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NB-Rail Association

RECOMMENDATION FOR USE

NB-RAIL COORDINATION GROUP

Administrative Decision according to Interoperability Directive
(EU) 2016/797 art. 30.6



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RFU-CCS-502

Issue 02

Date 23/11/2022

TITLE

ACCEPTANCE OF SAFETY ASSESSMENTS FOR CCS SUBSYSTEMS AND ICs

ORIGINATOR

Arsenal Race; TÜV SÜD Nederland B.V.

SUBJECT RELATED TO

- TSI CCS (EU) 2016/919 amended by Reg. (EU) 2019/776, (EU) 2020/387 and (EU) 2020/420
- Directive (EU) 2016/797

Amendment record:

02/03/2021 First issue

09/11/2022 Reference to RFU-STR-706 deleted and legal reference updated

DESCRIPTION AND BACKGROUND EXPLANATION

The aim of this RFU is to clarify how to assess compliance with the safety requirements according to TSI CCS (EU) 2016/919 and its later amendments and what has to be considered by the NoBo.

Note: This RFU applies for a project only if TSI CCS amendment (EU) 2019/776 is used, because (EU) 2019/776 changes TSI CCS Section 3.2.1 Safety.

For projects where the amendment (EU) 2019/776 is not used e.g. due to the advanced stage, this RFU is not applicable. In this case, the RFU-STR-016 in the latest version is to be applied.

"Safety" is one of the *Essential Requirements for the Control-command and signalling Subsystems* referred to in chapter 3 of the TSI CCS. At the beginning of Chapter 6 of the TSI CCS states that *the fulfilment of the essential requirements set out in Chapter 3 of the TSI CCS shall be ensured through compliance with the basic parameters specified in Chapter 4 of the TSI CCS. This compliance shall be assessed according to chapter 6 of the TSI CCS by:*

(1) assessing the conformity of the interoperability constituents specified in chapter 5 of the TSI CCS

(2) verifying the subsystems

In addition to fulfilling the requirements derived from chapter 4.2.1.1 (Safety) of the TSI CCS, recognised standards are also to be applied (see No 3 in Table 6.1) or the application of *procedures specified in the Common Safety Method for Risk Evaluation and Assessment* (see No 6 in Table 6.2 and No 8 in Table 6.3).

Table A3 in Annex A of the TSI CCS lists CENELEC standards. Those are according to Chapter 3.2.1 of the TSI CCS an *appropriate means to fully comply to the risk management process as set out in Annex I of the Commission Implementing Regulation*



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(EU) No 402/2013 for design, implementation, production, installation and validation (incl. Safety acceptance) of interoperability constituents and subsystems.

The last paragraph of chapter 3.2.1 states the following:

Whenever the specifications as referred to in Annex A, Table A 3 are used as an appropriate means to fully comply to the risk management process as set out in Annex I of the Commission Implementing Regulation (EU) No 402/2013, in order to avoid unnecessary duplication of independent assessment work, the independent safety assessment activities that are required by the specifications referred to in Annex A, Table A 3 shall be carried out by an Assessment Body accredited or recognized as specified in the section above instead of a CENELEC independent safety assessor.

The above-mentioned texts from the TSI CCS have led to different understandings within NB-Rail. This RFU is aligned with ERA TSI CCS Application Guide version 7, Annex 10.

RFU PROPOSAL

According to chapter 3.2.1 of the TSI CCS, the assessment of the safety requirements shall be carried out by an AsBo (*Assessment Body* according (EU) No 402/2013). An (non-AsBo) ISA (*Independent Safety Assessor*) is explicitly not permitted, even if it is accredited (see last paragraph of chapter 3.2.1 of the TSI CCS).

Chapter 6 of the TSI CCS goes into more detail on the safety requirements concerning interoperability constituents and subsystems.

Interoperability Constituent: No 3 of the applicable Table 6.1 refers to the CSM-RA only in respect of the applicable standard. Therefore, CSM-RA is not mandatory to apply. However, a corresponding standard according to Table 6.1 (3) shall be applied and assessed by an accredited or recognised AsBo.

Subsystems: The relevant parts of Tables 6.2 (6) and 6.3 (8) refer to "*Application of procedures specified in the Common Safety Method for Risk Evaluation and Assessment*". The standards from TSI CCS Annex A, Table A3 are an appropriate means to fully comply to the risk management process as set out in Annex I of (EU) No 402/2013. In case these standards are used, the Independent Safety Assessment as described in these standards shall be carried out by an AsBo (accredited or recognized).

As described above, the application of the standards listed in Annex A, Table A3 of the TSI CCS is not mandatory but highly recommended by NB-Rail. Other *recognised standards* may be used instead. *When different specifications from the ones referred to in Annex A, Table 3 are applied, at least equivalence shall be demonstrated with the specifications in Annex A, Table 3* (see chapter 3.2.1 of the TSI CCS).

This leads to the following way of working:



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If a NoBo receives an independent safety assessment report as input for his Conformity Assessment of an IC or an EC Verification of a subsystem, the NoBo shall follow the Clarification Note ERA 1209/186 V 1.0 dd 13/09/2022 on the acceptance by a NoBo of the results of an independent assessment carried out by an AsBo.

If an interoperability constituent according to table 5.1.a or 5.2.a does not have to fulfil any safety requirements (Interface of External STM, GSM-R voice cab radio, GSM-R ETCS Data only Radio, Axle Counter) no AsBo is necessary as input for a NoBo assessment. Furthermore, only the part of the subsystem "Train protection" requires an AsBo, as all other parts of subsystems do not have any safety requirements assigned (see Table 4.1 in the TSI CCS).

THIS RFU WAS AGREED ON

PLENARY MEETING 66

THIS RFU ENTERS INTO FORCE ON

23/11/2022 (DATE OF PUBLICATION)

FROM THIS DATE ON THIS RFU CAN BE APPLIED INSTEAD OF THE PREVIOUS MANDATORY VERSION.

RFU APPLICATION IS MANDATORY STARTING FROM

23/11/2022

AT THIS DATE ANY PREVIOUS VERSIONS (*OR, ALTERNATIVELY, VERSION XX*) OF THIS RFU WILL BE WITHDRAWN.

RFUS SHALL BE APPLIED BY ALL NOBOS. PLEASE REFER TO RFU-STR-702, CHAPTER 3 OF THE SECTION "DESCRIPTION AND BACKGROUND EXPLANATION", FOR THE LEGAL BASIS SUPPORTING THIS OBLIGATION.

ERA COMMENTS

PM 66 – 09/11/2022: NO COMMENTS