

Directive (EU) 2016/797 of the European Parliament and of the Council of 11 May 2016 on the interoperability of the rail system within the European Union (recast) (Text with EEA relevance)

CHAPTER III

**INTEROPERABILITY CONSTITUENTS**

*Article 8*

**Conditions for the placing on the market of interoperability constituents**

1 Member States shall take all necessary steps to ensure that interoperability constituents are:

- a placed on the market only if they enable interoperability to be achieved within the Union rail system while at the same time meeting the essential requirements;
- b used in their area of use as intended and suitably installed and maintained.

This paragraph shall not prevent the placing on the market of those constituents for other applications.

2 Member States shall not, in their territory and on the basis of this Directive, prohibit, restrict or hinder the placing on the market of interoperability constituents for use in the Union rail system where these constituents comply with this Directive. In particular, they shall not require checks which have already been carried out as part of the procedure for 'EC' declaration of conformity or suitability for use as provided for in Article 10.