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From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	Draft Regulation of the European Parliament and of the Council on the European Union Agency for Railways and repealing Regulation (EC) No 881/2004 (First reading) - Adoption a) of the Council's position b) of the statement of the Council's reasons = Statements

Statement by the Commission on the ERA management board and the selection and dismissal procedure of the executive director

The Commission regrets the fact that compared to the original proposal presented by the Commission, the agreed text on the new ERA Regulation deviates from the key provisions agreed under the Common Approach on EU decentralised agencies, by the European Parliament, the Council and the Commission in 2012. This concerns the number of representatives of the Commission within the Management Board and the selection and dismissal procedure of the executive director. The Commission emphasises in particular that the appointment of an observer among the members of the Management board to follow the selection procedure applied by the Commission for the appointment of the executive director should not result in a duplication of roles in the selection and appointment procedures (Article 51(1)).

Statement by the Commission on necessary budget resources

The 4th Railway Package gives ERA new competences, in particular the power to issue vehicle authorisations and safety certificates directly to the sector. It cannot be excluded that in the transition period fees and charges are not yet available to ERA while the staff needs to be recruited and trained. In order to avoid disruption to the railway market, the Commission will endeavour to reserve the necessary budget in order to cover the costs of relevant staff.