

Directive 2007/59/EC of the European Parliament and of the Council
of 23 October 2007 on the certification of train drivers operating
locomotives and trains on the railway system in the Community

CHAPTER V

TASKS AND DECISIONS OF THE COMPETENT AUTHORITY

Article 19

Tasks of the competent authority

1 The competent authority shall fulfil the following tasks in a transparent and non-discriminatory manner:

- (a) issuing and updating licences, and providing duplicates, as provided for in Articles 6 and 14;
- (b) ensuring periodic examinations and/or tests as provided for in Article 16(1);
- (c) suspending and withdrawing licences, and notifying the issuing body of reasoned requests for the suspension of certificates, as provided for in Article 29;
- (d) if so designated by the Member State, recognising persons or bodies as provided for in Articles 23 and 25;
- (e) ensuring that a register of persons and bodies accredited or recognised as provided for in Article 20 is published and updated;
- (f) keeping and updating a register of licences as provided for in Articles 16(1) and 22(1);
- (g) monitoring the drivers' certification process as provided for in Article 26;
- (h) carrying out inspections as provided for in Article 29;
- (i) establishing national criteria for examiners as provided for in Article 25(5).

The competent authority shall respond quickly to requests for information and present any requests for additional information without delay when preparing licences.

2 The competent authority shall not delegate the tasks referred to in points (c), (g) and (i) of paragraph 1 to third parties.

3 Any delegation of tasks shall be transparent and non-discriminatory and shall not give rise to a conflict of interests.

4 Where a competent authority delegates or contracts tasks referred to in points (a) or (b) of paragraph 1 to a railway undertaking, at least one of the following conditions shall be complied with:

- (a) the railway undertaking issues licences only to its own drivers;
- (b) the railway undertaking does not enjoy exclusivity in the territory concerned for any of the delegated or contracted tasks.

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5 Where a competent authority delegates or contracts tasks, the authorised representative or contractor shall be required, in performing such tasks, to comply with the obligations imposed on competent authorities by this Directive.

6 Where a competent authority delegates or contracts tasks, it shall set up a system for checking how those tasks have been carried out and shall ensure that the conditions laid down in paragraphs 2, 4 and 5 are complied with.