

## **Norwegian Position paper on Railway package IV**

Norway is an integral part of the EU Internal Market through the European Economic Area (EEA)-agreement. The EEA EFTA States (Norway, Iceland and Liechtenstein) participate in the Internal Market on the basis of their implementation of Internal Market relevant acquis. All new relevant Community legislation is dynamically incorporated into the Agreement and thus applies throughout the EEA, ensuring the homogeneity of the Internal Market. Hence, Railway Package IV legislative proposals are of direct relevance to Norway.

### **General**

Norway fully supports the need for improving the competitiveness and performance of rail transport, and thus facilitate a modal shift from road to rail. We also recognize the need for decreasing administrative burdens for railway undertakings and infrastructure managers through measures for simplification and harmonization.

### **Regulation on the European Union Agency for Railways, COM(2013)27**

The proposal is necessary in order to clarify and detail the responsibilities of the Agency. However, Norway suggests a few amendments to improve the level of detail.

#### *Article 4 (2) second subsection Creation and composition of the working parties*

The proposal states that the Agency should appoint experts to take part in the working groups.

- Norway proposes to continue the current wording in Article 3(3) of the Agency Regulation on this point.

#### *Justification*

It should be clear from the Regulation that the NSAs are still deciding on who should be their representatives to the Agency working parties. It is vital for the quality of the work and results of the working parties that all NSAs may be represented if they so wish. This will ensure that necessary local/national/regional variations will be taken into consideration within the Agency working parties. The proposed wording could lead to an understanding that it is for the Agency to decide on which NSA representatives should be part of the working parties, and Norway does not support introducing such a principle. Our proposal ensures that there is no doubt as to whether the NSAs may be represented in the working parties if they so wish.

#### *Article 69 Cooperation with national authorities and bodies*

The proposal states that the Agency may conclude agreements on cooperation with the NSA in relation to the implementation of Articles 12, 16, 17 and 18, on safety certificates and to place vehicles on the market.

- Norway proposes that the type of cooperation should be clarified in the Agency Regulation, and that types and contents of those agreements are specified in a harmonised way.

#### Justification

Further details about the cooperation between NSA and ERA will give the applicants better predictability and a more transparent application process. It will also enhance equal treatment of the applicants, regardless of their nationality. If the cooperation agreements differ from state to state, one of the main objectives of the proposed Regulation may be at risk, namely to ensure a harmonised and predictable application process throughout Europe. The content of these cooperation agreements should be established on basis of what is finally established as the tasks and responsibilities of the Agency and the NSAs respectively according to the recast interoperability and railway safety directives.