

Commission Decision of 28 July 2006 concerning the technical specification of interoperability relating to the subsystem 'rolling stock — freight wagons' of the trans-European conventional rail system (notified under document number C(2006) 3345) (Text with EEA relevance) (2006/861/EC) (repealed)

Article 1

A Technical Specification for Interoperability (TSI) relating to the 'rolling stock — freight wagons' subsystem of the trans-European conventional system referred to in Article 6(1) of Directive 2001/16/EC is hereby adopted by the Commission.

The TSI shall be as set out in the Annex to this Decision.

The TSI shall be fully applicable to the freight wagon rolling stock of the trans-European conventional rail system as defined in Annex I to Directive 2001/16/EC, account being taken of Articles 2 and 3 of this Decision.

[^{F1} Article 1a

Technical Documents

1 The European Railway Agency (ERA) shall publish on its website the content of Annex LL as an ERA Technical Document.

2 The ERA shall publish on its website the list of fully approved composite brake-blocks for international transport referred to in Annexes P and JJ as an ERA Technical Document.

3 The Agency shall publish on its website the additional specifications related to the draw gear referred to in Annex JJ as an ERA Technical Document.

4 The Agency shall keep the Technical Documents referred to in paragraphs 1 to 3 up to date and inform the Commission of any revised version. The Commission shall inform the Member States through the Committee established under Article 29 of Directive 2008/57/EC. Should the Commission or a Member State consider that a Technical Document does not meet the requirements of Directive 2008/57/EC or of any other Community legislation, the matter shall be discussed in the Committee. On the basis of the Committee's deliberations and upon request of the Commission, the Technical Documents shall be withdrawn or modified by the Agency.]

Textual Amendments

- F1** Inserted by [Commission Decision of 23 January 2009 amending Decisions 2006/861/EC and 2006/920/EC concerning technical specifications of interoperability relating to subsystems of the trans-European conventional rail system \(notified under document number C\(2009\) 38\) \(Text with EEA relevance\) \(2009/107/EC\)](#).

Article 2

1 With regard to those issues classified as 'Open points' set out in Annex JJ of the TSI, the conditions to be complied with for the verification of the interoperability pursuant to Article 16(2) of Directive 2001/16/EC shall be those applicable technical rules in use in the Member State which authorise the putting into service of the subsystem covered by this Decision.

Status: Point in time view as at 01/07/2009.

Changes to legislation: There are currently no known outstanding effects for the Commission Decision of 28 July 2006 concerning the technical specification of interoperability relating to the subsystem 'rolling stock — freight wagons' of the trans-European conventional rail system (notified under document number C(2006) 3345) (Text with EEA relevance) (2006/861/EC) (repealed). (See end of Document for details)

2 Each Member State shall notify to the other Member States and to the Commission within six months of the notification of this Decision:

- a the list of the applicable technical rules mentioned in paragraph 1;
- b the conformity assessment and checking procedures to be applied with regard to the application of these rules;
- c the bodies it appoints for carrying out those conformity-assessment and checking procedures.

Article 3

Member States shall notify the following types of agreement to the Commission within six months of the entry into force of the attached TSI:

- (a) national, bilateral or multilateral agreements between Member States and railway undertakings or infrastructure managers, agreed on either a permanent or a temporary basis and necessitated by the very specific or local nature of the intended transport service;
- (b) bilateral or multilateral agreements between railway undertakings, infrastructure managers or safety authorities which deliver significant levels of local or regional interoperability;
- (c) international agreements between one or more Member States and at least one third country, or between railway undertakings or infrastructure managers of Member States and at least one railway undertaking or infrastructure manager of a third country which deliver significant levels of local or regional interoperability.

Article 4

Those provisions of Decision 2004/446/EC which concern the basic parameters of the trans-European conventional rail system shall no longer apply as from the date on which this Decision becomes applicable.

Article 5

This Decision shall become applicable six months after the date of its notification.

Article 6

This Decision is addressed to the Member States.

Status:

Point in time view as at 01/07/2009.

Changes to legislation:

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