



EUROPEAN FREE TRADE ASSOCIATION

Ref. 15-296

25 August 2015

DECISION OF THE COUNCIL NO 3 OF 2015

(Adopted by written procedure on 25 August 2015)

AMENDMENT TO THE APPENDIX TO ANNEX P TO THE CONVENTION

LAND TRANSPORT

THE COUNCIL,

Having regard to the Member States' endeavour to regularly update the Convention in order to take account of developments under the Agreement on the European Economic Area and the bilateral Agreements of 21 June 1999 between the Swiss Confederation on the one hand and the European Community and its Member States on the other,

Having regard to Article 53(3) of the Convention, empowering the Council to amend the Appendix to Annex P to the Convention,

Having regard to the recommendation of the Committee on Land Transport in its report to the Council to amend the Appendix to Annex P (Land transport) to the Convention, ref. 14-131389,

DECIDES:

1. The Appendix to Annex P to the Convention shall be amended as follows:
 - a) The following shall be inserted in Section 2 after the reference to Regulation (EC) No 561/2006:
 - ‘ Directive 2002/15/EC of the European Parliament and of the Council of 11 March 2002 on the organisation of the working time of persons performing mobile road transport activities (OJ L 80, 23.3.2002, p. 35).
 - Commission Regulation (EU) No 581/2010 of 1 July 2010 on the maximum periods for the downloading of relevant data from vehicle units and from driver cards (OJ L 168, 2.7.2010, p. 16).’

- b) The following shall be inserted in Section 3 after the reference to Directive 2008/68/EC:

‘- Commission Directive 2007/34/EC of 14 June 2007 amending, for the purposes of its adaptation to technical progress, Council Directive 70/157/EEC concerning the permissible sound level and the exhaust system of motor vehicles (OJ L 155, 15.6.2007, p. 49).

The provisions of the Directive shall be read with the following adaptation:

In Annex II, the following shall be added to point 4.2:

"IS for Iceland

FL for Liechtenstein

16 for Norway".

- Regulation (EC) No 595/2009 of the European Parliament and of the Council of 18 June 2009 on type-approval of motor vehicles and engines with respect to emissions from heavy duty vehicles (Euro VI) and on access to vehicle repair and maintenance information and amending Regulation (EC) No 715/2007 and Directive 2007/46/EC and repealing Directives 80/1269/EEC, 2005/55/EC and 2005/78/EC (OJ L 188, 18.7.2009, p. 1).
- Commission Regulation (EU) No 582/2011 of 25 May 2011 implementing and amending Regulation (EC) No 595/2009 of the European Parliament and of the Council with respect to emissions from heavy duty vehicles (Euro VI) and amending Annexes I and III to Directive 2007/46/EC of the European Parliament and of the Council (OJ L 167, 25.6.2011, p. 1).

The provisions of the Regulation shall be read with the following adaptation:

In Annex I point 3.2.1 and Annex XI point 3.2, the following shall be added:

“IS Iceland

FL Liechtenstein

16 Norway’

- c) The following shall be inserted in Section 4 after the reference to Directive 91/440/EEC:

‘- Directive 2004/49/EC of the European Parliament and of the Council of 29 April 2004 on safety on the Community’s railways and amending Council Directive 95/18/EC on the licensing of railway undertakings and Directive 2001/14/EC on the allocation of railway infrastructure capacity and the levying of charges for the use of railway infrastructure and safety certification (Railway Safety Directive), as last amended by Commission Directive 2009/149/EC of 27 November 2009 (OJ L 164, 30.04.2004, p. 44).

- Commission Regulation (EC) No 62/2006 of 23 December 2005 concerning the technical specification for interoperability relating to the telematic application for freight subsystem of the trans-European conventional rail system, as amended by Commission Regulation (EU) No 328/2012 of 17 April 2012 (OJ L 013, 18.01.2006, p. 4).
- Commission Regulation (EC) No 653/2007 of 13 June 2007 on the use of a common European format for safety certificates and application documents in accordance with Article 10 of Directive 2004/49/EC of the European Parliament and of the Council and on the validity of safety certificates delivered under Directive 2001/14/EC, as amended by Commission Regulation (EU) No 445/2011 of 10 May 2011 (OJ L 153, 14.06.2007, p. 9).
- Commission Decision 2007/756/EC of 9 November 2007 adopting a common specification of the national vehicle register provided for under Articles 14(4) and (5) of Directive 96/48/EC and 2001/16/EC, as amended by Commission Decision 2011/107/EU of 10 February 2011 (OJ L 305, 23.11.2007, p. 30).
- 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 Community (Recast), as last amended by Commission Directive 2013/9/EU (OJ L 191, 18.07.2008, p. 1).
- Commission Decision 2008/163/EC of 20 December 2007 concerning the technical specification of interoperability relating to “safety in railway tunnels” in the trans-European conventional and high-speed rail system, as last amended by Commission Decision 2012/464/EU of 23 July 2012 (OJ L 064, 07.03.2008, p. 1).
- Commission Decision 2008/164/EC of 21 December 2007 concerning the technical specification of interoperability relating to “persons with reduced mobility” in the trans-European conventional and high-speed rail system, as amended by Commission Decision 2012/464/EU of 23 July 2012 (OJ L 064, 07.03.2008, p. 72).

The provisions of the Decision shall be read with the following adaptation:

The following shall be added at the end of section 7.4.1.2 (Platform offset) of the Annex:

Norway ‘P’

$$b_{q0(inside)} = 1670 + \frac{41000}{R}$$

$$b_{q0(outside)} = 1670 + \frac{31000}{R}$$

- Commission Decision 2008/232/EC of 21 February 2008 concerning a technical specification for interoperability relating to the “rolling stock” sub-system of the

trans-European high-speed rail system, as amended by Commission Decision 2012/464/EU of 23 July 2012 (OJ L 081, 26.03.2008, p. 132).

- Commission Regulation (EC) No 352/2009 of 24 April 2009 on the adoption of a common safety method on risk evaluation and assessment as referred to in Article 6(3)(a) of Directive 2004/49/EC of the European Parliament and of the Council (OJ L 108, 29.04.2009, p. 4).
- Commission Decision 2010/713/EU of 9 November 2010 on modules for the procedures for assessment of conformity, suitability for use and EC verification to be used in the technical specifications for interoperability adopted under Directive 2008/57/EC of the European Parliament and of the Council (OJ L 319, 04.12.2010, p. 1).
- Commission Regulation (EU) No 1158/2010 of 9 December 2010 on a common safety method for assessing conformity with the requirements for obtaining railway safety certificates (OJ L 326, 10.12.2010, p. 11).
- Commission Regulation (EU) No 1169/2010 of 10 December 2010 on a common safety method for assessing conformity with the requirements for obtaining a railway safety authorisation (OJ L 327, 11.12.2010, p. 13).
- Commission Regulation (EU) No 201/2011 of 1 March 2011 on the model of declaration of conformity to an authorised type of railway vehicle OJ L 057, 2.3.2011, p. 8).
- Commission Decision 2011/229/EU of 4 April 2011 concerning the technical specifications of interoperability relating to the subsystem “rolling stock – noise” of the trans-European conventional rail system, as amended by Commission Decision 2012/464/EU of 23 July 2012 (OJ L 99, 13.4.2011, p. 1).

The provisions of the Decision shall be read with the following adaptation:

In point 7.7.2.4 of the Annex to the Decision the words "and Norway" shall be added after the word "Lithuania".

- Commission Decision 2011/274/EU of 26 April 2011 concerning a technical specification for interoperability relating to the “energy” subsystem of the trans-European conventional rail system, as amended by Commission Decision 2012/464/EU of 23 July 2012 (OJ L 126, 14.5.2011, p. 1).
- Commission Decision 2011/275/EU of 26 April 2011 concerning a technical specification for interoperability relating to the “infrastructure” subsystem of the trans-European conventional rail system, as amended by Commission Decision 2012/464/EU of 23 July 2012 (OJ L 126, 14.5.2011, p. 53).
- Commission Decision 2011/291/EU of 26 April 2011 concerning a technical specification for interoperability relating to the rolling stock subsystem “Locomotives and passenger rolling stock” of the trans-European conventional

rail system, as last amended by Commission Decision 2012/464/EU of 23 July 2012 (OJ L 139, 26.05.2011, p. 1).

The provisions of the Decision shall be read with the following adaptations:

- (a) The following shall be added in Section 7.3.2.3 of the Annex to the Decision:

“Specific case Norway

(“P”) For unrestricted access to the Norwegian network units shall remain within the kinematic gauge NO1. Lines accepting larger gauges are specified in the Network Statement.

This does not prevent the access of TSI compliant rolling stock to the national network.”

- (b) The following section shall be inserted after Section 7.3.2.13 of the Annex to the Decision:

“7.3.2.13 bis Powerfactor (4.2.8.2.6)

Specific case Norway

(“P”) For unrestricted operation on the Norwegian network, the following applies to electric traction units:

- The capacitive power factor shall not be less than 0.95 at contact line voltages of more than 16.5 kV when the traction unit is actively consuming power.
- The capacitive power shall not exceed 60 kVAr when the traction unit regenerates power.
- The inductive power factor shall not be less than 0.95 at contact line voltages below 16.5 kV when the traction unit regenerates power.”

- (c) The following shall be added in Section 7.3.2.16 of the Annex to the Decision:

“Specific case Norway

(“T”) This specific case is applicable for units operated on lines with non-upgraded catenary system. Lines with TSI compliant catenary system are indicated in the network statement.

The pantograph head geometry shall be according to EN 50367:2011 Figure B.6 (1800 mm).”

- (d) The following section shall be inserted after Section 7.3.2.16 of the Annex to the Decision:

“7.3.2.16 bis Pantograph static contact force (4.2.8.2.9.5)

Specific case Norway

(“P”) This specific case is applicable for units operated on lines with non-upgraded catenary system. Lines with TSI

compliant catenary system are indicated in the network statement.

At standstill, pantographs should have a static contact force of 55 N.”

- (e) The following shall be added in Section 7.3.2.17 of the Annex to the Decision:

“Specific case Norway

(“P”) This specific case is applicable for units operated on lines with non-upgraded catenary system. Lines with TSI compliant catenary system are indicated in the network statement.

In addition to the TSI requirements, pantographs must comply with a curve based on the following formula: $F_m = 0.00097v^2 + 55$, with a tolerance of $\pm 10\%$.”

- (f) The following shall be added in Section 7.4 of the Annex to the Decision:

“Specific conditions Norway

(“P”) For unrestricted access of rolling stock on the Norwegian network under winter conditions, it shall be demonstrated that the rolling stock meets the following requirements:

- Temperature zone T2 as specified in clause 4.2.6.1.2 shall be selected.
- Snow, ice and hail severe conditions as specified in clause 4.2.6.1.5 shall be selected.”
- Commission Regulation (EU) No 445/2011 of 10 May 2011 on a system of certification of entities in charge of maintenance for freight wagons and amending Regulation (EC) No 653/2007 (OJ L 122, 11.5.2011, p. 22).
- Commission Regulation (EU) No 454/2011 of 5 May 2011 on the technical specification for interoperability relating to the subsystem “telematics applications for passenger services” of the trans-European rail system, as amended by Commission Regulation (EU) No 665/2012 of 20 July 2012 (OJ L 123, 12.5.2011, p. 11).
- Commission Implementing Decision 2011/633/EU of 15 September 2011 on the common specifications of the register of railway infrastructure (OJ L 256, 01.10.2011, p. 1).
- Commission Implementing Decision 2011/665/EU of 4 October 2011 on the European register of authorised types of railway vehicles (OJ L 264, 08.10.2011, p. 32).
- Commission Decision 2012/88/EU of 25 January 2012 on the technical specification for interoperability relating to the control-command and signalling subsystems of the trans-European rail system (OJ L 51, 23.02.2012, p. 1).

- Commission Decision 2012/757/EU of 14 November 2012 concerning the technical specification for interoperability relating to the “operation and traffic management” subsystem of the rail system in the European Union and amending Decision 2007/756/EC (OJ L 345, 15.12.2012, p. 1).
- Commission Regulation (EU) No 1077/2012 of 16 November 2012 on a common safety method for supervision by national safety authorities after issuing a safety certificate or safety authorisation (OJ L 320, 17.11.2012, p. 3).
- Commission Regulation (EU) No 1078/2012 of 16 November 2012 on a common safety method for monitoring to be applied by railway undertakings, infrastructure managers after receiving a safety certificate or safety authorisation and by entities in charge of maintenance (OJ L 320, 17.11.2012, p. 8).
- Commission Regulation (EU) No 321/2013 of 13 March 2013 concerning the technical specification for interoperability relating to the subsystem “rolling stock – freight wagons” of the rail system in the European Union and repealing Decision 2006/861/EC (OJ L 104, 12.04.2013, p. 1).

The provisions of the Regulation shall be read with the following adaptation:

In point 7.4. of the Annex to the Regulation, the words “and Norway” shall be added after the word “Sweden” and the words “and Norwegian” shall be added after the word “Swedish”.

- d) The following shall be inserted in Section 5 after the reference to Directive 2004/54/EC:
 - ‘- Directive 2008/96/EC of the European Parliament and of the Council of 19 November 2008 on road infrastructure safety management (OJ L 319, 29.11.08, p. 59).’
2. The above amendments shall enter into force immediately.
 3. The Secretary-General of the European Free Trade Association shall deposit the text of this Decision with the Depositary.
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