

# Annual Report 2015



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## **European Railway Agency**

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### **Annual report 2015**

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Luxembourg: Publications Office of the European Union, 2016

Print ISBN 978-92-9205-048-1 doi:10.2821/49842 TR-AA-16-001-EN-C

PDF ISBN 978-92-9205-047-4 doi:10.2821/66414 TR-AA-16-001-EN-N

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# Analysis and assessment by the Agency's Administrative Board

## Background

Article 25 of ERA Regulation (EC) No 881/2004 and Article 47 of the Financial Regulation, applicable to the budget of the Agency, requires the Executive Director to present the Annual Activity Report for the previous year for adoption by the Administrative Board by 30 April each year. The report describes the performance of the Agency, together with financial and management information for the previous financial year.

The Financial Regulation also requires the Administrative Board to carry out an analysis and an assessment of the Annual Activity Report and forward it to the Budgetary Authority and the Court of Auditors by 1 July.

## Assessment and analysis

The Agency's Administrative Board has analysed and assessed the Executive Director's report on the achievements and results for 2015. The Board acknowledges the Agency's performance, and notes in particular that:

- However, the key performance indicators (KPI's) are not in line with last year's report, which makes it difficult to compare the progress.
- The report is mostly related to the outputs by the Agency and less on the effects these outputs will give to the railway sector.
- The Administrative Board acknowledges that the Agency placed a strong focus on stakeholder management through its stakeholder survey, as well as the deployment of the communications strategy.
- Apart from its core duties in the existing Agency regulation, the Board appreciates the intensified work at the Agency related to its future role, following the finalisation of the negotiations on the Fourth Railway Package. The commitment of the Agency in this preparatory work has been highlighted by the conference organised in Luxembourg in November 2015.
- Despite the lack of additional funding, the European Rail Agency (ERA) provided a technical support to Shift2Rail to ensure the outputs meet the needs of the single European area.

## General observations

- The Administrative Board acknowledges the magnitude and quality of work done at the Agency in 2015.
- The Administrative Board notes that the Annual Activity Report (AAR) in its current version is not appealing to the general reader, due to its length. It contains information on activities undertaken in previous years as well as extensive background texts, which adds to the difficulty for the reader to get a good overview of the Agency's work.
- Despite a separate chapter on key achievements, it is difficult for the Board to identify these. The horizontal activity area is not represented in this chapter, despite its importance to the overall functioning of the Agency.
- The Administrative Board continues to observe a high level of achievements of the Agency's Work Programme 2015 in terms of outputs.

## Observations on strategic priorities and governance activities

- The adoption of an amendment of the Commission Implementing Regulation (EU) No 402/2013 on the common safety method for risk evaluation and assessment was a major achievement in relation to an enhanced harmonisation of the railway safety framework.
- In the field of vehicle authorisation, an important contribution was improving the level of interoperability by delivering a report on unique EU vehicle authorisation and closure of open points. In the field of train drivers, the Agency provided a report on the potential improvements to the directive.
- On the European Rail Traffic Management System (ERTMS), the Agency delivered a new maintenance release, paving the way for ERTMS in the next years.

- The ERA developed the PRM inventory of assets, which paved the way for improved accessibility of the railway system.
- The Administrative Board met three times in 2015 and the Sub-Committee for financial, budgetary and staff-related issues five times fulfilling the role of holding the Agency management team to account for the delivery of key administrative tasks. Furthermore, their chairpersons have met the Agency's management team on a regular basis to strengthen the relationship and involvement between the Board and the Agency.
- The Board put in place a new process in 2015 to get stronger engagement from member states and stakeholders in the development of the 2016 work programme. A concept of 'sponsors' for each area of the work programme was developed to work more closely with the Agency in finalising and prioritising activities in the programme.
- The Administrative Board decided and implemented a conflict of interest policy for the Board members and alternates.
- The Board welcomed the close and regular monitoring of the 2015 budget to ensure optimal and sound management of the Agency's financial resources. The level of commitment execution (C1) reached over 99 %, i.e. higher than 2014 (98 %). All titles were in compliance with the 95 % target applied by the European Commission.
- The Administrative Board appreciates that in terms of payment appropriations (C1), the Agency complied in 2015 with all thresholds applied by the Court of Auditors.
- The assessment of the internal control standards (ICS) shows that there is still work to do to reach full compliance with the ICS. Several activities with priority for 2015 are yet to be finalised.
- The Administrative Board welcomes the positive developments regarding outstanding and new recommendations by the IAS. The closing of old recommendations will add to the quality and relevance of the Agency's work.



## Conclusions and recommendations

- The information provided in the Annual Activity Report 2015 gives the Administrative Board sufficient assurance that the resources assigned to the Agency in 2015 have been used for their intended purpose and in accordance with principles of sound financial management. In addition, the control procedures put in place give the necessary guarantees concerning the legality and regularity of the transaction underlying the accounts.
- In the drafting of the Annual Activity Report for 2016, the Administrative Board urges the Agency to improve the presentation of the impact of the Agency's outputs on the European railway sector.
- The Administrative Board would also like to see an AAR in 2016, which has a stronger focus on achievements in the year reported. The current AAR contains a lot of background information on the Agency's work, which makes it difficult for the reader to identify achievements in 2015.
- To improve the monitoring of achievements, the Administrative Board acknowledges that the foundation for this is laid down in the drafting of objectives in the Agency work programme. The Board will therefore pay larger attention to this in the process leading up to the adoption of the Single Programming Document for 2017.
- The Administrative Board will continue to monitor the development of commitments and payments, in order to reach the targets set by the relevant authorities.
- Regarding the ICS, the Administrative Board will increase its monitoring of activities to reach full compliance. Special attention in 2016 will be given to the outstanding recommendation from the IAS on the recruitment procedure.
- The Board will also continue to actively follow the development of the Agency's stakeholder and communication activities and the preparatory work for the new tasks foreseen for the Agency in the Fourth Railway Package. Special attention will be given to the necessary link between the work at the Agency, that are subject to future Management Board decisions, and the European Commission, which are voted on at RISC.
- The Board encourages the Agency to communicate its key achievements during 2015 to stakeholders in the railway sector.
- Finally, the Administrative Board expresses its appreciation to the Executive Director and his staff for their commitment and achievements throughout the year. It is particularly worth noting the successful first year of the new Executive Director.
- The Administrative Board adopted the Annual Activity Report on 31 March 2016. In light of the above analysis and assessment, the Board requests to forward the Report, together with this analysis to the European Commission, the European Parliament, the Council, the Permanent Representations of the Member States and the Court of Auditors.

**Mats Andersson**

*Chair of the Administrative Board*







# Executive summary

It is with great pleasure that I am presenting the European Railway Agency's annual activity report for 2015, a year in which the Agency not only made further progress in mature areas such as the development of a harmonised approach to safety, removing technical barriers, and ERTMS as a System Authority, but it also increased its efforts in the monitoring, facilitating and disseminating aspects of these areas.

The Agency made significant progress in all five activities in the work programme. We also revised the ERA policy, further implemented the integrated management system with a focus on documents management and change management, and adopted and deployed the first steps of the communication strategy. We also considerably strengthened our stakeholder management and relations with specific highlights being the ERTMS CCRC Conference (Lille), the Fourth Railway Package Conference (Luxembourg) and the launch of the ERTMS Stakeholder Platform, a key tool to manage the stabilisation and better implementation of ERTMS in the EU.

Following the European Commission's proposals in the Fourth Railway Package in 2013, and in light of the likely adoption of this package in the first semester of 2016, the Agency, during 2015, set up a task force in preparation of the implementation of this upcoming legislation. The task force has developed a programme plan for the nine different projects, setting out milestones to deliver vehicle authorisation, single safety certificates and harmonised implementation of ERTMS trackside, (all of which will use a one-stop-shop IT tool). These changes will expand the Agency's role by giving it the new status of Authority as well its existing role as a consultative body.

The highlights amongst the achievements in 2015 are numerous. Motivated by the entry into force of the scope-extended technical specifications for interoperability (TSIs) on 1 January 2015, the ERA has started a focused programme on the cleaning-up of national rules, as requested by Commissioner Bulc. The Commissioner has also requested to carry out an activity on safety occurrence reporting, which in turn has been launched in the second half of the year.

Significant progress was achieved in the area of ERTMS, where the specification work for the new Release 2 of Baseline 3 could successfully be completed in December. The ERA has stepped up the engagement in Digital Railways, with strategies for TAP and TAF, and the going on-line of RINF (the register of infrastructure) as key achievements. The ERA activities on a common European safety culture have strongly progressed, by establishing close cooperation with the European Maritime Safety Agency (EMSA) and the European Aviation Safety Agency (EASA).

Of all the outputs identified in the work programme 2015, 80 % were fully achieved (79 % in 2014), 15 % partially (16 % in 2014), 5 % not (5 % in 2014) and another 5 % were not applicable (7 % in 2014). As for the 11 organisational KPIs, 73 % were fully achieved, 18 % partially, and 9 % not.

In terms of the resource management, the Agency conducts its operations in compliance with the applicable laws and regulations, working in an open and transparent manner and meeting the expected high level of professional and ethical standards. The Agency implemented 97.8 % of its establishment plan (96 % in 2014) and continues to improve its efficiency and financial performance. This is reflected throughout this report, not least in the continuing high budget commitment and payment rates.

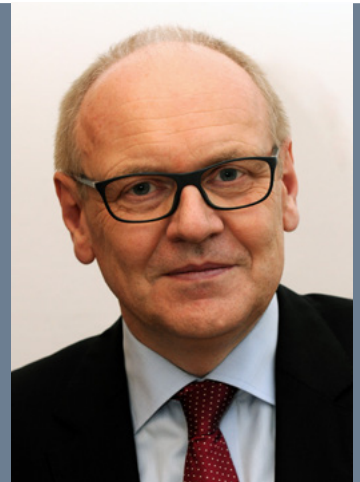
As for internal control effectiveness, the Agency has assessed the effectiveness of its key internal control systems during the reporting year 2015. The 16 Internal control standards were integrated into the Agency's integrated management system and were assessed as being effectively implemented. Furthermore, the Agency has taken measures to further improve the efficiency of its internal controls in the areas of objectives and performance indicators, internal audit and quality capability, as reported in part III. In addition, the Agency has systematically examined the available control results and indicators as well as the observations and recommendations issued by European Commission's Internal Audit Service and the European Court of Auditors. These elements have been assessed to determine their impact on the management's assurance about the achievement of control objectives. Please refer to Part II for further details.

In conclusion, the management has reasonable assurance that, overall, suitable controls are in place and working as intended; risks are being appropriately monitored and mitigated; and necessary improvements and reinforcements are being implemented. The Executive Director, in his capacity as Authorising Officer, has signed the Declaration of Assurance.

The challenge ahead of us is not only to find a way to maintain what we have achieved in the last decade but also to maintain the momentum for the future by executing the multiannual programming document — during a period of budgetary pressure, while having to face the challenge of transforming the Agency in view of the soon upcoming new tasks from the Fourth Railway Package, encompassing a considerable demand both in financial and in human resources.

**Josef Doppelbauer**

*Executive Director*



# Introduction

## European policy context

ERA works in a wider framework of the EU White Paper on Transport and its policy goals for railways:

- improving competitiveness of rail with other modes of transport, in order to increase the market share of the most environment-friendly mode of transport;
- spending public money more efficiently on public rail transport services;
- encouraging market entry by reducing administrative and technical barriers;
- opening domestic rail passenger transport to competition;
- encouraging market entry and ensuring non-discrimination through better governance of the infrastructure.

A subset of these goals is the creation of a 'single EU railway area' through improved technical interoperability and a common approach to safety on the EU railway system. Under the general Agency's objective of developing an EU interoperability and safety framework, the Agency is focussing its tasks in the next years (horizon 2020) on implementing four operational activities:

1. a harmonised safety framework
2. removing technical barriers
3. a single European train control and communication system
4. a simplified access for customers.

In addition to the four operational activities, the Agency groups its horizontal and support functions and tasks under the activity 'Evaluation, Management and Resources' covering the work mainly carried out in relation to resources and support, corporate management, economic evaluation, international relations, stakeholder management, and the preparation for the implementation of the Fourth Railway Package.

## The Agency's foundation, vision, mission, values

The Agency's **foundation** is strictly defined in Article 1 of Regulation (EC) No 881/2004 as amended by Regulation (EC) No 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 its vision and mission statements:

The Agency has the **vision** 'to make the railway system work better for society'.

The ERA's **mission** is to 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, allowing the rail transport sector to realise its inherent competitive advantages in relation to other transport modes.

The Agency defines its core **values** as:

- being a driver of improvement through innovation;
- respecting others and believing in progress through diversity;
- building an independent and transparent position based on facts.

## ERA's contribution to the creation of a 'Single EU railway area'

ERA's activities aim at the achievement of the 5<sup>(1)</sup> activities contributing to the creation of a 'single EU railway area'.

<sup>(1)</sup> Four operational activities and one horizontal activity.

Overall, the Agency prepares in working groups with participation of the stakeholders (NSAs and the sector), new and updated legislative acts, for adoption by the European Commission, after a positive opinion from the Railway Interoperability and Safety Committee of Member States <sup>(2)</sup> (the RISC Committee), and gives other technical support to the European Commission.

Additionally, the Agency's work increasingly disseminates and facilitates the developed framework in the railway system and monitors the progress towards the desired outcome.

The Agency implicitly organises its activities according to the process of: (a) developing (setting the standards for the desired outcome of the system); (b) monitoring (knowing the actual outcome of the system); and (c) facilitating (managing the change from the actual to the desired outcome).

This Annual Activity Report outlines the achievements of the organisational KPIs (table on page 11) and all the outputs (Annex I) outlined in the Agency's work programme 2015.

Through all of this, the Agency is becoming the de facto **railway system specifier** for the European Union.

## Achievement of the Agency's key performance indicators

	Key performance indicators	Activity	Legal basis	Planned timing <sup>(3)</sup>	Achieved
1	90 % achievement of all outputs using financial and human resource planning 2015	ERA	Agency Regulation	End-2015	Almost achieved — 80 % vs 74 % in 2014
2	95 % timely delivery of issuing reports, advice and opinions	ERA	Agency Regulation	End-2015	Yes — globally met requirements agreed with the customers
3	100 % delivery of the priority countries programme to key milestones to contribute to the improved safety performance of those countries	Harmonised safety framework	Agency Regulation Article 9	As per timescales in priority programme plan	Yes
4	100 % delivery of an information system to facilitate exchange of safety defects/issues between RUs/IMs/ECMs and manufacturers		Directive 2004/49/EC Article 21, Agency Regulation Article 6	End-2015	No — project required late change in IT supplier. Will now be delivered by new supplier latest end-Feb 2016, ahead of legal requirement (post 4RP)
5	Creation and implementation of a structured plan (Concrete Actions) for the Agency to assist MS to fully 'clean up' and notify their National Technical Rules to reflect the scope extended TSIs	Removing technical barriers	Directive 2008/57/EC	End-2015	Yes (implementation commenced)
6	100 % provision of the recommendations for the Maintenance Release 2 on ERTMS	Single control and comms system	Agency Regulation	End-2015	Yes

<sup>(2)</sup> Established by Article 21 of Directive 96/48/EC

<sup>(3)</sup> Either timing planned within the Agency or within the agreed deadlines with e.g. the European Commission.

	Key performance indicators	Activity	Legal basis	Planned timing <sup>(3)</sup>	Achieved
7	100 % identification of railway indicators for each of the Agency's activities, agreed with the EC and stakeholders	Evaluations, management and resources	Agency Regulation	Mid-2015	Yes
8	100 % implementation of the annual plan for QMS in line with ISO 9001 requirements and identified through the QMS review			End-2015	Partially — delayed in some areas (mainly re-prioritisation in light of 4RP)
9	95 % implementation of the establishment plan		Agency Regulation	End-2015	Yes
10	90 % execution of payment vs committed appropriations (average all types of appropriations)		Agency Regulation	End-2015	Yes
11	No financial loss, business disruption, or reputational risk		Agency Regulation	End-2015	Yes

## ERA's working method

### 4.1 Transparency

Transparency is an essential prerequisite of the working method of the Agency. Documents adopted by the Agency, in particular recommendations to the European Commission and technical opinions, are made available on the public website according to the rules on access to documents adopted by the Administrative Board.

In accordance with the requirements of Article 3 of the Agency regulation that the work of the working parties shall be transparent, records of working party meetings and working documents are made available to all members of the relevant working party, persons are nominated by the representative bodies to coordinate their relationship with the Agency, and persons nominated by the representative bodies' coordinators act as their association's contact for interoperability and safety matters. The records of meetings held by informal groups and networks and documents they provide are made available to members of the relevant working parties. Members of the Network of National Safety Authorities and Representative Body Coordinators have access to documents of all working parties for which they have the right to appoint members.

### 4.2 Working method

The Executive Director, together with the management team:

1. develops the annual and multiannual work programme and budget of the Agency;
2. acts as the body for the coordination, prioritisation and risk management of the activities of the Agency;

3. makes available guidance and training for Agency staff in:

- the principles and processes underpinning the interoperability and the safety directives;
- non-technical or safety issues (e.g. economic analysis, quality management);
- technical issues as far as this is needed to maintain the level of competence of Agency staff and to keep them updated concerning the latest developments in their specific areas of competence;
- working methods, meeting management, consensus building, etc.

4. acts as the focus for the exchange of views with external organisations in respect of the Agency's activities, also including those activities that are not specific to a particular working party;

5. ensures that the Administrative Board and its Subcommittee are regularly updated in respect of the Agency's activities and progress with the implementation of the work programme, budget and staff plan.

The Agency's activities are prioritised taking into account their potential impact on the EU rail system (also in economic terms), the general EU railway policy framework and the current industrial and societal trends.

The Agency continues to work through the formal working parties prescribed by the Directives and the Agency Regulation. These will be supported by several informal groups and networks.





# Part I — Key achievements of 2015 per strategic priority

The Agency's activities aim to achieve the following four strategic priorities for the railway system:

- a harmonised safety framework
- removing technical barriers
- a single EU train control and communication system
- a simplified access for customers.

Overall, the Agency prepares new and updated legislative acts for adoption by the European Commission, after a positive opinion from the Railway Interoperability and Safety Committee of Member States <sup>(4)</sup> (RISC), and gives other technical support to the European Commission.

Additionally, the Agency's work increasingly disseminates and facilitates the developed framework in the railway system and monitors the progress towards the desired outcome.

## Strategic priority 1. 'A harmonised safety framework'

The safety regulatory framework has been established in previous years but early feedback on how the processes were working highlighted the need for change. In 2013 the European Commission brought forward proposals in the Fourth Railway Package that represented an evolution of the safety regulatory framework and the Administrative Board confirmed that the Agency should undertake some preparatory work to reflect the proposed changes. The Agency has developed a programme plan setting out milestones to deliver a single safety certificate and preparatory works have already begun. The safety programme not only reflects the preparatory phase but also calls for the development of a strong focus on safety performance monitoring and on the development of a shared understanding of how the framework should be applied. This work was supported by evaluating transposition of the Safety Directive, planned national safety authorities (NSA) audits and national inves-

tigation bodies (NIB) assessments, as well as annual reporting on CSTs and a biannual report on safety performance. The work of the Agency in 2015 has responded to the importance of managing safety risks, focusing on developing systems that would allow the early identification of risk, sharing best practice and supporting those who are responsible for controlling risks on the railway network. The Agency supported this by running a pilot on a new regulatory monitoring matrix and reviewing the current framework on assessment and supervision by NSAs. In 2015, the Agency provided support to some NSAs in developing their systems and following that experience, and continued the work in relation to the priority countries programme. Success in 2015 has been achieved with the help of our stakeholders and active networks of national safety authorities and national investigation bodies, all of whom play a key role in the field of safety.

## Strategic priority 2. 'Removing technical barriers'

Although the European railway system has been shared by many actors ever since the responsibilities for managing the system were separated out to railway undertakings, infrastructure managers and national safety authorities, in many cases the tools necessary to manage the shared system, as prescribed in the directives, are not fully in place and old tools appropriate only for vertically integrated single actor systems (e.g. homologation) continue to be used for a purpose they were not intended.

This is one of the reasons that in some Member States the process of vehicle authorisation appears to be rather difficult and expensive, that manufacturers continue to find themselves producing and getting authorised different designs for different customers rather than placing an authorised type on the market for their customers to purchase and also why problems with interoperability of ERTMS have arisen.

The Agency has worked hard to help the Member States move to a more satisfactory situation and 2015 saw the start of the implementation of the scope extended TSIs, removing the need to apply national rules in the authorisation process for new vehicles

<sup>(4)</sup> The Agency's performance is determined by the achievement of the significant outputs that have a major impact for the achievement of the four EU strategic priorities.

for everything except legacy interfaces and TSI open points. The Agency succeeded in closing some of the remaining open points and dealing with issues arising from the use in the 'real world' of the TSIs.

As of 2012, the Agency developed and published a template flow chart of the authorisation process for each Member State to document their national legal frameworks (NLF) for authorisation, and introduced the reference document database (RDD) containing all the national rules for vehicle authorisation and their equivalence classifications in form of national reference documents (NRD). In 2015 the Agency, working with the NSAs, produced a plan for each Member State to 'clean up' its national technical rules to reflect the scope extended TSIs. Furthermore, the work of classifying national rules for equivalence was substantially completed for several geographical areas/corridors. These equivalences will be formally published in 2016.

Many of the problems of vehicle authorisation relate to a lack of a common understanding of the European process, rules, roles and responsibilities and 2015 saw the Agency carrying out a much greater level of training and dissemination in a structured manner making use of the recommendation 2014/897/EC produced in December 2014 (DV29bis). This was informed by an involvement in 13 real vehicle authorisation projects in order to better understand the problems and issues to be resolved today. In 2016 this activity will migrate into 'learning cases' as part of the preparation for the Fourth Railway Package.

A key element in the cost of vehicles and their authorisation is the diversity of the networks both between Member States and, in some cases, within Member States which according to an assessment by the Agency accounts for about 50 % of the cost of vehicle authorisation. In 2015 the Agency achieved, through the network-related TSIs, the OPE TSI and a clarification and simplification of registers, to help Member States to meet their responsibility to avoid further diversity of networks and wherever possible to converge.

### Strategic priority 3. 'Single European train control and communication system'

The slow but continuous expansion of the European train control system (ETCS) and of the global system for mobile communications — Railways (GSM-R) with systems in daily operation in thousands of vehicles over thousands km, and large scale deployment plans in different Member States, required sustained attention and efforts by the Agency as System Authority to maintain the specifications, and in parallel to follow-up the development, testing and implementation, with tar-

geted dissemination and monitoring activities in order to encourage the harmonised application of the standard system, and dedicated attention to ensure timely examination of the return on experience.

In June, the Railway Interoperability and Safety Committee approved the Technical Opinion of the Agency to complete the ETCS Baseline 3 MR1 with the corresponding test specifications.

Following the need for a common approach to the verification and authorisation processes, specific activities with the notified bodies (NoBos) and cooperation with national safety authorities (NSAs) have been strengthened, in particular with the NSA along ERTMS Corridors on the subject of testing and authorisation processes.

In the field of railway communications, the Agency has encouraged the sector to conclude their work to enable ETCS communications on packet-switched radio technologies, finally taking over most of the workload. We have continued the steps to consolidate the requirements for the evolution of voice radio in view of the planned GSM-R life expectancy, engaging in wide consultation with the railway and with similar sectors on the technological and service options. To tackle the interference problem, the Agency continued to support the European Commission and the railway sector in an EU approach among national regulators, following up on the results of the workshops organised in previous years in Lille.

The Agency has been increasing its cooperation with the Directorate-General for Mobility and Transport (DG MOVE) and the Innovation and Networks Executive Agency (INEA — an Executive Agency in evaluating specific ERTMS projects and the successor of the **Trans-European Transport Network (TEN-T)**), within the limits of the available resources, with the aim to help ensure that ERTMS projects receiving EU money are in conformity with the essential requirements and, indeed, contribute to the progressive deployment of a single harmonised European train control system.

### Strategic priority 4. 'Simplified access for customers'

Several technical specifications for interoperability (TSIs) are addressing issues related to railway customers.

For passengers, the TSI on telematics applications for passenger services (TAP TSI), Regulation linked to the Article 10 of the Passenger Rights Regulation <sup>(5)</sup> is ad-

<sup>(5)</sup> Regulation (EC) No 1371/2007 of the European Parliament and of the Council of 23 October 2007 on rail passengers' rights and obligations.

dressed to railway undertakings, infrastructure managers, ticket vendors and passengers and aims to harmonise the exchange of information between actors. The amended TSI, completed by the recommendation of Phase 1 in Chapter 7 (IT specs, governance, master plan and retail architecture), has been published in December 2013. Further work is needed to monitor the implementation and to close the open points: (a) on electronic ticketing, which will enable passengers to obtain a ticket for an entire trip; (b) on a common data model for the exchange of timetables and tariffs between rail and other modes of transport; (c) standardisation of the fulfilment for international and domestic tickets.

In order to establish the Agency as the 'Telematics applications system authority', its task is to ensure the continuing work of the TAF and TAP change control management (CCM) working parties. The new task which started in 2013 is to guide, support and advise the rail sector and Member States when implementing the telematics TSIs. In this work, the Agency continued to participate in the Steering Committee works in both TAP and TAF and — in addition — to observe, advise and monitor the implementation of both TAP TSI and TAF TSI by the rail actors; in line with legislation and the master plan in place for the implementation of both regulations guaranteeing the involvement of all the actors, including the small and medium-sized companies. To perform this activity, the Agency set up a new Implementation Cooperation Group for TAF TSI, where all the recognised stakeholders and the national contact points report on the degree of implementation for every TAF TSI function, in accordance with the milestones quoted in the TAF TSI implementation master plan. At regular intervals, the Agency informed the Steering Committee and the European Commission about the results of this monitoring and advised them about the possible changes needed.

In a multimodal context, the Agency guaranteed that none of the actions taken constituted an additional obstacle for multimodal environment.

In order for the railway undertakings (RUs) to have an efficient tool to plan their access to the different networks where they intend to operate, the Register of Infrastructures (RINF) was developed.

In the context of the revision of the TSI on persons with reduced mobility (PRM TSI), collecting information on the detailed level of accessibility offered by stations and rolling stock had been identified as a preliminary step prior to their progressive elimination through implementation plans that have been put in place by Member States; this information was collected by stakeholders through inventories of assets. The revision of the PRM TSI was complemented by a clear specification of its implementation. The Agency examined the possible solutions for the development of a tool to collect and interface information from inventories of assets. The architecture and all details relative to this tool were defined.

The above described four strategic priorities could not have been achieved without a properly efficient and effective running of the Agency itself. The Agency has therefore been committed in the past year to continue implementing the appropriate tools and resources in order to become a modern organisation which can quickly adapt to any changes.

The detailed achievements of the different outputs in the different Agency's activities are presented in the following chapters of the Annual Activity Report.

## Activity 1 — A harmonised safety framework

The safety regulatory framework has been established in previous years but early feedback on how the processes were working highlighted the need for improvement. In 2013, the European Commission brought forward proposals in the Fourth Railway Package that represented an evolution of the safety regulatory framework and the Administrative Board confirmed that the Agency should undertake some preparatory work to reflect the proposed changes. The Agency has developed a programme plan setting out milestones to deliver a single safety certificate and preparatory works have already begun. The safety programme not only reflects the preparatory phase but also calls for the development of a strong focus on safety performance monitoring and on the development of a shared understanding of how the framework should be applied. This work will be supported by follow-up to the original evaluation of transposition/monitoring the implementation of the safety directive, application of the regulatory monitoring matrix, planned NSA cross audits and NIB assessments, a draft recommendation on a revised common safety method for assessing common safety targets (CSTs) and national reference values (NRVs), as well as annual reporting on CSTs and a biannual report on safety performance. In 2013, two

particular accidents tragically underlined the importance of managing safety risks. This work programme responds to such a need, focusing on developing systems that would allow the early identification of risk, sharing best practice and supporting those who are responsible for controlling risks on the railway network. We intend to support this by running the new regulatory monitoring matrix to identify areas that should be addressed and reviewing the current framework on assessment and supervision by NSAs. Success in 2015 has been achieved with the help of our stakeholders, the Member States and active networks of national safety authorities (NSAs) and national investigation bodies (NIBs), all of whom play a key role in the field of safety.

### Project 1.1 EC task force for a single safety certificate

The terms of reference for an EC task force on a single safety certificate were agreed at RISC and the detailed work packages are set out in the project plan. The task force acts in a programme oversight role but this project includes the work packages of the programme, including revision of the CSMs.

	Significant output(s)	Legal basis	Planned timing	Achieved
1	Delivery of milestones in the RISC task force programme plan	Agency Regulation Article 6, Directive 2004/49/EC Article 10 and 6	Set out in programme plan	Partially — the Council, the Parliament and the Commission have reached a provisional agreement on 17 June 2015 on the recast of the ERA regulation, the Railway Safety Directive and the Interoperability Directive. This has led the ERA to propose to change the RISC TF for SSC to a RISC TF on the 4RP and to amend its planning to cover within a programme all tasks related to the preparation of the 4RP.

### Project 1.2 Networks and information exchange

The NSA and NIB networks play a key role in harmonising the safety framework. The Agency provides the secretariat to the networks and currently chairs the meetings. To support the improved performance of the network, the Agency operates an annual survey and a jointly agreed action plan. For the human factors network, the challenge was to integrate human factors

thinking into the mainstream activities. For safety, it is essential that information about known risks/defects is passed onto those who need to know without delay. In 2015, the Agency has been working to ensure that there is an IT tool that allows all actors to do this in their native language. The need for a forum to discuss issues and identify ways to solve them has been identified as a need and the Agency has been working with stakeholders to develop a common approach that incorporates the benefits of the Joint Network Secretariat and the Quick Response Procedure.

	Significant output(s)	Legal basis	Planned timing	Achieved
1	Development of a safety information system to allow all actors to share safety information	Directive 2004/49/EC Article 21, Agency Regulation, Article 6	End-2015	No — project required late change in IT supplier. Will now be delivered by new supplier, latest end-February 2016, ahead of legal requirement (post 4RP)
2	NSA and NIB network improved functioning. Measured by annual survey, action plan	Agency Regulation	End-2015	Yes
3	NIB network initiates work to migrate to new structure for NIB cooperation, including peer reviews	Revised Agency regulation	November 2015	Yes
4	Development of an IT tool that facilitates the exchange of safety alerts between sector organisations.		End-2015	No — project required late change in IT supplier. Will now be delivered by new supplier, latest end-February 2016, ahead of legal requirement (post 4RP)

### Project 1.3 Safety monitoring

The Agency uses a number of tools to monitor safety in addition to the well-known systems such as common safety indicators (CSIs), accident reports and NSA/NIB annual reports. The Agency continued to work on the

development and dissemination of CSI data, and produced the annual report on the achievement of the CSTs. In addition to these established activities, the Agency extended the regulatory monitoring matrix to at least 12 Member States and work with stakeholders to develop occurrence monitoring and safety plans.

	Significant output(s)	Legal basis	Planned timing	Achieved
1	CST annual report to the European Commission/RISC	Agency Regulation Article 9, Commission Decision 2009/460/EC Article 1	March 2015	Yes
2	Extension of regulatory monitoring matrix to at least 12 Member States by end 2017 by including the priority countries in the matrix	Agency Regulation Article 9	As set out in priority countries programme for 2015	Yes

### Project 1.4 Audit and assessment programme

The cross-audit programme for NSAs and the NIB assessment programme is a core part of the Agency work to harmonise the safety framework. This programme,

adapted following the Agency advice to the Commission on Polish railway safety, saw cross audits and NIBs assessments focused on the priority countries programme in 2015. Alongside the programme, the Agency maintained the training programme for auditors for both Agency staff and NSA/NIB staff, ensuring that the audit and assessment teams could be properly resourced.

## Project 1.5 Improving safety performance

The Agency work on monitoring and audit enables a clearer prioritisation of its resources to achieve results. The Agency has been using CSI data and outputs from the Matrix programme to drive this prioritisation. The Agency has already identified a group of countries and categories of fatalities that should be prioritised. The

Matrix programme allows the Agency to identify topic areas. In 2013, deaths relating to suicide and unauthorised access accounted for 72 % of all fatalities on the railway network. There is emerging research that the use of behavioural techniques could bring change in this significant area and the Agency tested some of these assumptions through a targeted research programme. Finally, the Agency looked at the benefits risk profiling could bring in terms of benchmarking and establishing clearly the safety benefits that could be achieved by targeted investment.

	Significant output(s)	Legal basis	Planned timing	Achieved
1	Review of safety of priority countries and development of collaboration programme	Agency Regulation Article 9	Priority Programme plan sets out clear timescales	Yes
2	Development of a topic dissemination plan based on initial Matrix outputs	Agency Regulation Article 9	December 2015	Partially
3	Launch research programme on use of behavioural techniques to reduce fatality rates in suicide/unauthorised persons categories	Agency Regulation Article 9	April 2015	No — paused pending results of priority countries' analysis in March 2017

## Project 1.6 Promoting transparency and reduction of national safety rules

The Agency remains committed to the reduction of national safety rules (NSRs) either by their incorporation

in European rules or their removal. The Agency clearly also has a role to evaluate new rules and to provide support to the Commission. Following the extension of scope of TSIs, the Agency focussed its effort on a review of remaining Type 6 safety rules.

	Significant output(s)	Legal basis	Planned timing	Achieved
1	Review of type 6 rules and clustering of requirements. Proposals to allow either removal of rules or inclusion in European rules to be made based on review		End-2015	Yes (the target was to hold an internal workshop to review all type 6 rules to feed further work on their removal. This was done and a summary of the workshop written up as an input to the team responsible for driving rules clean-up)

## Project 1.7 Freight

The Agency recognises that the freight sector has some unique challenges and where they are of a general nature used, the freight focus group brings the actors together to find solutions. For the entity in charge of management (ECM) work, the Agency continued to support the certification and accreditation work, as well as to play an active role in supporting the European Commission in relation to dangerous goods, as

described in Article 12 of the Administrative Agreement with the Organisation for International Carriage by Rail (OTIF). In particular, one of the objectives was to reduce the number of inconsistencies between the Convention Concerning International Carriage by Rail (COTIF) and EU legislation.

The follow-up of the questionnaire about the certification of freight wagons ECM launched in 2014 was also part of this activity.





## Activity 2 — Removing technical barriers

The European railway system has been a system shared by many actors since the responsibilities for managing the system were separated out to railway undertakings, infrastructure managers and government. In many cases, the tools necessary to manage the shared system, as prescribed in the directives, are not fully in place; instead, old tools appropriate only for vertically integrated single actor systems (e.g. homologation) continue to be used for a purpose for which they were not intended. This is one of the reasons why the process of vehicle authorisation appears to be rather difficult and expensive in some Member States and the Commission has identified in its preparation of the technical pillar of the Fourth Railway Package that progress needs to be accelerated meantime many diverging designs continue to be produced and authorised specifically for individual RUs rather than being placed on the market already authorised and problems with interoperability of ERTMS have arisen.

The Agency has worked hard to help the Member States move to a more satisfactory situation and in 2015 the implementation of the scope extended TSIs continued. The application of the scope extended TSIs removes the need to apply national rules in the authorisation process for new vehicles for everything except legacy interfaces and TSI open points. In 2015, the Agency closed a series of open points and dealt with issues arising from the implementation in field of the TSIs.

With the completion of scope extended TSIs and the imminence of the implementation of the Fourth Railway Package the need for the Member States to rapidly ‘clean up’ their national rules became imperative. The Agency, encouraged by Commissioner Bulc, in 2015 focussed on the structured approach to assisting the Member States in their obligation to clean up their rules, in particular to withdraw rules replaced by scope extended TSIs.

More generally, with the agreement on the text of the Fourth Railway Package technical pillar, the Agency has been preparing itself and helping the Commission and Member States prepare themselves for its implementation as of mid-2015, in particular the assessment of the Agency authorisation workload, competences and developing the proposal for the implementing acts on vehicle authorisation and cross-acceptance and their associated guidance — which together will form the ‘practical arrangements’ for vehicle authorisation. To this end, the first of a series of workshops on the practical arrangements for vehicle authorisation was held in Lille on 28 October.

During previous years, the Agency developed and published a common template flow chart of the authorisation process for each Member State to document their national legal frameworks (NLF) for authorisation, and introduced the Reference Document Database (RDD) containing all the national rules for vehicle authorisation and their equivalence classifications — the National Reference Documents (NRD). In 2015, the Agency continued to assist the Member States to align the NLFs and NRDs in order to bring them all in line with each other, with recommendation 2014/965/EC and with the TSIs, thus delivering a substantial simplification. The Agency’s involvement in real authorisation Cases succeed in both enhancing the Agency’s understanding of ‘real world’ issues and helping the NSAs and applicants understand and successfully apply the EU framework.

A key element in the cost of vehicles and their authorisation is the diversity of networks both between Member States and, in some cases, within Member States, which according to an assessment by the Agency accounts for about 50 % of the cost of vehicle authorisation. As part of the initiative on national rules the Agency asked the sector associations to define and estimate the impact of the ‘Top 10 barriers’ with a view to establishing the costs and benefits of removing the various network diversities.

### Project 2.1 Harmonised EU rules for vehicles (including all structural TSIs)

Further to the entry into force of the full set of TSIs related to vehicle authorisation, the Agency has been developing provisions in locomotives and traction units and passenger vehicles (carriages) (LOC and PAS) TSI for a unique authorisation valid for the entire network, according to Article 23(1) of ID. It also provided guidance for ensuring technical compatibility between routes and trains. At the request of many stakeholders, one of the key tasks in 2015 was defining a common approach to determine the scale of the change of parameters which triggers the requirement for a new authorisation for placing in service (APS) for vehicles upgraded or renewed. The task of closing remaining open points in the TSIs continued. In order to achieve this, a number of dedicated studies was carried out and the result of research programmes taken into account. With a view to support the sector in the implementation of the TSIs, the Agency drafted the corresponding application guides and undertake dissemination activities at the request of relevant actors of the railway sector. In addition, the Agency sent the final recommendation on ‘unique vehicle authorisation’ to the European Commission.

	Significant output(s)	Legal basis	Planned timing	Achieved
1	LOC and PAS TSI including provisions for unique EU vehicle authorisation	Agency Regulation Article 12, Directive 2008/57/EC Articles 6, 8	End-2015	Yes

## Project 2.2 Harmonised EU rules for networks (including all structural TSIs)

The completion (e.g. closing of open points) or fine-tuning of existing TSI requirements according to the conclusions of these studies became an important input to the progress of interoperability, providing rules that will facilitate the achievement of interoperability from the technical and the economic points of view. With a focus on the series of European rail corridors, a long-term strategy for the technical harmonisation of the

EU networks (fixed installations) was developed with focus on: main aspects underpinning the current situation, foreseen/required performance level, revision of existing rules (for design, operation, maintenance, etc.), involvement of the research institutions, new materials and technologies, etc. Specification of the parameters to be used for checking compatibility between trains and routes were developed with consideration of the registers; with the dissemination of the knowledge related to TSIs and their application playing an important part.

	Significant output(s)	Legal basis	Planned timing	Achieved
1	Number of 'open points' closed	Agency Regulation Article 12, Directive 2008/57/EC Articles 6, 8	In line with the roadmap	Yes

## Project 2.3 Rules strategy

As part of a rules strategy, the Agency proposed and implemented a set of concrete actions to facilitate the Member States cleaning up, making transparent and notification of national rules to reflect scope extension on the TSIs. The Agency will monitor and report progress to the Commission RISC and Member States so that each can play their part in the implementation of the directive requirements.

economic effects. Action plans will be drawn up to reduce the impact or eliminate the barriers. In addition, a reporting and tracking system was set up for sector actors to report —'questionable' rules in order that they can be investigated and followed up by the Agency with the NSAs, Member States and the Commission.

The decision on the list of parameters to be checked for vehicle authorisation was updated to reflect the scope extended TSIs and published together with a comparison table with the TSI parameters to enable NSAs and Member States to identify which national rules for new vehicles needed to be removed to reflect the scope extended TSIs.

As part of this initiative, the sector associations were asked to identify the 'Top 10 barriers' and their eco-

	Significant output(s)	Legal basis	Planned timing	Achieved
1	Creation and full implementation of a structured plan of concrete actions for the Agency to assist Member States to fully 'clean up' and notify their national technical rules to reflect the scope to extended TSIs	Agency Regulation	October 2015	Yes (kick-off meetings were organised in 2015; the development of concrete actions was transferred in January 2016 to the Interoperability unit)
2	Regular reporting to the Commission and RISC of Member States progress in 'cleaning up' of rules.	Agency Regulation	Ongoing	Yes
3	List of parameters (Decision 2009/965/EC) updated to reflect TSI scope extension and published	Decision 2009/965/EU	Mid-2015	Yes

## Project 2.4 Implementation of Interoperability Directive (including interoperability report, activities related to conformity assessment and NB-Rail, opinions and advices)

The Agency has the responsibility to monitor the progress with railway interoperability in the European Union, including the follow-up of the original evaluation of the transposition of the Interoperability Directive in the different Member States, and the monitoring of the work of the NoBos and of the national safety authorities (NSAs). This progress report has been structured around a set of indicators to assess the development of the legal and institutional framework as well as the progress of introduction of interoperability constituents and TSI-compliant vehicles and lines in the railway market. The report also examined the data available in ERA registers and in the National Vehicle Registers. The Agency has been paving the way to ensure full consistency between the EVR and the NVRs. The purpose of the report is to provide up-to-date data and to analyse the trends by comparison with the data from previous reports.

The Agency continued to develop a sectorial accreditation scheme for NoBos based on Annex VIII of Directive 2008/57/EC. The Agency further analysed the current system to monitor the quality of the work performed by the NoBos as basis for a subsequent revision. The two projects aim at improving the confidence in the European Commission verification process.

In addition, the Agency participated in all the meetings of the notified body coordination group as observer.

Subject to a relevant Commission mandate, the Agency has been revising Decision 2010/713/EU on modules, e.g. to include modules for the assessment with reference to notified national technical rules (NNTRs), and organised and chaired meetings of the conformity survey group in order to provide consistency between the chapters 6 on the European Commission conformity assessment of the different TSIs.

Although the Memorandum of Understanding for providing technical secretariat for railway notified bodies ended in 2014, the Agency has been supporting, within its priorities and available resources, the Commission in that regard until an alternative solution is adopted and implemented.

	Significant output(s)	Legal basis	Planned timing	Achieved
1	Report on progress with railway interoperability issued	Agency Regulation Article 14(2)	End-2015	Yes (report published in March 2016)
2	ERA advice on an improved sectorial accreditation scheme for NoBos submitted to EC	Agency Regulation Article 21(b)	End-2015	Partially — advice was ready for submission in December. After finalisation new comments from task force members arrived, which require further consideration

## Project 2.5 Authorisation of railway vehicles

As envisaged in the report of the task force on vehicle authorisation, the Agency took part in real authorisation cases, facilitating the mutual recognition between Member States and developing best practice recommendations, procedures and templates for authorisations.

Following the agreement on the text of the Fourth Railway Package technical pillar, the Agency, in the second half of 2015, re-focused its vehicle authorisation expertise on the preparation for the Fourth Railway Package, in particular by carrying out a structured analysis of the issues to be clarified in and the proposed contents of the proposal for practical arrangements for authorisation

(Implementing Act on vehicle authorisation and guidance). This was reviewed in the first of a series of workshops that took place on 28 November.

The report on documentation to be submitted for authorisation was completed and its insights into the diversity of current documentation requirements will be used as input for the development of the practical arrangements for vehicle authorisation under the Fourth Railway Package.

The Reference Document Application guide was updated to reflect the updated list of parameters and the 2014 recommendation on authorisation 2014/965/EC (DV29bis) and work started on bringing the published national legal frameworks for authorisation into line with this recommendation.

	Significant output(s)	Legal basis	Planned timing	Achieved
1	Drafting additional guidance documents, update the Reference Document Application Guide	Agency Regulation	Ongoing	Yes
2	Development and Preparation of the framework for authorisation envisaged by the Fourth Railway Package	Agency Regulation	Ongoing	Yes

## Project 2.6 Implementing the framework for vehicle authorisation in the European Union

Following the Agency documentation of the authorisation processes in 2012/2013 of all the National Legal Frameworks of the Member States, the Agency maintained and updated the relevant information in the Agency Database, and ensured its good functioning. Within the Reference Document Database, the tool for comparing the national legal framework with the European legal framework was implemented and used for the pilot exercises described in 2.5.

The template European Legal Framework template and flow charts were updated to reflect Recommendation 2014/965/EC (DV29bis) and a flow chart was developed to reflect authorisation under the Fourth Railway Package.

The Agency continued to participate in real authorisation cases ('learning cases') in order to: (a) learn from real cases; (b) offer advice and guidance on the EU framework to applicants, NSAs and other involved parties; and (c) identify and correct problems, errors and ambiguities in the EU framework and TSIs. The vehicle authorisation issues tracking system is used to ensure a systematic approach to this task. The Agency was in-

involved in 13 such cases in 2015 with very successful results. The collected findings were documented in a report to be used as input for the development of the Fourth Railway Package implementing act on vehicle authorisation. Not only did the Agency gain a better understanding about 'real world' issues and necessary clarifications to feed into the deliberations on the practical arrangements for the Fourth Railway Package but also the exercise enhanced the NSAs' and applicants' understanding of the European Framework.

In cooperation with the NSA network, an NSA cross-audit programme is running. The Agency is developing and maintaining the approach for this programme, supporting the cross-audit committee, providing ongoing training for the pool of auditors and participating in the mixed teams that are performing the audits. From 2013, the programme foresees a 5-year audit cycle to assess the performance of all NSAs. In addition, an annual report on the implementation of this project will be presented to the RISC.

In preparation for the Fourth Railway Package, five pilot studies were carried out comparing each Member State NLF with the EU legal framework and the future Fourth Railway Package framework helping the NSAs and Member States to understand where changes are required to achieve conformity with the harmonised framework.

	Significant output(s)	Legal basis	Planned timing	Achieved
1	Update and maintain the NLF on Vehicle Authorisation for 28 Member States	Agency Regulation	Ongoing	Yes
2	Pilot procedure for facilitation of Member States to migration to conformity with the EU process	Agency Regulation	End-2015	Yes



## Project 2.7 Provision of tools and IT services related to authorisation of railway vehicles

The Agency based on the work to define the authorisation process, started in 2015 to develop the business specification for the functionality required for the vehicle authorisation 'One stop shop' database envisaged by the Fourth Railway Package.

The Agency has set up and currently manages the Reference Document Database (RDD) which contains the national rules for authorisation and assists the Commission with the management and administration of the database of notified national rules, NOTIF-IT. The Agency in 2015 continued to develop and improve the RDD, and drafted user cases/specifications for the 'Single Rules Database' for national technical rules and national safety rules envisaged by the Fourth Railway Package.

	Significant output(s)	Legal basis	Planned timing	Achieved
1	IT Project Management and data consistency: improved RDD functionality, 'user friendliness', administration and maintenance of NOTIF-IT.	Agency Regulation	End-2015	Partially — in progress but delayed by 9 months, due to change of IT contractor
2	Key principles and outline plan for the single rules database	Agency Regulation	End-2015	First draft use cases/specifications drafted for SRDB. Priority given to cleaning up national rules

## Project 2.8 Dissemination (including training) and communication of information related to authorisation to the railway sector (including Member State authorities, Railway undertaking (RU), infrastructure managers (IM), manufacturers, designated body (DeBo), notified body (NoBo) ...)

The Agency intended to provide a structured programme of training and dissemination of the EU framework for authorisation in order to have a consistent understanding and better application of the EU framework so that all parties understand what they have to do and mutually recognise what is done by others. This was, however, overtaken by the priority to develop the prioritisation to preparation for the Fourth Railway Package and rules cleaning up.

	Significant output(s)	Legal basis	Planned timing	Achieved
1	Preparation and organisation of up to five training courses for staff of Member States managing the Reference Document Database (RDD)	Agency Regulation	End-2015	No — postponed to be included in the ERA common approach to dissemination and to free up resources for cleaning up NTRs and preparing for 4RP (e.g. OSS and implementing act)
2	Preparation and organisation of up to five training courses for experts of the railway sector regarding applications for authorisation in accordance to the European legal framework	Agency Regulation	End-2015	N/A — replaced/made redundant by new task preparation of the Agency for Issuing Vehicle Authorisation and associated implementing acts. One workshop held on VA under the 4RP
3	Production of training and guidance documentation according to customer needs	Agency Regulation	End-2015	N/A — replaced/made redundant by new task preparation of the Agency for Issuing Vehicle Authorisation and associated implementing acts. one workshop held on VA under the 4RP



## Project 2.9 Cooperation with standardisation bodies

In order to support the development of TSIs and ensure their efficient implementation, the Agency coordinates its TSI-related activities with the European Standardisation Organisations (ESOs). The Agency, taking into account the opinion of the relevant working parties, issues requests for European standards when

needed for TSIs. The Agency is represented on the two technical committees for rail (TC256 and TC9X), which coordinate the development of European standards related to railways, also with the aim of promoting and speed up the development of the standards which are the most needed by the railway sector.

Cooperation with research organisations is covered under point 5.7.

	Significant output(s)	Legal basis	Planned timing	Achieved
1	Requests for Standards (RfS) and contributions to standards drafted with aim at closing the open points in TSIs	Agency Regulation Article 12, Directive 2008/57/EC Articles 6, 8	Ongoing	Yes

## Project 2.10 Harmonised EU framework for operation (TSI OPE) and workers performing safety critical tasks (including train drivers)

Having established the harmonised regulatory basis with the revised TSIs, the Agency put the emphasis on helping the sector in the implementation of these regulations. This included dissemination seminars with the different actors, bilateral meetings, timely answer to queries, etc.

In parallel, the Agency continued to monitor the correct implementation of TSI OPE and further developed its Appendix B on common operational rules and principles. Appendix C of TSI OPE on safety related communications methodology has also been revised, taking into account the results of the study launched by the Agency in 2014.

In relation to staff accompanying trains, the Agency looked in detail into the appropriate level of language competence according to the Common European Framework Reference. Following the 2013 report on

the implementation of the Train Drivers Directive, the Agency continued in 2015 the elaboration of proposals for necessary amendments and potential improvements to the Directive itself as well as to related non-legislative acts. This was done with the help of a 'support group', including representative bodies and NSAs, facilitating rail transport at EC borders and to gain experiences on railway technology and operation developments in other areas of the world.

On the basis of Article 17 of the Agency Regulation, the Agency evaluated national rules in regard to other staff groups performing safety critical tasks and evaluated developing common provisions, if required and where appropriate.

Finally, the Agency initiated the first wave of facilitation actions aiming at informing the impacted rail stakeholders and Member States (e.g. by running dissemination of the TSI OPE and by organising seminars also concerning the certification scheme for train drivers).

Regarding the transposition of the Train Driver's Directive in national law, the Agency continued to provide support to Member States on request by the Commission services.

	Significant output(s)	Legal basis	Planned timing	Achieved
1	Meetings of the support group	Agency Regulation Article 12	End-2015	Yes
2	Dissemination seminars held	Agency Regulation Article 12	End-2015	Yes

## Project 2.11 Support to the preparation of calls for proposals and evaluation of interoperability projects in cooperation with the Commission and INEA (Innovation and Networks Executive Agency)

Based on the availability of resources, the Agency has been supporting the Commission and INEA in drafting calls for proposals and in the evaluation process of the call.

	Significant output(s)	Legal basis	Planned timing	Achieved
1	Agency position taken into account by the INEA and the European Commission	Agency Regulation Article 21a	On request	Yes



## Activity 3 — Single EU train control and communication system

The European Railway Traffic Management System (ERTMS) is an important industrial project for Europe and a major step for an interoperable railway system and the progressive establishment of an open market in the sector. The Agency fulfils the role of system authority for the ERTMS specifications: its priorities are to maintain the stable and consistent set of specifications, its timely release of these, and ensuring the resolution of errors, favouring investment decisions and protecting existing installed base.

The Agency has developed, consulted on, and published the framework for the long term, regular management of the specifications, with a comprehensive timetable to deliver the contents. A project has been defined for the delivery of the next maintenance release, with clear estimation of resources and milestones; with the Agency providing the project management function.

Upon request of the European Commission, the Agency provided its technical advice and opinions in the field of ERTMS. As the harmonised specifications alone would not deliver the full set of benefits expected from ERTMS, it is necessary to ensure their coordinated applications and cost effective verification and authorisation. The Agency also made appropriate proposals to foster interoperability of the corridors laid down in Decision 2012/88/EU and made any appropriate recommendations which may have provided support to the Innovations and Networks Executive Agency (INEA) regarding projects for which an application for Commu-

nity financial aid has been submitted. In addition, the Agency provided its technical opinions on derogations and technical support to the ERTMS Coordinator in its work and initiatives.

### Project 3.1 Change control management for ETCS and GSM-R

The Agency acts as the system authority for ERTMS (ETCS and GSM-R). The change control management process is applied to ensure that feedback and requests from the sector are analysed with proper impact assessment for the maintenance of existing baselines and the development of future baselines in the fields of communication and train control. The Agency made available the intermediate results of the resolution of the change requests, based on the CCM database, including issuing of guidelines for implementing ERTMS, improved test specifications, work on ensuring backward compatibility, definition of standard interfaces where appropriate, closing open points, simplification of the specifications and improvements to their format (e.g. formal language).

The Agency also integrated the result of work streams defined in the 2012 MoU, like the extensions on ATO (automatic train operation), KMS (key management system), and carrier independence. The Agency issued new baselines when appropriate and ensured their backward compatibility.

	Significant output(s)	Legal basis	Planned timing	Achieved
1	Recommendation on maintenance release, supported by an effective maintenance release and software version management	Agency Regulation	End-2015	Yes

### Project 3.2 Development of the requirement for the evolution of the railway communication system

The Agency has been taking the lead on the many initiatives aimed at defining the future of GSM-R and the bearer independency for ETCS data transmission, organising the discussion on the time plan for the adoption of new technologies while preserving the functional interoperability requirements and attractiveness

of using the railway for final users, generating a railway communication roadmap where the migration from GSM-R is correctly analysed, defining the basic model and guidelines of the future railway telecommunication system, and ensuring that railway-specific functions are correctly defined and realised at the application level. The Agency took part in and supported the coordination board set up by the European Commission on interferences, and took this into account for the evolution of the railway communication system.

	Significant output(s)	Legal basis	Planned timing	Achieved
1	Release of the high level requirements for the communication system based on technical and economic arguments	Agency Regulation	End-2015	Partially — two studies launched with external contractors: results available May 2016

### Project 3.3 Sharing best practices in implementations and promotion of engineering guidelines and operation

The Agency continued, where appropriate, to produce harmonised guidelines (with the support of the sector and the involvement of the ERTMS MoU Steering Committee).

As national rules, only allowed in the cases foreseen by the Interoperability Directive, could hamper interoperability, the Agency, in the frame of the project to facilitate the cleaning of national rules, monitored with special focus rules which could be in contradiction with the introduction of ERTMS as the harmonised interoperable system.

In addition, the Agency harmonised the principles and rules for operation within the ETCS and GSM R systems together with the engineering rules, defined opportunities for cost-efficiency measures in the frame of standardised approaches to the training of the drivers for ERTMS and common principles applicable to operational rules used in the calculation of safety-related parameters for ERTMS, and adjusted the system based on operational feedback.

### Project 3.4 Support to the evaluation of ERTMS projects in cooperation with the Commission and INEA

Based on the availability of resources as a technical support to INEA and the European Commission, the Agency monitored the ERTMS funded projects with the help of external technical experts to verify compliance with CCS TSI.

	Significant output(s)	Legal basis	Planned timing	Achieved
1	Agency position taken into account by INEA and EC in priorities, call definitions	Agency Regulation Article 21a	On request	Yes

### Project 3.5 Promotion and facilitation of testing, certification and authorisation for ERTMS

In the preparation phase for future enlarged responsibilities, the Agency took a more active and pragmatic approach in reacting to questions from stakeholders related to the application of the TSI CCS.

The Agency supported the European Commission in the follow up and the revision of the EU deployment plan for ERTMS and coordination of the installations along corridors, and contributed the Steering Committee and Corridor Group set up by the European coordinator for ERTMS.

The Agency also disseminated the principles of the harmonised approach to all parties involved in the ERTMS deployment, in particular to infrastructure managers, Railway undertaking, manufacturers and laboratories

as well as keepers and owners of locomotives and EMUs/DMUs, and regularly surveyed, with the ad hoc group of notified bodies, any difficulty or problematic situation which could arise in the process of certification and verification for ERTMS ICs and subsystems, with the aim to offer guidance and allow harmonised approaches.

The Agency also addressed those issues with the NSAs in the ERTMS focus group, with the aim of identifying at an early stage possible difficulties and thus allowing open discussion and resolution among NSAs.

To ensure the viability of regular updates of the complex software based system, the Agency analysed in cooperation with the National Safety Authorities, the possible options to ensure efficient application of the EU railway legislation to software updates. The findings and results of the activities were reported in the documents concerned, and guidelines/checklists (especially common checklist for TSI CCS) were elaborated where necessary.

	Significant output(s)	Legal basis	Planned timing	Achieved
1	Providing guidelines in relation to ERTMS	Agency Regulation Article 21a	End 2015	Partially – Application guide prepared for 2016
2	ERTMS conference	Agency Regulation	May 2015	Yes





## Activity 4 — Simplified access for customers

Accessibility by all stakeholders of the system itself and of information related to its operation is an area where significant progress is expected, which will result in enhanced efficiency and image of the railway system as a whole. The creation of a harmonised protocol for exchanging information between railway actors is a prerequisite to enable RUs to permanently locate freight trains and exchange documents related to the carried goods. It is also necessary to allow the issue by travel agents of seamless tickets covering several RUs in several countries. Furthermore, providing relevant information to RUs through the Register of Infrastructures (RINF) is an absolute necessity to enable them to fulfil their responsibilities in checking route compatibility. From another perspective, society is also strongly demanding an improved access of stations and trains for persons with reduced mobility (PRM), ranging from disabled or impaired people to prams and heavy luggage carriers. All improvements in this matter would benefit not only the PRMs, but also all passengers and the system itself by improving passengers' flow and increase in global efficiency. This latter aspect is enhanced by the European Act implementing the Con-

vention on the Rights of Persons with Disabilities of the United Nations (UNCRPD), which quotes the TSI PRM as a tool for its implementation.

### Project 4.1 Database of interoperability and safety (Eradis)

The Agency maintains the computerised system through which all important information is made available for any interested party, either through direct access to the data stored at ERA, or via a common interface to the local (national) databases. The system also includes EU templates aiming to harmonise the format of some documents.

In addition, the Agency is maintaining ERAIL (European Railway Accident Information Links) databases, originally developed with the Commission's Joint Research Centre, covering accident investigation reports, safety recommendations and common safety indicators.

	Significant output(s)	Legal basis	Planned timing	Achieved
1	Eradis information verified and available to any interested parties	Agency Regulation Article 19	Ongoing	Yes





## Project 4.2 Registers for vehicles (ECVVR, ERATV ...)

The Agency develops further and maintains the ERATV (European Register of Authorised Type of Vehicles)

and ECVVR (European Central Virtual Vehicle Register) both in collaboration with the NSAs, as well as the VKM (Vehicle Keeper Marking) register in collaboration with OTIF. The possibility of interfacing the various vehicle-related registers to each other have been analysed and communicated to the Member States and the EC.

	Significant output(s)	Legal basis	Planned timing	Achieved
1	Intermediate report on the rationalisation of vehicle-related Registers	Agency Regulation Articles 18 and 19	September 2015	Yes
2	ERA proposal for a roadmap for compliance of vehicle-related register with the 4RP	Agency Regulation Articles 18 and 19	End-2015	Yes

## Project 4.3 Register of infrastructure (RINF) and PRM inventory of assets

The Agency further developed further and maintained the specifications and the CUI (Common User Interface) of the RINF (Railway Infrastructure Register) in collaboration with the experts and the NREs (national registration entities). The major tasks of the Agency include to make the CUI available to stakeholders and to support the Member States in the implementation of the RINF Decision, in particular in the population

of RINF with data related to the freight corridors. The Agency ensured that there is clarity between the information presented in the RINF and the information presented in the network statement, bearing in mind the requirements of the end users

The Agency has identified in 2014 the form of the PRM inventory of assets and has clarified the exact information required from stakeholders. 2015 was the year for the development/adaptation of the tool that will facilitate the collection and interfacing of inventories of assets from all Member States.

	Significant output(s)	Legal basis	Planned timing	Achieved
1	CUI available to stakeholders	Agency Regulation Article 18	January 2015	Yes
2	RINF guide published	Agency Regulation Article 18	January 2015	Yes

## Project 4.4 Telematics applications passengers and telematics applications freight

The Agency acts as system authority by supporting the railway sector on the technical specifications, with the aim to continue to lead the change control management (similar to the successful system for ERTMS, using the same tools), to support full compliance of technical developments with the TSI, and to prepare

TSI updates whenever these prove to be necessary for a successful implementation.

In addition, the Agency has been monitoring the actual deployment of the telematics TSIs and report to the EC on progress in implementation and identifying obstacles, and has simultaneously started the first wave of facilitation actions aiming at informing the impacted rail stakeholders and Member States authorities (e.g. by running dissemination seminars).

	Significant output(s)	Legal basis	Planned timing	Achieved
1	Monitoring deployment tool in place	Agency Regulation Article 12	End-2015	Yes
2	Dissemination seminars held	Agency Regulation Article 12	End-2015	Yes



## Activity 5 — Evaluation, management and resources

The horizontal activities supporting the Agency's operations are mainly carried out by the Corporate Management and Evaluation Unit and the Resources and Support Unit. The Corporate Management and Evaluation Unit is responsible for the Agency's strategy and business planning, its quality programme, communication, internal audit, legal affairs and the Economic Evaluation of the Agency's work. The Resources and Support Unit is in charge of the areas of human resources, procurement, finance, accounting, ICT and facilities. Based on the regulatory framework (in particular the Founding Regulation, Staff Regulations, Financial Regulation and internal control standards), both entities develop and provide the required projects and services. Transversal projects, such as the international relations management and the railway research coordination also belong in this evaluation, management and resources activity.

The legal basis for the Agency's horizontal and support activities is primarily the Agency Regulation (EC) No 881/2004 and on this basis, several other EU legislative acts which apply to the Agency — mainly, for example: staff regulations; financial regulations; and decisions, which guarantee the proper functioning of the Agency. In addition, a more specific legal basis for these activities is a number of internal administrative instructions and orders issued by the Executive Director under the Agency's Integrated Management System which allow the Agency to operate and function or other EU and national legislation that applies and could serve as the basis for the aforementioned activities.

In accordance with the adopted strategic re-orientation of economic evaluation from 2014, the core activities in this area in 2015 encompassed the following:

- setting the basis for future comprehensive policy evaluations for the four operational activities, namely by creating a set of outcome indicators serving as the indispensable basis for these evaluations, and to undertake a comprehensive evaluation in the field of ERTMS which led to an ERTMS longer term perspective strategic document;

- early assessment of all potential projects considered by the Agency including those suggested on the basis of the regulatory fitness checks;
- impact assessments.

The early assessment being tested on pilot projects set the basis for the future prioritisation scheme development and management, targeted at the whole Agency work programme.

Overall, this set of interrelated economic evaluation tasks has provided the framework for ensuring that Agency measures contribute to make the railway sector more competitive; in short that 'the Agency is doing the right things'. In the case of economic evaluation, the legal basis is primarily the Agency Regulation (EC) No 881/2004 and on this basis several other EU legislative acts apply. In particular, economic evaluation is provided for various tasks in Directives 2004/49/EC, 2007/59/EC and 2008/57/EC.

### Project 5.1 Comprehensive policy evaluation for each of the four operational activities

The policy evaluation involved an extensive analysis of the current issues faced by the stakeholders, as well as at system level per operational activity area. In particular, on the basis of the available evidence and return of experience, the evaluation has been undertaken in order to analyse possible explanatory factors for the observed trends. To this end, the definition of a set of 'railway indicators' (RIs) and their first measurement were performed. The main purpose of the analysis was to understand the main issues and their underlying factors. It shall contribute to the formulation of suggestions for amendments to legislative measures or of possible new measures after stabilisation. For 2015, the focus was on the preparation of the specific methodology to be used for each of the four operational activities, taking into account the data gathered for the railway indicators. An interim report was delivered for the activity of the 'Single European train control and communication system' ('ERTMS longer term perspective').

	Significant output(s)	Legal basis	Planned timing	Achieved
1	Methodology for the comprehensive policy evaluations for the four operational activities	Agency Regulation	End-2015	Partially — procedure drafted. Validation and finalisation within the IMS review in 2016
2	Railway Indicator (RI) tables	Agency Regulation	Mid-2015	Yes
3	Interim report for 'Removing technical barriers' and 'Single European train control and communication system'	Agency Regulation		Partially — ERTMS only, work for removing technical barriers was postponed

## Project 5.2 Early assessment of all potential projects considered by the Agency

The Agency has been applying an early assessment process applicable to all potential projects of the Agency under consideration. A key element was to determine whether the issues identified are likely to be influenced positively by Agency action and the risks if no Agen-

cy action is undertaken. The early assessment process should be a tool to answer the questions: (a) Is Agency action necessary and in line with the EU legislative framework; (b) Is impact assessment work required in order to determine the content of the Agency action? In this regard, the early assessment process provided the basis for priority setting as a Go/No go filter, in close collaboration with all operational units. The result of the early assessment activity has been integrated into the work programme 2016 and presented to the Administrative Board.

	Significant output(s)	Legal basis	Planned timing	Achieved
1	Early assessment reports for new and relevant projects in all four operational activities	Agency Regulation	End-2015	Yes

## Project 5.3 Impact assessments

On the basis of the early assessments impact assessments, it may be required to determine the best option(s) to achieve the objectives behind each of the possible Agency actions, while minimising any negative impacts. Three types of cases may result from the early assessment according to the proportionality principle: (a) no need for impact assessment; (b) light impact assessment needed; (c) full impact assessment required.

In general, any Agency action which is expected to have significant impacts needs to be preceded by a full impact assessment. Furthermore, it is foreseen that for a limited number of projects for which there are likely to be significant impacts and/or significant stakeholder concerns, close cooperation between the Agency and the Directorate-General for Mobility and Transport (DG MOVE) will be established. It has been agreed that such a cooperation will be necessary for the following 2015 work programme projects:

01.7 Freight, harmonisation of the ECM certification process; cooperation of certification bodies

03.2 Development of the requirement for the evolution of the railway communication system

04.2 Registers for vehicles (ECVVR, ERATV ...).

Extent and modus operandi of the cooperation will be determined for each project individually, depending on its nature and evolvement over the time.

## Project 5.4 Data analysis and methodologies (including assessment tools)

Building on the work on system data management in the previous year, the Agency sought in 2015 to address data fragmentation in the railway sector by setting up the prototype of an inventory for data sources

and providers of railway data necessary for economic evaluation, with the aim of not storing the data in the Agency, but to know where these data are accessible.

## Project 5.5 International relations

The Agency has a policy on international relations in order to achieve the benefits of consistency with similar organisations outside of the EU, neighbours to the EU and EU standardisation bodies and to promote the use of European standards outside of the EU. Under the auspices of established agreements and specific agreements and understandings developed with similar organisations outside Europe and according to the status and benefits to be gained from third-country activities, the Agency develops Memoranda of Understanding (MoUs) for cooperation, attends meetings, workshops and seminars with third parties or support the European Commission in meetings. The Agency also supports the EU in trade negotiations on rail-related issues.

In 2015, the Agency enhanced its relationship with the Federal Railroad Administration in the United States, exploring subjects for concrete cooperation. The relationship with the Gulf Cooperation Council (GCC) was further developed with a study visit to Brussels and proposals for an MoU with the GCC were developed.

The Agency participated in EC dialogue with the Chinese, including the first exploration of the possibility of mutual recognition.

Relationship with the MILT in Japan were significantly strengthened under the auspices of the trade talks and a technical working group was set up. Four meetings were held in 2015 in Tokyo, Brussels, Lille and Valenciennes to discuss the subjects of: mutual recognition of vehicle rules and standards; vehicle authorisation processes; and next generation signalling systems.

The administrative arrangements between OTIF, DG MOVE and the Agency signed in 2013 enable these

three players to better plan the activities of common interest and to prioritise the tasks using their resources efficiently. The Agency continued to assist the Commission in its cooperation with OTIF to establish and maintain equivalence between the EU and OTIF legislation concerning railway interoperability and safety to the

extent necessary for international rail traffic. The purpose of this cooperation is to facilitate the rail transport services and recognition of authorisations for placing in service and admission to operation between the EU Member States and non-EU OTIF Contracting States.

	Significant output(s)	Legal basis	Planned timing	Achieved
1	Support to the Commission to set up international agreements	Agency Regulation Article 1	On request	Yes
2	Information exchange and participation in activities of mutual interest to draft equivalent technical specifications at EU and OTIF	Agency Regulation Article 1, OTIF-DG MOVE-ERA Administrative Arrangements	In accordance with ERA and OTIF Work Programmes	Yes
3	Facilitating of know-how transfer on railway operation, technology, regulation between EU and third countries	Agency Regulation	Ongoing	Yes
4	Cooperation with OSJD aimed at facilitation of the TSI revision progress	Commission Decision C(2010)2576 final ERA Recommendation ERA/REC/03-2008/INT	Ongoing	Yes
5	Facilitation of cross-border traffic with third countries	Agency Regulation	Ongoing	Yes

## Project 5.6 Stakeholder management

them about Agency activities, to agree on sector contributions to the Agency's work and to review 'hot' issues.

The Agency has been coordinating meetings with the Network of Representative Bodies (NRB) to inform

	Significant output(s)	Legal basis	Planned timing	Achieved
1	Organising at least 3 NRB meetings with an continuously improving level of customer satisfaction	Agency Regulation	End-2015	Yes

## Project 5.7 Coordination and monitoring of research activities in the field of railway transport

ers of funds and advisory bodies, and assists these bodies in the definition of scope and aims of research projects to ensure the outputs best meet the needs of the single European rail area.

The Agency disseminates the EU framework to those involved in research, determines the Agency's needs for research, disseminates these needs to the provid-

Following the set-up of the joint undertaking, Shift2Rail most of the Agency's activity relating to research focussed on providing technical support to Shift2Rail.

	Significant output(s)	Legal basis	Planned timing	Achieved
1	Proposing possible amendments to the Shift2Rail master plan and to the annual work plans	Shift2Rail Regulation	To be determined according to emerging development of Shift2Rail Joint Technology Initiative	Yes



	Significant output(s)	Legal basis	Planned timing	Achieved
2	Proposing, after consultation with the stakeholders of Shift2Rail Regulation, guidelines for research and development activities leading to technical standards with a view to guaranteeing the interoperability and safety of results	Shift2Rail Regulation	To be determined according to emerging development of Shift2Rail Joint Technology Initiative	Yes
3	Reviewing the common developments for the future system and contributing to defining target systems in regulatory requirements	Shift2Rail Regulation	To be determined according to emerging development of Shift2Rail Joint Technology Initiative	Partially — work started on future ERTMS needs. Work on overall strategic priorities for the target system to start in 2016 following the reallocation of tasks
4	Reviewing project activities and results with a view to ascertaining their relevance to the objectives identified in Article 2(2) of this Regulation and to guaranteeing the interoperability and safety of research results	Shift2Rail Regulation	To be determined according to emerging development of Shift2Rail Joint Technology Initiative	N/A — activity not started yet





## Project 5.8 Opinions and advice

At the request of the European Commission, the Agency provides Technical Opinions and Advice to the European Commission in accordance with the processes and timescales set out in EU law.

	Significant output(s)	Legal basis	Planned timing	Achieved
1	Advices and opinions issued within the agreed deadlines	Agency Regulation Articles 2(b), 9a(3), 10, 15, 21b(2)	On request	Yes

## Project 5.9 Quality management and audit/control

The Agency further implemented the roadmap to an integrated management system (IMS). This included the integration of the European Commission's internal control standards into the ERA management standards, the development and implementation of the procedures according to plan and the continuous improvement of the system by auditing, assessing, monitoring and measuring the processes in place and their related outputs including the functioning of the internal control systems in order to provide reasonable assurance to the Executive Director that suitable controls are in

place and working as intended, risk were being mitigated and improvements implemented.

The IMS programme experienced some delays in areas such as 'network management, dissemination of activities and project management', mainly due to other priority actions emerging from the Fourth Railway Package and an internal reflection on the management of the work programme based on the Agency's strategies instead of independent outputs.

During the IMS Review exercise 2015, the full set of actions has been reprioritized taken into consideration the resources available in order to keep the objective of being ISO certified in line with the implementation plan of the 4RP.

	Significant output(s)	Legal basis	Planned timing	Achieved
1	Developing and implementing Quality processes, procedures and other documents in the QMS including those necessary to satisfy internal control requirements and to manage risks	Agency Regulation	According to the Quality Steering Group work plan	Partially — delayed in some areas (mainly re-prioritisation in light of 4RP)
2	QMS review report of the ERA Management System including the assessment of the ERA IMS requirements	Financial regulation	According to the Quality Steering Group work plan	Yes

## Project 5.10 Strategy and business planning

The Agency's strategy and business planning ensures, in close cooperation with the European Commission and other stakeholders, the strategic direction, the prioritisation and the integrated planning of the (multi)

annual work programme. Impact (early) assessment is used as default tool to identify the right priorities. The implementation of the annual work programme and its change management are regularly monitored and adjusted where necessary. The final achievements of a business year are laid down in the Annual Activity Report.

	Significant output(s)	Legal basis	Planned timing	Achieved
1	Drafting and finalising the annual work programme	Agency Regulation	First draft February 2015, final version for approval October 2015	Yes

## Project 5.11 Legal affairs

The Legal Office provides legal opinions and legal advice to the Executive Director and to all units and sectors, upon request or on its own initiative. It also intervenes in case of claims and proceedings before courts and other public authorities. The Office provides legal and administrative support (Secretariat) to the Administrative Board and its Subcommittee and ensures also the timely organisation and coordination of the meetings of the Administrative Board. The Data Protection Officer (DPO) safeguards, in an independent manner, the proper application within ERA of Regulation (EC) No 45/2001 and assists the Agency data controllers/

heads of units in ensuring compliance with personal data protection rules.

## Project 5.12 Communications

The core mission of the Communication Office is to provide the external and internal communication processes and working tools for the Agency's stakeholders and staff to ensure the required Agency's impact on the railway sector in line with its remit. The Agency's communication strategy and action plan was worked out during 2015 and supported by the Administrative Board in November 2015.

	Significant output(s)	Legal basis	Planned timing	Achieved
1	Updated communication plan and improved tools according to return of experience	Agency Regulation	March 2015	Yes

## Project 5.13 Resources (human and financial)

The finance, accounting and procurement activity encompasses all on-going tasks in relation to the preparation and execution of the budget (including financial initiation of commitments and payments); reporting on the budgetary execution; accounting; relations with the Court of Auditors; coordination of the procurement planning and provision of support in the preparation and implementation of procurement procedures. Given the foreseen adoption of the Fourth Railway Package, the Agency will need to explore the possibilities of external financing and prepare for the necessary changes this might have on its financial processes and/or systems. In this context the Agency started to introduce an e-procurement system which will be deployed in 2016 and a paperless workflow for the handling of

its financial transactions (the payment of invoices already follows a paperless workflow; it will be extended to the other payment transactions and further on to the commitment transactions). Human Resources secures the full range of human resources management services including recruitment, engagement, individual entitlements, learning and development, CDR, reclassification, data protection, administration, reporting ... in compliance with the legal framework. HR shall also support the Agency in terms of resourcing and developing skills in order to prepare for new tasks, such as the Fourth Railway Package and Shift2Rail.

On matters relating to staff, the Agency's Staff Committee is consulted in accordance with the provisions of the Staff Regulations. A wider dialogue with staff shall take place in particular in regular meetings with members of the Staff Committee, in ad hoc working groups and in staff assemblies.

	Significant output(s)	Legal basis	Planned timing	Achieved
1	95 % of the establishment plan filled at the end of the year	Framework Financial Regulation	End-2015	Yes
2	95 % of appropriations committed	Framework Financial Regulation	End-2015	Yes
3	At least 95 % of invoices paid within legal deadline (30 days)	Framework Financial Regulation	Within the regulatory time limits	Partially — by end of December 92.6 % of invoices were paid within a deadline due to delay in processing of the invoices by ERA staff, shortage of cash and disagreement with the suppliers on the content of the invoice). Counter-measures are being implemented (analysing the causes of the delay, then drafting a report to identify the problems; then proposing actions)

	Significant output(s)	Legal basis	Planned timing	Achieved
4	Execution of payment vs committed appropriations (average all types of appropriations — detailed in Part II — 2.3)	Agency Regulation	End-2015	Yes

## Project 5.14 Information technology and facilities

The ICT services are carried out by in-house staff and contractors working on site. In 2015, based on the business needs and operational demands, the Agency managed to optimize its core IT functions delivering IT services that were valued by the users (more than 90 % of users satisfied with the ‘Very good/excellent’

rate). The deployment of virtualisation technologies was in line with the ICT strategy and the sustainability culture. The use of IT assets and information focused to support the defined ICT strategy. The facilities management (FM) services are carried out by in-house staff and contractors working on site. Together with the HR and ICT teams, the FM team improved the health and safety conditions. EMAS initiatives were introduced in order to reduce the environmental impact of the activities of the organisation.

	Significant output(s)	Legal basis	Planned timing	Achieved
1	Two to five initiatives undertaken to improve health and safety conditions	Agency Regulation	End-2015	Yes
2	No security incidents causing financial loss, business disruption or public embarrassment	Agency Regulation	End-2015	Yes
3	Establishment of ERA and Commission mutual access to rail databases in cooperation with the Commission	Agency Regulation	End-2015	Yes

## Project 5.15 Preparation for the Fourth Railway Package

On 17 June 2015, the Latvian presidency of the Council struck a provisional deal with the European Parliament on new rules to improve interoperability and safety authorisation procedures for European railways. The re-

form also gives new tasks to the Agency. Together, the two directives and a regulation make up the technical pillar of the Fourth Railway Package.

In light of these developments during 2015, the Executive Director established a task force in charge of the overall coordination of the Fourth Railway Package preparation programme.

	Significant output(s)	Legal basis	Planned timing	Achieved
1	Establishment of a task force to prepare for the implementation of the Fourth Railway Package	New Agency Regulation	Ongoing	Yes
2	Roadmap with milestones	New Agency Regulation	Ongoing	Yes
3	Coordination of tasks in relation to the Fourth Railway Package in other activities	New Agency Regulation	Ongoing	Yes



Assurance is an objective examination of evidence to assess the effectiveness of risk management, control and governance processes. This examination is carried out by management, who monitors the functioning of the internal control systems on a continuous basis, and by internal and external auditors. Its results are explicitly documented and reported to the Executive Director. The reports produced are:

- the financial management reports on the implementation of the budget appropriations;
- the reports of the *ex-post* control;
- the observations and the recommendations reported by the Internal Audit Service (IAS);
- the observations and the recommendations reported by the European Court of Auditors (ECA).

This chapter reports the control results and other relevant elements that support the management's assurance on the achievement of the internal control objectives.

## 2.1 Administrative Board

### 2.1.1 Administrative Board

The Administrative Board is the main governing body of the Agency. Its mission is to effectively ensure that the Agency accomplishes its functions and it is vested with the necessary powers for this, including establishing the work programme and budget. Consequently, it plays a fundamental role in Agency structure for steering the work of the organisation as a whole.

The Board, under the Chairmanship of Mr Mats Andersson and Vice-Chairmanship of Mr Hinne Groot, 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, the railway supply industry, worker unions, passengers and freight customers.

As a continuation from 2014, the Board continued to follow closely the evolution of the legislative proposal for the Fourth Railway Package, the Shift2Rail proposal and their impact to the Agency's work and organisation.

The agreement made in 2012 to have a communication and dissemination plan for the Agency was successfully adopted in 2015. The Board emphasised the importance of having an integrated management quality plan and debated the possibility to have a conflict of interest policy for its members.

This year again, during the consultation process for the preparation of the work programme (programming document) 2016, a workshop was organised in June 2015 for the Board members and all the sector representatives who contributed to the ongoing constructive exchange and wider engagement of the stakeholders concerned.

In addition, the work programme 2016 structure was improved in line with the guided principles across Agencies for a single programming document. As of 2016, the Agency's five activities will be cascaded down in objectives and outputs.

### 2.1.2 Summary of decisions of the Administrative Board

#### 35th meeting — 24 March 2015

#### THE AGENCY ADMINISTRATIVE BOARD:

- Decision No 110 adopting the statement of estimates 2016
- Decision No 111 adopting the Multi-Annual Staff Policy Plan 2016-2018
- Decision No 112 adopting the Annual Activity Report 2014
- Decision No 113 adopting the assessment of the Annual Activity Report 2014
- Decision No 114 adopting an amendment to the work programme 2015

## 36th meeting — 16 June 2015

### THE AGENCY ADMINISTRATIVE BOARD:

- Decision No 115 adopting an Opinion on the Annual Accounts 2014
- Decision No 116 adopting the ERA management standards and repealing Administrative Board Decisions No 23 and No 81
- Decision No 117 amending the establishment plan 2015

## 37th meeting on 25 November 2015

### THE AGENCY ADMINISTRATIVE BOARD:

- Decision No 119 Programming Document 2016
- Decision No 120 budget and establishment plan 2016
- Decision No 121 engagement and use temporary staff Article 2(f) CEOS
- Decision No 122 appraisal Temporary Agents
- Decision No 123 appraisal of Contract Agents
- Decision No 124 adopting measures unpaid leave for temporary and contract staff

In addition, the Administrative Board adopted by written procedure:

- Decision No 118 amendment work programme 2015

### 2.1.3 Sub-Committee

The Sub-Committee on financial, budgetary and staff-related issues was created in 2009 in order to provide advice on these matters prior to Administrative Board decisions. In 2015 the Sub-Committee met five times: its meetings usually take place before those of the Administrative Board. The Sub-Committee reports regularly to the Board.

Following the proposals of the position paper of the Administrative Board agreed on 26 June 2012, the advisory role of the Sub-Committee was enlarged. This year the Sub-Committee's tasks included, in addition to the regular financial and staff issues, consultation and opinions on the work programme and planning, annual reporting, communication and dissemination plan and preparation of the transition towards the Fourth Railway Package and Shift2Rail.

The Sub-Committee contributed substantially to the proper preparation of the meetings of the Board and advised it in relation to the decisions to be taken by the Board.

In addition, it supervised the efforts of the management to deal with the budgetary issues and especially to improve the budget implementation by respecting the principle of annuality, to ensure an appropriate execution of the budget and to follow up the Internal Audit Service recommendations and the Court of Auditor's observations.

In addition, it follows closely key performance indicators which have been included in the Work Programme 2015, activity-based budgeting, and impact assessment of the activities and tasks of the Agency as well as the integrated management systems, the communications strategy and quality plan.

The Sub-Committee is composed of the Chairperson of the Board, the Deputy-Chairperson, two representatives of the Commission and four other members of the Board, including one representative of the stakeholders. The Board appointed the members of the Sub-Committee and its chairperson. The Board appointed also alternates of the members of the Sub-Committee and a deputy chairperson. The Commission representatives in the Administrative Board proposed two members representing the Commission in the Sub-Committee and their two alternates.

## 2.2 Major events

2015 marked some changes in power for the Agency; Mr Doppelbauer started its tenure as the Agency's Executive Director and Mr Hololei took over as Director-General from Mr Machado of the Agency's parent Directorate-General Transport and Mobility.

In 2015, the Agency developed a revised ERA policy, and an integrated management system with focus on document management and change management. In addition, a task force for the Fourth Railway Package preparation was created and the ERTMS Stakeholder Platform launched.

Two high priority tasks were requested by the European Commission, namely the reduction of national rules and the safety occurrence reporting.

From a communications point-of-view, the Agency placed a strong focus on stakeholder management through its stakeholder survey, as well as the deployment of the communications strategy.

The Agency was also successful in the organisation and outcome of the ERTMS CCRCC Conference in Lille and the Conference on the Fourth Railway Package in Luxembourg.



## 2.3 Budgetary and financial management

### 2.3.1 Revenue

The Budgetary Authority approved for 2015 the Agency budget of EUR 24 659 000. The total for assigned revenues was up to EUR 954 000 and the EFTA contribution was up to EUR 732 000.

The total revenue received from the Commission and external entities was EUR 26 345 000. On top of this the Agency received EUR 50 174 of other revenue, representing mainly the accounting services invoiced to the European Securities and Markets Agency (ESMA) under the Service Level Agreement signed between the Agency and ESMA.

### 2.3.2 Expenditure

In 2015, the Agency committed 99.10 % of the available appropriations.

EUR 0.24 million out of the total subsidy of EUR 26.345 million was not used. As regards the payments, the Agency used 89.78 % of the total appropriations (90.59 % of the appropriations committed in 2015). The 10.07 % that are carried over to 2016 mainly concern operational expenditure (Title 3). In addition, 96.3 % of the appropriations carried over from 2014 (C8 credits) have been executed.

With regard to the original procurement plan, approved by the Administrative Board as part of the Work Programme 2015 and which serves as the Agency's financing decision, some procedures have been cancelled or postponed (web redesign, study for facilitating vehicle authorisation, applicability of existing precursor and risk model at European Level). The procedure related to the preparation/implementation of the Fourth Railway Package has been cancelled and then relaunched; the study contract, with a reduction of the initial scope, has been signed in November 2015.

### 2.3.3 Financial KPIs

Commitments using the appropriations for 2015 budget year (C1 Commitments): the minimum level of commitments set by the European Commission in its yearly budget circular is 95 % of the total appropriations.

For Title 1, the rate is 99.49 %; for Title 2 is 98.33 % and for Title 3 is 98.40 % (see Annex II — Table 2.1). With an average of 99.10 %, the C1 Commitments target per title has been achieved.

Payments using the appropriations for 2015 budget year (C1 Payments): in line with the recommendation of the Court of Auditors, the minimum level of payment the Agency wants to reach is 90 % for Title 1, 80 % for Title 2 and 70 % for Title 3 compared to the total appropriations.

For Title 1, the rate is 98.71 %; for Title 2 is 81.02 % and for Title 3 is 70.58 % (see Annex II — Table 2.1). The



average is 89.78 % for payments, the targets for all 3 Titles were achieved.

Payments using the appropriations for 2014 budget year carried-over to 2015 (C8 payments) : the minimum level of payments set by the European Commission in its yearly budget circular is 95 % of the total appropriations carried over. The global payment rate is 96.09 % (see Annex II — Table 2.2).

### 2.3.4 Budget transfers

During the budget year 2015, 33 credit operations have been initiated. These credit operations were validated by the Executive Director within each Title and in compliance with Article 27.1(b) of the ERA Financial Regulation (appropriations transferred from one chapter to another and from one article to another). Therefore, the total appropriations per title at the end of the year were equal to the voted budget.

## 2.4 Human resources management

### 2.4.1 Major HR events

#### *Resources*

On 31 December 2015, the Agency employed 154 permanent staff (134 temporary agents (TA), 20 contract agents (CA)) and 3 seconded national experts (SNE). A breakdown of resources per activity is provided in Annex V.

#### *Re-organisation*

The Executive Director established a task force in order to be more effective with the preparation of the Fourth Railway Package:

- Decision of the Executive Director of the European Railway Agency on establishing a task force and a function of a Programme Manager for the Coordination of the Fourth Railway Package preparatory tasks at ERA and modifying the Agency's organisation chart (ERA-ED-DEC-991-2015)

#### *New Staff Regulations/Internal policies/Decisions*

Following the entry into force on 1 January 2014 of the revised Staff Regulations of Officials and the Conditions of Employment of Other Servants (CEOS) of the European Union, the Agency adopted the following:

- Decision of the Executive Director on the duration of (a) contract(s) of employment for TA 2(F) and the application of Article 8(1) of the CEOS
- Decision No 120 of the Administrative Board of the European Railway Agency adopting the budget and establishment plan 2016
- Decision No 121 of the Administrative Board of the European Railway Agency laying down the general implementing provisions on the procedure governing the engagement and use of temporary staff under Article 2(f) of the CEOS
- Decision No 122 of the Administrative Board of the European Railway Agency on the general provisions for implementing Article 43 of the Staff Regulations and implementing the first paragraph of Article 44 of the Staff Regulations for temporary staff
- Decision No 123 of the Administrative Board of the European Railway Agency on the general provisions for implementing Article 87(1) of the Conditions of Employment of Other Servants of the European Union and implementing the first paragraph of Article 44
- Decision No 124 of the Administrative Board of the European Railway Agency adopting measures concerning unpaid leave for temporary and contract staff.

### 2.4.2. Results of the 2015 job screening exercise

Article 29(3) of the Agency Financial Regulation sets out the obligation for the Agency to carry out an annual benchmarking exercise, and more specifically a job screening focusing on the efficiency of internal resources. In December 2015, the Agency conducted its second job screening exercise.

The purpose of the job screening is:

- to identify any scope for reducing staffing levels in administrative support and coordination functions; and
- to facilitate the reallocation of resources from overhead to operational frontline activities;

All jobs inside the Agency received one screening value:

- 'operational' — serving frontline activities and directly implementing the mandate of the Agency;
- 'administrative support and coordination' — ensure support to the operational functions, such as HR, IT, Facilities;
- 'neutral' — same as above in the areas of finance and control.

In line with the first job screening exercise conducted in 2014, it could be concluded that 64.61% (as opposed to 67.59 % in 2014) of the Agency's jobs are operational, 21.14 % (as opposed to 20.72 % in 2014) are in the area of administrative support and coordination and 14.25 % (as opposed to 11.69 % in 2014) are neutral. The results from 2014 established a baseline for the Agency to measure against 2015 and the upcoming years.

When the exercise is more mature the methodology will be further revised and developed by the European Commission and the Agencies in order to comprise the full benchmarking exercise tailored to the Agencies' specificities.

The detailed results of the exercise are presented in Annex IV.

The level of commitment execution reached 99.10 %, i.e. 1 % more than the level in 2014.

As regards the payment appropriations, the Agency used 90.60 % of the committed appropriations. The indicative ceilings used by the Court of Auditors to assess the budget execution at the level of the carry-overs are 10 % for Title 1, 20 % for Title 2 and 30 % for Title 3. These targets were reached for all Titles.

As regards Article 77 of the ERA Financial Regulation on the time limits, 92.6 % of all 2015 payments other than mass payments for missions, experts and interviews have been paid within time limit. The target of reaching 95 % was not reached due to a combination of factors, i.e. delay in processing of the invoices by ERA staff, shortage of cash and disagreement with the suppliers on the content of the invoice.

## 2.5 Assessment by management

### *Implementation of the budget*

The 2015 budget was subject to close and regular monitoring to ensure optimal and sound management of the Agency's financial resources.

### *Legality and regularity*

Depending on the risk level of the transaction, the Agency has two workflows: one complete workflow model for high-risk transactions and one light workflow model for low-risk transactions (amount < EUR 1 000). These differentiated workflows apply only to payments. An *ex ante* financial verification is processed for high-risk transactions while in the simplified, low-risk





workflow, and the financial verifying agent has been removed (in case there is no *ex ante* verification carried out by a separate person, the authorising officer plays also the role of verifying agent) and an ex-post control for this particular expenditure is carried out.

Accordingly, in 2015 *ex-post* controls continued to be carried out using the same methodology as in the past: sampling, detailed findings and reports with recommendations. The results of the controls were positive and no issue about legality or regularity of the transactions was reported.

A simplified Annual Activity Report has been signed by all Delegated Authorising Officers who have to formally endorse the responsibility of the financial transactions validated in the course of 2015 and to declare any conflict and/or fraud of which they might be aware. The simplified AAR is integrated in the AAR of the Executive Director. In addition to that, the Court of Auditors who yearly checks the legality and regularity of transactions has so far not found any transactions not respecting these principles.

### *Validation of the accounting system*

Following the agreement by management on the definitive implementation of a paperless workflow for payments in April 2015, an update of the validation of the local system was carried out in July/August 2015 by the Agency's accounting officer. As a result of this one very important observation and corresponding recommendation relating to the timely registration of invoices was made. The necessary actions will be undertaken in the first quarter of 2016 to address this observation.

### *Procurement procedures*

Almost all procurement procedures foreseen in the work programme 2015 were launched and finalized.

Due to the available services that can be provided by DG DIGIT, the 'Web redesign' study has been cancelled as the Agency is preparing an agreement with DG DIGIT to perform the expected tasks.

The study for the preparation and implementation of the Fourth Railway Package has been cancelled (due to the lack of eligible tender) and relaunched with a reduced scope, only focusing on the 'fees and charges' activity. The contract was signed in November 2015. The part related to the 'legal services' will be dealt with through another call for tender to be launched in 2016.

The study to facilitate the vehicle authorization has been cancelled due to lack of resources.

The second phase of the study 'applicability of existing precursor and risk model at European level' has been postponed.

### *Registration of exceptions and non-compliance events*

In accordance with Internal Control Standard 8, each deviation from an established process or procedure is documented, justified and approved at the appropriate management level. They are then registered in the Non-conformity Register. In line with Agency procedures, corrective and/or preventive actions are established when repetitive exceptions events or a critical hazard to any process performance arise. Actions are recorded and reviewed in order to identify trends.

15 exceptions and 16 non-compliance events were registered during the period of reference. The financial impact on the Agency budget was very low. None of the event was considered to have a negative impact on giving reasonable assurance.

Nevertheless, the following main areas of concern were identified:

1. Signature of legal commitment without prior budgetary commitments;
2. Award procedure for tenders;
3. Missions;
4. Application of the nonconformity procedure.

The analysis was included in the annual assessment of the functioning of the internal control system (i.e. internal management system (IMS) review in December. Consequently, several awareness actions to staff are to be implemented in 2016 in the concerned areas.

### *Fraud prevention and detection*

The Agency has started the implementation of the action plan defined in the Agency Antifraud strategy.

- Training activities: one session on training on ethics and integrity covering ethical values as well as staff obligations under the Staff Regulations; one information training was organised together with OLAF on fraud prevention. For both training sessions, the attendance rate was high for management and relatively low for the rest of staff. Training will continue in 2016.
- Rules on conflict of interest: the Agency approved the policy on conflict of interest for the Administrative Board which introduced the measure of publishing the CVs and the Declaration of interests (Dols) of AB members (CVs and Dols were published).

- Enhance data and document security: in the framework of the integrated management system, the Agency has developed the key principles for implementing an Information Security Management System based on ISO 27001. The framework shall be incorporated progressively into existing operational Information assets or services within a time limit to be agreed in 2016 by the Management by taking into consideration constraints imposed by the established contractual, legal and operational conditions.
- Fraud risk assessment: the Agency has included the fraud risk assessment in the regular Agency risk assessment: the Agency fraud risk register has been reviewed during 2015. No additional risks have been identified and no new mitigating measures are considered necessary.

During the reporting year, no cases of suspicion of fraud were transmitted by the Agency to OLAF for investigation.

Indicator	Result 2015	Result 2014	Variance analysis/comments
Cases referred to OLAF	0	0	N/A

## 2.6 Budget implementation tasks entrusted to other services and entities

This item is not applicable to the Agency as there are no crossed sub-delegations.

## 2.7 Assessment of audit results during the reporting year and follow up of audit recommendations

### 2.7.1 Internal Audit Service (IAS)

#### *Results from IAS audits during the reporting year*

During the period of reference, no critical recommendations or very important recommendations were addressed to the Agency.

The IAS conducted an audit on stakeholder relationship management and external communication with emphasis on safety and issued four important recommendations. The recommendations are in progress to be implemented in a timely manner in the framework of the Agency's communication strategy.

#### *Follow-up of audit recommendations from previous years*

During the reporting year, the IAS completed a follow-up verification on the outstanding recommendations from past audits <sup>(6)</sup> and concluded that all recommendations had been adequately and effectively implemented, except the very important recommendation on reinforcement of recruitment procedure <sup>(7)</sup>. In order to close this recommendation, the Agency has revised the Selection procedure and introduced as a temporary measure *ex ante* control of all selection

procedures by the Internal Control Coordinator. The results of the *ex ante* control shall be provided to IAS as supportive evidence for requesting the closure of the recommendation in May 2016.

### 2.7.2 European Court of Auditors (ECA)

In its report on the annual accounts of the European Railway Agency for the financial year 2014, the European Court of Auditors expressed the following opinions:

#### *Opinion on the reliability of the accounts*

In the Court's opinion, the Agency's annual accounts present fairly, in all material respects, its financial position as at 31 December 2014 and the results of its operations and its cash flows for the year then ended, in accordance with the provisions of its Financial Regulation and the accounting rules adopted by the Commission's accounting officer.

#### *Opinion on the legality and the regularity of the transactions underlying the accounts*

In the Court's opinion, the transactions underlying the annual accounts of the Agency for the financial year ended 31 December 2014 are legal and regular in all material respects.

The Court of Auditors raised concerns regarding the high level of carry-over appropriations in particular for operational expenditure in opposition with the budgetary principle of annuality. In addition, the Court has commented the fact that the Agency used a low criteria for one reopening of competition procedure. The Agency is taking the ECA recommendation into account and will change the weight of the quality/price criteria, increasing the weight of the price criteria.

The above comments do not call the Court's opinions into question.

<sup>(6)</sup> Audit on expert management in interoperability, audit on annual activity reports and building block of assurance, audit on the planning and budgeting process.

<sup>(7)</sup> Audit on Human Resources in the ERA.

### 2.7.3 Internal audit capabilities

Following an in-depth cost/benefit analysis, the Agency's management decided in 2012 not to have an internal audit capability but to rely on the IAS for this activity. It was also decided to set up an internal control coordinator function aiming at better supporting the Executive Director in implementing risk management and in assessing the internal control system, including evaluating the Internal Control Standards, its effective integration into the quality management system and the support in implementing the internal quality management audit. For this aim, the function of the internal control coordinator (ICC) has replaced the one of internal auditor (IA) at the Agency. The current ICC started in March 2014.

## 2.8 Follow up of observations from the Discharge Authority

In April 2015 the discharge authority granted discharge to the Agency's Executive Director for the implementation of the 2013 budget.

The discharge authority commented negatively on the high level of carry overs in respect to the budgetary principle of annuality and on the policy applied on the maximum employment period for its staff.

In its resolution, the discharge authority has made several observations for which a follow-up has been ensured by the Agency.

- Procurement and recruitment procedures: ERA's selection procedure was revised following some weaknesses identified by IAS. *Ex ante* control by the ERA Internal Control Coordinator (ICC) has been established. The procurement procedures for low value contracts shall be revised in 2016.

- Seat agreement with the host state: the ERA's location has been fixed in a decision by the European Council and thus this is a matter beyond the Agency's control. ERA manages the situation has re-launched negotiations with the French government on the seat agreement.
- Publication of CVs and declarations of interest of the members of the ERA Administrative Board (AB) and revision of the Agency's policy on prevention and management of conflicts of interests: The policy on conflict of interest for AB members has been approved. The declarations of interest and CVs of AB members have been published on the Agency's website. Action is also in progress for publishing the CVs of the Agency's Management.
- Prevention and management of conflict of interest: The Agency is in progress of revising the policy on conflict of interest for staff, independent experts and participants in working parties.
- Compliance with the internal control standard regarding business continuity: following the adoption of the business continuity plan (BCP) on 3 October 2014, the Agency completed the technical configuration of the alternate site of the ERA data centre. This facility is intended to ensure the continuity of the critical and essential ICT services in case of serious disruption of the IT operations in Valenciennes. The standby infrastructure was validated by means of test. In 2016 it is planned to have additional tests regarding the implementation of the BCP.
- Follow-up of IAS recommendations: see section 2.7.1.
- New tasks for the Agency under the Fourth Railway Package: a special task force dedicated to the Fourth Railway Package has been established to ensure smooth transition and preparation to the new responsibilities.



# Part III — Assessment of the effectiveness of the integrated management system, including the internal control systems<sup>(8)</sup>

The Agency is currently developing and implementing an Integrated Management system based on requirements specified in the Internal control standards and the latest version of the international quality standard ISO 9001. The compliance with ISO 9001 standard is a prerequisite for the new Agency's activities foreseen by the Fourth Railway Package<sup>(9)</sup>.

Agency's Administrative Board has adopted the ERA management standards in April 2016<sup>(10)</sup>. Compliance with these standards is a compulsory requirement, also in light of the Agency's financial management.

The Agency has put in place the organisational structure and the ERA management standards suited to the achievement of the activities, projects and control objectives, in accordance with the standards and having due regard to the risks associated with the environment in which it operates.

## 3.1 Risk management

### *Risk assessment*

The Agency continued to monitor the effectiveness of the action plans designed to mitigate the risks identified in the work programme 2015. The monitoring concluded that the mitigating measures were effective and that some risks are no longer considered significant to be reported in the AAR (i.e. action have been implemented or the residual risk has decreased to a medium or lower level) while others needed to be revised and updated taking into account the new risk environment of the Agency (i.e. risks on prioritisation of activities, inadequate communication tools, insufficient guidance/awareness on ethical conduct)<sup>(11)</sup>. The revised risks are to be included in the programming document for 2016.

In line with ERA management standard 5, the Agency conducted the yearly risk assessment exercise. In order to single out critical and significant risks, the exercise

focused on risks of strategic and high level nature<sup>(12)</sup>. The exercise took into account the implementation of the action plans related to the risks already identified in the work programme 2015. The exercise highlighted risks related to the extension of the ERA's mandate in view of the entry-into-force of the technical pillar of the Fourth Railway Package as well as risks regarding potential security issues impacting interoperability and innovation challenges affecting railway competitiveness. The Risk Register was published in the work programme 2016. The implementation of the action plans and the risks themselves will be monitored throughout the year 2016 and reviewed at meetings of the Agency management team.

The management also gave consideration to the risk of fraud when carrying out the risk assessment. No additional risks have been identified in comparison to the first exercise carried out in 2014 and no new mitigating measures are considered necessary. The residual risks are not critical or significant and thus it is not necessary to report them in the AAR.

### *Data protection*

The Agency continued in 2015 with the implementation of the actions necessary to attain the set targets for reaching personal data protection compliance. A number of actors, mainly the Data Protection Officer (DPO), the Data Controllers (DCs) and the Data Protection Coordinators (DPCs) were actively involved and contributed to the progress made towards data protection compliance. The fifth European Data Protection Supervisor general monitoring exercise ('Survey 2015') relating to the implementation of the Regulation (EC) No 45/2001 within the EU institutions and bodies has been an excellent opportunity for the Agency to further check internally the status of its implementation in terms of processing operations notified, personal data transfers, privacy by design, general security policy and personal data deletion procedures. The aim for the Agency is to become compliant on data protection rules by ensuring that the personal data of the Agency staff as well as those third parties managed by the Agency are lawfully, adequately, proportionately and

<sup>(8)</sup> As of April 2015 and the Decision 116/2015 of the AB.

<sup>(9)</sup> Six legislative proposals for a 4RWP introduced by the Commission in January 2013 aiming at removing the remaining barriers to the completion to the Single European Railway Area.

<sup>(10)</sup> Decision 116/2015 of the AB — ERA management standards.

<sup>(11)</sup> See for comparison ERA [Work Programme 2015](#) and the [Programming Document 2016](#).

<sup>(12)</sup> It should be noticed that during the risk assessment exercise medium and low risks were identified with no major impact on the achievement of the Agency's objectives. These risks were not reported in the Single Programming document 2016 but will be closely monitored at unit level.

properly processed in line with Regulation (EC) No 45/2001.

Additional information on data protection can be found in Annex VII.

## 3.2 Compliance with internal control standards <sup>(13)</sup>

In 2015 the Agency continued to implement the internal controls standards with which it did not fully comply as mentioned in the Annual Activity Report 2014 <sup>(14)</sup>:

Ref. ICS	Actions planned for 2015 for achieving full compliance with the prioritised standards	Status
ICS 2 Ethics and values	Develop guidelines/enhance awareness on ethics/conflict of interest, implementation of anti-fraud measures	In progress The action is ongoing as part of the implementation of the Antifraud strategy (see point 2.5).
ICS 3 Staff recruitment, mobility, turnover	1. Revise recruitment procedure and enhance monitoring 2. Keep up-to-date staff job descriptions	In progress 1. The action is ongoing as part of the action plan to implement IAS recommendation on recruitment procedure (see point 2.7.1) 2. The procedure for job description shall be adopted in 2016 Following the adoption of the procedure, the process of aligning job descriptions with real tasks will start.
ICS 4 Staff performance, management and development	Develop a competence management system and ensure training effectiveness	In progress A project plan has been developed to implement the competence management system. Action is ongoing as planned in 2016 to ensure that the required competences as well as the gaps between the competences available in-house and competence required for fulfilling the new tasks under the Fourth Railway Package are identified.
ICS 8 Process and procedures	1. Integrate ISO and ICS standards in the Agency integrated management system 2. Continue development of processes and procedures in line with the integrated management system of the Agency	Partially implemented 1. ERA management standards have been approved in June 2015 encompassing internal controls standards and the ISO 9001 series standards. 2. Different processes and procedures have been adopted according to the Agency road map. The work is in progress in accordance with the planning. It is a continuous action in line with Agency decision to have the system in place by the end of 2017.
ICS 9 Management supervision	Improve prioritisation of Agency's activities	In progress Common assumptions and methodology for planning in Microsoft Project Server 2010 have been completed. Work will continue as planned in 2016 to ensure that the business planning and reporting of the projects stemming from the single programming document are included in a MS project format.
ICS 10 Business continuity	Approve disaster recovery and the incident management procedures	In progress Incident management procedure has been approved. Disaster recovery procedure shall be adopted in early 2016.
ICS 11 Document management	Continue the development and implementation of a document management system	In progress The rules for the document management system and extranet have been put in place. A document management procedure has been approved. A test phase for incoming/outgoing emails is ongoing. Work will continue in 2016 including training for staff and migrating all agency files from the internal drive to extranet.
ICS 12 Information and communication	Develop the external communication strategy	Implemented ERA communication strategy has been approved by the AB in November 2015.

<sup>(13)</sup> Until revision following Decision 116/2015 of the AB on the [ERA management standards](#).

<sup>(14)</sup> During the year, the management decided to reallocate the actions for ensuring compliance with ICS 5 to ICS 9 which is in line with the requirements of this standard (i.e. improving management supervision focusing on the most significant issues of the agency — complex operations, high risk areas, etc).

In line with ERA management standard 16 <sup>(15)</sup>, the management assessed the adequacy of the design and effectiveness of the implementation of the ERA management standards as part of the Agency management system review.

In 2015, the methodology used for assessing the effectiveness the integrated management system took into account:

- the progress with implementing the actions necessary to reach the requirements of the internal control standards assessed in 2014;
- the progress with implementing Agency's priority projects decided by the Management in 2015;

- the opinion of the quality coordinators (responsible for implementing the quality management system in every unit);
- a desk review of the implementation of ECA/IAS audit recommendations, the Agency's procedures, management reports, risk register, Non-conformity register.

The assessment pointed out some areas where improvements can be made regarding as well compliance and effectiveness. All identified areas for improvement/actions are already addressed or will be addressed under the Integrated Management System of the Agency. In 2015, based on the evaluation of the effectiveness of the controls put in place by the Agency, the Executive Director decided to prioritize the following ERA management standards:

ERA management standard	Actions planned to ensure full compliance
ERA MS 3 — Ethical and organisational values	Implementation of the action plan of the Antifraud strategy in line with the agreed deadlines
ERA MS 4 — Objectives, strategic planning and reporting	<ul style="list-style-type: none"> <li>› Implementation of the action plan of the ERA communication strategy according to the deadlines included the strategy —several deadlines included in the action plan (final deadline December 2017)</li> <li>› Reviewing and improving the internal communication methods</li> </ul>
ERA MS 5 — Business Continuity	Approval of the Disaster recovery procedure — deadline March 2016
ERA MS 8 — Stakeholder relation management	<ul style="list-style-type: none"> <li>› Implementation of the action plan of the ERA communication strategy according to the deadlines included the strategy —several deadlines included in the action plan (final deadline December 2017)</li> <li>› Reviewing and improving the internal communication methods</li> </ul>
ERA MS 9 — Process management	Further development of processes and procedures in line with the integrated management system of the Agency according to the Agency Roadmap and the objective to achieve ISO certification — deadline June 2017.
ERA MS 10 — Human resources management	<ul style="list-style-type: none"> <li>› Improvement of the monitoring of the selection procedures to complete the action plan for implementing IAS recommendation — deadline June 2016</li> <li>› Adoption of the procedure for job description; Alignment of the job description with the real tasks — deadline March 2016.</li> <li>› Further development of a competence management system, including: <ul style="list-style-type: none"> <li>o Identification of the competency requirements for the new tasks under the 4RWP — deadline March 2016;</li> <li>o Identification of the gap between the competencies available in-house vs competencies required — deadline December 2016;</li> <li>o Set up a pool of experts to perform new tasks demonstrating the required level of competencies —deadline June 2018.</li> </ul> </li> </ul>
ERA MS 13 — Data and information management	Further development and implementation of a document management system including: <ul style="list-style-type: none"> <li>o training on DMS rules — deadline June 2016,</li> <li>o developing procedure in incoming/outgoing mails deadline March 2016</li> </ul>

Actions plan to ensure adequate implementation of the prioritised ERA MS will be developed and monitored throughout 2016. The Agency will report on the state of play of the actions in the next AAR.

As part of the measurement, analysis and improvement process and in view of evaluating the compatibility and alignment of the integrated management system with ERA management standards, quality audits are carried out yearly. The audits are complementing the audits carried out by the IAS. In line with 2015 Audit Programme, the scope of the audits were 'Legal support' and 'preparatory actions in view of the Fourth

<sup>(15)</sup> See ERA management standards

Railway Package'. The observations made do not entail a significant weakness to the whole audited process. The actions required to solve the issues identified will be implemented by mid-2017. Any issues which were identified, will be addressed in the course of 2016.

In the light of the preliminary results of the assessment of the compliance and effectiveness of the internal control against the ERA management standards, it can be considered that the Agency's control system as a whole works as intended and adequately mitigates the main risks to the achievement of the Agency's objectives.





# Part IV — Management assurance

This section reviews the assessment of the elements reported in Parts II and III and draw conclusions supporting of the declaration of assurance and namely, whether it should be qualified with reservations.

## 4.1 Review of the elements supporting assurance

The information reported in Parts II and III stems from the:

- assurance given by the Agency management;
- results of the Integrated Management Review;
- results of the Commission's services and Court of Auditors' audits and implementation of the measures to address weaknesses identified;
- reporting on exceptions and preventive/corrective actions implemented;
- mitigated actions implemented following the annual risk assessment exercise.

The materiality criterion used for drawing a reservation is an assessment of whether more than 2 % of the payments of the activity-based concerned is erroneous. *Ex-post* controls conducted for financial transactions assessed with low level of risks (i.e. payments for missions staff and experts attending working parties) detected an overall error rate lower than the control objective of 2 %. The financial impact represents 0.16 % of the Agency payments made in the first semester of 2015 (as *ex-post* controls are made every 6 months, the *ex-post* of the second semester of 2015 is still pending and not yet finalised).

From the information available from *ex ante* controls conducted in the area of financial transactions assessed with high level of risks (i.e. salaries and allowances), there were no significant issues that would need to be raised in this report. This approach results in an adequate coverage of the Agency budget and provides sufficient guarantees of the completeness and reliability of the information reported.

This approach provides sufficient guarantees as to the completeness and reliability of the information reported and results in a complete coverage of the budget delegated to the Executive Director of the Agency.

Concerning the overall state of the integrated management system, management has reasonable assurance that, generally, the Agency has suitable controls in place that are working as intended, risks are being mitigated and/or monitored and improvements and reinforce-

ments are being made. No systematic weakness came to the attention of management that would have an impact on the declaration of assurance; neither were elements identified that could seriously damage the reputation of the Agency.

In conclusion, management has reasonable assurance that, overall, suitable controls are in place and working as intended; risks are being appropriately monitored and mitigated; and necessary improvements and reinforcements are being implemented.

The Agency has systematically examined the available control results and indicators as well as the observations and recommendations issued by internal auditors and the European Court of Auditors. These elements have been assessed to determine their impact on the management's assurance as regards the achievement of control objectives.

## 4.2 Reservations

On the basis of the information and the materiality criteria provided above, no reservation is needed.

*I, the undersigned, Executive Director of the European Railway Agency,*

*In my capacity as Authorising Officer,*

*Declare that the information contained in this report gives a true and fair view.*

*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 judgment and on the information at my disposal, such as the results of the self-assessment, ex-post controls, the work of the Internal Audit Service and the lessons learnt from the reports of the Court of Auditors for years prior to the year of this declaration.*

*Confirm that I am not aware of anything not reported here which could harm the interests of the Agency.*

*Valenciennes,*

*(signature)*

*Josef DOPPELBAUER*





## Annex I — Core business statistics (achievements of all outputs)

WP-Activity	WP-Project	No	Output	Legal basis	Timing	Significant output	Achieved
Horizontal ERA		KPI 1	90 % achievement of all outputs using financial and human resource planning 2015	Agency Regulation	End-2015	KPI	Almost achieved — 80 % vs 74 % in 2014
Horizontal ERA		KPI 2	95 % timely delivery of issuing reports, advice and opinions	Agency Regulation	End-2015	KPI	Yes — globally met requirements agreed with the customers
Activity 1 — Harmonised safety framework		KPI 3	100 % delivery of the priority countries programme to key milestones to contribute to the improved safety performance of those countries	Agency Regulation Article 9	As per times-calls in Priority Programme Plan	KPI	Yes
Activity 1 — Harmonised safety framework		KPI 4	100 % delivery of an information system to facilitate exchange of safety defects/issues between RUs/IMs/ECMs and Manufacturers	Directive 2004/49/EC Article 21, Agency Regulation Article 6	End-2015	KPI	No — project required late change in IT supplier. Will now be delivered by new supplier latest end-Feb 2016, ahead of legal requirement (post 4RP)
Activity 2 — Removing technical barriers		KPI 5	Creation and implementation of a structured plan (Concrete Actions) for the Agency to assist MS to fully 'clean up' and notify their National Technical Rules to reflect the scope extended TSIs	Directive 2008/57/EC	End-2015	KPI	Yes (kick-off meetings were organised in 2015; the development of concrete actions was transferred in January 2016 to the interoperability unit)
Activity 3 — Single EU train control and communication system		KPI 6	100 % provision of the recommendations for the Maintenance Release 2 on ETIMAS	Agency Regulation	End-2015	KPI	Yes
Activity 5 — Evaluation, management and resources		KPI 7	100 % identification of railway indicators for each of the Agency's activities, agreed with the EC and stakeholders	Agency Regulation	Mid-2015	KPI	Yes
Activity 5 — Evaluation, management and resources		KPI 8	100 % implementation of the annual plan for QMS in line with ISO 9001 requirements and identified through the QMS review		End-2015	KPI	Partially — delayed in some areas
Activity 5 — Evaluation, management and resources		KPI 9	95 % implementation of the establishment plan	Agency Regulation	End-2015	KPI	Yes
Activity 5 — Evaluation, management and resources		KPI 10	90 % execution of payment vs committed appropriations (average all types of appropriations)	Agency Regulation	End-2015	KPI	Yes
Activity 5 — Evaluation, management and resources		KPI 11	No financial loss, business disruption, or reputational risk	Agency Regulation	End-2015	KPI	Yes
Activity 1 — Harmonised safety framework	01.01 EC task force for a single safety certificate	1	Delivery of milestones in the RSC task force programme plan	Agency Regulation Article 6, Directive 2004/49/EC Articles 10 and 6	Set out in programme plan	Yes	Partially — the Council, the Parliament and the Commission have reached a provisional agreement on the 17th of June on the recast of the ERA regulation, the Railway Safety Directive and the Interoperability Directive. This has led the ERA to propose to change the RSC TF to a RISC TF on the 4RWP and to amend its planning to cover within a programme all tasks related to the preparation of the 4RWP.
	01.02 Networks and information exchange	2	NSA and NIB Network improved functioning. Measured by annual survey action plan	Agency Regulation	End-2015	Yes	Yes
		3	NIB network initiates work to migrate to new structure for NIB cooperation, including peer reviews	Revised Agency regulation	November 2015	Yes	Yes
		4	Development of an IT tool that facilitates the exchange of safety alerts between sector organisations.		End-2015	Yes	No — project required late change in IT supplier. Will now be delivered by new supplier latest end-Feb 2016, ahead of legal requirement (post 4RP)
		5	Development of the safety information system to allow all actors to share safety information	Directive 2004/49/EC Article 21, Agency Regulation Article 6	End-2015	Yes	No — project required late change in IT supplier. Will now be delivered by new supplier latest end-Feb 2016, ahead of legal requirement (post 4RP)
		6	Human factors Network establishes integration with Agency work streams	Agency Regulation Article 6, Directive 2004/49/EC Articles 17 and 21	End-2015		Partially — ongoing work but work already started in network
	01.03 Safety Monitoring	7	CST annual report to the European Commission/RISC	Agency Regulation Article 9, Commission Decision 2009/J460/EC Article 1	March 2015	Yes	Yes
		8	Extension of regulatory monitoring matrix to at least 12 Member States by end-2017 by including the priority countries in the matrix	Agency Regulation Article 9	As set out in priority countries programme for 2015	Yes	Yes
		9	Development and dissemination of CSI data	Agency Regulation Article 9	End-2015		Yes
		10	Analysis of safety information, such as e.g. CSRs, accident reports, NSA/NIB annual reports, view on Member States and EU safety level, input for safety priority setting	Agency Regulation Article 9	Ongoing		Yes

WP-Activity	WP-Project	No	Output	Legal basis	Timing	Significant output	Achieved
		11	Report on early return of experience for the ECM certification scheme	Directive 2004/49/EC Article 14a, Regulation (EU) No 445/2011 Article 6	End-2015		Yes
		12	Research project to understand how IMs can better control risks of unauthorised persons and suicides on the railway	Agency Regulation Article 9	End-2015		Partially — research indicated this is more effective at infrastructure manager level, not Agency
	01.04 Audit and assessment programme	13	Voluntary assessments conducted of (countries to be identified)	Agency Regulation Article 6, Directive 2004/49/EC Article 21	According to audit programme		Yes
		14	Report to RISC, conduct of cross-audits	Agency Regulation Article 6, Directive 2004/49/EC Article 17	2013-2017 cycle started		Yes
		15	Conduct of cross-audits Poland, Sweden, Channel Tunnel, Romania, Austria, Norway, Denmark, Italy	Agency Regulation Article 6, Directive 2004/49/EC Article 17	15 month audit covered in 2013-2017 audit cycle		Yes
		16	241 mining for cross-auditors, support to Audit Committee, development of NSA cross-audit framework, maintenance of supporting webtool	Agency Regulation Article 6, Directive 2004/49/EC Article 17	Ongoing		Yes
	01.05 Improving safety performance	17	Review of safety of priority countries and development of collaboration programme	Agency Regulation Article 9	Priority Programme plan sets out clear timescales	Yes	Yes
		18	Development of a topic dissemination plan based on initial Matrix outputs	Agency Regulation Article 9	End-2015	Yes	Partially
		19	Launch research programme on use of behavioural techniques to reduce fatality rates in suicide/unauthorised persons categories	Agency Regulation Article 9	April 2015	Yes	No — paused pending results of priority countries' analysis in March 2017
		20	Development of risk profile tool to allow safety benchmarking and prioritisation	Agency Regulation Article 9	End-2015		No — not enough consensus on use/need yet, agreed it will follow CoR work
	01.06 Promoting transparency and reduction of National Safety Rules	21	Review of type 6 rules and clustering of requirements. Proposals to allow either removal of rules or inclusion in European rules to be made based on review		End-2015	Yes	Yes (the target was to hold an internal workshop to review all type 6 rules to feed further work on their removal. This was done and a summary of the workshop written up as an input to the team responsible for driving rules clean-up)
		22	Workshop on common occurrence monitoring in the EU	Agency Regulation Article 9	October 2015		Yes
		23	Workshop on national safety plans	Agency Regulation Article 9	November 2015		Partially — paused for review in the light of ARP legislation and specific requirements on national plans
		24	Applying and updating the 'Rules management tool'	Agency Regulation Article 6	Ongoing		No — RISC agreement to move NSR (Type 4) to OPE and not to develop RMT as a CSM
		25	Preparing a transfer of NOTIF-IT from EC to BRA	Agency Regulation Article 19	End-2015		Partially - Agreed discussion on revised timing of this migration
		26	Assistance to the European Commission for maintaining and improving Notif-IT for national safety rules	Agency Regulation Article 19	Ongoing		Yes
		27	Check of NSR registration, evaluation of draft and adopted rules for the European Commission	Agency Regulation Article 9a	Ongoing		Yes
	01.07 Freight	28	Harmonisation of the ECM certification process, cooperation of certification bodies	Regulation (EU) No 445/2011 Article 6, Regulation (EU) No 402/2013 Article 14	Ongoing		Yes
		29	Organisation of two workshops related to the transport of dangerous goods	Agency Regulation Article 21b	1st and 2nd semester 2015		Yes
		30	Organisation of freight focus group meetings to address needs related specifically to rail freight transport	Agency Regulation Article 6, Directive 2004/49/EC Article 17	Ongoing		Yes
		31	Conduct a Working Party and develop common positions; continued reporting to the European Commission; supporting the European Commission positions in OTIF	Agency Regulation Article 21b	Ongoing		Yes
		32	Support to the European Association for Accreditation (EA)	Directive 2004/49/EC Article 14a, Regulation (EU) No 445/2011 Article 6, Regulation (EU) No 402/2013 Article 14	Ongoing		Yes

WP-Activity	WP-Project	No	Output	Legal basis	Timing	Significant output	Achieved
Activity 2 — Removing technical barriers	02.01 Harmonised EU rules for vehicles (including all structural TSIs)	33	LOC and PAS TSIs including provisions for unique EU vehicle authorisation	Agency Regulation Article 12, Directive 2008/57/EC Articles 6, 8	End-2015	Yes	Yes
		34	Maintain up to date database of authorisation processes (National Legal Framework) in each Member State	Commission Decision 2011/155/EU Article 1	Ongoing		Yes
		35	Development of templates for content of authorisation file for information to be exchanged with authorities or documents to be issued by authorities	Agency Regulation			Partially — report from template sub group completed. Harmonised template for application of vehicle authorisation form has been agreed and published. Investigation by the group on documentation requested to support the application file by Member States showed that each Member State has a different approach, so harmonisation of the documentation to support the authorisation file faces certain problems to be carried out within the 3rd RP, especially as the 4th RP is approaching quickly. Task moved into the development of practical arrangements for authorisation. (Art 21 9 of the proposed Interoperability Directive). The report forms an input to this work
	02.02 Harmonised EU rules for networks (including all structural TSIs)	36	Recommendation on the TSI LOC and PAS revision follow-up	Agency Regulation Article 12, Directive 2008/57/EC Articles 6, 8	End-2015		Yes
		37	Number of 'open points' closed	Agency Regulation Article 12, Directive 2008/57/EC Articles 6, 8	In line with the roadmap	Yes	Yes
		38	TSI CCS — Closure of the open points: quality of sand, follow-up of the recommendation 2013 at RSC and, if necessary, with Member States	Agency Regulation Article 12, Directive 2008/57/EC Article 6	End-2015		Partially — open point on axle-counter completely closed, sand quality still open
		39	TSI CCS — Closure of the open points: quality of sand, safety requirements for the ETCS DMI.	Agency Regulation Article 12, Directive 2008/57/EC Articles 6, 8	End-2015		Partially — open point on axle-counter completely closed, sand quality still open
		40	TSI CCS — Closure of the open points: quality of sand, follow-up of the recommendation 2013 at RSC and if necessary with Member States	Agency Regulation Article 12, Directive 2008/57/EC Article 6	End-2015		Partially — open point on axle-counter completely closed, sand quality still open
		41	TSE ENE — Progress in the closure of the open point (energy metering and OCL)	Agency Regulation Article 12, Directive 2008/57/EC Article 6	End-2015		Yes
		42	TSI INF — Progress in the closure of open points — study reports	Agency Regulation Article 12, Directive 2008/57/EC Article 6	End-2015		Yes
		43	TSI INOI — Report of studies on particular issues (noise reduction, local measures)	Agency Regulation Article 12, Directive 2008/57/EC Articles 6, 8	End-2015		Partially — delay in the publication by COM of a communication on noise (originally planned for August 2015), that will be used as input.
		44	Recommendation on the TSI WAG revision follow-up	Agency Regulation Article 12, Directive 2008/57/EC Articles 6, 8	End-2015		Partially — to be achieved in January 2016, accepted for 1 520 mm system put on hold by management in October 2015
	02.03 Cleaning up of national technical rules	45	List of parameters (Decision 2009/965/EC) updated to reflect TSI scope extension and published	EC Decision 2009/965/EU	Mid-2015	Yes	Yes
		46	Creation and full implementation of a structured plan of concrete actions for the Agency to assist Member States to 'fully clean up' and notify their national technical rules to reflect the scope extended TSIs	Agency Regulation	October 2015	Yes	Yes
		47	Regular reporting to the Commission and RSC of Member States' progress in 'cleaning up' of rules.	Agency Regulation	October 2015	Yes	Yes
	02.04 Implementation of Interoperability Directive (including interoperability report, activities related to conformity assessment and NB-Rail opinions and advice)	48	EBA advice on an improved sectorial accreditation scheme for NB-Rail submitted to the European Commission	Agency Regulation Article 21(b)	End-2015	Yes	Partially — advice was ready for submission in December. After finalisation, new comments from task force members arrived, which require further consideration
		49	Report on progress with railway interoperability issued	Agency Regulation Article 14(2)	End-2015	Yes	Yes (report published in March 2016)
		50	Opinion on the evaluation of railway projects and requests for TSI derogations sent to the EC	Agency Regulation Article 15	On request		Yes
		51	Feedback from NB-Rail for TSI drafting. Recommendations for Use (RFUs) drafted by NB-Rail checked by the EBA during the drafting process of RFU	Agency Regulation Article 12	Ongoing		Yes
		52	System allowing detection of potential incorrect transposition/implementation of the Interoperability Directive in place	Agency Regulation Article 30	On request		N/A
		53	Report on detected issues in relation to the implementation of the Interoperability Directive sent to the European Commission	Agency Regulation Article 30	On request		N/A

WP-Activity	WP-Project	No	Output	Legal basis	Timing	Significant output	Achieved
		54	Support to the European Commission for communication with Member States in relation to the transposition of the Interoperability Directive	Agency Regulation Article 30	On request		Yes
		55	Carrying out the tasks and providing the deliverables set out in the MoU between ERA and NB Rail	Agency Regulation Article 12	Ongoing		Yes
		56	Current system for monitoring quality of work of Notified Bodies analysed.	Agency Regulation Article 13	On request		Yes
		57	Support to the European Commission at the meetings with the European Association for Accreditation (EA) and advice concerning notified bodies' accreditation policy	Agency Regulation Articles 12, 13 and 21b	Ongoing		Yes
		58	General part of the TSI Application Guide kept up-to-date – specific TSI application guides published by the date of publication of the TSI	Agency Regulation Article 12	Ongoing		Partially – general part delayed due to unexpected workload within RINF
	02.05 Authorisation of railway vehicles	59	Development and preparation of the framework for authorisation envisaged by the Fourth Railway Package	Agency Regulation	Ongoing	Yes	Yes
		60	Drafting additional guidance documents, update the Reference Document Application Guide	Agency Regulation	Ongoing	Yes	Yes
		61	Progress report on the European Commission vehicle authorisation task force. Action. Suggestions for improvements to the framework.	Agency Regulation Article 30, Directive 2008/57/EC Article 30	End-2015		Partially – overtaken by the 4RP and development of proposals for the implementing acts on VA and cross acceptance. Suggestions for improvement to be incorporated into IQs and guidance wherever possible, otherwise to be advised to the European Commission as 'simplification opportunities'. VA issues list set up to be used to track these items
	02.06 Implementing the framework for vehicle authorisation in the European Union	62	Update and maintain the NLF on Vehicle Authorisation for 28 Member States	Agency Regulation	Ongoing	Yes	Yes
		63	Participating in up to six Member States' real authorisation cases on vehicle authorisation. Report on lessons learnt	Agency Regulation	End-2015	Yes	Yes
		64	Specification of a 'Unique rules database' for draft, applied and notified national safety rules and national technical rules	Agency Regulation	End-2015		No – replaced by 4RP requirement for single rules database. Priority given to cleaning up rules. Specification of SDB started in 2015 to be continued and finalised in 2016 so that development of SDB might be envisaged for 2017
		65	Management of NOTIF-IT	Directive 2008/57/EC Article 27 Decision 2011/155/EU Article 1	Ongoing		Yes
		66	Management of Reference Document Database including managing the User's Group	Directive 2008/57/EC Article 27 Decision 2011/155/EU Article 1	Ongoing		Yes
		67	Pre-evaluation of national technical rules: meetings with the European Commission every 2-3 months.	Directive 2008/57/EC Article 27 Decision 2011/155/EU Article 1	Ongoing		Yes
	02.07 Provision of tools and IT services related to authorisation of railway vehicles	68	IT Project Management and data consistency: Improved RDD functionality 'user friendliness', administration and maintenance of NOTIF-IT	Agency Regulation	End-2015	Yes	Partially – in progress but delayed by 9 months, due to change of IT contractor
		69	Key principles and outline plan for the Single rules database	Agency Regulation	End-2015	Yes	N/A – replaced by 4RP requirement for Single rules database. Priority given to cleaning up rules.
	02.08 Dissemination (including training) and communication of information related to authorisation to railway sector (including Member State authorities, Railway undertaking (RU), infrastructure managers (IM), manufacturers, DeBo, NoBo ...)	70	Preparation and organisation of up to five training courses for staff of Member States managing RDD	Agency Regulation	End-2015	Yes	No – postponed to be included in ERA common approach to dissemination and to free up resources for cleaning up NTRs and preparing for 4RP (e.g. OSS and Implementing Act)
		71	Preparation and organisation of up to five training courses for experts of the railway sector regarding applications for authorisation in accordance to the European legal framework	Agency Regulation	End-2015	Yes	N/A – replaced / made redundant by new task preparation of the Agency for issuing vehicle authorisation and associated implementing acts. One workshop held on VA under the 4RP
		72	Production of training and guidance documentation according to customer needs	Agency Regulation		Yes	N/A – replaced / made redundant by new task preparation of the Agency for issuing vehicle authorisation and associated implementing acts. One workshop held on VA under the 4RP
		73	Structured programme of training and dissemination of the EU framework for authorisation	Agency Regulation Article 6, Directive 2004/49/EC Article 17	Ongoing		N/A – replaced / made redundant by new task preparation of the Agency for issuing vehicle authorisation and associated implementing acts. One workshop held on VA under the 4RP



WP-Activity	WP-Project	No	Output	Legal basis	Timing	Significant output	Achieved
Activity 3 – Single EU train control and communication system	02.09 Cooperation with Standardisation Bodies	74	Requests for Standards (RS) and contribution to standards drafted with aim at closing the open points in TSIs	Agency Regulation Article 12, Directive 2008/57/EC Articles 6, 8	Ongoing	Yes	Yes
	02.10 Harmonised EU framework for operation (TSI OPE) and workers performing safety critical tasks (including train drivers)	75	ERA position on draft standards communicated to SRS in time	Agency Regulation Article 12	Ongoing		Yes
		76	Dissemination seminars held	Agency Regulation Article 12	End-2015	Yes	Yes
		77	Meetings of the support group	Agency Regulation Article 12	End-2015	Yes	Yes
		78	ERA report sent to EC	Agency Regulation Article 12	End-2015	Partially — to be sent February 2016	
		79	Consistency of OTIF regulations, in particular UTP with the EU regulations, ensured	Agency Regulation Article 30	Ongoing	Yes	Yes
		80	National/regional workshops and dissemination seminars on TDD	Agency Regulation Article 16b	On request/ ongoing	Yes	Yes
		81	Meetings with CIT on issues common with TDP	Regulation (EU) No 454/2011 Article 3	Ongoing	Yes	Yes
		82	National/regional workshops and dissemination seminars on OPE TSI	Agency Regulation Article 16b	On request/ ongoing	Yes	Yes
		83	Recommendation for the revision of Appendices B and C of OPE TSI submitted to EC	Agency Regulation Article 12	2015Q3	Yes	Yes
	02.11 Support to the preparation of calls for proposals and evaluation of interoperability projects in cooperation with the Commission and INEA (Innovation and Networks Executive Agency)	84	Agency position taken into account by INEA and the European Commission	Agency Regulation Article 21a	On request	Yes	Yes
	03.01 Change control management for ETCS and GSM-R	85	Recommendation on maintenance release supported by an effective release and software version management	Agency Regulation Article 21a	End-2015	Yes	Yes
		86	Follow up and if possible evaluation report on ATO, satellite navigation activities funded by EU programmes. Coordination of the KMS specifications carried out by beneficiaries of TEN-T program	Agency Regulation Article 21a	According to MoU planning	Yes	Yes
		87	Dissemination leaflet for GSM-R	Agency Regulation Article 21a	2015Q3	Yes	Yes
Activity 3 – Single EU train control and communication system		88	Update/creation of documents for baseline 1 (GSM-R) for Annex A for 2015 Recommendation	Agency Regulation Article 12 and Article 21a	According to working group calendar	Yes	Yes
		89	Guidelines on interference management and co-existence GSM-R and public services	Agency Regulation Article 21a	End-2015	Yes	Yes
		90	Periodic reports on the status of the of Baseline 3 (ETCS) and Baseline 0 (GSM-R) change control in the database	Agency Regulation Article 21a	Monthly	Yes	Yes
		91	Test specifications for ETCS Baseline 3	Agency Regulation Article 21a	Ongoing, for second maintenance release	Yes	Yes
		92	Draft versions of documents for Annex A and intermediate results to prepare the 2015 Recommendations to the European Commission on modification of CCS TSI regarding ETCS update	Agency Regulation Article 12 and Article 21a	According to project management	Yes	Yes
	03.02 Development of the requirement for the evolution of the railway communication system	93	Release of the high level requirements for the communication system based on technical and economic arguments	Agency Regulation Article 21a	End-2015	Yes	Partially — two studies launched with external contractors: results available may 2016
		94	Survey and definition of the high level requirements for the communication system; technology independence: long term migration to cope with GSM-R obsolescence	Agency Regulation Article 21a	Ongoing	Yes	Yes

WP-Activity	WP-Project	No	Output	Legal basis	Timing	Significant output	Achieved
	03.03 Sharing best practices in implementations and promotion of engineering guidelines and operation	95	Harmonised guidance for ERTMS (e.g. engineering guidelines)	Agency Regulation Article 21a	If further supported by the sector		N/A — no evidence of support so far
		96	Permit for a working group to support that ETCS data transmission will be easier independent report from the working group; review and position paper on the results of the TEN-T activity on the subject	Agency Regulation Article 21a	Ongoing		Partially — done for the part related to packet-switching
		97	Report on the harmonised calculation of train data	Agency Regulation Article 21a	End-2015		No — report produced by RFC 2. The ERA involved in its discussion
	03.04 Support to the evaluation of ERTMS projects in cooperation with the Commission and INEA	98	Agency position taken into account by the INEA and the European Commission in priorities, call definitions	Agency Regulation Article 21a	On request	Yes	Yes
		99	Written feedback to the INEA in regard to correct implementation of ERTMS	Agency Regulation Article 21a	According to bilateral plan INEA/ERA		Yes
		100	Attending and supporting with expertise the ERTMS Mod Steering Committee meetings; ad hoc participation to selected meetings of the Management Committees of ERTMS corridors	Agency Regulation Article 21a	According to SteCo calendar, and on request		Yes
		101	Providing technical support to the ERTMS coordinator	Agency Regulation Article 21a	Ongoing		Yes
	03.05 Promotion and facilitation of testing, certification and authorisation for ERTMS	102	ERTMS conference	Agency Regulation Article 21a	May 2015	Yes	Yes
		103	Providing guidelines in relation to ERTMS	Agency Regulation Article 21a	End-2015	Yes	Partially — application guide prepared for 2016
		104	Providing training for authorities and railways	Agency Regulation Article 21a	On request		Yes
		105	Rules for calculating the ERTMS train data	Agency Regulation Article 21a	Work in progress — dependent on support from sector		Yes
		106	Update and maintenance of the ERA database for operational feedback	Agency Regulation Article 12 and Article 21a	Ongoing		N/A — no update required
		107	Reports to the European Commission on network/vehicle incompatibility risk	Agency Regulation Article 21a	Based availability of data by stakeholders		N/A — no specific data
		108	Support improved operation with ERTMS with the release and publication of guidelines	Agency Regulation Article 21a	Work in progress — dependent on support from sector		N/A — no support or concrete requests
		109	Support to DG MOVE meetings with European Association for Accreditation (EA) and national accreditation bodies; analysis and facilitation of the accreditation process of the ERTMS test labs	Agency Regulation Article 21a	On request		Yes
		110	Chairing the NBRail ERTMS ad hoc working group	Agency Regulation Article 21a	According to working group calendar		Yes
Activity 4 — Simplified Access for Customers	04.01 Database of interoperability and safety (EBADIS)	111	Eradis information verified and available to any interested parties	Agency Regulation Article 19	Ongoing	Yes	Yes
	04.02 Registers for vehicles (ECVIR, ERATV...)	112	Intermediate report on the rationalisation of vehicle-related registers with the Fourth Railway Package	Agency Regulation Articles 18 and 19	September 2015	Yes	Yes
		113	ERA proposal for a roadmap for compliance of vehicle-related register with the Fourth Railway Package	Agency Regulation Articles 18 and 19	End-2015	Yes	Yes
		114	Application guides for NVR/ECVIR, ERATV, YKM and Eradis kept up to date — Change management system in place — Management of the community of users in place — Disseminations workshops with users organised	Directive 2008/57/EC Articles 33, 34	Ongoing		Yes
	04.03 Register of infrastructure (RINF) and PRM inventory of assets	115	CUI available to stakeholders	Agency Regulation Article 18	January 2015	Yes	Yes

WP-Activity	WP-Project	No	Output	Legal basis	Timing	Significant output	Achieved
		116	RINF guide published	Agency Regulation Article 18	January 2015	Yes	Yes
		117	Application guide kept up-to-date — Charge management system in place — Dissemination workshops organised — Report to EC submitted	Agency Regulation	Ongoing		Yes
		118	Application guide finalised and kept updated	Agency Regulation Article 12, Directive 2008/57/EC Articles 6, 8	Ongoing		Yes
		119	Prototype tools available for demonstration	Directive 2008/57/EC Articles 34 and 35; Decision 2008/164/EC	2015Q3		No — study for PRM inventory of assets subcontracted by DG-Move with a delay of 9 months
	04.04 Telematics applications passengers and telematics applications freight	120	Dissemination seminars held	Agency Regulation Article 12	End-2015	Yes	Yes
		121	Monitoring deployment tool in place	Agency Regulation Article 12	End-2015	Yes	Yes
		122	TAP CCM baseline delivered to the European Commission, keeping consistency between ERA TDs and UIC leaflets ensured according to the MoU signed in July 2013 between the UIC and the ERA	Agency Regulation Article 12, Directive 2008/57/EC Articles 6, 8, Regulation No 454/2011/EC Annex Article 7.5	Ongoing		Yes
		123	Support to small RUs and ticket vendors to fulfil their obligations from Regulation (EC) No 454/2011/EC	Article 12 or specific mandate	On request		Yes
		124	Support to small RUs and customers to fulfil their obligations from Regulation (EC) No 602/2006/EC	Agency Regulation Article 12	On request		Yes
		125	Report on the implementation of conditions of carriages (PRM; bikes; car; luggage) submitted	Agency Regulation Article 12, Directive 2008/57/EC Articles 6, 8, Regulation No 454/2011/EC Annex Article 7.2.2.2			Yes
		126	Report on the implementation of TAP Phase 2, TAP Phase 3 — master plan delivered; retail architecture implemented; RU/IM communication architecture implemented	Agency Regulation Article 12, Directive 2008/57/EC Articles 6, 8, Regulation No 454/2011/EC Annex Art.7.2.2.2			Yes
		127	Support the European Commission in the TAF Steering Committee (Steco)	Agency Regulation Article 12	On request		Yes
		128	Support the European Commission in the TAP Steering Committee (Steco)	Agency Regulation Article 12	Ongoing		Yes
		129	TAP location reference file updated and available on the ERA website	Agency Regulation Article 12, Directive 2008/57/EC Articles 6, 8, Regulation (EC) No 454/2011/EC Article 3	Ongoing		Partially — to be achieved by beginning 2016
		130	TAF location reference file available on ERA website	Agency Regulation Article 12	Ongoing		Partially — to be achieved by beginning 2016
		131	Changes to the TS1 TAF managed through the CCM	Agency Regulation Article 12, Regulation (EC) No 602/2006 Article 4b	Ongoing		Yes
Activity 5 — Evaluation, Management and Resources	05.01 Outcome KPI monitoring and ex-post reporting per operational activity	132	Methodology for the comprehensive policy evaluations for the four operational activities	Agency Regulation	End-2015	Yes	Partially — procedure drafted. Validation and finalisation within the IMS 2016
		133	Interim report for 'Removing technical barriers' and 'Single European Train control and communication system'	Agency Regulation	End-2015	Yes	Partially — ERTMS only, work for Removing Technical Barriers was postponed
		134	Railway indicator (RI) tables	Agency Regulation	Mid-2015	Yes	Yes
	05.02 Prioritisation scheme and early assessments	135	Early assessment reports for new and relevant projects in all four operational activities	Agency Regulation	End-2015	Yes	Yes

WP-Activity	WP-Project	No	Output	Legal basis	Timing	Significant output	Achieved
	05.03 Strategic ex ante assessments (including support to operational activity)	136	Strategic ex ante impact assessments of up to two key recommendations per operational activity	Agency Regulation	According to recommendation planning		Yes
	05.04 Data analysis and methodologies (including assessment tools)	137	Report on horizontal tasks in terms status and recommendation for work in 2016	Agency Regulation	End-2015		Partially — scope changed from report to the set-up of the required tool and process
	05.05 International relations	138	Information exchange and participation in activities of mutual interest to draft equivalent technical specifications at EU and OTIF	Agency Regulation Article 1, OTIF-DG MOVE-ERA Administrative Arrangements	In accordance with ERA and OTIF work programmes	Yes	Yes
		139	Support to the Commission to set up international agreements	Agency Regulation Article 1	On request	Yes	Yes
		140	Facilitating of know-how transfer on railway operation, technology, regulation between EU and third countries	Agency Regulation	Ongoing	Yes	Yes
		141	Cooperation with OSD aimed at facilitation of the TSI revision progress	Commission Decision C(2010) 2576 final	Ongoing	Yes	Yes
		142	Facilitation of cross-border traffic with third countries		Ongoing	Yes	Yes
		143	Participation in out of Europe events involving ERA scope of subject matter authorisation processes and technical rules according to Agency policy, agreements, MoUs or ad hoc arrangements	Agency Regulation Article 21b	On request		Yes
		144	via IPA, promoting of the European Commission railway legislation in EU candidate countries or potential candidates	Agency Regulation Article 30	Ongoing		Yes
		145	Besides relationship with OSD and OTIF mentioned separately, representing EU railway interests at UNEC WP, following the developments and report to the European Commission and to experts in the Agency	Agency Regulation	Meetings and exchange of information according to needs		Yes
	05.06 Stakeholder management	146	Organising at least three NRB meetings with an continuously improving level of customer satisfaction	Agency Regulation	End-2015	Yes	Yes
		147	Coordination of the NRB Network, organisation of NRB network plenary meetings, seminars and workshops on specific topics	Agency Regulation	Minimum of three NRB meetings per year. Other events and activities as required		Yes
	05.07 Coordination and monitoring of research activities in the field of railway transport	148	Proposing possible amendments to the Shift2Rail master plan and to the annual work plans	Shift2Rail Regulation	To be determined according to emerging development of Shift2Rail joint technology initiative	Yes	Yes
		149	Proposing, after consultation with the stakeholders referred to in point (e) of Shift2Rail Regulation, guidelines for research and development activities leading to technical standards with a view to guaranteeing the interoperability and safety of results	Shift2Rail Regulation	To be determined according to emerging development of Shift2Rail joint technology initiative	Yes	Yes
		150	Reviewing the common developments for the future system and contributing to defining target systems in regulatory requirements	Shift2Rail Regulation	To be determined according to emerging development of Shift2Rail joint technology initiative	Yes	Partially — work started on future ERTMS needs. Work on overall strategic priorities for the target system to start in 2016 following the reallocation of tasks
		151	Reviewing project activities and results with a view to ascertaining their relevance to the objectives identified in Article 2(2) of this Regulation and to guaranteeing the interoperability and safety of research results	Shift2Rail Regulation	To be determined according to emerging development of Shift2Rail joint technology initiative	Yes	N/A — activity not started yet

WP-Activity	WP-Project	No	Output	Legal basis	Timing	Significant output	Achieved
		152	Regular updates and dissemination of Agency Research needs	Agency Regulation	Ongoing		Yes
		153	Coordination of the Agency's needs on research (and studies), reports and support to the European Commission services for research, coordination of Agency activities and relationship to research projects, institutes and organisations	Agency Regulation	EBA research needs synchronised with EBRAC and DG RTD calendars		Yes
	05.08 Options and advice	154	Advice and opinions issued within the agreed deadlines	Agency Regulation Articles 2(b), 3a(3), 10, 15, 21b(2)	On request	Yes	Yes
	05.09 Quality management and audit/control	155	Developing and implementing quality processes, procedures and other documents in the QMS, including those necessary to satisfy internal control requirements and to manage risks	Agency Regulation	According to the Quality Steering Group work plan	Yes	Partially – delayed in some areas (mainly re-prioritisation in light of 4RP)
		156	QMS review report of the EBA Management System including the assessment of the ICS	Financial Regulation	According to the Quality Steering Group work plan	Yes	Yes
		157	Review and update the Risk Register as part of the QMS	Agency Regulation	2015Q1, 2015Q3	Yes	Yes
		158	As part of the QMS Review, reporting on audit activities and on the exceptions register	Agency Regulation	2015Q1		Yes
		159	As part of the QMS Review, assessing the Internal Control Standards	Agency Regulation	2015Q3		Yes
	05.10 Strategy and business planning	160	Drafting and finalising the annual work programme	Agency Regulation	First draft February 2015, final version for approval October 2015	Yes	Yes
		161	Drafting and finalising the Annual Activity Report 2014	Agency Regulation	March 2015		Yes
		162	Updating the multi-annual programme	Agency Regulation	November 2015		Yes
		163	Execution monitoring, corrective actions and change management for the WP	Agency Regulation	Ongoing		Yes
	05.11 Legal affairs	164	Providing legal advice and legal opinions (general)	Agency Regulation	Ongoing		Yes
		165	Implementation of Regulation (EC) No 45/2001 in order to ensure compliance with personal data rules	Agency Regulation	Ongoing		Yes
		166	Providing legal and administrative support to the Administrative Board and the Budgetary Sub-Committee	Agency Regulation	Ongoing		Yes
	05.12 Communications	167	Updated communication plan and improved tools according to return of experience	Agency Regulation	March 2015	Yes	Yes
		168	Agency participation at conferences/exhibitions (possible an Agency Conference, to be decided during the year)	Agency Regulation	May 2015 (Agency conference), September 2015 (Innotrans)		Yes
		169	Answers to external information requests via website	Agency Regulation	15 days after reception of request		Yes
		170	Publication of the Annual Report and specific Agency reports, Flash News	Agency Regulation	Ongoing		Yes
	05.13 Resources (human and financial)	171	Regular update of the EBA internal and external websites	Agency Regulation	Ongoing		Yes
		172	95 % of the establishment plan filled at the end of the year	Agency Regulation	End-2015	Yes	Yes
		173	95 % of appropriations committed	Agency Regulation	End-2015	Yes	Yes
		174	At least 95 % of invoices paid within legal deadline (30 days)	Agency Regulation	Within the regulatory time limits	Yes	Partially – By end of December 92.6 % of invoices were paid within a deadline (reason: delays in registration of invoices, wrong addressees). Counter-measures are being implemented
		175	Execution of payment vs committed appropriations (average all types of appropriations – detailed in Part I - 2.3)	Agency Regulation	End-2015	Yes	Yes
		176	Annual staff survey carried out	Agency Regulation	End-2015		Yes
		177	N+1 year budget submitted and approved within the regulatory deadlines Reports on the budgetary execution	Agency Regulation	Monthly		Yes



WP-Activity	WP-Project	No	Output	Legal basis	Timing	Significant output	Achieved
		178	Minimum 8 days of training days per staff member (formal training and language courses)	Agency Regulation	End-2015		Yes
		179	15-20 procurement procedures launched and completed	Agency Regulation	End-2015		Yes
		180	100% of procurement procedures launched and completed against plan	Agency Regulation	End-2015		Yes
		181	Average length of procurement process for open procedures: 5 months	Agency Regulation	End-2015		Yes
		182	Average length of a selection process: < 4 months	Agency Regulation	End-2015		Yes
		183	All administrative activities related to entitlement, onboarding, exit process, salaries, data protection, reporting, carried out in a timely manner and in respect of the legal framework	Agency Regulation	Ongoing		Yes
		184	Financial transactions and accounting services carried out in respect of the legal framework and within the set deadlines: 300 commitments, 2 200 payment requests, 10 recovery orders	Agency Regulation	Ongoing		Yes
		185	< 10 % carry-over of payment appropriations (total of credits)	Agency Regulation	End-2015		Yes
		186	Asset management updates	Agency Regulation	End-2015		Yes
	05.14 Information technology and facilities	187	Two to five initiatives undertaken to improve health and safety conditions	Agency Regulation	End-2015	Yes	Yes
		188	No security incidents causing financial loss, business disruption or public embarrassment	Agency Regulation	End-2015	Yes	Yes
		189	Establishment of the ERA and European Commission mutual access to rail databases in cooperation with the European Commission	Agency Regulation	End-2015	Yes	Yes
		190	One to three BMAS measures adopted	Agency Regulation	End-2015		Yes
		191	20-25 IT projects managed	Agency Regulation	End-2015		Yes
		192	Documentation of procedures and definition of service levels monitored and corrective actions undertaken	Agency Regulation	Ongoing		Yes
		193	Around 1 100 user support service requests received by Service Desk annually Around 900 software change requests provided annually	Agency Regulation	Continuous		Yes
		194	80 % of users satisfied with the quality of IT service delivery in 'very good' rate	Agency Regulation	Continuous		Yes
		195	4 business impact analysis and continuity tests carried out	Agency Regulation	End-2015		Yes
		196	100 % of exercises and tests that have achieved recovery objectives	Agency Regulation	End-2015		Yes
		197	80 % of users satisfied with the quality of Facilities Management services in 'very good' rate	Agency Regulation	End-2015		Yes
		198	Around 250 service requests fulfilled	Agency Regulation	Ongoing		Yes
	05.15 Preparation for the Fourth Railway Package	199	Establishment of a task force to prepare for the implementation of the Fourth Railway Package	New Agency Regulation	Ongoing	Yes	Yes
		200	Roadmap with milestones	New Agency Regulation	Ongoing	Yes	Yes
		201	Coordination of tasks in relation to the Fourth Railway Package in other Activities	New Agency Regulation	Ongoing	Yes	Yes

## Annex II — Statistics on financial management and annual accounts

### 1. Financial statements

#### 1.1 Balance sheet (assets, liabilities)

	31.12.2015	31.12.2014
<b><u>A. NON-CURRENT ASSETS</u></b>		
Intangible assets	1 196 009.98	1 339 970.92
Property, plant and equipment	1 737 207.50	1 137 898.25
Land and buildings	3 590.00	4 150.00
Plant and equipment	19 579.00	20 479.00
Computer hardware	1 351 472.00	829 265.00
Furniture and vehicles	116 347.00	118 583.00
Other fixtures and fittings	246 219.50	165 421.25
Non-current receivables	31 898.00	31 898.00
<b>TOTAL NON-CURRENT ASSETS</b>	<b>2 965 115.48</b>	<b>2 509 767.17</b>
<b><u>B. CURRENT ASSETS</u></b>		
Exchange receivables and recoverables	33 457.57	96 230.81
Current receivables	378.63	378.63
Sundry receivables	19 344.44	48 207.93
Current receivables with consolidated entities	15.50	0.00
Other receivables	0.00	0.00
Accrued income with consolidated entities	13 719.00	47 644.25
Deferred charges	0.00	0.00
Non-exchange receivables and recoverables	127 448.19	456 679.59
Current receivables Member States	127 448.19	371 742.35
Other receivables	0.00	84 937.24
Cash and cash equivalents	2 813 321.89	3 376 793.63
<b>TOTAL CURRENT ASSETS</b>	<b>2 974 227.65</b>	<b>3 929 704.03</b>
<b>TOTAL ASSETS</b>	<b>5 939 343.13</b>	<b>6 439 471.20</b>

	31.12.2015	31.12.2014
<b><u>A. NET ASSETS</u></b>	<b>4 327 156.81</b>	<b>4 025 889.05</b>
Accumulated surplus/deficit	4 025 889.05	3 481 690.04
Economic result of the year-profit+/loss-	301 267.76	544 199.01
<b><u>B. NON-CURRENT LIABILITIES</u></b>	<b>0.00</b>	<b>0.00</b>
Pension and other employee benefits	0.00	0.00
Provisions for risks and liabilities	0.00	0.00
<b>TOTAL NON-CURRENT LIABILITIES (A+B)</b>	<b>4 327 156.81</b>	<b>4 025 889.05</b>
<b><u>C. CURRENT LIABILITIES</u></b>	<b>1 612 186.32</b>	<b>2 413 582.15</b>
Provisions for risks and liabilities	0.00	0.00
Accounts payable	540 243.06	884 745.10
Current payables	39 391.20	49 089.49
Sundry payables	143 504.41	6 736.92
Accounts payable with consolidated EC entities	357 347.45	828 918.69
Prefinancing received from consolidated EC entities	357 347.45	787 016.64

	31.12.2015	31.12.2014
Other accounts payable against consolidated EC entities	0.00	41 902.05
Accrued charges and deferred income	1 071 943.26	1 528 837.05
Accrued charges	962 295.52	1 244 018.56
Deferred income	0.00	0.00
Other passive accruals and deferrals	-0.01	0.00
Deferrals and accruals with consolidated EC entities	109 647.75	284 818.49
<b>TOTAL CURRENT LIABILITIES</b>	<b>1 612 186.32</b>	<b>2 413 582.15</b>
<b>TOTAL LIABILITIES</b>	<b>5 939 343.13</b>	<b>6 439 471.20</b>

## 1.2 Statement of financial performance

STATEMENT OF FINANCIAL PERFORMANCE	31.12.2015	31.12.2014
Subsidy received	25 987 652.55	24 928 583.36
Title 1 and 2	19 645 000.00	19 770 600.00
Title 3	6 700 000.00	5 945 000.00
Part of Phare Funds subsidy used in current year	0.00	0.00
To be reimbursed (Budget outturn)	-357 347.45	-787 016.64
Revenue from adjustment/provisions	0.00	80 832.58
<b>NON-EXCHANGE REVENUES</b>	<b>25 987 652.55</b>	<b>25 009 415.94</b>
Fixed Assets related income	-3.46	0.00
Exchange rate differences gains	694.14	408.69
Bank interest	5 051.48	0.00
Income from other exchange operations (3rd parties)	35 449.64	90 937.24
Income from consolidated EU entities	93 202.00	92 329.53
<b>EXCHANGE REVENUES</b>	<b>134 393.80</b>	<b>183 675.46</b>
<b>TOTAL REVENUES</b>	<b>26 122 046.35</b>	<b>25 193 091.40</b>
Operational expenses	5 307 521.92	3 972 940.78
Staff and pension costs	16 428 302.10	15 372 379.85
Finance costs	2 085.00	1 940.26
Finance costs	0.00	30.00
Other financial expenses	2 085.00	1 910.26
Other expenses	4 082 869.57	5 301 631.50
Property, plant and equipment related expenses	2 139 835.00	2 261 176.80
Other expenses	1 939 911.65	3 039 280.26
Exchange rate differences losses	3 122.92	1 174.44
<b>TOTAL EXPENSES</b>	<b>25 820 778.59</b>	<b>24 648 892.39</b>
<b>SURPLUS (DEFICIT) FROM ORDINARY ACTIVITIES</b>	<b>301 267.76</b>	<b>544 199.01</b>
<b>ECONOMIC RESULT OF THE YEAR</b>	<b>301 267.76</b>	<b>544 199.01</b>

### 1.3 Statement of changes in net assets

Capital	Reserves		Accumulated surplus/deficit	Economic result of the year	Capital (total)
	Fair value reserve	Other reserves			
<b>Balance as of 31 December 2014</b>	<b>0.00</b>	<b>0.00</b>	<b>3 481 690.04</b>	<b>544 199.01</b>	<b>4 025 889.05</b>
Changes in accounting policies (1)	0.00	0.00	0.00	0.00	0.00
<b>Balance as of 1 January 2015 (if restated)</b>	<b>0.00</b>	<b>0.00</b>	<b>3 481 690.04</b>	<b>544 199.01</b>	<b>4 025 889.05</b>
Allocation of the economic result of previous year	0.00	0.00	544 199.01	-544 199.01	0.00
Economic result of the year	0.00	0.00	0.00	301 267.76	301 267.76
<b>Balance as of 31 December 2015</b>	<b>0.00</b>	<b>0.00</b>	<b>4 025 889.05</b>	<b>301 267.76</b>	<b>4 327 156.81</b>

### 1.4 Cash flow statement

	2015	2014
<b>Cash flows from ordinary activities</b>		
<b>Economic result of the year</b>	<b>301 267.76</b>	<b>544 199.01</b>
<b>Operating activities</b>		
Amortisation (intangible fixed assets) +	442 370.19	454 591.73
Depreciation (tangible fixed assets) +	554 617.97	523 055.23
Increase/(decrease) in provisions for risks and liabilities	0.00	-527 002.39
Increase/(decrease) in value reduction for doubtful debts	0.00	0.00
(Increase)/decrease in stock	0.00	0.00
(Increase)/decrease in long-term pre-financing	0.00	0.00
(Increase)/decrease in short-term pre-financing	0.00	0.00
(Increase)/decrease in long-term receivables	0.00	-28 526.70
(Increase)/decrease in short-term receivables	62 773.24	203 305.69
(Increase)/decrease in receivables related to consolidated EC entities	329 231.40	105 899.56
Increase/(decrease) in other long-term liabilities	0.00	0.00
Increase/(decrease) in accounts payable	-329 824.59	570 126.77
Increase/(decrease) in liabilities related to consolidated EC entities	-471 571.24	-145 541.26
(Gains)/losses on sale of property, plant and equipment	0.00	0.00
Extraordinary items	0.00	0.00
<b>Net cash Flow from operating activities</b>	<b>888 864.73</b>	<b>1 700 107.64</b>
<b>Cash Flows from investing activities</b>		
Purchase of tangible and intangible fixed assets (-)	-1 464 755.18	-762 708.76
Proceeds from tangible and intangible fixed assets (+)	12 418.71	1 323.00
<b>Net cash flow from investing activities</b>	<b>-1 452 336.47</b>	<b>-761 385.76</b>
<b>Net increase/(decrease) in cash and cash equivalents</b>	<b>-563 471.74</b>	<b>938 721.88</b>
Cash and cash equivalents at the beginning of the period	3 376 793.63	2 438 071.75
Cash and cash equivalents at the end of the period	2 813 321.89	3 376 793.63

## 2. Implementation of the budget 2015

### 2.1 Budget implementation 2015

Fund Source: C1							
	Chapter	Final appropriations (1)	Committed (2)	% Committed = (2)/(1)	Balance not committed = (1)-(2)	Total Paid (3)	% Paid = (3)/(1)
11	Staff in active employment	16 330 000.00	16 305 943.03	99.85 %	24 056.97	16 262 772.25	99.59 %
13	Missions and travel	130 000.00	130 000.00	100.00 %	-	120 972.35	93.06 %
14	Socio-medical infrastructure	335 000.00	292 153.14	87.21 %	42 846.86	211 252.86	63.06 %
15	Staff exchange between the ERA and the public sector	200 000.00	182 780.56	91.39 %	17 219.44	182 780.56	91.39 %
17	Entertainment and representation expenses	5 000.00	3 056.00	61.12 %	1 944.00	3 056.00	61.12 %
	<b>Title I</b>	<b>17 000 000.00</b>	<b>16 913 932.73</b>	<b>99.49 %</b>	<b>86 067.27</b>	<b>16 780 834.02</b>	<b>98.71 %</b>
20	Investments in immovable property, rental of buildings and associated cost	1 272 478.26	1 255 229.99	99 %	17 248.27	1 121 967.96	88.17 %
21	Data processing	722 474.39	708 133.89	98 %	14 340.50	524 738.93	72.63 %
22	Movable property and associated costs	235 671.14	229 953.11	98 %	5 718.03	168 956.28	71.69 %
23	Current administrative expenditure	247 020.00	240 168.79	97 %	6 851.21	176 234.60	71.34 %
24	Post and communications	167 356.21	167 356.21	100 %	-	151 050.59	90.26 %
25	Meetings and associated costs	-	-	0.00 %	-	-	0.00 %
	<b>Title II</b>	<b>2 645 000.00</b>	<b>2 600 841.99</b>	<b>98.33 %</b>	<b>44 158.01</b>	<b>2 142 948.36</b>	<b>81.02 %</b>
30	Operational activities directly linked to the Regulation (EC) No 881/2004	3 404 173.40	3 349 061.47	98.38 %	55 111.93	2 486 973.09	85.95 %
31	Operational expenditures	3 295 826.60	3 243 671.40	98.42 %	52 155.20	2 241 748.24	0.00 %
	<b>Title III</b>	<b>6 700 000.00</b>	<b>6 592 732.87</b>	<b>98.40 %</b>	<b>107 267.13</b>	<b>4 728 721.33</b>	<b>70.58 %</b>
	<b>Total Budget</b>	<b>26 345 000.00</b>	<b>26 107 507.59</b>	<b>99.10 %</b>	<b>237 492.41</b>	<b>23 652 503.71</b>	<b>89.78 %</b>



## 2.2 Appropriations carried over 2014/2015

Fund Source : C8					
	Chapter	Amount carried over 2014/2015	Payments made	Balance not paid at the end of the year 2015	% of balance
11	Staff in active employment	51 342.69	43 500.20	7 842.49	15.27 %
13	Missions and travel	344.39	344.39	-	0.00 %
14	Socio-medical infrastructure	78 626.76	68 760.76	9 866.00	12.55 %
17	Entertainment and representation exp.	1 641.00	1 641.00	-	0.00 %
	<b>Title I</b>	<b>131 954.84</b>	<b>114 246.35</b>	<b>17 708.49</b>	<b>13.42 %</b>
20	Investments in immovable property, rental of buildings and associated cost	120 175.21	115 027.09	5 148.12	4.28 %
21	Data processing	395 230.24	385 730.24	9 500.00	2.40 %
22	Movable property and associated costs	8 899.47	8 717.81	181.66	2.04 %
23	Current administrative expenditure	12 373.11	11 581.77	791.34	6.40 %
24	Post and telecommunications	58 913.87	52 438.63	6 475.24	10.99 %
25	Meetings and associated costs	2 500.30	2 496.26	4.04	0.16 %
	<b>Title II</b>	<b>598 092.20</b>	<b>575 991.80</b>	<b>22 100.40</b>	<b>3.70 %</b>
30	Operational activities directly linked to the Regulation (EC) No 881/2004	1 085 794.50	1 038 934.96	46 859.54	4.32 %
31	Operational expenditures	1 147 182.36	1 118 142.82	29 039.54	2.53 %
	<b>Title III</b>	<b>2 232 976.86</b>	<b>2 157 077.78</b>	<b>75 899.08</b>	<b>3.40 %</b>
	<b>Grand total</b>	<b>2 963 023.90</b>	<b>2 847 315.93</b>	<b>115 707.97</b>	<b>3.91 %</b>

## 2.3 Use of appropriations 2015

Fund Source: C1						
	Chapter	Budget adopted	Transfers/ +Amendments	Budget after transfers (1)	Committed (2)	% Committed= (2)/(1)
11	Staff in active employment	16 130 000.00	200 000.00	16 330 000.00	16 305 943.03	99.85 %
13	Missions and travel	130 000.00	-	130 000.00	130 000.00	100.00 %
14	Socio-medical infrastructure	335 000.00	-	335 000.00	292 153.14	87.21 %
15	Staff exchange between the ERA and the public sector	400 000.00	- 200 000.00	200 000.00	182 780.56	91.39 %
17	Entertainment and representation expenses	5 000.00	-	5 000.00	3 056.00	61.12 %
	<b>Title I</b>	<b>17 000 000.00</b>	<b>- 0.00</b>	<b>17 000 000.00</b>	<b>16 913 932.73</b>	<b>99.49 %</b>
20	Investments in immovable property, Rental of buildings and associated cost	1 365 000.00	- 92 521.74	1 272 478.26	1 255 229.99	98.64 %
21	Data processing	620 000.00	102 474.39	722 474.39	708 133.89	98.02 %
22	Movable property and associated costs	260 000.00	- 24 328.86	235 671.14	229 953.11	97.57 %
23	Current administrative expenditure	195 000.00	52 020.00	247 020.00	240 168.79	97.23 %
24	Post and telecommunications	205 000.00	- 37 643.79	167 356.21	167 356.21	100.00 %
25	Meetings and associated costs	-	-	-	-	-
	<b>Title II</b>	<b>2 645 000.00</b>	<b>- 0.00</b>	<b>2 645 000.00</b>	<b>2 600 841.99</b>	<b>98.33 %</b>
30	Operational activities directly linked to the Regulation No 881/2004	3 820 000.00	- 415 826.60	3 404 173.40	3 349 061.47	98.38 %
31	Operational expenditures	2 880 000.00	415 826.60	3 295 826.60	3 243 671.40	98.42 %
	<b>Title III</b>	<b>6 700 000.00</b>	<b>-</b>	<b>6 700 000.00</b>	<b>6 592 732.87</b>	<b>98.40 %</b>
	<b>Total Budget</b>	<b>26 345 000.00</b>	<b>- 0.00</b>	<b>26 345 000.00</b>	<b>26 107 507.59</b>	<b>99.10 %</b>

## 2.4 Appropriations carried over 2015/2016

	Chapter	Amount carried over 2015/2016	% Amount carried over 2015/2016
11	Staff in active employment	43 170.78	0.26 %
13	Missions and travel	9 027.65	6.94 %
14	Socio-medical infrastructure	80 900.28	27.69 %
15	Staff exchange between the ERA and the public sector	0.00	0.00 %
17	Entertainment and representation exp.	0.00	0.00 %
	<b>Title I</b>	<b>133 098.71</b>	<b>0.79 %</b>
20	Investments in immovable property, rental of buildings and associated cost	133 262.03	10.62 %
21	Data processing	183 394.96	25.90 %
22	Movable property and associated costs	60 996.83	26.53 %
23	Current administrative expenditure	63 934.19	26.62 %
24	Post and telecommunications	16 305.62	9.74 %
25	Meetings and associated costs	0.00	0.00 %
	<b>Title II</b>	<b>457 893.63</b>	<b>17.61 %</b>
30	Operational Activities directly linked to the Regulation (EC) No 881/2004	862 088.38	25.74 %
31	Operational expenditures	1 001 923.16	30.89 %
	<b>Title III</b>	<b>1 864 011.54</b>	<b>28.27 %</b>
	<b>Total Budget</b>	<b>2 455 003.88</b>	<b>9.40 %</b>

## 2.5 Budget outturn

	2015	2014
<b>Revenue</b>		
Commission subsidy DG MOVE	26 345 000.00	25 715 600.00
Phare funds from Commission	0.00	0.00
Fee income	0.00	0.00
Other revenue	247 262.64	56 842.64
<b>Total revenue (a)</b>	<b>26 592 262.64</b>	<b>25 772 442.64</b>
<b>Expenditure</b>		
Personnel expenses — Budget Title I		
<i>Payments</i>	16 859 235.27	16 270 730.08
<i>Automatic carry-overs</i>	133 098.71	150 607.29
Administrative expenses — Budget Title II		
<i>Payments</i>	2 142 948.36	2 115 131.15
<i>Automatic carry-overs</i>	578 029.02	598 092.20
Operational expenses — Budget Title III		
<i>Payments</i>	4 731 742.68	3 690 095.76
<i>Automatic carry-overs</i>	1 931 209.54	2 235 998.21
<b>Total expenditure (b)</b>	<b>26 376 263.58</b>	<b>25 060 654.69</b>
<b>Outturn for the financial year (a-b)</b>	<b>215 999.06</b>	<b>711 787.95</b>
Cancellation of unused carry-overs	93 602.53	69 599.04
Adjustment for carry-over from the previous year of appropriations available at 31.12 arising from assigned revenue	50 174.64	6 395.40
Exchange differences for the year	-2 428.78	-765.75

	2015	2014
<b>Revenue</b>		
Balance carried over from year N-1	787 016.64	954 286.92
Positive balance from year N-1 reimbursed in year N to the Commission	-787 016.64	-954 286.92
<b>Balance of the outturn account for the financial year</b>	<b>357 347.45</b>	<b>787 016.64</b>

## 2.6 Economic outturn

	2015	2014
<b>Economic result (+ for surplus and - for deficit) of the consolidation reporting package</b>	<b>301 267.76</b>	<b>544 199.01</b>
<b>Adjustment for accrual items (items not in the budgetary result but included in the economic result)</b>		
Adjustments for accrual cut-off (reversal 31.12.N-1)	-1 528 837.05	-1 012 925.70
Adjustments for accrual cut-off (cut- off 31.12.N )	702 055.00	1 528 837.05
Amount from liaison account with Commission booked in the economic revenue	0.00	0.00
Unpaid invoices at year end but booked in charges (class 6)	1 593.22	-8 760.46
Depreciation of intangible and tangible assets (1)	997 158.97	978 969.96
Provisions (1)	369 888.27	-527 002.39
Value reductions (1)	0.00	0.00
Recovery orders issued in 2015 in class 7 and not yet cashed	-13 719.00	-100 261.49
Prefinancing given in previous year and cleared in the year	0.00	111 793.43
Prefinancing received in previous year and cleared in the year	0.00	0.00
Payments made from carry over of payment appropriations	2 847 315.93	2 145 828.52
Other	8 296.60	3 583.77
<b>Adjustment for budgetary items (item included in the budgetary result but not in the economic result)</b>		
Asset acquisitions (less unpaid amounts)	-1 319 041.09	-762 708.76
New pre-financing paid in the year 2015 and remaining open as at 31.12.2015	0.00	0.00
New pre-financing received in the year 2015 and remaining open as at. 31.12.2015	357 347.45	787 016.64
Budgetary recovery orders issued before 2015 and cashed in the year	132 581.49	0.00
Budgetary recovery orders issued in 2015 on balance sheet accounts (not 7 or 6 accounts) and cashed	0.00	7 157.37
Capital payments on financial leasing (they are budgetary payments but not in the economic result)	0.00	0.00
Payment appropriations carried over to 2016	-2 642 337.27	-2 984 697.70
Cancellation of unused carried over payment appropriations from previous year	93 602.53	69 599.04
Adjustment for carry-over from the previous year of appropriations available at 31.12 arising from assigned revenue	50 174.64	6 395.40
Payments for pensions (they are budgetary payments but booked against provisions)	0.00	0.00
Payments for stocks of leave and supplementary hours (they are budgetary payments but booked against provisions)	0.00	0.00
Other	0.00	-7.05
<b>Budget outturn for the year</b>	<b>357 347.45</b>	<b>787 016.64</b>

## 2.7 Negotiated procedures

Contracts ≤ EUR 15 000    Contracts ≥ EUR 60 000

- Count: 1
- Total amount: EUR 111 212.84

\* (RAP): Rules of Application

Number	Contractor(s) Name	Type of Contract	Description	Amount (EUR)	Legal Base
ERA 2015 06 NP	DNVGL (UK)	Direct Service Contract	Study for a possible development of a safety information IT system to exchange information between railway sector actors	59 500	Article 137 RAP
ERA 2015 08 NP	Lille Grand Palais	Order Form	ERTMS conference 22-23.9.2015	51 712.84	

## 2.8 Summary of procedures

(Excluding real estate contracts and contracts ≤ EUR 15 000)

Type of contract	Count	Amount (EUR)
Supply	0	0
Services	16	22 310 000
Works	0	0
<b>TOTAL</b>	<b>16</b>	<b>22 310 000</b>

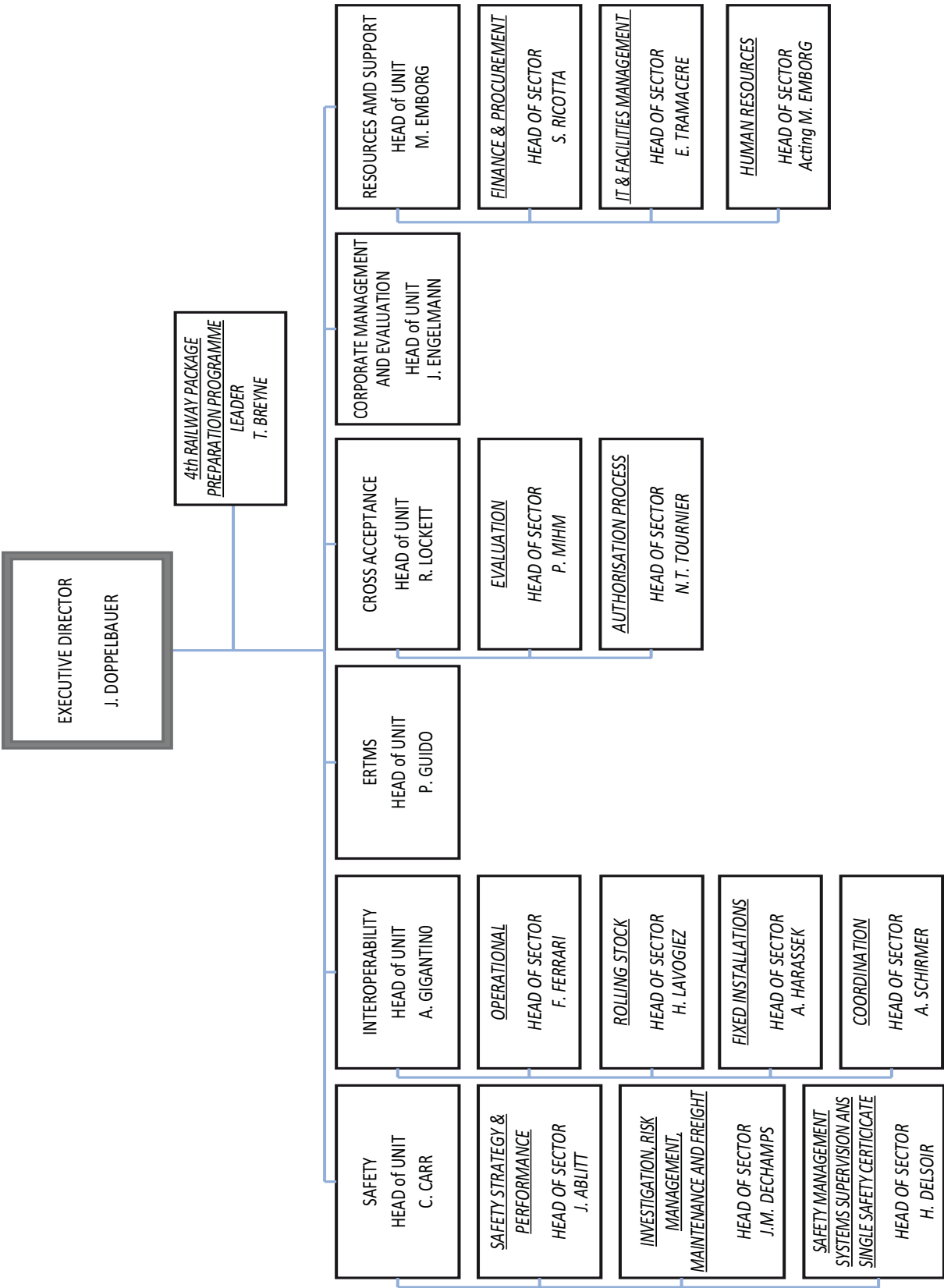
Procedures	Count	Amount (EUR)
Open	4	22 010 000
Restricted	0	0
Negotiated		150 000
Negotiated competing	0	0
Other	0	0
<b>TOTAL</b>		<b>22 160 000</b>



## 2.9 Real estate contracts

Number	Contractor(s)		Type of Contract	Description	Amount (EUR)	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 FRANCE	Building contract	Lease contract of ERA's headquarters 120 rue Lefrancq 59300 Valenciennes FRANCE	420 698	IR — Article 126(h)
N/A	Chambre de Commerce et d'Industrie de région Nord de France	229 Bd de Leeds, CS 90028, 59031 Lille Cedex FRANCE	Building contract	Lease contract of ERA's meeting facilities 229, Bd de Leeds CS 90028, 59031 Lille Cedex FRANCE	106 133	IR — Article 126(h)

Annex III — Organisational chart



## Annex IV — Establishment plan and additional information on Human Resources management

### a. Establishment plan 2015

Function group and grade	2015			
	Authorised under the EU Budget and amended by Board on 16.6.2015		Filled as at 31.12.2015	
	Permanent posts	Temporary posts	Permanent posts	Temporary posts
AD16				
AD15				
AD14		1		1
AD13				
AD12				
AD11		5		3
AD10		11		13
AD9		29		26
AD8		21		15
AD7		13		19
AD6		20		21
AD5				
<b>Total AD</b>		<b>100</b>		<b>98</b>
AST11				
AST10				
AST9		2		2
AST8		4		1
AST7		3		1
AST6		3		3
AST5		5		7
AST4		7		6
AST3		7		10
AST2		6		6
AST1				
<b>Total AST</b>		<b>37</b>		<b>36</b>
<b>GRAND TOTAL</b>		<b>137</b>		<b>134</b>

## b. Result of the Agency's job screening exercise

Job type (sub) category	2014 (in %)	2015 (in %)
<b>Administrative support and coordination</b>	<b>20.72</b>	<b>21.14</b>
Administrative support	16.61	16.39
Coordination	4.11	4.75
<b>Operational</b>	<b>67.59</b>	<b>64.61</b>
Top level operational coordination	1.39	1.64
Programme management and Implementation	51.27	49.18
Evaluation and impact assessment	7.41	7.29
General operational	7.52	6.50
<b>Neutral</b>	<b>11.69</b>	<b>14.25</b>
Finance/control	11.69	14.25
Linguistics	0.00	0.00

## Annex V – Human and financial resources per activity

The following table shows the planned resources and the adopted budget for the 2015 Work Programme:

Activity	Unit Staff	DIRECT COSTS				INDIRECT COSTS		TOTAL
	FTE planned	Chapter 30		Article 311		Chapter 31 - Article 311	Titles 1 & 2	
		ACTIVITIES	STUDIES	TRANSLATIONS, INTERPRETATION				
Harmonised safety framework	39.60	541 800.00	430 000.00	350 000.00	516 000.00	76 800	4 714 800	6 629 400.00
Removing technical barriers	40.80	478 200.00	390 000.00	370 000.00	316 000.00	79 127	4 857 673	6 491 000.00
Single EU train control and communication system	22.50	320 000.00	410 000.00	0.00	226 000.00	43 636	2 678 864	3 678 500.00
Simplified access for customers	16.20	110 000.00	0.00	0.00	506 000.00	31 418	1 928 782	2 576 200.00
Evaluation, management and resources	45.90	200 000.00	200 000.00	20 000.00	996 000.00	89 018	5 464 882	6 969 900.00
<b>Grand Total</b>	<b>165.00</b>	<b>1 650 000</b>	<b>1 430 000</b>	<b>740 000</b>	<b>2 560 000</b>	<b>320 000</b>	<b>19 645 000</b>	<b>26 345 000</b>

The following table shows the actual used resources in 2015:

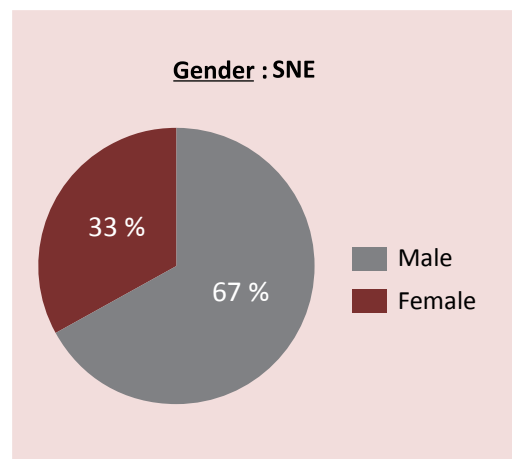
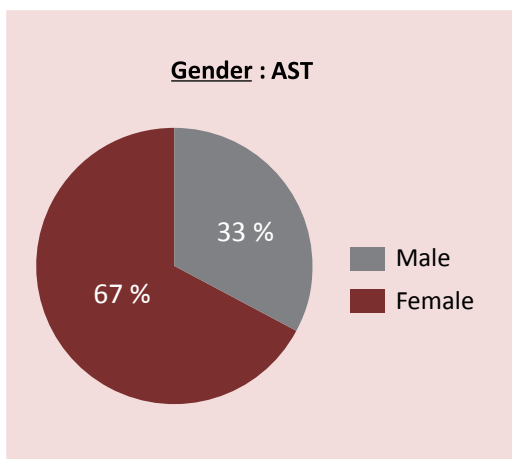
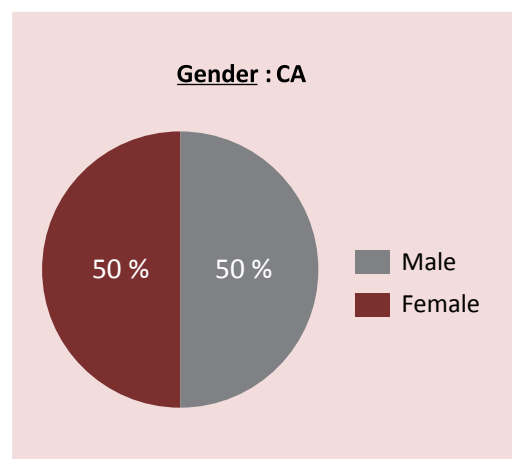
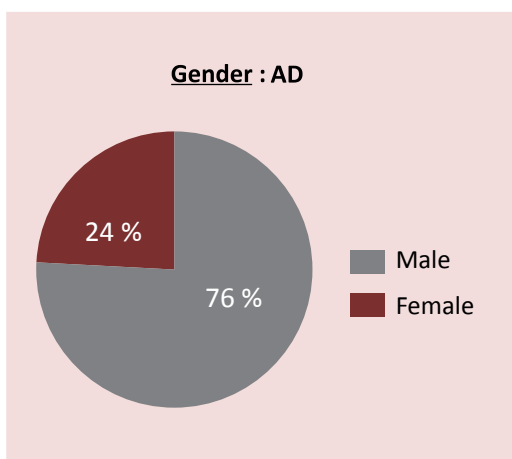
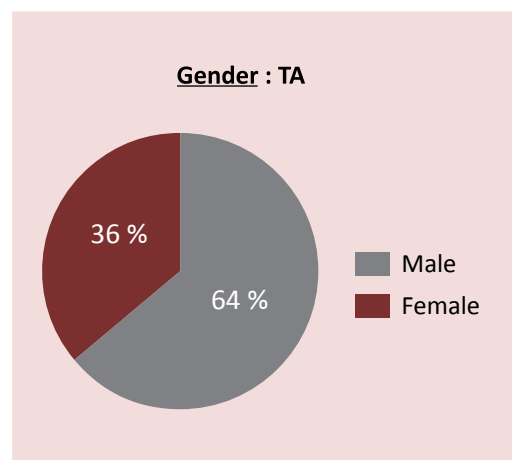
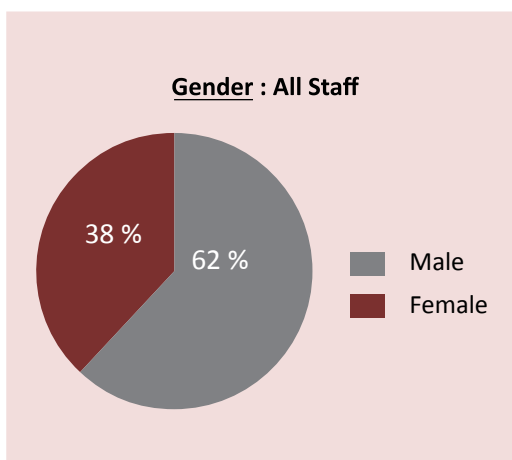
Activity	Unit Staff	DIRECT COSTS				INDIRECT COSTS		TOTAL
	FTE planned	Chapter 30		Article 311		Chapter 31 - Article 311	Titles 1 & 2	
		ACTIVITIES	STUDIES	TRANSLATIONS, INTERPRETATION				
Harmonised safety framework	36.60	533 987.78	87 349.00	405 000.00		61 410	4 549 304	5 637 050.85
Removing technical barriers	40.80	361 449.26	0.00	369 047.70	57 209.40	68 457	5 071 355	5 927 518.77
Single EU train control and communication system	21.50	360 492.59	387 025.00	0.00	101 915.58	36 074	2 672 405	3 557 912.75
Simplified access for customers	16.20	234 614.60	0.00	0.00	1 067 586.22	27 181	2 013 626	3 343 008.69
Evaluation, management and resources	41.90	306 695.54	299 400.00	4 000.00	1 753 534.76	70 303	5 208 083	7 642 016.09
<b>Grand Total</b>	<b>157.00</b>	<b>1 797 240</b>	<b>773 774</b>	<b>778 048</b>	<b>2 980 246</b>	<b>263 425</b>	<b>19 514 775</b>	<b>26 107 507</b>

The gap between the planned FTE number (161) and the staff employed at the end of 2015 (157) resulted from the open vacancies due to natural fluctuation and vacancies which could not be filled in 2015.

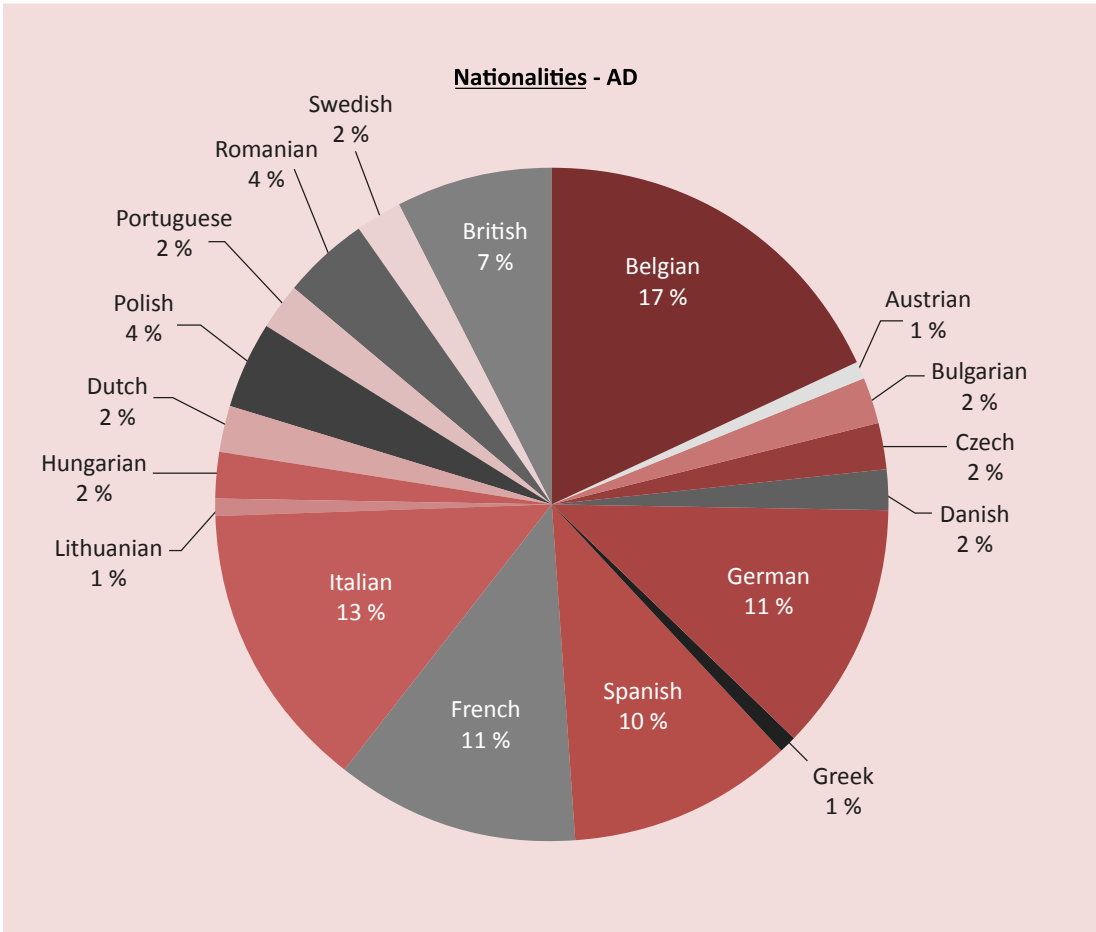
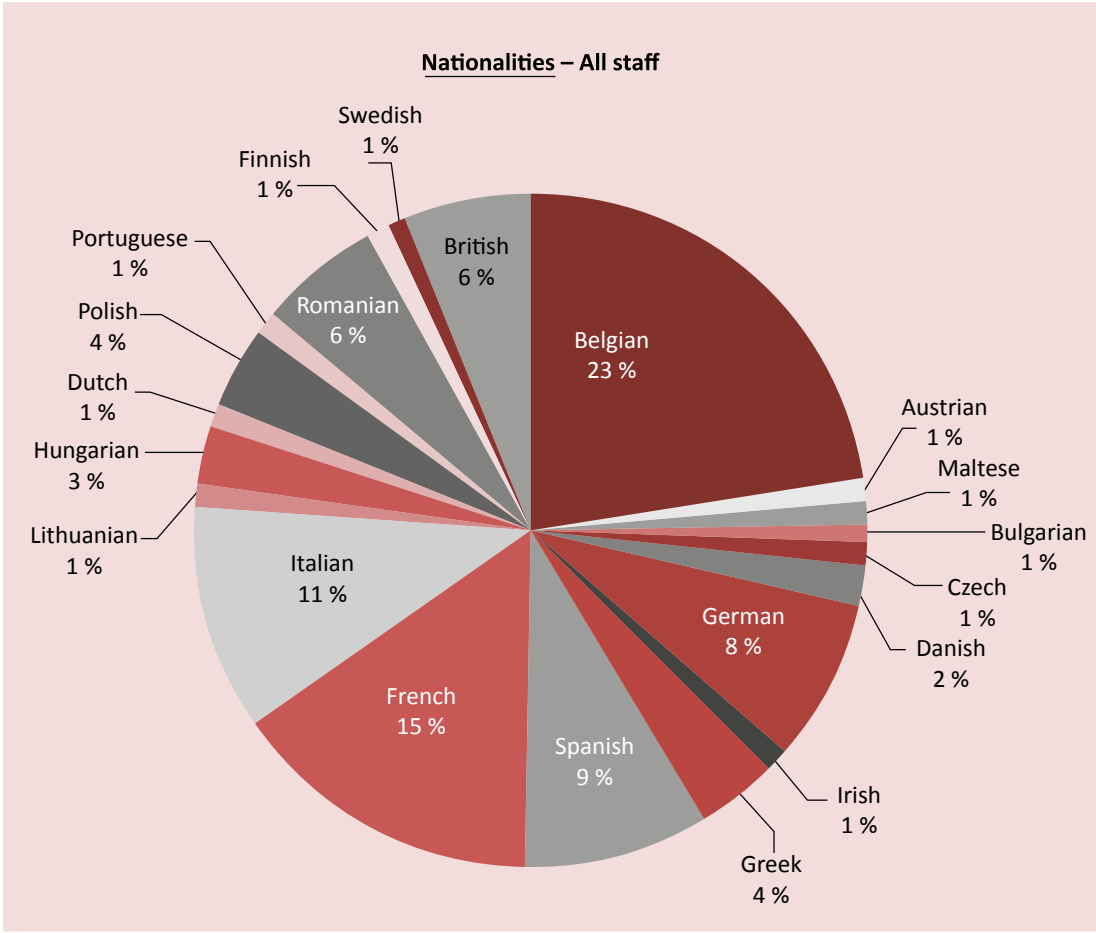


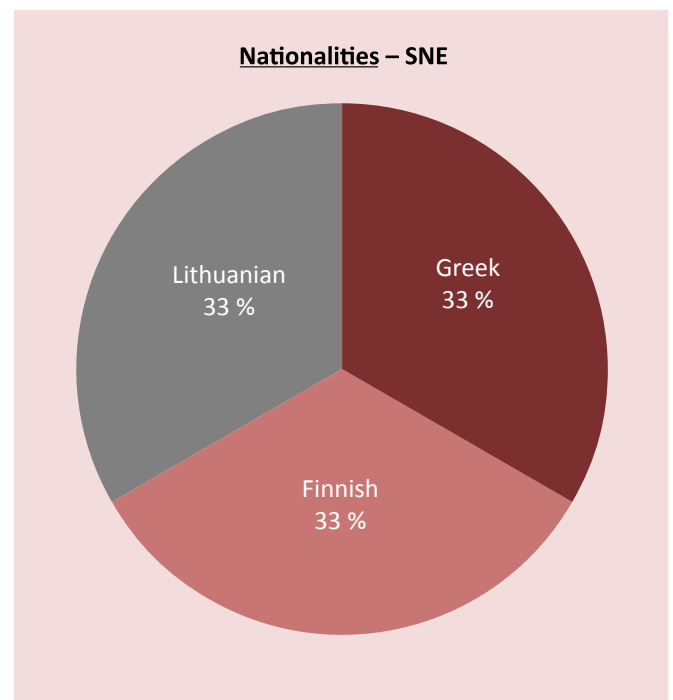
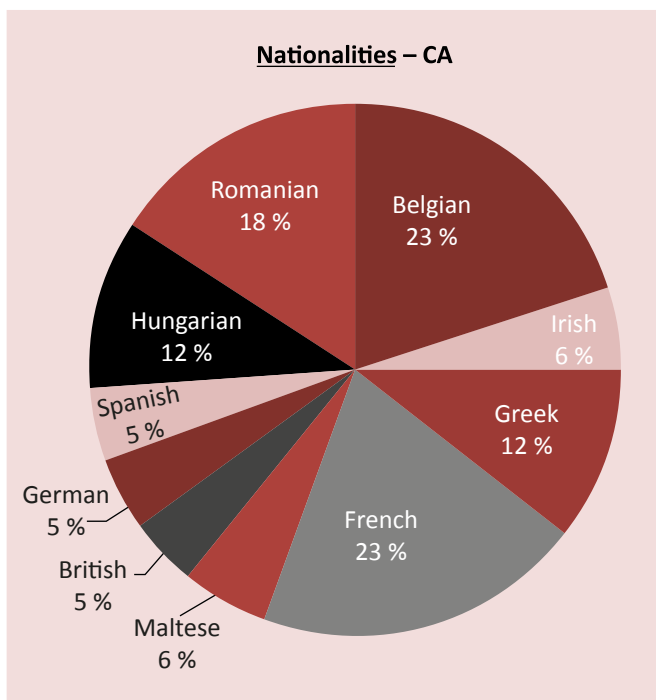
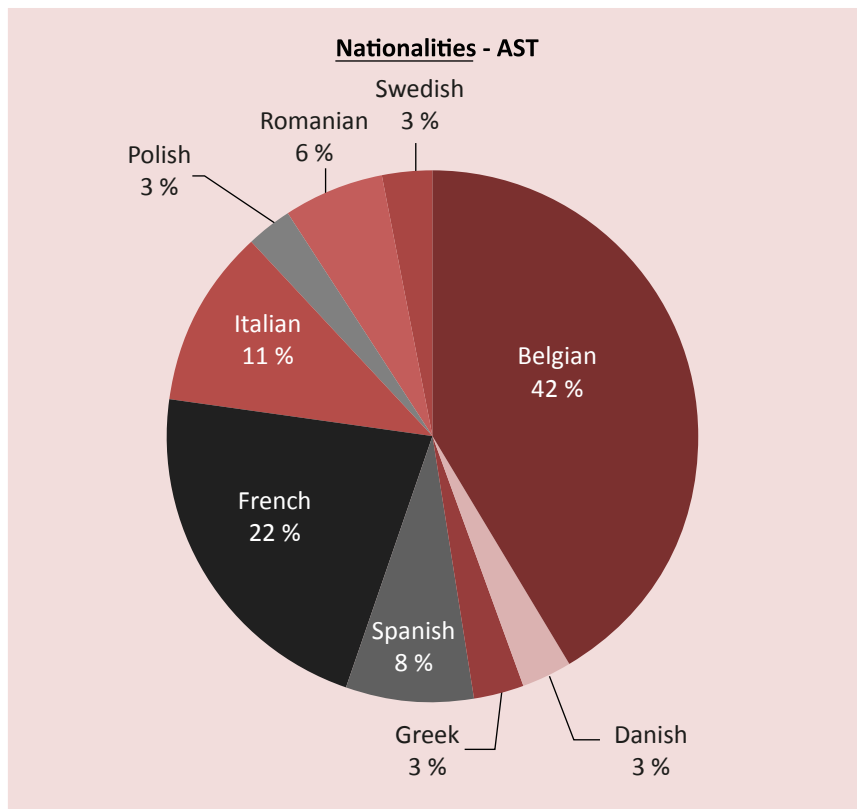
## Annex VI — Staff composition in 2015

### 1. Gender balance



2. Geographical balance





## Annex VII — Data protection

### *Context*

The Agency continued in 2015 the implementation of the actions identified necessary to attain the set targets for reaching personal data protection compliance.

A number of actors, mainly the Data Protection Officer (DPO), the Data Controllers (DCs) and the Data Protection Coordinators (DPCs) were actively involved and contributed to progress made towards data protection compliance. The fifth European Data Protection Supervisor general monitoring exercise ('Survey 2015') relating to the implementation of Regulation (EC) No 45/2001 within EU institutions and bodies has been an excellent opportunity for the Agency to further check internally the status of its implementation in terms of processing operations notified, personal data transfers, privacy by design, general security policy and personal data deletion procedures.

The aim for the Agency is to become compliant on data protection rules by ensuring that the personal data of the Agency staff as well as those third parties managed by the Agency are lawfully, adequately, proportionately and properly processed in line with Regulation (EC) No 45/2001.

### *The Agency DPO Inventory*

The Agency kept on updating throughout the year the inventory which comprises a list of all the personal data processing operations of the organisation.

The Agency's inventory includes entries which correspond to the Agency processing operations, which are planned or already implemented, but not yet notified to the DPO. This inventory contains all the fields recommended by the EDPS [name of the processing operation, brief description of the processing operation (including purposes), Article 25 notification (done or not), Article 27 notification (Y/N and done or not), contact person (controller 'in practice')].

The inventory gives information about the name of the processing, whether the notification is prior-checkable or not, the name of the controller, risk level and status.

### *The Agency DPO Register*

All processing operations or sets of operations intended to serve a single purpose or several related purposes must be notified by the data controller to the DPO. The information provided includes the set of data specified in Article 25 of Regulation (EC) No 45/2001.

The Register comprises sixty-two (62) notifications of which seventeen (17) correspond to prior-check processing operations.

Similar to the inventory, the Agency's DPO Register is a data base which contains all notifications submitted to the DPO in line with the requirements set by Regulation (EC) No 45/2001.

The Agency continued to notify the processing operations and at the same time verified that the information regarding processing in the HR field was kept updated in relation to ongoing changes in the processing procedures.

From the information contained in the ERA DPO Register, it can be concluded that the large majority of the processing operations have been notified to the DPO and EDPS in line with the above-mentioned Regulation.

The DPCs focused on implementing the data protection rules for the handling of processing operations managed at their respective Units, contributed significantly to the updating of the DPO Register, functioned as focal points for providing advice to their unit's staff on personal data protection issues and conferred regularly with staff members concerned to discuss potential data protection implications in ongoing or future projects. For instance, the DPC of the Safety Unit raised not only the issue of the protection of personal data of persons interviewed during the implementation of priority countries project, but also the issue of international transfers of personal data through IPA and neighbourhood policy projects. Also, the DPCs of safety, interoperability and cross acceptance units agreed, under the guidance and advice received from the Agency's DPO, on the adoption of the final texts of privacy statements and notifications for most of the processing operations in which more than one unit of the Agency has been involved, e.g. the processing of personal data for the purpose of coordinating and managing meetings, workshops, seminars and other events organised by the Agency.

### *Privacy by design*

With a view to developing a general information security policy, the Agency enhanced its efforts in considering early enough the data protection aspects in IT projects which cover all business, operational and non-operational. Improvements were made to enhance developments of proprietary IT business systems by including privacy-related issues already at their inception phases. More particularly in the field of internal IT development (software solutions management developed in the Agency for administrative databases etc.), and in particular the Project initiation request form, two sections have been added on security and personal data protection, while in the

Supplementary specifications document, a chapter is now devoted to data protection aspects. The Agency will continue developing and working on such policies, as well as on general data deletion procedures, which are already implemented with regards to specific processing operations (e.g. personal data included in the financial files) to streamline existing practices in the framework of the drafting of the documents and management system, which is currently ongoing.

#### *Staff training and awareness raising*

The training on data protection was organised in the form of targeted modules for newcomers and for staff who are more involved in the implementation of Regulation (EC) No 45/2001.

The dedicated intranet page with full information on data protection on which all the available awareness material, including training material, are posted has been partially updated this year. The Data Protection Day this year has been celebrated at the Agency with material on the latest developments, on the legal framework and definitions, and a section on the data protection at the Agency as well as general useful information and links. In addition, a guide on data protection has been adopted and a leaflet on personal data awareness issues has been published

Furthermore, the Agency launched a survey on data protection among its staff members, in order to use its results in designing suitable training and awareness actions on data protection issues. The results of this internal survey suggest that the overwhelming majority of the staff members of the Agency who responded to it manage or process personal data in their daily work, although they have not yet participated in any of the training courses related to data protection issues, organised either by the Agency or by an external organisation, still consider compliance with the legal framework ensuring the protection of personal data within the Agency an ‘essential element’ or, at least, ‘an important and mainstream aspect’ of governance in a modern administration and have expressed their willingness to engage more actively in staff training and awareness raising actions on data protection in the future.

Finally, the Agency has already implemented all the preparatory actions for the celebration of Data Protection Day 2016, during which a ‘Cybersecurity awareness workshop’ will be provided for all staff members of the Agency by an expert in the provision of information security awareness internationally, as well as for training courses on data protection in the Agency for HR and Communication staff and Data Protection Coordinators (DPCs) — designed not only to offer an explanation of the key concepts embedded in Regulation (EC) No 45/2001 and a systematic description of the privacy principles on which European personal data protection is based — but also a presentation of practical solutions worked out by other agencies or European Commission DGs that can inspire the participants in tackling the data protection issues they face in their everyday work (such as file organisation, notifications, models, etc.).

#### *Participation of the Agency in the EDPS 2015 general monitoring exercise*

The Agency prepared a detailed report in response to the EDPS 2015 general monitoring exercise (‘Survey 2015’); this EDPS initiative was a good opportunity for the Agency to further check internally the status of its implementation in terms of data protection. In addition to the answers in the enclosed questionnaire, the Agency confirmed to the EDPS, among others, that during the implementation of its activities, it transferred personal data to third countries’ national transport authorities and international rail organisations for the purpose of organising meetings (i.e. contact details of ERA staff and other experts list with names of participants to trainings, workshops etc.). Regarding the DPO’s involvement in the design of new processing operations, the Agency informed the EDPS that efforts had been made to ensure this as much as possible, especially by developing inception documents that include the consideration of data protection aspects and that the heads of units had already reinforced their cooperation with the DPO on this aspect.

#### *Outputs*

The Agency has notified all identified prior-check notifications for which a procedure is in place as a basis.

Four (4) Article 25 Regulation (EC) No 45/2001 notifications were notified to the DPO register this year.

The Agency implemented in 2015 in full the last pending recommendation of the EDPS in terms of health data processing in workplace.

In conclusion, the Agency’s performance in terms of compliance with data protection and privacy principles, as reflected in the EDPS Report on Survey 2015 (‘Measuring compliance with data protection rules in EU institutions’), according to which the Agency is one of the top-ranked European institutions/bodies that were established (or started their activities) after 2004, but before 2011, shows that while bringing the inventory and register into shape takes effort, it can be achieved.



# Glossary

<b>AAR</b>	Annual Activity Report
<b>ABAC</b>	The web-based accounting system developed for the Directorate-General for the Budget
<b>ANTT</b>	Agência Nacional de Transportes Terrestres (Brazil)
<b>APS</b>	Authorisation for placing in service
<b>AWP</b>	annual work programme
<b>CAF</b>	common assessment framework
<b>CCS</b>	control-command and signalling subsystem
<b>CIT</b>	International Rail Transport Committee
<b>COTIF</b>	Convention Relative aux Transports Internationaux Ferroviaires
<b>CR TSI</b>	Conventional Rail, Technical Specification for Interoperability
<b>CSIs</b>	common safety indicators
<b>CSMs</b>	common safety methods
<b>CSTs</b>	common safety targets
<b>DMI</b>	driver machine interface
<b>DNV</b>	Det Norske Veritas
<b>DREAM</b>	Database for Railway Economic Analysis Management
<b>EC</b>	European Commission
<b>ECM</b>	entity in charge of maintenance
<b>ECVVR</b>	European Centralised Virtual Vehicle Register
<b>EMC</b>	electromagnetic compatibility
<b>ENE</b>	Energy subsystem
<b>ERA</b>	European Railway Agency
<b>ERADIS</b>	ERA Database on Interoperability and Safety
<b>ERATV</b>	European Register of Authorised Types of Vehicles
<b>ERTMS</b>	European Rail Traffic Management System
<b>ESO</b>	European Standardisation Organisation
<b>ETCR</b>	European Training Centre for Railways
<b>ETCS</b>	European train control system

<b>EU</b>	European Union
<b>Eurostat</b>	The Statistical Office of the European Union
<b>FFG</b>	freight focus group
<b>GSM-R</b>	Global System for Mobile Communications (Railway)
<b>HR</b>	Human resources
<b>ICS</b>	internal control standards
<b>IM</b>	infrastructure manager
<b>IMS</b>	integrated management system
<b>INEA</b>	Innovation and Networks Executive Agency
<b>INF</b>	infrastructure subsystem
<b>IOD</b>	Interoperability Directive
<b>IT</b>	Information Technology
<b>JPCR</b>	Joint Programming Committee Rail (for EN Standards)
<b>LOC</b>	Locomotives and traction units
<b>MoU</b>	Memorandum of Understanding
<b>MS(s)</b>	Member State(s)
<b>NIB</b>	National Investigation Body
<b>NNTR</b>	Notified National Technical Rule
<b>NB(s)</b>	notified body(ies)
<b>NB(-)Rail</b>	Coordination Group of Notified Bodies (Rail)
<b>NLF</b>	national legislative framework
<b>NoBo(s)</b>	notified body(ies)
<b>NOI</b>	Noise (TSI)
<b>NRD</b>	National Reference Document
<b>NRV(s)</b>	National reference value(s)
<b>NSA(s)</b>	National safety authority(ies)
<b>NTR(s)</b>	National technical rule(s)
<b>NVR</b>	National Vehicle Register
<b>OPE</b>	Traffic operation and management subsystem
<b>OSJD</b>	Organisation for Cooperation of Railways
<b>OTIF</b>	Organisation for International Carriage by Rail

<b>PAS</b>	passenger vehicles (carriages)
<b>PRM</b>	persons with reduced mobility
<b>RAC</b>	risk acceptance criteria
<b>RDD</b>	Reference Document Database
<b>RID</b>	Reglement concernant le transport internationale ferroviaire des marchandises dangereuses
<b>RISC</b>	Railway Interoperability and Safety Committee (formerly known as the 'Article 21' committee)
<b>RST</b>	rolling stock subsystem
<b>RU</b>	Railway undertaking
<b>SMS</b>	safety management system
<b>SRS</b>	system requirements specification
<b>SRT</b>	safety in railway tunnels
<b>TAF</b>	Telematics application for freight services
<b>Taiaex</b>	Technical Assistance and Information Exchange
<b>TAP</b>	Telematics application for passenger services
<b>TEN-T</b>	Trans-European Transport Network
<b>TSI</b>	Technical Specification for Interoperability
<b>UIC</b>	International Union of Railways
<b>UTP</b>	Uniform Technical Prescriptions
<b>VVR</b>	Virtual Vehicle Register
<b>WAG</b>	freight wagons
<b>WG</b>	working group
<b>WP</b>	working party

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