

Annual report 2010

European Railway Agency



European Railway Agency

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Annual Report 2010

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List of acronyms

ABAC	The web-based accounting system developed for the Directorate-General for the Budget
COTIF	Convention relative aux Transports Internationaux Ferroviaires
CR TSI	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
EC	European Commission
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 (for EN Standards)
MoU	Memorandum of Understanding
MSs	Member States
NIB	National Investigation Body
NNTR	Notified National Technical Rule
NB(s)	Notified Body(ies)
NB(-)Rail	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
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

The Agency in 2010

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

The activities of the Agency have evolved so that they may be categorised under several headings:

- **Support by documentation.** This concerns the draft of recommendations for secondary European legislation such as Technical Specifications for Interoperability (TSIs) or safety related tasks such as the Common Safety Methods (CSM).
- **Development and Management of Databases and Registers** related to railway Interoperability and Safety. New tools have been implemented such as the register of vehicle types, the reference document of national rules for vehicle authorisation and the databases of safety certificates and authorisations.
- **Compilation of Reports and Provision of Opinions** upon matters within its competence such as national technical or safety rules and refusals by National Safety Authorities on the placing in service of railway sub-systems or vehicles, and proposals for new measures to manage dangerous goods.
- **Dissemination and Training.** The scope of this activity covers on the one hand the dissemination of the European legal framework of Interoperability and Safety and Driver Licensing and on the other hand the documents specifically produced by the Agency.
- **Providing Assistance to the Commission and Member States** in the development, implementation, and monitoring of the framework put in place by the Interoperability, Safety and Driver Licensing Directives.
- **Facilitator and Coordinator.** The Agency is a neutral venue and *"the only place where all the railway actors meet"*. In this context the Agency is the ideal forum to develop the understanding of common tasks affecting the competitiveness of the railway sector and the building of consensus on solutions and priorities.

Broadly speaking the Agency as the European railway's centre stage can be seen as the de-facto **"Railway System Authority"** for Europe.

I am pleased to say that this report reveals that in 2010 the Agency made substantial progress in all these categories of activity. Partnership with its stakeholders is the essential basis. This includes cooperation on the same level of service and good exchange of information in both directions. Then 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 are characterised by continuous improvement. Although they are not yet fully established, financial management indicators and audit results for 2010 have shown once more significant improvements.

It is also clear that the Agency's role of leading the way is necessary for the success of the European railway framework. The open market for rail operations and technologies has to be enforced by efficient specifications for the management of safety, the technical system architecture and the placing into service of subsystems. For this efficiency to be delivered, necessary processes need to be fully understood and consistently applied by all participants. The common understanding of the authorisation process developed by the Agency in 2010 and published by the Commission (Recommendation 2011-217 formerly DV29) is a major step forward in this area.

Together with all my colleagues of the Administrative Board, I will continue to support and facilitate the Agency's evolving role.

Michael Harting

Chairman of the Administrative Board

A.2. Milestones and Key Messages of the Executive Director

A.2.1. Recommendations for legislation

At the heart of the Agency's work has always been the drafting of recommendations. Key milestones in this area for 2010 were: -

- The agreement by RISC of the Conventional Locomotives and Passenger Carriages, Energy and Infrastructure TSIs
- The agreement by RISC of the Passenger Telematics TSI
- The agreement by RISC of the revision of the Noise TSI
- The commencement of work on the extension of scope of the TSIs
- The agreement by RISC of the decision on the publication and management of the reference document of national rules for vehicle authorisation.
- The delivery of the recommendation for certification of Entities in Charge of Maintenance
- The delivery of the report on the migration to a single safety certificate

Each of these represents a substantial building block of the European legislative framework

A.2.2. Making it work

2010 was a period where the focus for the Agency's work evolved, from not only drafting new legislation, but also toward supporting a stable and maturing legislative framework.

The economic crisis presented a demanding challenge for a sector beginning to explore the opportunities of market liberalization.

The Agency was, for the first time, in a unique position to use the information and intelligence available to us to form an objective overview of how the legislation has been implemented and used. This included:

- The work of the now established Cross Acceptance Unit and Economic Evaluation Unit investigating national approaches to authorisations for placing vehicles into service,
- The ERTMS unit's report on ERTMS Certification,
- The conclusion of the peer reviews into safety certification and the first peer reviews of authorisations for placing into service,
- The discussions the Agency facilitated between stakeholders following the fatal accident in Viareggio in 2009,
- Dissemination of the Common Safety Method for Risk Assessment,
- The commissioning of studies into NSA practices for awarding safety certificates,
- A visit to the Belgian NSA and NIB at the invitation of a Special Parliamentary Commission convened to investigate railway safety following the Buizingen rail accident.

The conclusion was that for a variety of reasons, there remain real obstacles to achieving the EU's rail policy objectives. All stakeholders including the sector, Member States, NSAs and NIBs, and of course the Agency, need to respond to remove these obstacles.

A.2.3. Support at a practical level

Over the past year, the Agency has responded to this situation across a number of work streams.

- The Reference Document required by Directive 2008/57/EC offers Manufacturers, Lessors and RUs a practical tool for opening up opportunities of mutual recognition to reduce design costs and eliminate uncertainty and duplication of verifications from vehicle authorisation.
- The Agency has committed to disseminating support and best practice in applying legislation, including workshops or subgroups on the CSM Risk Assessment and Conformity Assessment.
- All Agency Units worked throughout 2010 to produce Commission Recommendation 2011/-217/EU (formerly DV29), which gave Member States clearer guidance on how to implement Directive 2008/57/EC – the Interoperability Directive.

- The peer reviews continued to offer NSAs a way to share best practice and continuously improve and the Agency, supported by the NSAs, began working on proposals to develop this further into a cross-audit programme.
- In parallel with finalizing the recommendation for a Regulation on Certification of Entities in Charge of Maintenance, the Agency worked with the sector and NSAs to support an interim scheme to provide an urgent solution to managing the interface between RUs and ECMS.

As anticipated, the Agency also provided a level of “on demand” support, including three significant Technical Opinions on national rules perceived to be a barrier to free movement of goods and services or competition.

A.2.4. Planning for change

As the Agency matures, it is right that it begins to take responsibility for understanding the needs of our stakeholders and proactively proposing and implementing change. The Agency supports the view held by many that the legislation in place is largely sufficient, and that a period of stability is required to allow the framework to thrive.

Nevertheless, following the proposals made at the Railway Safety Conference held by the Commission in September 2009, The Agency instigated a piece of work to assess and review its future role of the Agency, giving NSAs and NIBs the opportunity to engage in the debate. In parallel an internal working group reviewed the potential future functions and subject areas that might be covered by the Agency. These revolved around two questions “Partner” to, and/or “Policeman” of the stakeholders? And whether a “European Agency for Railway Interoperability and Safety” or a “European Railway Agency” is required. This work enlightened discussions with the EC on the potential future roles and fed into the study commissioned by the EC on the Evaluation of Regulation 881/2004 (the Agency Regulation) which was carried out by Steer Davies Gleave.

The Agency also commissioned research and consulted on migrating to a single safety certificate, as already envisaged by Directive 2004/49/EC. This work further underlined the critical need to support implementation and sound practical application of the legislation in place, as many of the obstacles to immediate implementation of a single certificate arise from different interpretations and implementations of the Safety Directive in different Member States.

On a practical level, the freight maintenance task force developed workable methods for delivering safety certificate requirements for managing maintenance and suppliers of maintenance. The Commission recommendation 2011-217 on the authorisation for the placing in service of structural subsystems and vehicles under Directive 2008/57/EC developed by the Agency was agreed at the end of 2010 and published early in 2011. It offers a practical interpretation of how the suite of safety and interoperability legislation works together. It is hoped Member States will take advantage of the opportunity to use this recommendation to implement national interoperability legislation in a consistent way.

Another key milestone was the start of work on the extension of scope of the TSIs to the entire railway system.

A.2.5. Building Relationships

The Agency continues to engage with a wide variety of stakeholders, including European institutions, passenger groups, trade unions, etc. and of course NSAs, NIBs, and representative bodies. In 2010, the Agency welcomed the Network of Representative Bodies, offering a more robust and effective way to understand the concerns and needs of the sector associations. This, the newest of the Networks facilitated by the Agency, meets 3-4 times a year.

The Agency as one of a very small number of bodies throughout the world that publishes “open” technical specifications and safety management tools, has a key role in the “world stage”. We see for example that the amount of railway lines fitted with ERTMS is greater outside the EU than within and that many railway administrations outside Europe have adopted the TSIs for their railway systems in many cases to facilitate open competitive procurement. The Agency also is well placed to act as a “Technical Ambassador” for the European Union.

Looking forward it is clear that in 2011, with a stable regulatory regime, a growing stature on the European and World stage 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 ever more value to the rail sector and its regulators. With an excellent team of staff strongly supported by our stakeholders, I am confident that this will be achieved.

A.3. The Agency's Role, Mission and Vision

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

A.3.1.1. 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.

Work is currently ongoing in 2011 to review the Agency's vision and mission statement

A.3.1.2. 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 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.

Part B - Work achieved in 2010

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 Norway and Iceland participate as members without voting rights along with six representatives from the railway sector who represent railway undertakings, infrastructure managers, 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 had ended in July 2009, the Administrative Board needed 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 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 2010.

By its decision n° 33/2009 dated 23 June 2009 (subsequently amended by decision N° 38 dated 17 November 2009), the Administrative Board decided to establish a Sub-Committee on financial, budgetary and staff-related issues. The Sub-Committee met four times in 2010, making a substantial contribution to the work of the Administrative Board that has been unanimously praised by the Chairman and the members of the Board.

B.2. Summary of Board Decisions

30 March 2010

During its nineteenth meeting, the Administrative Board:

- Adopted the Annual Report 2009
- Appointed two reporting officers for the 2009 appraisal exercise of the Executive Director
- Adopted amendments to the Work Programme 2010
- Adopted transfers to budget appropriations 2010
- Adopted the Multi-Annual Staff Policy Plan 2011-2013
- Adopted the statement of estimates 2011

15 June 2010

During its twentieth meeting, the Administrative Board:

- Adopted the annual accounts 2009, subject to a non-negative opinion of the European Court of Auditors (not received at the date of the meeting)

16 November 2010

During its twenty-first meeting, the Administrative Board:

- Adopted transfers to budget appropriations 2010
- Decided that the Work Programme 2011 will be adopted by written procedure before the end of November in order to allow members of the Board to make last comments.
- Adopted the budget and the Establishment Plan 2011 (without prejudice to the adoption of the EU general budget 2011 by the budgetary authority)

In addition, the Administrative Board adopted by written procedure:

The Work Programme 2011

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 provisions of Regulation (EC) 881/2004 (Agency Regulation). Together with the Interoperability Unit the unit also carries out work under the provisions of Directive 2007/59/EC on 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 the Safety Unit now works according to the new provisions.

B.3.1.2. Horizontal activities

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 (NSAs). The network meets in two-day plenary meetings four times a year and has also established task forces to deal with specific issues.

The NSA network constitutes a key actor for 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.

The Agency established two Reflection Groups for National Safety Authorities (NSAs) and National Investigation Bodies (NIBs) to discuss the potential for a strengthened role for the Agency and to reflect on the new tasks proposed by the Commission. The NSA Reflection Group also agreed on a voluntary cross-audit scheme to accelerate harmonisation of NSA decision-making criteria and to increase trust between them. Toward the end of 2010 the NSAs supported the Agency in developing a framework for the Cross Audit Programme. The NIBs Reflection Group will continue to develop cooperation between the Agency and the NIBs. A report on the work of the Reflection Groups has been published on the Agency web site.

After the Buizingen (BE) accident in February 2010, the Agency also conducted an assessment of the activities of the Belgian NSA and NIB. The aim of the visit was to assess the powers and resources put in place by the Member State to enable the NSA/NIB to fulfil the requirements of the Safety Directive. It assessed the capability of the processes and decision-making principles put in place by the NSA/NIB and verified the practical awareness that stakeholders have of the NSA/NIB activity. The findings were reported to the Belgian Parliamentary Commission investigating the Buizingen accident and the final report can be found on the Agency's website.

B.3.1.3. 3 Safety Regulation

National Safety Rules

Article 8(3) of the Safety Directive requires the Agency to evaluate the way in which national safety rules are published and made available. In 2008-2009 the Agency carried out this evaluation in two phases, supported by external studies. The final report, containing synthesis analysis covering all Member States, Norway and the Channel Tunnel, as well as relevant recommendations to the Commission for improving the accessibility of national safety rules, was published in February 2010. At the request of the Commission and Member States, specific advice to each country and the Channel Tunnel was issued in November 2010, as part of the Supporting Paper to the Final Report. In December 2010, the RISC supported the Agency's recommendation for establishing a Task Force for national safety rules, with the purpose of sharing good practice and developing a common understanding on the scope of national safety rules and their management.

During 2010, the Agency continued the work to evaluate the notifications of national safety rules by the Member States, and to register them in the public database according to Article 19(1) of the Agency Regulation. In the second quarter, this work was put on hold for three months to arrange data transfer from the Agency's own database ERADIS to the new database of the Commission - Notif-IT which was created specifically for notification of national safety and technical rules. The Agency assisted the Commission in the creation, administration and development of this database, as well as training and guidance to the Member States. Notif-IT became operational in June 2010. In July, following user registration, the Agency resumed evaluation of notifications.

Technical opinions, advice, comments

In accordance with Articles 9A and 21b of the Agency Regulation, the Agency issued four technical opinions and provided other advice as requested to the EC:

- a technical opinion concerning the new rule for the documentation of freight wagon maintenance history,
- a technical opinion concerning new requirements for wagons,
- two technical opinions concerning the implementation of the Directives for railway safety, interoperability and train driver licencing on regional railways,
- follow-up to the technical advice concerning the new requirement for the composition of the crew of Class 66 locomotives, as well as comments on related notified draft NSRs.

Examination of the Railway Safety Directive transposition by Member States

Following a request from the Commission, the Agency assessed national provisions transposing the Railway Safety Directive. In 2010, two reports were completed in cooperation with the Commission and a further five reports were prepared by the Agency for the Commission.

Consistency between EU railway legislation and international developments

At request of the European Commission, the Agency participated in meetings of various working groups and Committees relevant for the development of the regulation on transport of dangerous goods by rail. The overall objective is to align developments made at EU level with those of UNECE and OTIF.

For that purpose, the Agency has been represented in the following international meetings:

- Committee of experts on the carriage of dangerous goods by rail (RID),
- UNECE working group on BLEVE,
- UNECE working group on Telematic Applications.

At the request of the Commission, the Agency presented to each RID meeting an informal document describing the ERA tasks relevant to the framework of RID developments.

In response to the joint agreement of RISC and the EU Transport of Dangerous Goods Committee in October 2009, the Agency launched a study concerning the prevention and mitigation of freight train derailments. In accordance with Article 6.2 of the Agency Regulation, and taking into consideration the study results, the Agency will deliver to the European Commission a recommendation on reducing the risks of freight train derailments over the short and medium term. As part of this recommendation, the Agency will update its position for the RID concerning the potential requirement for derailment detection devices.

The Agency has also assisted the DG RTD in launching a call for a research project to reduce the occurrence of freight train derailments. The aim is to identify potential regulatory or voluntary long-term measures.

B.3.1.4. Safety Certification and Authorisation

As an addendum to the Common Safety Methods (CSM) for conformity assessment, defining the criteria against which assessment of safety certificates by NSAs shall be carried out and describing the procedures to follow, the Agency was requested by the RISC to develop guidelines for set-up and implementation of SMSs as a harmonising measure and support for Railway Undertakings and Infrastructure Managers. A

first set of SMS guidelines was drafted by the end of 2010. The new approach to these guidelines allow a modular approach, making it possible to develop further guidance on SMS-related topics where needed in the future. In addition, during the period 2011-2013, the Agency will run an active campaign for dissemination of these guidelines, together with guidelines on the CSM for conformity assessment.

In accordance with Article 14a (5) of the Safety Directive, the Agency delivered to the Commission a recommendation for a system of certification of entities in charge of maintenance for freight wagons. This was given a positive opinion by RISC in its December meeting. To complete this work, the Agency will develop, together with the European Association for Accreditation (EA), an accreditation scheme for the sector and a set of implementation guidelines.

By publishing the ECM and keeper self-declarations on its website, the Agency also actively supported the sector in the establishment of a transitional solution, before the entry into force of the ECM Regulation.

A final report on a strategy for migration to a single EU safety certificate was submitted to the Commission, as required by Article 10 (7) of the Safety Directive. The report sets out both a strategy and work plan for the measures required.

Because of budgetary restrictions, the planned study to assess the proposal for a smartcard for the certification of train drivers according to Article 34 of the Drivers Licencing Directive was postponed. Finally, the tender specifications were published on the 18th December 2010. In parallel, a feasibility study for interoperable registers of train driver licences, required by Article 3 of Commission Decision 2010/17/EC, will be launched. The resulting report to the Commission is due to be delivered in December 2012.

The Task Force on Freight Wagon Maintenance, formed after the 2009 Safety Conference, developed urgent sector measures to manage the risks of broken wheels and axles. The final report on the work of this task force was delivered on time to the EC and presented to RISC's December meeting. All agreed that the task force has been a success, and both the railway sector representatives and the NSAs wish to continue to work in this way to consider other issues.

B.3.1.5. Safety Assessment

Common Safety Methods

The Agency is responsible for the revision of the regulation 352/2009/EC on the Common Safety Methods on risk assessment and for the development of the Common Safety Methods for checking conformity of operation and maintenance of the structural subsystems with the relevant essential requirements (CSM on monitoring).

During the first half of 2010, the Agency finalized the dissemination of the CSM on risk assessment by organising the remaining workshops. The comments and remarks collected during all these workshops will be taken into account in the revision of the regulation of CSM on risk assessment.

Additional inputs for the revision of the CSM on risk assessment will come from the development of the roles and responsibilities of the assessment bodies and from the development of the risk acceptance criteria (RAC) to be used within explicit risk estimation. Concerning the development of the roles and responsibilities of the assessment bodies, all technical requirements have been elaborated by a dedicated taskforce and subject to a formal review at the end of 2010. The development of RAC has been more complex than foreseen. A proposal on RAC to be used for functions covered entirely by technical systems was finalised by the end of 2010 and will be subject to formal review at the beginning of 2011. The other aspects of RAC development covering mainly human actions will need further development.

The main concepts and requirements for the CSM on monitoring were agreed by the working party and presented to the NSA network and the RISC in mid - 2010. This identified clearly the need to develop two CSMs applicable not only to those of the structural sub-systems but also to the monitoring of all safety requirements. The first CSM, to be used by the sector, will develop the way the sector is ensuring via the SMS that their safety requirements continue to be fulfilled during operation and maintenance of the railway system. The second CSM will develop how the NSAs are supervising the railway undertaking and infrastructure manager's SMS's to gain assurance that the railway system is operated and maintained safely by the railway undertakings and infrastructure managers. Two different taskforces have been created to deal with these two CSMs. All results are reviewed regularly by the working party.

B.3.1.6. Reporting

During 2010 the Network of National Investigation Bodies met on 3 occasions. These included plenary sessions and the introduction of more interactive forms of information exchange, such as workshops and

demonstrations. In 2010 the NIBs notified the opening of 225 accident investigations and delivered 148 final investigation reports to the Agency. Individual NIBs regularly report to the Network meetings on selected investigations to exchange experience and discuss common problems.

Work continued in the task forces on the development of a scheme for the classification of the causes of accidents to be integrated into the ERAIL interface; the draft guidance on the investigation of accidents according to Article 19 was completed.

As a follow-on activity from the task force on investigator training, the Agency set up a new group to support the development of a module-based training programme. An external study was tendered to provide the framework for this training programme; this will be delivered in 2011.

In December 2010, a Service Level Agreement was signed with the Joint Research Centre (JCR) in Italy for the development of the ERAIL system, a new tool for accident and incident reporting. The system will be based on the ECCAIRS platform, used by the aviation industry, in combination with a new user interface. The aim is to provide added value to the national investigation bodies using the system, to make the information more easily accessible and to provide new tools for information dissemination, analysis and presentation.

The final report on a study of accident investigation methodologies was presented to the Network, and three innovative methods for integrating into the investigation processes of the NIBs were proposed. A new study to identify an efficient way to integrate these new methods and to support their acceptance and use by the NIB is planned for 2011.

The first phase of the survey of how the accident investigation process works in practice has continued throughout 2010. The questionnaires completed by 10 NIBs focussed on the organisation of the investigating body, on the investigation process itself and on training requirements.

The Agency demonstrated the European-wide Safety Information System (SIS) for the rapid reporting and sharing of urgent and important safety information to the NIB and NSA Networks; 8 announcements on safety issues were disseminated during the year.

The biennial report 2010 on rail safety performance in the EU was published during the summer. The Agency was able to identify improvements in the quality of data for the common safety indicators (CSI) reported by the NSA's during 2009.

Common Safety Targets

In December 2010 the Agency reported to the RISC the results of the first assessment of the achievement of the common safety targets (CST) and the national reference values. In the autumn, the first meeting of the newly established working party on safety performance, which will be responsible for working on CSTs and CSIs, took place.

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) and in Regulation (EC) 881/2004 (Agency Regulation). Mandates from the Commission specify in more detail the activities and their deadlines.

During 2010, the Interoperability Unit managed 19 working groups and subgroups. It conducted a total of 100 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. TSIs drafting

CR TSI Infrastructure (INF) and CR TSI Energy (ENE)

Following the positive opinion by RISC in December 2009, the Agency was involved in further work related to preparation of the formal Commission decision on adoption of the two TSIs. This activity included, among others, partial revision of the translations into other European languages (mainly the checking of changes to the translation proposed by Member States in order to ensure that the meaning of the text is not changed). The Agency and the former Working Parties were also involved in the clarifications and explanations of the various comments and questions received from MSs and stakeholders. This activity resulted in several minor amendments to the TSI. These amendments were finally accepted by the RISC in October 2010.

CR TSI Locomotives and Passenger Rolling Stock (LOC&PAS)

The final draft of the single TSI covering "Passenger carriages" and "Locomotives, traction units and self-propelling thermal or electric trains" was sent to the Commission in November 2009, together with the final report.

It was initially presented for an opinion of the RISC in its February session, but was postponed and was eventually given a positive opinion by the RISC in June 2010.

In the meantime, bilateral clarification meetings were organised to explain the TSI text and to address requests for specific cases.

Since the vote, the Agency has been involved in the preparation of the formal Commission Decision, including the partial revision of translations.

CR TSI Telematic Applications for Passengers (TAP)

The Working Party finished its work on the drafting of CR TSI Telematic Applications for Passengers in 2009. The consultation of the social partners and the freight and passenger customer organisations took place in spring 2010. Their comments were taken into account for the final recommendation of the TSI TAP, which was submitted to the Commission on the 31st May 2010. The final recommendation was presented to RISC in June 2010 and received a positive opinion of RISC on 20th October 2010. In 2010 a process for the change control management (CCM) of the ERA technical documents for the TSI TAP was set up.

Moreover, in order to close the corresponding open points in the draft CR TSI Telematic Applications for Passengers, in 2010 the Agency continued its contribution to the CEN work on the following items:

- A standard for European ticket on departure and for European "Manifest On List"

- Management of connections between trains and other modes of transport

By December 2010 ERA had finished the work with UIC on the ERA TAP Technical Documents according to the provisions of the contract signed in December 2009.

The Agency also undertook first steps for the revision of TSI Telematic Applications for Freight (TAF) according to the mandate C(2010)2576.

1520 mm Railway System

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

The main subjects covered in 2010 were Infrastructure, Energy and Locomotives & Multiple Units.

Conformity Assessment

In February 2010, following ERA recommendation on modules in October 2009, RISC gave a positive opinion on the revised modules. The decision on the revised modules was published in the Official Journal of the EU in December 2010 and has been in force from 1st January 2011. The revised modules will be used for the TSIs which are applicable after 1st January 2011. Until they are revised, the TSIs applicable before 1st January 2011 will continue to use the 'old' modules as specified in their appendices.

B.3.2.3. Evaluation and amendment of the existing TSIs, including extension of scope

CR TSI Freight Wagons (WAG)

In 2010 revision of the TSI WAG was completed. The preliminary draft of the revised TSI WAG was presented to the Commission, the Member States and the Stakeholder organisations at a workshop in Brussels on 15th December 2010.

The preliminary draft supports the "new approach" and represents a significant simplification and clarification of the legislation.

In 2011 the work continues with the translation of the draft into French and German and the subsequent consultation of the social partners. This gives time for bilateral meetings with the involved parties in order to discuss topics which need further reconciliation.

CR TSI Operation (OPE)

The revision of the CR TSI OPE, which started in 2007, was closed end of 2009. The first months of 2010 were dedicated to the consultation with the social partners on the draft recommendation. In May 2010 the Agency delivered the final recommendation on a revised CR TSI OPE to the European Commission. Subsequently in February and Oct 2011 RISC voted to amend the CR and HS OPE TSIs

In the beginning of May the Agency was given a new mandate on the extension of TSI scope including the merging of the TSIs OPE for conventional and high-speed rail.

A working party focussing on the merging and the investigation on possible scope extension was set up in May 2010 and concluded in December 2010. The results of this Working Party are scheduled for consultation with the social partners in March 2011 and for final recommendation to the Commission in 2011.

In parallel the different interfaces to other subsystems and to other Agency activities like “train driver licence” were clarified, revised and/or updated.

CR TSI Rolling stock - noise (limited revision)

A limited revision of the TSI Noise (NOI) was given a positive opinion by the RISC in June 2010. This revision will be published in 2011, after which a new revision cycle will start. The new revision will take into account the conclusions of the studies on scope extension and merging and splitting of TSIs and the tasks as described in the current TSI Noise. An intermediate report is due for the end of 2011, with a final recommendation foreseen for the first half of 2013.

CR TSI Safety in railway tunnels (SRT) / CR TSI Accessibility for persons with reduced mobility (PRM)

The revision work for the TSI SRT and the TSI PRM will start in 2011. The new revision will take into account the conclusions of the studies on scope extension and merging and splitting of TSIs. The revision of the TSI PRM will also take into account the results of the ex-post analysis of the current TSI PRM that was launched in December 2010 as well as the four draft harmonised standards which were requested during the drafting of the first version of the TSI and which will be available to the working party. The working parties will work in close cooperation with the working party that is revising the TSI LOC&PAS and the TSI INF. A final draft is expected for the end of 2012.

TSI Infrastructure and TSI Energy, and CR TSI Locomotives and Passenger Rolling Stock and HS TSI Rolling Stock

Following the mandate on the TSI extension scope, and taking into account the results of the preliminary study on merging the CR and HS TSI, and splitting the ‘transversal’ TSIs across the structural TSIs, the Agency commenced the activity related to revision of the Conventional and High Speed TSIs for Infrastructure and Energy subsystems, as well as CR TSI for locomotives and passenger rolling stock and HS TSI for rolling stock. The 4 new Working Parties (INF, ENE, RST, DYN) have been created, and a ‘kick-off’ meeting was held in December 2010. In 2011 the work on revision of these TSIs began, with the aim of closing open points, merging the HS and CR TSIs, and extension of the TSI scope to the entire railway network of the Community. The decision on possible splitting the ‘transversal’ TSIs (SRT, PRM, NOI) is still pending, following different opinions from various entities and stakeholders, gathered within the above study.

B.3.2.4. Coordination of TSIs

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) in particular with CCMC (CEN-CENELEC Management Centre).

To ensure the exchange of information with the ESOs, the Agency attended and participated actively in 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 37 requests for development of new standards related to TSIs since 2007.

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.

Organising and facilitating the 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 feed-back of the NoBos, the Agency participated in the strategic and plenary NB-Rail meetings as well as in all the NB-Rail subsystems sub-groups.

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

Extension of scope of existing TSIs

On 29 April 2010, following a recommendation on the extension of the geographical scope of the TSIs prepared by ERA and submitted in 2009, the Commission issued the Mandate for the revision of the TSIs with a view to extending their scope to the whole rail system of the European Union. The Agency started preparation of this activity, and in July as required by the mandate, the Work Programme was submitted. The mandate includes a request to carry out a series of complementary studies. These studies, once presented and discussed in the RISC, will be an input for the process of revision of the TSIs itself. The Agency submitted to the Commission the study on merging HS and CR TSIs (point 2.2(a) of the Mandate) and on the inclusion of requirements established in the "transversal" TSIs directly into the TSIs related to different subsystems (point 2.2(b)). The studies on the definition of the border of the scope of application of the TSIs (point 2.2(c)), the pertinence of including requirements re. interchangeable spare parts in the TSIs (point 2.2(d)) and trackside part of the traction energy billing system (point 2.2(e)) were launched and are planned to be finalised in 2011.

TSI Application Guide

In 2010 the Agency revised the TSI Application Guide, the first version of which was published by the Commission in 2003. The new version, which was published at the beginning of 2011, will include a general part explaining main principles applicable for all the TSIs and specific guides for each of the TSIs drafted by the Agency.

General support on TSI implementation

The Agency provided the Commission with a number of Technical Opinions, related in most cases to implementation of the TSIs, including the opinions on the errors identified in the TSIs by various entities (mainly by Notified Bodies during the assessment activities).

B.3.2.5. Technical support to Commission in OTIF and OSJD

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 Appendices and their annexes. When requested, the Agency provided clarifications and explanations of the TSIs specificities and other related issues.

OSJD

Reports on "Analysis of the basic parameters for maintaining the technical and operational compatibility of the 1520 mm and 1435 mm gauge rail systems at the Commonwealth of Independent States (CIS) – European Union (EU) border" have so far been prepared for Infrastructure, Energy, Locomotives and Multiple Units subsystems. The report for CCS subsystem is under preparation, and the one for Passenger carriages subsystem will be started in 2011. The remainder, those for Freight wagons and Operational subsystems will commence in 2012. These reports will be available on ERA web.

The 3rd version of report on "Analysis of measures for preservation and improvement of the technical and operational compatibility of the railway system on the EU-CIS border" was prepared.

B.3.2.6. 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.

The second biennial report on the progress of railway interoperability is planned for 2011. The availability of interoperability related data in the Agency is rather limited because databases and registers are still being defined or populated. Therefore, to provide information about authorisations in 2009 and other indicators to be analysed in the report, during 2010 the Agency collected data from the NSAs.

B.3.2.7. Working conditions of staff executing safety critical tasks

Two ERA working parties were active during 2010 on this field. Both carried out work on tasks linked to the implementation of the train driver licence model according to Directive 2007/59/EC.

The working party “vocational competences/driver licence implementation” finalised its work concerning criteria for examinations/examiners involved in the assessment of train driver competences. In order to clarify them this working party also analysed the situation of three annexes of the Train Driver Directive: Annex II on the binocular vision, Annex IV on the general professional competence and Annex VI.8 on the minimum language requirements for the train drivers. The work with the annexes continues in 2011.

The second working party established in this context is the working party “accreditation of training centres”. This group prepared documents on a “system of accreditation of training centres”.

Using the results of these two working parties the Agency made “recommendation on Training centres” and another “recommendation on examiners and examinations”. These two recommendations were delivered to EC in autumn 2010.

Both recommendations were presented by the Agency to the RISC of December 2010.

In 2010, the Agency continued its work of promoting the exchange of information and cooperation of competent authorities in the implementation of the Train Driver Directive through the “Article 35 Group”.

In September 2010, the Agency delivered to the Commission its “report on the profile and tasks of other crew members performing safety-critical tasks”. This report was presented to RISC in December 2010 where most of the Member States supported the conclusions of the Agency. According to the Directive, the Commission will deliver a report in 2011 based on the conclusions of the Agency.

B.3.2.8. Peer review of authorisations for placing in service

Following the positive results of the peer reviews on safety certification, NSA Network decided to extend the peer reviews to the authorisations for placing in services. Six NSAs – Austria, France, Italy, Poland, Sweden and the United Kingdom volunteered to participate. The Agency plays a role of a facilitator in the peer reviews by providing organisational support, translation of the important documents and if necessary templates, manuals, etc.

The principle of the reviews is that 2 NSAs make a peer review of another NSA and produce a report in the end of the process. Each peer review consists of two meetings. The first Kick-off meeting aims to acquaint the participants with the legislative framework and internal regulations related to the authorisation processes, the structure of the NSAs and its competences. The second meeting – fieldwork, focuses on two or three case studies of authorisations.

In 2010, the peer reviews of NSAs Austria and Poland were conducted. The Kick-off meeting of NSA UK took place in November 2010. The NSAs participating in the reviews exchanged best practices and acquainted with the processes of the reviewed NSAs.

B.3.2.9. Databases and registers

National vehicle registers (NVR) and European centralised virtual vehicle register (ECVVR)

In March 2010 the Agency Recommendation on the update of the NVR Decision was submitted to the Commission. The main aim of this update is the establishment of the ECVVR by means of connection of the NVRs of the 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 of the NVR) in the deployment and connection to the VVR of the NVRs.

In addition, in collaboration with the NSAs/Registration Entities, the Agency prepared the ECVVR Application Guide, which has been published on the Agency website.

European Register of Authorised Types of Vehicles (ERATV)

In June 2010 the Agency Recommendation on the model of declaration of conformity to an authorised vehicle type was submitted to the Commission. This document is intended to simplify the process of authorisation for placing in service of vehicles, so that they are authorised without further checks on the basis of their conformity to type.

In December 2010 the Agency Recommendation on ERATV was submitted to the Commission. The register will include the types of vehicle authorised in the different Member States. It will be public and available on line.

Register of infrastructure

In 2009 the Working Group 'Register of Infrastructure' (RINF) started drafting the technical specification for national registers publishing information about line-side equipment. The work was focussed on selecting items from the subsystems INF, ENE and CCS following the needs of the specified purposes of the RINF. The RINF WG also prepared the procedure for interoperability assessment of existing lines not affected by investment projects.

The Agency submitted the draft specification of Register of Infrastructure to the Commission in September 2010 and presented RINF at RISC in October 2010. The Recommendation and the final draft specification of the Register of Infrastructure is to be delivered to the Commission in March 2011.

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 the Member States and Applicants such as: licences, certificates, reports, EC Declarations, authorisations for placing in service etc. The application is in English while the documents itself can be in any EU languages.

A modification of the Communication Protocol between the European Railway Agency and the competent national authorities and bodies relating to the exchange of information has been carried out in order to introduce the procedures for submitting the interoperability documents in ERADIS. This Protocol was given a positive opinion by RISC on 15th December 2010.

B.3.3. ERTMS

B.3.3.1. General approach

In 2010 the Agency strengthened its role as system authority for the ERTMS specifications, with progress in the ETCS and GSM-R 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 ERTMS: the maintenance of the current set of specifications (both for ETCS and for GSM-R), and the definition and development of the next version of the specifications for the two systems. The process is managed with the transparent and accountable principles set out in the Change Control Management procedure. In June the Agency released and published the updated version 2.0 of the CCM procedure, to incorporate the return of experience and improvements derived from the first years of use.

The database for the ERTMS Change Requests (CR) is in regular service, receiving positive feedback from the experts using it as a tool for the technical discussions on ETCS. The migration of the database application to the new IT software version has been prepared carefully in coordination with the Agency IT services. The database contains all the 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.

B.3.3.2. ETCS

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. In December the Agency released the intermediate consolidated version of the SRS and of the DMI specifications. More than 300 CRs have been analysed and implemented in the specifications, the vast majority being as a result of return of experience from the implementations in commercial service.

Within the Agency framework contract with the consortium composed of Cedex, DLR, Multitel, TIFSA and RINA, a specific contract has been signed for the development of the test cases for Baseline 3.

The Agency has used the framework contract with SNCF to derive and validate rolling stock input parameters for the ETCS braking curve algorithm, involving different railways in the carrying out of detailed computations for different types of rolling stock, in view of the consolidation of the ETCS specifications.

The ERTMS operational rules were updated to be in line with the current baseline, and reviewed by experts. It is expected to have them officially adopted as Annex A of the TSI OPE in 2011.

B.3.3.3. GSM-R

For the GSM-R specifications, in August the Agency released for comments a first draft of the classification of all the requirements in the EIRENE specifications (both SRS and FRS), with a view to identify options, solutions and implementation standards outside the scope of the TSI.

To date GSM-R has been rolled out over 65,000 km of track in Europe, but it is also being implemented outside Europe: in China, India, Australia, Saudi Arabia and Algeria.

The maintenance and development of the GSM-R specifications must be managed on a European level and in compliance with the requirements laid down by the EU Railway legislation, and also on a global level

In October the Agency signed a Memorandum of Understanding with the International Union of Railways (UIC) aimed at strengthening cooperation in the field of GSM-R Specifications

With this Memorandum of Understanding, ERA and UIC have recognised their respective roles, defining an efficient mechanism to capitalise on their complementary competences.

The Agency organised on the 5th of October the first GSM-R conference, to promote sharing of experience and reflections on the evolution of the system amid technological changes and increased demands. More than 100 delegates attended and most found the event informative and useful, asking the Agency to periodically organise such events.

B.3.3.4. TSI CCS

The revision and merging of the TSIs Control Command and Signalling for HS and CR were finalised and, at the beginning of September, the Agency submitted the draft text to consultation with social partners, with publication on the Agency website. Further comments received from MSs, NSAs and sector organisations required clarifications and improvements of the TSI text, which caused some delays with respect to the original planning.

After incorporation of comments and feedback, the final Recommendation was prepared in December (and officially sent to DG MOVE in Jan 2011). The proposal closes a certain number of long-standing open points, reduces and précises the scope of the remaining ones, improves the definition of the conformity assessment process, and identifies an additional IC for the GSM-R system.

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

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

B.3.3.5. Other activities

The Unit has continued the activity with the ad hoc working group with the Notified Bodies, under article 21a of the amended Agency Regulation, with a view to the checking of the application of the EC verification procedures.

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

The Unit has responded to the requests for Technical Opinions on matters related to the CCS TISs.

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, with 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 1st April 2008. The core of its activity is the facilitation of the simplification of the Community procedure for the authorisation of railway vehicles in the interim period before the target railway system is defined in the TSIs and all vehicles and infrastructure conform to those TSIs. This is to be achieved by maximising the exploitation of the principle of mutual recognition.

B.3.4.1. Collection of National rules for vehicle authorisation

A core 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.

Within the concept of the Reference Document are a series of National Reference Documents. Each National Reference Document references the National Rules for each of the parameters to be checked for the authorisation to place vehicles in service. It also catalogues the equivalence status of all other Member State's national rules for each parameter. (Category A=equivalent, Category C=specific to the national infrastructure and Category B=not yet reviewed)

In late 2009 the unit set about collecting these rules and, as a result of substantial efforts by the NSAs during 2010 sets of national vehicle rules had been sent to the Agency by all NSAs. The majority of these "National Reference Documents" have been "signed off" by the Ministries and are available on the Agency's web site.

B.3.4.2. Commission Decision on the Publishing and Management of the Reference Document

In parallel the Agency in early 2010 submitted to the Commission a Recommendation for the formal Commission Decision on the publishing and Maintenance of the Reference Document. The draft decision gained a positive opinion from RISC in October 2010 and came into force on 1st April 2011. This defined the contents of the Reference Document and the roles and responsibilities for its maintenance.

According to this decision the formal version of Reference Document must be in place by 1st August 2011.

B.3.4.3. The Reference Document Database (RDD)

Towards the end of 2010 the Agency commenced work on the setting up of a database to host the Reference Document. A particular benefit of a database will be the facility to select and sort the references to national rules by Member State, by parameter, by vehicle type etc. and to easily see the scope of recognised equivalence. It will also enable the easy tracking of the progress towards full classification of equivalence of the 27 Members States' rules for the 350 parameters checked for vehicle authorisation. A prototype was available at the end of 2010 for evaluation by the stakeholders and the target is for the database to "go live" in autumn 2011.

B.3.4.4. Report on Authorisation Processes

In parallel with the collection of references to national rules and in preparation for the documentation of each of the Member States national legal frameworks for vehicle authorisation in the National Reference Documents, the Agency also completed in 2010 its study of all the Member State's existing vehicle authorisation processes. The report (to be published early 2011) concludes that not only are all Member State's existing authorisation process different but also that their interpretations of the process for

authorisation mandated by the High Speed and Conventional Interoperability Directives are also different between Member States.

Furthermore, although the concept of type authorisation is widespread in Europe, the survey revealed that the concept of “type” is defined and managed differently in each Member State and that the average number of locomotives in any particular type authorisation is only 7.

The conclusion is that the existing authorisation processes used for rail sector contribute to the competitive disadvantage of the rail sector in comparison with other transport modes and that there is still much to be done by the Member States to migrate to a common approach as described in the recast Interoperability Directive.

B.3.4.5. A common understanding of the authorisation process

The emerging results of the Agency survey on vehicle authorisation combined with representations from stakeholders and observed inconsistencies of approach and interpretations within the Agency led to the decision to draft a “common understanding” of the process of authorisation of vehicles and subsystems described in the recast interoperability directive, firstly to ensure consistency of approach within the Agency and then to facilitate consistency more widely among the Member States.

The “common understanding” (known as document DV29) was developed by a cross-unit team within the Agency and after unanimous support from RISC in October 2010, in March 2011 was adopted as a formal Commission recommendation 2011/217/EU. It is envisaged that, by taking the Recommendation into account in their implementing regulation for the recast Interoperability Directive, the Member States have the opportunity to adopt a much simpler and more consistent approach to vehicle authorisation than would otherwise have been the case.

B.3.4.6. Difficult Interfaces

Within the Agency Study on vehicle authorisation and the Cross Acceptance working party, a number of “difficult interfaces” or cost drivers for authorisation have been identified. These include vehicle-track dynamics and vehicle–network Electro-Magnetic Compatibility; subjects upon which the Agency commissioned studies in 2009/2010. The results of these studies will help to evaluate equivalence between the national rules covering these interfaces and help to close the “open points” in the TSIs

B.3.4.7. National Technical Rules & NOTIF-IT Database

On 1st June 2010 the Commission placed its database of Notified National Rules (NOTIF-IT) into service. As the “custodian” of the Agency’s activities on National Technical rules, the Cross-Acceptance Unit working in partnership with the Safety Unit was heavily involved in assisting the Commission in the specification and setting up of the part of the database hosting National Technical Rules. The Agency also carried out a series of training courses with the relevant users of NOTIF-IT on behalf of the Commission.

Going forward into 2011 the Agency will be working with the Commission to put in place a link between the Reference Document Database and NOTIF-IT to allow single data entry of National Technical Rules used for vehicle authorisation and to enable the Member States to ensure consistency between rules notified as National Technical Rules and the rules applied for vehicle authorisation contained within the National Reference Documents.

B.3.4.8. Technical Opinions

The unit has been extensively involved in the Technical opinions relating to national technical rules provided by the Agency in 2010, taking at the end of the year the coordinating role in the Technical Opinion on the vehicle authorisation rules for the Channel Tunnel.

B.3.4.9. Research

The Agency continues to increase its interest in railway research and during 2010 increased its involvement with the European bodies involved in research in particular DG RTD, the European Rail Research Advisory Council (ERRAC) and the European Network of Excellence for Railway Research (EURNEX).

A new development for 2010 was the involvement and Chairmanship by the Agency of the Advisory Board for the Trio Train research project. The objective of such Advisory Boards is to improve the communication between the research projects dealing with issues relevant to the bodies involved with technical specifications (ERA, Standardisation Bodies and NSAs) and those bodies. The Trio Train project is carrying out research into issues which are TSI "open points" and obstacles to mutual recognition of national rules namely modelling of pantograph-overhead line interaction, vehicle-track dynamics and aerodynamics.

In 2010 the Agency participated in 4 research Advisory Boards.

B.3.4.10. Network of Representative Bodies

The Cross Acceptance Unit acts as the co-ordinator for the Network of Representative Bodies which met 5 times in 2010.

The NRB provides a tool of dialogue, consultation and exchange of information between the Agency and the Representative Bodies of the railway sector to improve collaboration, coordination, and communication. Its focus is to take an overview of the development of, and progress with the Agency's Work Programme.

The NRB is also dedicated to the handling of sensitive issues of a "system integration" nature which have significant impact for the sector organisations and which cannot be solved within Agency Working Parties.

2010 was the first year of operation of the NRB and its structure and content continues to positively evolve. Where relevant, "best practice" and "lessons learned" from the long established, but still evolving, NSA Network are being adopted for the NRB and a joint meeting is envisaged for 2011.

B.3.5. Economic Evaluation

B.3.5.1. Evaluation of recommendations

2010 was a tense year, with an increasing workload and overall increased financial resources, but envisaged staffing being delayed or cancelled (establishment plan for the unit was reduced to seven, instead of eight in the Work Programme, and that headcount was reached by mid-2010). Obviously, improved efficiency of ERA works in general, and Economic Evaluation in particular, is the only viable response.

The Economic Evaluation unit further published the delivery schedules for the various deliverables, among which six "applied methodologies" and five impact assessment reports. Deliveries were timely enough to serve the decision-making process, but delays (up to five months) with respect to the ERA-internal schedule clearly show the necessity to focus impact assessment on most economically relevant issues.

As in previous years, acceptance of methodologies and of the reports was generally good, and more formal feedback from Sector Organisations and NSAs was gathered through several feedback questionnaires. These showed that the problem statement and data gathering parts have reached a good level of maturity, while the choice and valuation of solutions or options was somewhat less convincing. This has triggered methodological evolutions further detailed below.

The focus of economic evaluation activities shifted from the impact of technical harmonization (resulting from the now complete set of TSIs) to the impact of applying the legislation itself. Key aspects were the costs of placing vehicles into service, where the Economic Evaluation unit, in cooperation with the Cross Acceptance unit, identified the technical "cost drivers" and the cost of authorisation processes. Furthermore, the study about merging and splitting of TSIs (that would effectively result in a reduction of the count of legal documents) helped to reveal the very costs of decision making – another input to smart regulation.

B.3.5.2. Evaluation of projects

In these matters, the Agency acts only upon request from the Commission. Two members of the Economic Evaluation unit were invited to participate in two different workgroups contributing to the revision of the TEN-T policy (autumn 2009 - spring 2010). One further member participated in the TEN-T mid-term project review.

Methodology, supporting tasks

B.3.5.3. Enlarging the perspective

Two significant contracts were signed in 2010. A framework contract (cascade type) has been set up, to assist the Economic Evaluation unit in works related to the extension of the scope of TSIs. The first task order, dedicated to the ex post assessment of the PRM TSI or similar national regulations, was also placed. Though fairly recent, the PRM TSI has to be revised before the end of 2012, with possible extension of the scope, and also to keep pace with evolving (non-railway specific) legislation. The stakes are therefore high, both from an economic and a societal point of view. The work is expected to be delivered in 2011, and is thought as an input to the future Working Party in charge of the TSI revision. More generally, the systematic ex post assessment of selected pieces of secondary legislation (TSIs, CSMs...) is now considered to become an integral part of Economic Evaluation works in the Agency.

Regarding safety, the Economic Evaluation unit further contributed to works undertaken by the Safety unit regarding the decision-making process steering safety-related recommendations. In order to prepare the determination of future sets of Common Safety Targets and the corresponding impact assessment, the Economic Evaluation unit launched a retrospective study concerning the observed evolution of railway system safety and its underlying causes. Purpose is to highlight the most important governing factors, including especially human factors (management, recruitment, training, etc.) that are not often at the heart of technical debates in Working Parties, with some notable exceptions. More generally, it is felt that decision-making in safety matters should benefit from both empirical evidence and systematic analysis. The results of the study shall be delivered in 2011.

B.3.5.4. IT systems related to economic evaluation

Given the increased importance and complexity of IT applications for operational purposes, one significant step was the decision (made in 2009) to recruit an IT analyst, to assist users in defining their needs, to closely monitor the execution of contracted development, and more generally to participate in the IT product lifecycle with the owner's interests in mind. The corresponding position was filled by mid-2010. The achievements were the re-scheduling of the DREAM project and the purchase of a GIS (Geographic Information System). The activities were also expanded to the ERA Enterprise Content Management system (comprising, inter alia, the document management system).

DREAM (Database for Railway Economic Assessment Management) is a project that started in mid-2008. Its purpose is to promote consistent, readable and re-usable economic impact assessments. The System Requirement Specifications were defined in 2009, but the development came to a halt following re-allocation of resources. It has been re-scheduled with deliveries expected in 2011 ("computable" database describing the EU railway system economics) and 2012 (sharing the database over extranet).

The purchase of a GIS license (software and maps) is the response to several needs expressed by other operational units, e.g. interoperability (infrastructure registers, or revision of TSIs with strong geographic components such as PRM), safety (cartography of accidents and incidents), ERTMS (deployment plans, scope extension...). Its gradual implementation will take place in 2011.

B.3.5.5. 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 specialized 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 from UK institutions).

The plenary meetings were re-structured at the end of 2009, in such way as 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 which they are most interested in, or to which they are expecting to contribute actively.

B.3.5.6. Methodology

A formal revision of the general methodology for impact assessment was scheduled for 2010, but had to be deferred to 2011 for the budgetary reasons evoked above. Most useful scope for improvement is qualitative methods or multi-criteria analysis (owing to the scarcity of tangible economic data), and semi-quantitative analysis (to the order of magnitude) for impact assessments to be made at early stages of the development of recommendations.

Part C - Internal Control

During 2010 the Agency continued the development and consolidation of its internal control system.

The internal auditor and quality officer have been working in full synergy with the ultimate aim of enhancing the management system of the Agency.

This objective was pursued through risk-based reviews of the internal control system and advice and support in establishing a quality management system based on the principles of *Total Quality Management*.

In 2010, a review on payment performance and an assessment of the internal control standards were carried out. Risk management support was also provided to the management in the framework of the annual risk assessment.

As regards quality developments at the Agency, during 2010 a Quality Steering Committee was set out and started to devise a viable road map towards quality for ERA. The adherence to a total quality management approach aiming at improving the capacity of the Agency in creating value for its stakeholders was the main driver of the quality project. The quality project should also contribute to the effective achievement of the 'One agency' approach by promoting the continuous improvement culture among Agency's staff.

During 2010 the Agency continued to implement the corrective actions stemming from audit reports as per Action Plans

Part D - Administrative and Support Services

Administration Unit

The foreseen consolidation of the administrative functions took place in 2010 with, as described below, emphasis on continued improvements of the existing services and tools..

In addition, the Unit was increasingly involved in a number of activities of more strategic importance for the future of the Agency. Thus the Unit was heavily involved in the development and support for a so-called 'One agency' approach through for example the senior management coaching initiative and the establishment of a proper IT governance structure. In addition, the business planning and budget structure was reviewed in 2010 with a view to introducing activity based planning from 2012. 2010 also marked an increased engagement by the Agency in the different inter-agency networks.

D.1. Human Resources

In the course of 2010, ERA recruited 26 Temporary Agents and four SNEs. In addition, following their participation in open selection procedures, five Temporary Agents already working at the Agency were offered new posts. Six Temporary Agents left the Agency in 2010.

At the end of 2010, 133 Temporary Agents, nine Contract Agents and six Seconded National Experts were working at the Agency. Most of the remaining six open positions of the 2010 Establishment Plan are cases where the Temporary Agents were already selected in 2010 but are in the process of taking up post in 2011.

A structured five-month remunerated traineeship scheme was elaborated and approved and as of October 2009 the Agency has started welcoming trainees. 6 trainees were welcomed in the Agency in 2010, and 6 are selected for the first semester of 2011.

Six different Implementing Rules designed to give effect to the Staff Regulations are currently either in the process of being adopted (Guide to Missions, Temporary occupation of Management Posts, Setting up of the Staff Committee) or have been approved by the Commission (ERA policy on preventing psychological and sexual harassment, the use of Contract Agents at ERA, Decision on Middle Management staff). ERA has now adopted 78% of the existing Implementing Rules.

Work is continuing in developing a coherent policy on contract renewal, contract length and internal mobility.

The third appraisal cycle was successfully completed in 2010. 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 the newly appointed Head of Sectors were asked to follow the related CDR training course at the Commission. Upon completion of the appraisal procedure 18 meritorious staff members were nominated and, in the course of 2010, 17 of these were 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 2010 training plan was drawn up and has served as a basis for the organization and delivery of the 2010 training courses and initiatives. Amongst the most significant, the following deserve being mentioned: Management training and coaching, railway training (ESTACA, ETCR), Communication skills and EU Decision making. In addition other courses aimed at re-enforcing soft skills (e.g. time management, assertiveness, communication and HR relations in a multi-cultural context) were organised. Language training represented a prominent part (60 %) of training time for staff working at ERA. Courses organised covered the following languages French, German, Spanish, Italian and Dutch.

Internal trainers have been encouraged to deliver information and training, enhancing cross-unit communication, on matters such as finance, procurement, and HR matters. A new initiative of organizing "lunch conferences" on topics of general interest, presented by internal staff, has encountered great success: seven lunch conferences were organized in 2010, bringing together an average of 35 staff members per session. In addition, 32 newcomers followed the structured induction sessions organised in-house aimed at speeding up integration and maximising performance

Following a negotiated tender procedure in the late spring 2009, a coaching programme for the members of the senior management team (Executive Director and Heads of Unit) was initiated in the autumn 2009 with a view to strengthening the senior management team cohesiveness and effectiveness and continued

throughout 2010. Due to the success of this initial coaching exercise it was decided to launch an open tender procedure in the autumn of 2010. Six proposals were submitted and evaluated and the new contract will start spring 2011. The benefits of coaching will be extended to unit management teams.

Social dialogue was maintained throughout the year by regular meetings between the Head of Administration and the Staff Committee. In the autumn of 2010, elections for a new staff committee were held.

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

The execution of the 2010 budget was good: 99% of appropriations were committed and 77 % have been used for payments. This result has been achieved in part thanks to the improved monitoring of the budget made possible through the recruitment of a budget officer. The monthly reports provided to the Management have been improved and now provide more indicators at the level of the budget execution, processing times and procurement planning.

As regards the procurement activities, 21 procedures (negotiated and open) were launched in 2010 and 12 were completed in 2010; the others will be completed in the course of 2011. Due to technical problems, the ABAC Contract module was not extensively used in 2010. These difficulties are now overcome and the module will be fully used in 2011. This will help the Agency to improve its management of contracts.

After the implementation of the ABAC system in 2009, the Agency updated its Manual for Financial procedures according to the use of the modules ABAC Workflow and ABAC Assets. In 2010, the Agency has also introduced the new information system for managing the missions of its staff (so called MiMa, for Mission Management).

At the same time, the validation of the local systems was carried out by the Accounting Officer. With the introduction of ABAC Assets, a proper physical inventory has been made and the accounts are now almost reconciled. The Accounting Officer has implemented a centralised registration of invoices and a weekly monitoring of the payment delays has been introduced.

The Agency has also implemented a new workflow model for low value payments (less than 1.000 €) where the financial verification function is carried out by the Delegated Authorising Officer. In order to give assurance to the Delegated Authorising Officer, an *ex post* verification has been put in place based on sampling.

With these different improvements, the Agency has been able to decrease drastically its payment delays. At the end of the year, 95 % of the invoices were paid within the foreseen deadlines. The Agency needs to further improve its procedures as regards the reimbursement of missions of its staff and of experts. For the latter, the Agency is missing an information system and is exploring whether a system used elsewhere can be made available or will have to be developed.

D.3. Information Technology

In order to improve the IT governance the ERA IT Governing Committee (EIGC) was established in 2010 with the remit, amongst other things, to decide on key strategic IT issues and policies and supervise the execution of the IT programme. The Committee is supported by the IT Project Management Office (PMO).

The fleet of personal computing equipment was renewed, adopting the concept of desktop replacement. This choice is considered strategic, in terms of business continuity, assigning to each staff member a laptop.

The system hosting the ERTMS Change Request Management Tool was migrated into a newer version and its use was extended to the Technical Specification for Interoperability of the Telematics Applications for Passenger Services (TAP TSI) of the Interoperability Unit.

ERA ICT services supported the operations of the European Railway Agency Database of Interoperability and Safety (ERADIS) and the European Central Vehicle Register systems, while in parallel additional development was carried out.

In 2010 also a Geographical Information System to support the activities of the Economic Evaluation Unit was acquired.

The consolidation, upgrade and update of the ICT systems powering core services progressed. No critical incidents were reported.

The ERA intranet services were made available when users are offsite, while assuring the required access control. The migration of the environment hosting the ERA extranet and intranet was completed.

During its first full year of work in 2010, the Service Desk proved to be efficient and effective in supporting ERA's internal and external users.

D.4. Premises and facilities

Following the relocation of the Agency into the new headquarters in Valenciennes, additional actions in terms of improvement of services were taken (namely building guarded on a 24/7 basis, cleaning services, building maintenance). Taking into account the planned growth of ERA staff a specific in-house study was launched, in order to determine the possibilities of increasing the capacity of the building.

As no progress was made regarding the conclusion of a seat agreement with the host state the lease for the building was renewed for one year only in 2010.

The planned initiative to improve the audio-visual equipment for the meeting facilities at the Valenciennes and Lille premises was postponed to 2011, enabling the Agency to join an inter-institutional procurement procedure allowing a better economy of scale.

Part E - List of Annexes

E.1. Annex 1a: Composition of the Administrative Board 2009-2014

I. MEMBER STATES

MEMBER STATE	MEMBER OF THE ADMINISTRATIVE BOARD	ALTERNATE
AUSTRIA	Mr Wolfgang CATHARIN	Mr Klaus GSTETTENBAUER
BELGIUM	Ms Carole COUNE	Mr Joannes PEETERS
BULGARIA	Mr Veselin VASILEV	Mrs Petya HRISTOVA
CYPRUS	Mr Alecos MICHAELIDES	Mrs Elpida EPAMINONDA
CZECH REPUBLIC	Mr Jindřich KUŠNÍR	Mr Kamil PRAVDÍK
DENMARK	Mr Jesper RASMUSSEN	Mr Knud ELM-LARSEN
ESTONIA	Mr Raigo UUKKIVI	Mr Indrek LAINEVEER
FINLAND	Mr Yrjö MÄKELÄ	Mr Hannu PENNANEN
FRANCE	Mr Patrick VIEU	Mr François DAVENNE
GERMANY	Mr Michael HARTING, Chair	Mr Ralf SCHWEINSBERG
GREECE	Mr Triantafyllos PAPATRIANTAFYLLOU	Mr Konstantinos PITSAS
HUNGARY	Mr. Gábor RÁCZ	Mr. Daniel SCHÜTZENHOFFER
IRELAND	Mr Mary MOLLOY	Ms Caitriona KEENAHAN
ITALY	Mr Massimo PROVINCIALI	Mr Pier Luigi NAVONE
LATVIA	Mr Jánis EIDUKS	Mr Andris DUNSKIS
LITHUANIA	Mr Robertas ŠERĖNAS	Mr Antanas DUBIKAITIS
LUXEMBOURG	Mr Jeannot POEKER	Mrs Myriam SCHAACK-RECKEN
MALTA	Mr Joseph TONG	Mr Fabian GALEA
NETHERLANDS	Mr Hinne J.Y. GROOT	Mr Paul T. GELTON
POLAND	Mr Krzysztof BANASZEK	Mr Piotr CUKIERSKI
PORTUGAL	Mr António CRISÓSTOMO TEIXEIRA	Mr José ARANHA ANTUNES
ROMANIA	Mr Claudiu DUMITRESCU	Mr Dinu DRĂGAN
SLOVAKIA	Mr Vladimír Jozef DLHOPOLCEK	Mr Miroslav DORCAK
SLOVENIA	Mr Ljubo ŽERAK	Mrs Breda KRIŽNAR
SPAIN	Mr Francisco Javier SÁNCHEZ AYALA	Mr Manuel NIÑO GONZÁLEZ
SWEDEN	Mr Rune LINDBERG	Mr Carl SILFVERSWÄRD
UNITED KINGDOM	Mr Chris CARR	Mr Chris ANGELL

II. EUROPEAN ECONOMIC AREA (EEA)

MEMBER STATE	MEMBER OF THE ADMINISTRATION BOARD	ALTERNATE
NORWAY	Mr Erik Ø. JOHNSEN	Mr Øystein RAVIK
ICELAND	-	-

III. EUROPEAN COMMISSION

DIRECTORATE GENERAL	FUNCTION/MEMBER OF THE ADMINISTRATIVE BOARD	ALTERNATE
TREN	<p>DEPUTY DIRECTOR-GENERAL COORDINATION OF TRANSPORT POLICY IN THE FIELD OF LAND TRANSPORT, AIR TRANSPORT AND MARITIME TRANSPORT</p> <p>Mr Zoltan KAZATSAY</p>	<p>DIRECTOR MANAGEMENT OF HUMAN AND FINANCIAL RESOURCES</p> <p>Mr Augusto BONUCCI</p>
TREN	<p>DIRECTOR INLAND TRANSPORT POLICY INCLUDING THE DEVELOPMENT OF THE INTERNAL RAILWAY MARKET</p> <p>Mr Enrico GRILLO PASQUARELLI</p>	<p>ADMINISTRATOR INTEROPERABILITY AND SAFETY IN THE RAILWAY UNIT</p> <p>Mr Patrizio GRILLO</p>
TREN	<p>ACTING DIRECTOR POLICY DEVELOPMENT FOR THE TRANSEUROPEAN TRANSPORT NETWORK</p> <p>Mr Jean-Eric PAQUET</p>	<p>HEAD OF UNIT RAIL POLICY INCLUDING MARKET OPENING AND TECHNICAL HARMONIZATION AND THE RELATIONS WITH THE ERA</p> <p>Mr Maurizio CASTELLETTI</p>
ENTR	<p>DIRECTOR CHEMICALS, METALS, MECHANICAL, ELECTRICAL AND CONSTRUCTION INDUSTRIES; RAW MATERIALS</p> <p>Mr Gwenole COZIGOU</p>	<p>ADMINISTRATOR RAILWAY INDUSTRY</p> <p>Mr Jean-Jacques WOELDGEN</p>

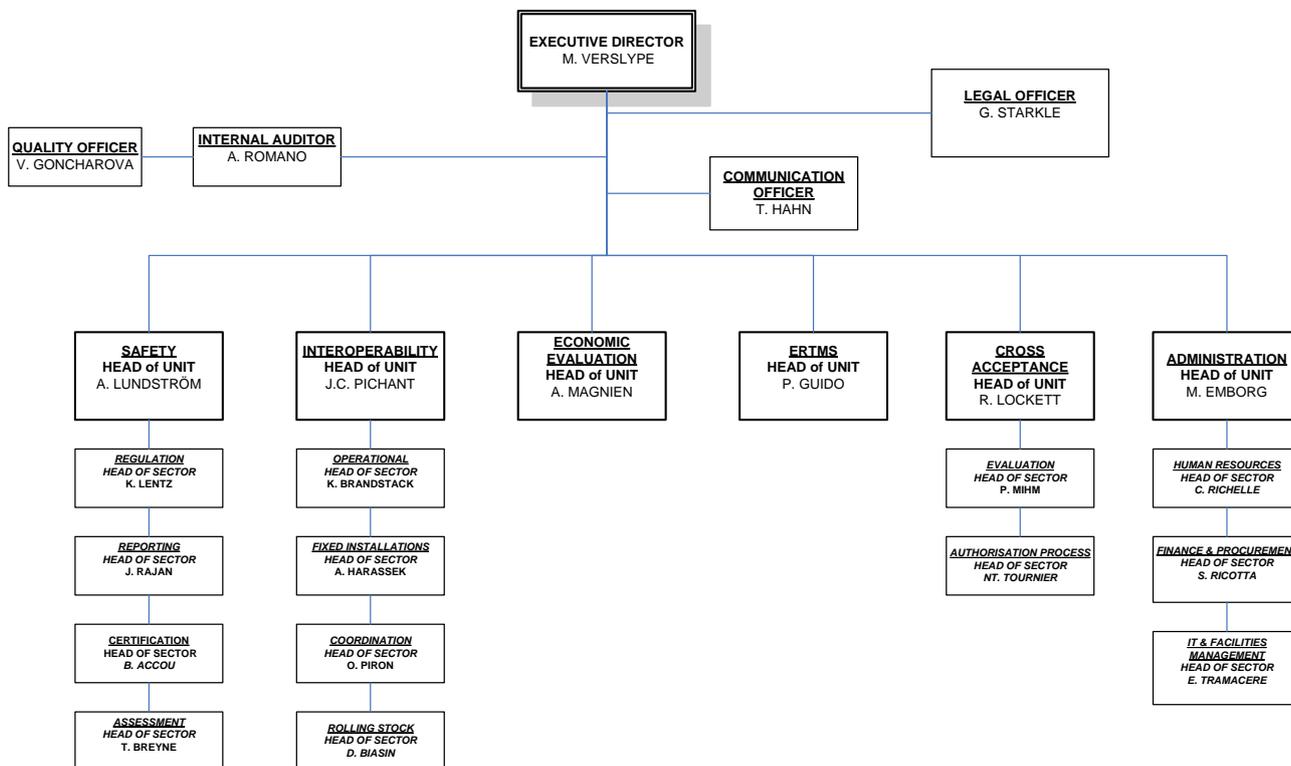
IV. REPRESENTATIVES OF THE RAIL SECTOR

GROUPS	MEMBER	ALTERNATE
RAILWAY UNDERTAKINGS	Mr Jacques DAMAS	Mr Martin HENKE
INFRASTRUCTURE MANAGERS	To be appointed	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, Vice-Chair	Mr Heiner ROGGE

E.2. Annex 1b: Composition of the Sub-Committee 2009-2014

MEMBER STATE	MEMBER OF THE SUB-COMMITTEE
FRANCE	Mr François DAVENNE
GERMANY	Mr Michael HARTING
NETHERLANDS	Mr Paul T. GELTON
UNITED KINGDOM	Mr Christopher IRWIN, Chair
EUROPEAN COMMISSION	
	Mr Augusto BONUCCI
	Mr Maurizio CASTELLETTI

E.3. Annex 2: ERA Organisational Chart



E.4. Annex 3: Declaration of Assurance by the Authorising officer

I, 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 2010 gives a true and fair view¹;

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;

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 Agency.

Valenciennes,

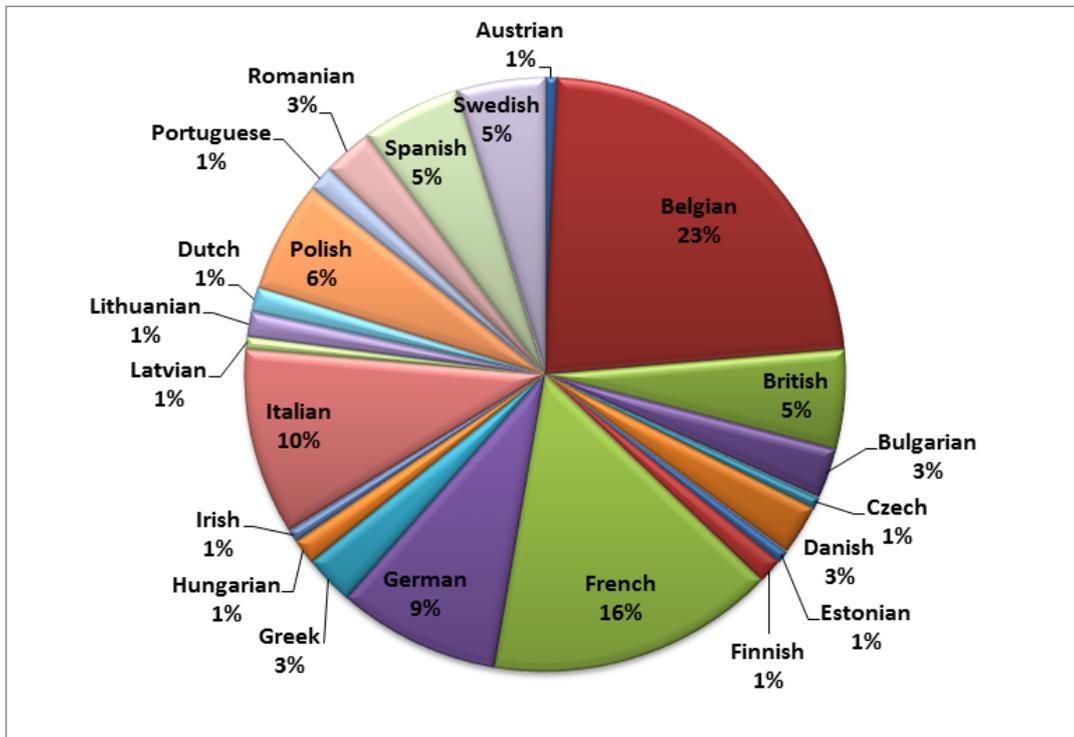
Marcel Verslype

¹ True and fair in this context means reliable, complete and correct view on the state of affairs in the Agency.

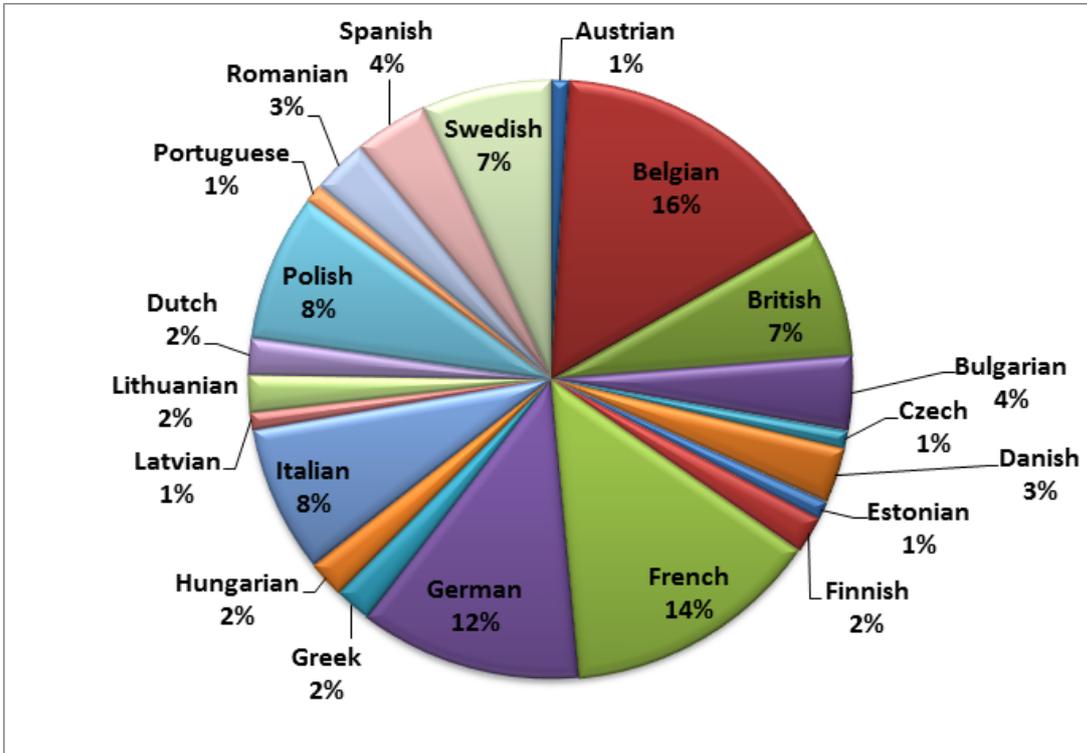
E.5. Annex 4: Staff Composition 2010

E.5.1. Split of nationalities within ERA

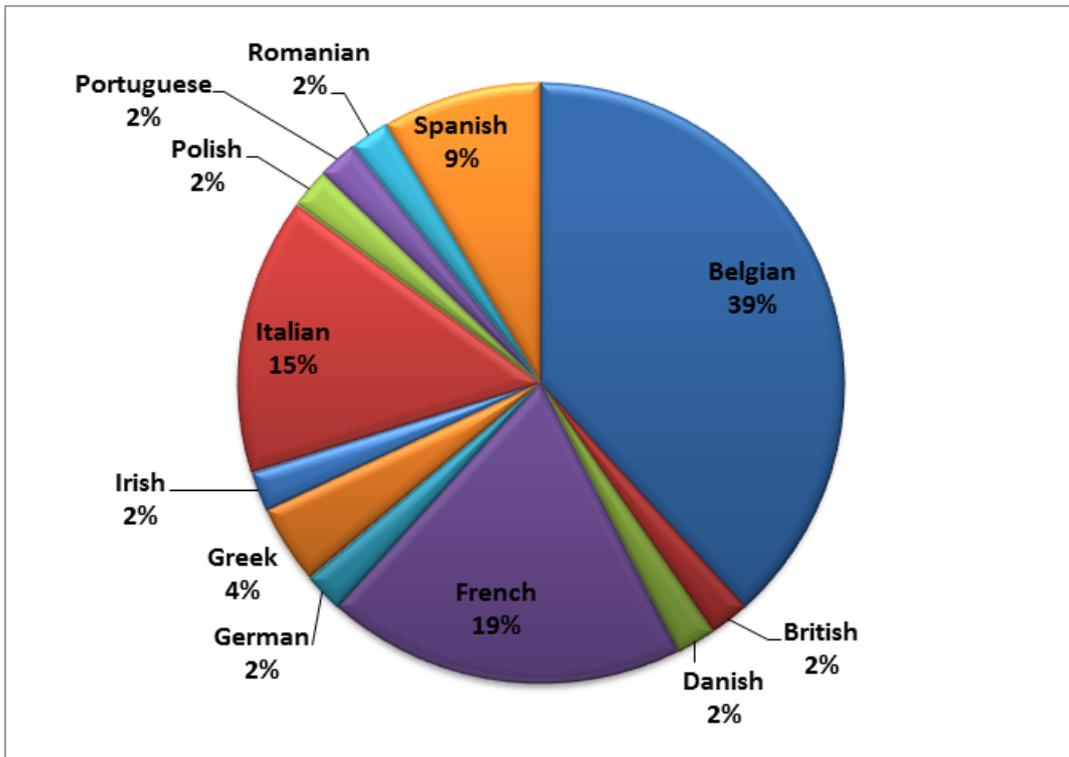
E.5.1.1. All Staff (22 nationalities)



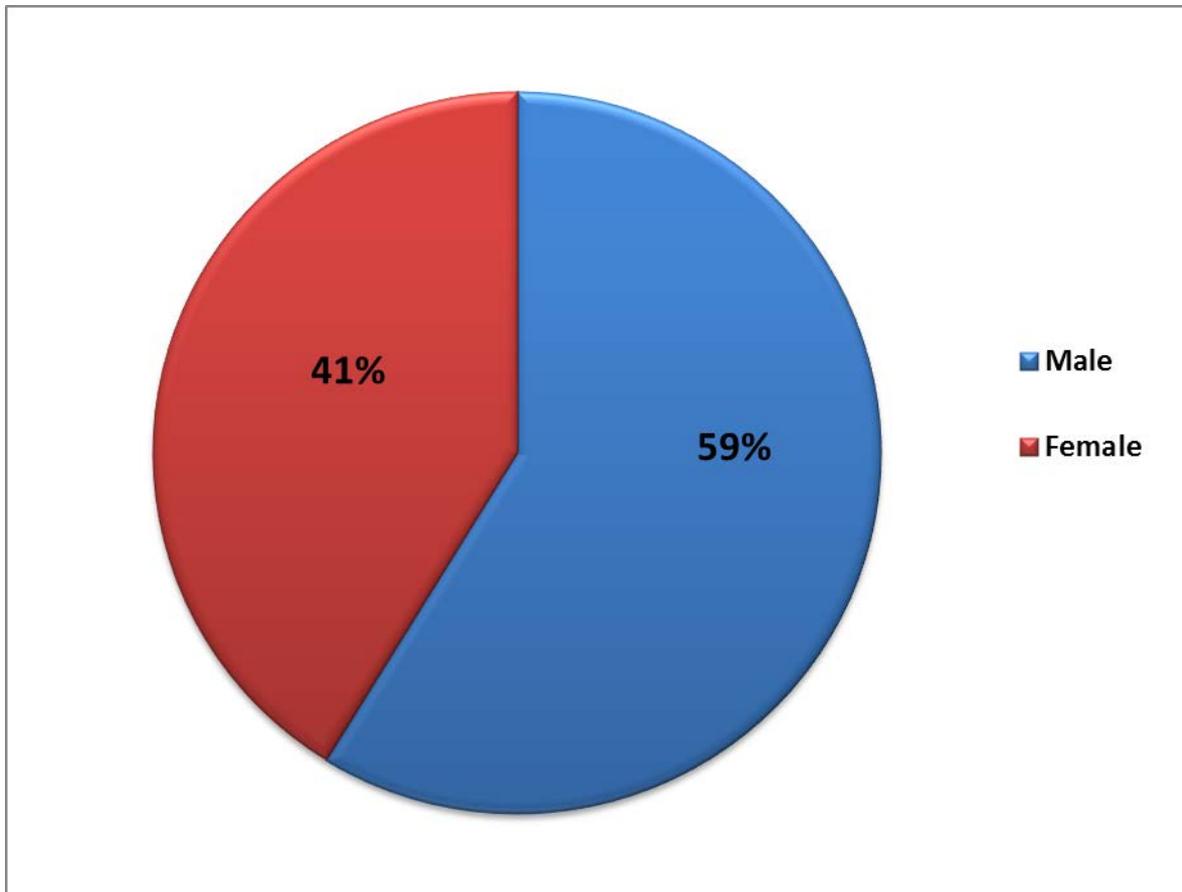
E.5.1.2. Operational staff (21 nationalities)



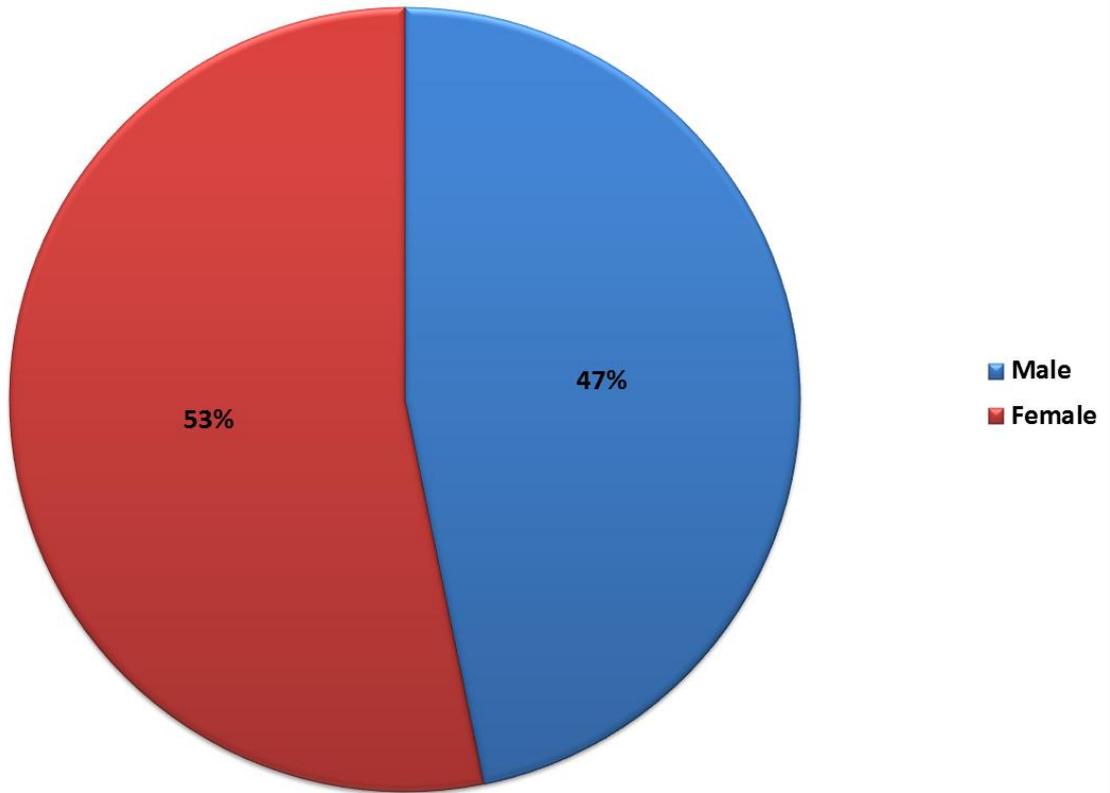
E.5.1.3. Administration staff (12 nationalities)



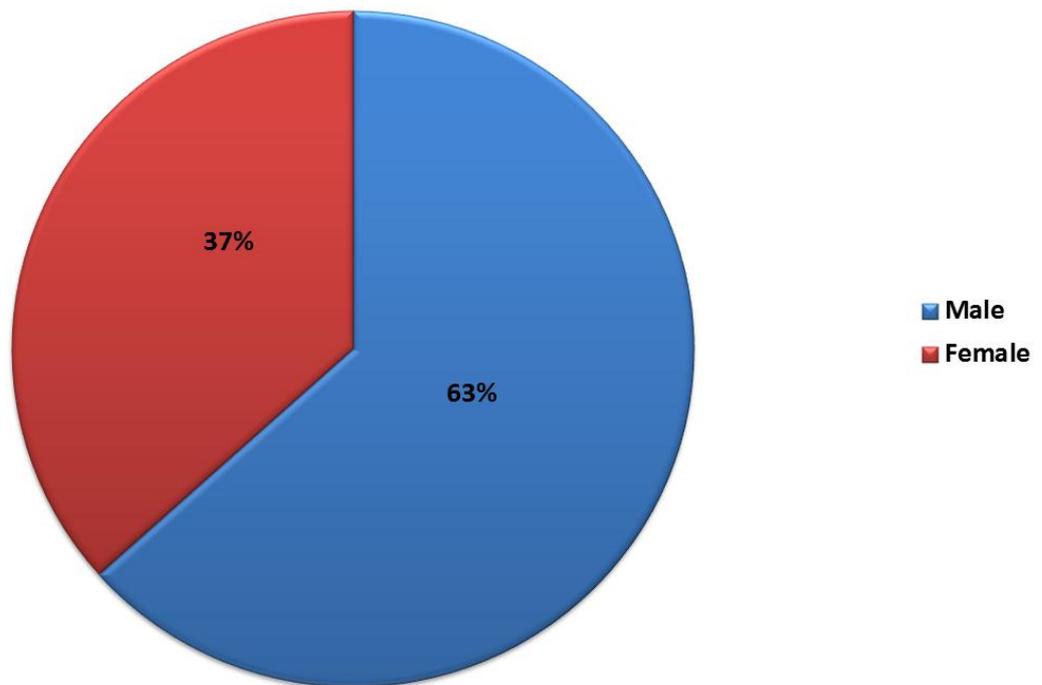
4.2 Gender Balance



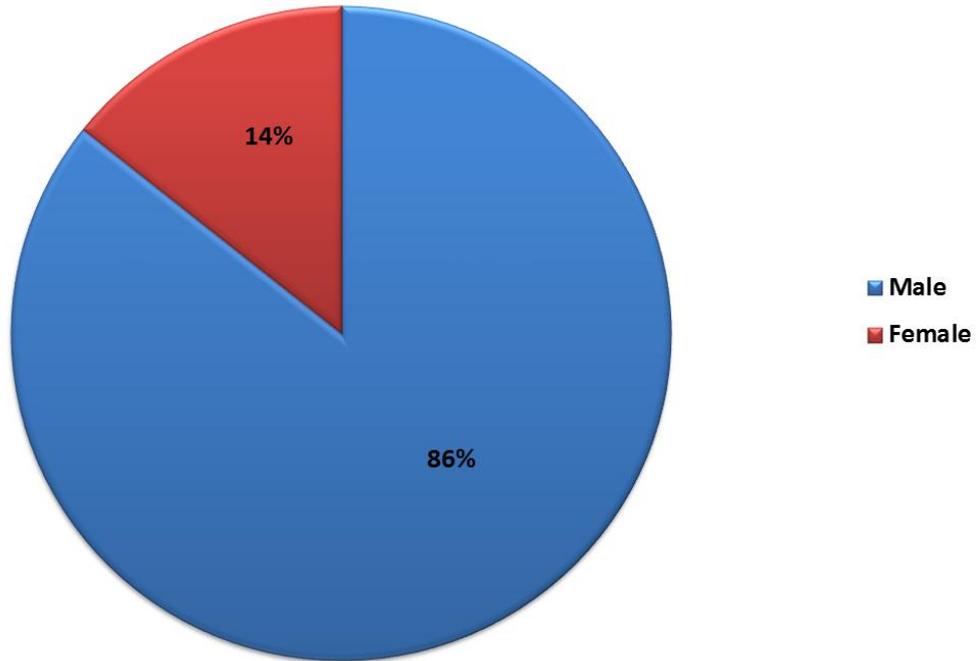
Gender: Administration



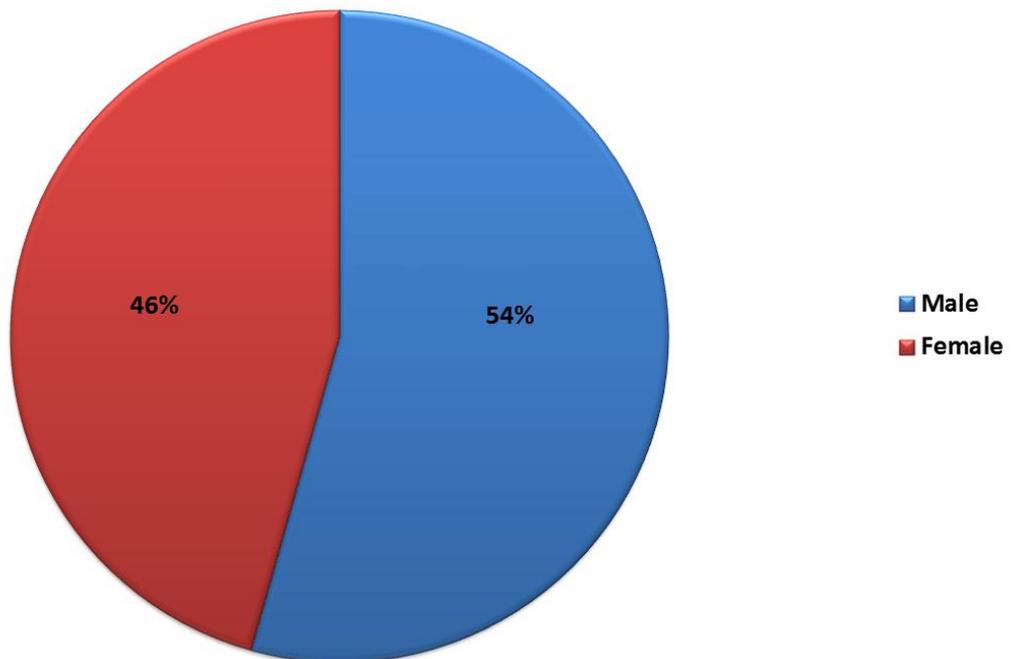
Gender: Operational



Gender: management (incl Heads of Sector)



Gender: non-management



E.6. Annex 5: Financial reports 2010

Table 1- Budget execution

2010	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

(values in €)

Table 2a: Negotiated Procedures

Contracts: 25 000 € < Contracts ≤ 60.000 €

- Count: 3
- Total Amount: 161850€

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

Number	Contractor(s)		Type of contract	Description	Amount (€)	Legal base
	Name	Address				
ERA/2009/ECO NEVAL/DC-01	UIC-International Union of Railways	16, Rue Jean Rey 75015 PARIS France	Services	Serial 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€	Art 129IR
ERA/2009/SA F/NP 01	Det Norske Veritas Ltd	Palace house 3, Cathedral Street SE19DE London UK	Services	The subject of the Contract is an insight study about the types of RAC which are used in different industrial sectors	51 950€	Art 129IR
ERA/2008/SAF /NP 02	University of Glasgow	University Avenue G12 8QQ Glasgow UK	Services	The subject of the Contract is an insight study which shall 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€	Art 129IR

Table 2b : Summary of Procedures

**(Excluding real estate contracts
and contracts ≤ 25 000 €)**

Type of contract	Count	Amount (€)
Supply	0	0
Services	16	5 008 417€
Works	0	0
TOTAL	16	5 008 417€

Procedures	Count	Amount (€)
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)		Type of contract	Description	Amount (€)	Legal base
	Name	Address				
N/A	Communauté d'agglomération de Valenciennes Métropole	Hôpital du Hainaut, 2 Place de l'Hôpital Général BP 60227 59305 Valenciennes Cedex	Building contract	Lease Contract of ERA's new building located 120 rue Marc Lefrancq – 59300 Valenciennes	416 000€	Art 126 (h) IR

Table 4: Economic Outturn Account (provisional accounts)

ECONOMIC OUTTURN 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
Title 1&2	15.800.000,00	12.262.494,00
Title 3	5.200.000,00	4.713.000,00
To be reimbursed (Budget outturn)	-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>	<i>-11.974.455,33</i>	<i>-10.550.881,87</i>
<i>Fixed assets related expenses</i>	<i>-351.188,21</i>	<i>-187.800,35</i>
<i>Other administrative expenses</i>	<i>-3.745.474,45</i>	<i>-1.951.468,36</i>
Operational expenses	-3.746.628,59	-2.926.230,66
<i>Other operational expenses</i>	<i>-3.746.628,59</i>	<i>-2.926.230,66</i>
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		
LT 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 LT liabilities with consolidated EC entities		
.....Prefinancing received from consolidated EC entities		
.....Other LT liabilities from consolidated EC entities		
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
Accrued charges	1.295.509,99	1.169.978,54
Deferred income		
Deferrals and accruals with consolidated EC entities	54.931,25	
Accounts payable with consolidated EC entities	948.007,60	386.002,30
.....Prefinancing received from consolidated EC entities	928.540,49	214.951,59
.....Other accounts payable against consolidated EC entities	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 outturn (provisional accounts)

Budget outturn account

	2009	2008
Revenue		
Commission subsidy DG TREN	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
Outturn 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 outturn account for the financial year	928 540,49	214 951,59

E.7. Annex 6: Delivery of the Work Programme 2010