

Commission Implementing Regulation (EU) 2020/572 of 24 April 2020 on the reporting structure to be followed for railway accident and incident investigation reports (Text with EEA relevance)

Article 1

Subject matter and scope

This Regulation lays down a common reporting structure for the accident and incident investigations referred to in Article 20(1) and (2) of Directive (EU) 2016/798.

Article 2

Definitions

For the purpose of this Regulation the following definitions apply:

- (1) ‘causal factor’ means any action, omission, event or condition, or a combination thereof that if corrected, eliminated, or avoided would have prevented the occurrence, in all likelihood;
- (2) ‘contributing factor’ means any action, omission, event or condition that affects an occurrence by increasing its likelihood, accelerating the effect in time or increasing the severity of the consequences, but the elimination of which would not have prevented the occurrence;
- (3) ‘systemic factor’ means any causal or contributing factor of an organisational, managerial, societal or regulatory nature that is likely to affect similar and related occurrences in the future, including, in particular the regulatory framework conditions, the design and application of the safety management system, skills of the staff, procedures and maintenance.

Article 3

Reporting structure

Without prejudice to the provisions of Articles 20, 24(1) and (2) of Directive (EU) 2016/798, the investigation reports shall be issued following the structure, as closely as possible, as set out in Annex I.

Points 1, 5 and 6 of the Annex I shall be written in a second official European language. This translation should be available no later than 3 months after the delivery of the report.

The reports shall be made available to the Agency in a digital format allowing access to it, its digital indexation and analysis.

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2020/572. (See end of Document for details)

Article 4

Transition

With regard to accidents and incidents for which a decision to launch the investigations has already been taken in accordance with Article 22(3) of Directive (EU) 2016/798 at the time of entry into force of this Regulation, the investigation body may decide whether to follow the reporting structure as set out in Annex I, or to follow that of Annex V to Directive 2004/49/EC of the European Parliament and of the Council⁽¹⁾.

Article 5

Entry into force and application

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 24 April 2020.

For the Commission

The President

Ursula VON DER LEYEN

Changes to legislation: There are currently no known outstanding effects for the
Commission Implementing Regulation (EU) 2020/572. (See end of Document for details)

- (1) Directive 2004/49/EC of the European Parliament and of the Council of 29 April 2004 on safety on the Community's railways and amending Council Directive 95/18/EC on the licensing of railway undertakings and Directive 2001/14/EC on the allocation of railway infrastructure capacity and the levying of charges for the use of railway infrastructure and safety certification (Railway Safety Directive) ([OJ L 164, 30.4.2004, p. 44](#)).

Changes to legislation:

There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2020/572.