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ACCOMPANYING REPORT 008REC1102 TO THE RECOMMENDATION OF THE EUROPEAN UNION AGENCY FOR RAILWAYS

on

*Revision of chapter 7.5 (change management) of Regulation
454/2011 (TAP TSI) and chapter 7.2 (change management) of
Regulation 1305/2014 (TAF TSI)*

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1. Executive summary

The both regulations for the telematics applications for railways, the (EU) 1305/20014 (TAF TSI) and (EU) 454/2011 (TAP TSI) are in place since 2006 and 2011. In both operational technical specifications for interoperability a change control management procedure (CCM) is defined. The procedure defines the change of the annexed technical documents of both TSI's. The procedure is applied by the European Union Agency for Railways in the dedicated working parties for TAF and TAP TSI change control management since 2011. The changes are limited to the technical documents referred in the appendix 1 of the TAF TSI respective the annex III of the TAP TSI. The legal text of the TSI is not in scope of the CCM procedure. The process is described as follows:

1. The submitter can submit a change request to ERA
2. The change request will be analysed and discussed and decided in the Change control management working party
3. Approved change requests will be bundled in a baseline release, containing several change requests
4. The baseline release will be approved by the change control management board
5. ERA will send the baseline release as recommendation to the European commission
6. The recommendation will be approved by the Railway interoperability and safety committee (RISC)
7. The changed documents of the baseline release will be published at the website of ERA.

The experience has shown that the change management procedure is time consuming. The discussions about the technical details of the change requests as well as the approval of those changes at the level of the CCM board were done on schedule according to the work plan of the CCM procedure. After the submission of the recommendation of the Agency to EC the experience has shown that some delays occurred. This has been mainly driven by the fact, that the changed documents had to be approved at the RISC. The workload of this committee allowed not always a timely approval of the changes, even in written procedure. The result of this was a significant delay of the publication of the changed documents, e.g. for the TAF TSI baseline 2.1. The rail sector insisted to have the technical documents faster published so that new business or technological requirements of the changed TAF/TAP TSI leaflets can be applied faster.

The purpose of this project was the revision of the TAP TSI and the TAF TSI change control management procedure, namely the right of the agency to publish the technical documents directly on their website, without consulting the European Commission and RISC.

The scope of the Revision of the procedure to update the change control management procedure of the TAP/TAF TSI included the revision of the chapter 7.2. Change Management of the TAF TSI and the revision of the chapter 7.5. Change Management of the TAP TSI to modify the procedure for the change control management. Further chapters of the regulations were not part of this revision.

The results of the revision of the revision are the following:

1. The CCM process including the approval and publication process should run under the sole responsibility of ERA. For this purpose the working parties for the change control management shall be the only decision making instances about the technical changes of the technical documents for TAF and TAP TSI.
2. The submission of a recommendation concerning changed technical documents for the TAF and TAP TSI should be limited to those cases, where no consensus about these change requests could be reached in the CCM board.

The results of the discussion should be sent by ERA as recommendation to the European commission.

2. Introduction

2.1.1. Legal basis

The accompanying report is linked to the “RECOMMENDATION 008REC1102 OF THE EUROPEAN UNION AGENCY FOR RAILWAYS on Revision of chapter 7.5 (change management) of Regulation 454/2011 (TAP TSI) and chapter 7.2 (change management) of Regulation 1305/2014 (TAF TSI)”.

The legal base for the revision of the change control management procedures for TAF and TAP TSI is laid down in the “COMMISSION DELEGATED DECISION (EU) 2017/1474 of 8 June 2017 supplementing Directive (EU) 2016/797 of the European Parliament and of the Council with regard to specific objectives for the drafting, adoption and review of technical specifications for interoperability”. The European commission has asked ERA for a revision of the change control management procedures for the TAF TSI and the TAP TSI:

- Article 13 states that “1. Regulation (EU) No 1305/2014 (‘TAF TSI’) shall be revised in order to simplify the procedure for the update of its technical baseline in accordance with the TAF TSI Change Control Management process referred to in Section 7.2 of the Annex to that Regulation.”
- Article 14 states that: “1. Regulation (EU) No 454/2011 (‘TAP TSI’) shall be revised in order to simplify the procedure for the update of its technical baseline in accordance with the TAP TSI Change Control Management process referred to in Section 7.5.2 of the Annex to that Regulation.”.

With this delegated decision, ERA has a mandate to change the CCM procedure for the TAF and TAP TSI.

2.1.2. Background for the revision of the CCM procedure for TAF and TAP TSI

Currently the change control management procedure is applicable to the technical documents of Annex III of the TAP TSI and appendix I of the TAF TSI. The procedure to change the content of these technical documents works as follows:

8. The submitter (e.g. recognised body, NSA, ET TSA, ECTAA, ERA, UIC) can submit a change request to ERA
9. The change request will be discussed in the Change control management working party (CCM-working party) and decided in this working party at technical level
10. The change requests will be bundled in a so called baseline, containing several change requests
11. The baseline will be approved by the change control management board, a working party set-up at ERA
12. The baseline will be send as ERA-recommendation to the European commission
13. After the approval of the changed annexes of the TAF and TAP TSI in the Railway interoperability and safety committee (RISC), incorporating the documents from the recommended baseline, the baseline can be published as the official one.

The details of the current workflow are shown in the Figure 1 - workflow for the telematics change control management .

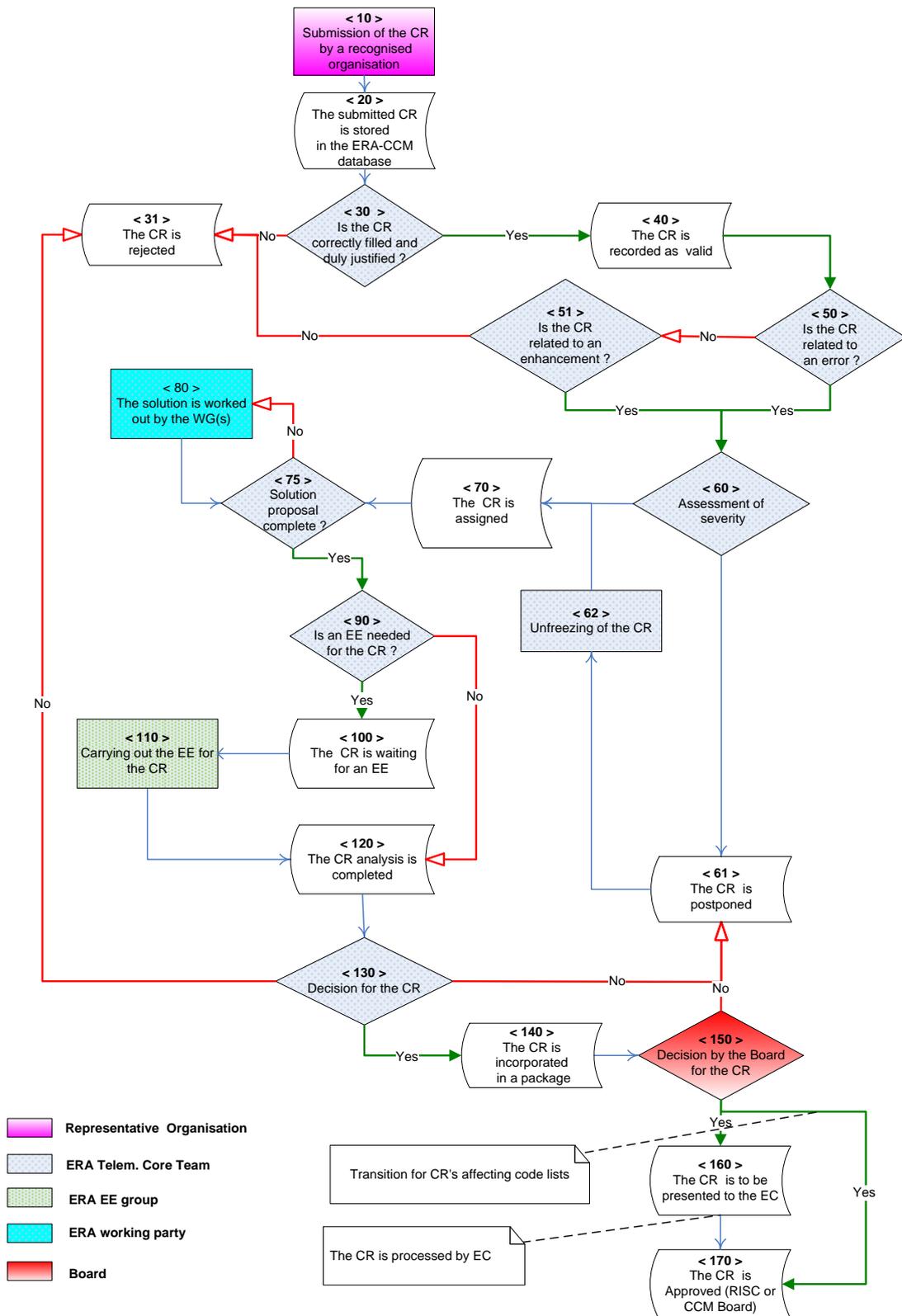


Figure 1 - workflow for the telematics change control management

The request to change the CCM procedure was mainly driven by the fact, that the application of current procedure has shown that the decision making process to adopt a new version of the technical documents, e.g. to incorporate new technologies or business models, is time consuming. According to the

gathered experience it can last up to 2 years until a change request is adopted and published by EC, e.g. for the TAF TSI baseline 2.1. This is in the fast moving IT-environment not acceptable for the rail sector.

One of the reasons of this delay identified is the involvement of three decision making instances:

1. the change control management working party for the decisions on technical level at ERA
2. the change control management board for the acceptance of a new baseline release for the change requests at ERA
3. the RISC for the final approval of the recommendation of a new baseline

The involvement of 3 entities to decide about a change request introduces unnecessary time lags in the approval process. For the steps 1 and 2 ERA has already applied a fixed schedule with two meetings per year in May and November to follow a predictable approval process with fixed publication dates for changed documents. For the 3rd step the timing cannot be predicted as for the other steps.

2.1.3. Scope

The scope of the Revision of the procedure to update the technical documents of the TAP/TAF TSI includes two main points:

1. Revision of the chapter 7.2. Change Management of the TAF TSI to modify the procedure for the change control management
2. Revision of the chapter 7.5. Change Management of the TAP TSI to modify the procedure for the change control management

Further chapters of the regulations were not part of the scope of this revision.

2.1.4. Goal of the revision of the TAF/TAP TSI CCM procedures

The goal of the revision of the procedures for the change control management for the TAF and the TAP TSI was to simplify the change control management process and to reduce the number of decision making instances for the approval of change requests. The procedure should be simplified in such a way, that the decisions about the changes of the documents in the annexes of the TAF and TAP TSI regulation can be made exclusively in the change control management working parties of ERA. The step for the approval of those purely technical changes by EC and RISC should be removed to streamline the CCM process for both TSI's.

It has been decided by ERA to cover the changes for TAF and TAP TSI CCM process within a single recommendation to the European Commission for both TSI's.

3. Workgroups

3.1. Setup of the working party

3.1.1. Setup of the project

ERA has prepared an interoperability-unit internal project for the revision of the TAF/TAP TSI CCM procedures. The project has been initiated on 01.12.2017 and approved by the ERA management team on 08.12.2017. The project will run until 31.07.2018.

The project and the establishment of a dedicated working party for the revision of the CCM process has been presented in the Railway interoperability and safety committee on 31/01/2018. There were no objections concerning the goals of this working party. The RISC supported ERA's intention to facilitate the CCM procedure for TAF/TAP TSI. The member states asked how they can be involved in the process of the approval of change requests: ERA clarified that the member states are already involved in the CCM process through the CCM board. The CCM board will be the final decision making instance for a change request, where MS have the right to attend and to vote for the change requests to be approved. This will not be changed by the revised CCM procedure.

3.1.2. Setup of the working party

A working party for the revision of the TAF and TAP TSI change control management procedure has been set-up by ERA.

For the appointment of the experts for the working party, ERA has prepared a call for experts and submitted to the ERA recognised bodies and NSA's on 7 December 2017. ERA has received from the recognised bodies and the NSA until 22 december 2017 the appointed speakers and deputy speakers for the working party. In January 2018 ERA has received two additional appointments.

The working party has been composed by the following organisations and speakers:

Table 1 - participants to the Working Party

<i>Stakeholder / NSA</i>	<i>Official Speaker 1</i>	<i>Official Speaker 2</i>
NSA DE	Stefan Müller	
NSA AT	Edeltraut Heinze	
NSA/NCP DK	Bjarne Lindberg Bak [DSB]	
NSA/NCP PL	Michał Jaworski	Paweł Duńczewski
NSA/NCP FI	Une Tyynilä (TRAFI)	
CER	Christian Weber	Jan-Christian Arms
EIM	Will Deakin	Adam Smyczynski
UIC	Fabrice Setta	
ERA Interoperability	Kresimir Raguž	
ERA Interoperability	Stefan Jugelt	

The composition of the working party has not been changed during the project.

4. Working methods

4.1. Meetings of the working party

The working party had two meetings:

- working party meeting 01/02/2018
- working party meeting 12/03/2018

4.2. Outputs of the working party

The working party focused on the following points:

1. Removal of the approval process steps at EC and RISC from the CCM procedure
2. Establish a procedure in case of a non-agreement about a change request within the CCM board
3. Establish a procedure to incorporate changes in the the legal text

Further topics were neither addressed nor discussed in the working party.

4.2.1. Removal of the approval process steps at EC and RISC from the CCM procedure

The working party discussed intensively in the 1st meeting on 01/02/2018 the withdrawal of the approval of the technical documents by the European commission and the RISC committee. For this purpose ERA had presented an initial proposal for the revision of the TAF and TAP TSI change control procedures, removing the steps concerning the submission of a recommendation to EC, the approval of the recommendation by EC and RISC and the publication in the Official journal of the European union from procedure. Furthermore a

harmonisation of the description of this procedure between TAF and TAP TSI has been proposed. The work group discussed the deletion of the following steps from the TAF TSI, (EU) 1305/2014, section 7.2:

7. *The European Railway Agency shall submit to the Commission a recommendation to update the documents listed in Appendix I together with the draft new version of the document, the change requests and their economic evaluation.*
8.
9. *Once the update of the documents listed in Appendix I is published in the Official Journal of the European Union, the European Railway Agency shall make the new version of the document available on its web site.*

The work group discussed as well the deletion of the following steps from the TAP TSI(EU) 454/2011, section 7.5:

7. *Prior to the publication of the modified technical document, it shall be communicated to the Commission together with the change request and its economic evaluation.*
8. *The Commission will keep the Member States informed via the committee established in accordance with Article 29(1) of Directive 2008/57/EC.*

The working party supported the proposal to remove the abovementioned points from the TAF/TAP TSI and accepted the proposed legal texts for the chapter 7.2 of the TAF TSI and the chapter 7.5. of the TAP TSI. The working party accepted the role of ERA to publish the technical documents in force solely on the website of ERA and not referring anymore to the versions of the technical documents in the legal text of the regulations concerning the telematics applications for rail.

The member of the group got the task to review in their mirror groups the revised proposals.

In the 2nd working party meeting on 12/03/2018 the proposals were discussed based on the input from the mirror groups of the organisations. No further substantial changes have been requested by the members of the working party.

4.2.2. *Establish a procedure in case of a non-agreement about a change request within the CCM board*

In the first meeting of the worgroup the group members raised concerns, that the ERA could be in a position to have the sololy decision making power to decide about the submitted change requests within the change control board. According to the rules for the change control management (see reference document [1]) ERA may overrule the decision of the CCM board (4.2.2.2.2. *While this endorsement is not bound to be by unanimity, since the Agency retains its full responsibility and independence to finally present proposals to the Commission, the objective of the process is to reach a common position regarding all aspects of the proposal.*) The group raised concerns, that this would lead to an unbalanced power of ERA concerning the decision making in the CCM board for the change requests. To solve this issue the different models, such as the setup of an appeal board supervising the change control board have been discussed. The group agreed to the model that only in case of a non-agreement about a baseline the current procedure to submit a recommendation to the European Commission should be applied for the change request where no consensus could be reached. In this case the EC and the member states shall decide finally about the acceptance of the change request in the RISC. In all other cases the telematics change control board will decide finally about the change request.

4.2.3. *Establish a procedure to incorporate changes in the the legal text*

A topic submitted by the TAP TSI revision working party was the topic to trigger the changes in the legal text of the TSI. The original proposal in the TAP TSI revision working party on October 2017 was to introduce a new chapter in the TAP TSI concerning innovative solutions. It has been decided in the TAP TSI working party in January 2018, that this is not necessary, because the CCM procedure covers already the changes of the annexed technical documents. Only in case of a need for modification of the legal text of the telematics TSI's a mandate for the revision of the legal text should be requested from EC.

4.2.4. Results of the revision

The results of the revision of the revision are the following:

1. The CCM process including the approval and publication process should run under the sole responsibility of ERA. For this purpose the working parties for the change control management shall be the only decision making instances about the technical changes of the technical documents for TAF and TAP TSI.
2. The submission of a recommendation concerning changed technical documents for the TAF and TAP TSI should be limited to those cases, where no consensus about these change requests could be reached in the CCM board.
3. The CCM procedures for TAF and TAP TSI were harmonised in both regulations.

To take the ERA has been asked to update the rules of the CCM process and to present them for approval in the telematics CCM board. It should be checked by ERA if the internal procedure concerning the change control management can be used.

4.3. Light impact assessment

The light impact assessment is available in the document “Light Impact Assessment - Revision of chapter 7.5 (change management) of Regulation 454/2011 (TAP TSI) and chapter 7.2 (change management) of Regulation 1305/2014 (TAF TSI)” [2].

5. Conclusions and next developments

5.1. Conclusions

The Agency believes that the Recommendation 008REC1102 cover all aspects of Article 13 (1) and 14 (1) of the COMMISSION DELEGATED DECISION (EU) 2017/1474 of 8 June 2017 to simplify the procedure for the update of its technical baseline in accordance with the telematics TSI Change Control Management.

The goals of the revision of the change control management procedure for the telematics applications were achieved :

- The procedure has been simplified, by removing the steps for the approval of the technical documents at RISC
- The CCM procedure will be accelerated by removing the steps for the approval of the technical documents at RISC
- A procedure to trigger changes of the legal text of the telematics TSI's has been introduced

6. Annex 1: Definitions and abbreviations

6.1. Definitions

Table 5 : Table of defintions

<i>Defintion</i>	<i>Description</i>
Agency	The European Railway Agency (ERA) such as established by the Regulation (EU) 2016/796 repealing (EC) No 881/2004 of the European Parliament and of the Council of 29 April 2004.

6.2. Abbreviations

Table 2 : Table of abbreviations

<i>Abbreviation</i>	<i>Description</i>
CCM	Change control management
CER	Community of European Railway and Infrastructure Companies
CIT	International rail transport committee
CR	Change Request
EC	European Commission
EIM	European Rail Infrastructure Managers
EPF	European passenger federation
ERA	European Agency for Railways (also referred to as Agency)
ETTSA	European Technology and Travel Services Association
IA	Impact assessment
IM	Infrastructure Manager
RI	Railway indicator
RISC	Rail Interoperability and Safety Committee
RU	Railway Undertaking
TAF	Telematics Applications for Freight
TAP	Telematics Applications for Passengers
TEN	Trans European Network
TSI	Technical Specification for Interoperability
UIC	Union Internationale des Chemins de fer
UIP	International Union of Wagon Keepers
UNIFE	Association of the European Rail Industry
WK	Wagon Keepers
WP	Working Party organised by ERA

7. Annex 2: Reference documents

Table 2 : Table of reference documents

<i>N°</i>	<i>Title</i>	<i>Reference</i>	<i>Version</i>
[1]	TELEMATICS APPLICATIONS CHANGE CONTROL MANAGEMENT		30/03/15
[2]	Light Impact Assessment		17/04/2018

<i>N°</i>	<i>Title</i>	<i>Reference</i>	<i>Version</i>
	Revision of chapter 7.5 (change management) of Regulation 454/2011 (TAP TSI) and chapter 7.2 (change management) of Regulation 1305/2014 (TAF TSI)		

8. Annex 3: Reference legislation

Table 3 : Table of reference legislation

<i>N°</i>	<i>Title</i>	<i>Reference</i>	<i>Version</i>
[1]	Directive (EU) 2016/797 of the European Parliament and of the Council of 11 May 2016 on the interoperability of the rail system (Recast)	OJ L 138, 26.5.2016, p. 44.	N.A.
[2]	Regulation (EU) 2016/796 of the European Parliament and of the Council of 11 May 2016 on the European Union Agency for Railways and repealing Regulation (EC) No 881/2004	OJ L 138, 26.5.2016, p. 1.	N.A.
[3]	COMMISSION DELEGATED DECISION (EU) 2017/1474 of 8 June 2017 supplementing Directive (EU) 2016/797 of the European Parliament and of the Council with regard to specific objectives for the drafting, adoption and review of technical specifications for interoperability		08.06.2017
[4]	Commission Regulation (EU) No 454/2011 of 5 May 2011 on the technical specification for interoperability relating to the subsystem 'telematics applications for passenger services' of the trans-European rail system.		25/04/2016
[5]	Commission regulation (EU) No 1305/2014 of 11 December 2014 on the technical specification for interoperability relating to the telematics applications for freight subsystem of the rail system in the European Union and repealing the Regulation (EC) No 62/2006		28/02/2018