

Commission Implementing Regulation (EU) 2018/763 of 9 April 2018 establishing practical arrangements for issuing single safety certificates to railway undertakings pursuant to Directive (EU) 2016/798 of the European Parliament and of the Council, and repealing Commission Regulation (EC) No 653/2007 (Text with EEA relevance)

Article 14

Review under Article 10(12) of Directive (EU) 2016/798

- 1 Where the safety certification body issues a negative decision, which includes the refusal of the single safety certificate, the exclusion of part of the network in accordance with a negative assessment as referred to in Article 10(7) of Directive (EU) 2016/798 and the identification of restrictions or conditions of use other than those requested in the application, the applicant may request the review of the decision.
- 2 The request for review shall be submitted by the applicant through the one-stop shop and include a list of any issues that, in the view of the applicant, have not been properly considered during the safety assessment process.
- 3 Any supplementary information provided after the adoption of the decision on issuing or refusing a single safety certificate shall not be admissible as evidence.
- 4 The safety certification body in coordination with the national safety authorities concerned with the intended area of operation shall ensure impartiality of the review process.
- 5 The review process shall target the issues justifying the deviation of the decision of the safety certification body from the applicant's request.
- 6 Where the Agency acts as the safety certification body, the review shall be carried out in coordination with the national safety authorities concerned with the intended area of operation.
- 7 The safety certification body shall communicate its decision to confirm or to adapt the initial decision to all parties involved in the assessment, including the applicant, through the one-stop shop.

Changes to legislation:

There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2018/763, Article 14.