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Document Review – Comment Sheet

Document commented: Common Safety Methods on the assessment of Safety Level and Safety Performance of railway operators at national and Union level (CSM ASLP)

<i>Requestor:</i>	Consultation.ERA1219@era.europa.eu
<i>Deadline for submitting comments:</i>	17 March 2021

	<i>Reviewer 1</i>	<i>Reviewer 2</i>	<i>Reviewer 3</i>	<i>Reviewer 4</i>	<i>Reviewer 5</i>
<i>Date:</i>	17 March 2021	17 March 2021			
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Document History

<i>Version</i>	<i>Date</i>	<i>Comments</i>
0.1		
0.2		

0.3		

Conventions:

<i>Type of Comment</i>		<i>Reply by requestor</i>	
<i>G</i>	General	<i>R</i>	Rejected
<i>M</i>	Mistake	<i>A</i>	Accepted
<i>U</i>	Understanding	<i>D</i>	Discussion necessary
<i>P</i>	Proposal	<i>NWC</i>	Noted without need to change

Review Comments <if necessary add extra lines in the table>

<i>N°</i>	<i>Reference (e.g. Art, §)</i>	<i>Type</i>	<i>Reviewer</i>	<i>Reviewer's Comments, Questions, Proposals</i>	<i>Reply</i>	<i>Proposal for the correction or justification for the rejection</i>
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1.		G	JGE	<p>According to its current wording, the CSM is not adequate for its implementation, nor does it allow to make an accurate forecast of the difficulties that the sector will face in adapting to the new method.</p> <p>It should be taken into account that the CSM has not specified the most relevant aspects, such as the definition of: a taxonomy both for events and RCM, the evidence on which the evaluation of the SP should be based, the own methods of evaluation of SL and SP, the tools for the setting the reports of the occurrences and their scenarios, the interaction with the future ISS or the details on the requirements, composition and operation of the GoA.</p>	NWC	<p>We only partly agree with your comments.</p> <p>1) A baseline Taxonomy is established and received only a few comments at WP8.</p> <p>This is confirmed by the formal consultation where very few specific proposal to change the taxonomy have been made.</p> <p>As the taxonomy is resulting from a long lasting development including EU harmonisation groups, the Agency considered that the current taxonomy correspond to the best starting baseline possible.</p> <p>We will welcome GoA work on this topic and will support any possible concrete proposal for improvement.</p> <p>2) SP evaluation is based on a well-developed and experienced model. It is also fully consistent with existing legislation and standards.</p> <p>3) The way to report occurrences and scenarios is quite standard. The reporting of scenarios is based on a largely used method (bow-tie), EU research projects (e.g. Aramis) and standards, notably IEC 62740:2015, and existing legislation, including CSM RA.</p> <p>4) The ISS is framed by the most important elements, the role and responsibilities of users and the sharing rules, in compliance with EU legislation on protection of data and information. It will be completed by all the elements necessary in Appendix D before the ISS is used for implementing the CSM (principle of controlled CSM revision in accordance with the needs).</p> <p>5) The GoA will be a working party, from this point of view the Agency Regulation would be enough in principle to describe the GoA outside the CSM. However, as it is an</p>
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				<p>All these uncertainties prevent operators from knowing what organizational changes they will end up having to carry out, nor do they allow employees - who in the future will be part of the chain to prepare the data and information to be shared - from starting training right now.</p> <p>It can be said that once the method is completely defined, it will take a long period for the operators, especially the smaller ones, to be able to adapt both their human teams and their working methods to the new obligations imposed by the CSM.</p>		<p>important element, the CSM is indicating the scope the role and the responsibility of this group with a sufficient level of detail for regulation.</p> <p>The organisational changes mainly relate to the structuration of information that are (or should be) present in other forms at operator's levels. The impacts are evaluated in the Impact Assessment, which is positive.</p> <p>Small operators, should have only very few number of occurrence to report per year. The ISS will bring a harmonised system directly usable by small operators, even if they would operate in several countries.</p> <p>As part of the public consultation, the Agency has received comments by a small operator showing that it is perceived as a very welcomed possibility to use the ISS.</p>
2.		G	JGE	Given the great importance that the GoA will have in the current and future development of the CSM, and once the Regulation come into force, the requirements, composition and basic governing rules of the GoA must be included within the text of the CSM.	NWC	<p>It is considered sufficient to refer to the Working Arrangements (WA) in the CSM text. It is then a mandatory element that will be applicable.</p> <p>In accordance with Agency Regulation the WA shall be approved by ERA Management Board.</p>

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3.		G	JGE	As this method is closely related to other CSMs, in order to confirm that unwanted conflicts do not arise in overlapping areas, an impact assessment should be made about the implementation of the CSM ASLP in the context that is established by the other CSMs.	NWC	The CSM ASLP is developed in such a way that it does not repeat nor overlap in any way other CSMs. Other legislation has been considered as part of the impact assessment (e.g. in Section 4 highlighting current situation with respect to the elements linked to the CSM ASLP elements)
4.	Art. 2 Page 6	P	JGE	It is proposed to specifically include in art. 2 the following wording: <i>The railway systems excluded from the scope of Directive (EU) 2016/798 according to its Article 2 (2) are excluded from the scope of this Regulation.</i>	NWC	As a matter of legal principle a CSM cannot apply beyond the scope of the RSD. It is then not necessary to mention it in the CSM ASLP. Clarifications may be provided in application guidance.
5.	Art 3.g Page 6	P	MGC	It is proposed to specify the definition of type C event. <i>Category C event means a variation in the performance of a railway function or the action of external events with the potential to directly or indirectly cause a category B event.</i>	A D	We agree to explain better the way most of the category C events are currently formulated in the title of the Cat C table. It is foreseen that the GoA will have to propose other improvements of the Taxonomy, therefore it is preferable to keep a broader definition in Article 3. Although we like the proposed definition, we consider it is better to treat your comment in the proposed way because it will let more flexibility to the GoA in case it would be needed to formulate a new Cat C event type in another way than a 'variation'.

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6.	Artículo 3 (i) Artículo 3 (j) Page 7	G-U	MGC	Although the definitions included in article 3 are exclusively for the application of this CSM, the use of the same terms in the CSIs of Directive (EU) 2016/798 but with a different meaning from those and, in both cases being their notification mandatory, it can cause confusion in the right interpretation of these terms and can involve an additional barrier for the occurrence management systems of the railway operators, including the possibility of errors occurring when notifying safety-related occurrences according both norms.	NWC	We use the terms consistently with the RSD. The CSIs do not have the same definition as CAT A, B, C event types. CSIs are a subset of Cat A and B event types mixing actual accidents and precursors. CAT A, B, C and other definitions of the CSM ASLP are unbundling RSD (complex) definitions to allow more flexibility in the reporting schemes and possible analyses. Guidelines could be established for clarifications.
7.	Art 3.o Page 7	P	MGC	Precision of terms - Removing or adding the word <i>considered</i> in both references to the occurrence.	A	Word 'considered' removed

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8.	Art 3.p Page 7	U-P	MGC	<p><i>Interested parties</i> are stated to just <i>report data and information</i> but it does not seem to be consistent with the definition of <i>sharing</i> (article 3.k) where this is defined as <i>any exchange of data and information</i>. This definition would include <u>requesting</u> information, then.</p> <p>It would not be consistent with Annex VI, also.</p> <p>It is proposed to complement the definition by adding something to facilitate interpretation:</p> <p><i>(...) or in receiving any data and information foreseen to be made public in application of the CSM ASLP.</i></p>	A	<p>Text amended as following to take in to account your proposal.</p> <p>(p) ‘interested party’ means any entity registered in accordance with Article 7(2) having an interest in reporting data or information relating to a given occurrence or a given occurrence scenario, not being a railway operator involved in the considered occurrence, or having an interest in receiving data and information in accordance with the rules established by this Regulation.</p>

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9.	Art. 4.2 Page 7	P	JGE	<p>NSAs, TDG authorities and the Agency are entitled to request a review of the data and information reported by the operator.</p> <p>The discrepancy results from:</p> <ul style="list-style-type: none"> - In Anx II, §4.1 (p. 36) the NSA is the only one as having the entitlement to require the review of the self-estimation of an operator. - In Anx V, §4.1 (p. 55) and §6.2 (p. 56), related to the estimation of SP, it is stated that the <i>supervision authority</i> may require that review. <p>It is proposed in Anx II, §4.1 (p. 36) to state that the <i>supervision authorities</i> are entitled to request a review.</p>	A	<p>We agree with the possible clarification of the text.</p> <p>We consider that in a view to implement the simplification of the text that is required in general, the points you mention can simply be removed from the annexes because the core CSM text is already stating clearly this possibility in general:</p> <p><i>“Each national safety authority, TDG competent authority and the Agency shall be entitled, in duly justified cases, to request the reporting operators to perform a review of reported data and information, provided that the requested operator and the concerned data and information falls within the competence of the requesting entity”</i></p>

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10.	Art. 4.2 Page 7	P	JGE	<p>NSAs, TDG authorities and the Agency are entitled to request a review of the data and information reported by the operator but only those of the MS that is affected by the operator's activity.</p> <p>In order to align during the supervision activities of the authorities the rating of the operators with the requirements needed, it is proposed to add a possible collaboration between several NSAs, several TDG authorities or the combination of the EUAR and some of the aforementioned, for carrying out a joint review of the data and information reported by an operator from any of the MS taking part in the review.</p>	NWC	<p>The possibility you mention is not forbidden by the proposed article.</p> <p>This article does not prevent collaboration between authorities and with ERA when it falls within their competence.</p>
11.	Art. 4 Page 7	P	JGE	It is proposed to add a point to specifically indicate, in accordance with art. 24 of the <i>Treaty on the Functioning of the European Union (TFEU)</i> , that operators may use any of the languages mentioned in article 55.1 (Title VI) of the <i>Treaty on European Union (TEU)</i> .	NWC A	<p>ISS should be a multi-language system, this possibility will be added as part of the ISS business specification.</p> <p>The possibility to use any language of the EU is particularly relevant for 'free text' and your proposal is now included in the Article 3.2 of Annex VI – Part A</p>
12.	Art. 5.5 Page 8	P	JGE	It is proposed to add that all the algorithms implemented in the IT tools for the assessment of the SL and SP will be made public for the operators and supervision authorities.	NWC	Agreed. This is the principle that is highlighted in Annex IV 6.2 and Appendix B

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13.	Art. 6.4 Page 8	M	JGE	In our opinion, Art. 10 of Regulation (EU) 2016/796 is not the adequate legal basis for issuing the formal opinions of Art. 6.4 of the CSM.	NWC	Art. 10 of Regulation (EU) 2016/796 is the Article applicable to the Agency for issuing TOs. Note: The Article 6.4 of the CSM ASLP does not mean that it will be the GoA that will require the Agency to issue TOs. The Article 10 will still be applicable. In practice it means that based on a GoA proposal, the Agency may issue a Technical Opinion 1) at the request of at the request of one or more national regulatory bodies referred to in Article 55 of Directive 2012/34/EU or 2) at the request of the Commission.
14.	Art. 7.12 Page 9	U	MGC	What is the scope of the data and information modifications? When will they be relevant?	U, A	Any modification will be traceable and notified to connected system. Text amended with 'Any' instead of 'when relevant'
15.	Art 7.15 Page 10	P	MGC	Precision of terms - Consistent with Annex VI- Part C, indicate <i>registered party</i> .	A	Changed with 'registered entity'
16.	Art. 8.2 Page 10	P	JGE	It is proposed to specifically add that in no case the Agency will apply fees to the supervision authorities for simple consultations of the data and information reported by the operators which are not required special treatment.	A	We have amended the Article 7.2. It clearly indicates that any entity (including the NSAs) have access, free of charge, to the data and. Article 8.1 is also indicating the fees would only apply to 'specific treatment of data'.

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17.	Art. 10.1	P	JGE	It is proposed to specifically add that the reasons for technical and scientific progress, or others that justify the review of this CSM, must be suggested or confirmed by the GoA.	A	<p>The GoA cannot legally confirm or approve what is regulated as being a Commission responsibility.</p> <p>However Art. 10.1 is clarified with “<i>When necessary, taking into account technical and scientific progress and the proposals received from the Group of Analysts in accordance with Article 6(3) and Article 9(2), the Agency shall address recommendations to the European Commission for revising or supplementing this Regulation</i>”.</p> <p>It means that the GoA will play a role in the amendments of the CSM, at any time.</p>

18.	Art. 11.3 & 11.7 Page 11	G	JGE	<p>The text of article 11 is drafted in such a way that different milestones of the entry into force of the CSM are established but not yet specified.</p> <p>The date referred to in art. 11.3, corresponds to the application of the CSM, but without carrying out the self-estimation of SP or the assessment of SL and SP from the data reported by the operators.</p> <p>The date of art. 11.7 corresponds to the full application of the CSM.</p> <p>According to the draft planning distributed by the Agency (<i>CSM ASLP – work plan – 2021-2026</i>):</p> <ul style="list-style-type: none"> - the milestone in article 11.3 corresponds to the beginning of 2022, when the reporting of the SR + DR + serious accident scenarios will begin without the help of the ISS. - the milestone in article 11.7 corresponds to the beginning of 2024, when it has been planned that appendices A, B, C and D; the initial versions of annexes I, II and III and the online version (1.1) of the ISS will be available, those would have been developed during 2022 and 2023. <p>Instead of this rigid approach of pre-established dates, it would be preferable to adopt a dynamic approach in which the beginning of the successive phases is linked to</p>	A	<p>In accordance with the discussions at the working party meetings and the request to establish a phased approach, the Agency has suggested a planning and phases mainly for the purpose of identifying the possible phases and the related implementing conditions.</p> <p>The Article 11 has been re-drafted to introduce phasing conditioned by the availability of the ISS and the introduction of applicable scope of each phase.</p> <p>As it was indicated in February 2021 RISC session the foreseen phasing is also conditioned by the allocation of the corresponding resource to ERA, notably for the ISS development.</p> <p>The CSM proposal is reflecting the foreseen necessary phases, for allowing preparation of each entities, including ERA preparation and ISS development.</p> <p>The GoA is also acting in the preparation of the recommendation inducing a next phase, as indicated in the previous comment.</p>
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				<p>the confirmation of the correct implementation of the preceding phases.</p> <p>In particular, the following requirements should be verified before the reporting of the RCM is entirely implemented:</p> <ul style="list-style-type: none"> - <i>That one or more implementation guides have been issued that allow the homogeneous interpretation of the information to be reported (RCM, occurrences, scenarios, information about volumes of operation and SP elements of proof).</i> - <i>That the operators have had time to train the personnel in charge of preparing the information.</i> - <i>That the functioning of the tools that are implemented for the management of the information has been verified.</i> <p>To achieve the verification of these requirements, it is proposed that at least the milestone stated in Art. 11.7 be replaced by the procedure that indicates that the Agency will send to the EC a report from the GoA about the level of development of the CSM together with a proposal for the EC to decide by Decision the date of the full entry into force of the CSM.</p>		<p>Those elements will be easily verifiable by the GoA when it is submitting its proposal for amending the CSM.</p> <p>It is not necessary to mention those elements in the Regulation as it will be considered by the GoA and reported in its proposals.</p> <p>This aspect is covered by the inclusion of the GoA proposal consideration in Article 10. (see previous comment 17)</p>

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19.	Art. 11.3 Page 11	M	MGC	Reference is made to 11.10 but, according to last version of the draft, it must be linked to the date of full application of the CSM (11.7).	A	Corrected when re-drafting Article 11.
20.	Annex I-GP data set of all modes of reporting Pages 12-29	P	JGE	<p>Given that the qualification of the personnel of the operators currently in charge of drafting the occurrences reports does not require the ability to express themselves in English language, in case the proposal of comment number 11 was not attended, it is foreseeable that the free text fields included in the reports are not going to be completed in that language, or whenever using it the information may be wrong or imprecise, therefore preventing the comparison and grouping of similar cases.</p> <p>On the other hand, if each operator decides to complete these fields in its mother tongue language, the GoA could have difficulties in correctly interpreting the content of these fields.</p> <p>Therefore, it would be preferable for the ISS to allow the content of the field to be made as much as possible as a combination of previously established common expressions adding physical parameters to adjust them to the particular case (time, temperature, distance, etc.)</p>	A	<p>The comment 11 is accepted.</p> <p>The detailed design of the ISS is discussed with the WP and GoA Subgroups</p>

21.	<p>Annex I GP</p> <p>Annex I Parts A, B and C</p> <p>Page 14</p> <p>Pages 30-32</p> <p>Page 23</p> <p>Page 24</p> <p>Pages 30-32</p> <p>Page 25</p>	U-M	MGC	<p>The coherence of the occurrences to be reported in the different reporting modes (SR, DR and DOR) should be reviewed between what is indicated in the <i>data set tables</i> (also including the content of the sections that develop the process) and what is indicated in Parts A, B and C of Annex I.</p> <p><u>Simple Reporting (SR)</u> - In 3.2.1 it is indicated that the occurrences to be reported are those with the SR option included in the tables of parts A, B and C.</p> <p>However, for the C type the possibility only exists for a future new type (<i>reserved</i>) but for none of the C that are currently already collected.</p> <p>In addition, suicides (type A) only have the option of Voluntary Reporting (VR) in Annex I-Part A.</p> <p><u>Detailed Reporting (DR)</u> - In 5.2.1 it is indicated that the occurrences to be reported are those with the DR option included in the tables of parts A, B and C.</p> <p>However, in section 5.2.2, the <i>targeted data set</i> field indicates that, in addition to being those with DR option, they are events with serious or significant consequences (as defined by the CSM).</p> <p>In addition, for the C type, the same situation mentioned in SR occurs.</p>	A	<p>Reviewed completely and simplified because:</p> <p>Article 4 is re-drafted to elaborate straight forward requirements.</p> <p>Tables A, B, C are not used anymore as they are covered by re-drafted Article 4.</p> <p>Concerning DOR, a specific paragraph is indicating the current list of applicable events and the process applied to request a reporting.</p>
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				<p><u>Detailed on Request Reporting (DOR)</u> - 6.2.1 it is indicated that the DOR will be established by the GoA on accidents and incidents that can be learnt from.</p> <p>However, the <i>targeted data set</i> indicates that it will be accidents corresponding to occurrences at level crossing and those caused to a person.</p>		
22.	Annex I – Data sets Pages 15, 24, 26	U-M	MGC	<p>In the <i>data sets</i> of Annex I, in the field of <i>validation date & time</i>, there is no reference to article 4.2 as indicated in Annex II (page 36).</p> <p>In addition, a possible inconsistency in the use of the terms is identified:</p> <p>article 4.2 makes express mention of the NSA, TDGA and EUAR but, nevertheless, in the <i>data set</i> on page 36 (already mentioned) in section 4.1 (page 55) and in the <i>data set</i> on page 56 there is reference to <i>national supervisory authority and supervision authority</i> .</p>	D	<p>Any specific former sharing request are replaced by a re-drafted Article 4.</p> <p>In accordance with the required simplification of the text it is considered that it is not necessary to specify a deadline to authorities as in principle their right to ask for a review is covered in general by the re-drafted article 4.</p>
23.	Annex I- 5.1.2.1 – Table context Page 18	U-M	MGC	Is the term <i>smoke</i> correct or are you thinking of <i>smog</i> ?	A	Corrected with ‘Smog’.

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24.	Anx I-Gen, §5.2.2 Anx III-Gen, §4.2.2 (p. 24/41)	P	JGE	It is proposed to add: <i>when applicable, the information in the DR and the ROS should be completed or corrected with that information within the NIB report.</i>	A	The redrafted article 4(6) reads “After the reporting deadlines indicated in Article 4(2) to 4(5), each involved railway operator is entitled to provide further reporting updates, corrections and complements in accordance with Article 7.11” This is covering your proposal in general. We do not think it is necessary to mention it has you do not propose an obligation. And the (renumbered) Article 7.10 reads “At any time, upon a valid and justified request from a registered entity, the data and information retained in the Information Sharing System may be rectified in a traceable manner, with the aim to take into account relevant information which was not available at the moment the concerned data items were reported and to ensure a high level quality of the data and information, in accordance with the process and the timing described in the technical support documentation reported in Appendix D”
25.	Anx I-Gen, §7.2 (p. 27)	P	JGE	In relation to the reporting of volume of operation, it is requested that the number of freight ton-km to be reported only by the IM. It is proposed to be provided by the RU.	D	Could be still discussed with the WP but this is not proposed by EIM.

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26.	Anx I-Gen, §7.2 (p. 27)	P	JGE	<p>In relation to the reporting of volume of operation, with the current wording it is requested that the following data be reported only by the IM:</p> <ul style="list-style-type: none"> - <i>Number of operated terminals.</i> - <i>Number of rail vehicles processed in terminals</i> - <i>Number of operating hours in terminals</i> <p>Given that there are terminals in whose exploitation the IM does not participate, it is proposed that the RU is responsible for providing this information in relation to the exploitation carried out under its responsibility.</p>	D	<p>We understand that your comment ‘terminals in whose exploitation the IM does not participate’ refers to the case where the operation of terminal are delegated to a RU.</p> <p>Our understanding is that there is always an IM which shall fulfil the roles defined by the RSD, even if the terminal is fully operated by RUs (delegated).</p>
27.	Annex I – 7.3.1 Page 28	M M	MGC	<p>Reviewing the fields of the table are consistent with those of the rest of the tables included in the Annex.</p> <p>In the <i>request table</i> the <i>notification</i> field states an <i>end of reporting period +2 months</i>”, when it seems that it should refer to a closing time.</p>	A D	<p>With the redrafting of Article 4 the sharing requests have been removed from the current text.</p> <p>The detailed sharing requests may be reintroduced in the ISS appendix D when the ISS business requirements will be defined in detail. At this time all the data management processes will be detailed and it will be possible finalise the sharing request as part of Appendix D, or in a guide to the ISS.</p>
28.	Anx III- A, §2.2 (p. 45)	P	JGE	The fields for <i>RCM failure mode</i> and <i>RCM analysis</i> are a free text one, therefore the comment and proposal indicated in comment 20 are applicable.	A	Yes, amended.

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29.	Anx IV §5.1.3 (p.50)	P	JGE	<p>Anx IV §5.1.3 establishes that, for the purposes of the assessment of the SL, the occurrences will be allocated to the different operators according to their responsibility in the occurrence.</p> <p>In the <i>SR data set</i> defined in Anx I-General §3.1.2 (p.13), it is possible to include information on responsibility in the free text field.</p> <p>It is proposed that responsibility be specifically indicated by an additional field in the SR data set defined in Anx I-General §3.1.2.</p>	<p>NWC</p> <p>R</p> <p>A</p>	<p>The method for counting occurrence is NOT actually allocating responsibility, it is using the reporting of causation to apply a fair SL estimation.</p> <p>As the SR template already ask for reporting deemed causes it is not necessary to amend the requested information.</p> <p>The RSD and the CSM SMS ask for investigating the causes, not to allocate responsibilities to parties involved in an accident. It would be in contradiction with the RSD.</p> <p>As a consequence, to avoid confusion, the text concerning the SL estimation has been improved.</p>

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31.	Annex VI – Part B Pages 62-63	M U	MGC	ECMs are not included in the table in section 3.1 of part A of this annex. When adding EU as entity, what would the scope (its limits) be?	NWC NWC	Note: the Mandate explicitly excludes ECM from the CSM ASLP, for the moment. ECMs are in the category of ‘Other entities and general public’ by table 3.1. However, they have to register as ECMs, in accordance with the registration process. This way they can be distinguished from other entities, if necessary, for future CSM evolution needs it. This is to mention that organisations representing the EU are entitled to register, as any other entity. The access to data and information is limited by their role in accordance with the EU legislation
32.	Annex VI – Part C Page 63	M	MGC	In 1.1 reference to <i>sharing request application</i> is not correct. It should be <i>registration form</i> .	NWC	1.1 is correct it is requiring 1) a registration and 2) the use of the sharing request form in order to share data and information.
33.	Annex VI Part C – Section 2.1 Page 65	G-U- P	MGC	The steps that develop the <i>sharing process</i> seem to be more focused on the <i>notification-validation</i> of the information to be reported by the operators than on the <i>extraction</i> (request). It would be recommended that the five steps included in section 2.1.d be defined to avoid misinterpretations. Linked to comment 8.	A	‘Extraction’ has been added

<i>N°</i>	<i>Reference (e.g. Art, §)</i>	<i>Type</i>	<i>Reviewer</i>	<i>Reviewer's Comments, Questions, Proposals</i>	<i>Reply</i>	<i>Proposal for the correction or justification for the rejection</i>
34.	Annex I Pages 4,16,17,18,19,22,23 Annex III Pages 44,45,46	U-M	MGC	In the <i>data sets</i> of Annex I, it is indicated in the free text field that the information contained will be in accordance with the provisions of Annex VI GP, section 3.2. Likewise, the same reference is detected in Annex III (see indicated pages). Is this reference correct or would it be better referenced to the entire general part of Annex VI?	NWC	The reference is used to indicate what is authorised for 'free text'. The reference is correct as it is specific to the specific treatment of free texts.
35.	Appendix A (p. 74 y ss.)	P	JGE	It is proposed that RU + IM should report all occurrences that may have a shared origin of responsibility or may go unnoticed by the person in charge, as well as all cases in which the reporting operator assigns responsibility to another operator, for example: - A1 (<i>collisions</i>) - A2 (<i>derailments</i>) - A3 (<i>accidents at level crossing</i>) - A4 (<i>accidents caused to person</i>) - A6 (<i>other accidents</i>) - B.1.2.1 (<i>SPAD</i>) - B.1.2.5 (<i>Loading irregularity</i>) Etc.	NWC	RU and IM shall report occurrence in any case. The column of default allocation is a fall back processing when the causes are not identified in the reporting. Note: no responsibility is allocated. Only a reporting of the deemed cause.

<i>N°</i>	<i>Reference (e.g. Art, §)</i>	<i>Type</i>	<i>Reviewer</i>	<i>Reviewer's Comments, Questions, Proposals</i>	<i>Reply</i>	<i>Proposal for the correction or justification for the rejection</i>
36.	Appendix B, Art. 5 (p. 99)	P	JGE	Agreeing with the approach that a safe work environment is linked to railway safety, it is not considered necessary to make explicit mention that one of the main results expected from self-estimation in RCM planning is to keep and provide a safe working environment adjusted to Directive 89/391/ EEC. Therefore, it is proposed to delete the reference to Directive 89/391/EEC.	R	The aim is to be consistent with Regulation 2018/762 on SMS requirements art 3.1.1.2.

Note: This table could be changed according to the requestor's needs

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