



Parliament of Romania

Senate

Bucharest, April 3, 2013

Courtesy translation

REASONED OPINION

of the ROMANIAN SENATE on the

**Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF
THE COUNCIL on the European Union Agency for Railways and repealing
Regulation (EC) No 881/2004 (Text with EEA relevance) COM (2013) 27**

The Senate of Romania has checked the compliance of the Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the European Union Agency for Railways and repealing Regulation **COM (2013) 27** with the subsidiarity and proportionality principles according to Article 5 of the EU Treaty and Protocol 2 of the Treaty of Lisbon of Lisbon (protocol no.2) .

Taking into account the report of our permanent Committees for European Affairs and Economy, Industries and Services, **the Plenum of the Senate**, during its session of 2 April 2013, found that the mentioned proposal was in breach with the principle of subsidiarity.

The Senate observes that this Regulation will generate a high level of safety and will improve competitiveness of the railway sector while covering a highest degree of transparency and an efficient informational flow regarding the railway safety.

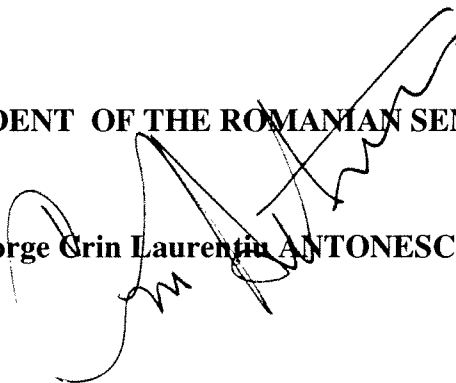
Meanwhile, it will increase the interoperability of transeuropean network and of the professional qualification.

The senators were of the opinion that, in conflict with the principle of subsidiarity, an extended involvement of the European Railway Agency in the activities currently performed by the national railway authorities of the Member States will minimise the latter's role. A higher risk of the railway and processing industry companies increased certification costs, namely for those operating within the national markets (including Romania), was also taken into consideration.

- As related the safety certification of the railway and rolling stock operators, the Senate appreciated that is necessary to develop a more detailed analysis regarding an optimum share of competences between ERA and the safety national authorities,.
- Moreover, the Senate was in favor of removing the approaches concerning the isolated local and regional networks and recommended to preserve the national administrative mechanisms.
- In case of non compliance of national norms with European regulations and procedures, the Senate expressed the opinion that ERA could extend its competences in order to check, coordinate and monitor the activities of the national railway agencies.

PRESIDENT OF THE ROMANIAN SENATE

George Grin Laurentiu ANTONESCU

A handwritten signature in black ink, appearing to read 'George Grin Laurentiu ANTONESCU', is written over the printed name. The signature is stylized and somewhat illegible due to overlapping strokes.