



Making the railway
system work better for
society.

DECISION n°301

of the Management Board of the European Union Agency for Railways establishing procedures for decision-making on business continuity, except in relation to authorisations, certificates, approvals and repealing decision n°276

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) as amended;

Whereas:

- 1) *There is a 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 a crisis, sanitary or other, and 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 as amended, it is both efficient and suitable to provide adequate similar arrangements for all other decisions and duties relating to the Executive Director’s role;*
- 4) *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*

Making the railway system
work better for society.

continuity during COVID-19 pandemic crisis for higher management adopted on 24 November 2021 expires on 31 December 2022 and as its content is covered by the present decision should be repealed.

HAS DECIDED AS FOLLOWS:

Article 1- Delegations of Powers

1. During any period where the Executive Director is unable to execute his/her 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 as amended, and were ensured by him/her shall be performed by the following persons:

- › *the Head of Corporate Assurance and Performance Unit, or in his/her absence*
- › *the Head of Railway System Department, or in his/her absence and the absence of the Head of Head of Corporate Assurance and Performance Unit*
- › *the Head of the Planning and Approvals Delivery Unit.*

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-Repeals

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 dated 24 November 2021 is hereby repealed.

Article 3– Entry into force

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

For the Management Board

The Chairwoman
Clio LIÉGEOIS