



National Safety Authority (NSA)

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- 1. Establishment of a National Safety Authority (NSA)**
- 2. NSA Responsibility**
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- 6. Annual Report**



1 – Establishment of a National Safety Authority (Art. 16(1) of SD)

- ❑ Each MS shall establish a safety authority, which may be the Ministry responsible for transport matters
- ❑ NSA shall be independent in its organisation, legal structure and decision making from any RU, IM, applicant and procurement entity
- ❑ NSA does not have any immediate responsibility for safety. It provides **national regulatory framework**, authorises placing in service, issues certificates and supervises operator's performance
- ❑ Safety Directive 2004/49/EC sets up **responsibility for safe operation of railway system and control of risks associated with upon those operating railway system (IM & RU)**, each for its part of system
- ❑ Other actors (manufacturers, maintenance suppliers, wagon keepers, service providers and procurement entities) bear responsibility for their products or services



2 – NSA Responsibility (Art. 16(2) in SD)

- ❑ Issue, renew, amend and revoke relevant parts of safety certificates and of safety authorisations granted vs. Art. 10 and 11 of SD
- ❑ Authorise placing in service of structural subsystems vs. Article 15 of Directive 2008/57 (on interoperability)
- ❑ Authorise placing in service of new and substantially altered rolling stock not yet covered by a TSI
- ❑ Issue train driving licences and complementary certificates (Art. 6(1) of Directive 2007/59/EC)



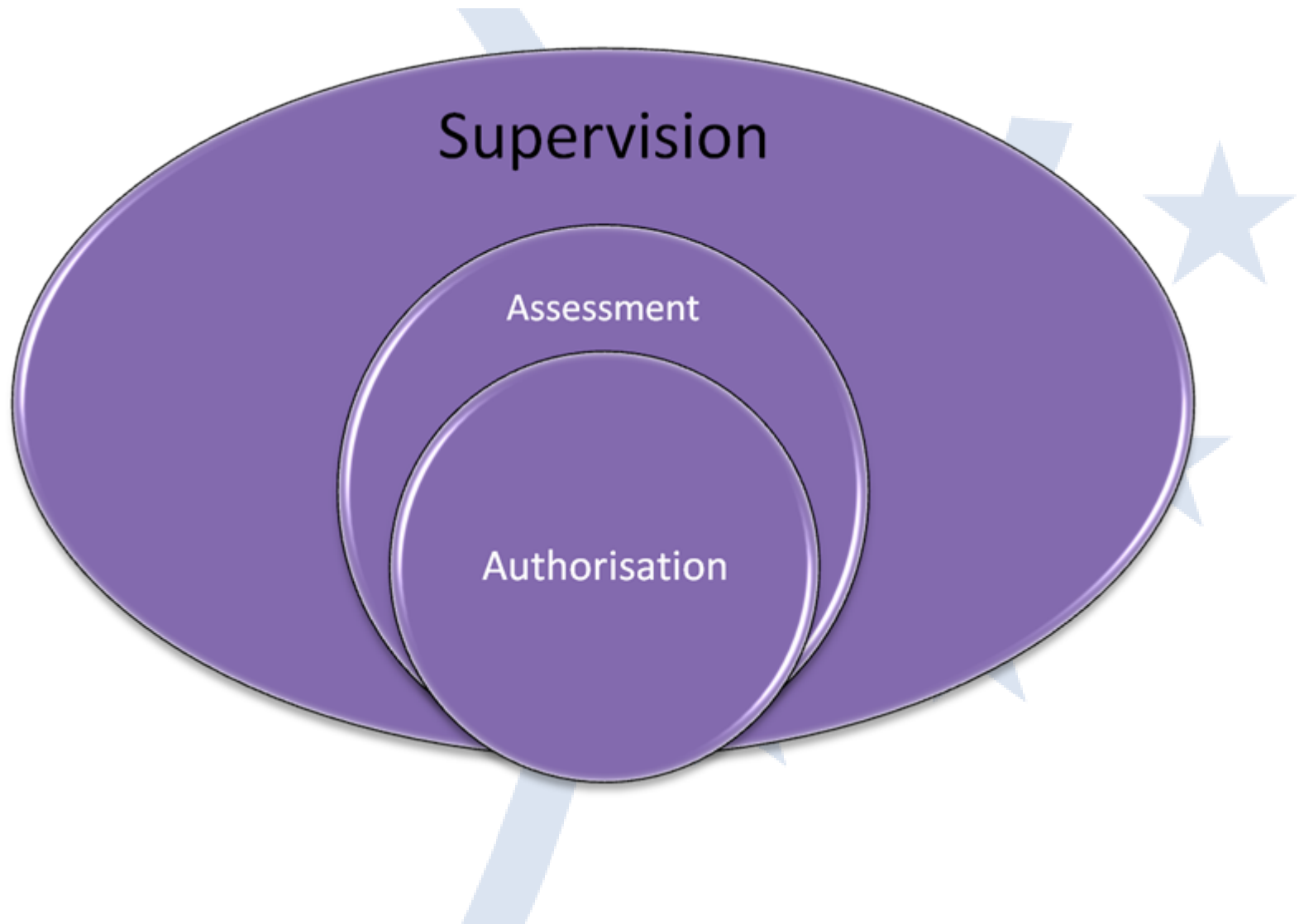
3 – NSA Responsibility (Art. 16(2) in SD)

- Check that conditions and requirements laid down in safety certificates/authorisations are met and that IM/RU are operating under requirements of Community or national law
- Monitor, promote, and, where appropriate, enforce and develop safety regulatory framework including the system of national safety rules
- Supervise that vehicles are duly registered in the national vehicle register (NVR) and that safety-related information in NVR is accurate and kept up-to-date
- Check that structural subsystems are operated and maintained vs. relevant essential requirements
- Supervise that interoperability constituents are in compliance with essential requirements

SUPERVISION



4 – Supervision in practice





- Proportionality – risks/potential seriousness**
- Consistency – similar approach in similar circumstances**
- Targeted – those activities which give rise to the greatest risks**
- Prioritisation – use resources effectively**
- Transparency – RUs/IMs are clear on what is expected of them**
- Accountability - in decision making**



7 – Decision-making principles by NSA (Art. 17 in SD)

- Work in open, non-discriminatory and transparent way, justifying its decisions and allowing all parties to be heard
- Respond to requests within 4 months after requested information is provided
- May not transfer or subcontract his tasks to any IM, RU or procurement entity. It can request their technical assistance or that of other qualified bodies
- Consult all persons involved and interested parties, including IM, RU, staff representatives, etc. for elaboration of national regulatory framework
- Free to carry out all inspections and investigations. It shall be granted access to documents, premises, installations and equipment of IM/RU
- Judicial review against NSA decisions shall be possible**

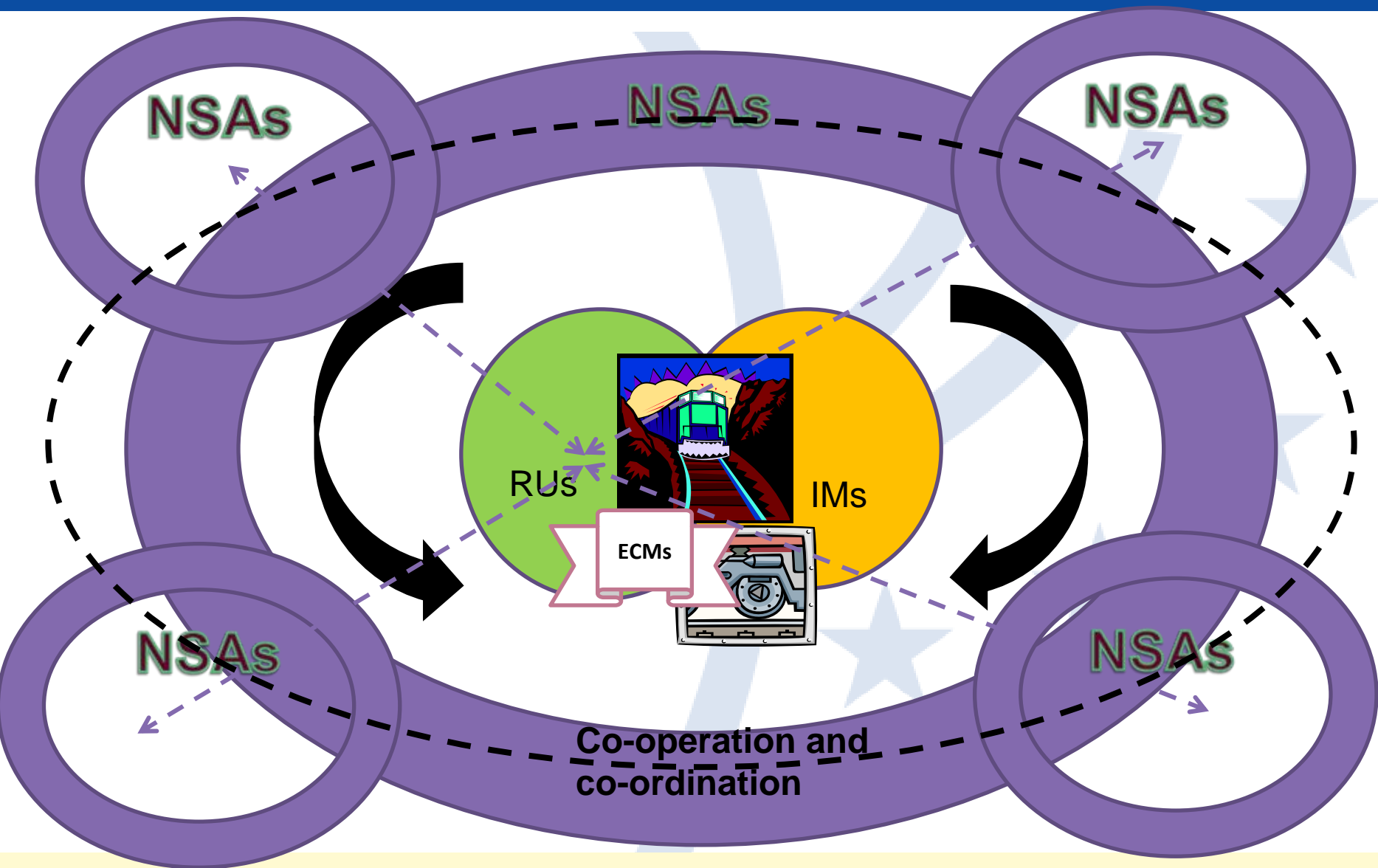


8 – NSA Network & Role of European Railway Agency

- ❑ In order to harmonise decision-making criteria across the Community **and create mutual trust**, NSA shall exchange views and experience
- ❑ Cooperation between NSAs to facilitate and coordinate safety certification of RU granted with international train paths
- ❑ NSA Network meetings organised by the European Railway Agency. The Agency is facilitator for exchange of information and experience
- ❑ Regular peer reviews between NSA for exchanging best practices, identifying weaknesses and improving decision-making process
- ❑ One NSA presents way of working - Other NSA explain how they are solving similar problems



9 – Co-operation & co-ordination





10 – Annual Report (Art. 18 in SD)

- ❑ Each year the safety authority shall publish an Annual Report on activities in preceding year and send it to European Railway Agency
- ❑ The report shall include information on:
 - ↪ development of railway safety, including an aggregation at Member State level of the common safety indicators laid down in Annex I
 - ↪ important changes in legislation and regulation concerning railway safety
 - ↪ development of safety certification and safety authorisation
 - ↪ results of and experience relating to supervision of IM and RU
 - ↪ from next year: experience of the application of common safety methods (CSM)



Many thanks for your attention!

