

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

## *Fourth Railway Package Readiness Assurance Terms of Reference – update- n°5*

### Project details

<i>Project name</i>	Fourth Railway Package (4RP) Readiness Assurance
<i>Project code</i>	ERA 1148 “Networks”
<i>Activity Based Item</i>	
<i>Sponsor</i>	Management Board
<i>Project manager</i>	0,1 FTE from the Agency’s staff
<i>Project support</i>	The project support is ensured by the Agency

### Key Principles

<i>Background</i>	<p>NL proposal during the Executive Board of the 8 June 2017 and at the Management Board of 27 June 2017 to establish a Readiness Assurance activity (called in the initial proposal “readiness test”).</p> <p>The Terms of Reference for the Fourth Railway Package Readiness Assurance were adopted by the Management Board in its meeting of 26/09/2017; the scope was enlarged on 27/02/2018 and the deadline extended until 2019 and then 2020.</p> <p>The ToR of the 4RP Steering Group have been revised and approved by the MB in January 2021 to include the monitoring of the implementation of the 4RP by all involved parties (ERA, Member States, NSAs and sector), and to extend the duration of the mandate of the 4RP Steering Group until the end of 2021.</p> <p>The Management Board approved on 16 March 2022 the extension of the mandate until the end of 2023 as well as the amendments identified in the Terms of Reference (MB Decision n° 291).</p> <p>Taking into account the functioning under the 4<sup>th</sup> Railway Package, it is better now to refer to “consolidation and improvement” instead of “readiness”, but for consistency the term “readiness” is kept in the title of this document.</p>
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<i>Purpose</i>	<p>The 4RP Steering Group is a forum which aims at allowing fruitful discussions leading to advice regarding the implementation of the 4RP by all involved parties (ERA, Member States, NSAs and sector). The 4RP Steering Group provides an exchange platform to raise concerns regarding the implementation of the 4RP, to identify and discuss challenges especially related to the cooperation between all actors involved, which are represented in the Group, being the Agency, the NSA's, the railway sector and the Ministries, insofar as there is no other opportunity to have such open and flexible exchange in any of the Agency's own groups, its MB or EB, or any of the networks the Agency runs. The Steering group serves as a forum to discuss the return of experience and <b>maximize the positive effects of the learning curve</b> related to the implementation of the 4RP.</p> <p>Within the scope of the 4<sup>th</sup> RP Steering Group, concrete problems linked to the daily work of the application of the 4RP are shared in a in a very open manner, <b>solutions or recommendations for solutions</b> are developed on the basis of different <b>experiences and best practices</b> (including the experience from EASA). <b>Concrete actions</b> are followed up from one meeting to another in order to ensure efficient implementation and reporting to the ERA Management Board with whom the reports of the Steering group are systematically shared. This brings a clear added value by this group. As regards implementation of the 4RP and the good functioning of the dual system, any recommendations addressed to other bodies than the Agency will be sent to the MB for endorsement.</p> <p>The focus for the period 2024-2025 will be the Steering on (but not limited to) the following:</p> <ul style="list-style-type: none"><li>• The Working Parties for VA and SC and the Working Group for TA</li><li>• Interface between Authorisation /Certification /Approval and Supervision</li><li>• The promotion of cooperation between ERA and NSAs on technical and financial matters</li></ul> <p>The Management Board wishes to mandate the 4<sup>th</sup> Railway Package Steering group (4RP-SG) to continue its work until <b>the end of 2025</b>.</p>
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<p><i>Underpinning assumptions</i></p>	<p><b>Full openness and transparency</b> of the assessed organisations and from all participants to this Steering Group.</p> <p>The organisations concerned by the implementation of the 4RP keep the <b>full responsibility</b> to identify and put in place the measures ensuring a successful working under the regime of the 4 RP.</p> <p>The organisations to which <b>recommendations</b> of the Steering Group, are addressed have the full responsibility to identify and to put in place the adequate measures.</p> <p><b>Opinions and positions</b> taken during the Steering Group meetings by its members are <b>not binding</b> for the final opinions or positions of their organisations. The Steering group informs the Management Board of these recommendations in due time.</p> <p>The Steering Group should <b>not be an additional forum to re-discuss specific concerns</b> that an organisation which is represented in the Steering Group has, nor should it <b>duplicate discussions happening in other competent fora</b>. Therefore, <b>agenda items</b> for the 4RP meetings that are discussed will be <b>carefully streamlined</b> in order to <b>avoid duplications and wasted work</b>. Whenever necessary, the 4RP SG may decide to set the discussion on such an item aside and submit it for consideration to the competent body.</p>
<p><i>Scope</i></p>	<p><u>In scope</u></p> <p>The implementation of the 4RP by the Agency, the NSAs and the organisations impacted by the 4RP (potential and actual applicants for VA and SSC and conformity assessment bodies).</p> <p>The methodology for discussing and assessing the problems and elaborating recommendations are established by the 4RP Steering Group.</p> <p>Follow-up on the adequacy of the 4<sup>th</sup> Railway Package legislation by monitoring any identified bottlenecks in the 4RP legislative framework and drafting recommendations for improvement.</p> <p>The Steering group will continue to advise on the Agency's implementation of the 4RP by reviewing its activities and methods, and their effectiveness in accomplishing SERA, by focussing on the aspects referred to in Article 82(1) and (2) of the ERA Regulation: the impact, effectiveness and efficiency of the Agency and will actively contribute to the Commission's evaluation process and remain available for its consultant to offer feedback and clarification.</p> <p>To prevent parallel discussions in other fora such as the Management- or Executive Boards, the RISC, the NSA network, NRB meetings and the different ERA working parties, items on the agenda should not promote discussions about aspects that are already addressed in other fora, and be aligned primarily to peer review and exchange of best practice. The topics discussed will mainly, but not exclusively relate to :</p> <ul style="list-style-type: none"> <li>• VA, SSC and ERTMS trackside approval process and opportunities for applying best practices;</li> <li>• Exchange on the work done on the reduction of national rules;</li> </ul>

	<ul style="list-style-type: none"> <li>• The design and scheduling of training, in particular as concerns implementation of 4RP processes;</li> <li>• Relations between and acting of the main 4RP actors, ERA, NSAs, NoBo’s, DeBo’s, ASBos, applicants and other relevant stakeholders under the new framework of 4RP, and proposing topics to the networks created to assist cooperation;</li> <li>• Issues linked to the functioning of the One-Stop-Shop and general issues in respect of fees and charges and charging methods;</li> <li>• Issues met by Member States in implementing the 4RP in national law (with the intention of raising the issues and submitting them to the competent body)The use and exchange of expert resources between ERA and NSAs.</li> </ul> <p><u>Out of scope (but relevant for the context)</u></p> <p>The EC programme and activities for its legal acts (including the review of their transposition by MS), the Management Boards’ implementing decisions.</p>
<i>Deliverables</i>	<p><b>Advice and recommendations</b> keeping in mind the objectives of simplicity, cost-effectiveness and efficiency.</p> <p>Minutes of meeting with agreed action plans.</p>
<i>Interfaces with other projects</i>	<p>Interfaces exist with several other fora such as the MB, EB, NRB, RISC, and NSA Network.</p>
<i>Internal Decision Making</i>	<p>The 4RP Steering Group regularly reports on its activities to the Agency Management Board , particularly on the advice and recommendations that it drafts, which are presented to the Agency Management Board for endorsement, as well as to the Executive Board for feedback.The 4RP Steering Group will take its positions by consensus.</p> <p>The <b>follow up</b> from such advice and recommendations will be also presented to the Agency Management Board, including the feedback, if any, of the concerned organisation(s)</p>
<i>Organisation</i>	<p>To ensure efficiency, the typical number of members of the 4RP Steering Group is up to a number ensuring the greatest efficiency while not excluding key stakeholders, which is left to the Steering Group’s appreciation.</p> <p>This Steering Group is composed by representatives of the Agency Management Board, by members of the top level management of some NSAs, by representatives of the sector, by representatives of the EC, and by one representative of another EU Agency having similar tasks than SSC and VA, as well as by the management team of the Agency. The Chair of the Agency Management Board is the chair of the Steering Group. Individual participants can propose and sponsor specific Agenda points. At their request, participants may be accompanied by experts to discuss specific agenda items.</p> <p>The Steering group may establish sub-group(s) to discuss specific question or recommendations. The sub-group(s) report to the Steering group who takes a final position.</p>

**Other Information**

<i>Start date</i>	On-going
<i>Milestones and end date</i>	31 December 2025
<i>Estimated timescale</i>	In principle, and according to the needs identified by the members: 4 meetings per year.
<i>Internal resources</i>	Total of 10% of one ERA staff FTE.
<i>External resources needed</i>	Budget – ERA1148 (Networks). – No reimbursement of travel expenses for the members of the Steering Group – Agency to provide the Secretary for the Steering Group.
<i>Workgroups</i>	None at this stage.
<i>Additional information</i>	-