Commission Regulation (EU) No 1273/2013 of 6 December 2013 amending Regulation (EU) No 454/2011 on the technical specification for interoperability relating to the subsystem 'telematics applications for passenger services' of the trans-European rail system (Text with EEA relevance)

COMMISSION REGULATION (EU) No 1273/2013

of 6 December 2013

amending Regulation (EU) No 454/2011 on the technical specification for interoperability relating to the subsystem 'telematics applications for passenger services' of the trans-European rail system

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to 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[(1)], and in particular Article 6(1) thereof,

Whereas:

(1) Article 7 of Commission Regulation (EU) No 454/2011 of 5 May 2011 on the technical specification for interoperability relating to the subsystem 'telematics applications for passenger services' of the trans-European rail system[(2)] (hereinafter 'the TAP-TSI') requires that the Regulation should be amended taking into account the results of phase 1 defined in Section 7.2 of Annex I to the TAP-TSI.

(2) Section 7.2.2.2 of Annex I to the TAP-TSI provides that the European Railway Agency (hereinafter 'ERA') has to assess the deliverables produced by the stakeholders in terms of IT specifications, governance and master plan with a view to determining whether the objectives pursued in phase 1 have been achieved.

(3) The Commission has received from the European Railway Agency recommendation ERA/REC/09-2012/INT of 31 October 2012 which includes a number of draft amendments to the TAP-TSI.

(4) The Steering Committee established under Section 7.2.1 of the TAP-TSI has discussed the ERA Recommendation and, in particular, the legal status of phase 1 deliverables. It has decided to change the status of some IT specifications to Application Guides.

(5) Regulation (EU) No 454/2011 should therefore be amended accordingly.

(6) The measures provided for in this Regulation are in accordance with the opinion of the Committee established in accordance with Article 29(1) of Directive 2008/57/EC,

HAS ADOPTED THIS REGULATION:

Changes to legislation: Commission Regulation (EU) No 1273/2013 is up to date with all changes known to be in force on or before 28 December 2020. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Article 1

Regulation (EU) No 454/2011 shall be modified as follows:

(a) Article 4 shall be replaced by the following provision:

Article 4

Railway undertakings, infrastructure managers, station managers, ticket vendors and the Agency shall support the works of phase 2 as specified in Section 7.3 of Annex I by providing functional and technical information and expertise.;

(b) Article 5 shall be replaced by the following provision:

Article 5

The representative bodies from the railway sector acting at European level as defined in Article 3(2) of Regulation (EC) No 881/2004 of the European Parliament and of the Council[3] together with a representative of ticket vendors and a representative of European passengers, shall further develop the Telematic Applications for Passenger Services subsystem as specified in Section 7.3 of Annex I. The phase 1 deliverables (Application guides, Architecture, Governance and Master plan) shall be made publicly available by the European Railway Agency on its website.;

(c) Article 6 shall be replaced by the following provision:

Article 6

Member States shall ensure that railway undertakings, infrastructure managers, station managers and ticket vendors are informed of this Regulation and shall designate a national contact point (NCP) for the follow-up of its implementation. The role of the NCPs is described in Annex VI.;

(d) Article 7 shall be replaced by the following provision:

Article 7

1 The Regulation shall be amended taking into account the results of phase 2 referred to in Section 7.3 of Annex I.

2 The European Railway Agency shall amend technical document B.60 (Architecture) taking into account the results of phase 1 and by applying the procedure of Article 3..

Article 2

The Annexes to Regulation (EU) No 454/2011 shall be amended as set out in the Annex to this Regulation.

Article 3

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 the Member States in accordance with the Treaties.

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Done at Brussels, 6 December 2013.

For the Commission

The President

José Manuel BARROSO

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ANNEX

The Annexes to Regulation (EU) No 454/2011 shall be amended as follows:

1. Annex I shall be amended as follows:

(a) Section 4.2.1 should be replaced with the following text:

4.2.1. *Exchange of timetable data*

This basic parameter lays down how the railway undertaking shall perform the exchange of timetable data.

This basic parameter shall ensure that timetables comprising the data elements defined below shall be made available.

This basic parameter shall further ensure that each railway undertaking shall provide accurate and up-to-date timetable data.

The provisions of this basic parameter shall apply to the passenger services of the railway undertaking.

This basic parameter shall have the following process:

(b) Section 4.2.2 should be replaced with the following text:

4.2.2. *Exchange of tariff data*

This basic parameter lays down how the railway undertaking shall perform the exchange of tariff data.

This basic parameter shall ensure that tariff data in the format defined below shall be made available.

The provisions of this basic parameter shall apply in respect of all passenger tariffs of the railway undertaking for domestic, international and foreign sales.

This basic parameter shall have following process:

(c) Section 4.2.2.1 should be replaced with the following text:

4.2.2.1. *The railway undertaking makes available its own tariffs to other railway undertakings, authorised public bodies and third parties*

Without prejudice to passenger rights and in accordance with distribution agreements, each railway undertaking shall make available its tariffs (including fare tables) by guaranteeing access to railway undertakings to which it grants authorisation to sell, third parties to which it grants authorisation to sell, and to authorised public bodies. The railway undertaking shall ensure that the tariff data are accurate and up-to-date. Where a railway undertaking operates a transport service for which it is one of the joint carriers, the railway undertaking shall ensure, together with all the other joint carriers, that the tariff data are accurate and up-to-date.

The main content of tariff data intended for international or foreign sales shall be as defined in Annex IV.

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Tariff data intended for international or foreign sales shall be made available at least as far in advance as provided for in Annex IV.

The above process and the information used for it shall be compliant for tariff data intended for international or foreign sales with the technical document(s):

— B.1 (see Annex III),

— B.2 (see Annex III),

— B.3 (see Annex III).

The above process and the information used for it in respect of tariff data intended for domestic sales shall comply with the technical documents to be developed by the Agency (see Annex II).

(d) In Section 4.2.6 the following sentence shall be deleted:

'The provision of this basic parameter regarding electronic request/confirmation shall be applied if there is an agreement between the requesting and the addressed parties.'

(e) In Section 4.2.6.1 the sentence:

'This website shall comply with web content accessibility guidelines which take into account the needs of people with auditory and/or visual impairment.'

shall be replaced with the following text:

'This website shall be accessible to persons with disabilities'.

(f) Section 4.2.6.2 shall be replaced with the following text:

4.2.6.2. *If the railway undertaking or ticket vendor uses IT communication for the purposes of sending an availability/reservation request for PRM assistance, such request must comply with the relevant provisions*

The requesting distribution system shall send to the system requests for the relevant train availability/reservation in respect of the specified type of assistance.

The main types of requests shall be:

— Availability request,

— Reservation request,

— Partial cancellation request,

— Full cancellation request.

This process shall be performed following a request from a customer transmitted to the system of the railway undertaking or ticket vendor.

The data elements and the information content of the message used to meet the obligations shall comply:

— either with elements defined in technical document B.10 (see Annex III), in which case all addressed systems must be able to understand the request and to respond,