

Moving Europe towards a sustainable and
safe railway system without frontiers.

OPINION

ERA/OPI/2023-03

OF THE EUROPEAN UNION AGENCY FOR RAILWAYS

for

CZECHIA

regarding

one (1) rule adopted by the infrastructure manager Správa železnic
in the aspect of setting requirements for train braking and securing
of vehicles (paragraphs 179 – 181 of regulation SŽ D1)

Disclaimer:

The present document is a non-legally binding opinion of the European Union Agency for Railways. It does not represent the view of other EU institutions and bodies, and is without prejudice to the decision-making processes foreseen by the applicable EU legislation. Furthermore, a binding interpretation of EU law is the sole competence of the Court of Justice of the European Union.

1. General Context

In line with Article 8 of Directive (EU) 2016/798¹ (Railway Safety Directive) and Article 26 of Regulation (EU) 2016/796 (the Agency Regulation), this opinion covers the examination by the European Union Agency for Railways² (hereinafter the Agency or ERA) of a rule adopted by the infrastructure manager Správa železnic and setting requirements for braking and train securing.

On 25 November 2022 the Agency has received a request from Úřad pro přístup k dopravní infrastruktuře (UPDI) – Czech National Regulatory Body, to provide its position regarding an updated rule issued in 2022 by the Czech national infrastructure manager Správa železnic, contained in paragraphs 179 – 181 of the infrastructure manager's regulation SŽ D1 Dopravní a návěštní předpis pro tratě nevybavené evropským vlakovým zabezpečovačem (Traffic and signalling regulations for lines not equipped with European train protection system). The rule has not been notified to the Agency through the official notification process and its dedicated IT tool – namely the Single Rules Database (SRD).

Therefore, the Agency became aware of such a new rule and decided to follow Article 26 (6) of the Agency Regulation to assess those above mentioned provisions against the relevant EU law requirements. On 24 January 2023, the Agency sent a letter with reference JD/ES/D 2023/8879 addressed to the Czech Ministry of Transport and the Czech National Safety Authority containing the results of the first assessment of paragraphs 179 – 181 of regulation SŽ D1.

On 24 March 2023, the Czech authorities responded to the Agency with a joint letter from the Ministry of Transport and National Safety Authority in which they did not agree with the Agency's grounds for the assessment.

This opinion is addressed to Czechia with a copy to the European Commission (EC) and it confirms the Agency's negative assessment of above mentioned rule.

The opinion is uploaded on the Agency's website.

2. Legal Background

Article 26 (3) of the Agency Regulation sets out the following:

Where the examination referred to in paragraph 1 leads to a negative assessment, the Agency shall inform the Member State concerned and ask it to state its position regarding that assessment. If, following that exchange of views with the Member State concerned, the Agency maintains its negative assessment, the Agency shall within a maximum period of 1 month:

(a) issue an opinion addressed to the Member State concerned, stating that the national rule or rules in question has or have been the subject of a negative assessment and the reasons why the rule or rules in question should be modified or repealed; and

(b) inform the Commission of its negative assessment, stating the reasons why the national rule or rules in question should be modified or repealed.

Furthermore, as paragraphs 179 – 181 of infrastructure manager's regulation SŽ D1 have not been formally notified for the Agency's assessment, the Agency decided to follow Article 26 (6) of the Agency Regulation that sets the following:

The procedure referred to in paragraphs 2, 3 and 4 shall apply, mutatis mutandis, in cases where the Agency becomes aware of any national rule, whether or not notified, that is redundant, in conflict with the CSMs,

¹ Directive (EU) 2016/798 of the European Parliament and of the Council of 11 May 2016 on railway safety.

² Regulation (EU) 2016/796 of the European Parliament and of the Council of 11 May 2016 on the European Union Agency for Railways and repealing Regulation (EC) No 881/2004.

CSTs, TSIs or any other Union legislation in the railway field or creates an unjustified barrier to the single railway market.

This opinion is issued pursuant to Article 26 (3) and (6) of the Agency Regulation.

This opinion points out the fact that the infrastructure manager's rule contains railway safety requirements that have an impact on the railway operations, is applicable to railway undertakings operating on the Czech railway network managed by Správa železnic and contradicts already harmonised European legislation, according to the analysis provided in chapter 3 "Analysis" of this opinion.

The applicable EU legislation which is relevant for this opinion is:

- Directive (EU) 2016/798 of 11 May 2016 on railway safety;
- Commission Implementing Regulation (EU) 2019/773 of 16 May 2019 on the technical specification for interoperability relating to the operation and traffic management subsystem of the rail system within the European Union and repealing Decision 2012/757 EU;
- Commission delegated Regulation (EU) 2018/762 of 8 March 2018 establishing common safety methods on safety management system requirements pursuant to Directive (EU) 2016/798 of the European Parliament and of the Council and repealing Commission Regulations (EU) No 1158/2010 and (EU) No 1169/2010;
- Commission Regulation (EU) No 1078/2012 of 16 November 2012 on a common safety method for monitoring to be applied by railway undertakings, infrastructure managers after receiving a safety certificate or safety authorisation and by entities in charge of maintenance;
- Commission Delegated Regulation (EU) 2018/761 of 16 February 2018 establishing common safety methods for supervision by national safety authorities after the issue of a single safety certificate or a safety authorisation pursuant to Directive (EU) 2016/798 of the European Parliament and of the Council and repealing Commission Regulation (EU) No 1077/2012;
- Commission Implementing Regulation (EU) 2015/1136 of 13 July 2015 amending Implementing Regulation (EU) No 402/2013 on the common safety method for risk evaluation and assessment

3. Analysis

Based on the information received, the Agency decided to treat paragraphs 179-181 from the infrastructure manager's regulation SŽ D1 as a rule requiring notification according to Article 8 (7) of Railway Safety Directive and Article 26 (1) of the Agency Regulation.

In the letter from 24 March 2023, the Czech authorities informed that the regulation SŽ D1 was amended and the changes in question were implemented on the basis of extraordinary events on the territory of Czechia and at the request of carriers in order to improve the availability for train parking of the infrastructure managed by Správa železnic. It was stressed that the amendment to the infrastructure manager's rule was subject to an analysis in accordance with Commission Implementing Regulation (EU) 402/2013³. Based on the analysis performed, the entry into force of the amendment was postponed until 30 June 2024.

According to the position of the Czech authorities presented in the letter from 24 March 2023, rules issued by the infrastructure manager did not fall under the notification process set out in Article 8 of Railway Safety Directive, considering the legal order in Czechia and in light of the transposition of Railway Safety Directive to Czech national law.

The rule in question is as follows:

Paragraph 179 *Securing vehicles against drifting with stoppers*

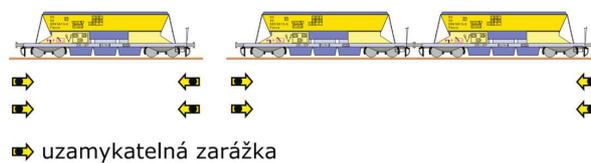
³ Commission Implementing Regulation (EU) 402/2013 of 30 April 2013 on the common safety method for risk evaluation and assessment and repealing Regulation (EC) No 352/2009.

(1) In the event that the parked vehicles are not equipped with hand brakes or if it is not possible to achieve the necessary securing force (braking weight) of the parked vehicles by tightening the hand brakes and stoppers are used to secure the vehicles, the securing force (braking weight) when the vehicles are supported by stoppers is the proportion of its gross weight resting on the supported axle(s). The conditions shall be laid down by the carrier in its internal rules.

(2) When securing vehicles against drifting on the flat and on gradients up to and including 2,5 ‰, the stoppers must be placed in such a way as to prevent the vehicles from moving to either side; on gradients greater than 2,5 ‰, the brake shoes must be placed in such a way as to prevent the vehicles from moving down the gradient. Details are set out in Articles 180 and 181 of this Regulation.

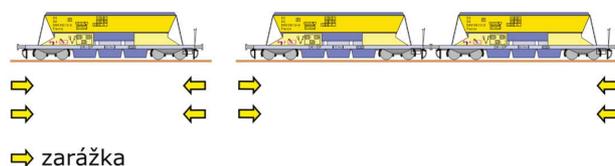
Paragraph 180 Securing vehicles against drifting on level ground or on gradients up to and including 2.5 ‰

(1) On tracks that do not have lateral protection in the form of a derailer (or, on a section of track, in the form of a derailer on one side and a stopper on the other side), the parked vehicle(s) shall be prevented from running down by handbrakes in accordance with Article 178 of this Regulation and, in addition, by two stoppers on either side (see illustration in Figure 369 of this Article).



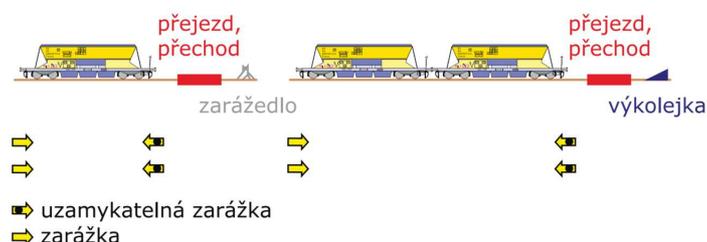
Obrázek 369

(2) On tracks which have lateral protection provided by a derailer (or, on a section of track, by a derailer on one side and a brake shoe on the other side), the parked vehicle(s) shall be prevented from running down by handbrakes in accordance with Article 178 of this Regulation and in addition by two stoppers on either side (see illustration in Figure 370 of this Article).



Obrázek 370

(3) Where vehicles are secured against runaway in accordance with paragraph 2 of this Article and there is a passageway or platform access between the vehicle(s) secured against runaway and the stopping device (derailer), the vehicle shall be secured on the side of the stopping device (derailer) by two stoppers (see illustration in Figure 371 of this Article).



Obrázek 371

(4) If the combination of vehicles is parked with the traction unit, it must be:

(a) the combination of vehicles shall be secured against running away in accordance with this Chapter;

(b) the traction unit shall be secured against running away in accordance with the conditions laid down by the carrier. If the first axle of the traction unit cannot be secured against running away by a lockable stop as provided for in paragraphs 1 and 3 of this Article, a lockable metal pad shall be placed on the track where the vehicle is ordered to be secured by a lockable stop.

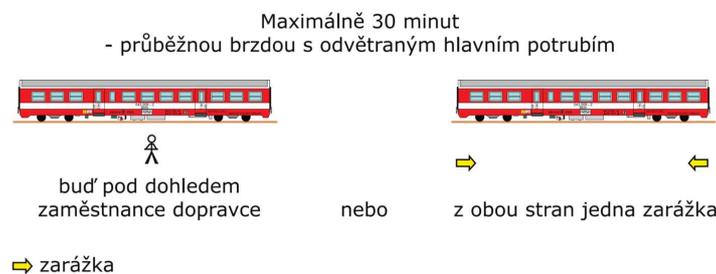
(5) In the event that a lockable stop cannot be used to secure vehicles against running off in accordance with this Article, a metal lockable pad shall be used.

(6) When a motive power vehicle is to be replaced or temporarily unhitched at a station on a train, the unhitched vehicle(s) may be left unrestrained by a handbrake for a maximum of 30 minutes, as follows:

(a) secured only by a continuous brake with the main line vented; and

(b) when two or more vehicles are stopped, the service brake shall be applied to at least one fifth of the vehicles (in priority) but not to less than two vehicles.

Vehicles so stopped shall be under the constant supervision of an employee of the carrier or supported on both sides by a single stop (see illustration in Figure 372 of this Article).



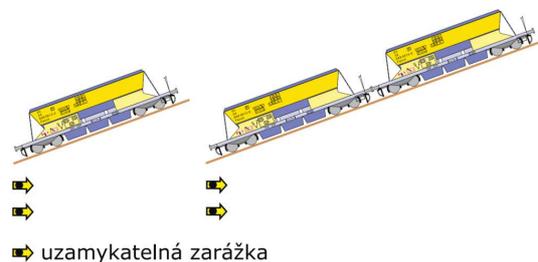
Obrázek 372

(7) Venting of the main pipe is achieved by opening the coupling cock for as long as the air leak is audible.

(8) A competent employee of the carrier is responsible for verifying the operation of the brakes and for ensuring that the 30-minute time limit for temporary stopping of the train is observed.

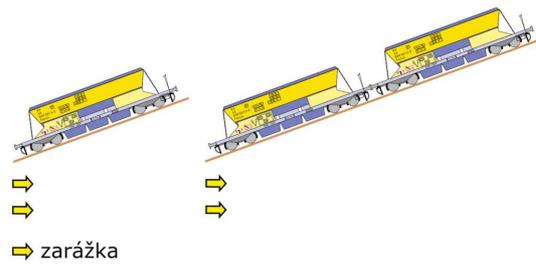
Paragraph 181 Securing vehicles against running away on gradients greater than 2.5 ‰

(1) On tracks which do not have lateral protection by a derailer (or on a part of track with a derailer on one side and a stopper on the other side), the parked vehicle(s) shall be secured against running away by handbrakes in accordance with Article 178 of this Regulation and in addition in the direction of gradient by two lockable stoppers (see illustration in Figure 373 of this Article).



Obrázek 373

(2) On tracks that have lateral protection provided by a derailer (or on a part of track with a derailer on one side and a stopper on the other side), the vehicle(s) parked shall be secured against running away by handbrakes in accordance with Article 178 of this Regulation and, in addition, in the direction of the gradient by two stoppers (see illustration in Figure 374 of this Article).



Obrázek 374

(3) Where vehicles are secured against runaway in accordance with paragraph (2) of this Article and there is a passenger crossing or level crossing between the vehicle(s) secured against runaway and the stop (derailer) in the direction of descent, the first vehicle on the downhill side shall be secured by two lockable stops.

(4) Where the traction vehicle(s) is attached with the parked vehicle(s) at the lowest point of the gradient, the means of securing the vehicle(s) against runaway should be supported under the first axle of the parked vehicle(s) adjacent to the traction vehicle.

(5) If the vehicle(s) is parked on a track with a gradient greater than 2.5 ‰, the vehicle(s) shall be secured against running off before the traction vehicle is moved up.

(6) If a parked vehicle combination is also parked with a traction vehicle, then:

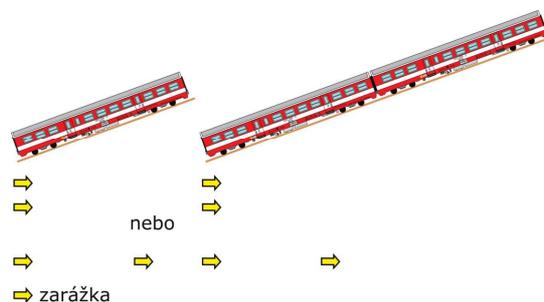
(a) the combination of vehicles is secured against runaway in accordance with this Chapter;

(b) the traction vehicle is secured against runaway in accordance with the conditions specified by the carrier. If the first axle of the trailing vehicle cannot be secured against runaway by means of a lockable stop as provided for in paragraphs (1) and (3) of this Article, a lockable metal pad shall be placed on the track where the vehicle is ordered to be secured by means of a lockable stop.

(7) Where a lockable stop cannot be used to secure vehicles from running away in accordance with this Article, a lockable metal pad shall be used.

(8) When a traction vehicle is to be replaced or temporarily detached at a station in a train, the detached vehicle(s) may be left without handbrake restraint for a maximum of 30 minutes, secured by a continuous brake with the main line detached and additionally supported by two stops in the direction of inclination (see illustration in Figure 375 of this Article).

Maximálně 30 minut
- průběžnou brzdou s odvětraným hlavním potrubím a zarážkami



Obrázek 375

(9) Venting of the main line shall be achieved by opening the coupling cock as long as air leakage is audible.

(10) A competent employee of the carrier is responsible for checking the operation of the brakes and for ensuring that the 30-minute time limit for temporary stopping of the train is observed.

The Agency notes that the rule in question is applicable to railway undertakings operating on the infrastructure managed by Správa železnic (national infrastructure manager in charge of the majority of the railway network in Czechia). The rule specifies detailed provisions regarding the methods of a vehicle securing against free movement with the use of hand brakes and locked brake shoes. Positions where locked brake shoes should be installed by the railway undertaking to secure the vehicle have been identified. The rule describes how vehicle's braking for the purpose of safe parking shall be done. The rule also specifies that the qualified employee of the railway undertaking is responsible for assessing the correct operation of brakes and application of the procedure according to the infrastructure manager's requirements.

Having regard to the content of the rule as well as its addressees, the Agency is of the opinion that this rule issued by the infrastructure manager is binding for railway undertakings operating on the infrastructure managed by Správa železnic and it contains railway safety requirements setting additional constraints on railway undertakings in aspects already regulated by the EU legal framework.

According to the primary principle set out in point 2.2 of Annex to Regulation (EU) 2019/773⁴ (TSI OPE), this EU Regulation *covers those elements of the rail 'operation and traffic management' subsystem, where there are operational interfaces between railway undertakings and infrastructure managers and where there is a particular benefit to interoperability*. Then, railway undertakings and infrastructure managers are obliged to *ensure that all requirements concerning rules and procedures as well as documentation are met by the establishment of the appropriate processes*. This should be managed through the relevant parts of railway undertaking's and infrastructure manager's safety management system (SMS) as required by Railway Safety Directive. Nevertheless, when regulating a specific interface in the safety management system and operational rules being part of the system, it should be ensured that infrastructure manager does not impose requirements for railway undertaking's operations that would be contradicting the EU legal framework, mainly TSI OPE and Regulation (EU) 2018/762⁵ (CSM on SMS). The responsibilities of infrastructure managers and railway undertakings for railway safety have been specified in Article 4 of Railway Safety Directive.

Considering the principle behind TSI OPE, the Agency considers that the matter of securing railway vehicles on the infrastructure manager's lines in any event (normal, degraded or emergency situations) should be treated as an interface between the infrastructure manager and railway undertaking in an aspect in which the EU law has already laid a framework. Therefore, paragraphs 179 – 181 of infrastructure manager's rule SŽ D1 should be assessed for compliance with relevant provisions of TSI OPE as well as Annex I and II of CSM on SMS.

Point 4.2.2.6.1 and 4.2.2.6.2 of Annex to TSI OPE contains elements to be included by the railway undertakings when defining braking process. The infrastructure manager is obliged to provide the railway undertaking with all relevant line characteristics for each route through the Register of Infrastructure (RINF), e.g. gradients, or other means until RINF allows for such functionality. Then, the railway undertaking should use the information provided by the infrastructure manager to develop its own processes under their safety management system to ensure that they take into account the specific risks and have in place suitable risk controls on issues such as braking. TSI OPE does not grant the infrastructure manager the right to impose additional requirements for railway undertakings regarding braking process as its role is limited to providing all relevant information about the infrastructure.

Moreover, according to requirements 3.1 and 5.1 of Annex I of the CSM on SMS, the railway undertaking is responsible for proper identification of all operational risks as well as designing and implementing proper

⁴ Commission Implementing Regulation (EU) 2019/773 of 16 May 2019 on the technical specification for interoperability relating to the operation and traffic management subsystem of the rail system within the European Union and repealing Decision 2012/757/EU.

⁵ Commission Delegated Regulation (EU) 2018/762 of 8 March 2018 establishing common safety methods on safety management system requirements pursuant to Directive (EU) 2016/798 of the European Parliament and of the Council and repealing Commission Regulations (EU) No 1158/2010 and (EU) No 1169/2010.

safety management system processes and procedures appropriately addressing and controlling identified risks. When identifying risks they need to consider the individual operational context of their organisation and this should be addressed through the risk assessment (requirement 1.1 of Annex I of the CSM on SMS). It is therefore improbable that an IM can consider all the additional risks that apply to the RU's operation. The same requirement on risk assessment applies to infrastructure managers based on requirement 3.1 and 5.1 of Annex II of the CSM on SMS.

Additionally, the railway undertaking, under its own safety management system – requirement 2.3.1 of Annex I of the CSM on SMS, is responsible for proper identification of roles and responsibilities and their allocation to competent staff. The infrastructure manager cannot impose such responsibilities on a railway undertaking's staff.

Under this light, the Agency's examination led to the negative assessment of the rule contained in paragraphs 179 – 181 of the infrastructure manager's regulation SŽ D1.

4. The opinion

The Agency considers that paragraphs 179 – 181 of regulation SŽ D1 issued by the infrastructure manager Správa železnic are not compliant with relevant EU legal requirements as described in chapter 3. "Analysis" of this opinion that is:

- Regulation (EU) 2019/773; more precisely against points 2.2, 4.2.2.6.1 and 4.2.2.6.2 that define the obligations for railway undertakings and infrastructure managers to properly manage operational interfaces, especially considering braking requirements.
- Regulation (EU) 2018/762; more precisely against points 1.1, 3.1 and 5.1 of its Annex I, defining that it is up to the railway undertaking to define their operational procedures in accordance with results of risk analysis.
- Regulation (EU) 2018/762; more precisely against point 2.3.1 of its Annex I, defining that it is up to the railway undertaking to define roles and responsibilities and their allocation to competent staff on the basis of its own specific risk analysis that also takes into account the operational profile of the RU.
- Directive (EU) 2016/798; more precisely against Article 4 reserving the roles and responsibilities of railway actors while managing risk is a responsibility of the RU, not to be decided at the level of a MS.

Moreover, the rule in question is binding for railway undertakings operating on the infrastructure managed by Správa železnic. It also contains railway safety requirements setting additional constraints on railway undertakings in aspects already regulated by the EU legal framework. Consequently, it falls in the definition of a national rule according to Article 3 (8) of Directive (EU) 2016/798 and its non-notification in the SRD breaches Article 8 (7) of Directive (EU) 2016/798.

For this reason, in accordance with Article 26 (3) and (6) of the Agency Regulation, the Agency with this opinion confirms its negative assessment of the rule in question. This opinion is addressed to Czechia, with a copy to the European Commission (DG Move).

Valenciennes, 21/04/2023

Signed

Josef DOPPELBAUER
Executive Director

Annex 1

Impact Assessment Note

*Regarding one (1) rule adopted by the infrastructure manager
Správa železnic in the aspect of setting requirements for train
braking and securing of vehicles (paragraphs 179 – 181 of
regulation SŽ D1)*

Issued as per Art. 8(1) of Regulation (EU) 2016/796 and the Impact Assessment procedure adopted by the ERA Management Board (Decision n.290, 16/03/2022)

1. Context and assessment of impacts

1.1. The national rule in object

On 25 November 2022 the Agency received a request from the Czech National Regulatory Body to provide its position regarding an updated rule issued in 2022 by Czech national infrastructure manager Správa železnic, contained in paragraphs 179 – 181 of the infrastructure manager’s regulation SŽ D1 Dopravní a návěštní předpis pro tratě nevybavené evropským vlakovým zabezpečovačem (Traffic and signalling regulations for lines not equipped with European train protection system). The rule, regulating the use of brake shoes and imposing additional requirements on railway undertakings regarding braking, has not been notified to the Agency through the official notification process and its dedicated IT tool – Single Rules Database (SRD).

Therefore, the Agency became aware of such new rule and decided to follow Article 26(6) of the Agency Regulation to assess those provisions against the relevant EU law requirements.

1.2. Analysis performed

On 24 January 2023 the Agency shared with the Czech Ministry of Transport and Czech National Safety Authority the results of the first negative assessment of paragraphs 179 – 181 of regulation SŽ D1. Based on the information received, the Agency decided to treat those paragraphs as a rule requiring notification according to Article 8(7) of Railway Safety Directive and Article 26(1) of the Agency Regulation.

On 24 March 2023 Czech authorities (i.e. Ministry of Transport and the National Safety Authority) responded to the Agency disagreeing with ERA’s grounds for the assessment. According to their position, rules issued by the infrastructure manager did not fall under the notification process set out in Article 8 of Railway Safety Directive, considering the legal order in Czechia and in light of the transposition of Railway Safety Directive to Czech national law.

According to Article 3(8) of Directive (EU) 2016/798 on railway safety, national rules are defined as “*all binding rules adopted in a Member State, irrespective of the body issuing them, which contain railway safety or technical requirements, other than those laid down by Union or international rules, and which are applicable within that Member State to railway undertakings, infrastructure managers or third parties*”.

Having regard to the content of the rule as well as its addressees, the Agency is of the opinion that this rule issued by the infrastructure manager is binding for railway undertakings operating on the infrastructure managed by Správa železnic and it contains railway safety or technical requirements, setting additional constraints on railway undertakings in aspects already regulated by the EU legal framework.

Considering the principle behind TSI OPE, the Agency considers that the matter of securing railway vehicles on the infrastructure manager’s lines in any event (normal, degraded or emergency situations) should be treated as an interface between the infrastructure manager and railway undertaking in an aspect in which the EU law has already laid a framework. When regulating a specific interface in the safety management system and operational rules being part of the system, it should be ensured that infrastructure manager does not impose requirements for railway undertaking’s operations that would be contradicting the EU legal framework, mainly TSI OPE and Regulation (EU) 2018/762 (CSM on SMS). The responsibilities of infrastructure managers and railway undertakings for railway safety have been specified in Article 4 of Directive (EU) 2016/798.

Point 4.2.2.6.1 and 4.2.2.6.2 of Annex to TSI OPE contains elements to be included by the railway undertakings when defining braking process. The infrastructure manager is obliged to provide the railway undertaking with all relevant line characteristics for each route through the Register of Infrastructure (RINF), e.g. gradients, or other means until RINF allows for such functionality. Then, the railway undertaking should use the information provided by the infrastructure manager to develop its own

processes under their safety management system to ensure that they take into account the specific risks and have in place suitable risk controls on issues such as braking. TSI OPE does not grant the infrastructure manager the right to impose additional requirements for railway undertakings regarding braking process as its role is limited to providing all relevant information about the infrastructure.

Moreover, according to requirements 3.1 and 5.1 of Annex I of the CSM on SMS, the railway undertaking is responsible for proper identification of all operational risks as well as designing and implementing proper safety management system processes and procedures appropriately addressing and controlling identified risks. The same applies to infrastructure managers based on requirements 3.1. and 5.1 of Annex II of the CSM on SMS.

Additionally, the railway undertaking, under its own safety management system (requirement 2.3.1 of Annex I of the CSM on SMS), is responsible for proper identification of roles and responsibilities and their allocation to competent staff. The infrastructure manager cannot impose such responsibilities on a railway undertaking's staff.

1.3. Assessment of impacts

The rule in object falls within the scope of the Light Impact Assessment ‘Revision of the Common Safety Methods on Conformity Assessment and the Common Safety Methods on Supervision’ performed by the Agency in February 2017 and of the Full Impact Assessment on the TSI OPE Revision carried out in 2018. The impacts were therefore already adequately assessed and it is confirmed that the adoption of the draft rule would compromise uniformity of application of well-established EU requirements on SMS, increase the risk of low transparency of the national rules framework that stakeholders have to comply within Czechia as well as interoperability for RUs.

The rule issued by the infrastructure manager is binding for railway undertakings operating on the infrastructure managed by Správa železnic and it contains railway safety requirements setting additional constraints on railway undertakings in aspects already regulated by the EU legislation, risking to weaken/affect interoperability and coherence of the EU legal framework across the Union, being in contrast with the policy goal of reducing national rules and creating unnecessary burden on stakeholders.

1.4. Stakeholders affected

Railway undertakings (RU)	<input checked="" type="checkbox"/>	Member States (MS)	<input type="checkbox"/>
Infrastructure managers (IM)	<input checked="" type="checkbox"/>	Third Countries	<input type="checkbox"/>
Manufacturers	<input type="checkbox"/>	National safety authorities (NSA)	<input checked="" type="checkbox"/>
Keepers	<input type="checkbox"/>	European Commission (EC)	<input type="checkbox"/>
Entity Managing the Change (EMC)	<input type="checkbox"/>	European Union Agency for Railways (ERA)	<input type="checkbox"/>
Notified Bodies (NoBo)	<input type="checkbox"/>	Shippers	<input type="checkbox"/>
Associations	<input type="checkbox"/>	Other (Please specify) ...	<input type="checkbox"/>

2. Preferred option

2.1. Recommendation

No alternative options are to be assessed and it is confirmed a negative assessment of the rule in question by Czechia.