

Making the railway system
work better for society.

DECISION n° 266

of the Management Board of the European Union Agency for Railways amending DECISION n° 161 of the Management Board of the European Union Agency for Railways adopting the policy on monitoring the performance and decision-making of National Safety Authorities (NSAs) adopted on 29 November 2017

THE MANAGEMENT BOARD OF THE EUROPEAN UNION AGENCY FOR RAILWAYS,

Having regard to the Regulation (EU) 2016/796 of the European Parliament and of the Council of 11 May 2016 on the European Union Agency for Railways¹ (hereinafter referred to as “the Agency”) and repealing Regulation (EC) No. 881/2004 (hereinafter called “the Regulation”), and in particular Article 33,

Having regard to DECISION n° 161 of the Management Board of the European Union Agency for Railways adopting the policy on monitoring the performance and decision-making of National Safety Authorities (NSAs), adopted on 29 November 2017, and in particular, ‘Annex I –Policy, 3. Scope’ as amended by DECISIONS n° 188, 214 and 244 of the Management Board of the European Union Agency for Railways,

Whereas:

- (1) *2021 will be the last year of the 1st NSA monitoring audit cycle and a report on the return of experience shall be addressed by the Agency to its Management Board in September 2021;*
- (2) *Almost all audits have been carried out and the last NSA audit is foreseen in October 2021. Therefore, a report issued in September 2021 would be partial and would not encompass the entire population of the 26 NSAs covered by the 1st audit cycle;*
- (3) *A final report encompassing the entire population of the 26 NSAs covered by the 1st audit cycle could be issued only from November 2021;*
- (4) *Taking into account the resources’ constraints and the efficiency principle, it would make sense to issue a single final report, covering the full audit cycle, and to target the delivery date of the final report to December 2021, instead of September 2021.*

¹. OJ L 138, 26.5.2016, p. 1-43.

Erreur ! Source du renvoi introuvable.

HAS DECIDED AS FOLLOWS:

Article 1

Annex I – Policy - to Decision n° 161 is amended as follows:

- 1) *In Point 5 “Revision for the second 3-years cycle (2022-2024)” the text is replaced by the following:*

“At the end of the first 3 years of implementation of the NSA monitoring, the Agency with the NSAs and the European Commission will evaluate the performance of the NSA monitoring programme taking into consideration the return of experience to further improve the programme. For that purpose, the Agency will address a report to the Agency Management Board in December 2021.”

Article 2

The present decision shall enter into force on the day following that of its adoption. It will be published on the Agency website.

For the Management Board

The Chairwoman
Clio LIÉGEOIS