

Who and What is the Project Entity?

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Audience	This Helpnote is applicable to all projects to introduce new, upgraded or renewed subsystems on the rail system and contains information for Project Entities .
Background	<p>A Project Entity is the body that commissions, or is a manufacturer for, a project to introduce new, upgraded or renewed subsystems onto the rail system. It is these projects, and the decisions relating to them, that trigger the processes in RIR 2011; and the Project Entity has a key role in those processes.</p>
Annex A	<p>Both the Department for Transport ("DfT") and the Safety Authority may deal directly with the Project Entity. This term is widely used in RIR 2011 as a shorthand term to apply to the Contracting Entity, or manufacturer, or the authorised representative established in the EU of either of these. The obligations of the Project Entity are summarised at Annex A.</p>
Definition	RIR 2011 defines a Contracting Entity as:
Reg 2(1)	<p>"...the person who contracts or intends to contract with another person for that other person to design, construct, renew or upgrade a subsystem."</p> <p>RIR 2011 defines a Project Entity as;</p> <p>".. in relation to a project, a contracting entity or manufacturer or the authorised representative established in the EU of a contracting entity or manufacturer;"</p> <p>The Project Entity could be a person or a business established outside of the European Community. However, the Project Entity may contract with another person to act as its authorised representative in the European Union – generally a business registered in a Member State. DfT or the Safety Authority may request documentary confirmation or evidence of such appointments. The Project Entity should be aware that the appointment of an authorised representative does not enable it to contract out all of its responsibilities under RIR 2011.</p>

**Verification
declaration
Reg 16(3)**

One of the most important functions of the **Project Entity** is making the verification declaration, which must be sent with the authorisation application to the **Safety Authority**. The verification declaration confirms, amongst other things, that the **Project Entity** is satisfied that the essential requirements are met, including the interfaces with the rail system on which the project subsystem will be placed in service. The declaration confirms that the verification assessment procedure has been undertaken by a **Notified Body** and, if applicable, by a **Designated Body**.

Reg 17

The verification assessment procedure involves the **Notified Body** assessing conformity with TSIs and the interface between the project subsystem and the rail system to the extent that such an assessment is possible based on the available information in the relevant TSI, the infrastructure register and European register of authorised types of vehicles. The **Designated Body** will carry out the verification assessment procedure in relation to NNTRs in accordance with Annex VI of the Directive. Section 2.4 of Annex VI states that when safe integration is required pursuant to Commission Regulation (EC) No 352/2009 (Common Safety Method Regulation), the applicant shall include in the technical file the assessor's report on the Common Safety Methods (CSM) on risk assessment referred to in Article 6 (3) of Directive 2004/49/EC.

Other guidance

Document Control

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1.0	August 2012

Obligations of the Project Entity in RIR 2011

Annex A

Introduction

RIR 2011 places a number of obligations on the **Project Entity** which must be taken into account during project planning and management and in establishing systems for the lifetime of the subsystem. A summary of these, together with cross references to RIR 2011 can be found below.

Please note that **Project Entities** should, in all circumstances, refer back to the provisions of RIR 2011 to ensure they understand their obligations in context.

Reg 4, 5, 6 and 16

A person can only first use a structural subsystem (that is within the scope of the regulations) on the rail system in the UK, after it has been constructed, upgraded or renewed, if it has an authorisation from the **Safety Authority**. In order to apply for an authorisation a number of steps must be completed by the applicant beforehand. To make a valid application a verification declaration is required. A verification declaration cannot be made unless a verification assessment procedure has been carried out by a **Notified Body**, and if applicable a **Designated Body**.

Therefore a **Project Entity** is required to engage a **Notified Body** and **Designated Body** in order to obtain an authorisation.

If the **Project Entity** is applying for a voluntary reauthorisation under regulation 5 (1) (c) in the event that a first authorisation was given for a vehicle in another Member State, or under regulation 5 (1) (b) in the event that a project is out of scope of the regulations but they nevertheless wish to seek an authorisation – then a similar authorisation process and engagement of a **Notified body** and **Designated body** is necessary.

Regulation 19

Retention of documents

The authorisation process creates a number of documents which must be kept and updated throughout the lifetime of the project subsystem until it is permanently withdrawn from service. In particular, **Project Entities** who make the verification declaration must keep the following documents:

Reg 19(1)(a)

- the technical file, including the certificate of verification;
- the verification declaration; and
- any declaration of conformity to a determination of type.

And ensure that:

Reg 19(2)

- any alterations are documented;
- documentation recording any alterations and any maintenance manuals are added to and kept as part of the technical file; and
- any safety assessment report is added to and kept as part of the technical

file

Reg 19(3)

Where the **Project Entity** is not the project subsystem owner, it must ensure that all relevant documentation is passed to the owner within 60 days of authorisation (the owner then takes over ongoing obligations).

Reg 19(5)

The **Project Entity** must make the technical file available to the **Safety Authority** on demand.

Reg 19(1)(b)

Copies of the technical file must be provided to any Member State which requests it.

Regulation 36

National vehicle register

2007/756/EC

The **National Vehicle Register** ("NVR") is a database for registering and recording details of all authorised rail vehicles operated in a Member States' territory. **Decision 2007/756/EC (as amended by Decision 2011/107/EU)** specifies its format and content and Network Rail Infrastructure Limited has been designated as the **Registration Entity** responsible for its keeping and updating in Great Britain.

Reg 36(2)

The person or body that applied for an authorisation under RIR 2011 (usually the **Project Entity**) must apply to the **Registration Entity** for it to assign a European Vehicle Number (EVN) before it is placed in service not later than 14 days after the date of the authorisation the applicant must supply the relevant information to the **Registration Entity** and such further information as it may reasonably require.

Reg 36(6)