Commission Implementing Regulation (EU) 2020/779 of 12 June 2020 amending Implementing Regulation (EU) 2019/250 as regards the dates of application following the extension of the transposition deadline of Directive (EU) 2016/797 of the European Parliament and of the Council (Text with EEA relevance)

COMMISSION IMPLEMENTING REGULATION (EU) 2020/779

of 12 June 2020

amending Implementing Regulation (EU) 2019/250 as regards the dates of application following the extension of the transposition deadline of Directive (EU) 2016/797 of the European Parliament and of the Council

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to 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[(1)], and in particular Article 9(4), Article 15(9) and Article 24(4) thereof,

Whereas:

(1) Directive (EU) 2016/797 was amended by Directive (EU) 2020/700[(2)] in order to give Member States the possibility to extend the deadline to bring into force the national laws, regulations and administrative provisions necessary to comply with the provisions referred to in Article 57(1) of Directive (EU) 2016/797.

(2) With regard to the Member States that have notified the European Union Agency for Railways ('the Agency') and the Commission of their intention to extend the transposition period of Directive (EU) 2016/797 in accordance with Article 57(2a) thereof, the application of certain provisions of Commission Implementing Regulation (EU) 2019/250[(3)] should be postponed until 31 October 2020.

(3) Implementing Regulation (EU) 2019/250 should therefore be amended accordingly.

(4) The measures provided for in this Regulation are in accordance with the opinion of the Committee referred to in Article 51(1) of Directive (EU) 2016/797.

(5) In order to ensure that the measures provided for in this Regulation are effective, this Regulation should enter into force on the day following that of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

Article 1

Implementing Regulation (EU) 2019/250 is amended as follows:

(1) in Article 11, the second subparagraph is replaced by the following:

The Annex to Regulation (EU) No 201/2011 shall continue to apply to declaration of conformity to type referred to in Article 26(4) of Directive 2008/57/EC until 15 June 2020 in the Member States that have notified the Agency and the Commission in accordance with Article 57(2) of Directive (EU) 2016/797 and that have not notified the Agency and the Commission in accordance with Article 57(2a) of Directive (EU) 2016/797.

The Annex to Regulation (EU) No 201/2011 shall continue to apply to declaration of conformity to type referred to in Article 26(4) of Directive 2008/57/EC until 30 October 2020 in the Member States that have notified the Agency and the Commission in accordance with Article 57(2a) of Directive (EU) 2016/797.;

(2) the fourth subparagraph of Article 12 is replaced by the following:

This Regulation shall apply from 16 June 2020 in the Member States that have notified the Agency and the Commission in accordance with Article 57(2) of Directive (EU) 2016/797 and that have not notified the Agency and the Commission in accordance with Article 57(2a) of Directive (EU) 2016/797.

It shall apply in all Member States from 31 October 2020..

Article 2

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 12 June 2020.

For the Commission

The President

Ursula VON DER LEYEN