

Annex

Union law requirements that addressees may be unable to comply with due to measures taken in the context of the COVID 19 crisis

(Non-exhaustive list, to be updated if necessary)

1. ROAD TRANSPORT

Periodic training of drivers in the context of Certificates of Professional Competence (CPC), as provided for in Article 8 of Directive 2003/59/EC¹;

Driving licences: renewal or, in some cases, exchange of driving licences according to Article 7 of Directive 2006/126/EC²;

Dangerous goods: In the context of Directive 2008/68/EC³;

- Renewal of driver training certificates for the transport of dangerous goods as referred to in section 8.2.2.8.2 of the European Agreement Concerning the International Carriage of Dangerous Goods by Road (ADR⁴);
- Renewal of dangerous goods safety advisers certificates as referred to in section 1.8.3.16.1 of ADR.
- Periodic or intermediate inspections of shells, battery vehicles, Multiple Elements Gas Containers (MEGCs) and tanks in accordance with sections 6.8.2.4.2, 6.8.2.4.3, 6.8.3.4.6, 6.8.3.4.12, 6.9.5.2 and 6.10.4 of ADR;
- Inspections necessary for the continued validity of the certificate of approval for vehicles in accordance with section 9.1.3.4 of ADR;
- Periodic inspection and test of pressure receptacles according to some of the provisions in section 4.1.6.10 and packing instruction P200 of section 4.1.4.1 of ADR for the carriage of certain gases of Class 2, e.g. UN 1002 AIR, COMPRESSED, UN 1072 OXYGEN, COMPRESSED, UN 1073 OXYGEN, REFRIGERATED LIQUID etc.

¹ Directive 2003/59/EC of the European Parliament and of the Council of 15 July 2003 on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers, amending Council Regulation (EEC) No 3820/85 and Council Directive 91/439/EEC and repealing Council Directive 76/914/EEC, JO L 226 du 10.9.2003, p. 4.

² Directive 2006/126/EC of the European Parliament and of the Council of 20 December 2006 on driving licences (Recast), OJ L 403, 30.12.2006, p. 18.

³ Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008 on the inland transport of dangerous goods, OJ L 260, 30.9.2008, p. 13.

⁴ The numbers referred to below as pertaining to “ADR” are those of Annex A or Annex B to the Agreement. The rules concerned have been rendered applicable by Annex I to Directive 2008/68/EC.

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- Periodic or intermediate inspections of portable tanks and UN multiple-element gas containers (MEGCs) in accordance with sections 6.7.2.19.2, 6.7.3.15.2, 6.7.4.14.2 and 6.7.5.12.2 of ADR.

Inspection of the tachograph, as required by Article 23 of Regulation 165/2014⁵.

Periodic roadworthiness tests for motor vehicles and their trailers as required by Article 5 of Directive 2014/45/EU⁶.

Renewal of community licence according to Article 6 of Regulation (EC) No 1072/2009⁷ and Article 4 of Regulation 1073/2009⁸.

Renewal of the authorisation for the provision of regular services by bus and coach according to Article 9 of Regulation 1073/2009.

Renewal of the driver attestation issued according to Article 5 of Regulation (EC) No 1072/2009.

Renewal of the certificate of competence for drivers for the transport of live animals, according to Article 17 of Regulation (EC) No 1/2005⁹.

2. RAIL TRANSPORT

Railway safety: In the context of Directive (EU) 2016/798¹⁰;

- Renewal/updating of Single safety certificate for railway undertaking under Article 10(13);

⁵ Regulation (EU) No 165/2014 of the European Parliament and of the Council of 4 February 2014 on tachographs in road transport, repealing Council Regulation (EEC) No 3821/85 on recording equipment in road transport and amending Regulation (EC) No 561/2006 of the European Parliament and of the Council on the harmonisation of certain social legislation relating to road transport, OJ L 60, 28.2.2014, p. 1.

⁶ Directive 2014/45/EU of the European Parliament and of the Council of 3 April 2014 on periodic roadworthiness tests for motor vehicles and their trailers and repealing Directive 2009/40/EC, OJ L 127, 29.4.2014, p. 51.

⁷ Regulation (EC) No 1072/2009 of the European Parliament and of the Council of 21 October 2009 on common rules for access to the international road haulage market, OJ L 300, 14.11.2009, p. 72.

⁸ Regulation (EC) No 1073/2009 of the European Parliament and of the Council of 21 October 2009 on common rules for access to the international market for coach and bus services, and amending Regulation (EC) No 561/2006, OJ L 300, 14.11.2009, p. 88.

⁹ Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97, OJ L 3 of 5.1.2005, p. 1.

¹⁰ Directive (EU) 2016/798 of the European Parliament and of the Council of 11 May 2016 on railway safety, OJ L 138, 26.5.2016, p. 102.

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- Renewal/updating of Safety Certificate for railway infrastructure manager under Article 12(2);
- Renewal of ECM (entity in charge of maintenance) certification under Article 14(4) of Directive 2016/798 and under Article 7 of Commission Implementing Regulation (EU) 2019/779¹¹.

Railway Safety: In the context of Directive 2004/49/EC¹²;

- Renewal/updating of safety certificate for railway undertaking under Article 10(5);
- Renewal/updating of safety authorisation of infrastructure manager under Article 11(2).

Certification of train drivers: In the context of Directive 2007/59/EC¹³;

- Expiration of Train Drivers licences according to Article 14(5);
- Completion of the periodic checks and examinations referred to in Article 16 for licences and complementary certificates.

Rail interoperability: In the context of Directive 2016/797¹⁴ and Directive 2008/57/EC¹⁵;

- Periodic medical examinations of staff performing safety critical functions under point 4.7.2.2 of Annex I to Decision 2012/757/EC.

Railway Licences: Time limit for treatment of requests for railway undertakings' licences under Article 25(2) and period of validity of the temporary licence under Article 24(3) of Directive 2012/34¹⁶;

Dangerous goods: In the context of Directive 2008/68/EC¹⁷;

¹¹ 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 of the European Parliament and of the Council and repealing Commission Regulation (EU) No 445/2011, OJ L 139I, 27.5.2019, p. 360.

¹² 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), OJ L 164, 30.4.2004, p. 44.

¹³ 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, OJ L 315, 3.12.2007, p. 5.

¹⁴ 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, OJ L 138, 26.5.2016, p. 44.

¹⁵ 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 (Recast), OJ L 191, 18.7.2008, p. 1.

¹⁶ 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.

- Renewal of dangerous goods safety advisers certificates as referred to in section 1.8.3.16.1 of the Annex to the Regulations concerning the International Carriage of Dangerous Goods by Rail (RID18.)
- Periodic or intermediate inspections of shells, battery vehicles, Multiple Elements Gas Containers (MEGCs) and tanks in accordance with sections 6.8.2.4.2, 6.8.2.4.3, 6.8.3.4.6, 6.8.3.4.12, 6.9.5.2 and 6.10.4 of RID.
- Periodic inspection and test of pressure receptacles according to some of the provisions in section 4.1.6.10 and packing instruction P200 of section 4.1.4.1 of RID for the carriage of certain gases of Class 2, e.g. UN 1002 AIR, COMPRESSED, UN 1072 OXYGEN, COMPRESSED, UN 1073 OXYGEN, REFRIGERATED LIQUID etc.
- Periodic or intermediate inspections of portable tanks and UN multiple-element gas containers (MEGCs) in accordance with sections 6.7.2.19.2, 6.7.3.15.2, 6.7.4.14.2 and 6.7.5.12.2 of RID.

3. INLAND NAVIGATION

Boatmasters:

- Renewal of boatmasters' certificates issued on the basis of Article 1 of Directive 96/50/EC¹⁹, as well as, where limited in time, certificates or attestations of specific knowledge issued in accordance with its Articles 9 and 10;
- Proof of medical examination required under Article 6(2) of Directive 96/50/EC.

Vessels:

- Renewal or extension of the validity of documents issued in line with Articles 6, 8 and 9 of Directive 2016/1629²⁰ and extension of the validity of documents issued on the basis of Article 4 and 8 of Directive 2006/87²¹;

¹⁷ Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008 on the inland transport of dangerous goods, OJ L 260, 30.9.2008, p. 13.

¹⁸ The numbers listed concern the Annex to the Regulations, which themselves constitute Appendix C to the Convention concerning International Carriage by Rail (COTIF). The rules concerned have been rendered applicable by Annex II to Directive 2008/68/EC.

¹⁹ Council Directive 96/50/EC of 23 July 1996 on the harmonization of the conditions for obtaining national boatmasters' certificates for the carriage of goods and passengers by inland waterway in the Community, OJ L 235, 17.9.1996, p. 31.

²⁰ Directive (EU) 2016/1629 of the European Parliament and of the Council of 14 September 2016 laying down technical requirements for inland waterway vessels, amending Directive 2009/100/EC and repealing Directive 2006/87/EC, OJ L 252, 16.9.2016, p. 118.

²¹ Directive 2006/87/EC of the European Parliament and of the Council of 12 December 2006 laying down technical requirements for inland waterway vessels and repealing Council Directive 82/714/EEC, OJ L 389, 30.12.2006, p. 1.

- Periodicity of technical inspections carried out in accordance with Article 20 of Directive 2016/1629.

Dangerous goods: In the context of Directive 2008/68/EC;

- Renewal or extension of certificates of approval including periodicity of inspections, under Sections of 1.16.10 and 1.16.11 of the Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN) 22;
- Renewal of ADN specialized knowledge/expert certificates for the transport of dangerous goods according to Section 8.2.2.8 ADN.
- Renewal of dangerous goods safety adviser certificates, according to Section 1.8.3.16.1 of ADN
- Periodic or intermediate inspections of shells, battery vehicles, Multiple Elements Gas Containers (MEGCs) and tanks in accordance with Sections 6.8.2.4.2, 6.8.2.4.3, 6.8.3.4.6, 6.8.3.4.12, 6.9.5.2 and 6.10.4 of ADR as referred to in Section 6.1.1 of ADN;

4. TRANSPORT SECURITY

4.1 Aviation Security

- Point 1.2.2.2(b) to (e) of the Annex to Commission Implementing Regulation (EU) N°2015/1998²³ regarding the reissuance of identification cards referred therein.
- Point 11.6.3.5(a) of the Annex to Commission Implementing Regulation (EU) N°2015/1998, regarding the validity and frequency of background checks.
- Point 6.3.1. and in particular 6.3.1.4 of the Annex to Commission Implementing Regulation (EU) N°2015/1998, regarding the Appropriate Authority re-approval of European Union Regulated Agents, if the on-site visit described in point 6.3.1.2(b) cannot take place due to the current circumstances;
- Point 6.4.1 and in particular 6.4.1.4 of the Annex to Commission Implementing Regulation (EU) N°2015/1998, regarding the Appropriate Authority re-approval of Known Consignors, if the on-site visit described in point 6.4.1.2(b) cannot take place;
- Point 8.1.3 and in particular 8.1.3.3 of the Annex to Commission Implementing Regulation (EU) N°2015/1998, regarding the Appropriate Authority re-approval of

²² The numbers listed concern the Annexed Regulations to the European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN). The rules concerned have been rendered applicable by Annex III to Directive 2008/68/EC.

²³ Commission Implementing Regulation (EU) 2015/1998 of 5 November 2015 laying down detailed measures for the implementation of the common basic standards on aviation security, OJ L 299, 14.11.2015, p. 1.

Regulated Suppliers, if the on-site visit described in point 8.1.3.2(b) cannot take place;

- Point 8.1.4 of the Annex to Commission Implementing Regulation (EU) N°2015/1998, regarding the designation of Known Suppliers of in-flight supplies by the designating entity and point 8.1.4.5(a) as regards the validation of the implementation of the security programme, if the on-site visit of the supplier cannot take place;
- Point 9.1.3 of the Annex to Commission Implementing Regulation (EU) N°2015/1998, regarding the designation of Known Suppliers of airport supplies by the airport operator and point 9.1.3.5(a) as regards the validation of the implementation of the security programme, if the on-site visit of the supplier cannot take place;
- Point 11.3.1 of the Annex to Commission Implementing Regulation (EU) N°2015/1998, regarding the re-approval or recertification of persons performing tasks as listed in points 11.2.3.1 to 11.2.3.5 of that Regulation;
- Points 11.4.1(a) and 11.4.1(a) of the Annex to Commission Implementing Regulation (EU) N°2015/1998, regarding the periods defined to determine the minimum recurrent training requirements for persons operating x-ray and EDS equipment, if the complete fulfilment thereof is impeded;
- Point 11.5.1. of the Annex to Commission Implementing Regulation (EU) N°2015/1998 regarding the re-certification of instructors;
- Point 12.5.6 of the Annex to Commission Implementing Decision C(2015) 8005, as regards the update of TIP libraries;
- Point 12.9.3.11 of the Annex to Commission Implementing Regulation (EU) N°2015/1998, regarding the period defined to determine the recurrent training of EDD teams (Explosive Detection Dogs), if the complete fulfilment thereof is impeded;
- Point 12.9.4.5 of the Annex to Commission Implementing Regulation (EU) N°2015/1998, regarding the interval of re-approval of an EDD team,
- Articles 12, 13 and 14 of Regulation (EC) No 300/2008²⁴, on common rules in the field of civil aviation security, regarding the internal quality control activities performed by airport operators, air carriers and other entities, respectively.
- Points 6.4, 7.5 and 7.6 of Annex II to Regulation (EC) No 300/2008, on common rules in the field of civil aviation security, as amended by Commission Regulation (EU) No 18/2010 of 8 January 2010, regarding the minimum frequencies of Audits and Inspections of airports to be performed by Member States, if the planning is impacted and the relevant activity impeded.

²⁴ Regulation (EC) No 300/2008 of the European Parliament and of the Council of 11 March 2008 on common rules in the field of civil aviation security and repealing Regulation (EC) No 2320/2002, OJ L 97, 9.4.2008, p. 72.

4.2 Maritime Security

- End date of validity or expiry of certificates, assessments and plans, in the context of Regulation (EC) No 725/2004²⁵ on enhancing ship and port facility security, specifically under Article 3.6 (Port Facility Security Assessment), and under Annex II, Part A, Sections 8 and 9 (Ship Security Assessment and Plan), Sections 15 and 16 (Port Facility Security Assessment and Plan), Section 19 (Verification and certification for ships).
- End date of validity or expiry of assessments and plans, in the context of Directive 2005/65/EC²⁶ on enhancing port security, specifically under Article 10.
- Periodicity of drills and exercises, in the context of Regulation (EC) No 725/2004 on enhancing ship and port facility security, specifically under Annex II, Part B, Sections 13.6 and 13.7, and Sections 18.5 and 18.6, and in the context of Directive 2005/65/EC on enhancing port security, specifically under Annex III.

²⁵ Regulation (EC) No 725/2004 of the European Parliament and of the Council of 31 March 2004 on enhancing ship and port facility security, OJ L 129, 29.4.2004, p. 6.

²⁶ Directive 2005/65/EC of the European Parliament and of the Council of 26 October 2005 on enhancing port security, OJ L 310, 25.11.2005, p. 28.