Council decision (EU) 2019/1763 of 4 October 2019 establishing the position to be adopted on behalf of the European Union within the Committee of Technical Experts of the Intergovernmental Organisation for International Carriage by Rail (OTIF) as regards certain modifications to the National Vehicle Registers (NVR) specification and the Uniform Technical Prescriptions — Telematics applications for freight services (UTP TAF)

COUNCIL DECISION (EU) 2019/1763

of 4 October 2019

establishing the position to be adopted on behalf of the European Union within the Committee of Technical Experts of the Intergovernmental Organisation for International Carriage by Rail (OTIF) as regards certain modifications to the National Vehicle Registers (NVR) specification and the Uniform Technical Prescriptions — Telematics applications for freight services (UTP TAF)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 91, in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) The Union has acceded to the Convention concerning International Carriage by Rail (COTIF) of 9 May 1980, as amended by the Vilnius Protocol of 3 June 1999, in accordance with Council Decision 2013/103/EU[(1)].

(2) All Member States, with the exception of Cyprus and Malta, are contracting parties to COTIF.

(3) Article 13 COTIF states that the functioning of the Intergovernmental Organisation for International Carriage by Rail (OTIF) is to be ensured by, inter alia, the Committee of Technical Experts (CTE). In accordance with letter e) of Article 20 § 1 COTIF and Article 13 §§ 1, 4 and 5 of Appendix G (ATMF) thereto, the CTE is competent to take decisions on the adoption or modification of the National Vehicle Registers (NVR) specification. In accordance with letter b) of Article 20 § 1 COTIF and Article 6 of Appendix F (APTU) thereto, the CTE is competent to take decisions on the adoption of the Uniform Technical Prescriptions – Telematics applications for freight services (UTP TAF) or of a provision amending a uniform technical prescription based on Appendix F (APTU) and Appendix G (ATMF) to COTIF.

(4) At its 12th session, which took place on 12 and 13 June 2019, the CTE agreed to launch a written procedure in order to adopt modifications to the NVR specification and to Appendix I to the UTP TAF.

Changes to legislation: *There are currently no known outstanding effects for the Council decision (EU) 2019/1763. (See end of Document for details)*

(5) The objective of the proposed modifications is to align the NVR specification and the UTP TAF with Commission Implementing Decision (EU) 2018/1614[(2)] and Commission Implementing Regulation (EU) 2019/778[(3)], respectively.

(6) The proposed modifications are in line with the law and the strategic objectives of the Union as they contribute to the alignment of OTIF legislation with the relevant Union law, and should therefore be supported by the Union.

(7) It is appropriate to establish the position to be adopted on the Union's behalf in the CTE, as the proposed modifications will be binding on the Union,

HAS ADOPTED THIS DECISION:

Article 1

The position to be adopted on the Union's behalf within the Committee of Technical Experts (CTE) of the Intergovernmental Organisation for International Carriage by Rail (OTIF) as regards the modifications to the NVR specification and to the Appendix I to the UTP TAF shall be as follows:

(a) to vote in favour of the CTE proposed modifications to the NVR specification, as set out in the CTE Working Document TECH-19001-CTE12-5.1; and

(b) to vote in favour of the CTE proposed modifications to the Appendix I to the UTP TAF, as set out in the CTE Document TECH-18037-CTE12-5.2.

The position referred to in the first paragraph shall be expressed by the Commission.

Article 2

The decisions of the CTE, once adopted, shall be published in the *Official Journal of the European Union*, indicating the date of their entry into force.

Article 3

This Decision shall enter into force on the date of its adoption.

Done at Luxembourg, 4 October 2019.

For the Council

The President

K. MIKKONEN