

CRR-G-031-C

Guidance for the Drafting, Reviewing, Publishing and Updating of Irish Railway Standards and Irish National Rules

Issue	Prepared by	Reviewed by	Approved by	Issue Date
A	Michael Neale	Maik Wuttke	Mary Molloy	07/09/2018
B	Michael Neale	Mary Molloy	Brian Higgisson	07/07/2020
C	Michael Neale Shane O'Duffy	Mary Molloy	Brian Higgisson	07/01/2021

1	Introduction	3
2	Abbreviations and Definitions	4
3	References	5
4	Background	7
5	Process for Creation of IRS	8
5.1	Identification of the need for establishment of an IRS.....	8
5.2	Stakeholder invitation and panel of experts	8
5.3	IRS Drafting Process	8
5.4	Submission of IRS to CRR for publishing	8
6	Periodic Review and Updating of IRS.....	10
6.1	Changes and/or clarifications in relevant legal provisions.....	10
6.2	Reporting of issues and/or suggestions from relevant stakeholders	10
6.3	Administration of reported issues	10
6.4	Communication to Update	10
6.5	Update Process	10
6.6	Publishing an updated IRS	10
7	Administration and Publication of IRS Documents	11
8	Stakeholder Representatives for IRS	11
8.1	How to become a stakeholder representative	11
8.2	Role and responsibilities for stakeholder representatives	11
9	Content of IRS.....	11
10	Further Clarification	11

1 Introduction

This document is intended to give guidance and explanation on the Commission for Railway Regulation (CRR) processes and legal provisions for Irish Railway Standards (IRS) and Irish National Rules (NR). It cannot replace additional self-study of the applicable legal documentation. These processes include the drafting, reviewing, publishing, and updating of IRSs which may contain Irish NRs.

IRS documents contain good industry practice and/or NRs on the Irish railway system specific technology, operation and maintenance which is not otherwise contained in national or international standards or legislation and may within their scope be used as an acceptable national means of compliance. IRSs are developed and maintained with the involvement of all relevant stakeholders. IRSs are published by the CRR on behalf of the Irish railway industry on the CRR website. Where a NR is identified within an IRS, prior to publishing, that IRS containing NRs is submitted to ERA for their examination and upon agreement of the NR/s, is published on the Reference Document Database (RDD) and/or Single Rules Database (SRD) as applicable.

Irish Railway Standards:

- i. cannot replace any Technical Specification for Interoperability (TSI) or other legal requirements which may be applicable to a given project;
- ii. are recommended to be chosen in accordance with RFU-STR-088 as an Alternative Solution in conjunction with a TSI Parameter to demonstrate conformity with the Essential Requirements;
- iii. may be called up as a code of practice in conjunction with CSM-REA 352/2009 and 402/2013;
- iv. may be called up as good industry practice in conjunction with Railway Safety Act 2005;
- v. may be called up as a code of practice in conjunction with the safe integration of projects within the Railway System in the Republic of Ireland as defined under 2016/797/EU Art 18;
- vi. may in parts or in full be called up as a National Rule (NR) for the Republic of Ireland in conjunction with 2016/797/EU and 2016/798/EU.

Where Irish Railway Standards are called up as a NR, in line with EU 2016/797/EU Art 13(2) the reason for its application shall be identified, based on one or more of the following justifications:

- i. where the TSIs do not cover, or do not fully cover, certain aspects corresponding to the essential requirements, including open points as referred to in 2016/797 Article 4(6);
- ii. where non-application of one or more TSIs, or parts of them, has been notified under 2016/797 Article 7 or 2008/57/EC Art9 or Art 20;
- iii. where a specific case requires the application of technical rules not included in the relevant TSI;
- iv. national rules used to specify existing systems, limited to the aim of assessing technical compatibility of the vehicle with the network;
- v. networks and vehicles not covered by TSIs;
- vi. as an urgent temporary preventive measure, in particular following an accident.

Where Irish Railway Standards are called up as a NR, in line with EU 2016/798/EU Art 8(3) the reason for its application shall be identified, based on one or more of the following justifications:

- i. where rules concerning existing safety methods are not covered by a CSM;
- ii. where operating rules of the railway network are not yet covered by TSIs;
- iii. as an urgent preventive measure, in particular following an accident or an incident;
- iv. where an already notified rule needs to be revised;
- v. where rules concerning requirements in respect of staff executing safety-critical tasks, including selection criteria, physical and psychological fitness and vocational training are not yet covered by a TSI or by Directive 2007/59/EC of the European Parliament and of the Council.

2 Abbreviations and Definitions

Term / Abbreviation	Meaning
Applicant	The organisation applying for an authorisation
CRR	Commission for Railway Regulation, formerly the Railway Safety Commission, Irish NSA
CSM	Common Safety Method
CSM-AsBo	Assessment Body to CSM-REA
CSM-REA	CSM for Risk Evaluation and assessment (CSM 352/2009 and CSM 402/2013)
DeBo	Designated Body
EC	European Commission
EN	European Standards
Essential Requirements	See Annex III of DIRECTIVE 2016/797/EU
EU	European Union
Harmonised Standards	All EN standards
IC	Interoperability Constituent
IM	Authorised Infrastructure Manager to RSD
IOD	Interoperability Directive, including any Amendments (2016/797/EU)
IRS	Irish Railway Standard
Mandatory Standard	Standard or part thereof and its revision as referenced in a TSI. The use of this Standard in this Revision is mandatory under IOD.
MS	Member state of EU
NoBo	Notified Body
NR	National Rule (applicable in the State in all cases where no TSI is applicable, or where a NR defines specific characteristics for technical compatibility and safe integration of subsystems with the Irish railway network)
NSA	National Safety Authority
NSR	National Safety Rule (Safety Rule applicable to all RU/IM in the State)
Open Point	If certain technical aspects corresponding to the essential requirements cannot be explicitly covered in a TSI, they are identified in an annex to the TSI as open points.
Proposer	In this guidance document proposer means the person or organisation proposing the need for a IRS
RDD	Reference Document Database (https://rdd.era.europa.eu/RDD/Default.aspx)
RFU	Recommendation for Use regarding TSIs, issued by NB RAIL the Coordination group of Notified Bodies. See NB-Rail homepage (http://circa.europa.eu/irc/nbg/nbrail/info/data/en/information/nbrail/RFU.htm)
RSA	Railway Safety Act 2005, including Amendments
RSD	2004/49/EC or 2016/798/EU Railway Safety Directive, including Amendments
RU	Certified Railway Undertaking to RSD
SRD	Single Rules Database
Subsystem	Legally defined sub-element of the Rail System, see IOD, Annex II
TSI	Technical Specification for Interoperability
Voluntary Standard	Standard or part thereof proposed by either ERA or EU within the Official Journal of the EU in relation to IOD. Its application allows a direct presumption of conformity with the Essential Requirements of the IOD. The applicant can choose whether or not to apply a Voluntary Standard. However, if the applicant chooses not to apply a Voluntary Standard, he/she has the obligation to prove that the subsystem/IC is in conformity with Essential Requirements by the use of other defined means of his own choice. (The Voluntary Standards or the related other defined means used to demonstrate compliance must be declared in the EU Technical File.)

3 References

/2004/49/EC/	DIRECTIVE 2004/49/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 29 April 2004 on safety on the Community's railways and amending Council Directive 95/18/EC on the licensing of railway undertakings and Directive 2001/14/EC on the allocation of railway infrastructure capacity and the levying of charges for the use of railway infrastructure and safety certification (Railway Safety Directive) Amended by: /2008/110/EC/ and /2009/107/EC/
2007/59/EC	DIRECTIVE 2007/59/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 23 October 2007 on the certification of train drivers operating locomotives and trains on the railway system in the Community
/2008/57/EC/	DIRECTIVE 2008/57/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 17 June 2008 on the interoperability of the rail system within the Community, as amended by 2009/131/EC, 2011/18/EU
/2008/110/EC/	DIRECTIVE 2008/110/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 16 December 2008 amending Directive 2004/49/EC on safety on the Community's railways (Railway Safety Directive)
/2009/149/EC/	COMMISSION DIRECTIVE 2009/149/EC of 27 November 2009 amending Directive 2004/49/EC of the European Parliament and of the Council as regards Common Safety Indicators and common methods to calculate accident costs
/352/2009/EC/	/352/2009/ has been replaced by /402/2013/
/2011/217/EU/	COMMISSION RECOMMENDATION of 29 March 2011 on the authorisation for the placing in service of structural subsystems and vehicles under Directive 2008/57/EC of the European Parliament and of the Council (Text with EEA relevance) (2011/217/EU)
/2011/291/EU/	COMMISSION DECISION of 26 April 2011 concerning a technical specification for interoperability relating to the rolling stock subsystem — 'Locomotives and passenger rolling stock' of the trans-European conventional rail system (2011/291/EU)
/321/2013/EU/	COMMISSION REGULATION (EU) No 321/2013 of 13 March 2013 concerning the technical specification for interoperability relating to the subsystem 'rolling stock — freight wagons' of the rail system in the European Union and repealing Decision 2006/861/EC
/402/2013/EU/	REGULATION (EU) No 402/2013 of 30 April 2013 on the common safety method for risk evaluation and assessment and repealing Regulation (EC) No 352/2009
/2016/798/EU	DIRECTIVE (EU) 2016/798 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 11 May 2016 on railway safety (recast)
/2016/797/EU/	DIRECTIVE (EU) 2016/797 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 11 May 2016 on the interoperability of the rail system within the European Union
/2016/796/EU/	REGULATION (EU) 2016/796 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 11 May 2016 on the European Union Agency for Railways and repealing Regulation (EC) No 881/2004
/2018/545/EU	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
/RFU-STR-088/	RFU-STR-088 Scope of Assessment Requirements for Conformity Assessment by NoBos
/RSA2005/	Act Number 31 of 2005, RAILWAY SAFETY ACT 2005 , including Amendments
/SI61/2008/	S.I. No. 61 of 2008, EUROPEAN COMMUNITIES (RAILWAY SAFETY) REGULATIONS 2008
/SI70/2011/	S.I. No. 70 of 2011 EUROPEAN COMMUNITIES (RAILWAY SAFETY) REGULATIONS 2011
/SI476/2020/	European Union (Railway Safety) Regulations 2020

/SI477/2020/	European Union (Interoperability of the Rail System) Regulations 2020
Note:	References to TSIs are not provided here, as they are in constant evolution. Please use search function of ERA homepage to find relevant TSIs (http://www.era.europa.eu/Search/Advanced-Search/Pages/home.aspx)

4 Background

According to 2011/217/EU:

Until such time as the target system is reached (Article 5(4)) and consequently interoperability is achieved, MSs rely on national rules for implementing the essential requirements (Article 17(3)). This is because:

- For various reasons TSIs are not complete (e.g. open points, scope restricted to TEN-T for the first set of TSIs, TSIs currently under development);
- In order to ensure backward compatibility with existing installations, some subsystems in some MS may require derogations;
- Most existing subsystems were placed in service before the entry into force of the Interoperability Directives or some of the TSIs and therefore do not conform to all TSIs;
- Specific cases will rely on national rules when the TSI does not contain the text of the specific case.

According to RFU-STR-088

In the framework of IOD various Conformity Assessment Requirements for the product (Subsystem or IC) are established:

- EC verification of subsystems;
- assessment of conformity of interoperability constituents (IC);
- assessment of suitability of use of interoperability constituents (IC);

Each requirement can be assigned to one of the following scopes of requirements:

Scope 1) Essential Requirement (as defined in the Annex of IOD);

Scope 2) TSI text on basic Parameters formulated as directly assessable requirement;

Scope 3) TSI text on basic Parameters not formulated as directly assessable requirement;

Scope 4 to support Scope 3) Requirements contained within:

- a) (parts of) Harmonised Standards or;
- b) (parts of) Voluntary Standards or;
- c) (parts of) Alternative Solutions as defined by the Applicant and related to the TSI text on parameters under scope 3).

According to S.I. 477 of 2020 European Union (Interoperability of the Rail System) Regulations 2020, the CRR shall notify ERA of NRs, publish guidance on the process for drafting and publishing NRs and may lay down new NRs. The CRR shall ensure NRs are easily accessible and are in the public domain.

5 Process for Creation of IRS

5.1 Identification of the need for establishment of an IRS

The need for establishment of an IRS is typically first identified as part of a railway organisation's project such as:

- a New Works/ New Rolling Stock Assessment or;
- an IOD Authorisation or;
- where a significant project investment necessitated a standardised product-to-railway system-interfacing for current and future product designs;
- where a NR is required to the OPS TSI.

Any proposal for the establishment of an IRS should be send to the CRR-IRS team (info@crr.ie).

The CRR-IRS team shall then evaluate if and in what format an IRS is required. This check is based on the following aspects:

- Will this topic reoccur and as such is a standardised approach beneficial to the industry?
- Is this a topic that is relevant for multiple railway organisations?

5.2 Stakeholder invitation and panel of experts

When the need for establishment of an IRS has been agreed between the CRR and the proposer this is then communicated to all relevant stakeholder representatives (see section 8) to invite their participation.

The CRR will then facilitate the formation of a representative panel of experts from all interested stakeholders which will draft the IRS. Relevant stakeholder representatives will be invited to nominate their experts for the panel. Experts must be suitably competent and experienced in the topic.

5.3 IRS Drafting Process

The panel of experts will be tasked with drafting and reviewing the new IRS prior to submission to the CRR for publishing. The panel of experts may achieve this with one or more of the following:

- Meetings, either remote or in person;
- Formation of subgroups;
- Agreed assignment of specific drafting and reviewing tasks.

The IRS should be drafted in accordance with section 9 using the latest IRS template.

The CRR will facilitate the panel of experts where required including the provision of meeting rooms. The CRR will act as the administrator of this process but may also be a stakeholder, if this is the case these will be separate tasks.

Once the panel of experts has produced a stable draft it may be distributed by the CRR for comment to all relevant stakeholder representatives as part of the drafting process. Comments received at this stage will be shared amongst stakeholder representatives and will be considered and actioned at the discretion of the panel of experts.

Prior to submission to the CRR for publishing the draft IRS must be submitted for comments to all relevant stakeholder representatives. Any comments received will be shared amongst stakeholder representatives and addressed by the panel of experts. When the panel of experts are satisfied and all comments have been considered, the panel of experts may then submit the draft IRS to the CRR to be published.

5.4 Submission of IRS to CRR for publishing

The CRR upon receipt of an IRS for publishing will perform a check to ensure:

- the document is compliant with legal provisions and the requirements for an IRS;
- stakeholder representatives have had an opportunity to comment;
- stakeholder representatives' comments have been considered.

Once the CRR checks have been completed, and if there are any NRs in the IRS the CRR will submit the document to ERA for their examination. If there are content changes as a result of ERAs examination the CRR will recirculate the IRS to the railway industry and the Panel of Experts for review, comments and/or further update as required. It is noted that there may be iterations of these steps between ERA and the Irish Railway Stakeholders until all parties are satisfied. It is noted that ERA has final say and can request modification or repeal with regard to national rules.

After all parties are satisfied the CRR will perform a final formatting check if required. The CRR will then publish the final version on the CRR website (www.CRR.ie) and submit it to ERA for publication on the Reference Document Database (RDD) and/or the Single Rules Database (SRD) as applicable.

6 Periodic Review and Updating of IRS

IRSS may be reviewed and updated in the following circumstances:

- Following changes and/or clarifications in relevant legal provisions including:
 - Irish law;
 - European law;
 - Related guidance;
- Following issues and/or suggestions provided by relevant stakeholders to CRR;
- Following return on experience from accidents/incidents;
- As part of continuous improvement.

6.1 Changes and/or clarifications in relevant legal provisions

When there are changes and/or clarifications in relevant legal provisions which effect IRS they may be identified by any stakeholder. Any stakeholder who becomes aware of such a change should contact and inform the CRR through their IRS stakeholder representative, see section 8. Note, if a stakeholder has no representative this can be organised, see section 8.1.

6.2 Reporting of issues and/or suggestions from relevant stakeholders

When a stakeholder becomes aware of issues or scope for improvement in an IRS they may contact and inform the CRR through their IRS stakeholder representative, see section 8. Note, if a stakeholder has no representative this can be organised, see section 8.1.

6.3 Administration of reported issues

When the CRR is notified of an issue with an IRS they will analyse the issue and respond to the stakeholder representatives. When substantial issues are identified in an IRS a review process will be started. For minor issues and improvements identified in an IRS they will be recorded in an issues log. The CRR will maintain this issues log and the items recorded will be considered at the next update of the IRS. An accumulation of a number of smaller issues in the issues log may justify the need for a review.

6.4 Communication to Update

When an IRS review process is started, this will be communicated to all relevant stakeholder representatives, see section 8.

The CRR will then facilitate all interested stakeholders in the formation of a panel of experts which will draft an updated IRS. Relevant stakeholder representatives will be invited to nominate their expert to sit on the panel. Experts should be suitably competent and experienced in the topic.

6.5 Update Process

The update process is the same as the initial drafting process as described in section 5.3.

6.6 Publishing an updated IRS

The CRR will follow the same process for publishing updated IRS as for new IRS, see section 5.4.

7 Administration and Publication of IRS Documents

The CRR will publish all active IRS on the CRR website (www.CRR.ie) and submit any new or updated (including removal as appropriate) NRs to ERA for publication (or removal) on the Reference Document Database (RDD) and/or the Single Rules Database (SRD) as applicable.

The RDD may be found at the following link: <https://rdd.era.europa.eu/RDD/Default.aspx>

Superseded versions of IRS will be archived by the CRR and removed from the CRR website. Superseded versions may be requested by contacting the CRR (info@crr.ie).

8 Stakeholder Representatives for IRS

8.1 How to become a stakeholder representative

Any stakeholder organisation may nominate a representative for IRS by contacting the CRR (info@crr.ie). In doing so the stakeholder should identify the following:

- Their organisation;
- Their specific topic/s of interest:
 - Infrastructure;
 - Signalling;
 - Rolling stock;
 - Overhead Electrification;
 - Operations;
 - Maintenance;
- The name and contact details for the representative (and the deputy where requested);
 - Address;
 - Phone number;
 - Email.

8.2 Role and responsibilities for stakeholder representatives

Stakeholder representatives will be contacted by the CRR regarding:

- Notification of drafting of new or updated IRS and call for experts;
- Invitation for comments on drafted IRS prior to publishing.

When contacted a timeline will be given for responses, this will typically be 14 days. Where comments are received by the representative, they are shared amongst the other stakeholder representatives and will be considered and actioned at the discretion of the panel of experts.

Communication with representatives will typically be made by email. Email addresses for representatives may be shared with other representatives and experts on panels to facilitate communication necessary for the drafting process.

Stakeholder representatives may nominate a deputy who will be copied on all communications.

9 Content of IRS

When drafting an IRS as described in section 5, the panel of experts should use the latest CRR IRS template. Please contact CRR for the latest version (info@CRR.ie).

When updating an IRS the panel of experts should consider the latest CRR IRS template and update the IRS to match as far as is reasonably possible.

10 Further Clarification

Further clarification on these Guidelines can be sought from the CRR (info@CRR.ie).