

GUIDELINES FOR COMPILATION

Information to be entered into the Application Form for Mainline Safety Certificates Part A and Part B¹

INTRODUCTION

This Application Form is to be used by mainline railway undertakings applying for a Safety Certificate Part A and/or Part B. References in this document are made, unless otherwise mentioned, to Articles in Railway Safety Directive (2004/49/EC) and their equivalents which have been transposed in Great Britain into the Railways and Other Guided Transport Systems (Safety) Regulations 2006 (ROGS.)

A railway undertaking applying for either one or both of these certificates should use this Application Form to forward its request to the competent issuing safety authority/organisation (for Great Britain this is the Office of Rail Regulation.) Its use will enable the authority to process the request without undue delay and within the terms fixed in Article 12(1) (ROGS regulation 7(3).) Fields in the form should be completed in accordance with the information given below.

Safety Certificates Part A and Part B

This document allows a railway undertaking to apply either for a new Part A or Part B Certificate separately, or for both simultaneously. It can also be used to request either a renewed or updated/amended Part A and/or Part B Certificate (as defined in Article 10(5); ROGS regulations 8/9.) It is possible to apply for a new Part A Certificate alone, with a later, second application, for a first Part B Certificate. If applying only for a Part B Certificate, it is necessary to hold a valid Part A Certificate.

Type and extent of railway operations

"Type" and "extent" form the basis for the Community validity of the Part A Certificate and provides the basis for defining "equivalent rail transport operations" (Article 10(3); ROGS regulation 7(2)) throughout the Community. Also, according to Article 10(5) (ROGS regulations 8) a Safety Certificate shall be wholly or partly updated whenever the type or extent of the operation is substantially altered. Therefore it is important for the railway undertaking to make the "type" and "extent" of its total railway operations known to the safety authority.

"Type" of service is defined by the following categories:

- passenger transport, including high speed services, or
- passenger services excluding high-speed services;
- freight transport including dangerous goods services; or
- freight transport excluding dangerous goods services
- shunting services only.

"Extent" of service and of the railway undertaking is characterised by volume of passenger/goods and the estimated size of the railway undertaking in terms of employees working in the railway sector (micro, small, medium sized, large enterprise.)

"Type" and "extent" of services for all Part B Certificates, carried out globally by the same railway undertaking in one or more states, must be covered by "type" and "extent" of services of the corresponding Part A Certificate.

All the information contained in fields [2.6] to [2.19] and [3.6] to [3.15] is necessary to establish if services intended to be operated with the requested Safety Certificate are equivalent or not to other rail transport operations already carried out by the applicant under any existing valid certificate(s).

¹ The wording in this document is derived from the EU version given in Commission Regulation (EC) No 653/2007 ([hyperlink](#))

ADDITIONAL INFORMATION

Page 3 of the Application Form indicates what documents the applicant must submit with each application. It shall be used as a reference list both for the applicant and for the issuing authority and should therefore be used as the front page of any annexes to the application form.

For easy reference, each field in the Application Form has been numbered and guidance on their completion is given against this numbering, in the following pages. Once completed, an authorised person should sign it, giving their full name before submitting to the issuing authority.

EXPLANATIONS AND INSTRUCTIONS FOR USE

- 1.1-1.2 Name and address of the safety authority/organisation to which the application is being sent. For applications within Great Britain, you should send this to the Office of Rail Regulation at the relevant regional office. If this is not known, enquiries can be made at ORR's London Headquarters (see the ORR website: [Contact us - : Office of Rail Regulation](#).) For applications to other Member States, you may find relevant contact information by checking the European Railway Agency website ([European Railway Agency - Home Page](#)) or the website of the issuing Safety Organisation/Authority, if known.
- 2.1 If the application is for a Part A, Safety Certificate, you should tick this box. You should then indicate the type and extent of the railway undertaking's services in boxes 2.6-2.19.
- 2.2 You should select this box:
a) if applying for a Part A Safety Certificate for the first time; or
b) if the previous Safety Certificate, for the same type and extent of service, was revoked; or
c) for any other case not covered by the following fields [2.3] and [2.4].
- 2.3 Select this box if applying to renew an existing Safety Certificate (to be renewed at intervals not exceeding five years (Article 10(5); ROGS regulations 7(4)(c) & 9.)
- 2.4 Select this box whenever the type or extent of the operation of a railway undertaking is to be substantially altered. You should submit your application and have it accepted before the substantial alteration(s) are introduced (ROGS regulation 8.)
- 2.5 Where applicable, you should specify the EU Identification Number of your previous Part A Certificate (in general, for renewals and amendments, this will be the number of the one which is still current at the time of application.)
- 2.6-2.7 For passenger services, you should specify if the operations will include or exclude high-speed services. Whichever is selected, they are both inclusive of any other type of passenger service (i.e. regional, short, medium, long distance etc.) as well as of any other service necessary to carry out the passenger services (shunting operations, etc.) For definitions of high-speed services, you should refer to Annex I of Directive 96/48/EC.
- 2.8-2.9 When applying for passenger services, you should specify the estimated current or planned volume, in terms of passenger-km per year. Only one option should be selected. The categories are defined in accordance with Regulation (EC) N° 1192/2003 on rail transport statistics.
- 2.10-2.11 For freight services, you should specify if the operations will include or exclude transport of dangerous goods. Whichever is selected, both are inclusive of any other type of freight transport not explicitly mentioned as well as of any other service necessary to carry out the freight services (shunting operations, etc.) For definitions of dangerous goods, you should refer to Directive 96/49/EC and its annexes.
- Railway undertakings carrying out rail transport services for internal railway needs only (e.g. track maintenance companies transferring working machines from one site to another or companies operating measurement trains) should be categorised as operating freight services (excluding dangerous goods.)
- 2.12-2.13 When applying for freight services you should specify the estimated current or planned volume, in terms of tonne-km per year. Only one option should be selected. The categories considered are defined in accordance with Regulation (EC) N° 1192/2003 on rail transport statistics.
- 2.14 If you only intend to carry out shunting services without performing passenger or freight transport, then you should select this box.

- 2.15 You should enter the date on which the service is intended to begin or, in case of a renewed or amended certificate, the date on which the certificate is intended to become effective and replace the previous one.
- 2.16 If the number of employees working in all rail related activities, including contractors, is between 0 (thus providing only a job for the entrepreneur) and 9 persons, then you should select the option "Micro enterprise". Only one option can be chosen among those available [2.16 - 2.17 - 2.18 - 2.19].
- 2.17 If the number of employees working in all rail related activities, including contractors, is between 10 and 49 persons, then you should select the option "Small enterprise".
- 2.18 If the number of employees working in all rail related activities, including contractors, is between 50 and 249 persons, then you should select the option "Medium sized enterprise".
- 2.19 If the number of employees working in all rail related activities, including contractors, is 250 or more persons, then you should select the option "Large enterprise".
- 3.1 If the application is for a Safety Certificate Part B, you should tick this box. You should then indicate the type and extent of the railway undertaking's services for which the Part B application is made in boxes 3.6-3.14.
- 3.2 You should select this box :
a) if applying for the first or any other new Safety Certificate Part B;
b) if the previous Safety Certificate, for the same type and extent of service, has been revoked;
c) in any other case not covered by the following fields 3.3 and 3.4.
- 3.3 You should select this box if applying to renew your existing Safety Certificate (to be renewed at intervals not exceeding five years (Article 10(5); ROGS regulation 7(4)(c) and 9.)
- 3.4 You should select this box whenever the type or extent of the operation of a railway undertaking is to be substantially altered. You should submit your application and have it accepted before the substantial alteration is introduced (ROGS regulation 8.)
- 3.5 Where applicable, you should specify the EU Identification Number of your previous Part B Certificate (in general, where making a renewal or amendment application, this will be the number of the one which is still current.)
- 3.6-3.7 Same as [2.6] - [2.7] (see above).
- 3.8-3.9 Same as [2.8] - [2.9] (see above).
- 3.10-3.11 Same as [2.10] - [2.11] (see above).
- 3.12-3.13 Same as [2.12] - [2.13] (see above).
- 3.14 Same as [2.14] (see above).
- 3.16 A Safety Certificate Part B may cover the whole railway network of a Member State or only a defined part thereof (Article 10(1)). You should therefore specify clearly all the lines where services (passenger, freight or shunting only) are intended to be operated. The denomination/name of the lines are those given in the "Network Statement" (refer to Article 3 and Annex I of Directive 2001/14/EC): railway undertakings must refer to the lines using these denominations/names. If the available space is not sufficient, the applicant shall provide annexes to the Application Form and use this field to specify them.
- 3.17 You should only provide this information if you are applying for a new, renewed or updated/amended Part B Safety Certificate and already hold a valid Safety Certificate Part A. The EU Identification Number is given by each issuing authority/organisation on the basis of rules, fixed by the European Railway Agency. A copy of the Safety Certificate Part A should also be included with this application [see 8.1]. If a Part A certificate is being applied for concurrently with the Part B, you should write "NOT APPLICABLE".
- 3.18 You should enter the Member State which issued the Safety Certificate Part A.
- 4.1 You should provide the EU Identification Number(s) of any existing valid Part B Safety Certificate(s) which you hold. It is not necessary for the applicant to submit a copy, or copies of the Part B Safety Certificate(s) with the application.
- 4.2 **EU Notification numbers for licences are only just being introduced into the GB licensing system. You should enter this number if you have been allocated one, but where this is not the**

case, you should instead enter the ‘Public Register Code’. ² Whatever the case, you should only provide this information if your company already has a valid licence³. If you have submitted a licence application in conjunction with this certificate application, you should enter ‘Licence approval pending’ together with the date that you submitted your licence application.

- 4.3 You should enter the Member State which issued the Licence.
- 5.1 If "Legal Denomination" and "Railway undertaking name" differ, then both shall be included.
- 5.2-5.8 You should provide the necessary information to allow the issuing body to contact the railway undertaking. Telephone numbers should indicate the number to the switchboard, and not to the person in charge of the certification process; telephone and fax numbers should include the country code; the e-mail address should refer to the general mail box of the railway undertaking; specification of the website [5.8] is not compulsory. The railway undertaking contact information should indicate the principal company address avoiding references to specific person(s). (which should be given at [6.1] to [6.5].)
- 5.9-5.10 The registration number should relate to the railway undertaking for which the application is being made. If this differs between the Parts A and B applications, then you should enter both and make it clear which is which. Similarly, this applies to VAT nos.
- 5.11 Information, other than that clearly requested in the other fields, can be added if necessary.
- 6.1-6.5 During all the certification process, the contact person is the interface between the railway undertaking submitting the request and the issuing organisation/authority. He/she provides support, assistance, information, clarifications, where necessary, and is the reference point for the issuing body dealing with the application. Where applications are made to an authority in a Member State which is not the host country of the applicant, telephone and fax numbers should include the country code; e-mail address is not compulsory.
- 7.1 You should submit this documentation if applying for a Safety Certificate Part A (new, renewed or updated/amended certificate); "Summary of the Safety Management System (SMS)" means a document outlining the main elements of the railway undertaking's SMS referring to the items identified in Article 9 (ROGS regulation 5) and Annex III (ROGS Schedule 1) (in the case of a renewal or amendment application, this, in general, only needs to be for those parts of the SMS where there has been a change of information from the previously submitted documentation.) **In Great Britain, you will satisfy this requirement if you submit evidence in accordance with ORR's ‘Assessment Criteria for Safety Certificate and Authorisation applications made under ROGS (Mainline transport Undertakings Part A.)**
- 7.2 A railway undertaking, as defined in Directive 2001/14/EC, must be licensed according to applicable Community legislation; in Directive 2004/49/EC, however, if a railway undertaking does not require a licence, you do not need to submit a copy of a valid licence and should select the "Not applicable" option. If licence has been applied for and not yet approved, refer to 4.2.
- 7.3 Refer to [7.2].
- 8.1 If the application is for a Part B Safety Certificate only (new, renewed or updated/amended certificate,) then you should submit a copy of the valid Part A Safety Certificate.
- 8.2 Same as [7.2] (see above).
- 8.3 Same as [7.3] (see above).
- 8.4 According to Article 9 of Directive 95/18/EC, a railway undertaking shall be adequately insured or make equivalent arrangements (e.g. a financial guarantee) for cover, in accordance with national and international law, of its liabilities in the event of accidents. **In Great Britain demonstration that the applicant has adequate insurance cover forms part of the licence application. You are not therefore required to submit this evidence with a safety certificate application.**

² This is an individual 2 or 3 digit number followed by a ‘P’ for passenger and a ‘F’ for freight. A list of existing numbers can be viewed at <http://www.rail-reg.gov.uk/server/show/nav.275>.

³ A railway undertaking, as defined in Directive 2001/14/EC, must be licensed according to applicable Community legislation, but if as defined in Directive 2004/49/EC, it is not always required to have a licence

8.5-8.9 **In Great Britain, you will satisfy the requirements for fields 8.5-8.9, if you submit evidence in accordance with ORR's 'Assessment Criteria for Safety Certificate and Authorisation applications made under ROGS, (Mainline Transport Undertakings, Part B').**

8.10 Available space to specify other documents submitted with the application. Please identify number and type, together with a short description of the content of the document. **In Great Britain generally no other documents will be required, unless specifically requested by the HMRI Lead Assessor once the assessment is underway.**