



Organisation intergouvernementale pour les
transports internationaux ferroviaires

Zwischenstaatliche Organisation für den
internationalen Eisenbahnverkehr

Intergovernmental Organisation for
International Carriage by Rail

Explanatory document

Concerning

Annex A to the ATMF UR *ECM Regulation*

Guidance concerning the delineation of responsibilities between the authorities, ECM certification bodies and ECMs, in particular when ECMs outsource maintenance functions.

Approved by the Committee of Technical Experts
at its 18th session (9 June 2026)

At its 18th session (9 June 2026), having regard to Article 20 § 1 of the Convention concerning International Carriage by Rail (COTIF) and Article 15 § 2 of the ATMF Uniform Rules (ATMF UR), the Committee of Technical Experts approved this explanatory document concerning the application of Annex A to the ATMF UR of 1 April 2021, i.e. the “ECM Regulation”.

I. SUBJECT

1. This explanatory document provides non-binding guidance on the certification of entities in charge of maintenance in accordance with Annex A to the ATMF UR of 1 April 2021, hereinafter the “ECM Regulation”. It is intended for all interested parties to promote uniform application of the ECM Regulation. Based on practical experience, this guide clarifies select elements but does not cover all provisions of the ECM Regulation. The applicable legal requirements are set out in the ECM Regulation.

II. GENERAL EXPLANATIONS

2. The ECM Regulation defines the rules for certifying and auditing entities in charge of maintenance. It sets out the Contracting States’ obligation to notify OTIF’s Secretary General of the ECM certification bodies, the obligations of the parties involved in the maintenance process, and the obligations of the ECM certification bodies when certifying ECMs, conducting surveillance activities and monitoring compliance.
3. The criteria for the accreditation or recognition of ECM certification bodies are defined in Annex I to the ECM Regulation. The requirements and assessment criteria for organisations applying for an ECM certificate are defined in Annex II to the ECM Regulation. This means that any company that wishes to be an ECM is required to comply with the requirements set out in Annex II to the ECM Regulation.
4. As set out in Article 9 of the ECM Regulation, ECMs may outsource certain maintenance functions, including the actual provision of maintenance in a workshop. An ECM may outsource to any company as long as this company meets the ECM requirements for these functions as defined in Annex II to the ECM Regulation. An ECM may outsource tasks, but it cannot outsource responsibilities. All activities, including those which are outsourced, are carried out under the full responsibility of the ECM. The ECM is required to monitor correct application of the ECM Regulation by its contractors.
5. Companies that offer certain maintenance functions, but which are not ECMs, such as workshops, may offer services to an ECM. They may choose to be certified for the relevant maintenance function by an ECM certification body, but such certification is not mandatory for such companies. Whether certified or not, they must fulfil all the requirements pertaining to the maintenance function they perform, as set out in the related requirements in Annex II to the ECM Regulation. The advantage of being certified is that potential client ECMs may have increased confidence in the companies’ capabilities.
6. The ECM is ultimately responsible for all ECM activities, including activities that it outsources to contractors, whether or not this contractor is certified. The ECM must therefore check and ensure that any contracted company is able to perform in accordance with the rules. Such checks can be carried out in the form of visits to and inspections of a workshop and its facilities. The ECM may limit the extent of these checks by selecting companies that are certified by an ECM certification body for the work they perform.
7. According to Article 6(5) of the ECM Regulation, the ECM certification bodies have an obligation to cooperate with one another, if such cooperation is facilitated through a cooperation platform. The “ERA Cooperation of Certification Bodies” (CCB) is such a platform. Non-EU ECM certification bodies are also invited to these meetings and participation is therefore required.

Sharing best practices and experiences at CCB meetings supports harmonisation and effective implementation of the ECM Regulation.

8. The European Union Agency for Railways (ERA) acts as registrar for OTIF, as mentioned in the footnote to Article 13 of the ECM Regulation. For the purpose of harmonising approaches between ECM certification bodies, ERA checks all the ECM certificates issued for publication, irrespective of whether they are issued under EU law or COTIF. If ERA has questions concerning the form or substance of ECM certificates, ERA contacts the ECM certification body concerned directly to request clarification. If an issue involving a non-EU ECM certification body cannot be resolved, ERA is encouraged to contact the OTIF Secretariat. The OTIF Secretariat in turn will help find a solution, involving the competent authorities of the non-EU Member State concerned, when relevant.
9. Conclusions reached by the CCB are gathered in recommendations for use (RFUs). ECM certification bodies should apply RFUs that are adopted by the CCB. RFUs are published in the ECM register and publicly accessible:

https://eradis.era.europa.eu/safety_docs/ecm/recommendationsForUse/default.aspx

III. SPECIFIC EXPLANATIONS

A. Visibility of ECM in-house technical capabilities

Subject

10. An ECM certificate should not explicitly state whether an ECM outsources activities or what the scope of these activities is. The question arises as to how the customers of ECMs, vehicle keepers in particular, can ascertain that a certified ECM performs all functions and activities itself, or whether it relies on outsourcing to a workshop.

Guidance

11. It is common practice for ECMs to outsource the maintenance delivery function to specialised workshops. The scope of the maintenance delivery function may differ between workshops, and one ECM may outsource work to several workshops. An ECM may also change its outsourcing practices during the period of validity of its ECM certificate. For these reasons, it is not practicable to detail in each ECM certificate whether and how the ECM outsources its activities. Consequently, it is not clear from the ECM certificate whether an ECM has outsourced any of its functions.
12. If a vehicle keeper wishes to understand whether an ECM itself performs the maintenance, it should request such information directly from the ECM.

B. ECM Certification Body oversight in outsourcing activities

Subject

13. The ECM Regulation requires that ECMs demonstrate to the certification body how they ensure compliance when outsourcing maintenance functions. However, the ECM Regulation does not require the ECM certification body to assess and confirm the competence of the outsourced entity directly.

14. The question arises as to how the correct performance of activities of outsourced entities, such as maintenance delivery by workshops, is ensured.

Guidance

15. The ECM assigned to a vehicle is responsible for ensuring that the vehicle is in a safe state of running by means of a system of maintenance. For this purpose, it must comply with the ECM Regulation. An ECM may outsource maintenance functions, but it cannot outsource its responsibilities. The ECM therefore remains fully responsible for the outcomes of any outsourced activity. It must establish a system to monitor the performance of entities to which it outsources. This includes verifying the necessary competence, equipment and facilities, by carrying out visits, inspections and checks.
16. Evidence of the ECM's ability to assume its responsibilities, including its system for monitoring the performance of entities to which it outsources, should be provided during the ECM certification process. The ECM certification body is not required to verify directly the competence of entities to which the ECM outsources activities.
17. As a certified ECM is audited every year, the certification body can check how the different functions are managed, and may request evidence of the technical capabilities of the entities to which the ECM outsources activities.
18. Entities that perform one or more outsourced maintenance functions, but are not ECMs, may apply for certification of those functions according to the relevant provisions in Annex II to the ECM Regulation. In practice, many maintenance workshops choose to be certified, because it makes their services more attractive to ECMs. Additionally, making use of certified workshops can facilitate an ECM's management of its responsibilities when outsourcing.

C. Managing vehicle modifications during a change of ECM

Subject

19. When the ECM of a vehicle changes, particularly if there is a period of suspended registration, there is a risk that modifications or component replacements previously carried out might not fully correspond to the vehicle's approved configuration, technical file and maintenance file. The new ECM might not be aware of these changes until the next maintenance or inspection.
20. The question arises of how to ensure that the modifications have been communicated to and inspected by the new ECM before the vehicle re-enters service.

Guidance

21. The ECM's responsibilities are related to maintenance, while the keeper is responsible for the vehicle's continued regulatory compliance. The keeper is responsible for informing the competent authority of any changes and, if necessary, applying for a new registration (see Article 13 § 4 of the ATMF UR). Changes to vehicles that affect type approval and/or vehicle registration certificates are therefore the responsibility of the keeper, not the ECM (see Article 10a § 2, letter b) of the ATMF UR).
22. For information relating to maintenance, the keeper has to rely on its ECM. Article 15 § 4 of the ATMF UR stipulates that "*The ECM of an admitted vehicle shall keep and update the Maintenance File and Maintenance Record File for that vehicle. The ECM shall inform the keeper of updates to the Maintenance Record File. The files shall be available for inspection by the competent national authority.*" This is further detailed in the ECM Regulation (Annex II, section I, points 7 and 8), which lists requirements concerning procedures and obligations applicable to

ECMs regarding the provision of information and the keeping of documentation. This includes reporting internally and to other organisations concerned, including maintenance documentation, records of maintenance performed, maintenance orders, “release to service” and “return to operation”.

23. The keeper has a central, coordinating role in ensuring that the maintenance documentation is transferred from the former to the new ECM. The former ECM has to provide the keeper with maintenance documentation concerning the vehicle without delay. The new ECM should therefore receive, via the keeper, all the necessary information and documentation, including that concerning any changes made to the vehicle.

D. Traceability in annual reports

Subject

24. Annex V to the ECM Regulation specifies requirements for annual reporting by ECMs to their certification body. Annual reports must also be submitted to the competent authority and to the Committee of Technical Experts upon request.
25. The ECM’s annual report must include “information on the volume of maintenance carried out during the prevailing period”. However, it is not specified how these data should be represented. Consequently, annual reports do not provide details concerning maintenance and inspection activities on individual vehicles, e.g. type of maintenance, or frequency of maintenance.
26. The question arises of whether the competent authority can use annual reports to analyse and assess the root causes of an incident or an accident which has occurred due to suspected incorrect maintenance or inspection activities.

Guidance

27. The annual report is considered the minimum information an ECM must provide. The ECM certification body may request additional information from the ECM, especially during surveillance activities and audits. During an audit, the certification body may randomly check the maintenance profile of a number of vehicles. This is common practice by the certification body during audits.
28. In its role as system supervisor, the competent authority has broad competences that go beyond the ECM Regulation. The competent authority can react to annual reports in cases of doubt, and it may also request additional information from the ECM or certification body. In response to incidents and accidents, supervision in greater detail is warranted and justified. For that purpose, the competent authority may obtain information concerning the maintenance activities for specific vehicles.