



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

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**TABLE OF CORRESPONDENCE BETWEEN COTIF AND EU  
TERMINOLOGY**

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For terms used in APTU, ATMF and EU legislation

## 1. INTRODUCTION

This is a working document of OTIF's Committee of Technical Experts' working group WG TECH. This document will be further analysed and improved. The table at annex was initially prepared on the basis of OTIF documents, the EU Directives on Interoperability and Safety and the two comparison tables prepared by the European Commission for the 30<sup>th</sup> session of the WG TECH (16-17 November 2016)<sup>1</sup>.

## 2. TERMINOLOGY IN EU LEGISLATION AND COTIF

As far as required for their purposes, APTU and ATMF have been based on the concepts of the European Union's interoperability and safety directives; these concern in particular the elements relating to vehicle authorisation, vehicle maintenance and roles and responsibilities.

At present, the technical requirements for rolling stock applicable in OTIF and the EU are fully equivalent. However, the objectives and scope of COTIF/the EU are not identical and it has therefore been necessary to use different terminology for concepts that have a (slightly) different meaning, e.g. admission (COTIF) vs authorisation (EU). The table at annex lists several different terms and their respective meanings.

The purpose of this document is to act as an aid to those who work with COTIF and EU law, especially on interoperability and technical harmonisation in the railway field and in the vehicle admission and maintenance processes.

The text in track changes has been modified compared to the previous version which was reviewed by WG TECH at its 39<sup>th</sup> session.

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<sup>1</sup>[http://www.otif.org/fileadmin/user\\_upload/otif\\_verlinkte\\_files/06\\_tech\\_zulass/03\\_Doks\\_WG\\_TECH/09\\_2016\\_WG\\_TECH/Draft\\_Table\\_of\\_comparison\\_APTU-4th\\_RP27.10.16.pdf](http://www.otif.org/fileadmin/user_upload/otif_verlinkte_files/06_tech_zulass/03_Doks_WG_TECH/09_2016_WG_TECH/Draft_Table_of_comparison_APTU-4th_RP27.10.16.pdf)

### The table of correspondence between COTIF and EU law

*Please note that this document is a working document of OTIF's Committee of Technical Experts' working group WG TECH. This document is currently available in English only and is solely for information purposes. This document will be updated regularly. However, to find the applicable law in force, please consult the OTIF website, the Official Journal of the European Union and the relevant national laws of OTIF's Member States.*

Explanatory note:

The text *in italics* quotes the provisions from the source document. Unless indicated otherwise, the source documents are:

- APTU and ATMF as adopted by the 26<sup>th</sup> Revision Committee. The revised APTU and ATMF enter into force on 1 March 2019 under the conditions set out in Article 35§ 3 of COTIF. Other COTIF provisions adopted under APTU or ATMF.
- Directive (EU) 2016/797 of the European Parliament and of the Council of 11 May 2016 on the interoperability of the rail system with the European Union (referred to as IoD).
- Directive (EU) 2016/798 of the European Parliament and of the Council of 11 May 2016 on railway safety.
- COMMISSION IMPLEMENTING REGULATION (EU) 2018/545 of 4 April 2018 establishing practical arrangements for the railway vehicle authorisation and railway vehicle type authorisation process pursuant to Directive (EU) 2016/797 of the European Parliament and of the Council.

| REQUIREMENTS AND SPECIFICATIONS              |   |  |   |  |
|--|---|--|---|--|
| OTIF   |   | EU   |   | Equivalence/Clarification  |
| The term                                     | Legal reference   | The term   | Legal reference   | Clarification  |
| <b>Network</b>                               | <i>Means the lines, stations, terminals, and all kinds of fixed equipment needed to ensure safe and continuous operation of the rail system;</i><br>Article 2 (q) of ATMF                             | <b>Network</b>   | <i>Means the lines, stations, terminals, and all kinds of fixed equipment needed to ensure safe and continuous operation of the Union rail system;</i><br>Article 2 (4) of IoD 2016/797   |  |
| <b>Uniform Technical Prescriptions (UTP)</b> | A specification other than a technical standard prepared and adopted in accordance with APTU.   | <b>Technical Specifications for Interoperability (TSI)</b> | <i>Means a specification adopted in accordance with this Directive by which each subsystem or part of subsystem is covered in order to meet the essential requirements and ensure the interoperability of the Union rail system</i><br>Article 2 (11) of IoD 2016/797 | Where possible, UTPs and TSIs for subsystems are equivalent. The (extent of the) equivalence is indicated in the UTP.                |
| <b>National technical requirements (NTR)</b> | Means those requirements of which the Secretary General of OTIF has been informed by a Contracting State and which have been made public in accordance with Article 12 of APTU.<br>Article 12 of APTU | <b>Notified National Technical Rules (NNTR)</b>            | Article 14 (1) of IoD 2016/797  | Process of notification, validity of provisions and requirements concerning exhaustiveness of notified provisions are not identical. |
| <b>Essential requirements</b>                | <i>Means all the conditions set out in the relevant UTP, which must be met by the</i>   | <b>Essential requirements</b>                              | Annex III to IoD 2016/797   | Essential requirements (ERs) are harmonised as far as required for   |

| REQUIREMENTS AND SPECIFICATIONS |  |                        |  |  |
|---------------------------------|--|------------------------|--|--|
| OTIF                            |  | EU                     |  | Equivalence/Clarification  |
| The term                        | Legal reference  | The term               | Legal reference  | Clarification  |
|                                 | <i>rail system, the subsystems and the interoperability constituents, including interfaces;</i><br>Article 2 (i) of ATMF, and<br>UTP GEN-A 2015  |                        |  | the scope of COTIF. ERs for infrastructure in COTIF are limited to the interfaces with vehicles. |
| <b>Technical prescription</b>   | <i>Means a rule, other than a technical standard, included in the UTP, relating to the construction, operation, maintenance or safety aspects, or relating to a procedure concerning railway material</i><br>Article 2 d) APTU | <b>Basic Parameter</b> | <i>Means any regulatory, technical or operational condition which is critical to interoperability and is specified in the relevant TSIs;</i><br>Article 2 (12) of IoD 2016/797 |  |

| ENTITIES AND ROLES         |   |   |   |  |
|----------------------------|---|---|---|--|
| OTIF                       |   | EU  |   | Equivalence/Clarification  |
| The term                   | Legal reference   | The term  | Legal reference   | Clarification  |
| <b>Competent authority</b> | Means <i>the national or international authority competent in the matter in accordance with the laws and prescriptions in force in each Contracting State</i> for the technical admission.<br><br>Article 5 of ATMF | <b>National Safety Authority</b>                    | Article 3 (7) of Safety Directive 2016/798  | Based on ATMF, the NSAs are notified as competent authorities for the EU MS. The EU has more strictly defined competences for NSAs than COTIF has for CAs. For example, in COTIF the competent authority and the assessing entity can be the same entity.<br><br>From 16 June 2019, ERA is the Competent Authority for the European Union responsible for the issuing /suspending and revoking of Vehicle Authorisation and Single Safety Certificate for Railway Operators and vehicles running in more than one EU Member State. <a href="#">In the context of EU law, ERA can also be the Competent Authority for purely national projects, depending on the choice of the applicant.</a> |
|                            |   | <b>The European Union Agency for Railways (ERA)</b> | Article 3 (7) of Safety Directive 2016/798 and Article 12 of Regulation (EU) 2016/796 on the European Union Agency for Railways |  |
|                            |   | <b>Notifying Authority</b>                          | <i>Notifying Authorities are responsible for setting up and carrying out the necessary procedures for the assessment,</i>       |  |

| ENTITIES AND ROLES  |  |                           |  |                           |
|---------------------|--|---------------------------|--|---------------------------|
| OTIF                |  | EU                        |  | Equivalence/Clarification |
| The term            | Legal reference  | The term                  | Legal reference  | Clarification             |
|                     |  |                           | <p><i>notification and monitoring of conformity assessment bodies, including compliance with Article 34.</i></p> <p>Article 27 of IoD 2016/797</p>   |                           |
|                     |  | <b>Authorising Entity</b> | <p>Means the entity that issues the vehicle type authorisation and/or vehicle authorisation for placing on the market;</p> <p>Article 2 (1) of the Commission Implementing Regulation (EU) 2018/545</p>  |                           |
| <b>Keeper</b>       | <p>Means <i>the person or entity that, being the owner of a vehicle or having the right to use it, exploits the vehicle as a means of transport and is registered as such in the vehicle register referred to in Article 13 ATMF;</i></p> <p>Article 2 (n) of ATMF</p> | <b>Keeper</b>             | <p>Means <i>the natural or legal person that, being the owner of a vehicle or having the right to use it, exploits the vehicle as a means of transport and is registered as such in a vehicle register referred to in Article 47 of Directive (EU) 2016/797;</i></p> <p>Article 2 (21) of IoD 2016/797</p> |                           |
| <b>Manufacturer</b> | <p>Means <i>any natural or legal person who manufactures a product in the form of interoperability constituents, subsystems</i></p>  | <b>Manufacturer</b>       | <p>Means <i>any natural or legal person who manufactures a product in the form of interoperability</i></p>   |                           |

| ENTITIES AND ROLES               |   |                                  |  |                           |
|----------------------------------|---|----------------------------------|--|---------------------------|
| OTIF                             |   | EU                               |  | Equivalence/Clarification |
| The term                         | Legal reference   | The term                         | Legal reference  | Clarification             |
|                                  | <p><i>or vehicles, or has it designed or manufactured, and markets it under his name or trademark</i></p> <p>UTP GEN-D Article 1.2 j)</p>   |                                  | <p><i>constituents, subsystems or vehicles, or has it designed or manufactured, and markets it under his name or trademark</i></p> <p>Article 2 (36) of IoD 2016/797</p>   |                           |
| <b>Authorised Representative</b> | <p>Means any natural or legal person established within a Contracting State who has received a written mandate from a manufacturer or a contracting entity to act on their behalf in relation to specified tasks.</p> <p>1.2. (h) of UTP GEN-D</p>  | <b>Authorised Representative</b> | <p>Means any natural or legal person established within the Union who has received a written mandate from a manufacturer or a contracting entity to act on behalf of that manufacturer or contracting entity in relation to specified tasks.</p> <p>Article 2 (37) of IoD 2016/797</p> |                           |
| <b>Contracting Entity</b>        | <p>Means any entity, whether public or private, which orders the design and/or construction or the renewal or upgrading of a subsystem. This entity may be a railway undertaking, an infrastructure manager or a keeper, or the concession holder responsible for carrying out a project;</p> <p>Article 2 (da) of ATMF</p> | <b>Contracting Entity</b>        | <p>Means a public or private entity which orders the design and/or construction or the renewal or upgrading of a subsystem;</p> <p>Article 3 (30) of Safety Directive 2016/798</p>   |                           |



| ENTITIES AND ROLES      |   |                                   |   |  |
|-------------------------|---|-----------------------------------|---|--|
| OTIF                    |   | EU                                |   | Equivalence/Clarification  |
| The term                | Legal reference   | The term                          | Legal reference   | Clarification  |
| <b>Assessing Entity</b> | Means <i>a competent authority or a suitable body competent to carry out assessments as a whole or partly, including the issuing of the corresponding certificates of verification.</i><br><br>Article 5 § 2 and § 3 of ATMF, and<br><br>UTP GEN-E Assessing Entity – qualifications and independence | <b>Notified Body</b>              | Recitals (59) and (60), Articles 9, 10, 15, 34, 38 to 44 and Annex IV to IoD 2016/797   | “ <i>Notified Body</i> ” ( <i>NoBo</i> ) notified to the EU by a Contracting State in accordance with EU Directive 2008/57/EC, thus meeting the provisions of that Directive, in particular the criteria set out in Annex VIII, and insofar as the body is registered in the EU’s public, so-called <i>NANDO</i> database <sup>2</sup> , shall be considered as a “ <i>Suitable Body</i> ” with the competence to carry out assessments...<br><br>Point 1.3.2 of UTP GEN-D Assessment Procedures (Modules) |
|                         |   | <b>Conformity Assessment Body</b> | Conformity Assessment Body, could be classified as:<br><br>- a notified body, following notification by a MS; or<br>- a designated body, following designation by a MS<br><br>Articles 2 (42), 30 to 33 of IoD 2016/797 |  |

<sup>2</sup> <http://ec.europa.eu/growth/tools-databases/nando/>

| ENTITIES AND ROLES            |  |                               |   |   |
|-------------------------------|--|-------------------------------|---|---|
| OTIF                          |  | EU                            |   | Equivalence/Clarification   |
| The term                      | Legal reference  | The term                      | Legal reference   | Clarification   |
| <b>Accreditation Body</b>     | <p><i>Means the sole body in a <u>CS</u> that performs accreditation with authority derived from the State. It confirms that a conformity assessment body meets the requirements set by harmonised standards and, where applicable, any additional requirements including those set out in relevant sectoral schemes, to carry out a specific conformity assessment activity;</i></p> <p>Article 2 ab) and ac) of ATMF</p> | <b>Accreditation Body</b>     | <p><i>Means the sole body in a EU MS that performs accreditation with authority derived from the State. It confirms that a conformity assessment body meets the requirements set by harmonised standards and, where applicable, any additional requirements including those set out in relevant sectoral schemes, to carry out a specific conformity assessment activity;</i></p> <p>Article 2 (10, 11) of Regulation (EC) 765/2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93</p> | <p>Accreditation is a concept used globally and not only in the EU. Accreditation is not specifically limited to railways.</p> <p>Many, if not all, OTIF CSs have accreditation bodies.</p> |
| <b>ECM Certification Body</b> | <p><i>Means a body, notified to the Secretary General in accordance with chapter 10 of this Annex, responsible for the certification of ECM, on the basis of the criteria in Annex II</i></p> <p>Article 2 (c) of Annex A of the ATMF</p>  | <b>ECM Certification Body</b> | <p><i>Means a body, designated in accordance with Article 10, responsible for the certification of ECM, on the basis of the criteria in Annex II</i></p> <p>Article 2 (c) of Regulation (EU) 445/2011 on a system of</p>  | <p>Similar meaning. Both in EU and COTIF the ECM CB can be public (NSA/CA) or (semi-) private.</p>  |

| ENTITIES AND ROLES                |  |                            |  |  |
|-----------------------------------|--|----------------------------|--|--|
| OTIF                              |  | EU                         |  | Equivalence/Clarification  |
| The term                          | Legal reference  | The term                   | Legal reference  | Clarification  |
|                                   |  |                            | certification of ECM for freight wagons and amending Regulation (EC) No 653/2007   |  |
| <b>CSM Assessment body</b>        | <p><i>Means the independent and competent external or internal individual, organisation or entity which undertakes investigation to provide a judgement, based on evidence, of the suitability of a system to fulfil its safety requirements.</i></p> <p>Section 3 of UTP GEN-G Risk evaluation and assessment</p> <p>In addition, the CSM assessment body must meet the criteria set out in Annex II.</p> | <b>CSM Assessment Body</b> | <p><i>Means the independent and competent external or internal individual, organisation or entity which undertakes investigation to provide a judgement, based on evidence, of the suitability of a system to fulfil its safety requirements.</i></p> <p>Article 3 (14) of Regulation (EU) 402/2013 on the common safety method for risk evaluation and assessment and repealing Regulation (EC) No 352/2009</p> | The meaning is similar.  |
| <b>Rail transport undertaking</b> | <p><i>Means a private or public undertaking which is authorised or licensed by applicable law to provide services for the transport of goods and/or passengers by rail with a requirement that the undertaking must ensure traction; this</i></p>  | <b>Railway undertaking</b> | Article 2 (45) of IoD 2016/797, and Article 3 of Directive 2012/34/EU establishing a single European railway area  | The rules which rail transport undertakings or railway undertakings have to comply with to be permitted to offer services in a particular state are not harmonised in COTIF or between COTIF and EU law. |

| ENTITIES AND ROLES   |   |                      |  |   |
|----------------------|---|----------------------|--|---|
| OTIF                 |   | EU                   |  | Equivalence/Clarification   |
| The term             | Legal reference   | The term             | Legal reference  | Clarification   |
|                      | <p><i>includes undertakings which provide traction only</i></p> <p>Article 2 (t) of ATMF</p>  |                      |  |   |
| <b>The applicant</b> | <p>The applicant is not defined; however Article 10 of ATMF refers to the applicant as the entity applying for technical certificates to the competent authority.</p> <p>Article 11 § 7 of ATMF sets out that technical certificates are issued to the applicant by the competent authority. § 8 of the same article requires that as soon as the vehicle is in operation, the holder of the certificate of operations is the keeper.</p> | <b>The applicant</b> | <p><i>Means a natural or legal person requesting an authorisation, be it a RU, an IM or any other person or legal entity, such as a manufacturer, an owner or a keeper; for the purpose of Article 15 of Interoperability Directive 2016/797 the applicant means a contracting entity or a manufacturer, or its authorised representatives; for the purpose of Article 19 of Interoperability Directive 2016/797 it means a natural or legal person requesting the ERA's decision for the approval of the technical solutions envisaged for the ERTMS track-side equipment projects;</i></p> <p>Article 2 (22) of IoD 2016/797</p> | <p>The concepts are not identical. In the EU an applicant has responsibilities which are more detailed.</p> |

| ENTITIES AND ROLES                     |   |  |   |   |
|--|---|--|---|---|
| OTIF                                   |   | EU                                     |   | Equivalence/Clarification   |
| The term                               | Legal reference   | The term                               | Legal reference   | Clarification   |
| <b>Infrastructure Manager</b>          | <p><i>Means an undertaking or an authority which manages railway infrastructure;</i></p> <p>Article 2 (k) of ATMF</p> | <b>Infrastructure Manager</b>          | <p><i>Means any body or firm responsible in particular for establishing, managing and maintaining railway infrastructure, including traffic management and control-command and signalling; the functions of the infrastructure manager on a network or part of a network may be allocated to different bodies or firms;</i></p> <p>Article 3(2) of Directive 2012/34/EU of the European Parliament and of the Council <sup>(3)</sup>;</p> |   |
| <b>Entity in charge of maintenance</b> | No definition, but its role mentioned as competent authority in Article 5 and Article 15 of ATMF                      | <b>Entity in charge of maintenance</b> | <p><i>(‘ECM’) means an entity in charge of maintenance as defined in point (20) of Article 3 of Directive (EU) 2016/798;</i></p> <p>Article 2 (28) of IoD 2016/797</p>  | Article 3a §5 of the ATMF UR defines the conditions according to which ECM certified according to EU law are deemed certified according to COTIF as well, and vice versa. |

<sup>3</sup> Directive 2012/34/EU of the European Parliament and of the Council of 21 November 2012 establishing a single European railway area ([OJ L 343, 14.12.2012, p. 32](#)).

| ENTITIES AND ROLES                            |   |   |  |   |
|---|---|---|--|---|
| OTIF  |   | EU  |  | Equivalence/Clarification   |
| The term                                      | Legal reference   | The term  | Legal reference  | Clarification   |
| <b>Holder of the Design Type Certificate</b>  | The Design Type Certificate is issued to the applicant.<br><br>Article 11 § 7 of the ATMF UR  | <b>Holder of the vehicle type authorisation</b> | Means the natural or legal person that has applied for and received the vehicle type authorisation, or its legal successor<br><br>Article 2 (6) of the Implementing Regulation (EU) 2018/545 | Concerns the authorisation/admission related to a vehicle type.   |
| <b>Holder of the Certificate of Operation</b> | <i>Once the vehicle is in operation the holder of the Certificate of Operation (including the Technical File), if not the current keeper, shall without delay hand it over to the current keeper together with the Maintenance File and make available all instructions for maintenance and operations that are still in his possession.</i><br><br>Article 11 § 8 of the ATMF UR |   |  | <i>The Certificate of Operation is related to the object.</i> Concerns the certificate of operation of a vehicle or group of vehicles of the same type (see Article 11 § 4 of the ATMF UR).<br><br>In EU law there is no requirement for the keeper to have possession over the documents which provide evidence of authorisation and the technical file. |
| <b>Registration Entity</b>                    | <i>Text proposal in the OTIF VR Specifications to be voted through written procedure second half of 2020.</i>   | <b>Registration Entity (“RE”)</b>               | Article 33(1)(b) of Directive 2008/57/EC,<br><br>European Commission Decision 2011/107/EU, last amended by the Commission Implementing   | The Registration Entity (“RE”) is the entity designated by each Contracting State, for keeping and updating the Vehicle Register. The Role of the RE according to the new EU Decision would mean that the RE will update vehicle  |

| ENTITIES AND ROLES |                 |          |  |   |
|--------------------|-----------------|----------|--|---|
| OTIF               |                 | EU       |  | Equivalence/Clarification                           |
| The term           | Legal reference | The term | Legal reference                            | Clarification                                       |
|                    |                 |          | Decision (EU) 2018/1614 of 25 October 2018 | registration data in the European Vehicle Register. |

| ENTITIES AND ROLES |                 |          |  |   |
|--------------------|-----------------|----------|--|---|
| OTIF               |                 | EU       |  | Equivalence/Clarification                           |
| The term           | Legal reference | The term | Legal reference                            | Clarification                                       |
|                    |                 |          | Decision (EU) 2018/1614 of 25 October 2018 | registration data in the European Vehicle Register. |

| PRODUCTS   |   |  |  |   |
|--|---|--|--|---|
| OTIF   |   | EU                                       |  | Equivalence/Clarification   |
| The term   | Legal reference   | The term                                 | Legal reference  | Clarification   |
| <b>Railway Vehicle</b>   | Means <i>a vehicle suitable for circulation on its own wheels on railway lines with or without traction; a vehicle is composed of one or more structural and functional subsystems;</i><br>Article 2 (w) of ATMF  | <b>Vehicle</b>                           | Means <i>a railway vehicle suitable for circulation on wheels on railway lines, with or without traction; a vehicle is composed of one or more structural and functional subsystems;</i><br>Article 2 (22) of IoD 2016/797   | The meaning is similar  |
| <b>Element of Construction</b> , also called the Interoperability Constituents | Means <i>an elementary component, group of components, complete assembly or subassembly of equipment incorporated or intended to be incorporated into a subsystem, upon which the interoperability of rail systems depends directly or indirectly, including both tangible objects and intangible objects such as software;</i><br>Article 2 g) of ATMF | <b>Interoperability Constituent – IC</b> | Means <i>any elementary component, group of components, subassembly or complete assembly of equipment incorporated or intended to be incorporated into a subsystem, upon which the interoperability of the rail system depends directly or indirectly, including both tangible objects and intangible objects</i><br>Article 2 (7) of IoD 2016/797 | Separate Assessment of the IC is mandatory in EU. However, <i>the assessment of ICs as components and the manufacturer’s issue of Declarations of conformity are <u>not</u> mandatory in COTIF. Such assessments may be carried out on a voluntary basis</i> , Note in Section 2 of UTP GEN-D |
| <b>Subsystem</b>   | Means <i>the result of the division of the rail system, as shown in the UTP; for which an essential requirements must be laid down, may be structural or functional.</i><br>Article 2 g) of ATMF, and UTP GEN-B Subsystems  | <b>Subsystem</b>                         | Means <i>the structural or functional parts of the Union rail system, as set out in Annex II</i><br>Article 2 (5) of IoD 2016/797<br>Annex II to IoD 2016/797  | The meaning is similar.   |



| PRODUCTS                    |   |                     |  |                           |
|-----------------------------|---|---------------------|--|---------------------------|
| OTIF                        |   | EU                  |  | Equivalence/Clarification |
| The term                    | Legal reference   | The term            | Legal reference  | Clarification             |
| <b>Type of construction</b> | Means <i>the basic design characteristics of the railway vehicle as covered by a type examination certificate or design examination certificate described respectively in assessment modules SB and SH1 of the UTP GEN-D</i><br>Article 2 ff) of ATMF | <b>Vehicle Type</b> | Means <i>a vehicle type defining the basic design characteristics of the vehicle as covered by a type or design examination certificate described in the relevant verification module;</i><br>Article 2 (26) of IoD 2016/797 | The meaning is similar.   |

| PROCEDURES  |  |  |   |   |
|---|--|--|---|---|
| OTIF  |  | EU   |   | Equivalence/Clarification   |
| The term  | Legal reference  | The term   | Legal reference   | Clarification   |
| <b>Assessment procedures (modules)</b>                          | The assessment of conformity with provisions of the UTPs, applicable to structural subsystems, ICs and national technical requirements.  | <b>The modules</b>                               | European Commission Decision on modules for the procedures for assessment of conformity, suitability for use and EC verification to be used in the TSIs adopted under Directive 2008/57/EC of the European Parliament and of the Council (hereinafter: Commission Decision 2010/713/EU of 9 November 2010 on modules) | The EU term ‘modules’ can also be used in OTIF. However, the formal reference is ‘assessment procedures’  |
| <b>Assessment procedures for the verification of subsystems</b> | UTP GEN-D Assessment Procedures (Modules)  | <b>Modules for EC verification of subsystems</b> |   | The COTIF and EU provisions have been harmonised. The terms have the same meaning concerning the process of checking conformity as far as vehicles are concerned. The responsibilities of the different actors are not identical. |
| <b>Renewal and upgrading</b>                                    | <p><i>Renewal means any major substitution work on a subsystem or part subsystem which does not change the overall performance of the subsystem.</i></p> <p><i>Upgrading means any major modification work on a subsystem or part subsystem which improves the overall performance of the subsystem.</i></p> <p>Article 2 y) and gg) of ATMF<br/>Article 10 § 11 of ATMF</p> | <b>Renewal or upgrading</b>                      | The same wording as in COTIF Recitals (22) and (37), Article 2 (14) and (15), Articles 7, 15 and 21 of IoD 2016/797   |   |

| PROCEDURES  |   |   |   |                           |
|---|---|---|---|---------------------------|
| OTIF  |   | EU  |   | Equivalence/Clarification |
| The term  | Legal reference   | The term  | Legal reference   | Clarification             |
| <b>Substitution in the framework of maintenance</b> | Means <i>any replacement of components by parts of identical function and performance in the framework of preventive or corrective maintenance;</i><br>Article 2 (c) of APTU                        | <b>Substitution in the framework of maintenance</b> | Means <i>any replacement of components by parts of identical function and performance in the framework of preventive or corrective maintenance;</i><br>Article 2 (17) of IoD 2016/797   |                           |
| <b>Technical admission</b>                          | Means <i>the procedure carried out by the competent authority to authorise a railway vehicle to operate in international traffic or to authorise a type of construction.</i><br>Articles 2 cc) ATMF | <b>The procedure (for authorisation)</b>            | Process defined in the Commission Implementing Act establishing practical arrangements for the railway vehicle authorisation and railway vehicle type authorisation process pursuant to Directive (EU) 2016/797 of the European Parliament and of the Council |                           |

| CERTIFICATES, PERMISSIONS, FILES AND DECLARATIONS |   |                       |  |  |
|---|---|-----------------------|--|--|
| OTIF  |   | EU                    |  | Equivalence/Clarification  |
| The term  | Legal reference   | The term              | Legal reference  | Clarification  |
| <b>Technical File</b>                             | <p>Means <i>the documentation relating to the vehicle containing all its technical characteristics, including a user manual and the characteristics necessary to identify the object(s) concerned, as described in the relevant UTP</i></p> <p>Articles 2 ee) and 10 § 6 of ATMF, and<br/>UTP GEN-C 2015 Technical file</p> | <b>Technical file</b> | No definition of technical file in IoD 2016/797, but it is described in Annex IV section 2.4 of the Directive. | <p>In the EU the applicant is “responsible for compiling the technical file that is to accompany the ‘EC’ declaration of verification. [...]” Article 15(4) of IoD 2016/797</p> <p>In COTIF the applicant “shall elaborate and attach to his application a Technical File containing the information required in the relevant UTPs. The assessing entity shall compile the technical file Article 10§6 of ATMF”.</p> |

| CERTIFICATES, PERMISSIONS, FILES AND DECLARATIONS                |   |  |   |  |
|--|---|--|---|--|
| OTIF   |   | EU   |   | Equivalence/Clarification  |
| The term   | Legal reference   | The term   | Legal reference   | Clarification  |
| <b>Vehicle admission to operation</b> (to international traffic) | <p><i>Means the right granted according to which the competent authority authorises a railway vehicle to operate in international traffic, as evidenced by a Certificate of Operation</i></p> <p>Articles 2 c), 3 and 4 of ATMF</p> | <b>Vehicle authorisation for placing on the market</b> | <p><i>Means the first making available on the Union's market of an interoperability constituent, subsystem or vehicle ready to function in its design operating state;</i></p> <p>Article 2 (35) of IoD 2016/797</p> <p><i>The applicant shall place a vehicle on the market only after having received the vehicle authorisation for placing on the market issued by the Agency in accordance with paragraphs 5 to 7 or by the national safety authority in accordance with paragraph 8.</i></p> <p>Article 21.1 of IoD 2016/797</p> | The concepts of authorisation (EU) and admission (COTIF) are not equivalent. However, both confirm that a vehicle may be operated in its area of use.                                      |
| <b>Certificate to Operation</b>                                  | <p><i>Means the attestation issued by the competent authority of an admission to</i></p>  |  | <p>No definition in IoD 2016/797.</p> <p>Content of vehicle authorisation described in 21.9.</p>  | <p>Form discussed when preparing the implementing act (IA) on vehicle authorisation (VA)</p> <p>By 16.6.2018 the EC will adopt practical arrangements by means of an implementing act.</p> |

| CERTIFICATES, PERMISSIONS, FILES AND DECLARATIONS  |   |                           |  |  |
|--|---|---------------------------|--|--|
| OTIF   |   | EU                        |  | Equivalence/Clarification  |
| The term   | Legal reference   | The term                  | Legal reference  | Clarification  |
|  | <p><i>operation, including the conditions of the admission;</i></p> <p>Articles 2 ca) of ATMF and</p> <p><i>The admission of [...] to operation shall be evidenced by [...] “Certificate of Operation”</i></p> <p>11 §§ 3, 8, 9 of ATMF</p>   |                           |  |  |
| <b>Admission of a type of construction</b>   | <p><i>Means the right granted according to which the competent authority authorises a type of construction of a railway vehicle, as a basis for the admission to operation for vehicles which correspond to that type of construction, as evidenced by a Design Type Certificate</i></p> <p>Articles 2 b) and 4 of ATMF</p> | <b>Type Authorisation</b> | No definition of type authorisation of vehicle in the IoD 2016/797. However, the process is described in Article 24 of IoD 2016/797 (Type authorisation of vehicles) | Definition is currently being discussed in the context of preparing the implementing act (IA) on vehicle authorisation (VA)          |
| <b>Design type certificate</b><br><i>(issued by the competent authority of a Contracting State to the applicant)</i> | <p><i>Means the attestation issued by the competent authority of the admission of a type of construction, including the conditions of the admission.</i></p> <p>Article 2 f) and Articles 10 § 8 and 11 § 2 of ATMF</p>   |                           | No definition in IoD 2016/797.   | Content and form of type authorisation discussed in the context of preparing the implementing act (IA) on vehicle authorisation (VA) |

| CERTIFICATES, PERMISSIONS, FILES AND DECLARATIONS          |  |   |   |  |
|--|--|---|---|--|
| OTIF   |  | EU  |   | Equivalence/Clarification  |
| The term   | Legal reference  | The term  | Legal reference   | Clarification  |
| <b>Area of Use of a vehicle</b>                            | <p><i>Means the network located within two or more CS in which a vehicle is intended to be used.</i></p> <p>Article 2 hh) of ATMF</p>  | <b>Area of use of a vehicle</b>                           | <p><i>Means a network or networks within a Member State or a group of Member States in which a vehicle is intended to be used;</i></p> <p>Article 2 (32) of IoD 2016/797</p>  | The meaning of the concept is similar, however as COTIF applies to international traffic only the ATMF area of use will per definition cover two or more states. |
| <b>UTP certificate of verification</b><br>(for subsystems) | <p><i>Means the attestation issued by an assessing entity that verification has been carried out with a positive result;</i></p> <p>Article 2 cb) of ATMF</p> <p>The Certificate is issued by the assessing entity to the applicant if the subsystem concerned meets the requirements of the relevant UTP(s) and in respect of the examinations and test carried out.</p> <p>UTP GEN-D</p> | <b>EC certificate of verification</b><br>(for subsystems) | <p><i>The notified bodies responsible for the verification assess the design, production and final testing of the subsystem and draw up the certificate of verification intended for the applicant who in turn draws up the 'EC' declaration of verification.</i></p> <p>Annex IV section 2.3.1 of IoD 2016/797</p> | The meaning is similar. The certificate is mandatory under COTIF.  |
|  |  |   | <p><i>The designated body draws up the certificate of verification intended for the applicant. The certificate shall contain a precise reference to the national rule(s) whose conformity has been examined by the designated body in the verification process.</i></p> <p>Annex IV section 3.2 of IoD 2016/797</p> |  |

| CERTIFICATES, PERMISSIONS, FILES AND DECLARATIONS          |   |   |   |   |
|--|---|---|---|---|
| OTIF   |   | EU  |   | Equivalence/Clarification   |
| The term   | Legal reference   | The term  | Legal reference   | Clarification   |
| <b>UTP declaration of verification</b><br>(for subsystems) | The declaration is issued by the manufacturer on the basis of the certificate of verification for the subsystem issued by the assessing entity<br><br>UTP GEN-D                                   | <b>EC declaration of verification</b><br>(for subsystems) | The manufacturer shall draw up a declaration for the subsystem on the basis of EC certificate of verification and keep it together with the technical documentation at the disposal of the national authorities throughout the service life of the subsystem... | The declaration is not mandatory under COTIF  |
| <b>UTP certificate of conformity</b><br>(for ICs)          | The certificate is issued by the assessing entity to the applicant if the IC concerned satisfies the requirements of the relevant UTP(s) and in respect of the examinations and test carried out. | <b>EC certificate of conformity</b><br>(for ICs)          | <i>The notified body shall issue (to the manufacturer) an EC certificate of conformity in respect of the examinations and tests carried out.</i><br><br>Commission Decision 2010/713/EU of 9 November 2010 on modules   | Separate Assessment of the IC is mandatory in EU.<br><br><i>The assessment of ICs as components and the manufacturer's issue of Declarations of conformity are <u>not</u> mandatory in COTIF. Such assessments may be carried out on a voluntary basis, in which case the provisions in this UTP shall apply.</i><br><br>Note in Section 2 of UTP GEN-D |
| <b>Declaration of conformity</b>                           | Means the result of the conformity assessment procedure whereby the manufacturer ensures and declares on his  | <b>EC declaration of conformity</b>                       | <i>The manufacturer shall draw up a written EC declaration of conformity for the IC and keep it</i>   | See the explanation in the cell above.  |



| CERTIFICATES, PERMISSIONS, FILES AND DECLARATIONS |   |  |   |                           |
|---|---|--|---|---------------------------|
| OTIF  |   | EU                                     |   | Equivalence/Clarification |
| The term  | Legal reference   | The term                               | Legal reference   | Clarification             |
| (for ICs)   | sole responsibility that the IC concerned satisfies the requirements of the relevant UTP.<br><br>UTP GEN-D, annex 3   | (for ICs)                              | <i>together with the technical documentation at the disposal of the national authorities...</i><br><br>Commission Decision 2010/713/EU of 9 November 2010 on modules  |                           |
| <b>Type examination certificate</b>               | Means the attestation issued by the assessing entity in which it verifies that the technical design of the IC/subsystem meets the requirements of the relevant UTP(s), or other applicable regulations, that apply to it.<br><br>Modules CB/SB of UTP GEN-D | <b>EC type examination certificate</b> | Means attestation issued by the NoBo in which it verifies that the technical design of the IC/subsystem meets the requirements of the relevant TSI(s) and other applicable regulations that apply to it.<br><br>Modules for the procedures for assessment of conformity, suitability for use and EC verification to be used in the technical specifications for interoperability<br><br>Commission Decision 2010/713/EU of 9 November 2010 on modules |                           |

**EU terminology which has no corresponding term or concept in APTU and ATMF  
however potentially relevant for COTIF**

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|--|--|--|
| <p><b>Configuration management</b></p> | <p><i>Means a systematic organisational, technical and administrative process put in place throughout the lifecycle of a vehicle and/or vehicle type to ensure that the consistency of the documentation and the traceability of the changes are established and maintained so that:</i></p> <ul style="list-style-type: none"> <li><i>a) requirements from relevant Union law and national rules are met;</i></li> <li><i>b) changes are controlled and documented either in the technical files or in the file accompanying the issued authorisation;</i></li> <li><i>c) information and data is kept current and accurate;</i></li> <li><i>d) relevant parties are informed of changes, as required.</i></li> </ul> |  |
| <p><b>Pre-engagement</b></p>           | <p><i>Means a procedural stage preceding the submission of an application for authorisation performed upon request of the applicant;</i></p>   |  |
| <p><b>Requirements capture</b></p>     | <p><i>Means the process of identification, assignment, implementation and validation of requirements performed by the applicant in order to ensure that relevant Union and national requirements are complied with. Requirements capture may be integrated in the product development processes;</i></p>   |  |