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## PROPOSAL

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From: Secretary-General of the European Commission,  
signed by Mr Jordi AYET PUIGARNAU, Director

date of receipt: 17 May 2018

To: Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of  
the European Union

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No. Cion doc.: COM(2018) 279 final - ANNEXES 1 to 2

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Subject: ANNEXES to the Proposal for a Regulation of the European Parliament  
and of the Council on electronic freight transport information

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Delegations will find attached document COM(2018) 279 final - ANNEXES 1 to 2.

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Encl.: COM(2018) 279 final - ANNEXES 1 to 2



Brussels, 17.5.2018  
COM(2018) 279 final

ANNEXES 1 to 2

## **ANNEXES**

**to the**

### **Proposal for a Regulation of the European Parliament and of the Council on electronic freight transport information**

{SEC(2018) 231 final} - {SWD(2018) 183 final} - {SWD(2018) 184 final}

## ANNEX I

### REGULATORY INFORMATION FALLING UNDER THE SCOPE OF THIS REGULATION

#### Regulatory information requirements laid down in Union law

The table below includes the regulatory information requirements set out in Union acts laying down the conditions for the transport of goods on the territory of the Union in accordance with Title VI of Part Three of the Treaty as well as the conditions for the shipments of waste:

EU Legislation	Council Regulation No. 11 concerning the abolition of discrimination in transport rates and conditions	Directive 92/106/EEC on the establishment of common rules for certain types of combined transport of goods between Member States	[Proposal COM(2017) 648 final - 2017/0290 (COD) amending Directive 92/106/EEC]	Regulation (EC) No 1072/2009 on common rules for access to the international road haulage market	[Proposal COM(2017) 0281 final - 2017/0123 (COD) amending Regulation (EC) No 1071/2009 and Regulation (EC) No 1072/2009]	Commission Implementing Regulation (EU) 2015/1998 laying down detailed measures for the implementation of the common basic standards on aviation security	Directive 2008/68/EC on the inland transport of dangerous goods	Regulation (EC) No 1013/2006 on shipments of waste
	OJ 052 (16.08.1960, p. 1121–1126)	OJ L 368 (17.12.1992, p. 38–42)		OJ L 300/72 (14.11.2009, p. 72–87)		OJ L 299/1 (14.11.2015, p. 1–142)	OJ L 260, (30.9.2008, p. 13–59)	(OJ L 190, 12.7.2006, p. 1–98)
<b>Name and address of the consignor</b>	Article 6.1	Article 3 (reference to Article 6 of Council Regulation No 11)					References to ADR, RID, ADN <sup>1</sup>	
<b>Nature and weight of the goods</b>	Article 6.1	Article 3 (reference to						

<sup>1</sup> References to ADR, RID and ADN must be understood within the meaning of Article 2(1), 2(2) and 2(3) of Directive 2008/68/EC. The numbers referred to are those of the respective Annexes to ADR, RID and ADN.





<p>[A description, signed by the shipper, of the combined transport operation routing including at least the following details for each leg, including for each mode of transport which constitutes the non-road leg, of the operation within the Union:</p> <p>(i) leg order (i.e. first leg, non-road leg or final leg);</p> <p>(ii) name, address and contact details of the carrier;</p> <p>(iii) mode of transport and its order in the operation.]</p>			<p>[Article 3.2(f) (replacing article 3 Council Directive 92/106/EEC)]</p>					
<p>[Identification of the intermodal load unit transported]</p>			<p>[Article 3.2(g) (replacing article 3 Council Directive 92/106/EEC)]</p>					
<p>[For the initial road transport leg:</p> <p>(i) the place of transhipment to the non-road leg;</p> <p>(ii) the distance of the initial road transport leg as the crow flies between the place of shipment and the first transhipment terminal;</p> <p>(iii) if the initial road leg is completed, a signature of the carrier confirming that the transport operation of the road leg has been carried out]</p>			<p>[Article 3.2(h) (replacing article 3 Council Directive 92/106/EEC)]</p>					
<p>[For the final road transport leg:</p> <p>(i) the place where the goods are taken [over] from the non-road leg (rail, inland waterways or maritime transport);</p> <p>(ii) the distance of the final road transport leg as the crow flies between the place of transhipment and the place where the combined transport operation ends in the Union); ]</p>			<p>[Article 3.2(i) (replacing article 3 Council Directive 92/106/EEC)]</p>					
<p>[For the non-road leg:</p> <p>(i) if the non-road leg is completed, a signature of the carrier (or carriers in the case of two or more non-road operations on the non-road leg) confirming that the transport operation on the non-road leg has been carried out;</p> <p>(ii) when available, a signature or seal of the relevant rail or port authorities in the relevant terminals (railway station or port) concerned along the non-road leg operation confirming that the relevant part of the non-road leg has been completed. ]</p>			<p>[Article 3.2(j) (replacing article 3 Council Directive 92/106/EEC)]</p>					
<p>Name, address and signature of the sender</p>				<p>Article 8.3(a)</p>	<p>[Article 8.3(a) (no changes</p>			







Information contained in the movement document for shipments of waste that are subject to the procedure of prior written notification and consent pursuant to Article 4 of Regulation (EC) No 1013/2006									Annex IB
Information contained in the document accompanying the shipments of waste that are subject to the general information requirements of Article 18 of Regulation (EC) No 1013/2006									Annex VII

### Member States' law

The table below lists the relevant Member States' national legislation dealing with matters governed by Title VI of Part Three of the Treaty and requiring the provision of information identical, in whole or in part, to the information specified in point A of this Annex.

[Member State]

Legislation	[Legislation reference]	[Legislation reference]	[Legislation reference]	[...]	[Legislation reference]
Information item					
[Information item as specified in the respective legal act article]	[Article reference]	[Article reference]	[Article reference]	[...]	[Article reference]
[...]	[...]	[...]	[...]	[...]	[...]
[Information item as specified in the respective legal act article]	[Article reference]	[Article reference]	[Article reference]	[...]	[Article reference]

[Member State]

<b>Legislation</b>	[Legislation reference]	[Legislation reference]	[Legislation reference]	[Legislation reference]
<b>Information item</b>				
[Information item as specified in the respective legal act article]	[Article reference]	[Article reference]	[Article reference]	[Article reference]
[...]	[...]	[...]	[...]	[...]
[Information item as specified in the respective legal act article]	[Article reference]	[Article reference]	[Article reference]	[Article reference]

## ANNEX II

### REQUIREMENTS RELATING TO NOTIFIED BODIES

1. For the purposes of notification, a conformity assessment body shall meet the requirements laid down in paragraphs 2 to 11.
2. A conformity assessment body shall be established under national law of a Member State and have legal personality.
3. A conformity assessment body shall be a third-party body independent of the organisation or the eFTI platform or platform service provider it assesses.

A body belonging to a business association or professional federation representing undertakings involved in the design, manufacturing, provision, assembly, use or maintenance of eFTI platform or platform service provider which it assesses may, on condition that its independence and the absence of any conflict of interest are demonstrated, be considered such a body.

4. A conformity assessment body, its top level management and the personnel responsible for carrying out the conformity assessment tasks shall not be the designer, manufacturer, supplier, installer, purchaser, owner, user or maintainer of the eFTI platform or platform service provider which they assess, nor the representative of any of those parties.

A conformity assessment body, its top level management and the personnel responsible for carrying out the conformity assessment tasks shall not be directly involved in the design, manufacture or construction, the marketing, installation, use or maintenance of that eFTI platform or platform service provider, or represent the parties engaged in those activities. They shall not engage in any activity that may conflict with their independence of judgement or integrity in relation to conformity assessment activities for which they are notified. This shall in particular apply to consultancy services.

Conformity assessment bodies shall ensure that the activities of their subsidiaries or subcontractors do not affect the confidentiality, objectivity or impartiality of their conformity assessment activities.

5. Conformity assessment bodies and their personnel shall carry out the conformity assessment activities with the highest degree of professional integrity and the requisite technical competence in the specific field and shall be free from all pressures and inducements,

particularly financial, which might influence their judgement or the results of their conformity assessment activities, especially as regards persons or groups of persons with an interest in the results of those activities.

6. A conformity assessment body shall be capable of carrying out all the conformity assessment tasks assigned to it by Articles 12 and 13 in relation to which it has been notified, whether those tasks are carried out by the conformity assessment body itself or on its behalf and under its responsibility.

At all times and for each certification procedure in relation to which it has been notified, a conformity assessment body shall have at its disposal the necessary:

- (a) personnel with technical knowledge and sufficient and appropriate experience to perform the conformity assessment tasks;
- (b) descriptions of procedures in accordance with which conformity assessment is carried out, ensuring the transparency and the ability of reproduction of those procedures. It shall have appropriate policies and procedures in place that distinguish between tasks it carries out as a notified body and other activities;
- (c) procedures for the performance of activities which take due account of the size of an undertaking, the sector in which it operates, its structure and the degree of complexity of the technology in question.

A conformity assessment body shall have the means necessary to perform the technical and administrative tasks connected with the conformity assessment activities in an appropriate manner.

7. The personnel responsible for carrying out conformity assessment tasks shall have the following:

- (a) sound technical and vocational training covering all the conformity assessment activities in relation to which the conformity assessment body has been notified;
- (b) satisfactory knowledge of the requirements of the assessments they carry out and adequate authority to carry out those assessments;
- (c) appropriate knowledge and understanding of the requirements set out in Article 9;
- (d) the ability to draw up compliance certificates, records and reports demonstrating that assessments have been carried out.

8. The impartiality of the conformity assessment bodies, their top level management and of the personnel responsible for carrying out the conformity assessment tasks shall be guaranteed.
- The remuneration of the top level management and personnel responsible for carrying out the conformity assessment tasks of a conformity assessment body shall not depend on the number of assessments carried out or on the results of those assessments.
9. Conformity assessment bodies shall take out liability insurance unless liability is assumed by the State in accordance with national law, or the Member State itself is directly responsible for the conformity assessment.
10. The personnel of a conformity assessment body shall observe professional secrecy with regard to all information obtained in carrying out their tasks under Articles 12 and 13 or any provision of national law giving effect to them, except in relation to the competent authorities of the Member State in which its activities are carried out. Proprietary rights shall be protected.
11. Conformity assessment bodies shall participate in, or ensure that their personnel responsible for carrying out the conformity assessment tasks are informed of, the relevant standardisation activities and relevant regulatory activities.