

# European Railway Agency: new tasks

2006/0274(COD) - 07/03/2008 - Commission communication on Council's position

The Commission recalls that an early agreement was not possible due to Parliamentary concerns regarding the role the Agency should play vis-à-vis national safety authorities. The Council's common position, adopted by unanimity, does not undermine the essential objectives and underlying approach of the Commission's proposal. In addition, the common position already incorporates many of the amendments adopted by Parliament at first reading as well as finding consistency with the recast of the Directive on Railway Interoperability, on which agreement was reached at first reading.

Below is a summary of the most important elements of the Commission's position:

## **Parliamentary amendments accepted by the Commission and incorporated in full or in part in the common position:**

- The principle of extending temporary agents contracts recruited by the Railway Agency, allows for a guaranteed continuous service. However, the principle should be provided for within the first ten years of the Agency operating, given that the majority of contracts will have come to an end by 2010. After, 2010, the expiry dates of contracts will be staggered, which will provide for a better continuity of service.

## **Parliamentary amendments rejected by the Commission and not incorporated in full or in part in the common position:**

- An amendment that could be prejudicial to the Executive Director's option to set up any working party he deems necessary to accomplish his task.
- An amendment requesting the Commission to draw up a report on arrangements for cooperation between national safety authorities and the Agency. The Commission would like to examine this request in more detail before embarking on this path.
- An amendment requiring the Railway Agency to issue a technical opinion on a refusal by the safety authority to issue a safety certificate or safety authorisation.

To conclude, the Commission considers the Council's common position, adopted by unanimity, to serve the essential objectives of the Commission's initial proposal. It can, therefore, accept it.