

Commission Implementing Regulation (EU) 2020/572 of 24 April 2020 on the reporting structure to be followed for railway accident and incident investigation reports (Text with EEA relevance)

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Directive (EU) 2016/798 of the European Parliament and of the Council of 11 May 2016 on railway safety⁽¹⁾, and in particular Article 24(2) thereof,

Whereas:

- (1) Directive (EU) 2016/798 provides a framework to ensure that the results of accident and incident investigations are disseminated by the national investigating bodies (NIBs) in charge of reporting on rail accident and incident investigation across the Union, in accordance with its Article 22.
- (2) The reports on investigations and any findings and subsequent recommendations provide crucial information for the future improvement of rail safety in the Single European Rail Area. In accordance with Article 26 of the Directive (EU) 2016/798, safety recommendations have to be acted upon by the addressees and actions reported back to the investigating body.
- (3) A common structure of the investigation report should facilitate sharing the reports. To this end a public database managed under the responsibility of the European Union Agency for Railways was established in accordance with Article 37(3)(e) of Regulation (EU) 2016/796 of the European Parliament and of the Council⁽²⁾, and is accessible through the Agency.
- (4) To facilitate the access to useful information and its application to other European stakeholders, some parts of the report are requested in two European languages.
- (5) The structure should protect the NIB from external interferences, guarantee that the investigation has been carried in an independent manner in accordance with Article 21(4) of the Directive (EU) 2016/798.
- (6) Safety accident and incident investigation reports should ensure that lessons are learned from past accidents and incidents. They should facilitate the identification of safety hazards and elimination of similar safety risk in the future and allow actors in the rail sector to review their assessment of the risks related to their operations and update

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2020/572, Introductory Text. (See end of Document for details)

their safety management systems where necessary, including where applicable to adopt corrective measures, pursuant to point 7.1.3 of Annex I and point 7.1.3 of Annex II to Commission Delegated Regulation (EU) 2018/762⁽³⁾. For this purpose the information contained in such reports should be structured to be easily accessible.

- (7) The European Union Agency for Railways (the ‘Agency’), which collects the reports, should maintain the appropriate informatics tool providing an easy retrieval, tailored on the specific needs of the user (e.g. using keywords).
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Committee referred to in Article 28(1) of Directive (EU) 2016/798,

HAS ADOPTED THIS REGULATION:

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- (1) [OJ L 138, 26.5.2016, p. 102.](#)
- (2) 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 ([OJ L 138, 26.5.2016, p. 1.](#)).
- (3) 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 Regulation (EU) No 1158/2010 and (EU) No 1169/2010 ([OJ L 129, 25.5.2018, p. 26.](#)).

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