



Organisation intergouvernementale pour les transports internationaux ferroviaires
Zwischenstaatliche Organisation für den internationalen Eisenbahnverkehr
Intergovernmental Organisation for International Carriage by Rail

**Commission d'experts techniques
Fachausschuss für technische Fragen
Committee of Technical Experts**

TECH-17024

26.06.2017

Original: EN

**TO THE MEMBER STATES OF OTIF AND TO REGIONAL
ORGANISATIONS WHICH HAVE ACCEDED TO COTIF**

NOTIFICATION

of modifications adopted by the Committee of Technical Experts in accordance with Appendix F (APTU) and G (ATMF) to the Convention

In accordance with Article 35 of the Convention, I am pleased to be able to notify you that at its 10th session on 13 and 14 June 2017 in Bern, the Committee of Technical Experts (CTE) decided to adopt one new UTP and modify three UTPs which are currently in force:

<i>Acronym</i>	<i>Full name</i>	<i>Decision concerns</i>
UTP TAF	Uniform Technical Prescriptions Applicable to Telematics application for freight service	Adoption of a new UTP
UTP GEN-A	Uniform Technical Prescriptions - General Provisions Essential Requirements	Modification of the UTP in force since 1.1.2015
UTP GEN-B	Uniform Technical Prescriptions - General Provisions Subsystems	Modification of UTP in force since 1.5.2012
UTP GEN-C	Uniform Technical Prescriptions - General Provisions Technical File	Modification of the UTP in force since 1.1.2015

The CTE decided that the modified UTPs will replace the versions of these UTPs currently in force. The versions currently in force will therefore be repealed with effect from the entry into force of the modified versions. Repealed UTPs will remain accessible on the OTIF website for information purposes.

The three OTIF language versions of the new or modified UTPs as per the Committee's decisions have been published on the OTIF website under

Activities > Technical Interoperability > Notifications.

Addressees of this circular letter who wish to receive the documents, either by e-mail or by post, are invited to inform the Secretariat of their requirements.

Brief explanation of the substance of the decisions

The **UTP TAF** will contain requirements for the international exchange of information for international freight services. It lays down basic and additional requirements with regard to the communication process between railway undertakings and infrastructure managers, databases intended to be used to track trains and wagon movements and information to be delivered to freight customers.

The UTP TAF will refer to the appendices that are published and regularly updated on the website of the European Union Agency for Railways (ERA), including the data and message model in XML files. This way, the legal provisions will become embedded in COTIF, but the IT provisions will be managed by ERA. This ensures that the IT provisions are always identical between the European Union's TAF TSI and the UTP TAF. Provisions will be agreed so that the non-EU Member States of OTIF can be involved in the development of these IT provisions.

There is no deadline for non-EU Member States to complete implementation of the UTP TAF. Nevertheless, Contracting States will have to ensure that any IT investments and developments in the scope of the UTP TAF comply with the UTP, so as to facilitate international rail traffic.

When drafting the UTP TAF the OTIF Secretariat proposed small derogations from the EU TAF TSI, particularly in points 2.3.2 and 4.2.1.1, in order to ensure consistency with Appendix B to COTIF (CIM). WG TECH reviewed these derogations in detail. The representative of the European Union announced that the EU would amend the TAF TSI in order to bring it into line with the UTP TAF.

The **UTP GEN-A**, **UTP GEN-B** and **UTP GEN-C** have been amended to ensure continued equivalence with the provisions applicable in the European Union. The existing versions of these three UTPs have been harmonised with the provisions of European Union Directive 2008/57/EC, which has been replaced by European Union Directive (EU) 2016/797.

In addition to the purely editorial modifications, the essential requirements set out in UTP GEN-A will be made clearer in terms of passenger information and safety of passengers when boarding and alighting from trains. With regard to the definition of subsystems set out in UTP GEN-B, the reference to '*other railway material*' will be deleted, as such references have also been deleted from APTU and ATMF. In UTP GEN-C the required content of the technical file will be defined more precisely.

Entry into force

In accordance with the second sentence of Article 35 § 3 of the Convention, these UTPs will enter into force on the first day of the sixth month following this notification, i.e. on **1 December 2017**, unless the number of objections received (see below) invalidates the entry into force.

Member States which have made a declaration in accordance with Article 42 of the Convention that they will not apply Appendix F to COTIF 1999 will not be affected by the amendments notified by this circular letter, as long as their declaration is in force.

Objections

With regard to these Committee decisions, a Member State which, at the time of expiry of the deadline indicated below, applies the Appendix to the Convention in pursuance of which a regulation has been adopted, may, according to Article 35 §§ 4 and 6 of the Convention, formulate an objection to one or more of these decisions within a period of four months from the day of the notification, i.e. in this case by **25 October 2017**, at the latest.

In accordance with Article 38 § 3 of the Convention, the European Union may exercise the right of its Member States to submit an objection, in which case the EU Member States concerned may not object individually.

The consequences of an objection are indicated in Article 35 § 4. In most cases, an objection will jeopardise the unrestricted international movement of railway vehicles out of the objecting State and in transit through it. If one quarter of the Member States object to a decision, the UTP concerned will not enter into force.

According to Article 35 § 6 of the Convention, Member States which

- a) do not have the right to vote (Article 14 § 5, Article 26 § 7 or Article 40 § 4), or
- b) are not members of the Committee concerned (Article 16 § 1, second sentence), or
- c) have made a declaration in accordance with Article 9 § 1 of the APTU Uniform Rules

will not be taken into account when determining the number of objections.

Confirmation of entry into force

The definitive date of entry into force of the new and modified UTPs or their rejection will be communicated to the Member States in a circular letter. The UTPs which will enter into force will be published on the OTIF website shortly after the deadline for objections has passed.

I should like to take this opportunity to draw the Member States' attention to Article 26 of the Vienna Convention, which states that "for their national territory, the Member States concerned shall have brought into force the laws, regulations and administrative provisions necessary to comply with these regulations by the date of their entry into force, at the latest".

Yours faithfully



(François Davenne)
Secretary General

The following international organisations and associations have been sent a copy of this circular for information:

- The Gulf Cooperation Council (GCC)
- European Union Agency for Railways (ERA)
- International Union of Railways (UIC)
- International Rail Transport Committee (CIT)
- International Union of Wagon Keepers (UIP)
- Organisation for Cooperation between Railways (OSJD)
- Community of European Railway and Infrastructure Companies (CER)
- European Rail Freight Association (ERFA)
- European Rail Infrastructure Managers (EIM)
- 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)
- Association of notified bodies (NB-Rail Association)