

Commission Regulation (EU) No 1078/2012 of 16 November 2012 on a common safety method for monitoring to be applied by railway undertakings, infrastructure managers after receiving a safety certificate or safety authorisation and by entities in charge of maintenance (Text with EEA relevance)

Article 5

Reporting

- 1 The infrastructure managers and railway undertakings shall report to the national safety authority on the application of this Regulation through their annual safety reports in accordance with Article 9(4) of Directive 2004/49/EC.
- 2 The national safety authority shall report on the application of this Regulation by the railway undertakings, infrastructure managers, and as far as it is aware of it, by the entities in charge of maintenance in accordance with Article 18 of Directive 2004/49/EC.
- 3 The annual maintenance report of entities in charge of maintenance of freight wagons set out in point I.7.4(k) of Annex III to Regulation (EU) No 445/2011, shall include information about the experience of entities in charge of maintenance in applying this Regulation. The Agency shall gather this information in coordination with the respective certification bodies.
- 4 The other entities in charge of maintenance that do not fall under the scope of Regulation (EU) No 445/2011 shall also share their experience with the Agency on the application of this Regulation. The Agency shall coordinate the sharing of experience with these entities in charge of maintenance.
- 5 The Agency shall collect all information on the experience of the application of this Regulation and, when necessary, shall make recommendations to the Commission with a view to improving this Regulation.
- 6 The national safety authorities shall support the Agency in collecting such information from railway undertakings and infrastructure managers.
- 7 The Agency shall submit to the Commission not later than three years after the entry into force of this Regulation a report analysing the effectiveness of the method and of the experience of railway undertakings, infrastructure managers and entities in charge of maintenance in applying this Regulation.

Changes to legislation:

There are outstanding changes not yet made to Commission Regulation (EU) No 1078/2012. Any changes that have already been made to the legislation appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Art. 5(1) words omitted by S.I. 2019/837 reg. 15(4)(a)
- Art. 5(1) words omitted by S.I. 2019/837 reg. 20(4)(a)
- Art. 5(2) omitted by S.I. 2019/837 reg. 15(4)(b)
- Art. 5(2)-(7) omitted by S.I. 2019/837 reg. 20(4)(b)
- Art. 5(3) words omitted by S.I. 2019/837 reg. 15(4)(c)(ii)
- Art. 5(3) words substituted by S.I. 2019/837 reg. 15(4)(c)(i)
- Art. 5(4)-(7) omitted by S.I. 2019/837 reg. 15(4)(d)

Changes and effects yet to be applied to the whole legislation item and associated provisions

- Signature words omitted by S.I. 2019/837 reg. 15(5)
- Signature words omitted by S.I. 2019/837 reg. 20(5)
- Art. 1(2)(a) words substituted by S.I. 2019/837 reg. 15(2)
- Art. 1(2)(a) words substituted by S.I. 2019/837 reg. 20(2)