC | International Union of Railways |
| VVR | Virtual Vehicle Register |
| WG | Working Group |
| WP | Working Party |

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Part A — The Agency in 2009

A.1. Foreword by the Chairman of the Administrative Board

The activities of the Agency have evolved so that they may be categorised under four headings.

- Delivery of substantive recommendations foreseen by the Interoperability and Safety Directives and Agency Regulation of 2004 (revised 2008)
- Start of work on the new tasks created by the recast Interoperability Directive 2008/57/EC and associated changes to the Agency Regulation (EC) No 881/2004, such as Cross-Acceptance, type authorisation and the tasks of the ERTMS system authority
- Dissemination of the European framework covering the safe management of the European railway system and the associated subsidiary legislation arising from Agency Recommendations
- Provision of assistance, advice, and opinions to the Commission

I am pleased to say that this report reveals that in 2009 the Agency, in partnership with its stakeholders, made substantial progress in all these categories of activity and this is backed up by the results of the survey on its various Agencies carried out by the Commission, which showed a high level of customer satisfaction. The sector associations also continue to strongly support the Agency and, in some cases, call for a greater role.

Furthermore, the Agency's internal management and control processes continued to improve and, for the first time, we saw financial commitments matching appropriations.

However, there is much more to be done in moving forward. The Agency is now tackling some of the most difficult subjects it will have to face and much care needs to be taken to ensure that such



issues are resolved in a manner that best matches the objective of a more competitive railway sector. One example is to find a balanced solution in the Task Force for freight wagon maintenance.

It is also clear that the emerging role of dissemination is critical to the success of the European railway framework. The open market for rail operations and supply can only function if underpinned by efficient processes and specifications for the management of safety, technical system architecture and vehicle authorisation. For this efficiency to be delivered, the processes and specifications need to be fully understood and consistently applied by all the actors.

Evidence shows that there is much work to be done in this area. I, along with all my colleagues on the Administrative Board, will continue to do everything we can to support and facilitate the Agency in its evolving role.

A handwritten signature in blue ink, which appears to read "Harting".

Michael HARTING
Chairman of the Administrative Board



A.2. Milestones and key messages of the Executive Director

The year 2009 was an important year for the Agency.

In respect of the tasks allocated by the 2004 Interoperability and Safety Directives:

- the Agency submitted the recommendation on a Common Safety Method for conformity assessment of RUs and IMs by NSAs;
- the Conventional Infrastructure and Energy TSIs were refined and approved by RISC and the Locomotives and Passenger Vehicles TSI was submitted to the Commission and discussed by RISC along with the recommendations on the extension of scope of the TSIs to the whole European railway network;
- the ETCS test specifications were completed.

In respect of new work arising from the recast Interoperability Directive 2008/57/EC:

- substantial progress was made in the evolution of the various registers including the new concept of a vehicle type register;
- the (Cross-Acceptance) list of parameters to be checked for vehicle authorisation was submitted, approved by RISC and adopted by the Commission and an 'interim report' surveying the various national vehicle authorisation processes was published;
- the ERTMS and Cross-Acceptance Units set about understanding and resolving the obstacles to interoperability and mutual recognition of on-board ETCS and GSMR.

Throughout 2009, the value of the Agency's networking and dissemination role became increasingly more apparent. Networking and dissemination activities included:

- the conference on railway safety and the subsequent task force on wagon maintenance set up on request of the Commission;
- the dissemination of the Common Safety Method for Risk Assessment.

The Agency also provided an increasing number of Technical Opinions on request of the Commission and advice to the Commission.

During 2009, it became increasingly apparent that although the implementation of the roles, responsibilities, and specifications

prescribed by the Safety and Interoperability Directives is an essential prerequisite for the successful implementation of the opening of the markets for railway operation and supply, in many areas this implementation lags behind the opening of the markets.

Whilst inertia in respect of change is not surprising, this 'business as usual' phenomenon leads to a mismatch between the regulatory framework and what actually happens 'on the ground'. It also can lead to national implementations of the regulatory framework that are inconsistent or even incompatible between Member States.

These 'implementation time lags' and differences in interpretation can have significant economic effects in respect of such matters as the interoperability of on-board ETCS, GSMR, freight wagons, and costs and delays to vehicle authorisation. They can also lead to safety risks arising from a lack of clarity of roles and responsibilities. In 2010, the Agency, in partnership with the Commission, Member States, and National Safety Authorities will increase its efforts to facilitate the implementation of the Safety and Interoperability Directives using a common approach.

In June 2009, we experienced one of the most serious railway accidents in recent years. A freight train derailment in Viareggio, Italy, led to the release of liquefied petroleum gas that burst into fire and caused the death of at least 32 inhabitants of the city. The Agency responded to the accident by providing support to the investigation and the Commission.

Whilst the investigation is still ongoing, we know from experience that catastrophes of this kind almost never have a single simple cause but are the result of chains of events and deficiencies involving managerial and organisational issues. I expect that the result of the investigation will have an impact on European regulations for safety in general and for transport of dangerous goods in particular.

Finally, I am pleased to report that the Agency's internal management process continued to improve in 2009, with the successful migration to the new building and the high level of budget commitment being two of the highlights.

Looking forward, it is clear that in 2010, with a stable regulatory regime, a new headquarters and an increasingly mature set of management processes, the Agency, as 'the place where all the actors meet' will be in a strong position to add significantly more value to the rail sector and its regulators. With an excellent team of staff strongly supported by the stakeholders, I am confident that this will be achieved.



Marcel VERSLYPE
Executive Director





A.3. The Agency's role, mission and vision

Our vision

We contribute to the creation of an integrated European railway area where Railway Undertakings can run trains and organise their transport services freely, safely, effectively, and without interruption. The objective is to allow the rail transport sector to realise its inherent competitive advantages in relation to other transport modes.

Our mission

The main task of the Agency is to prepare new and updated legislative acts for adoption by the European Commission (the Commission), after a positive opinion from the Railway Interoperability and Safety Committee of Member States established by Article 21 of Directive 96/48/EC (the RISC committee), and to give

other technical support to the Commission. The activities carried out by the Agency aim at:

- developing a common approach to safety, safety regulation and accident investigation, in particular by the harmonisation of safety assessment methods, safety targets and safety certification conditions;
- improving the interoperability of the European rail system by developing the conditions for the free and uninterrupted movement of trains through technical and operational harmonisation, including conditions for mutual acceptance of railway vehicles;
- facilitating the exchange of information within the railway sector by networking with national bodies, providing registers and databases, issuing reports and giving guidance on the implementation of the regulatory framework.

The Agency's core objective and role is strictly defined in Article 1 of Regulation (EC) No 881/2004 as amended by Regulation (EC) No 1335/2008. It is:

'to contribute, on technical matters, to the implementation of the Community legislation aimed at improving the competitive position of the railway sector by enhancing the level of interoperability of railway systems and at developing a common approach to safety on the European railway system, in order to contribute to creating a European railway area without frontiers and guaranteeing a high level of safety'.

This is reflected in our vision and mission statements.

Part B — Work achieved in 2009

B.1. Administrative Board

The Administrative Board is the main governing body of the Agency. It is entrusted with the necessary powers to adopt the Agency's budget together with the work programme, to approve internal rules, and to establish transparent working procedures.

The Board is composed of four representatives of the European Commission and one from each of the Member States. Representatives of Iceland and Norway participate as members without voting rights along with six representatives from the

railway sector who represent Railway Undertakings, Infrastructure Managers, the railway supply industry, worker unions, passengers, and freight customers.

As the first term of office of the members of the European Railway Agency's Administrative Board ended in July 2009, the Administrative Board had to be renewed. Under Article 26 of Regulation (EC) No 881/2004, establishing the European Railway Agency (ERA) as amended by Regulation (EC) No 1335/2008, the duration of the term of office of the board members and alternates is five years, renewable once. The Member States, the Commission and the associations representing the rail sector have nominated their respective member(s) and alternate(s) for a term of five years, from July 2009 until July 2014.

The Administrative Board met three times in 2009.

By its Decision No 33/2009 dated 23 June 2009 (subsequently amended by Decision No 38/2009 dated 17 November 2009), the Administrative Board decided to establish a subcommittee on financial, budgetary and staff-related issues. No meetings were held in 2009.



B.2. Summary of Board Decisions

17 March 2009

During its 16th meeting, the Administrative Board:

- designated two reporting officers for the 2008 appraisal exercise of the Executive Director;
- decided to adopt the statement of estimates by written procedure;
- decided to adopt the multi-annual Staff Policy Plan 2010–12 by written procedure.

23 June 2009

During its 17th meeting, the Administrative Board:

- renewed the mandate of the Executive Director Marcel VERSLYPE for five years;
- decided to set up a subcommittee on financial and budgetary issues;
- adopted the Annual Report 2008;
- adopted an opinion on the Annual Accounts 2008;
- adopted an amendment to the Work Programme 2009;
- adopted transfers to budget appropriations 2009.

17 November 2009

During its 18th meeting, the Administrative Board:

- renewed Mr Michael HARTING as Chairman of the Board and Mr János BERÉNYI as Deputy Chairman of the Board for another term of three years;
- decided to modify the Terms of Reference of the subcommittee on financial, budgetary, and staff-related issues in order to appoint an additional member; the following persons have been appointed as members of the subcommittee: Mr CASTELLETTI, Mr BONUCCI, Mr GELTON, Mr DAVENNE, and Mr IRWIN; Mr IRWIN was appointed chairman of the subcommittee;
- adopted amendments to, and a consolidated version of, three administrative documents of the Agency (Rules of Procedure of the Administrative Board, Policy for visits to Member States, Arrangements to be applied by the Agency for public access to documents);
- adopted an amendment to the Work Programme 2009;
- adopted an amending budget for 2009;
- adopted the Work Programme 2010;
- adopted the Budget 2010 (without prejudice to the adoption of the EU General Budget 2010 by the budgetary authority).

In addition, the Administrative Board adopted by written procedure:

- the Budget 2009;
- the Strategic Audit Plan 2009–11;
- a procedure concerning the renewal of the term of office of the Executive Director, appointing two evaluators and setting the procedure calendar;
- the multi-annual Staff Policy Plan 2010–12;
- the Statement of Estimates 2010;
- the Establishment Plan 2009;
- the appointment of an Accounting Officer as from 1 February 2010 and the appointment of an Interim Accounting Officer until that date.

B.3. Deliverables and core business results by activity

B.3.1. Safety

B.3.1.1. Introduction

The activities of the Safety Unit of the Agency have their legal base in Directive 2004/49/EC (Railway Safety Directive) complemented by the provisions of Regulation (EC) No 881/2004 (Agency Regulation). Together with the Interoperability Unit, the unit carries out work under the provisions of Directive 2007/59/EC on the certification of train drivers. The first recommendations under this Directive were delivered to the Commission in 2008. The Railway Safety Directive and the Agency Regulation were amended towards the end of 2008 and, in 2009, the Safety Unit started to develop work according to the new provisions.

In general, the activities are meeting deadlines and have been delivered according to the Work Programme 2009.

In 2009, the Agency continued to deliver according to the plans set out in the legislation of 2004. Recommendations have now been delivered on Common Safety Targets (CSTs), Common Safety Methods (CSMs), Common Safety Indicators (CSIs), and safety certification. Work is still ongoing on the second sets of CSMs and

CSTs and on the new task to develop a certification scheme for entities in charge of maintenance (ECM). A common scheme for accreditation of all certification bodies in the railway field is under development.

With completion of many recommendations on draft new legislation, emphasis has shifted towards dissemination of information, and closer networking with stakeholders. Experience has shown that there are important differences among Member States and stakeholders in the approach to safety and in the application of EU legislation. The Agency is strengthening its role as a facilitator to arrive gradually at a common European approach to management of safety.

At the end of June 2009, a serious accident occurred in Viareggio, Italy. A train carrying liquefied gas derailed and one tank wagon was ripped open, leading to the loss of the gas. The heavy fire that burst out a couple of minutes later caused the death of at least 32 inhabitants of the city. The Vice-President and Commissioner for Transport, Mr TAJANI, decided at the beginning of July to organise a major conference on railway safety in September the same year. The Agency was asked by the Directorate-General for Transport and Energy to provide support to the organisation and to prepare documents for the conference, for example, a draft safety action plan.

The accident and the action plan entailed changes in priorities and led to new tasks for the safety unit and the other operational units. A special task force on freight wagon maintenance was organised from September onwards and held four meetings during 2009.

The response to the accident and the reorganisation of work in the middle of the year showed that the Agency has now reached a sufficient level of maturity and competence in its main fields of activity. It is our ambition, now and in the future, to be able to react timely to events and urgent safety issues that arise in the European rail sector.



B.3.1.2. Horizontal activities

B.3.1.2.1. Network of National Safety Authorities

On behalf of all operational units of the Agency, the Safety Unit is responsible for organising and supporting the network of National Safety Authorities (NSA). The network meets in two-day plenary meetings four times a year and has established task forces to deal with specific issues. Currently, there are task forces on national reports, ERTMS, peer reviews and, together with the investigation bodies, safety recommendations. In 2009, a common seminar with the investigation bodies was organised.

The NSA network constitutes a key actor for the harmonisation of all technical aspects related to safety and interoperability. The authorities may appoint representatives to the working parties of the Agency and they are consulted on all draft Agency recommendations.

During 2009, the working methods of the network have developed further. Exchange of experience is more systematised and the pilot phase of the first peer reviews on safety certification has been completed.

After the Commission's safety conference in September, the Agency Executive Director took the initiative to establish a 'reflection group' within the NSA network. The purpose of this group is to look to the future and the roles of the Agency and the NSAs respectively in the light of proposals from Vice-President TAJANI to strengthen the role of the Agency. The reflection group will meet during the first half of 2010.

B.3.1.3. Safety Regulation

Article 8(3) of the Railway Safety Directive requires the Agency to evaluate the way in which national safety rules are published and made available. The first phase of this work was carried out during 2008 and focused on eight Member States and Norway. A report for this phase containing provisional results was issued in January 2009. In mid 2009, a consultancy report, resulting from a contract signed in November 2008, was delivered covering a second study continuing the evaluation of the publication and accessibility of national safety rules in the remaining Member States, and for the Channel Tunnel. The final report covering all the countries and recommendations to the Commission for improving the accessibility of the rules was finished in draft at the end of 2009.

During 2009, the sector continued the work to validate the renewed notifications of national safety rules by the Member States and to

register them in the public database. The sector will continue this work in 2010.

The Agency delivered a technical opinion to the Commission concerning a safety-related aspect and has assisted the Commission in carrying out examinations of the national transpositions of the Railway Safety Directive, where three reports were delivered to the Commission in 2009.

At the request of the Commission, the Safety Regulation Sector participated in meetings of the various working groups and committees for the transport of dangerous goods by rail. In response to the decision taken at the RISC meeting, the Agency prepared a report on impact assessments and recommendations concerning the requirement for the derailment detection device that had been proposed to be included in the RID 2011 by the RID Committee of Experts.

Furthermore, the sector has continued to assist the Commission, the national authorities, and other organisations by providing advice on questions and queries concerning national safety rules and notifications, and by arranging meetings with representatives.

B.3.1.4. Safety certification and authorisation

In accordance with Directive 2004/49/EC and the respective mandate issued by the Commission, the Agency recommended the Common Safety Methods (CSM) for conformity assessment, defining the criteria against which assessment shall be carried out by the NSAs and describing the procedures to follow.

As an addendum to the CSM mandate, the Agency was requested by RISC to develop guidelines for the set up and implementation of SMSs as a harmonising measure and support for Railway Undertakings and Infrastructure Managers. This task, started at the end of 2008, was carried out during 2009 and is to be continued in 2010. It will be followed by an active campaign for dissemination of these guidelines, together with guidelines on the CSM for conformity assessment.

Following Regulation (EC) No 881/2004 establishing a European Railway Agency, a recommendation on the certification of maintenance workshops was submitted, setting out the assessment criteria for a voluntary self-certification. To be in line with the 2008 revisions to the Safety Directive, which introduced the Entity in Charge of Maintenance (ECM), all further work in this field will be integrated into the ongoing work for the development of a certification scheme for this ECM.

Furthermore, to support the introduction of a single certificate, an intermediate report on the migration strategy was submitted to the

Commission. The full recommendation can only be delivered in 2010 due to the very late implementation of the Directive in a number of Member States.

All the activity of the Safety Certification Sector was carried out in cooperation with the Working Group on Safety Certification and Authorisation, which met four times in 2009.

Finally, after the Safety Conference organised by the Commission in September, the team facilitated the Task Force on Freight Wagon Maintenance, which was set up to coordinate, in a first phase, the development of urgent sector measures to deal with the problems of broken wheels and axles. An intermediate report on the results of this Task Force has been delivered.

B.3.1.5. Safety Assessment

B.3.1.5.1. Common Safety Methods

Following the publication of Regulation (EC) No 352/2009 on the adoption of a Common Safety Method on risk evaluation and assessment, the Agency has launched a series of workshops. The purpose of these workshops is to disseminate the information on the CSM on risk evaluation and assessment to all actors in the different Member States. For this, the Agency organised, with the support of the NSAs, eight workshops. Between June 2009 and the end of 2009, four of these workshops took place covering Austria, Belgium, Czech Republic, Denmark, Finland, France, Germany, Hungary, Luxembourg, Norway, Poland, Slovakia, Slovenia, Sweden, and Switzerland. The remaining workshops in the other Member States will be organised before summer 2010.

During 2009, the Agency, with the support of dedicated task forces, continued to develop further the requirements on the Risk Acceptance Criteria (RAC) to be used within explicit risk estimation and on the roles and responsibilities of the assessment bodies. A study, contracted to Det Norske Veritas Limited (DNV), on the use of RAC for technical systems and operational procedures in other industries has been completed. The draft final report was commented on by the Agency at the end of 2009; the final report is expected by the end of January 2010.

Under the mandate for the development of Common Safety Methods for checking the conformity of operation and maintenance of structural subsystems with the relevant essential requirements (CSM on monitoring) contained within the EC Decision of 5 October 2009, the Agency launched a new working group. Two meetings were organised in 2009 with the aim to agree, by mid 2010, on all the main concepts and requirements before presenting them to RISC.

B.3.1.5.2. Common Safety Targets

Following the publication of Decision (EC) No 460/2009 on the adoption of the Common Safety Methods for assessment of achievement of safety targets, the Agency sent the Commission its recommendation establishing the first set of CSTs and NRVs. The EC decision resulting from this recommendation was presented by the Commission to the RISC meeting in December 2009 and met with no objections. A written decision procedure was subsequently launched by the Commission.



B.3.1.6. Reporting

During 2009, the Network of National Investigation Bodies was convened on four occasions, including a joint meeting with the NSA Network. Task forces to develop common methods and approaches to accident investigation were convened for development of guidance for Article 25 and Annex V to Directive 2004/49/EC — accident causation classification and the competence and training of accident investigators.

Cooperation with the Network of NSAs continued with the development of a common Safety Information System (SIS) for the rapid reporting and sharing of urgent and important safety information. The joint task force, taking account of guidance and best practice for safety recommendations under Article 25 of Directive 2004/49/EC, completed its work in 2009.

In 2009, the Agency began the preparation of the biennial report for 2010 on safety performance in the EU and published an interim report based on the 2008 data. Work continued with Eurostat and, during the year, it was agreed that the Agency would take over sole collection of the data where there is currently duplication. Work continued to improve the consistency and quality of the data and reporting of Common Safety Indicators (CSIs) and accident investigation reports. The recommendation for the revision of Annex I to Directive 2004/49/EC was completed.

Consideration was given to further development of the database of serious accidents and incidents. The Joint Research Centre carried out a feasibility study for the use of the European Coordination Centre for Accident and Incident Reporting Systems (ECCAIRS) database (already in use as a database for the European aviation and marine transportation sectors) as a possible future development. In addition, a project was completed by Lloyd's Register Rail on behalf of the Agency to develop an historic database of serious railway accidents dating from 1990 to the establishment of reporting to the Agency in 2007.

In line with Article 19 of Regulation (EC) No 881/2004, the Agency has established step-by-step, a publicly accessible database of safety-related documents, such as licences, safety certificates, investigation reports and national safety rules. The database has been operational since May 2007 and is regularly updated. Most development during 2009 related to the integration of safety and interoperability data into one database: ERADIS.



B.3.2. Interoperability

B.3.2.1. Introduction

The activities of the Interoperability Unit of the Agency have their legal base in the Interoperability Directives (recast in Directive 2008/57/EC) and in Regulation (EC) No 881/2004 (Agency Regulation). Mandates from the Commission specify in more detail the activities and their deadlines.

During 2009, the Interoperability Unit managed 26 working groups and subgroups. It held 121 meetings with the participation of the National Safety Authorities and sector organisations and, in certain cases, NB Rail and the Social Partners.

B.3.2.2. TSI drafting

B.3.2.2.1. CR TSI Infrastructure

The work on CR TSI Infrastructure (CR TSI INF) was finalised by the joint efforts of the Working Party and several ad hoc groups established to support its work in 2008.

The final draft of the CR TSI Infrastructure and the report were submitted to the European Commission in December 2008.

During 2009, following a number of comments received from stakeholders, Member States, and the Commission, the Working Party was involved further refining the draft TSI. The final draft was then submitted to the Member States for opinion at the RISC meeting on 3 and 4 December 2009. The CR TSI Infrastructure was unanimously accepted by RISC.

B.3.2.2.2. CR TSI Energy

Along with the CR TSI INF, in December 2008, the final draft CR TSI Energy, together with the final report, was submitted to the Commission.

During 2009, following the number of comments received from stakeholders, Member States, and the Commission, the Working Party was involved in the further refining of the draft TSI. Special attention was paid to the issue of energy meters. The final draft was submitted to the Member States for opinion, which took place at the RISC meeting on 3 and 4 December 2009. The TSI Energy was unanimously accepted by RISC.

Traction energy meters

In 2009, the work on developing the draft on traction energy meters continued. Following further discussions, the agreed text was included in the final draft of CR TSI Locomotives and passenger rolling stock.

B.3.2.2.3. CR TSI Locomotives and passenger rolling stock

The first preliminary draft of the single TSI covering 'passenger carriages' and 'locomotives, traction units and self-propelling thermal or electric trains' was sent to the Commission at the beginning of September 2008, together with the draft accompanying report.

In 2009, the work continued with the following tasks:

- the submission of the preliminary draft to Social Partners and associations and bodies representing users (April to June 2009);
- the analysis of requests for specific cases (final list validated in June 2009).

In August 2009, the final draft was submitted to the Commission and to the Member States, and was the subject of a workshop held by RISC on 6 October 2009. The recommendation of the Agency, including the final draft TSI together with the final report, was delivered to the Commission in November 2009.

B.3.2.2.4. CR TSI Telematic applications for passengers

The Working Party finished its work on the draft of CR TSI Telematic applications for passengers (CR TSI TAP) in 2009. The preliminary draft report was submitted to the Commission and presented to RISC in October 2009. The report contains the economic evaluation of the impact of the basic parameters of CR TSI TAP.

Moreover, in order to close the remaining points in the draft of CR TSI TAP, the European Committee for Standardisation (CEN) work on the standard for European tickets on departure has started.

The Agency also strengthened its contacts with the implementation project of the CR TSI Telematic applications for freight (CR TSI TAF) run by the railway sector. The main purpose of this activity is to ensure synergy between CR TSI TAF and CR TSI TAP.

B.3.2.3. 1 520 mm railway system

The Agency briefed the sector representative bodies on the results of its collaboration with the OSJD and on the subjects to be discussed within this collaboration in the following years.

B.3.2.4. Conformity assessment

The adoption of the new legal framework on the marketing of products in August 2008 necessitated the revision of the TSI modules for conformity assessment. To streamline the process, the Conformity Survey Group established a dedicated subgroup to revise the existing TSI conformity assessment modules. The

revised modules will be published as a Commission decision to which all new and revised TSIs will refer. These TSIs will no longer have an annex with the description of the modules for conformity assessment.

The ERA recommendation on modules to be used in the TSIs was submitted to the European Commission on 8 October 2009. The decision on new modules will be adopted by the Commission in 2010 and will enter into force at the same time as the CR TSIs Infrastructure, Energy, and Locomotives and Passenger rolling stock.

B.3.2.5. Evaluation and amendment of the existing TSIs

B.3.2.5.1. CR TSI Freight wagons

In 2008, the Working Party finalised the draft recommendation on the amendment of the CR TSI Freight wagons with an objective of achieving cross-authorisation for a particular type of wagon 'Go everywhere/Passe-partout'.

The Commission draft decision, based on the ERA recommendation, was approved by the Member States at the RISC meeting on 25 December 2008; the Decision was adopted by the Commission on 23 January 2009 and it entered into force on 1 July 2009.

In 2009, work resumed on the general revision of the TSI. The intermediate report was issued at the end of August and then presented to the network of NSAs and the RISC committee on 4 December.

B.3.2.5.2. CR TSI Operation

The revision of the CR TSI OPE, which started in 2007, continued in 2009 in the Core Group. On 23 January 2009, the Commission adopted the Decision on the amendment of Annex P.5 of TSI OPE CR in relation with amendment of CR TSI Freight wagons.

Final recommendations on Annex P (Vehicle identification), Annex T (Braking performance), Annex A (ETCS and GSMR operational rules) and the alignment with the Train Driver Licence Directive were delivered in July 2009 after the social consultation required by Article 4 of the Agency Regulation.

The year 2009 was mainly dedicated to all the other operational subjects in the TSI OPE CR. Following the work program for the TSI OPE CR revision, six meetings took place in 2009. Furthermore, interfaces between CR TSI OPE and other TSIs as well as Safety Management Systems and other topics have been investigated and clarified.

The draft report and recommendation resulting from the revision of TSI OPE CR was presented to the Commission in September 2009.

The respective social consultation and consultation of organisations representing freight customers and passengers were launched in December 2009. The final report and recommendation are expected to be delivered to the European Commission in May 2010.

B.3.2.5.3. CR TSI Rolling stock — noise (limited revision)

As a reaction to comments from NB Rail and the railway sector, the Agency formed a working party at the end of February 2009 to support the work for a limited revision of the Noise TSI 2005 (TSI NOI:2005). Before the kick-off meeting in May, Agency staff liaised with acoustic experts, industry experts and Notified Body representatives to get a clear view of the problems that have arisen from applying TSI NOI:2005. After the kick-off meeting, three more working party meetings were scheduled and held in 2009. No more meetings are planned and the Agency will give its final recommendation early in 2010.

B.3.2.6. Coordination of TSIs

B.3.2.6.1. TSIs and European standards

Based on the Memorandum of Understanding signed in 2007, the Agency consolidated its strong relationship with the European Standardisation Organisations (ESOs).

To ensure the exchange of information with the ESOs, the Agency attended and participated actively in the Joint Programming Committee Rail (JPCR) meetings, ESOs plenary technical committees and, when technical issues required, in working parties.

In accordance with the general mandate given by the Commission to the ESOs, the Agency made 33 requests for development of new standards related to TSIs.

For each TSI in force, a list of applicable standards and other documents relevant to the design and conformity assessment of subsystems and interoperability constituents has been published on the website of the Agency.

B.3.2.6.2. Organising and facilitating cooperation with the Notified Bodies

The Agency continued its collaboration with NB Rail, the coordination group of Notified Bodies for railways. In order to receive feedback from the Notified Bodies, the Agency participated in the strategic and plenary NB Rail meetings as well as in all the NB Rail subsystems subgroups.

The Agency gave its opinion to a number of questions and clarifications raised by NB Rail.

B.3.2.6.3. Extension of scope of existing TSIs

In August 2009, in accordance with Article 8 of Directive 2008/57/EC and in collaboration with a task force of representatives of NSAs, the Agency prepared and submitted a recommendation on the extension of the geographical scope of the TSIs.

B.3.2.7. TSI Implementation Guide

The work on the Application Guide started in 2009 and began with the updating of the list of standards referred to in the TSIs already in force. The working parties involved in drafting the new TSIs, and revising the existing TSIs, also started drafting the specific sections of the Application Guide related to the respective TSIs. The work will continue in 2010. The final draft of the general part of the Application Guide will be presented to the Commission in June 2010 while the specific parts related to each TSI will be issued at the same time as the entering into force of the respective TSI.

B.3.2.8. Technical support to the Commission from OTIF and OSJD

B.3.2.8.1. OTIF

The Agency provided support to the Commission on technical issues related to its work in OTIF. The main purpose of this assistance is to ensure a consistency between the TSIs and COTIF annexes and appendices. When requested, the Agency provided clarifications and explanations of the TSIs specificities and other related issues.

In a workshop organised by OTIF in Zagreb, the Agency staff presented in detail the content of the draft Conventional Rail TSIs for Infrastructure, Energy, and Locomotive and passenger rolling stock. The purpose of the workshop was to acquaint the non-EU countries with the process of drafting TSIs as well as with the content of the TSIs under development.

B.3.2.8.2. OSJD

The collaboration with the OSJD on the analysis of relationship between the EU 1 520/1 524 mm rail system and the non-EU rail system continued in 2009. It aimed to ensure that the constraints related to the railway links with third countries are taken into account in the Agency activities.

The collaboration with the OSJD, however, is limited only to technical and operational aspects. In 2009, the contact group completed the analysis of the existing technical requirements for the 1 520 mm infrastructure. The report with the results of this analysis will be published on the Agency website in early 2010. In addition, the contact group continued the analysis of the requirements for the locomotives and multiple units and started the analysis of the requirements for energy subsystem

B.3.2.9. Monitoring Interoperability

The main purpose of the monitoring of interoperability activity is to show the progress of the implementation of the TSIs and the setting up of the institutional framework for interoperability legislation.

Based on the data collected in late 2008/early 2009 the first biennial report was drafted. It was submitted for publication in December 2009

B.3.2.10. Working conditions of staff executing safety-critical tasks

Two ERA working parties were active on this topic. Both carried out work on tasks linked to the implementation of the train driver licence model according to Directive 2007/59/EC. The WP 'vocational competence/driver licence implementation' finalised its work on recommendations to amend TSI Operation. Adaptation of the TSI Operations and Traffic Management became necessary due to some overlapping with new provisions put in place by Directive 2007/59/EC. This WP also worked on draft recommendations concerning criteria for examinations/examiners involved in the assessment of train driver competence. This work has reached a well-developed state but will need a final review in 2010.

The second WP established in this context is WP 'accreditation of training centres'. It contributes to the work of drafting recommendations on a 'system of accreditation of training centres'.

It was foreseen that in 2009 the Agency would deliver a report on the job profile of 'other train crew members' (those not driving the train but entitled to perform other safety-critical tasks on board trains) to the Commission. In order to get a reliable and comprehensive basis of information about current practice in the MSs, the Agency contracted a consultant to work on a respective study. For several reasons, the Agency was not provided with the study results within the scheduled time frame. The Agency, therefore, will only be able to deliver its report to the Commission in 2010.



B.3.2.11. Databases and registers

National Vehicle Registers (NVRs) and the European Centralised Virtual Vehicle Register (ECVVR)

The Agency has been working on the recommendation for the update of Decision 2007/756/EC (the NVR Decision), to be submitted to the Commission in early 2010. The main aim of this update is the establishment of the ECVVR by connecting the NVRs of Member States to the Virtual Vehicle Register (VVR) hosted by the Agency.

The Agency provided support to the Registration Entities (national bodies designated by the Member States for keeping and updating NVRs) in the deployment and connection to the VVR of the NVRs.

In addition, in collaboration with the NSAs/Registration Entities, the Agency started preparation of the ECVVR Application Guide.

B.3.2.12. European Register of Authorised Types of Vehicles (ERATV)

In April 2009, the ERATV WP was set up. The task of the WP is to prepare the draft specification of the ERATV as defined in Article 34 of Directive 2008/57/EC.

This Community-wide type-based register replaces the National vehicle-based Registers of Rolling Stock that were defined in the 'old' Interoperability Directives. The register will include the types of vehicle authorised in the different Member States. It will be public and available online. In November 2009, the Agency submitted the intermediate report to the Commission.

The Agency plans to submit the recommendation and the draft specification of the Register to the Commission by mid 2010.

B.3.2.13. Register of infrastructure

In 2009, the working group 'Register of Infrastructure' started drafting the technical specification for national registers publishing information about lineside equipment. The work focused on selecting items from the subsystems INF, ENE and CCS.

The Agency plans to submit the recommendation and the draft specification of the Register to the Commission by mid 2010.

B.3.2.14. Register of documents on interoperability

The ERADIS (ERA Database on Interoperability and Safety) is an application publicly available on the ERA website. This application is available for consulting different documents submitted by Member States and applicants such as licences, certificates, reports, EC Declarations, authorisations for placing in service, etc. The application is in English but the documents themselves can be in any of the EU languages.

As the Agency had already put in place the part containing safety documents, it was decided to extend the application by adding an interoperability section. This was achieved by the end of 2009 and the database is now fully operational.

B.3.3. ERTMS

In 2009, the Agency strengthened its role as system authority for the ERTMS specifications, with the progress in the ETCS and GSMR specifications, in the revision of the TSIs for Control Command and Signalling, and in line with the specific provisions in the new Agency Regulation.

Two parallel missions are pursued for the ERTMS: the maintenance of the current set of specifications (both for ETCS and GSMR), and the definition and development of the next version of the specifications of the two systems.

The database for the ERTMS Change Requests is regularly used, receiving positive feedback from the experts using it as a tool for technical discussions on the ETCS. The database contains more than 900 change requests that have been processed and classified in the course of the maintenance of the current version of the system and the development of the next baseline.

In April, the Agency provided the recommendation to complete the current version of the ETCS specifications with the test standards. Those standards have been the results of a complex work package undertaken by independent laboratories and partially supported by TEN funds from the EC: the Agency was responsible for organising their validation and the review of their contents in connection with the recommendation of the necessary update of Annex A to the TSI CCS. This recommendation also included the test specifications for Euroloop and Euroradio, as well as the informative Driver Machine Interface (DMI) specifications produced by the Agency. The corresponding Commission Decision received the positive opinion of the Member States at the June meeting of RISC, and was adopted on 19 October 2009 with publication expected at the beginning of 2010.

The first release of the engineering guidelines was issued at the end of 2009, as required by the new ERTMS Memorandum of Understanding (MoU).

The Agency has progressed steadily with the implementation of the ETCS Baseline 3 planning, defined with the sector and the steering committee of the ERTMS MoU.

During the first three months, the external contractor (Dr GRABAND and Partner) carried out the revision of SRS 3.0.0, released by the Agency in December 2008. The result of this review, together with the ongoing work with the sector in the Agency working parties has led to the progressive consolidation of the ETCS Baseline 3. In December, the Agency released the updated SRS 3.0.1 and the ETCS DMI specifications 2.9.

A major step was the launch of the public procurement for a framework contract lasting three years with a total budget of EUR 1.5 million for the development of the test references for Baseline 3. The contract was awarded in December to a consortium composed of Cedex, DLR, Multitel, Tifsa, and RINA.

The Agency received the conclusions of the analysis of the safety requirement for the ETCS DMI, outsourced to Lloyd's; these findings will be incorporated into the requirements for the Baseline 3 interfaces.

The Agency has also signed a framework contract with SNCF for the provision of services and tools to derive and validate ETCS parameters for the braking curve algorithm: this contract will be exploited in 2010 involving different railways carrying out detailed computations for different types of rolling stock, in view of the consolidation of the ETCS specifications.

In 2009, the cooperation arrangements with the UIC for the GSMR specifications were formalised by the signature of a contract for the transfer to the Agency of the intellectual property rights of the test cases for the mobile terminals. The Agency has progressed in the definition of the list of problematic 'options' allowed by the current specifications, and has worked with the Cross-Acceptance Unit in the analysis of national requirements in this field. In March, the organisation of the workshop with the notified bodies on GSMR certification bodies represented a major opportunity to communicate, with clarity, the Agency plans, and to gather support and feedback for the next steps. As a first result, the Agency has been able to identify the need to define the SIM card as an interoperability constituent.

The revision of the TSIs Control Command and Signalling for HS and CR has progressed according to the revised work programme, taking into consideration the lower level of resources available in 2009. The work identified possible solutions to close a certain number of long-standing open points, for example electromagnetic compatibility (EMC), availability requirements, and hot axle box detectors.

The WG has drafted in parallel the relevant sections of the Application Guide, and maintained a traceability document identifying all the changes introduced.

The coherence with the other TSIs and the specifications of the Register of Infrastructure and European Register of Authorised Vehicles Types has been ensured by constant internal coordination.

For the EMC requirements relevant to the train detection systems, to make the best use of experts' competence and ensure synergies between the short-term identification and classification of parameters and the longer-term definition of TSI relevant parameters, the Agency launched a specific WG, managed jointly by the Cross-Acceptance Unit and the ERTMS Unit.

In 2009, the Agency set up the ad hoc working group with the Notified Bodies, under Article 21a of the amended Agency Regulation, with a view to checking the application of the EC verification procedures.

The Agency also actively participated in the ERTMS MoU Steering Committee activities, giving appropriate support to the ERTMS Coordinator of the European Commission.

The comprehensive and efficient cooperation with the other operational units in the areas of safety (DMI safety study, NSA Focus Group), interoperability (interfaces with other TSIs, registers) and Cross-Acceptance (open points, in particular EMC, NNTR), has continued, ensuring an efficient and Agency-wide approach.

B.3.4. Cross-Acceptance

In anticipation of the changes to the Agency Regulation, the Cross-Acceptance Unit was set up on 1 April 2008. It started with two staff and by 1 January 2009 comprised a total of four expanding to eight in early 2010. The core of its activity is the facilitation of the simplification of the Community procedure for the certification of railway vehicles in the interim period before the target railway system is defined in the TSIs and vehicles and infrastructure conform to those TSIs. This is to be achieved by maximising the exploitation of the principle of mutual recognition.

The unit has two key tasks conferred upon it by the Interoperability Directive and Agency Regulation. Its first task was to make recommendations in respect of Section 1 of Annex VII to the Interoperability Directive — the 'list of parameters to be checked in conjunction with the placing in service of non-TSI conforming vehicles and the classification of national rules'. With substantial help from the sector associations and the NSAs, this was accomplished with the first version of the list of parameters being presented to the Commission in February 2009, two months after the changes to the Agency Regulation giving the Agency this task. The list gained a positive opinion at the June RISC meeting and became a Commission Decision on 30 November 2009.

The second task of the Unit is to set up and maintain a Reference Document cross-referencing all the national rules applied by the Member States for placing vehicles in service, identifying those rules that are recognised as equivalent. In August, the Unit set about collecting these rules and, as a result of substantial efforts by the NSAs, by the year-end, 22 sets of national vehicle rules had been sent to the Agency. These will be included in National Reference Documents that will accompany, and be referenced by, the master Reference Document to be presented to the Commission in spring 2010.

The year 2009 saw considerable activity in respect of the process sector of the unit. Visits were made to over half of the Member States to learn about their vehicle authorisation processes. These visits were complimented by a survey to which a 100 % response was received. The results documented in the 'Interim Report on Vehicle Authorisation' reveal a complex and expensive matrix of requirements, processes, and roles and responsibilities within and between the Member States. Although containing the same basic elements,

the authorisation processes are different in each Member State and the combination of the heritage of old national railway 'homologation' processes, and a variety of different interpretations of the Directives has so far led to a variety of different approaches. It is to be hoped that the implementation of Directive 2008/57/EC, the recast Interoperability Directive, will lead to more convergence and the unit will be working hard through 2010 to foster a more common approach. It is also of concern that although the concept of type authorisation is widespread in Europe, the survey revealed an average type size of seven for locomotives.

One of the areas where a common approach is most required is the area of on-board control, command, and signalling systems, especially ETCS and GSMR. All projects to date have been managed on a national basis, usually by the Infrastructure Manager and this has led, on a project-by-project basis, to different approaches to interpretation, the selection of different sets of 'options' and different solutions adopted to deal with 'open points' in the TSIs. In a partnership between the ERTMS and the Cross-Acceptance Unit, working with the NSAs through the Corridor A Authorisation Group and the ERTMS Focus Group, the Agency started work in 2009 to understand and document the different national and project-based requirements 'exported' to on-board ERTMS. The aim was to eliminate the possibility of technical incompatibilities with Baseline 3.0.0 and, wherever possible, to mutually recognise the existing national ERTMS requirements using the Reference Document.

Looking forward to 2010, the work will focus on the completion and adoption of the first version of the Reference Document and the National Reference Documents listing all the national rules for vehicle authorisation, facilitating a common approach to vehicle authorisation under the recast Interoperability Directive and exploration of the subject areas where national rules at the moment are not very transparent. These areas covered by 'hidden' or 'implicit' rules and/or 'judgement-based' decision-making tend to relate to the vehicle-infrastructure interface previously managed within a single state railway company and include electromagnetic compatibility, track quality (vehicle ride quality), pantograph (overhead line) relationship and requirements 'exported' from infrastructure to on-board ETCS and GSMR.



B.3.5. Economic evaluation

B.3.5.1. Evaluation of recommendations

A number of evaluation reports were delivered, generally as separate deliverables. Five concerned conventional TSIs (Infrastructure, Locomotives and passenger rolling stock, Energy (power supply), TSI for Telematics Application for Passengers, Annex P to operations TSI concerning wagon numbering). A further four are safety-related (Certification of Maintenance Workshops, Common Safety Methods for Conformity Assessment, Derailment Detection Device, Common Safety Targets, first set). In addition, a first and modest contribution to Cross-Acceptance works consisted in assessing the impact of the revised list of parameters for Cross-Acceptance.

The Economic Evaluation Unit followed its basic principles of 'publishing early and concluding late' by releasing the so-called applied methodology documents at an early stage, in order to provide guidance to all contributors to the economic assessment. These are the second most important category of deliverables. Train rear-end signals (update), wagon TSI revision, Common Safety Methods (CSMs) for conformity assessment, and general methodology for TSI scope extension. The latter has been released as an early draft of what could become, eventually, the impact assessment of interoperability as a whole, i.e. the joint effect of all TSIs.

Acceptance of the methodologies and reports was generally good, and the Agency is now seeking more formal feedback from sector organisations on economic evaluation matters. For this purpose, feedback questionnaires on impact assessments have been included for the first time with the conventional locomotives and passenger rolling stock TSI assessment report. These feedback questionnaires will be further developed during 2010 and will be applied to both applied methodology and impact assessment reports.

A substantial part of the 2009 activities in partnership concerned data collection for rolling stock acceptance procedures in the different Member States. Another similar activity was the participation in impact assessment workshops set up by the Safety Unit regarding the CSM for conformity assessment. In both cases, a direct interview of the actors was the preferred data collection method.

B.3.5.2. Evaluation of projects

In these matters, the Agency acts only upon request from the Commission. As in the previous years, there were few project-related requests. Most noteworthy activities were the direct participation to TEN-T Agency workshops on network planning.

B.3.5.3. Methodology, supporting tasks

B.3.5.3.1. DREAM project

DREAM (Database for Railway Economic Assessment Management) is a project that started in mid 2008. Its purpose is to promote consistent, readable and reusable economic impact assessments. The tools envisaged are threefold.

- 'DB' module:
 - creation of a database, with a scalable level of detail, describing the European railway system and its environment; the description will not only encompass physical assets such as railway line sections and rolling stock fleets, but also stakeholders such as Railway Undertakings, supply industry, governments, and customers;
 - above all, cash flows between the stakeholders will be represented by fictitious contracts (such as 'long-distance passenger transport', or 'rolling stock lease') allowing the proper representation of the economic balance of the sector;
 - an interface will be set up between the DB module and other ERA databases (ECVVR for rolling stock registration, Infrastructure Register, etc.); contact with other organisations was also made during 2009 (Eurostat, UIC, UNECE, EIB, etc.) to assist with these processes;
 - a Geographical Information System covering the whole railway network is being established.



- 'EE' module: a model generator, i.e. an IT tool designed to assist in the set up of economic impact assessment models. The models will be, essentially, spreadsheets. Their structure will, however, be predetermined (independently from the subject itself) and the links with the database established automatically.
- 'WS' module: integrating DREAM into Agency workflows and the extranet. Some parts of the database are also intended to become public eventually.

The year 2009 saw the drafting of a number of documents, essentially the System Requirement Specifications for the three above modules. The database structure was also finalised. The EE module was prototyped through a separate contract, showing the feasibility of a universal 'model generator'. This work will allow the Agency to contract the actual implementation of the project during 2010.

B.3.5.3.2. Economic Survey Group

The primary purpose of the Economic Survey Group is the quality control of impact assessment studies and the update of assessment methodologies. It holds five annual plenary meetings, complemented by a few specialised meetings related to the DREAM project. In contrast with most working parties of the Agency, the members of which are mostly high-level specialists, the Economic Survey Group is an open group attended mostly by generalists (in the field of railway and transport economics and/or engineering) from sector organisations and NSAs, with participation of other qualified members (currently, from UIC and UK institutions). The plenary meetings were restructured at the end of 2009 in such a way to limit the number of points and papers per meeting, giving priority to the presentation of formal opinions on economic evaluation deliverables. The informative parts will be shifted to the extranet, experimentally, to leave room for in-depth discussion in the meetings. A tentative agenda for all 2010 meetings has been set

up, so participants can focus on those evaluations in which they are most interested, or to which they expect to contribute actively.

B.3.5.3.3. Extranet usage

A comprehensive list of all deliverables, with expected dates for release, is now shared on the extranet. In addition, and to ease data collection, a detailed list of outgoing questionnaires (with status) is also maintained and shared with the network of NSAs.

B.3.5.3.4. Methodology

The general methodology for impact assessment has proven successful but will, nevertheless, be revised in the course of 2010. Indeed, the studies carried out over recent years revealed several shortcomings that were partially addressed in 2009. An example is the explicit treatment of uncertainty and risk in evaluations, such as the Derailment Detector Impact Assessment (in cooperation with the Safety Unit).

In addition, the Economic Evaluation Unit, in cooperation with the Interoperability Unit, made the following first steps on relatively new ground, at least for its members:

- human factors (case study: assessment of train rear-end signals, raising the issues of train visibility and drivers' behaviour when driving on sight in a permissive block section); and
- IT system costing (case study: questionnaire and evaluation regarding the impact of functional changes to IT systems); the writing of the corresponding assessment manual was signed late in 2009, with delivery and publication expected in 2010.

Both activities are expected to gain further momentum in the coming years, as human factors and IT system projects are considered a threat by most engineers and accountants respectively.

As much as the Economic Evaluation Unit regrets not being able to reach 'the bottom line' of each recommendation in monetary figures, its staff are satisfied if they can take all the relevant aspects into consideration when setting up an impact assessment.



Part C — Internal control

During 2009, the Agency continued the development and consolidation of its internal control system.

In this regard, the resident internal auditor of ERA was fully committed to supporting the Executive Director on these issues during 2009. In September, a quality officer was recruited in order to streamline and reinforce the support to the Executive Director on internal control and quality.

The main strategic objectives were: (i) *to support to the Executive Director in enhancing his declaration of assurance about the use of resources and achievement of objectives;* (ii) *to provide advice to ERA's top management in designing and implementing a quality management system at ERA;* (iii) *to enhance the risk management framework of the Agency and possibly evolving towards an ERM framework in the future.*

The first objective was pursued via regular auditing activity ⁽¹⁾ and the first internal assessment on the compliance to the 16 Internal Control Standards was adopted by the Agency in

2008. The Agency has successfully continued to address auditors' recommendations still pending in 2009 by closing the remaining four recommendations of the 2007 IAS audit report. Concerning the evaluation of ICS, the Agency will be working in 2010 to improve the compliance rate to ICS's requirements ⁽²⁾.

The second objective has involved the recruitment during 2009 of a quality officer who will act as facilitator for the establishment of a formal quality management system at ERA. A quality project including a road map towards the implementation a quality management system at ERA was defined at the end of 2009. The project will commence in 2010.

Finally, the Agency has continued the development of its risk management framework, which is considered a key component of the internal control system. A revision of the risk management framework was carried out in 2009, which led to the adoption of an enhanced procedure for risk management aimed at making the risk process more integrated into the planning activity of the Agency.

⁽¹⁾ Auditing resources available to ERA are the Internal Audit Service of the European Commission, the resident internal auditor at ERA and the European Court of Auditors. They provide assurance services in a complementary manner in order to make optimal use of auditing resources.

⁽²⁾ The first assessment showed that around 68 % (11 out of 16) of ICS results to be 'partially' implemented at ERA, whereas four are in full compliance and one is still to be addressed.

Part D — Administrative and support services

D.1. Human resources

In the course of 2009, ERA recruited 16 temporary agents and eight contract agents. In addition, following their participation in open selection procedures, eight temporary agents already working at the Agency were offered new posts.

In 2009, nine temporary agents left the Agency, including one member of staff who reached the retirement age limit.

At the end of 2009, 113 temporary agents, 12 contract agents, and two seconded national experts were working at the Agency. Most of the remaining 11 open positions in the 2009 Establishment Plan are cases where the temporary agents have been selected in 2009 and will take up their posts in 2010.

A structured five-month remunerated traineeship scheme was elaborated and approved and as of October 2009, the Agency has started welcoming trainees.

As of the beginning of the year the 'Leave Management' module of 'e-HR', the new HR management information system, was implemented. The preliminary work necessary for the customisation of the 'Certificate Request' module has been carried out and full deployment is foreseen for 2010.

Eight different Implementing Rules designed to put the Staff Regulations in place are currently either in the process of being adopted (Use of contract agents at ERA, Decision on middle management staff, Guide to missions, Temporary occupation of management posts, Setting up of the Staff Committee and the ERA policy on preventing psychological and sexual harassment) or have been adopted (Selection and use of seconded national experts at ERA and Temporary agents at ERA). Work is continuing to develop a coherent policy on contract renewal, contract length, and internal mobility.

As regards the documentation of internal procedures, following the adoption of the relevant Implementing Rule, an internal selection and recruitment procedure for temporary agents, contract agents, and seconded national experts was finalised in mid 2009.

The second appraisal cycle was successfully completed in 2009. As part of the continuing 'help desk' function of HR, and in line with continuous improvement, three information sessions were offered to all staff and an objective-setting training session was specifically organised for reporting officers.

Upon completion of the appraisal procedure, 26 meritorious staff members were nominated and, in the course of 2009, reclassified once they had fulfilled the eligibility criteria.

Following the identification of the Agency's training needs and in light of ERA's training policy, ERA's 2009 training plan was drawn up and has served as a basis for the organisation and delivery of the 2009 training courses and initiatives. Amongst the most significant, the following deserve a mention: awareness-raising training on harassment, ABAC training for financial actors, management training, railway training (Ecole d'Ingénieurs ESTACA, European Training Centre for Railways (ETCR)). In addition, other courses aimed at reinforcing soft skills (e.g. time management, assertiveness, communication and HR relations in a multicultural context) were organised.

Language training represented a prominent part of training time for staff working at ERA. Courses organised covered the following languages: Dutch, English, French, German, Italian, and Spanish, and were attended by 70 members of ERA's staff.

As from autumn 2009, a comprehensive induction policy for newcomers is now one of the Agency's training initiatives aimed at speeding up integration and maximising performance of new recruits.

Following a negotiated tender procedure in the late spring, a coaching programme for the members of the senior management team (Executive Director and Heads of Units) was initiated in the autumn 2009 with a view to strengthening the senior management team cohesiveness and effectiveness. Due to the success of the initial phases, this activity will be continued.

Social Dialogue is maintained by regular meetings between the Head of Administration and the Staff Committee. In conjunction with the Staff Committee, HR organised a response to the H1N1 pandemic and cooperation with the Staff Committee will be necessary in order to deal with other Health and Safety issues that require further attention.

HR plays an active role in organising social events at ERA by having an *ex officio* member on the ERA Club committee.

D.2. Finance, accounting and procurement

As foreseen on the Commission timetable, ABAC, the financial system was introduced in April 2009. The necessary training courses were organised at the beginning of the year for all staff involved in the financial process. The migration was successful but it has become known the new system is more time consuming and requires more effort than previously envisaged and it has, therefore, not been possible to reduce the accumulated backlog of payment files as much as anticipated.

The Agency has also decided to use ABAC ASSETS in order to manage its inventory and assets. ABAC ASSETS was tested in September and October 2009 and put into production in November 2009, after uploading the data from the former information system (ISILOG).

At the accounting level, the closure of the accounts for 2009 will thus have to merge data coming from two information systems in order to ensure the coherence of the data. All steps need to be properly documented for audit purposes.

A new information system has been developed, commencing in June 2009, for managing the missions of staff. The Mission Management (MiMa) information system has been made freely available by the European Aviation Safety Agency (EASA). The system had to be customised to meet ERA's needs and adapted to

the new mission rules. The testing phase lasted from September to December 2009 resulting in the MiMa application being deployed in January 2010.

Financial procedures are now being reviewed in order to ensure compliance with the Internal Control Standards.

After having investigated the available information systems which could support the procurement function, it was decided to use ABAC CONTRACT (a module linked to the ABAC information system) in order to register all contracts in a central repository, to ensure the monitoring of consumables, and to manage all guarantees linked to them. This module will be put into production in January 2010.

In 2009, efforts were made to better plan the procurement activities and the procurement services dealt with over 20 procurement procedures. Furthermore, an action plan was devised and implemented to improve the procurement procedures.

D.3. Infrastructure services at ERA

In spring 2009, the Agency moved into new headquarters in Valenciennes. The new building, which fits in with the style of the other buildings on the Site des Tertiales, was made available by the local authority, Valenciennes Métropole. However, in the absence of a seat agreement with the host state, the European Parliament stipulated that the rental agreement for the building initially be signed for one year only.

The relocation of the Agency has been a major event and the most challenging activity that the infrastructure services have had to cope with to date. It was organised in such a way as to minimise mission-critical disruption in the business services and cause minimum impact on staff. The new premises provide staff with more space than previously, as well as a more congenial working environment. The additional space includes meeting rooms, which can also be used for training purposes. Considerations such as the temperature of the rooms hosting the servers have also been catered for to ensure continuous IT service.

Moreover, the planning of this major project helped initiate the Business Continuity Plan and the Disaster Recovery Procedures, starting with the early stage of consolidation and requiring further development of the ICT back-office infrastructure and of the general building maintenance plan.

The migration and the adoption of the ABAC financial software system were successfully completed.

The infrastructure hosting the e-HR system and related procedures concerning leave and mission management was deployed.

The Project Management Office (PMO) provided supporting services to the railway business units for the further development of ongoing projects (ERADIS, ERTMS Change Request Management Tool, European Central Vehicle Register system and the Database for Rail Economic Analysis Monitoring — DREAM).

The project for the development of the new ERA website was successfully completed, enabling the related deployment during the second week of 2010. Due to the ongoing difficulties with the contractor, it proved impossible to finalise the document management system (DMS) before the end of the year.

In order to serve better the needs of internal and external users, the development of a Service Desk started at the end of 2009, using contracted consulting services.

The analysis of the needs for the audiovisual equipment for the Valenciennes and Lille premises was completed in order to start the related implementation in 2010, giving priority to the Lille site.

The liaison network with the local authorities has been strengthened thanks to regular coordination meetings.

Part E — Annexes

E.1. Annex I: Composition of the Administrative Board 2009–14 (as from July 2009)

1 Member States

| Member State | Member of the Administrative Board | Alternate |
|----------------|------------------------------------|--------------------------|
| Belgium | Ms Carole COUNE | Mr Joannes PEETERS |
| Bulgaria | Mr Simeon ANANIEV | Mrs Petya HRISTOVA |
| Czech Republic | Mr Jan FIEDLER | Mr Jindřich KUŠNÍR |
| Denmark | Mr Jesper RASMUSSEN | Mr Knud ELM-LARSEN |
| Germany | Mr Michael HARTING | Mr Ralf SCHWEINSBERG |
| Estonia | Mr Raigo UUKKIVI | Mr Indrek LAINEVEER |
| Ireland | Mr John WELSBY | Ms Mary MOLLOY |
| Greece | Mr Triantafyllos PAPATRIANTAFYLLOU | Mr Konstantinos PITSAS |
| Spain | Mr Francisco Javier SÁNCHEZ AYALA | Mr Manuel NIÑO GONZÁLEZ |
| France | Mr Patrick VIEU | Mr Denis HUNEAU |
| Italy | Mr Massimo PROVINCIALI | Mr Pier Luigi NAVONE |
| Cyprus | Mr Alecos MICHAELIDES | Mrs Elpida EPAMINONDA |
| Latvia | Mr Jānis EIDUKS | Mr Andris DUNSKIS |
| Lithuania | Mr Robertas ŠERĖNAS | Ms Giedre IVINSKIENE |
| Luxembourg | Mr Jeannot POEKER | Mrs Anouk ENSCH |
| Hungary | Mr Gábor RÁCZ | Mr Daniel SCHÜTZENHOFFER |
| Malta | Mr Joseph TONG | Mr Fabian GALEA |
| Netherlands | MR Hinne J.Y. GROOT | Mr Paul T. GELTON |
| Austria | Mr Wolfgang CATHARIN | Mr Klaus GSTETTENBAUER |
| Poland | Mr Krzysztof BANASZEK | Mr Piotr CUKIERSKI |
| Portugal | Mr António CRISÓSTOMO TEIXEIRA | Mr José ARANHA ANTUNES |
| Romania | Mr Claudiu DUMITRESCU | Mr Dinu DRĂGAN |
| Slovenia | Mr Ljubo ŽERAK | Mrs Breda KRIŽNAR |
| Slovakia | Mr Vladimír Jozef DLHOPOLCEK | Mr Miroslav DORCAK |
| Finland | Mr Kari ALPPIVUORI | Mr Hannu PENNANEN |
| Sweden | Mr Rune LINDBERG | Mr Carl SILFVERSWÄRD |
| United Kingdom | Mr Chris CARR | Mrs Pamela PATERSON |

2 European Economic Area (EEA)

| Member State | Member of the Administration Board | Alternate |
|--------------|------------------------------------|------------------|
| Iceland | — | — |
| Norway | Mr Erik Ø. Johnsen | Mr Øystein RAVIK |

3 European Commission

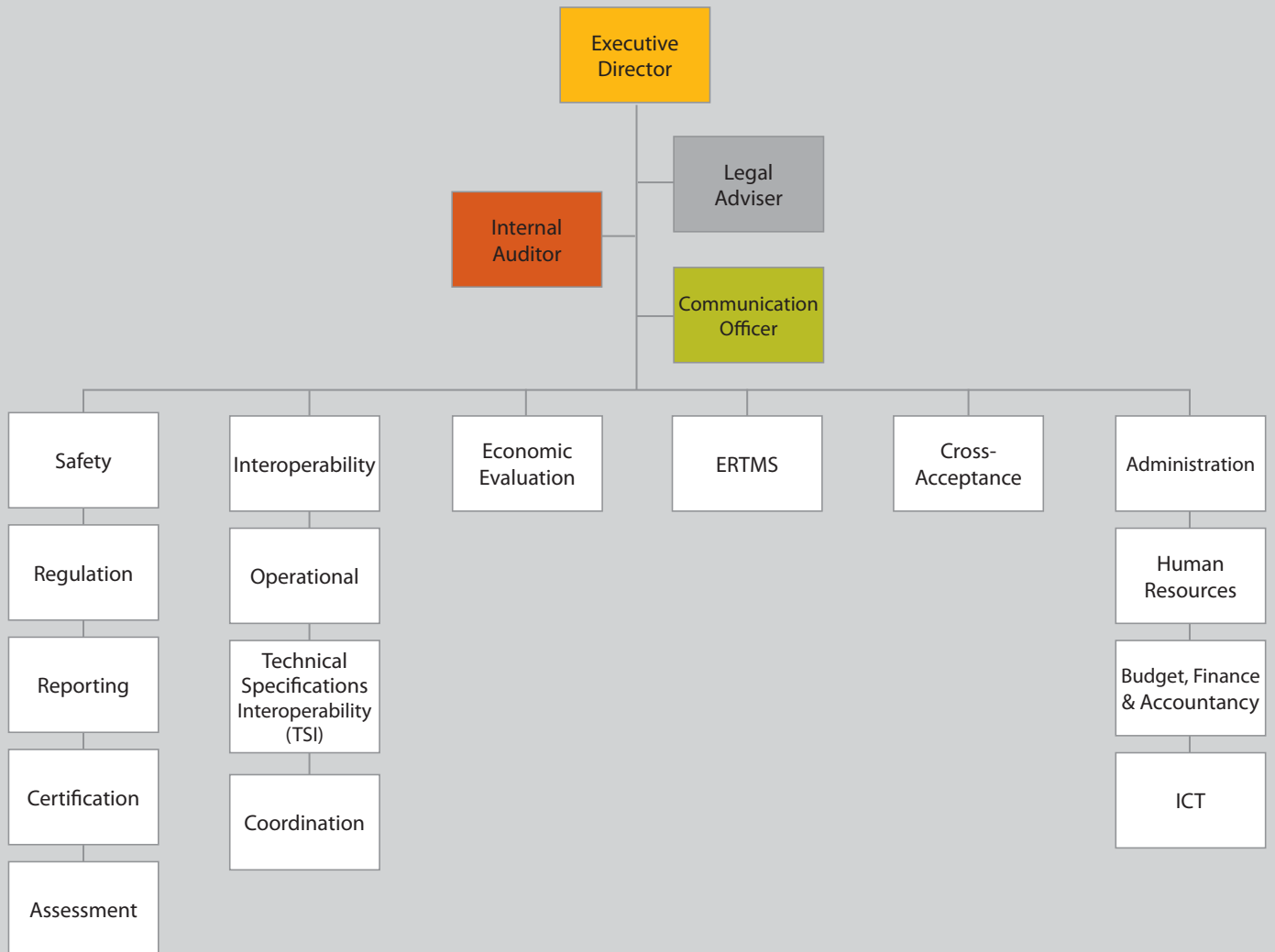
| Directorate-General | Function/member of the Administrative Board | Alternate |
|----------------------|---|---|
| Transport and Energy | Deputy Director-General Coordination of transport policy in the field of land transport, air transport and maritime transport Mr Zoltan KAZATSAY | Director Management of human and financial resources Mr Augusto BONUCCI |
| Transport and Energy | Director Inland transport policy including the development of the internal railway market Mr Enrico GRILLO PASQUARELLI | Administrator Interoperability and safety in the Railway Unit Mr Patrizio GRILLO |
| Transport and Energy | Acting Director Policy development for the Trans-European Transport Network Mr Jean-Eric PAQUET | Head of Unit Rail policy including market opening and technical harmonisation and the relations with ERA Mr Maurizio CASTELLETTI |
| Enterprise | Director Policy development for the new approach industries, tourism and corporate social responsibility Mr Pedro ORTÚN | Administrator Railway industry Mr Jean-Jacques WOELDGEN |

4 Representatives of the rail sector

| Groups | Member | Alternate* |
|-------------------------|------------------------|-----------------------|
| Railway Undertakings | Mr Jacques DAMAS | Mr Martin HENKE |
| Infrastructure Managers | Mr Michael ROBSON | Mr Michele MARIO ELIA |
| Railway Industry | Mr Dan Anders OTTEBORN | Mr Bruno DAMBRINE |
| Worker Unions | Mr Guy GREIVELDING | Ms Sabine TRIER |
| Passengers | Mr Christopher IRWIN | Mr Rian van der BORG |
| Freight Customers | Mr János BERÉNYI | Mr Heiner ROGGE |

* Since the entry into force of Regulation (EC) No 1335/2008 of the European Parliament and of the Council of 16 December 2008 amending Regulation (EC) No 881/2004 establishing a European Railway Agency, each representative of the Rail Sector also has one alternate.

E.2. Annex II: ERA organisation chart



E.3. Annex III: Declaration of assurance by the Authorising Officer

I, the undersigned, Marcel VERSLYPE, Executive Director of the European Railway Agency in my capacity as Authorising Officer:

declare that the information contained in this Annual Activity Report 2009 gives a true and fair view ^(?);

state that I have reasonable assurance that the resources assigned to the activities described in this report have been used for their intended purpose and in accordance with the principles of sound financial management, and that the control procedures put in place give the necessary guarantees concerning the legality and regularity of the underlying transactions;

confirm that this reasonable assurance is based on my own judgement and on the information at my disposal;

confirm that I am not aware of anything not reported here which could harm the interests of the Institution.

Valenciennes,
Marcel VERSLYPE

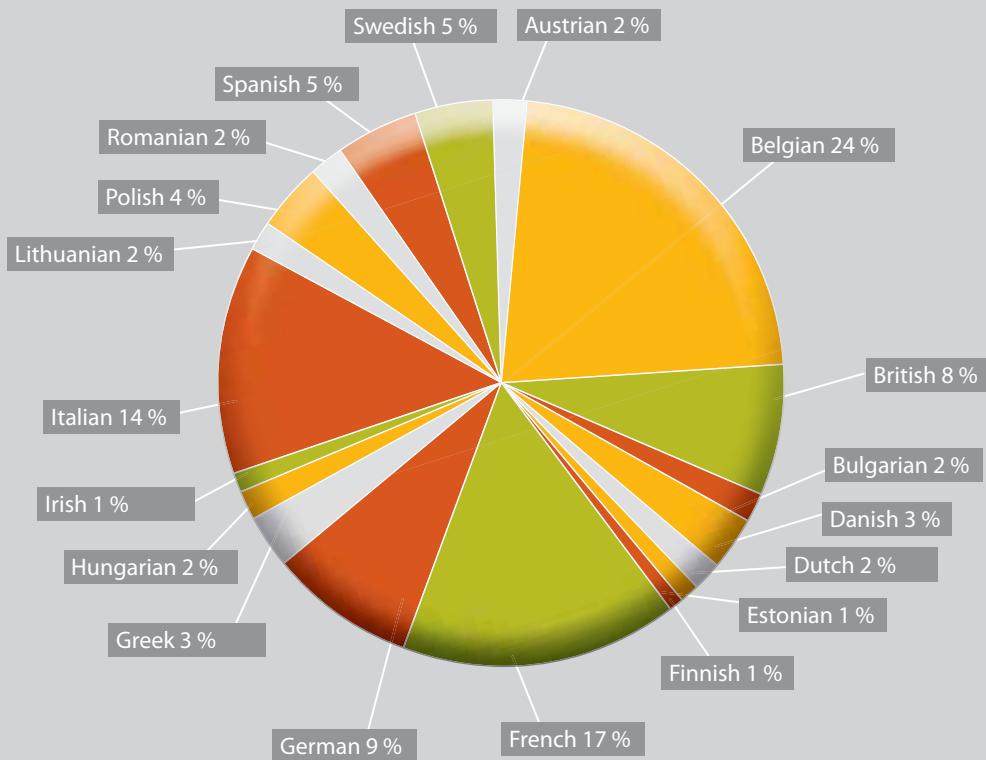
^(?) 'True and fair' in this context means a reliable, complete and correct view on the state of affairs in the Institution.



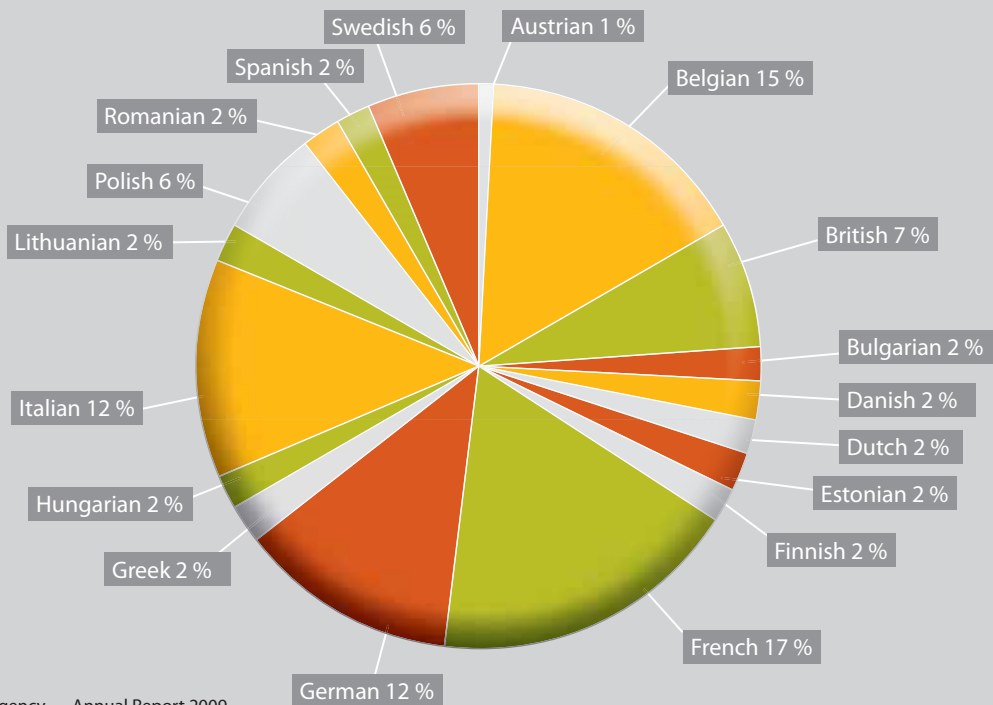
E.4. Annex IV: Staff composition 2009

E.4.1. Split of nationalities within ERA

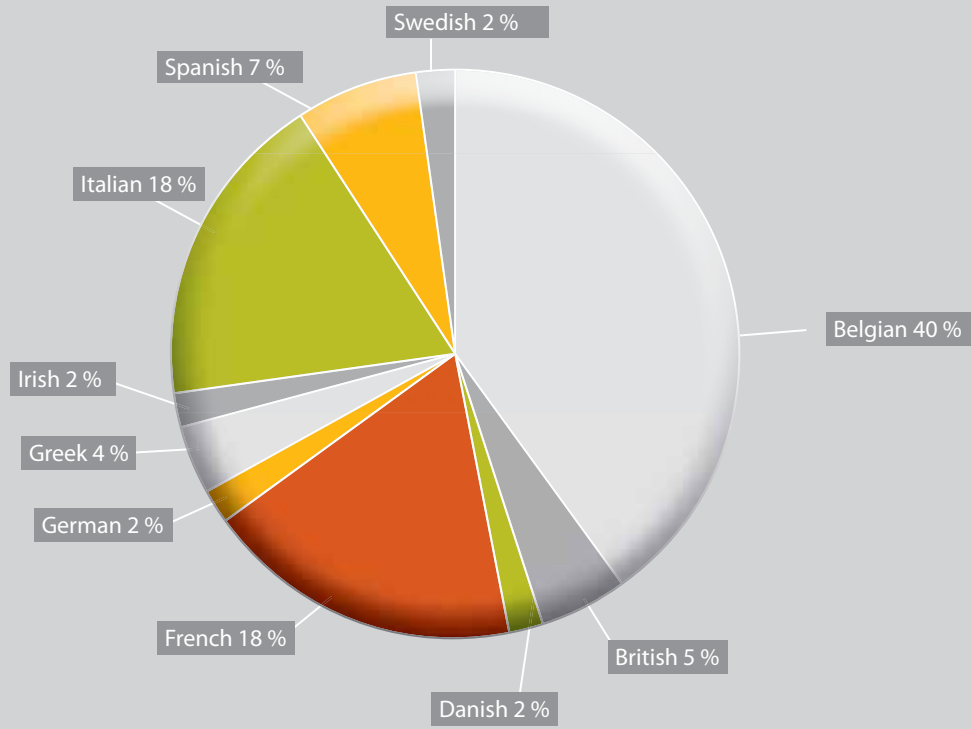
E.4.1.1. All staff



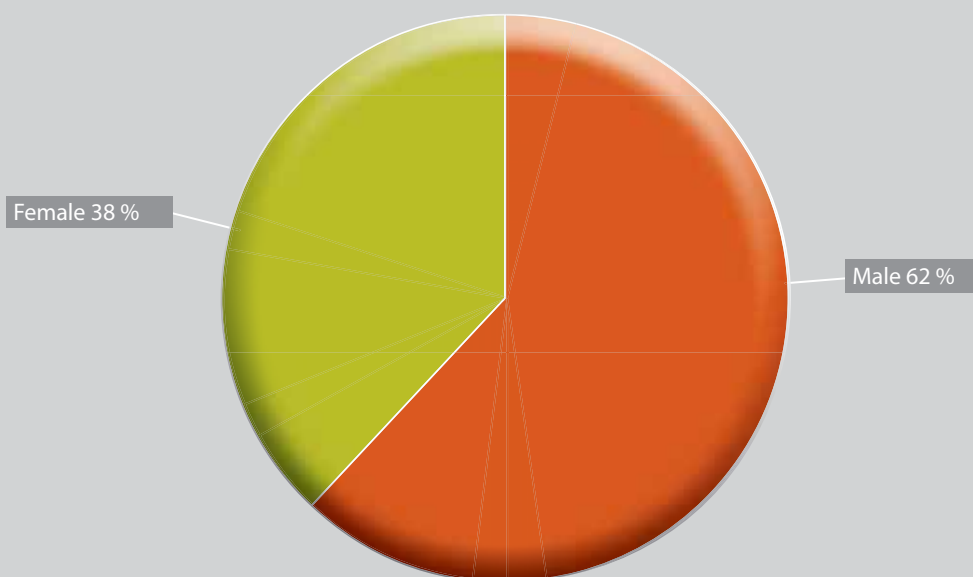
E.4.1.2. Operational staff



E.4.1.3. Administration staff



E.4.2. Gender balance



E.5. Annex V: Financial reports 2009

Table 1: Budget execution

(values in EUR)

| 2009 | Appropriations | Commitments | %/App | Payments | %/App | Carry-over | %/App |
|-----------------------------|-------------------|-------------------|-----------|-------------------|-----------|------------------|-----------|
| Title I | 13 043 000 | 12 642 439 | 97 | 12 394 440 | 95 | 247 998 | 2 |
| Title II | 2 757 000 | 2 756 803 | 100 | 1 622 126 | 59 | 1 134 677 | 41 |
| Title III | 5 200 000 | 5 199 749 | 100 | 2 035 519 | 39 | 3 164 230 | 61 |
| Total annual subsidy | 21 000 000 | 20 598 991 | 98 | 16 052 085 | 76 | 4 546 906 | 22 |

Table 2a: Negotiated procedures

Contracts: EUR 25 000 < Contracts ≤ EUR 60 000

- Count: 3
- Total Amount: EUR 161 850

| Number | Contractor(s) (name, address) | Type of contract | Description | Amount (EUR) | Legal base |
|-----------------------------|---|------------------|--|-----------------|---------------|
| ERA/2009/ECONEVAL/ DC-01 | UIC — Inter- national Union of Railways 16 rue Jean Rey 75015 Paris FRANCE | Services | Series of consultations related to the in-house preparation of an economic impact assessment related to the drafting of the Conventional Rail Infrastructure TSI | 50 000 | Article 129IR |
| ERA/2009/SAF/NP 01 | Det Norske Veritas Ltd Palace House 3 Cathedral Street London SE1 9DE UNITED KINGDOM | Services | The subject of the contract is an insight study about the types of RAC which are used in different industrial sectors | 51 950 | Article 129IR |
| ERA/2008/SAF/NP 02 | University of Glasgow University Avenue Glasgow G12 8QQ UNITED KINGDOM | Services | The subject of the contract is an insight study which will provide an extensive review, both within and external to the railway industry, to list and select what methods, tools and techniques are available and could be used in railway occurrence investigations | 59 900 | Article 129IR |

* FR (IR): Financial Regulation (Implementing Rules)



Table 2b: Summary of procedures

(Excluding real estate contracts and contracts ≤ EUR 25 000)

| Type of contract | Count | Amount (EUR) |
|----------------------|-----------|------------------|
| Supply | 0 | 0 |
| Services | 16 | 5 008 417 |
| Works | 0 | 0 |
| Total | 16 | 5 008 417 |
| Procedures | Count | Amount (EUR) |
| Open | 7 | 3 866 650 |
| Restricted | 1 | 170 000 |
| Negotiated | 8 | 971 767 |
| Negotiated Competing | | |
| Other | | |
| Total | 16 | 5 008 417 |

Table 3: Real estate contracts

| Number | Contractor(s) (name, address) | Type of contract | Description | Amount (EUR) | Legal base |
|--------|---|-------------------|---|--------------|-------------------|
| N/A | Communauté d'agglomération de Valenciennes Métropole Hôpital du Hainaut, 2 Place de l'Hôpital Général BP 60227 59305 Valenciennes Cedex FRANCE | Building contract | Lease contract of ERA's new building located 120 rue Marc Lefrancq, 59300 Valenciennes FRANCE | 416 000 | Article 126(h) IR |

Table 4: Economic out-turn account (provisional accounts)

| ECONOMIC OUT-TURN ACCOUNT | 31.12.2009 | 31.12.2008 |
|--|------------------------|------------------------|
| Revenues from administrative operations | 69 288.77 | 8 047.55 |
| Subsidy received | 20 071 459.51 | 16 760 542.41 |
| Titles I & II | 15 800 000.00 | 12 262 494.00 |
| Title III | 5 200 000.00 | 4 713.000.00 |
| To be reimbursed (Budget out-turn) | - 928 540.49 | - 214 951.59 |
| TOTAL OPERATING REVENUE | 20 140 748.28 | 16 768 589.96 |
| Administrative expenses | - 16 071 117.99 | - 12 690 150.28 |
| <i>Staff expenses</i> | - 11 974 455.33 | - 10 550 881.87 |
| <i>Fixed assets related expenses</i> | - 351 188.21 | - 187 800.35 |
| <i>Other administrative expenses</i> | - 3 745 474.45 | - 1 951 468.36 |
| Operational expenses | - 3 746 628.59 | - 2 926 230.66 |
| <i>Other operational expenses</i> | - 3 746 628.59 | - 2 926 230.66 |
| TOTAL OPERATING EXPENSES | - 19 817 746.58 | - 15 616 380.94 |
| SURPLUS (DEFICIT) FROM OPERATING ACTIVITIES | 323 001.70 | 1 152 209.02 |
| Financial revenues | 5 489.75 | 2 221.64 |
| Financial expenses | - 916.36 | - 17 416.24 |
| Movement in pensions (- expense; + revenue) | | |
| SURPLUS (DEFICIT) FROM NON-OPERATING ACTIVITIES | 4 573.39 | - 15 194.60 |
| SURPLUS (DEFICIT) FROM ORDINARY ACTIVITIES | 327 575.09 | 1 137 014.42 |
| Extraordinary gains (+) | | |
| Extraordinary losses (-) | | |
| SURPLUS (DEFICIT) FROM EXTRAORDINARY ITEMS | | |
| ECONOMIC RESULT OF THE YEAR | 327 575.09 | 1 137 014.42 |

Table 5: Balance sheet (provisional accounts)

| BALANCE SHEET — ASSETS | 31.12.2009 | 31.12.2008 |
|---|---------------------|---------------------|
| A. NON-CURRENT ASSETS | | |
| Intangible fixed assets | 148 160.46 | 198 067.47 |
| Tangible fixed assets | 582 087.82 | 493 174.55 |
| Land and buildings | 0.00 | 0.00 |
| Plant and equipment | 93 448.00 | 163 391.38 |
| Computer hardware | 371 350.07 | 299 914.06 |
| Furniture and vehicles | 83 103.25 | 29 869.01 |
| Other fixtures and fittings | 34 186.50 | |
| Leasing | | |
| Tangible fixed assets under construction | | |
| Long-term pre-financing | 0.00 | 0.00 |
| Long-term pre-financing | | |
| Long-term pre-financing with EC entities | | |
| Long-term receivables | 0.00 | 0.00 |
| Long-term receivables | | |
| Long-term receivables with EC entities | | |
| TOTAL NON-CURRENT ASSETS | 730 248.28 | 691 241.92 |
| B. CURRENT ASSETS | | |
| Stocks | 0.00 | 0.00 |
| Short-term pre-financing | 0.00 | 0.00 |
| Short-term pre-financing | 0.00 | 0.00 |
| Short-term pre-financing with consolidated EC entities | | |
| Short-term receivables | 413 726.82 | 316 712.40 |
| Current receivables | 321 630.12 | 271 115.01 |
| Long-term receivables falling due within a year | | |
| Sundry receivables | 30 634.79 | 41 106.29 |
| Other | | 2 394.17 |
| <i>Accrued income</i> | | 2 394.17 |
| <i>Deferred charges</i> | | |
| <i>Deferrals and accruals with consolidated EC entities</i> | | |
| <i>Short-term receivables with consolidated EC entities</i> | 61 461.91 | 2 096.93 |
| Cash and cash equivalents | 5 144 532.82 | 4 058 521.63 |
| TOTAL CURRENT ASSETS | 5 558 259.64 | 4 375 234.03 |
| TOTAL | 6 288 507.92 | 5 066 475.95 |

| BALANCE SHEET — LIABILITIES | 31/12/2009 | 31/12/2008 |
|--|---------------------|---------------------|
| A. CAPITAL | 3 815 432.71 | 3 487 857.62 |
| Accumulated surplus/deficit | 3 487 857.62 | 2 350 843.50 |
| Economic result of the year — profit(+)/loss(-) | 327 575.09 | 1 137 014.12 |
| C. NON CURRENT LIABILITIES | 86 641.65 | 0.00 |
| Employee benefits | | |
| Provisions for risks and charges | 86 641.65 | |
| Other long-term liabilities | | |
| Other long-term liabilities | | |
| Other long-term liabilities with consolidated EC entities | | |
| <i>Pre-financing received from consolidated EC entities</i> | | |
| <i>Other long-term liabilities from consolidated EC entities</i> | | |
| TOTAL NON-CURRENT LIABILITIES | 0.00 | 0.00 |
| D. CURRENT LIABILITIES | 2 386 433.56 | 1 578 618.33 |
| Provisions for risks and charges | | |
| Accounts payable | 2 386 433.56 | 1 578 618.33 |
| Current payables | 72 932.87 | 14 569.79 |
| Long-term liabilities falling due within the year | | |
| Sundry payables | 15 051.85 | 8 067.70 |
| Other | 1 350 441.24 | 1 169 978.54 |
| <i>Accrued charges</i> | 1 295 509.99 | 1 169 978.54 |
| <i>Deferred income</i> | | |
| <i>Deferrals and accruals with consolidated EC entities</i> | | |
| <i>Accounts payable with consolidated EC entities</i> | 948 007.60 | 386 002.30 |
| <i>Pre-financing received from consolidated EC entities</i> | 928 540.49 | 214 951.59 |
| <i>Other accounts payable against consolidated EC entities</i> | 19 467.11 | 171 050.71 |
| TOTAL CURRENT LIABILITIES | 2 386 433.56 | 1 578 618.33 |
| TOTAL | 6 288 507.92 | 5 066 475.95 |

Table 6: Budget and revenue out-turn (provisional accounts)

BUDGET OUT-TURN ACCOUNT

| | 2009 | 2008 |
|---|----------------------|-----------------------|
| Revenue | | |
| Commission subsidy Directorate-General for Transport and Energy | 21 000 000.00 | 16 975 444.44 |
| Other revenue | 4 595.29 | 8 047.55 |
| Total revenue (a) | 21 004 595.29 | 16 983 491.99 |
| Expenditure | | |
| Personnel expenses — Budget Title I | | |
| Payments | 12 394 440.00 | 10 427 984.19 |
| Automatic carry-overs | 246 890.82 | 191 512.51 |
| Administrative expenses — Budget Title II | | |
| Payments | 1 622 126.08 | 1 073 324.86 |
| Automatic carry-overs | 1 134 677.19 | 1 099 327.93 |
| Operational expenses — Budget Title III | | |
| Payments | 2 035 519.01 | 1 648 848.87 |
| Automatic carry-overs | 3 164 230.29 | 2 813 189.21 |
| Total expenditure (b) | 20 597 883.49 | 17 254 186.57 |
| Out-turn for the financial year (a – b) | 406 711.80 | – 270 694.58 |
| Cancellation of unused carry-overs | + 520 818.10 | + 484 644.06 |
| Exchange differences for the year | 1 010.59 | 1 002.08 |
| Balance carried over from year N – 1 | + 214 951.59 | + 4 459 102.38 |
| Positive balance from year N – 1 reimbursed in year N to the Commission | – 214 951.59 | – 4 459 102.38 |
| Balance of the out-turn account for the financial year | 928 540.49 | 214 951.59 |



E.6. Annex VI: Delivery of the Work Programme 2009

Safety Unit

| Activity Reference | Work | Lead Unit | Legal basis | Of | Overall Objective |
|--------------------|--|-----------|-----------------------------------|----------------------|--|
| | Certification | | | | |
| AC09-0111 | Evaluate the development of safety certification with recommendations on a strategy for migration towards a single Community safety certificate | S | Article 10(7) | SD | Support the introduction of a single certificate combining European validity and network-wide validity |
| AC09-0112 | Recommend harmonised requirements and a common format for application guidance for safety certificates | S | Article 15(2) | SD | Support and facilitate safety certification of railway undertakings |
| AC09-0113 | Recommend methods for assessing conformity with requirements in safety certificates and safety authorisations | S | Article 6(3)(b) | SD | Support a harmonised manner for the assessment of applications for Part A and Part B safety certificates and safety authorisations |
| AC09-0114 | Follow-up of development of standards for Safety Management Systems based on Commission Decision C(2007) 250 Annex 2.3.6 | S | Annex 2.3.6 | Decision C(2007) 250 | Support the standardisation of safety management systems through a global approach |
| AC09-0116 | Preparation of a draft of a Community model for the train driver licence, the train driver certificate and the certified copy of this certificate in accordance with Article 4 of Directive 2007/59/EC | S | Article 4 Article 16b 1(a) | DL AR | Ensuring harmonised conditions for issuing of licences to train drivers |
| AC09-0117 | Preparation of draft for the basic parameters of the register for train driver licences and the related measures in accordance with Article 22(4) of Directive 2007/59/EC | S | Article 22(4) Article 16b 1(b) | DL AR | Ensure that information on train driver licences in accordance with Directive 2007/59/EC can be exchanged in an interoperable manner between National Safety Authorities |
| AC09-0118 | Preparation of a draft for the technical and operating specifications for train driver smartcard | S | Article 34 Article 16b 1(e) | DL AR | Facilitating the use of smartcards combining the licence and certificates provided for in Article 4 of Directive 2007/59/EC |
| AC09-0119 | Recommendations on the profile and tasks of other crew members performing safety-critical tasks which should be regulated by licences/certificates | I/S | Article 28 Article 16c | DL AR | The report will identify whether the licensing of other staff contributes to the improved competitiveness or safety in a cost-effective manner |
| AC09-0122 | Recommendation of a certification system for the entity in charge of maintenance in accordance with Article 14a of Directive 2004/49/EC (certification of entities I/C maintenance) | S | Article 14a Article 16a | SD AR | Harmonise requirements for entities in charge of maintenance of railway vehicles |

| Timing | Planned output in 2009 | Achieved in 2009 |
|--|---|---|
| May 2009 | Delivery of first report on development of safety certification | Intermediate report on migration strategy sent to EC |
| September 2008 | Follow-up to recommendations delivered in 2008 | To be reviewed in context of ECM certification |
| September 2009 | Recommendation to the Commission | Recommendation sent to EC |
| September 2009 | Preparatory work in support of standardisation organisations | Work rejected by RISC |
| Recommendation was delivered to the Commission 4.12.2008 | Follow-up of recommendation delivered in December 2008 | Publication in the <i>Official Journal of the European Union</i> in January 2010 |
| Recommendation was delivered to the Commission 4.12.2008 | Follow-up of the recommendation delivered in 2008 | Publication in the <i>Official Journal of the European Union</i> in January 2011 |
| December 2012 | Report with preliminary analysis | Study to be contracted in second half 2010 |
| June 2009 | Report June 2009 supported by external study | See interoperability |
| July 2010 | Reports and draft recommendations to the Commission | RISC informed on work status in December — recommendation to be sent to EC by June 2010 |

| Activity Reference | Work | Lead Unit | Legal basis | Of | Overall Objective |
|--------------------|--|-----------|--------------------|----|--|
| | Establish a task force on freight wagon maintenance | S | Article 21b | AR | To deal with urgent measures relating to wheel-set design and maintenance, and to review the different maintenance regimes for freight wagons |
| AC09-0123 | Support the Commission concerning the use of certification systems along European railway corridors | X/S | Article 17.4 | SD | Facilitate the mutual recognition of safety certificates along corridors |
| | Regulation | | | | |
| AC09-0131 | Evaluate the way in which national safety rules are established, published and made available, and consider measures to improve safety regulation | S | Article 8(3) | SD | Transparency of national safety rules, assistance to Member States to establish national safety rules |
| AC09-0133 | At request of the EC, carry out a technical examination of new national safety rules | S | Article 9a | AR | Prevention of further diversity of rules concerning TSIs, CSTs and CSMs |
| AC09-0134 | At request of the EC, the Agency will examine the transposition of the Railway Safety Directive into the national legislation of the Member States | S | Article 30(2)(b) | AR | Assist the EC in monitoring the implementation of the Railway Safety Directive into national law in Member States |
| AC09-0135 | At request of the National Regulatory Bodies and the DER Committee, the Agency will provide technical opinions concerning safety-related aspects | S | Article 10(1), (2) | AR | Deliver technical opinions regarding safety items on request from National Regulatory Bodies and the DERC committee |
| AC09-0136 | At request of the EC, the Agency will participate in the International Committees on the Transport of Dangerous Goods (RID) | S | Article 6(2) | AR | Assist the EC to monitor if RID is consistent with EU railway legislation |
| AC09-0138 | Make national safety rules accessible to the public | S | Article 19 1(f) | AR | Provide base for the evaluation of the rules by the Agency, and monitoring of the rules by EC |
| | Develop a methodology for the assessment of safety-related aspects | S | Article 6(2) | AR | Obtain a common accepted and transparent methodology for assessment of safety-related aspects |
| | Reporting | | | | |
| AC09-0151 | Report on the safety performance of Member States | S | Article 9(2) | AR | Measurement and presentation of railway safety performances reached in Member States |
| AC09-0152 | Develop harmonised definitions for Common Safety Indicators | S | Article 9(1) | AR | Development of harmonised definitions for Common Safety Indicators, evaluation and recommendations regarding the use of CSI defined within Annex I to Directive 2004/49/EC |
| AC09-0153 | Cooperation and coordination of NIBs | S | Article 21(7) | SD | Facilitating the exchange of views and experiences of Accident Investigation Bodies by organising a network and network meetings |

| Timing | Planned output in 2009 | Achieved in 2009 |
|---|---|---|
| July 2010 | Intermediate report to the Commission | Intermediate report sent to EC |
| Ongoing | Report to EC via the 2009 Progress report | See Cross-Acceptance |
| | | |
| End April 2009/end 2009 | Report Phase I delivered to EC; draft Final report and recommendations on measures to improve safety regulation and accessibility prepared | Achieved |
| Report within two months of the request | Ongoing | No request received in 2009 |
| Ongoing | Ongoing | Three reports prepared |
| Ongoing | Ongoing | One technical advice according to Article 21b (2b) of AR delivered to the EC |
| Ongoing | Ongoing | One recommendation concerning derailment detection device delivered to EC |
| Ongoing | Management of the rules database | Ongoing |
| Report 2010 | Study contracted to external consultant | Study contracted |
| | | |
| Every two years | Update 2007 figures of the 2008 Biennial report | Intermediate report on the safety performance in the EU Member States published in 2009 |
| Recommendation September 2008 | Follow-up of the recommendation delivered in 2008 | Revision of Annex I in force from 27 November |
| Ongoing | Report to EC via the 2009 Progress report on developing Common Investigation Methods, drawing up principles for follow-up of safety recommendations and adaptation to the development of technical and scientific progress; Study on Accident Investigation Methodologies | Study on accident investigation methodologies was completed, EC was informed regularly |

| Activity Reference | Work | Lead Unit | Legal basis | Of | Overall Objective |
|--------------------|---|-----------|--------------------------|----|--|
| AC09-0154 | Cooperation with Eurostat | S | Article 9(3) | AR | Cooperation with Eurostat to avoid any duplication of work and to ensure methodological consistency between the Common Safety Indicators and the indicators used in other modes of transport |
| AC09-0102 | Maintain a public database on safety-related documents | S | Article 19(1)(c) | AR | Improve the transparency and exchange of information |
| AC09-0155 | Collect and evaluate accidents reported by NIBs to the Agency | S | Article 19 Article 24 | SD | Facilitating the exchange of information between accident investigation bodies, Member States and stakeholders to improve railway safety performances in Member States by analysis and dissemination of 'lessons learned from accidents' |
| | Assessment | | | | |
| AC09-0170 | Elaboration of a recommendation for the second set of Common Safety Targets | S | Article 7(2) | SD | Updating the values of the first set of NRVs and CSTs, taking into account that more and more harmonised data based on CSIs will be available |
| AC09-0171 | Elaboration of a recommendation of the first set of NRVs and CSTs | S | Article 7(2) | SD | Facilitating a common measurement of safety performances of railway systems at Member State level and common risk perception for railway transport |
| AC09-0172 | Elaboration of a guidance document for the use of the second set of CSMs | S | Article 6(3) | SD | Facilitating the introduction and application of the second set of CSMs |
| AC09-0173 | Elaboration of a recommendation on the second set of CSMs | S | Article 6(3) | SD | Harmonisation of requirements to carry out safety assessments in a harmonised manner |
| AC09-0174 | Revise first set of CSMs (risk assessment) | S | Article 6(4) | SD | Evaluate the experiences and feedback from the introduction and application of the first set of CSMs |
| | Horizontal activities | | | | |
| AC09-0100 | Other measures in the field of safety | S | Article 6(2) | AR | Clarification of items concerning safety which are not covered by the four sectors of the Safety Unit |
| AC09-0101 | Transitional measures | S | Article 6(3) | AR | Recommendations to the Commission for the transitional period preceding adoption of CSTs and CSMs and technical specifications for interoperability |
| | Support to the integration of candidate countries into the work streams of the Agency | S | Article 1 | AR | Preparatory measures for the participation of candidates and potential candidates in the work of Community Agencies (IPA) |

| Timing | Planned output in 2009 | Achieved in 2009 |
|----------------|---|---|
| Ongoing | Participation in regular meetings with Eurostat | Regular exchanges of experience occurred |
| Ongoing | Database already available; regular reviews and updates | The database tool was improved continuously with content updated regularly |
| Ongoing | Analysis and evaluation of accident reports and safety recommendations elaborated by NIBs; support NIBs in accordance with Article 21(5) of Directive 2004/49/EC by accident investigation or elaboration of safety recommendations | Accident reports of the NIBs were evaluated; NIBs were supported on a case-by-case basis at their request |
| | | |
| September 2010 | Report to EC via the 2009 Progress report | |
| June 2009 | Recommendation to the Commission | Completed Refer to ERA/REC/03-2009/SAF |
| September 2012 | Report to EC via the 2009 Progress report | See AC09/173 |
| September 2012 | Report to EC via the 2009 Progress report | Two working group meetings (15.9 and 9.12) Terms of Reference (Note 09/01) |
| December 2011 | External study report and ERA report to the Commission | Dissemination workshops Development of RAC and assessment bodies |
| | | |
| Ongoing | Recommendations to the Commission, if appropriate | |
| Ongoing | Recommendations to the Commission, if appropriate | |
| November 2011 | Signature of a contract and start of activity | |

| Activity Reference | Work | Lead Unit | Legal basis | Of | Overall Objective |
|--------------------|--|-----------|--------------|----|--|
| AC09-0106 | Cooperation between NSAs and NIBs | S | Article 6(5) | AR | Facilitate the exchange and harmonisation of information, experiences, and methods used between NSAs and NIBs |
| AC09-0107 | Establishing a network with NSAs in accordance with Article 17 of Directive 2004/49/EC | S | Article 9 | AR | Facilitate the exchange and harmonisation of information, experiences, and methods used among NSAs, supporting the harmonisation of decision-making criteria in accordance with Article 17 of Directive 2004/49/EC |

Interoperability Unit

| Activity Reference | Work | Legal Unit | Legal basis | Of | Overall Objective |
|--------------------|---|------------|--------------------|------------------|---|
| | Drafting new TSIs | | | | |
| AC09-31-01 | Infrastructure (INF) | I | Article 12 Annex 1 | AR, Mandate 2006 | Definition of an optimal level of technical harmonisation of the European railways to facilitate, improve and develop international rail transport services within the EU, and contribute to the interoperability of the rail system as well as creation of the internal market for railway products and services |
| AC09-31-01 | Energy (ENE) | I | Article 12 Annex 1 | AR, Mandate 2006 | As above |
| AC09-31-01 | Passenger Carriages (PAS) | I | Article 12 Annex 1 | AR, Mandate 2006 | As above |
| AC09-31-01 | Locomotives and Traction Units (LOC) | I | Article 12 Annex 1 | AR, Mandate 2006 | As above |
| AC09-31-01 | Telematic Applications for Passengers (TAP) | I | Article 12 Annex 1 | AR, Mandate 2006 | As above |

| Timing | Planned output in 2009 | Achieved in 2009 |
|---------|--|------------------|
| Ongoing | Organisation of common meetings with NSAs and NIBs | |
| Ongoing | Administration of a network and organisation of network meetings | |

| Timing | Planned output in 2009 | Achieved in 2009 |
|----------------|--|--|
| Ongoing | Follow-up recommendation delivered in December 2008; further advice to the Commission in the preparation of final TSI for submission to the Committee | Final draft completed and submitted to the Committee (RISC) for voting at the RISC meeting, 3 and 4 December 2009; the TSI was accepted by RISC |
| Ongoing | Follow-up recommendation delivered in Dec. 2008 and further advice to the Commission in the preparation of final TSI for submission to the Committee | Final draft completed and submitted to the Committee (RISC) for voting at the RISC meeting, 3 and 4 December 2009; the TSI was accepted by RISC |
| April 2009 | Deliver recommendation in March, follow-up recommendation and further advice to the Commission in the preparation of final TSI for submission to the Committee | The recommendation and the final draft of common TSI Loc & Pas was delivered to the Commission in November 2009; the draft will be submitted to the Committee (RISC) for voting at the RISC meeting in February 2010 |
| April 2009 | Deliver recommendation in March, follow-up recommendation and further advice to the Commission in the preparation of final TSI for submission to the Committee | The recommendation and the final draft of common TSI Loc & Pas was delivered to the Commission in November 2009; the draft will be submitted to the Committee (RISC) for voting at the RISC meeting in February 2010 |
| September 2009 | Deliver recommendation, follow-up recommendation and further advice to the Commission in the preparation of final TSI for submission to the Committee | Recommendation drafted and sent for translation for consultation early 2010 |

| Activity Reference | Work | Legal Unit | Legal basis | Of | Overall Objective |
|--------------------|--|------------|-------------------------------|--------------|--|
| AC09-31-01 | 1520 system | I | Article 12 | AR | Detailed analysis of the existing technical rules of the 1520 system and preparation of preliminary documents for its reflection in the TSIs. |
| | Revision to TSIs | | | | |
| AC09-31-02 | Telematic Applications for Freight (TAF) | I | Article 12(b) Article 2(1) | AR FM | Technical support for the implementation of rail interoperability, including closure of open points and the adaptation to technical progress and market trends, as well as the correction of non-critical errors as envisaged by the Framework Mandate, extension of the TSI scope as envisaged by the directive |
| AC09-31-02 | Freight Wagons (WAG) | I | Article 12(b) Article 2(1) | AR FM | As above |
| AC09-31-02 | Operations (OPE) | I | Article 12(b) Article 2(1) | AR FM | As above |
| AC09-31-02 | INF HS | I | Article 12(b) Article 2.1 | AR FM | As above |
| AC09-31-02 | ENE HS | I | Article 12(b) Article 2.1 | AR FM | As above |
| AC09-31-02 | Rolling Stock (RST) HS | I | Article 12(b) Article 2.1 | AR FM | As above |
| AC09-31-02 | Noise (NOI) | I | Article 12(b) Article 2(1) | AR FM | As above |
| AC09-31-02 | Safety in Railway Tunnels (SRT) | I | Article 12(b) Article 2(1) | AR FM | As above |
| AC09-31-02 | Persons with Reduced Mobility (PRM) | I | Article 12(b) Article 2(1) | AR FM | As above |
| | Coordination of TSIs | | | | |
| AC09-31-03 | Coordination with ESOs | I | Article 4(2) | Mandate 2006 | Alignment of the work of ERA and Standardisation Bodies |
| AC09-31-04 | Coordination with NB Rail | I | Article 12(d) | AR | Assist the Commission by organising and facilitating cooperation between Notified Bodies |

| Timing | Planned output in 2009 | Achieved in 2009 |
|---------------|---|--|
| December 2009 | Report on analysis of the existing Technical Rules for Infrastructure, Energy, Locomotives and Traction Units | Completion of the Report on Infrastructure; preliminary version of the Report on Energy; substantial progress of the Report on Locomotives and Traction Units (postponed for 2010 due to complexity of the subject) |
| | | |
| Ongoing | Update of TSIs as required to address the open points, technical progress and market trends; providing opinion and advice on request of the Commission in respect of TSI deficiencies | Tasks ongoing |
| December 2009 | Intermediate report July 2009 | On 23 January 2009, the Commission adopted the decision on the amendment of the TSI WAG in relation to cross-authorisation of wagons; the work on revision has continued during 2009; the Intermediate report was delivered in September 2009; the final draft will be delivered in 2009 |
| December 2009 | Final TSI | On 23 January 2009, the Commission adopted the decision on the amendment of the Annex P.5 of the CR TSI Operation in relation to amendment of the CR TSI Freight wagons |
| Ongoing | Update of TSIs as required to address the open points, technical progress and market trends; providing opinion and advice on request of the Commission in respect of TSI deficiencies | A number of questions for clarification were answered on the request from the Commission |
| Ongoing | As above | As above |
| Ongoing | As above | As above |
| Ongoing | As above | Limited revision has been carried out in 2009. |
| Ongoing | As above | Number of questions for clarification were answered on the request from the Commission. |
| Ongoing | As above | As above |
| | | |
| Ongoing | Requests for Standards when necessary | |
| Ongoing | Regular coordination meetings and strategic meetings including subgroups | Ongoing |

| Activity Reference | Work | Legal Unit | Legal basis | Of | Overall Objective |
|--------------------|---|------------|----------------------|----|--|
| QC09-35-02 | Evaluation of National Technical Rules | I | Article 2.3.5 | FM | Taking into account the conclusions of the draft Interim report on this activity, the objectives for 2009 are: — support the Commission in the process of re-notification of National Technical Rules — support the Commission in the process of creation of the database for National Technical Rules |
| AC08-35-02 | Work programme for the extension of the scope of the TSI | I | Article 2.3.6 | FM | Define the work programme for the extension of scope of the TSI; this work programme has to be coordinated with other TSI-related activities; define which of the basic parameters will be impacted by the extension of the scope |
| AC09-35_02 | TSI Implementation Guide | I | Article 2.3.1 | FM | Assistance to Member States and all stakeholders in application of TSIs, guidance on using the TSIs and in particular references to European standards |
| AC09-35-02 | General support on TSI implementation (IQ, minor errors, opinion on SA refusal PITS) | I | Article s2.2.2/2.3.4 | FM | Assist the EC with technical expertise on interpretive questions and errors to assess their impact and to suggest possible solutions |
| AC09-31-01 | Coordination with NSAs | I | Article 6(5) | AR | Organisation and facilitation of cooperation between NSAs in respect of TSI and interoperability |
| AC09-35-02 | Evaluation of derogations | I | Article 2.3.2 | FM | Assist the EC with technical expertise to evaluate national derogations; avoid unnecessary divergence from TSIs |
| | Monitoring | | | | |
| AC09-32-01 | Monitor the quality of the work of NoBos and check NoBos to ensure criteria (Annex VII to ID) are met | I | Article 13 | AR | Ensuring the quality and consistency of the work of Notified Bodies |
| AC09-33-02 | Report on interoperability | I | Article 14(2) | AR | Identify indicators to measure interoperability progress; understanding of progress towards the objectives |
| | Promote interoperability (innovations, procedures for implementation, assist the Commission) | | Article 21 | AR | As specified by the Commission |
| AC09-34-01 | Examination of interoperability projects | I | Article 15 | AR | Ensuring that the projects (in particular those co-financed by the EC) are in line with the interoperability principles; avoid unnecessary divergence from TSIs |
| | Support to the Commission to develop the interoperability work programme | I | Article 31 | ID | Multi-annual calendar for TSI revisions |

| Timing | Planned output in 2009 | Achieved in 2009 |
|---------------|---|---|
| Ongoing | Ongoing task; Reports according to the availability of lists of NNTR | Ongoing (transferred to Cross-Acceptance) |
| April 2009 | Final report and recommendations | Final report and recommendations delivered in August 2009 |
| December 2009 | Implementation guide | Preliminary draft of the guide |
| On request | Opinions on request from the Commission | Ongoing |
| Ongoing | Regular meetings of the NSA Network and task forces (interoperability issues) | Ongoing |
| On request | Opinions on request from the Commission | Ongoing |
| | | |
| On request | Opinions on request from the Commission | Ongoing |
| June 2009 | Delivery of the Report to the Commission | The report was submitted for publication in December 2009 |
| On request | Delivery of the requested outputs | |
| On request | Report as requested by the Commission | |
| June 2009 | Support to the Commission in the preparation of the calendar | Ongoing |

| Activity Reference | Work | Legal Unit | Legal basis | Of | Overall Objective |
|--------------------|--|------------|---------------------------------|-------|--|
| | Certification of maintenance workshops | | | | |
| AC09-35-01 | Certification of maintenance workshops | I | Article 16 | AR | Development of a European system for certification of maintenance workshops for rolling stock taking into account the implementation of the system |
| | | | | | |
| | | | | | |
| | Vocational competences | | | | |
| AC09-36-04 | Preparation of draft Community criteria on the choice of examiners and examinations | I | Article 16b(1)(c) Article 25 | AR DL | Supporting Member States with regard to their task of choosing examiners and examinations |
| AC09-36-06 | Assisting cooperation amongst Member States in the implementation of the Train Drivers Directive | I | Article 16b(1)(f) | AR | Facilitate and improve the implementation process at a national level by coordinating common understanding regarding directive provisions and by providing opportunities to meet and exchange experiences |
| AC09-36-07 | On request, to carry out cost/benefit analysis on the application of the Train Driver Directive with regard to drivers operating exclusively on the territory of the requesting Member State | I/EE | Article 16b(1)(g), (h) | AR | Provide structured and reliable figures and information on the effects of implementation in order to allow the Commission to take decisions on Member States' requests in a transparent and comprehensible way |
| AC09-36-12 | Report on profile and tasks of other crew members performing safety-critical tasks and on possible options for certification in accordance with Article 28 of DL | I/S | Article 16c | AR | Identify whether the licensing of other staff contributes to improved competitiveness or safety in a cost-effective manner |
| AC09-36-13 | Recommendations on specifying common criteria with regard to vocational competence and assessment of staff involved in operation and maintenance and not covered by Articles 16b or 16c | I | Article 17(1) | AR | Contribute to interoperability and safety of the railway system by providing common criteria with regard to staff involved, in case such criteria are needed or appropriate to provide improvement |
| AC09-36-14 | Recommendations with regard to a system for accreditation of training centres | I | Article 17(2) | AR | Facilitate the mutual recognition of training services, in particular those offered in the context of train driver certification |

| Timing | Planned output in 2009 | Achieved in 2009 |
|-----------------------------|---|--|
| | | |
| Ongoing | Follow-up recommendation delivered in September 2008 and further advice to the Commission in the preparation of final submission to A21C in April 2009 | Recommendation delivered by November 2009 |
| October 2008–March 2009 | Consultation of the Social Dialogue Committee | |
| Ongoing | Update the implementation guide as required | |
| | | |
| June 2009 | Report containing draft criteria for the choice of examiners and examinations | Draft report delivered by June 2009 |
| Approximately 2011 | Needs assessment and work concept plus report to the Commission on questions, solutions, difficulties discussed (two/four meetings as required/requested) | Three meetings in 2009 |
| December 2012 | Report at the request of the Commission | |
| June 2009 | Report to the Commission | |
| June 2009 | Evaluation report to the Commission on the question whether further details on minimum language competence requirements are needed for train driver certification and mutual recognition of licences and, if yes, how to develop them | Ongoing study |
| March 2009 November 2009 | Report on accreditation criteria March 2009 Report on accreditation system November 2009 | Intermediate report delivered by June 2009 |

| Activity Reference | Work | Legal Unit | Legal basis | Of | Overall Objective |
|--------------------|---|------------|-----------------------------|----------|--|
| | Databases and registers | | | | |
| AC08-37-01 | National Vehicle Register (NVR) | I | Article 18(1)(a) | AR | Common specification for National Vehicle Registers |
| | Register of Authorised Vehicle Types | I | Article 18(1)(b) | AR | Enable stakeholders to obtain information on the types of vehicles authorised in different Member States; facilitate the data exchange between NSAs |
| | Infrastructure Register | I | Article 18(1)(c) | AR | Establishing compatibility with rolling stock; establishing progress with the setting-up of TSI-compliant Infrastructure Specification |
| | Vehicle Keeper Marking (VKM) Register | I | Article 19(1)(k) | AR | The register of vehicle keeper markings kept by the Agency in accordance with the TSI on operation and traffic management ensures uniqueness of the vehicle keeper markings |
| AC09-38-03 | Set up Interoperability Documents Database (IDB) (including ECVVR, VKM) | I | Article 19 | AR | Collect and publish on the Agency's website, railway interoperability-related documents: EC declarations of the verification of subsystems, EC declarations of the conformity of constituents, EC declaration of suitability for use of constituents, authorisations for putting into service concerning fixed installations, publish a list of National Technical Rules |
| AC09-35-02 | National Technical Rules | I | Article 2,3,4 Article 9a | FM AR | Evaluation of NTRs notifications |

ERTMS Unit

| Activity Reference | Work | Legal Unit | Legal basis | Of | Overall Objective |
|--------------------|---|------------|----------------|----|---|
| AC09-E001 | Update the ERTMS specifications | E | Article 21a(1) | AR | Write, review and validate the necessary specification documents for ETCS and GSM-R, with the required level of quality, using the resources available internally, external consultants, and the sector contribution |
| AC09-E002 | Set up a procedure for (ERTMS) change management and a register for changes | E | Article 21a(2) | AR | Definition of Change Control Management (CCM) procedure, agreement and enforcement of the procedure with the sector; Design, update and populate the Change Request database; In addition, writing and revision of the specification document |

| Timing | Planned output in 2009 | Achieved in 2009 |
|---------------|---|--|
| March 2009 | Follow-up on recommendation delivered in 2008; report on the evaluation of the pilot project including the communication protocol for the connection of NVRs to the VVR | Report on evaluation of the pilot project; draft final report on NVR decision update Support to registration entities |
| December 2009 | Specification of the register and template of declaration, and recommendation to the Commission, the register implemented in the Agency's database | Interim report |
| December 2009 | Specification of the data to be kept in the Infrastructure Register, establish the link to the national registers | |
| Ongoing | Publication of updated VKMs on first Wednesday of each month (except August) | Ongoing |
| May 2009 | Operational IDB part within the Agency's common public database of Interoperability and Safety Documents | The ERADIS (ERA Database on Interoperability and Safety) has been fully operational since the end of 2009 |
| Ongoing | Reports to the Commission on request | |

| Timing | Planned output in 2009 | Achieved in 2009 |
|------------|---|--|
| 2012 | June 2009: Engineering Rules Onboard; December 2009: Engineering Rules trackside and test interfaces | Recommendation to update Annex A with Test specs (April); Engineering Guidelines (December); Braking Parameter Tool contracted in December; IPR for GSMR test cases acquired in December |
| March 2009 | Agency Document; CR Database in operation | CR Database in daily operation with no (significant) complaints |

| Activity Reference | Work | Legal Unit | Legal basis | Of | Overall Objective |
|--------------------|--|------------|----------------|----|---|
| AC09-E003 | Develop a version management strategy | E | Article 21a(4) | AR | Define and validate with sector the technical mechanism; define the operational constraints for ETCS and separately for GSM-R |
| AC09-E004 | Assess the costs and migration mechanisms for early implementations before Commission Decision of 23/4/2008 | E | Article 21a(4) | AR | Based on notification from Member States and inputs from IM as required in the new ERTMS MoU, ERA will take stock of the costs claimed by early implementers and review the possible technical migration mechanisms; ERA will support the Commission to identify possible financial mechanisms to support migration |
| AC09-E005 | Set up NoBo, WG, and NSA cooperation to evaluate verification and authorisation; recommend appropriate measures to the Commission in the case of risk of incompatibilities between networks and vehicles | E/X | Article 21a(5) | AR | Survey the application of EC verification and authorisations to place into service with NoBos and NSAs; analysis of procedures for authorisation to service will be joint with Cross-Acceptance (authorisation for vehicles compliant with TSI v vehicles compliant with NNTR) |
| AC09-E006 | CCS TSI | E | Article 2.1 | FM | Revision of the two CCS TSIs including open points, extension of the scope; technical opinions to the Commission on critical errors |
| AC09-E007 | Support the EC to develop an EU deployment plan and coordinate ERTMS installation along corridors, support to other units | E | Article 21a(3) | AR | Survey of implementation versions, support on request |
| AC09-E008 | Evaluate ERTMS certification | E | Article 21a(7) | AR | Evaluate test and certification procedures, in particular the role and organisation of test laboratories and test centres |

Cross-Acceptance Unit

| Activity Reference | Work | Legal Unit | Legal basis | Of | Overall Objective |
|--------------------|--|------------|---|----------------|---|
| TBA | Strategy, long-term plan, work programme and Annual Report | X | Article 25(2)(c) | AR | Plan and review the activities of the Agency |
| TBA | Coordinate the Agency's approach to research | X | Article 6(2) Article 26 Article 12(b) & (c) | ID SD IR | Facilitate alignment between the research needs of the Agency and research carried out by the bodies commissioning research to enable the Agency's recommendations to take account of scientific and technical progress and market trends |
| TBA | Coordinate relationships with stakeholders | X | Article 3 | AR | Overview review the activities of the Agency with stakeholders. Identification of specific problem areas |
| TBA | Facilitate Member States' acceptance of vehicles placed in service in another Member State in order that they may harmonise their decision-making criteria | X | Article 9b(1) Article 17(4) | AR SD | Facilitate a common approach to the vehicle authorisation process |

| Timing | Planned output in 2009 | Achieved in 2009 |
|---------------|--|---|
| April 2009 | Release of SVM specifications for ETCS and GSM-R | SVM specifications released and implemented in ETCS SRS; first draft discussed but not agreed for GSM-R |
| No deadline | By the beginning 2010, Pilot Assessment Report to the Commission | Ongoing; no deliverable |
| December 2009 | Report to the Commission on the procedures; Recommendations in case of incompatibilities or non-equivalence of ERTMS related NNTRS | Terms of Reference for the ad hoc WG approved; work started; no report on incompatibilities |
| Q3 2010 | Intermediate Report to the Commission postponed to Q1 2010 | Work progressing according to modified schedule; questionnaires on specific cases distributed; launched the EMC Working Group to close open point |
| | On-demand support | No formal requests/only informal support |
| 2010 | Informal Progress Report to the Commission | Workshop organised in March, report to sector and Commission; framework contract with test laboratories finalised in December |

| Timing | Planned output in 2009 | Achieved in 2009 |
|---------|--|---|
| Ongoing | Completion of strategy document, Agency long-term plan, 2010 work programme and 2008 Annual Report | Planning documents delivered as envisaged |
| Ongoing | Internal reviews of Agency research needs and of the impact of sector research on Agency recommendations | Coordination established with ERRAC, Eurnex and the Commission; Agency needs conveyed to research bodies |
| Ongoing | Regular review meetings | Network of Representative Bodies established. First meeting Sept 2009 |
| Ongoing | Working party and subgroup meetings; review of Member State's acceptance processes (including processes to be adopted for corridors); first documentation of the elements of a common approach | More than 50 % of the national vehicle authorisation processes reviewed; Interim report published; Facilitation of a common approach to Corridor A ERTMS autorisation |

| Activity Reference | Work | Legal Unit | Legal basis | Of | Overall Objective |
|--------------------|--|------------|---|----------|---|
| TBA | Review the list of parameters in Section 1 of Annex VII to the directive and make recommendations | X | Article 9b(2) Article 27(2) | AR ID | Ensure consistency between the parameters checked for TSI conform and non TSI conform vehicles |
| TBA | Facilitate the harmonisation of decision-making in respect of national rules related to placing vehicles and vehicle-related subsystems into service | X | Article 17(3) Article 9b(3) Article 27(3) | SD AR ID | Ongoing facilitation of the exchange of views and experience for the purpose of harmonising Member State decision-making criteria in respect of the requirements in national rules relating to the vehicle parameters to be checked |
| TBA | Draft reference document cross-referencing national rules for placing vehicles in service and updates thereof | X | Article 17(3) Article 9b(3) Article 27 3 | SD AR ID | Establish equivalence between national rules to facilitate mutual recognition of rules and authorisations |
| TBA | When called upon by an NSA or the Commission, provide opinions on the equivalence of national rules | X | Article 10(2a) | AR | Facilitate mutual recognition of national rules related to vehicles and their authorisation |
| TBA | Provide an opinion when called by the competent appeal body referred to in Article 21(10) of Interoperability Directive in the case of an SA refusal to authorise PITS | X | Article 10(2b) | AR | Technical opinion to facilitate appeals |

Economic Evaluation Unit

| Activity Reference | Work | Legal Unit | Legal basis | Of | Overall Objective |
|--------------------------------|---|------------|----------------------|-------|---|
| Evaluation of recommendations | Evaluation of Agency recommendations | EE | Article 6 Article 7 | ID SD | Provide an impact assessment for each Agency recommendation to support decision-making (internal and external) |
| Evaluation of projects | Opinions in the context of projects or corridors (including CBA on the application of driver licensing to drivers operating exclusively nationally) | EE | Article 21b | AR | Provide assistance to the Commission, upon request, to evaluate economic rationale leading to requests for derogations or for EU funds |
| Methodology & supporting tasks | Methodology and data management | EE | Support to the above | | Ensure transparency of works and create confidence by sharing methodology, methods, data and results with all concerned stakeholders (within the boundaries of confidentiality rules generally established for, or by the Agency) |

| | | |
|----|---|---|
| AR | = | Agency Regulation (Regulation 881/2004 (EC) and proposal for amendment) |
| SD | = | Safety Directive (Directive 2004/49 (EC) and proposal for amendment) |
| ID | = | Interoperability Directive (Directive 2008/57/EC) |
| DL | = | Driver Licensing Directive (Directive 2007/59) |
| FM | = | Framework Mandate (Commission Decision of 13/07/2007) |

| Timing | | Planned output in 2009 | Achieved in 2009 |
|--------|--|--------------------------------------|--|
| | 19 January 2009 | Recommendations and follow-up | List of parameters adopted as a Commission decision, 30 November 2009 |
| | Ongoing | Progress reports to EC and Committee | Regular working party and geographical interest groups established |
| | First draft one year after Agency regulations enter into force | Document, first version late 2009 | Draft reference document and 18 national reference documents produced for review by 31 December 2009 |
| | Two months | As required | Contributions to Agency opinions |
| | Two months | As required | Not required in 2009 |

| Timing | | Planned output in 2009 | Achieved in 2009 |
|--------|--|--|------------------|
| | | Applied methodologies and assessment reports | |
| | | Reports delivered to Commission, or participation to works of the Commission, all upon request | |
| | | General methodology updates, questionnaire management, DREAM database set up | |





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