

Making the railway system
work better for society.

Technical document

TAP GOVERNANCE

	<i>Drafted by</i>	<i>Validated by</i>	<i>Approved by</i>
<i>Name</i>	text		
<i>Position</i>			
<i>Date</i>	Enter a date.	Enter a date.	Enter a date.
<i>Signature</i>			

*In the Document History table, version are identified as x.n where
“x” is a correlative number assigned to an approved version when reaching a main milestones
“n” is a correlative number assigned to draft versions, starting by 1. “n”=0 means version approved
Information related to previous draft versions (i.e. 0.1, 0.2 etc.) shall be deleted from the table when a
subsequent approved version is issued.*

Document History

<i>Version</i>	<i>Date</i>	<i>Comments</i>
2.0	xx.12.2019	Initial draft V 2.0

Contents

1.	List of abbreviations	8
2.	Purpose	8
2.1.	TSI telematics governance – a service to stakeholders	8
3.	TAP TSI and TAF TSI Stakeholders	9
3.1.	Who are the stakeholders.....	9
3.2.	How Stakeholders and their Groups are defined	10
3.2.1.	A ticket vendor is a stakeholder either as a consequence of it having an agreement with a passenger railway undertaking that allows it to conclude rail transport contracts or being a member of a ticket vendor Stakeholder Group Association.	11
3.2.2.	A public authority is a stakeholder as a consequence of it having a statutory obligation or right to provide members of the public with travel information and/or request paths. Member State bodies responsible for the enforcement of the Passengers’ Rights Regulation 1371/2007 will also be treated as public authority stakeholders.	11
3.2.3.	An organisation is a stakeholder whenever one or more of the conditions described above applies and ceases to be a stakeholder whenever none of the conditions above applies.	11
3.2.4.	The Regulation does not distinguish between small and large stakeholders. The governance entity may, if it chooses, make such a distinction for example as regards service provision and charges.	11
3.2.5.	Other than defined above, suppliers are not stakeholders. If suppliers can demonstrate that they are third parties, as defined in the Regulation, they will have access to the services provided by the TSI governance, but no participation in that governance.	11
3.2.6.	ERA and DG MOVE are not stakeholders. By virtue of DG MOVE representing the public interest, and the role of the ERA in respect of TSI management and the TAP CCM (Change Control Management) and the TAF CCM, they will have an observer role in the TSI governance as described in section 7.4.	11
4.	Principles of governance	11
4.1.	Basic principles and values.....	11
4.1.1.	The method of governance must ensure that the regulatory obligations are met and that the public interest represented in the Regulation is honoured.....	11
4.1.2.	Stakeholders must have transparency and certainty of being able to meet their obligations and exercise their rights. The method of governance will therefore ensure an open and fair balance of stakeholder interests, as described below.	11
4.1.3.	Regulatory services are those services that an RU,IM or SM cannot supply by themselves but which are essential to them if they are to meet their regulatory obligations. They are, therefore, fundamental to the business of RUs, IMs, SM or entity in charge of data collection of accessibility data. Without these regulatory services, they cannot meet their legal obligations, recognising that not all regulatory services will be required by every RU.....	11
4.1.4.	TVs also have obligations, but in respect of the TAP TSI only as agents to RUs and not directly under the Regulation. TVs also have obligations under the PRR, but again only as agents to RUs. All TV activity associated with selling rail tickets is by agreement with one or more RUs and those RUs must place the appropriate regulatory obligations in their agency contracts with TVs. The regulatory services must be guaranteed in perpetuity, both their existence and the basis for their costs. Without this, RUs,IMs, or SM have a legitimate basis for refusing to meet their obligations, as the regulatory	

	services are a pre-requisite for compliance and as such must be ensured by above regulatory entity (see chapter 4.1.3 above).	11
4.1.5.	RUs, IMs, SMs and other stakeholders (e.g. ticket vendors) have regulatory rights. The regulatory services are essential in order that they can all exercise their rights. The regulatory services must be therefore provided under the control of all the stakeholders in order to provide the necessary levels of neutrality, transparency and certainty.	11
4.1.6.	The method of governance and its decision making must therefore reflect the value of the railway-related business of each of the stakeholder groups. Decisions, especially those involving significant change, must be made on the basis of commercial business cases and a commercial return on any investments that follow. Decision-making should prevent the undue influence of any individual stakeholder company in decision making.	12
4.1.7.	The method of governance must ensure that business can be executed effectively and at the lowest reasonable cost.	12
4.1.8.	The method of governance must be able to evolve with changes to business process and technical developments in the rail industry. The method of governance will therefore value innovation and leadership, sharing the breadth of expertise stakeholders have to deliver the best result, combining experience and new ideas.	12
4.2.	Regulatory service provision	12
4.2.1.	TSI governance and its related services must be limited to regulatory business only and must not include matters of non-regulatory commercial interest.	12
4.2.2.	The governance of a service must be carried out on behalf of those with a business interest in the service. Stakeholders having no regulatory interest in a service must not be involved in its governance (for example, ticket vendors should not be involved in path requests and infrastructure managers should not be involved in TAP retail matters).	12
4.2.3.	The provision of the regulatory services must not be profit-making. Service provision must not require the holding of reserves other than those necessary to cover regulatory activities.	12
4.2.4.	The provision of regulatory services must take as much as possible full advantage of equivalent activities already being undertaken by the stakeholders.	12
4.2.5.	Execution of the technical services as defined above must include stakeholder and third party technical experts. Work by stakeholders must be paid for where it is needed to perform the technical services and where it is beyond that which can be expected free of charge from stakeholders. This applies especially where work must be undertaken to timescales defined by the TSI governance and not by the contributing stakeholder(s).	12
4.2.6.	Stakeholders must not be forced to subsidise the costs of other stakeholders who could well be competitors.	12
4.2.7.	TSI governance must provide regulatory services in such a way that ensures both regulatory and non-regulatory business requirements of stakeholders are met. In particular for TAP TSI, this requires technical consistency between the sets of retail specifications needed for distribution (largely covered by the Regulation) and accounting (not covered by the Regulation).	12
4.3.	Procurement processes	12
4.3.1.	The TSI governance entity is not a utility. However, it will adhere to European public procurement rules as a matter of policy when procuring the regulatory services. This	

includes in particular a competitive procurement process that seeks to find the best combination available of quality of service, time to market and price.12

4.3.2. However, for Phase Two, the principle set out in paragraph 6.2.4 above can be used to minimise the development and delivery risk of specialist services, reduce the start-up costs and ensure the earliest provision of the regulatory services. The Phase Two project team will therefore have the option of using single-tender actions where these can clearly be demonstrated to offer good value, low risk and an early provision of the service.12

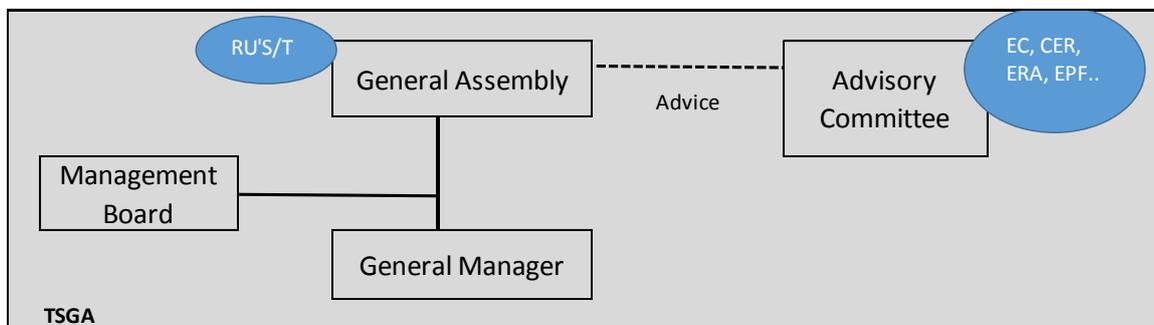
4.4. Funding – EU institutions or stakeholders12

4.5. Governance procedures and rules13

4.6. Basis for charging13

5. Governance Rules- according to the TSGA (TAP TSI Services Governance Association) rules of procedure.....13

5.1. The structure for the governance of the entity called TSGA (TAP TSI Services Governance Association) is set out below. It is described in the following sections of this chapter.13



13

5.2. TSGA Bodies14

5.2.1. General Assembly14

5.2.2. Management Board14

5.2.3. Advisory Committee.....14

5.2.4. General Manager14

6. Regulatory services15

6.1. Service provision role of TSI governance15

6.2. Services to be provided under TSI governance.....15

6.3. Use of regulatory services.....15

6.4. Operational IT services.....16

6.4.1. Membership management16

6.4.2. Reference data service.....16

6.4.3. Notification service16

6.4.4. Data quality service.....16

6.5. Retail technical services16

6.6. Administrative services16

6.7. New Projects17

1. Regulatory service description.....18

Application:

With effect from **08 March 2012**.

All actors of the European Union falling under the provisions of the TAP TSI.

1. Table of contents

1.	Table of contents	7
2.	Introduction	7
3.	List of abbreviations	8
4.	Purpose	8
4.1.	TSI telematics governance – a service to stakeholders	8
5.	TAP TSI and TAF TSI Stakeholders	9
5.1.	Who are the stakeholders.....	9
5.2.	How Stakeholders and their Groups are defined	10
6.	Principles of governance	11
6.1.	Basic principles and values.....	11
6.2.	Regulatory service provision.....	12
6.3.	Procurement processes	12
6.4.	Funding – EU institutions or stakeholders	12
6.5.	Governance procedures and rules	13
6.6.	Basis for charging	13
7.	Governance Rules- according to the TSGA (TAP TSI Services Governance Association) rules of procedure.....	13
7.1.	The structure for the governance of the entity called TSGA (TAP TSI Services Governance Association) is set out below. It is described in the following sections of this chapter.	13
7.2.	TSGA Bodies	14
8.	Regulatory services	15
8.1.	Service provision role of TSI governance	15
8.2.	Services to be provided under TSI governance.....	15
8.3.	Use of regulatory services.....	15
8.4.	Operational IT services.....	16
8.5.	Retail technical services	16
8.6.	Administrative services	16
8.7.	New Projects	17
1.	Regulatory service description.....	18

2. Introduction

The present document belongs to the set of Technical Documents described in Annex V „LIST OF TECHNICAL DOCUMENTS FOR RETAIL ARCHITECTURE, GOVERNANCE AND MASTER PLAN“ of the COMMISSION REGULATION (EU) No 1273/2013.

3. List of abbreviations

The following abbreviations are used in the text.

<i>Abbreviation</i>	<i>Meaning</i>
BP	Basic Parameter
DG MOVE	European Commission Directorate-General for Transport
ERA	European Railway Agency
GM	General Manager
IM	Infrastructure Manager
LCC	Life Cycle Costs
PSO	Public Service Obligation
PRR	Passenger Rights Regulation EU 1371/2008
RISC	Rail Interoperability and Safety Committee
RU	Railway Undertaking
SB	Supervisory Board
SM	Station manager
TAF CCM	Telematics Applications for Freight Change Control Management
TAF TSI	Commission Regulation (EU) No 1305/2014 of 11 December 2013 on the technical specification for interoperability relating to the telematic applications for freight subsystem of the trans-European conventional rail system
TAP CCM	Telematics Applications for Passengers Change Control Management
TAP TSI	Commission Regulation (EU) No 454/2011 on the technical specifications for interoperability - Telematics Applications for Passenger Services
TV	Ticket Vendor, as defined in the TAP TSI Regulation
UIC	Union Internationale des Chemins de Fer
WG	Working Group

4. Purpose

4.1. TSI telematics governance – a service to stakeholders

The existence of the TAP TSI (454/2011) (1305/2011)¹ Regulations has fundamentally changed the railway business environment. The governance of some elements of railway business now requires the participation of other stakeholders² such as ticket vendors and public transport authorities. Governance based on existing railway-only structures has to be changed.

In Chapter 7 of the TAP TSI Regulation, there is a requirement to develop the governance of the TAP TSI subsystem. The Regulation states: “The governance shall include the identification of the appropriate governance structures, methods and procedures to support the development and validation of the system and subsequently its deployment and its field operation and management throughout its lifetime (including dispute management between the parties involved under the provisions of this TSI).”

It is also proposed that stakeholders and third parties will have access to these services on a non-discriminatory, transparent, equitable and non-profit basis (even though funding of the entity will be needed). Stakeholders will be able to participate in the governance. Stakeholders and third parties will fund

¹ See both regulations at: <http://eur-lex.europa.eu>.

² For definitions see next chapter.

the entity and participate in its technical work. The entity will guarantee that the provision of the services is assured for as long as the TAP TSI Regulation is in force.

The entity will be responsible for the final acceptance into service of all Phase Two service procurement tasks and for the governance of all Phase Three implementation and operational activities. The entity will guarantee for stakeholders and third parties transparent and equitable access to the Phase Three activities summarised above.

Note that the Phase Two development activities will retain the same governance as has applied in Phase One, with decisions being made by the TAP TSI Steering Committee. The governance described in this document comes into force only when the governance entity has been created and the regulatory services are operational.

The entity will deal solely with regulatory matters. To keep costs low, it will as much as possible build on existing services already provided elsewhere. It will be limited to holding the minimum assets needed to perform its regulatory role.

5. TAP TSI and TAF TSI Stakeholders

5.1. Who are the stakeholders

The TAP TSI and TAF TSI Regulations define a set of rights and obligations that apply to a defined set of parties. These parties are the TAP TSI and TAF TSI stakeholders.

The stakeholders as listed in the Regulations are:

- › Freight railway undertakings
- › Passenger railway undertakings
- › Locomotive providers
- › Coach providers
- › Driver/train crew providers
- › Rail infrastructure managers
- › Station managers.
- › Fleet managers
- › Ferry boat operators
- › Workers
- › Ticket vendors
- › Passengers.
- › Freight customers.

For the purpose of TSI governance, and the meeting of the regulatory obligations, a subset of this list has been selected. To this subset have been added other stakeholders who are directly implicated in the TAP TSI Regulation:

- › Licenced passenger railway undertakings
- › Licenced infrastructure managers
- › Station managers
- › Ticket vendors
- › Public authorities⁴.

The Regulation gives rights to public authorities who have a statutory obligation or right to provide members of the public with travel information and/or request paths. Public authorities who contract for rail services through service contracts are not stakeholders in the strict sense unless in addition they have a statutory obligation or right to provide members of the public with travel information and/or request paths. For

⁴ Also referred to as Public Bodies.

reasons of convenience, Member State bodies responsible for enforcing the Passenger Rights Regulation 1371/2007 will also be treated as public authorities.

There are other parties who are referred to in the TAP TSI Regulation but who are not stakeholders. These are:

- › Ticket controlling organisations
- › Third parties.

5.2. How Stakeholders and their Groups are defined

Stakeholders will need to provide evidence, as part of their application for membership of the governance entity, of their entitlement to be treated as a stakeholder and for which stakeholder group.

An infrastructure manager (IM) is a stakeholder as a consequence of being licenced by its Member State.

A passenger railway undertaking (Passenger RU) is a stakeholder as a consequence of being licenced by its Member State.

A station manager is a stakeholder as a consequence of its being contracted by an RU or IM to perform station-related tasks that would otherwise fall to the RU or IM.

- 5.2.1. *A ticket vendor is a stakeholder either as a consequence of it having an agreement with a passenger railway undertaking that allows it to conclude rail transport contracts or being a member of a ticket vendor Stakeholder Group Association⁵.*
- 5.2.2. *A public authority is a stakeholder as a consequence of it having a statutory obligation or right to provide members of the public with travel information and/or request paths. Member State bodies responsible for the enforcement of the Passengers' Rights Regulation 1371/2007 will also be treated as public authority stakeholders.*
- 5.2.3. *An organisation is a stakeholder whenever one or more of the conditions described above applies and ceases to be a stakeholder whenever none of the conditions above applies.*
- 5.2.4. *The Regulation does not distinguish between small and large stakeholders. The governance entity may, if it chooses, make such a distinction for example as regards service provision and charges.*
- 5.2.5. *Other than defined above, suppliers are not stakeholders. If suppliers can demonstrate that they are third parties, as defined in the Regulation, they will have access to the services provided by the TSI governance, but no participation in that governance.*
- 5.2.6. *ERA and DG MOVE are not stakeholders. By virtue of DG MOVE representing the public interest, and the role of the ERA in respect of TSI management and the TAP CCM (Change Control Management) and the TAF CCM, they will have an observer role in the TSI governance as described in section 1.*

6. Principles of governance

6.1. Basic principles and values

- 6.1.1. *The method of governance must⁶ ensure that the regulatory obligations are met and that the public interest represented in the Regulation is honoured.*
- 6.1.2. *Stakeholders must have transparency and certainty of being able to meet their obligations and exercise their rights. The method of governance will therefore ensure an open and fair balance of stakeholder interests, as described below.*
- 6.1.3. *Regulatory services are those services that an RU, IM or SM cannot supply by themselves but which are essential to them if they are to meet their regulatory obligations. They are, therefore, fundamental to the business of RUs, IMs, SM or entity in charge of data collection of accessibility data. Without these regulatory services, they cannot meet their legal obligations, recognising that not all regulatory services will be required by every RU.*
- 6.1.4. *TVs also have obligations, but in respect of the TAP TSI only as agents to RUs and not directly under the Regulation. TVs also have obligations under the PRR, but again only as agents to RUs. All TV activity associated with selling rail tickets is by agreement with one or more RUs and those RUs must place the appropriate regulatory obligations in their agency contracts with TVs. The regulatory services must be guaranteed in perpetuity, both their existence and the basis for their costs. Without this, RUs, IMs, or SM have a legitimate basis for refusing to meet their obligations, as the regulatory services are a pre-requisite for compliance and as such must be ensured by above regulatory entity (see chapter 0 above).*
- 6.1.5. *RUs, IMs, SMs and other stakeholders (e.g. ticket vendors) have regulatory rights. The regulatory services are essential in order that they can all exercise their rights. The regulatory services must be therefore provided under the control of all the stakeholders in order to provide the necessary levels of neutrality, transparency and certainty.*

⁵ The Stakeholder Group Associations for ticket vendors are defined as ECTAA and ETTSA.

⁶ The word "must" has been used to indicate that the principles are governance objectives rather than regulatory requirements.

- 6.1.6. *The method of governance and its decision making must therefore reflect the value of the railway-related business of each of the stakeholder groups. Decisions, especially those involving significant change, must be made on the basis of commercial business cases and a commercial return on any investments that follow. Decision-making should prevent the undue influence of any individual stakeholder company in decision making.*
- 6.1.7. *The method of governance must ensure that business can be executed effectively and at the lowest reasonable cost.*
- 6.1.8. *The method of governance must be able to evolve with changes to business process and technical developments in the rail industry. The method of governance will therefore value innovation and leadership, sharing the breadth of expertise stakeholders have to deliver the best result, combining experience and new ideas.*

6.2. Regulatory service provision

- 6.2.1. *TSI governance and its related services must be limited to regulatory business only and must not include matters of non-regulatory commercial interest.*
- 6.2.2. *The governance of a service must be carried out on behalf of those with a business interest in the service. Stakeholders having no regulatory interest in a service must not be involved in its governance (for example, ticket vendors should not be involved in path requests and infrastructure managers should not be involved in TAP retail matters).*
- 6.2.3. *The provision of the regulatory services must not be profit-making. Service provision must not require the holding of reserves other than those necessary to cover regulatory activities.*
- 6.2.4. *The provision of regulatory services must take as much as possible full advantage of equivalent activities already being undertaken by the stakeholders.*
- 6.2.5. *Execution of the technical services as defined above must include stakeholder and third party technical experts. Work by stakeholders must be paid for where it is needed to perform the technical services and where it is beyond that which can be expected free of charge from stakeholders. This applies especially where work must be undertaken to timescales defined by the TSI governance and not by the contributing stakeholder(s).*
- 6.2.6. *Stakeholders must not be forced to subsidise the costs of other stakeholders who could well be competitors.*
- 6.2.7. *TSI governance must provide regulatory services in such a way that ensures both regulatory and non-regulatory business requirements of stakeholders are met. In particular for TAP TSI, this requires technical consistency between the sets of retail specifications needed for distribution (largely covered by the Regulation) and accounting (not covered by the Regulation)..*

6.3. Procurement processes

- 6.3.1. *The TSI governance entity is not a utility. However, it will adhere to European public procurement rules as a matter of policy when procuring the regulatory services. This includes in particular a competitive procurement process that seeks to find the best combination available of quality of service, time to market and price.*
- 6.3.2. *However, for Phase Two, the principle set out in paragraph 6.2.4 above can be used to minimise the development and delivery risk of specialist services, reduce the start-up costs and ensure the earliest provision of the regulatory services. The Phase Two project team will therefore have the option of using single-tender actions where these can clearly be demonstrated to offer good value, low risk and an early provision of the service.*

6.4. Funding – EU institutions or stakeholders

The European Commission and the European Railway Agency will not play an active managerial or financial role in the TSI governance. In the non-regulatory world, this activity is already the responsibility of the.

European project funding will be an option for the entity but only in respect of distinct projects and not the day to day provision and operational tasks of the regulatory services.

6.5. Governance procedures and rules

The TSI governance must respect the requirements of the Regulation and must provide a transparent and non-discriminatory basis for stakeholder participation in TAP Phase Three⁷. The governance procedures and rules ensure this happens. Any changes to the procedures and rules must be agreed by DG MOVE, once processed through the ERA TAP TSI working party and RISC (as is the case for changes to Basic Parameters in the Regulation). This need for European Commission formal agreement ensures that the public interest is protected and that the governance continues to respect the regulatory requirements.

Another method of addressing the requirements would have been to have DG MOVE and/or ERA participating in all working matters of the governance with voting rights in the business. The option of operational involvement of government in the business of the rail industry was precluded as an inappropriate activity for legislators. It should be noted that in relation to the European institutions it is proposed in later chapters that ERA has ex-officio participation as observer in all expert working groups and that DG MOVE and ERA participate in the work of the Advisory Board, as described in the following sections .

6.6. Basis for charging

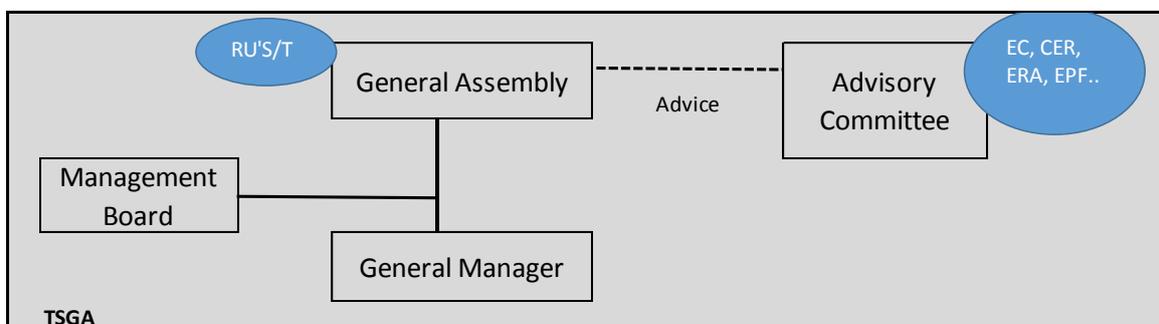
The estimation of governance entity costs and the subsequent basis for charging is set out in detail in the Masterplan document.

An annual licence fee will be paid. This licence fee is mandatory for all users who will have get the access to the regulatory services provided by the governance. It is essential for the continued existence of the governance entity that licensees pay these fees.

A membership fee will be paid by members of the governance. In this case members, already paying a membership fee, won't have to pay the licence fee in order to have access to the regulatory services, as the membership fee will also include the licence fee. Terms and conditions of use will be publicly available on the TSGA website <https://tsga.eu/>

7. Governance Rules- according to the TSGA (TAP TSI Services Governance Association) rules of procedure

7.1. The structure for the governance of the entity called TSGA (TAP TSI Services Governance Association) is set out below. It is described in the following sections of this chapter.



⁷ Note that TAP TSI Phase Two will continue with the Steering Committee-based governance used in Phase One.

7.2. TSGA Bodies

7.2.1. General Assembly

The rules governing the General Assembly are set out in Chapter IV of the TSGA Statutes. The General Assembly is composed by members (Railway Undertakings (RUs)/Ticket Vendors (TVs), station managers or the entity in charge of the management of the PRM data for stations) and it is the decision making body of the TSGA. The GA is responsible for: setting the licence/membership fees, approving the procurement process, monitoring the services, approving the budget, making sure that services are available to licensee.

7.2.2. Management Board

The rules for setting up and governing the Management Board are laid down in Chapter V of the TSGA Statutes. The Management Board is composed by members participating in the GA. The Management Board has administrative tasks such as preparing the meetings of the General Assembly and carrying out all other tasks with which it is entrusted by the General Assembly.

7.2.3. Advisory Committee

The rules governing the Advisory Committee are set out in Chapter VI of the TSGA Statutes. The Advisory Committee is composed of representatives of the TAP TSI stakeholders. The Advisory Committee provides advices to the General Assembly so that regulatory services are available in a non-discriminatory way.

The members of the Advisory Committee are the organisations that are the Members of the TAP TSI Steering Committee:

- › – DG MOVE
- › – ERA
- › – CER
- › – UITP
- › – EPF
- › – EIM
- › – ETTSA
- › – ECTAA
- › – UNIFE

7.2.4. General Manager

The General Manager's key responsibility is to ensure the smooth functioning of the daily business of the TSGA. Specifically, the General

Manager carries out the following tasks:

- a) Recruitment of administrative support staff;
- b) Financial management, including establishing budget plans, accounting, annual accounts, reporting;
- c) Managing the procurement procedure of the TSGA regulatory services;
- d) Managing all aspects of the service delivery to TSGA licensees;
- e) Maintenance and development of the regulatory services, including maintenance of quality service and ensuring availability of services to licensees;
- f) Progress review, including recommending mid-course corrections;
- g) Management of external relations and communication of TSGA: establishing a communication strategy towards stakeholders including potential members, managing day to day communication;
- h) Assessment of long-term developments of the TSGA services by taking into account technological opportunities;

- i) Coordination of all necessary administrative tasks.

The rules governing the appointment of the General Manager are set out in the TSGA Statutes.

8. Regulatory services

8.1. Service provision role of TSI governance

The purpose of the TSI governance entity is to provide services to stakeholders and to facilitate the meeting of their regulatory obligations. It is not the task of the entity to direct stakeholders or to oblige them to follow the Regulation. The entity is there as a stakeholder support.

The instructions for stakeholders as regards meeting their regulatory obligations and exercising their rights are in the IT Specifications. It is to the Specifications (and the documents referenced by them) that stakeholders will go if they need to find out anything about the TAP TSI sub-systems. If they are having difficulties in using the Specifications then the governance entity can help, but it is not its task to enforce the contents of the Specifications on stakeholders.

The IT Specifications contain references to services provided by the TSI governance entity and the entity makes those services available to stakeholders as defined in the Specifications. It does this through the service requirements it places on its service providers and these requirements correspond to those referred to in the Specifications. The TSI governance entity will ensure that the services it provides are kept synchronised with the services for stakeholders described in the Specifications.

8.2. Services to be provided under TSI governance

Two sets of regulatory services will be provided by the governance:

- › Operational computer services
- › Retail technical services

In addition to the main regulatory services, the TSI governance entity provides administrative services. These are supervised by the General Manager.

Note that no services are provided in relation to the payment or settlement of sums under ticket or freight selling contracts or similar commercial contracts. Services are strictly limited to technical matters needed for stakeholders to meet their regulatory obligations under the TAP TSI.

Every service provider task contract will have in it some general functional and non-functional requirements to be provided by the service provider for the benefit of the governance entity, including:

- › ensuring data protection and related statutory requirements are met
- › ensuring security and back-up of all data and documents held under the contract
- › ensuring appropriate disaster recovery facilities
- › use of an appropriate service management methodology – including the management of incidents and problems
- › service penalties for poor service.

8.3. Use of regulatory services

The entity will publish detailed information that explains to interested parties whether they are a stakeholder, a third party, or that they have no rights or obligations under the Regulation.

This information will be provided by the governance entity to Member State regulatory bodies for them as far as possible to distribute as part of their licencing responsibilities.

If an organisation considers that it is a stakeholder or a third party it may apply for membership of the entity according to the rules set down in the statutes of the governance. Membership implies the payment of a

membership fee and gives rights to have free access to all the services provided by the governance. The membership application will require the organisation to submit supporting documents showing if they are a stakeholder and, if so, attached to which stakeholder group. The governance entity will verify the application and the documentation, according to the rules set down in the statutes of the governance

It is essential that all stakeholders and third parties who require access to the regulatory services provided by the governance entity pay the appropriate fees, according to the rules set down in the TSGA statutes.

8.4. Operational IT services

There will be four operational IT services provided under TSI governance. These are defined in detail in chapters 9 to 11 of the TAP TSI Retail Architecture, as are the requirements documents for each service that will be used to procure them. In consequence, this document contains only a high-level summary of each of them. The services are:

- Membership management
- Reference data service (common, RU/IM and retail)
- Notification service (including central registry)
- Data quality checking service.

8.4.1. Membership management

The membership management provides for the entity to record the details of all registered stakeholders and third parties. The service allows individual members to register their own contact details and allows all members to enquire about the contact details of other members.

8.4.2. Reference data service

An operational computer-based reference data service is required that provides stakeholders and others with access to all data elements held in common, such as locations, companies and other codelists. The functional and non-functional requirements for these services are defined in the TAP TSI architecture. In addition, the reference data service must provide for application-specific reference data such as those needed for timetables and tariffs.

8.4.3. Notification service

The notification service will allow stakeholders and third parties to be advised of changes to any item of TSI-related data known to the notification service. This will include reference data, technical documents, IT Specifications and stakeholder data such as timetables and tariffs. Stakeholders will be able to register their interests in TSI resources. All resources owned by the entity will be available for all stakeholders and third parties.

8.4.4. Data quality service

The data quality checking services will provide a set of checks on data such as timetables and tariffs.

In the future, new operational computer services may be needed for stakeholders. If this is required it will be introduced according to the procedures of the TSI governance.

8.5. Retail technical services

As part of the services provided, technical support is provided by TSGA-

8.6. Administrative services

There will be a set of administrative services provided to stakeholders under TSI governance. These are:

- › Registration of members and objects/resources defined in the TAP TSI architecture

- › Management of access control to regulatory services
- › Management of charging for regulatory services
- › Member and third party communication.

Registration places certain obligations on stakeholders, including those of confidentiality and non-disclosure, appropriate use of data, etc. Registration is needed as a pre-requisite to the provision of services.

Failure to meet these obligations by a stakeholder will lead to termination of services. The entity will not seek to impose financial penalties where the obligations are not met, nor will it sue for any damages suffered by one or more stakeholders as a result of the improper behaviour or negligence of any stakeholder. The entity will have no assets for such kind of activity and cannot act as a policeman. This constraint forms part of its governance rules. The sole power is withdrawal of services and even that would be a last resort.

The General Manager oversees the provision of administrative and accounting services.

All this work is carried out under a service provider contract.

The General Manager reviews the administrative services and reports to the TSGA General Assembly.

As the entity does not employ staff there are no Human Resources tasks required.

8.7. New Projects

There will be no services provided under TSI governance other than those absolutely required by stakeholders to use and benefit from the TAP TSI architecture.

1. Regulatory service description