

## DECISION n° 276

### *of the Management Board of the European Union Agency for Railways amending MB Decision n° 267 establishing procedures for decision-making in relation to ensure business continuity during COVID-19 pandemic crisis for higher management*

#### **THE MANAGEMENT BOARD OF THE EUROPEAN UNION AGENCY FOR RAILWAYS,**

Having regard to Regulation (EU) 2016/796 of the European Parliament and of the Council of 11 May 2016 on the European Union Agency for Railways (hereinafter referred to as “the Agency”) and repealing Regulation (EC) No 881/2004 (hereinafter referred to as “Regulation (EU) 2016/796”), and in particular Article and 51(1) (d) thereof,

Having regard to DECISION n°258 of the Management Board of the European Union Agency for Railways establishing procedures for decision-making by the Executive Director in relation to authorisations for placing vehicles on the market, single safety certificates, and ERTMS track-side approvals - repealing MB Decisions n°194, n°209, n°219 and n°234, dated 22 March 2021 (hereafter Decision n°258);

Having regard to DECISION n° 267 of the Management Board of the European Union Agency for Railways establishing procedures for decision-making in relation to ensure business continuity during COVID-19 pandemic crisis for higher management, and in particular Article 1 (1) and 2 (1) thereof;

Whereas:

- 1) *There is an evident need to guarantee that business continuity in case of unplanned absence of the Executive Director is ensured not only for decisions on authorisations, certifications, and approvals but also for all kind of decisions and duties relating to the Agency activities and its day-to-day functioning;*
- 2) *As business continuity is particularly at stake during the current pandemic COVID-19 and sanitary crisis, it is appropriate to provide a back-up plan and delegation of powers in case there is an unexpected unavailability of the Executive Director who will have to be replaced by other Agency management staff,*
- 3) *Considering that a specific set-up of the delegations related to decisions on approvals has been introduced by Decision n° 258 of the Management Board, it is both efficient and suitable to keep the same arrangements for all other decisions and duties relating to the Executive Director’s post;*
- 4) *For efficiency reasons, the names of the staff members have been deleted and only the functions are kept in this decision;*
- 5) *In light of the ongoing pandemic situation, it would be beneficial to extend the validity of the decision until the end of 2022.*

**HAS DECIDED AS FOLLOWS:*****Article 1- Delegations of Powers***

1. During any period where the Executive Director is unable to execute his functions, all types of decisions and duties relating to the Agency activities, as well as all tasks which concern the everyday functioning of the Agency and are not mentioned in specific delegations acted in other decisions namely Decision n°258 and were ensured by him shall be performed by the following persons:

- › *the Head of Executive Office and Communication Unit, or in his/her absence*
- › *the Head of the Planning and Approvals Delivery Unit, or in his/her absence and the absence of the Head of Executive Office and Communication Unit*
- › *the Head of Railway System Department.*

2. The persons mentioned under the paragraph 1 shall be accountable to the Management Board during the time they perform the duties mentioned under the same paragraph.

***Article 2– Entry into force and validity***

1. The present decision shall enter into force on the date following that of its adoption. It shall be published on the Agency's website.

2. This decision shall apply for the duration of COVID-19 measures applicable until at least the end of 2022.

For the Management Board

The Chairwoman  
Clio LIÉGEOIS