

OTIF



**ORGANISATION INTERGOUVERNEMENTALE POUR
LES TRANSPORTS INTERNATIONAUX FERROVIAIRES**

**ZWISCHENSTAATLICHE ORGANISATION FÜR DEN
INTERNATIONALEN EISENBAHNVERKEHR**

**INTERGOVERNMENTAL ORGANISATION FOR INTER-
NATIONAL CARRIAGE BY RAIL**

**Secrétaire général
Generalsekretär
Secretary General**

**A 92-03/504.2009
07.07.2009**

Original : EN

TO THE GOVERNMENTS OF THE MEMBER STATES OF OTIF

ENTRY INTO FORCE

of the regulations

APTU Annex 1-A:	GENERAL PROVISIONS – ESSENTIAL REQUIREMENTS
APTU Annex 1-B:	GENERAL PROVISIONS – SUBSYSTEMS
APTU Annex 1-C:	GENERAL PROVISIONS – TECHNICAL FILE
APTU Annex 1-E :	GENERAL PROVISIONS – ASSESSING ENTITY – QUALIFICATIONS AND INDEPENDENCE
OTIF Register System – Rolling stock	NATIONAL VEHICLE REGISTERS (NVR)

Further to circular A 92-03/501.2009 dated 27.02.2009 in which the five regulations indicated below were notified to the Member States, I am writing to inform the Member States that at the deadline for objections according to Article 35 § 4 of the Convention, the minimum number of objections required for non-entry into force was not met for any of the five regulations. Therefore, these regulations, which were adopted by the Committee of Technical Experts at its 3rd session on 11/12 February 2009 and notified in the above-mentioned circular, **will enter into force** as mandatory international law on the dates indicated:

Reference	Title	Entry into force
APTU Annex 1-A: Doc. A 94-01A/1.2009	GENERAL PROVISIONS – ESSENTIAL REQUIREMENTS	01.08.2009
APTU Annex 1-B: Doc. A 94-01B/1.2009	GENERAL PROVISIONS – SUBSYSTEMS	01.08.2009
APTU Annex 1-C: Doc. A 94-01C/1.2009	GENERAL PROVISIONS – TECHNICAL FILE	01.08.2009
APTU Annex 1-E: Doc. A 94-01E/1.2009	GENERAL PROVISIONS – ASSESSING ENTITY – QUALIFICATIONS AND INDEPENDENCE	01.08.2009
ATMF Article 13 Doc. A 94-20/1.2009	OTIF Register System – Rolling stock NATIONAL VEHICLE REGISTERS (NVR)	01.08.2009

These regulatory documents are placed on the OTIF website under Technology, Regulations/Notifications.

The Member States which apply APTU and ATMF must apply these mandatory regulations as of the date of entry into force. The way a Member State can implement them depends on its national law; OTIF regulations in their original language and/or a translation may be directly referenced or a national legislative instrument that specifically implements them has to be enacted.

As the texts in the right-hand column of the four Annexes to APTU are included for information only (corresponding EC texts), it is not mandatory for a Member State to include these texts in its national implementation. However, they might be useful for end users. For that purpose the texts in the two column format can be obtained on request from the Secretariat in WORD format.

Member States which have made a declaration in accordance with Article 42 of the Convention that they will not apply Appendices F and G to COTIF 1999 are not affected by the entry into force of these modifications while their declaration is in force. In the event that a Member State withdraws its declarations, the regulations will apply to it from the day of withdrawal, unless the Member State is excepted according to provisions in the regulation itself.

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With reference to doc. **A 94-20/1.2009** concerning **National Vehicle Registers**, it naturally follows that in as far as a Member State has not admitted any vehicles to operation it need not establish a National Vehicle Register.

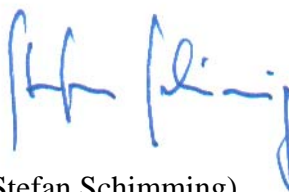
I should like again to draw the attention of the non-EC OTIF Member States to the deadlines set out under "Proposal for decision", points 1. and 7. in document A 94-20/1.2009. The OTIF Member States which are also members of the European Community should be aware that according to point 11. of the document, they are not subject to that document. An extension of this exception to States which apply the legislation of the European Community as a result of international agreements with the Community will be proposed for the next meeting of the Committee of Technical Experts (21/22 April 2010).

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The following international organisations and associations have received a copy of this circular:

- European Commission (DG TREN)
- European Railway Agency (ERA)
- International Union of Railways (UIC)
- International Rail Transport Committee (CIT)
- International Union of Private Railway Wagons (UIP)
- Organisation for Railways Cooperation (OSJD)
- Community of European Railway and Infrastructure Companies (CER)
- European Rail Freight Association (ERFA)
- Union of European Railway Industries (UNIFE)
- International Association of Public Transport (UITP)
- International Union of combined Road-Rail transport companies (UIRR)
- European Committee for Standardisation (CEN)
- International Association of Private-Sidings Users (IVA)

Yours faithfully



(Stefan Schimming)
Secretary General

cc: the international organisations and associations listed above