

Commission Implementing Regulation (EU) 2019/779 of 16 May 2019 laying down detailed provisions on a system of certification of entities in charge of maintenance of vehicles pursuant to Directive (EU) 2016/798 of the European Parliament and of the Council and repealing Commission Regulation (EU) No 445/2011 (Text with EEA relevance)

### *Article 3*

#### **System of Certification**

1 Without prejudice to Article 15(1) of Directive (EU) 2016/798, any entity in charge of maintenance shall satisfy the requirements of Annex II, in respect of all vehicles subject to Directive (EU) 2016/798.

2 An ECM certification establishing compliance with the requirements of Annex II shall be mandatory for any entity in charge of maintenance:

- a responsible for the maintenance of freight wagons, or
- b which is not a railway undertaking or an infrastructure manager maintaining vehicles exclusively for its own operations.

3 Any entity in charge of maintenance of vehicles other than those mentioned in paragraph 2, may apply for ECM certification.

4 Compliance with Annex II shall be demonstrated either through an ECM certification or, without prejudice to paragraph 2, in case of railway undertakings through the process of safety certification or in case of infrastructure managers through the process of safety authorisation.

5 The ECM certificate granted to a railway undertaking or an infrastructure manager shall be deemed evidence of compliance with points 5.2.4 and 5.2.5 both of Annex I and Annex II to Commission Delegated Regulation (EU) 2018/762<sup>(1)</sup> as regards maintenance of vehicles.

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**Changes to legislation:** There are outstanding changes not yet made to Commission Implementing Regulation (EU) 2019/779. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

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- (1) Commission Delegated Regulation (EU) 2018/762 of 8 March 2018 establishing common safety methods on safety management system requirements pursuant to Directive (EU) 2016/798 of the European Parliament and of the Council and repealing Commission Regulations (EU) No 1158/2010 and (EU) No 1169/2010 ([OJ L 129, 25.5.2018, p. 26](#)).

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**Changes and effects yet to be applied to :**

- Regulation revoked in part by [S.I. 2020/786](#) reg. 11