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 I	
	GENERAL PROVISIONS	
Article 1 Article 2 Article 3	Subject matter and scope Definitions Essential requirements	
	CHAPTER II	
TECHNICAL SPECIFICATIONS FOR INTEROPERABILITY		
Article 4 Article 5 Article 6 Article 7	Content of TSIs Drafting, adoption and review of TSIs Deficiencies in TSIs Non-application of TSIs	
	CHAPTER III	
	INTEROPERABILITY CONSTITUENTS	
Article 8 Article 9 Article 10 Article 11	Conditions for the placing on the market of interoperability constituents Conformity or suitability for use Procedure for 'EC' declaration of conformity or suitability for use Non-compliance of interoperability constituents with essential requirements	
	CHAPTER IV	
	SUBSYSTEMS	
Article 12 Article 13 Article 14 Article 15 Article 16 Article 17	Free movement of subsystems Conformity with TSIs and national rules Notification of national rules Procedure for establishing the 'EC' declaration of verification Non-compliance of subsystems with essential requirements Presumption of conformity	

CHAPTER V

PLACING ON THE MARKET AND PLACING IN SERVICE

Article 18 Authorisation for the placing in service of fixed installations

Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

Article 19 Article 20 Article 21 Article 22 Article 23 Article 24 Article 25 Article 26	Harmonised implementation of ERTMS in the Union Placing on the market of mobile subsystems Vehicle authorisation for placing on the market Registration of vehicles authorised to be placed on the market Checks before the use of authorised vehicles Type authorisation of vehicles Conformity of vehicles with an authorised vehicle type Non-compliance of vehicles or vehicle types with essential requirements
	CHAPTER VI
	CONFORMITY ASSESSMENT BODIES
Article 27 Article 28 Article 29 Article 30 Article 31 Article 32 Article 33 Article 34 Article 35 Article 36 Article 37 Article 38 Article 39 Article 40 Article 41 Article 42 Article 42 Article 43 Article 44 Article 45	Notifying authorities Requirements relating to notifying authorities Obligation of notifying authorities to provide information Conformity assessment bodies Impartiality of conformity assessment bodies Personnel of conformity assessment bodies Presumption of conformity of a conformity assessment body Subsidiaries of, and subcontracting by, notified bodies Accredited in-house bodies Application for notification Notification procedure Identification numbers and lists of notified bodies Changes to notifications Challenges to the competence of notified bodies Operational obligations of notified bodies Obligation of notified bodies to provide information Exchanges of best practice Coordination of notified bodies Designated bodies
	CHAPTER VII
	REGISTERS
Article 46 Article 47 Article 48 Article 49	Vehicle numbering system Vehicle registers European register of authorised vehicle types Register of infrastructure
	CHAPTER VIII
	TRANSITIONAL AND FINAL PROVISIONS
Article 50 Article 51 Article 52 Article 53 Article 54 Article 55	Exercise of delegation Committee procedure Motivation Reports and information Transitional regime for using vehicles Other transitional provisions

Document Generated: 2023-10-21

Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

Article 56	Recommendations and opinions of the Agency
Article 57	Transposition
Article 58	Repeal
Article 59	Entry into force
Article 60	Addressees

ANNEX I

ELEMENTS OF THE UNION RAIL SYSTEM

- 1. Network
- 2. Vehicles

ANNEX II

SUBSYSTEMS

- 1. List of subsystems
- 2. Description of the subsystems
 - 2.1. Infrastructure
 - 2.2. Energy
 - 2.3. Trackside control-command and signalling
 - 2.4. On-board control-command and signalling
 - 2.5. Operation and traffic management
 - 2.6. Telematics applications
 - 2.7. Rolling stock
 - 2.8. Maintenance

ANNEX III

ESSENTIAL REQUIREMENTS

- 1. General requirements
 - 1.1. Safety
 - 1.1.1. The design, construction or assembly, maintenance and monitoring of safety-critical...
 - 1.1.2. The parameters involved in the wheel/rail contact must meet the...
 - 1.1.3. The components used must withstand any normal or exceptional stresses...
 - 1.1.4. The design of fixed installations and rolling stock and the...
 - 1.1.5. Any devices intended to be handled by users must be...
 - 1.2. Reliability and availability
 - 1.3. Health
 - 1.3.1. Materials likely, by virtue of the way they are used,...
 - 1.3.2. Those materials must be selected, deployed and used in such...
 - 1.4. Environmental protection
 - 1.4.1. The environmental impact of establishment and operation of the rail...

- The materials used in the trains and infrastructures must prevent... 1.4.2.
- 1.4.3. The rolling stock and energy-supply systems must be designed and...
- 1.4.4. The design and operation of the rail system must not...
- 1.4.5. Operation of the rail system must not give rise to...
- 1.5. Technical compatibility
- 1.6. Accessibility
 - The 'infrastructure' and 'rolling stock' subsystems must be accessible 1.6.1.
 - The 'operations' and 'telematics applications for passengers' 1.6.2. subsystems must provide...
- 2. Requirements specific to each subsystem
 - Infrastructure 2.1.
 - 2.1.1. Safety
 - 2.1.2. Accessibility
 - 22 Energy
 - 2.2.1. Safety
 - 2.2.2. Environmental protection
 - 2.2.3. Technical compatibility
 - Control-command and signalling 2.3.
 - 2.3.1. Safety
 - Technical compatibility 2.3.2.
 - 2.4. Rolling stock
 - 2.4.1. Safety
 - 2.4.2. Reliability and availability
 - 2.4.3. Technical compatibility
 - 2.4.4. Controls
 - 2.4.5. Accessibility
 - 2.5. Maintenance
 - 2.5.1. Health and safety
 - 2.5.2. Environmental protection
 - Technical compatibility 2.5.3.
 - Operation and traffic management 2.6.
 - 2.6.1. Safety
 - 2.6.2. Reliability and availability
 - Technical compatibility 2.6.3.
 - Accessibility 2.6.4.
 - 2.7. Telematics applications for freight and passengers
 - 2.7.1. Technical compatibility
 - 2.7.2. Reliability and availability
 - 2.7.3. Health
 - 2.7.4. Safety
 - 2.7.5. Accessibility

ANNEX IV

'EC' VERIFICATION PROCEDURE FOR SUBSYSTEMS

- 1. **GENERAL PRINCIPLES**
- CERTIFICATE OF VERIFICATION ISSUED BY A NOTIFIED BODY 2.
 - 2.1. Introduction

Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

- 2.2. Intermediate statement of verification (ISV)
 - 2.2.1 Principles
 - 2.2.2 Parts of the subsystem
 - 2.2.3 Stages of the verification procedure
- 2.3. Certificate of verification
 - 2.3.1. The notified bodies responsible for the verification assess the design,...
 - 2.3.2. Where ISV have been issued, the notified body responsible for...
 - 2.3.3. In the case of a modification to a subsystem already...
 - 2.3.4 Each notified body involved in the verification of a subsystem...
- 2.4. Technical file accompanying the 'EC' declaration of verification.
- 2.5. Surveillance by notified bodies.
 - 2.5.1. The notified body responsible for checking production must have permanent...
 - 2.5.2. The notified body responsible for checking implementation must periodically carry...
 - 2.5.3. In addition, the notified body may pay unexpected visits to...
 - 2.5.4. The notified body shall be able to monitor a subsystem...
- 2.6. Submission
- 2.7. Publication
- 2.8. Language
- 3. CERTIFICATE OF VERIFICATION ISSUED BY A DESIGNATED BODY
 - 3.1. Introduction
 - 3.2. Certificate of verification
 - 3.3. File
 - 3.4. Language
- 4. VERIFICATION OF PARTS OF SUBSYSTEMS IN ACCORDANCE WITH ARTICLE 15(7)...

ANNEX V

PART A

Repealed Directives with list of the successive amendments thereto

PART B

Time limits for transposition into national law

ANNEX VI

Correlation table

Directive 2008/57/EC This Directive Article 1 Article 2(a)...

Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

- (1) OJ C 327, 12.11.2013, p. 122.
- (2) OJ C 356, 5.12.2013, p. 92.
- (3) Position of the European Parliament of 26 February 2014 (not yet published in the Official Journal) and position of the Council at first reading of 10 December 2015 (OJ C 57, 12.2.2016, p. 1). Position of the European Parliament of 28 April 2016 (not yet published in the Official Journal).
- (4) Directive 2008/57/EC of the European Parliament and of the Council of 17 June 2008 on the interoperability of the rail system within the Community (OJ L 191, 18.7.2008, p. 1).
- (5) Regulation (EU) 2016/796 of the European Parliament and of the Council of 11 May 2016 on the European Union Agency for Railways and repealing Regulation (EC) No 881/2004 (see page 1 of this Official Journal).
- (6) Regulation (EU) No 1025/2012 of the European Parliament and of the Council of 25 October 2012 on European standardisation, amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/23/EC and 2009/105/EC of the European Parliament and of the Council and repealing Council Decision 87/95/EEC and Decision No 1673/2006/EC of the European Parliament and of the Council (OJ L 316, 14.11.2012, p. 12).
- (7) Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC (OJ L 94, 28.3.2014, p. 243).
- (8) Directive (EU) 2016/798 of the European Parliament and of the Council of 11 May 2016 on railway safety (see page 102 of this Official Journal).
- (9) Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93 (OJ L 218, 13.8.2008, p. 30).
- (10) Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).