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**TABLE OF CORRESPONDENCE BETWEEN COTIF AND EU
TERMINOLOGY**

For terms used in the APTU and ATMF UR and EU legislation

1. INTRODUCTION

This is a working document of OTIF's Committee of Technical Experts' working group WG Tech. This document will be regularly analysed, improved, and updated. The table at annex was initially prepared on the basis of OTIF documents, the EU Directives on Interoperability and Safety and the two comparison tables prepared by the European Commission for the 30th session of the WG Tech (16-17 November 2016)¹.

2. TERMINOLOGY IN EU LEGISLATION AND COTIF

As far as required for their purposes, the APTU and ATMF UR have been based on the concepts of the European Union's interoperability and safety directives; these concern in particular the elements relating to vehicle authorisation, vehicle maintenance and roles and responsibilities.

At present, the technical requirements for rolling stock applicable in OTIF and the EU are fully equivalent. However, the objectives and scope of COTIF/the EU are not identical and it has therefore been necessary to use different terminology for concepts that have a (slightly) different meaning, e.g. admission (COTIF) vs authorisation (EU). The table at annex lists several different terms and their respective meanings.

The purpose of this document is to act as an aid to those who work with COTIF and EU law, especially on interoperability and technical harmonisation in the railway field and in the vehicle admission and maintenance processes.

¹http://www.otif.org/fileadmin/user_upload/otif_verlinkte_files/06_tech_zulass/03_Doks_WG_TEC_H/09_2016_WG_TECH/Draft_Table_of_comparison_APTU-4th_RP27.10.16.pdf

The table of correspondence between COTIF and EU law

Please note that this document is a working document of OTIF's Committee of Technical Experts' working group WG TECH. This document is currently available in English only and is solely for information purposes. This document will be updated regularly. However, to find the applicable law in force, please consult the OTIF website, the Official Journal of the European Union and the relevant national laws of OTIF's Member States.

Explanatory note:

The text *in italics* quotes the provisions from the source document. Unless indicated otherwise, the source documents are:

- The APTU and ATMF UR as last revised by the Revision Committee in 2022² by using the written procedure and entering into force on 1 November 2023.
- All other COTIF provisions adopted under the APTU or ATMF UR, such as UTPs and Annexes to the ATMF UR.
- Directive (EU) 2016/797 of the European Parliament and of the Council of 11 May 2016 on the interoperability of the rail system with the European Union, as last amended by Directive (EU) 2020/700; hereinafter referred to as Interoperability Directive.
- Directive (EU) 2016/798 of the European Parliament and of the Council of 11 May 2016 on railway safety, as last amended by Regulation (EU) 2020/1530; hereinafter referred to as Safety Directive.
- Commission Implementing 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, as last amended by Commission Implementing Regulation (EU) 2020/781.
- Regulation (EU) 2016/796 of the European Parliament and of the Council of 11 May 2016 on the European Union Agency for Railways, hereinafter referred to as the ERA Regulation.
- Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products.
- Commission Implementing Regulation (EU) 2019/779 of 16 May 2019 laying down detailed provisions on a system of certification of entities in charge of maintenance of vehicles pursuant to Directive (EU) 2016/798; hereinafter referred to as ECM Regulation.
- Commission Implementing Regulation (EU) No 402/2013 of 30 April 2013 on the common safety method for risk evaluation and assessment; hereinafter referred to as CSM for risk evaluation and assessment.
- Directive 2012/34/EU of the European Parliament and of the Council of 21 November 2012 establishing a single European railway area, as last amended by Commission Delegated Decision (EU) 2017/2075.

² The 2022 revision concerned provisions related to entities in charge of maintenance in Articles 3a and 15 of the ATMF UR.

- Commission Decision 2010/713/EU of 9 November 2010 on modules for the procedures for assessment of conformity, suitability for use and EC verification to be used in the technical specifications for interoperability adopted under Directive 2008/57/EC.
- Commission Implementing Decision (EU) 2018/1614 of 25 October 2018 laying down specifications for the vehicle registers referred to in Article 47 of Directive (EU) 2016/797; hereinafter referred to as EVR Decision.

| REQUIREMENTS AND SPECIFICATIONS | | | | |
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| OTIF | | EU | | Equivalence/Clarification |
| The term | Legal reference | The term | Legal reference | Clarification |
| Network | Means <i>the lines, stations, terminals, and all kinds of fixed equipment needed to ensure safe and continuous operation of the rail system;</i> Article 2 (q) of the ATMF UR | Network | Means <i>the lines, stations, terminals, and all kinds of fixed equipment needed to ensure safe and continuous operation of the Union rail system;</i> Article 2 (4) of the Interoperability Directive | |
| Uniform Technical Prescriptions (UTP) | A specification other than a technical standard prepared and adopted in accordance with the APTU UR. | Technical Specifications for Interoperability (TSI) | Means <i>a specification adopted in accordance with this Directive by which each subsystem or part of subsystem is covered in order to meet the essential requirements and ensure the interoperability of the Union rail system</i> Article 2 (11) of the Interoperability Directive | Where possible, UTPs and TSIs for subsystems are equivalent. The (extent of the) equivalence is indicated in the UTP. |
| National technical requirements (NTR) | Means those requirements of which the Secretary General of OTIF has been informed by a Contracting State and which have been made public in accordance with Article 12 of the APTU UR. Article 12 of the APTU UR | Notified National Technical Rules (NNTR) | Article 14 (1) of the Interoperability Directive | Process of notification, validity of provisions and requirements concerning exhaustiveness of notified provisions are not identical. |
| Essential requirements | Means <i>all the conditions set out in the relevant UTP, which must be met by the rail system, the subsystems and the</i> | Essential requirements | Annex III to the Interoperability Directive | Essential requirements (ERs) are harmonised as far as required for the scope of COTIF. ERs for |

| REQUIREMENTS AND SPECIFICATIONS | | | | |
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| | <i>interoperability constituents, including interfaces;</i> Article 2 (i) of the ATMF UR, and UTP GEN-A 2015 | | | infrastructure in COTIF are limited to the interfaces with vehicles. |
| Technical prescription | <i>Means a rule, other than a technical standard, included in the UTP, relating to the construction, operation, maintenance or safety aspects, or relating to a procedure concerning railway material;</i> Article 2 d) the APTU UR | Basic Parameter | <i>Means any regulatory, technical or operational condition which is critical to interoperability and is specified in the relevant TSIs;</i> Article 2 (12) of the Interoperability Directive | |

| ENTITIES AND ROLES | | | | |
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| OTIF | | EU | | Equivalence/Clarification |
| The term | Legal reference | The term | Legal reference | Clarification |
| Competent authority | Means <i>the national or international authority competent in the matter in accordance with the laws and prescriptions in force in each Contracting State</i> for the technical admission. Article 5 of the ATMF UR | National Safety Authority | Article 3 (7) of the Safety Directive | Based on the ATMF UR, the NSAs are notified as competent authorities for the EU MS. The EU has more strictly defined competences for NSAs than COTIF has for CAs. For example, in COTIF the competent authority and the assessing entity can be the same entity. From 16 June 2019, ERA is the Competent Authority for the European Union responsible for the issuing /suspending and revoking of Vehicle Authorisation and Single Safety Certificate for Railway Operators and vehicles running in more than one EU Member State. In the context of EU law, ERA can also be the Competent Authority for purely national projects, depending on the choice of the applicant. |
| | | The European Union Agency for Railways (ERA) | Article 3 (7) of the Safety Directive and Article 12 of the ERA Regulation | |
| | | Notifying Authority | <i>Notifying Authorities are responsible for setting up and carrying out the necessary procedures for the assessment, notification and monitoring of conformity assessment bodies,</i> | |

ENTITIES AND ROLES

| ENTITIES AND ROLES | | | | |
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| OTIF | | EU | | Equivalence/Clarification |
| The term | Legal reference | The term | Legal reference | Clarification |
| | | | <p><i>including compliance with Article 34.</i></p> <p>Article 27 of the Interoperability Directive</p> | |
| | | Authorising Entity | <p>Means the entity that issues the vehicle type authorisation and/or vehicle authorisation for placing on the market;</p> <p>Article 2 (1) of the Commission Implementing Regulation (EU) 2018/545</p> | |
| Keeper | <p>Means <i>the person or entity that, being the owner of a vehicle or having the right to use it, exploits the vehicle as a means of transport and is registered as such in the vehicle register referred to in Article 13 the ATMF UR;</i></p> <p>Article 2 (n) of the ATMF UR</p> | Keeper | <p>Means <i>the natural or legal person that, being the owner of a vehicle or having the right to use it, exploits the vehicle as a means of transport and is registered as such in a vehicle register referred to in Article 47 of Directive (EU) 2016/797;</i></p> <p>Article 2 (21) of the Interoperability Directive</p> | |

ENTITIES AND ROLES

| ENTITIES AND ROLES | | | | |
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| OTIF | | EU | | Equivalence/Clarification |
| The term | Legal reference | The term | Legal reference | Clarification |
| Manufacturer | Means <i>any natural or legal person who manufactures a product in the form of interoperability constituents, subsystems or vehicles, or has it designed or manufactured, and markets it under his name or trademark</i> UTP GEN-D Article 1.2 j) | Manufacturer | Means <i>any natural or legal person who manufactures a product in the form of interoperability constituents, subsystems or vehicles, or has it designed or manufactured, and markets it under his name or trademark</i> Article 2 (36) of the Interoperability Directive | |
| Authorised Representative | Means <i>any natural or legal person established within a Contracting State who has received a written mandate from a manufacturer or a contracting entity to act on their behalf in relation to specified tasks.</i> 1.2. (h) of UTP GEN-D | Authorised Representative | Means <i>any natural or legal person established within the Union who has received a written mandate from a manufacturer or a contracting entity to act on behalf of that manufacturer or contracting entity in relation to specified tasks.</i> Article 2 (37) of the Interoperability Directive | |
| Contracting Entity | Means <i>any entity, whether public or private, which orders the design and/or construction or the renewal or upgrading of a subsystem. This entity may be a railway undertaking, an infrastructure manager or a keeper, or the concession</i> | Contracting Entity | Means <i>a public or private entity which orders the design and/or construction or the renewal or upgrading of a subsystem;</i> Article 3 (30) of Safety Directive | |

| ENTITIES AND ROLES | | | | |
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| The term | Legal reference | The term | Legal reference | Clarification |
| | <p><i>holder responsible for carrying out a project;</i></p> <p>Article 2 (da) of the ATMF UR</p> | | | |
| Assessing Entity | <p>Means <i>a competent authority or a suitable body competent to carry out assessments as a whole or partly, including the issuing of the corresponding certificates of verification.</i></p> <p>Article 5 § 2 and § 3 of the ATMF UR, and</p> <p>UTP GEN-E Assessing Entity – qualifications and independence</p> | Notified Body | <p>Recitals (59) and (60), Articles 9, 10, 15, 34, 38 to 44 and Annex IV of the Interoperability Directive</p> | <p>“Notified Body” (NoBo) notified to the EU by a Contracting State in accordance with EU Directive 2008/57/EC, thus meeting the provisions of that Directive, in particular the criteria set out in Annex VIII, and insofar as the body is registered in the EU’s public, so-called NANDO database³, shall be considered as a “Suitable Body” with the competence to carry out assessments...</p> <p>Point 1.3.2 of UTP GEN-D Assessment Procedures (Modules)</p> |

³ <http://ec.europa.eu/growth/tools-databases/nando/>

ENTITIES AND ROLES

| ENTITIES AND ROLES | | | | |
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| OTIF | | EU | | Equivalence/Clarification |
| The term | Legal reference | The term | Legal reference | Clarification |
| | | Conformity Assessment Body | Conformity Assessment Body, could be classified as: <ul style="list-style-type: none"> - a notified body, following notification by a MS; or - a designated body, following designation by a MS Articles 2 (42), 30 to 33 of the Interoperability Directive | |
| Accreditation Body | <p>Means <i>the sole body in a CS that performs accreditation with authority derived from the State. It confirms that a conformity assessment body meets the requirements set by harmonised standards and, where applicable, any additional requirements including those set out in relevant sectoral schemes, to carry out a specific conformity assessment activity;</i></p> <p>Article 2 ab) and ac) of the ATMF UR</p> | Accreditation Body | <p>Means <i>the sole body in a EU MS that performs accreditation with authority derived from the State. It confirms that a conformity assessment body meets the requirements set by harmonised standards and, where applicable, any additional requirements including those set out in relevant sectoral schemes, to carry out a specific conformity assessment activity;</i></p> <p>Article 2 (10, 11) of Regulation (EC) 765/2008</p> | <p>Accreditation is a concept used globally and not only in the EU. Accreditation is not specifically limited to railways.</p> <p>Many, if not all, OTIF CSs have accreditation bodies.</p> |

| ENTITIES AND ROLES | | | | |
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| OTIF | | EU | | Equivalence/Clarification |
| The term | Legal reference | The term | Legal reference | Clarification |
| ECM Certification Body | <p>Means <i>a body, responsible for the certification of entities in charge of maintenance or for certification of the entity or organisation that fulfils maintenance functions or parts of those functions;</i></p> <p>Article 2 (b) of Annex A of the ATMF UR</p> | ECM Certification Body | <p>Means <i>a body, responsible for the certification of entities in charge of maintenance or for certification of the entity or organisation that fulfil maintenance functions referred to in points (b), (c) or (d) of Article 14(3) of Directive (EU) 2016/798, or parts of those functions.</i></p> <p>Article 2 (b) of the ECM Regulation</p> | Similar meaning. Both in EU and COTIF the ECM CB can be public (NSA/CA) or (semi-) private. |
| CSM Assessment body | <p>Means <i>the independent and competent external or internal individual, organisation or entity which undertakes investigation to provide a judgement, based on evidence, of the suitability of a system to fulfil its safety requirements.</i></p> <p>Section 3 of UTP GEN-G Risk evaluation and assessment</p> <p>In addition, the CSM assessment body must meet the criteria set out in Annex II.</p> | CSM Assessment Body | <p>Means <i>the independent and competent external or internal individual, organisation or entity which undertakes investigation to provide a judgement, based on evidence, of the suitability of a system to fulfil its safety requirements.</i></p> <p>Article 3 (14) of CSM for risk evaluation and assessment</p> | <p>The technical competences of these bodies are harmonised between EU law and COTIF.</p> <p>The legal framework under which the CSM Assessment body is accredited or recognised defines the geographical scope of activities of each body and the acceptance of its work.</p> |
| Rail transport undertaking | <p>Means <i>a private or public undertaking which is authorised or licensed by applicable law to provide services for the transport of goods and/or passengers by rail with a requirement that the undertaking must ensure traction; this</i></p> | Railway undertaking | <p>Article 2 (45) of the Interoperability Directive, and Article 3 of Directive 2012/34/EU</p> | The rules which rail transport undertakings or railway undertakings have to comply with to be permitted to offer services in a particular state are not |

| ENTITIES AND ROLES | | | | |
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| OTIF | | EU | | Equivalence/Clarification |
| The term | Legal reference | The term | Legal reference | Clarification |
| | <p><i>includes undertakings which provide traction only;</i></p> <p>Article 2 (t) of the ATMF UR</p> | | | harmonised in COTIF or between COTIF and EU law. |
| The applicant | <p>The applicant is not defined; however Article 10 of the ATMF UR refers to the applicant as the entity applying for technical certificates to the competent authority.</p> <p>Article 11 § 7 of the ATMF UR sets out that technical certificates are issued to the applicant by the competent authority. § 8 of the same article requires that as soon as the vehicle is in operation, the holder of the certificate of operations is the keeper.</p> | <i>The applicant</i> | <p><i>Means a natural or legal person requesting an authorisation, be it a RU, an IM or any other person or legal entity, such as a manufacturer, an owner or a keeper; for the purpose of Article 15 of Interoperability Directive 2016/797 the applicant means a contracting entity or a manufacturer, or its authorised representatives; for the purpose of Article 19 of Interoperability Directive 2016/797 it means a natural or legal person requesting the ERA's decision for the approval of the technical solutions envisaged for the ERTMS track-side equipment projects;</i></p> <p>Article 2 (22) of the Interoperability Directive</p> | The concepts are not identical. In the EU an applicant has responsibilities which are more detailed. |
| Infrastructure Manager | <p><i>Means an undertaking or an authority which manages railway infrastructure;</i></p> <p>Article 2 (k) of the ATMF UR</p> | Infrastructure Manager | <p><i>Means any body or firm responsible in particular for establishing, managing and maintaining railway infrastructure, including traffic management and control-command</i></p> | |

| ENTITIES AND ROLES | | | | |
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| OTIF | | EU | | Equivalence/Clarification |
| The term | Legal reference | The term | Legal reference | Clarification |
| | | | <p><i>and signalling; the functions of the infrastructure manager on a network or part of a network may be allocated to different bodies or firms;</i></p> <p>Article 3(2) of Directive 2012/34/EU ⁽⁴⁾</p> | |
| Entity in charge of maintenance | No definition, but its role is mentioned as competent authority in Article 5 and Article 15 of the ATMF UR | Entity in charge of maintenance | <p>Means <i>an entity in charge of maintenance as defined in point (20) of Article 3 of Directive (EU) 2016/798;</i></p> <p>Article 2 (28) of Interoperability Directive</p> | Article 3a §5 of the ATMF UR defines the conditions according to which ECM certified according to EU law are deemed certified according to COTIF as well, and vice versa. |
| Holder of the Design Type Certificate | <p>The Design Type Certificate is issued to the applicant.</p> <p>Article 11 § 7 of the ATMF UR</p> | Holder of the vehicle type authorisation | <p>Means <i>the natural or legal person that has applied for and received the vehicle type authorisation, or its legal successor</i></p> <p>Article 2 (6) of the Implementing Regulation (EU) 2018/545</p> | Concerns the authorisation/admission related to a vehicle type. |
| Holder of the Certificate of Operation | <i>Once the vehicle is in operation the holder of the Certificate of Operation (including the Technical File), if not the current keeper, shall without delay hand it over to the current keeper together with</i> | | | <i>The Certificate of Operation is related to the object.</i> Concerns the certificate of operation of a vehicle or group of vehicles of the |

⁴ Directive 2012/34/EU of the European Parliament and of the Council of 21 November 2012 establishing a single European railway area ([OJ L 343, 14.12.2012, p. 32](#)).

| ENTITIES AND ROLES | | | | |
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| OTIF | | EU | | Equivalence/Clarification |
| The term | Legal reference | The term | Legal reference | Clarification |
| | <p><i>the Maintenance File and make available all instructions for maintenance and operations that are still in his possession.</i></p> <p>Article 11 § 8 of the ATMF UR</p> | | | <p>same type (see Article 11 § 4 of the ATMF UR).</p> <p>In EU law there is no requirement for the keeper to have possession over the documents which provide evidence of authorisation and the technical file.</p> |
| Registration Entity | <p>Means <i>the national entity designated by each CS, which is responsible for adding, editing, and removing data from the vehicle register on behalf of that CS.</i></p> <p>Article 2 b) and Article 6 of OTIF vehicle register Specifications of 1 April 2021</p> | Registration Entity (“RE”) | Article 5 of the EVR Decision | <p>The Registration Entity (“RE”) is the entity designated by each Contracting State, for keeping and updating the Vehicle Register. The Role of the RE according to the new EU Decision would mean that the RE will update vehicle registration data in the European Vehicle Register.</p> |

| PRODUCTS | | | | |
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| OTIF | | EU | | Equivalence/Clarification |
| The term | Legal reference | The term | Legal reference | Clarification |
| Railway Vehicle | <p>Means <i>a vehicle suitable for circulation on its own wheels on railway lines with or without traction; a vehicle is composed of one or more structural and functional subsystems;</i></p> <p>Article 2 (w) of the ATMF UR</p> | Vehicle | <p>Means <i>a railway vehicle suitable for circulation on wheels on railway lines, with or without traction; a vehicle is composed of one or more structural and functional subsystems;</i></p> <p>Article 2 (22) of the Interoperability Directive</p> | The meaning is similar |
| Element of Construction , also called the Interoperability Constituents | <p>Means <i>an elementary component, group of components, complete assembly or subassembly of equipment incorporated or intended to be incorporated into a subsystem, upon which the interoperability of rail systems depends directly or indirectly, including both tangible objects and intangible objects such as software;</i></p> <p>Article 2 g) of the ATMF UR</p> | Interoperability Constituent – IC | <p>Means <i>any elementary component, group of components, subassembly or complete assembly of equipment incorporated or intended to be incorporated into a subsystem, upon which the interoperability of the rail system depends directly or indirectly, including both tangible objects and intangible objects</i></p> <p>Article 2 (7) of the Interoperability Directive</p> | <p>Separate Assessment of the IC is mandatory in EU. However, <i>the assessment of ICs as components and the manufacturer’s issue of Declarations of conformity are <u>not</u> mandatory in COTIF. Such assessments may be carried out on a voluntary basis.</i></p> <p>Note in Section 2 of UTP GEN-D</p> |
| Subsystem | <p>Means <i>the result of the division of the rail system, as shown in the UTP; for which an essential requirements must be laid down, may be structural or functional.</i></p> <p>Article 2 g) of the ATMF UR, and UTP GEN-B Subsystems</p> | Subsystem | <p>Means <i>the structural or functional parts of the Union rail system, as set out in Annex II.</i></p> <p>Article 2 (5) of and Annex II too the Interoperability Directive</p> | The meaning is similar. |

| PRODUCTS | | | | |
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| OTIF | | EU | | Equivalence/Clarification |
| The term | Legal reference | The term | Legal reference | Clarification |
| Type of construction | Means <i>the basic design characteristics of the railway vehicle as covered by a type examination certificate or design examination certificate described respectively in assessment modules SB and SH1 of the UTP GEN-D</i> ; Article 2 ff) of the ATMF UR | Vehicle Type | Means <i>a vehicle type defining the basic design characteristics of the vehicle as covered by a type or design examination certificate described in the relevant verification module</i> ; Article 2 (26) of the Interoperability Directive | The meaning is similar. |

| PROCEDURES | | | | |
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| OTIF | | EU | | Equivalence/Clarification |
| The term | Legal reference | The term | Legal reference | Clarification |
| Assessment procedures (modules) | The assessment of conformity with provisions of the UTPs, applicable to structural subsystems, ICs and national technical requirements. | The modules | Commission Decision 2010/713/EU of 9 November 2010 on modules | The EU term ‘modules’ can also be used in OTIF. However, the formal reference is ‘assessment procedures’ |
| Assessment procedures for the verification of subsystems | UTP GEN-D Assessment Procedures (Modules) | Modules for EC verification of subsystems | | The COTIF and EU provisions have been harmonised. The terms have the same meaning concerning the process of checking conformity as far as vehicles are concerned. The responsibilities of the different actors are not identical. |
| Renewal and upgrading | <p><i>Renewal means any major substitution work on a subsystem or part subsystem which does not change the overall performance of the subsystem.</i></p> <p><i>Upgrading means any major modification work on a subsystem or part subsystem which improves the overall performance of the subsystem.</i></p> <p>Article 2 y) and gg) of the ATMF UR Article 10 § 11 of the ATMF UR</p> | Renewal or upgrading | The same wording as in COTIF Recitals (22) and (37), Article 2 (14) and (15), Articles 7, 15 and 21 of the Interoperability Directive | |

| PROCEDURES | | | | |
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| OTIF | | EU | | Equivalence/Clarification |
| The term | Legal reference | The term | Legal reference | Clarification |
| Substitution in the framework of maintenance | Means <i>any replacement of components by parts of identical function and performance in the framework of preventive or corrective maintenance;</i> Article 2 (c) of the APTU UR | Substitution in the framework of maintenance | Means <i>any replacement of components by parts of identical function and performance in the framework of preventive or corrective maintenance;</i> Article 2 (17) of the Interoperability Directive | |
| Technical admission | Means <i>the procedure carried out by the competent authority to authorise a railway vehicle to operate in international traffic or to authorise a type of construction.</i> Articles 2 cc) the ATMF UR | The procedure (for authorisation) | Process defined in the Commission Implementing Regulation (EU) 2018/545 | |

| CERTIFICATES, PERMISSIONS, FILES AND DECLARATIONS | | | | |
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| OTIF | | EU | | Equivalence/Clarification |
| The term | Legal reference | The term | Legal reference | Clarification |
| Technical File | <p>Means <i>the documentation relating to the vehicle containing all its technical characteristics, including a user manual and the characteristics necessary to identify the object(s) concerned, as described in the relevant UTP</i></p> <p>Articles 2 ee) and 10 § 6 of the ATMF UR, and</p> <p>UTP GEN-C 2015 Technical file</p> | Technical file | No definition of technical file in the Interoperability Directive, but it is described in Annex IV section 2.4 to the Directive. | <p>In the EU the applicant is “responsible for compiling the technical file that is to accompany the ‘EC’ declaration of verification. [...]”</p> <p>Article 15(4) of IoD 2016/797</p> <p>In COTIF the applicant “shall elaborate and attach to his application a Technical File containing the information required in the relevant UTPs. The assessing entity shall compile the technical file.”</p> <p>Article 10§6 of the ATMF UR.</p> |

| CERTIFICATES, PERMISSIONS, FILES AND DECLARATIONS | | | | |
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| OTIF | | EU | | Equivalence/Clarification |
| The term | Legal reference | The term | Legal reference | Clarification |
| Vehicle admission to operation (admission to international traffic) | <p><i>Means the right granted according to which the competent authority authorises a railway vehicle to operate in international traffic, as evidenced by a Certificate of Operation</i></p> <p>Articles 2 c), 3 and 4 of the ATMF UR</p> | Vehicle authorisation for placing on the market | <p><i>Means the first making available on the Union's market of an interoperability constituent, subsystem or vehicle ready to function in its design operating state;</i></p> <p>Article 2 (35) of the Interoperability Directive</p> <p><i>The applicant shall place a vehicle on the market only after having received the vehicle authorisation for placing on the market issued by the Agency in accordance with paragraphs 5 to 7 or by the national safety authority in accordance with paragraph 8.</i></p> <p>Article 21.1 of the Interoperability Directive</p> | The concepts of authorisation (EU) and admission (COTIF) are not equivalent. However, both confirm that a vehicle may be operated in its area of use. |
| Certificate to Operation | <p><i>Means the attestation issued by the competent authority of an admission to</i></p> | | <p>No definition in the Interoperability Directive</p> <p>Content of vehicle authorisation is described in 21.9.</p> | <p>Form discussed when preparing the implementing act (IA) on vehicle authorisation (VA).</p> <p>By 16.6.2018 the EC will adopt practical arrangements by means of an implementing act.</p> |

| CERTIFICATES, PERMISSIONS, FILES AND DECLARATIONS | | | | |
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| OTIF | | EU | | Equivalence/Clarification |
| The term | Legal reference | The term | Legal reference | Clarification |
| | <p><i>operation, including the conditions of the admission;</i></p> <p>Articles 2 ca) of the ATMF UR and</p> <p><i>The admission of [...] to operation shall be evidenced by [...] “Certificate of Operation”</i></p> <p>11 §§ 3, 8, 9 of the ATMF UR</p> | | | |
| Admission of a type of construction | <p><i>Means the right granted according to which the competent authority authorises a type of construction of a railway vehicle, as a basis for the admission to operation for vehicles which correspond to that type of construction, as evidenced by a Design Type Certificate</i></p> <p>Articles 2 b) and 4 of the ATMF UR</p> | Type Authorisation | No definition of type authorisation of vehicle in the Interoperability Directive. However, the process is described in Article 24 of the Directive (Type authorisation of vehicles) | Definition is currently being discussed in the context of preparing the implementing act (IA) on vehicle authorisation (VA). |
| Design type certificate <i>(issued by the competent authority of a Contracting State to the applicant)</i> | <p><i>Means the attestation issued by the competent authority of the admission of a type of construction, including the conditions of the admission.</i></p> <p>Article 2 f) and Articles 10 § 8 and 11 § 2 of the ATMF UR</p> | | No definition in the Interoperability Directive | Content and form of type authorisation discussed in the context of preparing the implementing act (IA) on vehicle authorisation (VA). |

| CERTIFICATES, PERMISSIONS, FILES AND DECLARATIONS | | | | |
|--|---|---|---|---|
| OTIF | | EU | | Equivalence/Clarification |
| The term | Legal reference | The term | Legal reference | Clarification |
| Area of Use of a vehicle | <p><i>Means the network located within two or more CS in which a vehicle is intended to be used.</i></p> <p>Article 2 hh) of the ATMF UR</p> | Area of use of a vehicle | <p><i>Means a network or networks within a Member State or a group of Member States in which a vehicle is intended to be used;</i></p> <p>Article 2 (32) of the Interoperability Directive</p> | The meaning of the concept is similar, however as COTIF applies to international traffic only the ATMF UR area of use will per definition cover two or more states. |
| UTP certificate of verification (for subsystems) | <p><i>Means the attestation issued by an assessing entity that verification has been carried out with a positive result;</i></p> <p>Article 2 cb) of the ATMF UR</p> <p>The Certificate is issued by the assessing entity to the applicant if the subsystem concerned meets the requirements of the relevant UTP(s) and in respect of the examinations and test carried out.</p> <p>UTP GEN-D</p> | EC certificate of verification (for subsystems) | <p><i>The notified bodies responsible for the verification assess the design, production and final testing of the subsystem and draw up the certificate of verification intended for the applicant who in turn draws up the 'EC' declaration of verification.</i></p> <p>Annex IV section 2.3.1 of the Interoperability Directive</p> | The meaning is similar. The certificate is mandatory under COTIF. |
| | | | <p><i>The designated body draws up the certificate of verification intended for the applicant. The certificate shall contain a precise reference to the national rule(s) whose conformity has been examined by the designated body in the verification process.</i></p> <p>Annex IV section 3.2 of the Interoperability Directive</p> | |

| CERTIFICATES, PERMISSIONS, FILES AND DECLARATIONS | | | | |
|--|--|---|---|---|
| OTIF | | EU | | Equivalence/Clarification |
| The term | Legal reference | The term | Legal reference | Clarification |
| UTP declaration of verification (for subsystems) | The declaration is issued by the manufacturer on the basis of the certificate of verification for the subsystem issued by the assessing entity. UTP GEN-D | EC declaration of verification (for subsystems) | The manufacturer shall draw up a declaration for the subsystem on the basis of EC certificate of verification and keep it together with the technical documentation at the disposal of the national authorities throughout the service life of the subsystem... | The declaration is not mandatory under COTIF. |
| UTP certificate of conformity (for ICs) | The certificate is issued by the assessing entity to the applicant if the IC concerned satisfies the requirements of the relevant UTP(s) and in respect of the examinations and test carried out. | EC certificate of conformity (for ICs) | <i>The notified body shall issue (to the manufacturer) an EC certificate of conformity in respect of the examinations and tests carried out.</i> Commission Decision 2010/713/EU of 9 November 2010 on modules | Separate Assessment of the IC is mandatory in EU. <i>The assessment of ICs as components and the manufacturer's issue of Declarations of conformity are <u>not</u> mandatory in COTIF. Such assessments may be carried out on a voluntary basis, in which case the provisions in this UTP shall apply.</i> NOTE IN SECTION 2 OF UTP GEN-D |
| Declaration of conformity (for ICs) | Means the result of the conformity assessment procedure whereby the manufacturer ensures and declares on his sole responsibility that the IC concerned satisfies the requirements of the relevant UTP. | EC declaration of conformity (for ICs) | <i>The manufacturer shall draw up a written EC declaration of conformity for the IC and keep it together with the technical</i> | See the explanation in the cell above. |

| CERTIFICATES, PERMISSIONS, FILES AND DECLARATIONS | | | | |
|---|---|--|---|--|
| OTIF | | EU | | Equivalence/Clarification |
| The term | Legal reference | The term | Legal reference | Clarification |
| | UTP GEN-D, annex 3 | | <i>documentation at the disposal of the national authorities...</i> Commission Decision 2010/713/EU of 9 November 2010 on modules | |
| Type examination certificate | Means the attestation issued by the assessing entity in which it verifies that the technical design of the IC/subsystem meets the requirements of the relevant UTP(s), or other applicable regulations, that apply to it. Modules CB/SB of UTP GEN-D | EC type examination certificate | Means attestation issued by the NoBo in which it verifies that the technical design of the IC/subsystem meets the requirements of the relevant TSI(s) and other applicable regulations that apply to it. Commission Decision 2010/713/EU of 9 November 2010 on modules | |
| Admission (of infrastructure) | The admission of infrastructure is subject to the provisions in force in the state in which the infrastructure is located (see Article 8 § 2 of the ATMF UR). States may decide on a line-by-line basis whether or not to apply the UTP INF. | Authorisation (of infrastructure) | As part of fixed installations, infrastructure should be authorised by the Competent Authority (NSA) Article 18 of the Interoperability Directive | The EU legislation defined the geographical scope within the Single European Railway Area of the types of infrastructure that would require authorisation. The equivalence of the UTP and the TSI concerning infrastructure is limited to the technical provisions in chapters 4 and 5 of the UTP INF and the particular assessment procedures in point 6.2.4 of the UTP INF. |

**EU terminology which has no corresponding term or concept in the APTU and ATMF UR
however potentially relevant for COTIF**

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| <p>Configuration management</p> | <p><i>Means a systematic organisational, technical and administrative process put in place throughout the lifecycle of a vehicle and/or vehicle type to ensure that the consistency of the documentation and the traceability of the changes are established and maintained so that:</i></p> <ul style="list-style-type: none"> <i>a) requirements from relevant Union law and national rules are met;</i> <i>b) changes are controlled and documented either in the technical files or in the file accompanying the issued authorisation;</i> <i>c) information and data is kept current and accurate;</i> <i>d) relevant parties are informed of changes, as required.</i> | |
| <p>Pre-engagement</p> | <p><i>Means a procedural stage preceding the submission of an application for authorisation performed upon request of the applicant;</i></p> | |
| <p>Requirements capture</p> | <p><i>Means the process of identification, assignment, implementation and validation of requirements performed by the applicant in order to ensure that relevant Union and national requirements are complied with. Requirements capture may be integrated in the product development processes;</i></p> | |