

**OTIF**



**ORGANISATION INTERGOUVERNEMENTALE POUR  
LES TRANSPORTS INTERNATIONAUX FERROVIAIRES**

**ZWISCHENSTAATLICHE ORGANISATION FÜR DEN  
INTERNATIONALEN EISENBAHNVERKEHR**

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

**INF. 1**

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**Information from the Secretariat on document OTIF/RID/CE/2012/10**

1. Document OTIF/RID/CE/2012/10 contains a proposal to update the reference to standard EN ISO/IEC 17020:2004 in various places in RID.
2. This document provides additional information that might be important in dealing with the question of whether this amendment should be made as soon as possible.
3. The secretariat has been informed that the problem arose from a communication from the European Commission (2012/C 149/01) in the framework of the implementation of Regulation (EC) No. 765/2008 of the European Parliament and of the Council of 9 July 2008<sup>1</sup>, Decision No. 768/2008/EC of the European Parliament and of the Council of 9 July 2008, Regulation (EC) No. 1221/2009 of the European Parliament and of the Council of 25 November 2009 (*Publication of titles and references of harmonised standards under the directive*). According to this communication, the new standard EN ISO/IEC 17020:2012 is of the same scope as standard EN ISO/IEC 17020:2004, but as from 1 October 2012 standard EN ISO/IEC 17020:2004 ceases to give presumption of conformity with the essential requirements of the “directive”<sup>2</sup>.

<sup>1</sup> Regulation on the requirements for accreditation and market surveillance relating to the marketing of products and repealing Council Regulation (EEC) No. 339/93.

<sup>2</sup> It is not clear which “directive” is meant by this reference.

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## INF. 1

4. However, the secretariat notes that some EU Regulations, e.g. Commission Regulation (EU) No. 371/2010<sup>3</sup>, contain references to standard EN ISO/IEC 17020:2004 and do not seem to have been amended to refer to the new version of the standard.
5. Therefore it is not clear whether an amendment to RID/ADR/ADN is as urgently needed as suggested by the Joint Meeting. It seems that an amendment would be urgently needed only if compliance with standard EN ISO/IEC 17020:2012 implied non-compliance with standard EN ISO/IEC 17020:2004. If this is not the case, inspection bodies operating in accordance with EN ISO/IEC 17020:2012 would be deemed to comply with EN ISO/IEC 17020:2004 as well, especially those which had already been accredited previously according to EN ISO/IEC 17020:2004.
6. On the other hand, if an amendment were introduced, all competent authorities in RID Contracting States, including non-EU countries, would have to proceed with the re-accreditation of inspection bodies before 1 July 2013, and therefore it should be checked whether this would be administratively possible in all RID Contracting States, especially those which are not bound to apply the EU directives.
7. The secretariat has received a communication from the European Commission that standard EN ISO/IEC 17020:2012 was approved on 27 February 2012. When the above-mentioned communication 2012/C 149/01 was drafted, CEN suggested that there should be a six-month transitional period of the previous edition of the standard. After publication of the communication on 25 May 2012, different parties suggested that a longer transitional period would be necessary. It would be possible to amend the communication, but this should happen on the basis of a request from CEN.

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<sup>3</sup> Commission Regulation (EU) No 371/2010 of 16 April 2010 replacing Annexes V, X, XV and XVI to Directive 2007/46/EC of the European Parliament and of the Council establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles (Framework Directive) (text of significance for the EEA)