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Delegations will find attached document D031394/04.

Encl.: D031394/04



Brussels, **XXX**
[...] (2014) **XXX** draft

COMMISSION DIRECTIVE/.../EU

of XXX

**amending Annexes V and VI to Directive 2008/57/EC of the European Parliament and
of the Council on the interoperability of the rail system within the Community**

(Text with EEA relevance)

COMMISSION DIRECTIVE/EU

of **XXX**

amending Annexes V and VI to Directive 2008/57/EC of the European Parliament and of the Council on the interoperability of the rail system within the Community

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2008/57/EC of the European Parliament and of the Council of 17 June 2008 on the interoperability of the rail system within the Community¹, and in particular Article 30(3) thereof,

Whereas:

- (1) The scope and the content of the ‘EC’ declaration of verification for subsystems should be better defined in Annex V to Directive 2008/57/EC. In particular, the responsibility of the signatory of such declaration should be clearly stated.
- (2) The procedures concerning the declaration of verification in case of modifications of existing subsystems and in case of additional verifications carried out by the notified bodies should be clarified in Annex V to Directive 2008/57/EC;
- (3) The aim of the verification procedure for subsystems should be clarified in Annex VI to Directive 2008/57/EC. Furthermore, the principles concerning the verification procedure in case of modifications of existing subsystems should be defined in the same Annex.
- (4) The measures provided for in this Directive are in accordance with the opinion of the Committee established in accordance with Article 29(1) of Directive 2008/57/EC.

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annexes V and VI to Directive 2008/57/EC are replaced by the text set out in Annexes I and II to this Directive respectively.

¹ OJ L 191, 18.7.2008, p. 1.

Article 2

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 1 January 2016 at the latest. They shall forthwith communicate to the Commission the text of those acts.

When Member States adopt those acts, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.
3. The obligations for transposition and implementation of this Directive shall not apply to the Republic of Cyprus and the Republic of Malta for as long as no railway system is established within their territories.

Article 3

This Directive shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

Article 4

This Directive is addressed to the Member States.

Done at Brussels,

For the Commission
The President
Jean-Claude JUNCKER