TAP Phase One

Governance Proposal

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1.   Document history

1.1   Document location

1.1.1   This document will be uploaded to the member's area of the TAP TSI project extranet.

1.2   Revision history

1.2.1   This document was revised as follows:

Revision date	Previous revision date	Summary of changes	Changes marked
11 May 2012	10 May 2012	Issued version	None

1.3   Approvals

1.3.1   The approval for this document is as follows:

Name	Title	Approval	Issue date	Version
Project Team	Project Manager, Work Stream Leaders, Project Assistant	Done	11 May 2012	V0.9
TAP Steering Committee	Chairs, members and alternates		15 May 2012	1.0

1.4   Distribution

1.4.1   This document is distributed to:

Name	Remark	Issue date	Version
DG MOVE, ERA	Official recipients of the TAP Phase One deliverables	13 May 2012	1.0
TAP Steering Committee	Chairs, members and alternates	13 May 2012	1.0
Project Team; UIC and Ticket Vendor project coordinators	All members of the Project Team and the coordinators involved in the Grant Agreement between DG MOVE and UIC	13 May 2012	1.0
Interested public	On http:\\tap-tsi.uic.org following TAP Steering Committee approval	tbd	

1.5   Document maintenance

1.5.1   This document is maintained by the TAP Phase One Project Team.

1.5.2   Any reader detecting errors or needing clarification should contact the author.

2. Table of contents

3.   List of abbreviations

3.1.1   The following abbreviations are used in the text.

Abbreviation	Meaning
BP	Basic Parameter
DG MOVE	European Commission Directorate-General for Transport
ERA	European Railway Agency
GM	General Manager
IM	Infrastructure Manager
LCC	Life Cycle Costs
PSO	Public Service Obligation
RU	Railway Undertaking
SB	Supervisory Board
SMG	Service Management Group
TAF CCM	Telematics Applications for Freight Change Control Management
TAF TSI	Commission Regulation (EU) No 62/2006 on the technical specifications for interoperability - Telematics Applications for Freight
TAP CCM	Telematics Applications for Passengers Change Control Management
TAP TSI	Commission Regulation (EU) No 454/2011 on the technical specifications for interoperability - Telematics Applications for Passenger Services
UIC	Union Internationale des Chemins de Fer
WG	Working Group

4.   Introduction

4.1   TSI telematics governance – a service to stakeholders

4.1.1   The existence of the TAP TSI (454/2011) and TAF TSI (62/2006) Regulations has fundamentally changed the railway business environment. The governance of some elements of railway business now requires the participation of other stakeholders[1] such as ticket vendors and public transport authorities. Governance based on existing railway-only structures has to be changed.

4.1.2   In Chapter 7 of the TAP TSI Regulation, there is a requirement to develop a proposal for the governance of the TAP TSI sub-system. The Regulation states: "The governance shall include the identification of the appropriate governance structures, methods and procedures to support the development and validation of the system and subsequently its deployment and its field operation and management throughout its lifetime (including dispute management between the parties involved under the provisions of this TSI)."

4.1.3   The TAP TSI Phase One project team has developed a proposal for the governance according to the requirements in the Regulation. It has done this primarily for TAP TSI purposes but recognising the close links to TAF TSI because of the common RU/IM component in both Regulations. The project team therefore proposes that a regulatory entity for TSI telematics governance[2] will be created as soon as the TAP TSI and TAF TSI Regulations are republished (probably early 2013). This entity will address both RU/IM and passenger retail business. It will procure and provide the services needed by TAP TSI and TAF TSI stakeholders without which railways cannot, or not efficiently, meet their regulatory obligations. The entity will facilitate the work needed in common amongst RUs and IMs.

4.1.4   It is also proposed that stakeholders and third parties will have access to these services on a non-discriminatory, transparent, equitable and non-profit basis. Stakeholders will be able to participate in the governance and, together with third parties, in the technical work of the entity. The entity will guarantee that the provision of the services is assured for as long as the TAP TSI and TAF TSI Regulations are in force.

4.1.5   The entity will be responsible for the acceptance into service of all Phase Two service procurement tasks and for the governance of all Phase Three deployment and operational activities.

4.1.6   The entity will deal solely with regulatory matters. To keep costs low, it will as much as possible build on existing services already provided elsewhere. It will be limited to holding the minimum assets needed to perform its regulatory role.

4.1.7   The TAP Phase One Project Team recommends that the TAF TSI actors participate in the RU/ IM services.

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[1] For definitions see next chapter.
[2] Note that there can be separate governance entities for non-telematics TSIs, i.e. other than TAP TSI and TAF TSI. Those TSIs are not being addressed here.

5. TAP TSI and TAF TSI Stakeholders

5.1 Who are the stakeholders

5.1.1 The TAP TSI and TAF TSI Regulations define a set of rights and obligations that apply to a defined set of parties. These parties are the TAP TSI and TAF TSI stakeholders.

5.1.2 The stakeholders as listed in the Regulations are:

- Freight railway undertakings
- Passenger railway undertakings
- Locomotive providers
- Coach providers
- Driver/train crew providers
- Rail infrastructure managers
- Fleet managers
- Ferry boat operators
- Workers
- Ticket vendors
- Passengers.

5.1.3 For the purpose of TSI governance, and the meeting of the regulatory obligations, a subset of this list has been selected. To this subset have been added other stakeholders who are directly implicated in the Regulation:

- Licenced freight railway undertakings
- Licenced passenger railway undertakings
- Licenced infrastructure managers
- Station managers
- Ticket vendors
- Public authorities[3].

5.1.4 The Regulation gives rights to public authorities who have a statutory obligation or right to provide members of the public with travel information and/or request paths. Public authorities who contract for rail services through service contracts are not stakeholders in the strict sense unless in addition they have a statutory obligation or right to provide members of the public with travel information and/or request paths. For reasons of convenience, Member State bodies responsible for enforcing the Passenger Rights Regulation 1371/2007 will also be treated as public authorities.

5.1.5 There are other parties who are referred to in the TAP TSI Regulation but who are not stakeholders. These are:

- Ticket controlling organisations
- Third parties.

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[3] Also referred to as Public Bodies

5.2 How Stakeholders and their Groups are defined

5.2.1 Stakeholders will need to provide evidence, as part of their application for membership of the governance entity, of their entitlement to be treated as a stakeholder and for which stakeholder group.

5.2.2 An infrastructure manager (IM) is a stakeholder as a consequence of being licenced by its Member State.

5.2.3 A passenger railway undertaking (Passenger RU) is a stakeholder as a consequence of being licenced by its Member State.

5.2.4 A freight railway undertaking (Freight RU) is a stakeholder as a consequence of being licenced by its Member State.

5.2.5 A station manager is a stakeholder as a consequence of its being contracted by an RU or IM to perform station-related tasks that would otherwise fall to the RU or IM.

5.2.6 A ticket vendor is a stakeholder either as a consequence of it having an agreement with a passenger railway undertaking that allows it to conclude rail transport contracts or being a member of a ticket vendor Stakeholder Group Association[4].

5.2.7 A public authority is a stakeholder as a consequence of it having a statutory obligation or right to provide members of the public with travel information and/or request paths. Member State bodies responsible for the enforcement of the Passengers' Rights Regulation 1371/2007 will also be treated as public authority stakeholders.

5.2.8 An organisation is a stakeholder whenever one or more of the conditions described above applies and ceases to be a stakeholder whenever none of the conditions above applies.

5.2.9 Other than defined above, suppliers are not stakeholders. By virtue of being third parties, as defined in the Regulation, they will have access to the services provided by the TSI governance, but no participation in the governance.

5.2.10 ERA and DG MOVE are not stakeholders. By virtue of DG MOVE representing the public interest, and the role of the ERA in respect of TSI management and the TAP CCM (Change Control Management) and the TAF CCM, they will have an observer role in the TSI governance in all technical matters, as described in section 7.4.

5.3 Issues with the definition of Stakeholder

5.3.1 Taking account of all the parties, including ticket vendors, there are several tens or hundreds of thousands of possible TAP TSI and TAF TSI stakeholders. There may be several thousand third parties. Despite all reasonable efforts, the TAP TSI and TAF TSI Phase One projects have had an active involvement with only a fraction of them.

5.3.2 There is no definitive list of licenced RUs and IMs. There is no definitive list of ticket vendors. There is no definitive list of public authorities. A future issue for TSI governance will be, therefore, stakeholder identification and communication.

5.3.3 In addition, non-stakeholder third parties can reasonably require access to services provided under TSI governance, and this requirement has to be met by the proposed governance.

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[4] The Stakeholder Group Associations for ticket vendors are defined as ECTAA and ETTSA.

6.   Principles of governance

6.1   Basic principles

6.1.1   The method of governance must ensure that the regulatory obligations are met and that the public interest represented in the Regulation is honoured.

6.1.2   Stakeholders must have transparency and certainty of being able to meet their obligations and exercise their rights.

6.1.3   Regulatory services are those services that an RU or IM cannot supply by themselves but which are essential to them if they are to meet their regulatory obligations. They are, therefore, fundamental to the business of RUs and IMs. Without these regulatory services, they cannot meet their legal obligations, recognising that not all regulatory services will be required by every RU and IM.

6.1.4   The regulatory services must be guaranteed in perpetuity, both their existence and the basis for their costs. Without this, RUs and IMs have a legitimate basis for refusing to meet their obligations, as the regulatory services are a pre-requisite for compliance.

6.1.5   RUs and IMs have regulatory obligations and rights. The other stakeholders have rights only. The regulatory services are essential for those stakeholders as well as RUs and IMs in order that they can all exercise their rights. The regulatory services must be therefore provided under the control of all the stakeholders in order to provide the necessary levels of transparency and certainty.

6.1.6   The method of governance and its decision making should reflect the value of the railway-related business of each of the stakeholder groups. In the interests of equity, the weight given in decision-making to stakeholders with obligations should be proportionately greater than that of stakeholders simply with rights. Decision-making should prevent the undue influence of any individual member in decision making.

6.1.7   The method of governance must ensure that business can be executed effectively and at the lowest reasonable cost.

6.1.8   The method of governance must be able to evolve with changes to business process and technical developments in the rail industry.

6.2   Regulatory service provision

6.2.1   TSI governance and its related services must be limited to regulatory business only and must not include matters of non-regulatory commercial interest.

6.2.2   The governance of a service must be carried out on behalf of those with a commercial and technical expertise in the service. Stakeholders having no regulatory interest in a service must not be involved in its governance (for example, ticket vendors should not be involved in path requests and infrastructure managers should not be involved in tariff management).

6.2.3   The provision of the regulatory services must not be profit-making. Service provision must not require the holding of reserves other than those necessary to cover regulatory activities.

6.2.4   The provision of regulatory services must take full advantage of equivalent activities already being undertaken by the stakeholders.

6.2.5   Execution of the technical services as defined above must include stakeholder commercial and technical experts. Work by stakeholders must be paid for where it is

needed to perform the technical services and where it is beyond that which can be expected free of charge from stakeholders. This applies especially where work must be undertaken to timescales defined by the TSI governance and not the contributing stakeholder(s).

6.2.6   Stakeholders must not be forced to subsidise the costs of other stakeholders who could well be competitors.

6.2.7   TSI governance must provide regulatory services in such a way that ensures both regulatory and non-regulatory business requirements of stakeholders are met. In particular for TAP TSI, this requires technical consistency between the sets of retail specifications needed for distribution (largely covered by the Regulation) and accounting (not covered by the Regulation). For TAF TSI the same consideration applies for the optional messages that complement the regulatory RU/IM messages.

6.3   Procurement processes

6.3.1   The TSI governance entity is not a utility and so will not be legally subject to the EU procurement rules. However, it will adhere to them as a matter of policy when procuring the regulatory services. This includes a competitive tender process that seeks to find the best combination available of quality of service, time to market and price.

6.3.2   However, in the first three years of its existence the TSI governance entity will follow a simpler rule so that it can minimise the delivery risk of specialist services, reduce the start-up costs of the entity and ensure the earliest provision of the regulatory services. The entity will be able to use single-supplier tenders where these can clearly be demonstrated to offer good value, low risk and an early provision of the service.

6.3.3   All contracts procured under such a regime will be for a maximum of three years and the renewal contracts will not be single-supplier tenders.

6.4   Funding – EU institutions or stakeholders

6.4.1   Although it is the European Commission who has placed these regulatory obligations on RUs and IMs, it is not appropriate or desirable for non-stakeholders to play an active managerial or financial role in the TSI governance. In the non-regulatory world, this activity is already the responsibility of the stakeholders and they have already started the planning and financial requisition needed to cover the extra regulatory work.

6.4.2   The possible concerns of smaller RUs and IMs will be addressed to ensure that this proposal for stakeholder funding does not lead to there being barriers to entry for them.

6.4.3   European project funding will be an option for the entity but only in respect of distinct projects and not the day to day provision of the regulatory services.

6.5   Governance procedures and rules

6.5.1   The TSI governance must respect the requirements of the Regulation and must provide a transparent and non-discriminatory basis for stakeholder participation. The governance procedures and rules ensure this happens. Any changes to the procedures and rules must be agreed by DG MOVE. This need for agreement ensures that the public interest is protected and that the governance continues to respect the regulatory requirements.

6.5.2   Another method of addressing the requirements would have been to have DG MOVE and/or ERA participating in all working matters of the governance with voting rights in the business. The option of operational involvement of government in the commercial business of the rail industry was precluded as an inappropriate activity for legislators. It

should be noted that in relation to the European institutions it is proposed in later chapters that ERA has ex-officio participation in all expert working groups and that DG MOVE and ERA participate in the work of the Supervisory Board as observers in all technical matters, as described in section 7.4.

6.6   Basis for charging

6.6.1   Many stakeholders are small companies or have a small participation in rail ticketing or operations. Not all of them will in the event need to meet TSI obligations, for example if they carry out no RU-RU business. In order to minimise any arguments about who should pay, it is proposed simply to charge an annual participation fee. This fee is mandatory for those parties who have regulatory obligations to meet.

7. Governance procedures and rules

7.1 TSI governance structure

7.1.1 It is proposed that the regulatory services are provided by a permanent entity owned and run by the stakeholders. This entity can enter into contracts. There will be one entity that covers all telematics TSIs. The entity will include all stakeholders, TAP and TAF, but certain classes of stakeholders will not able to vote on business matters in which it has no interest[5].

7.2 Governance structure

7.2.1 The proposed structure for the governance of the entity is set out below.
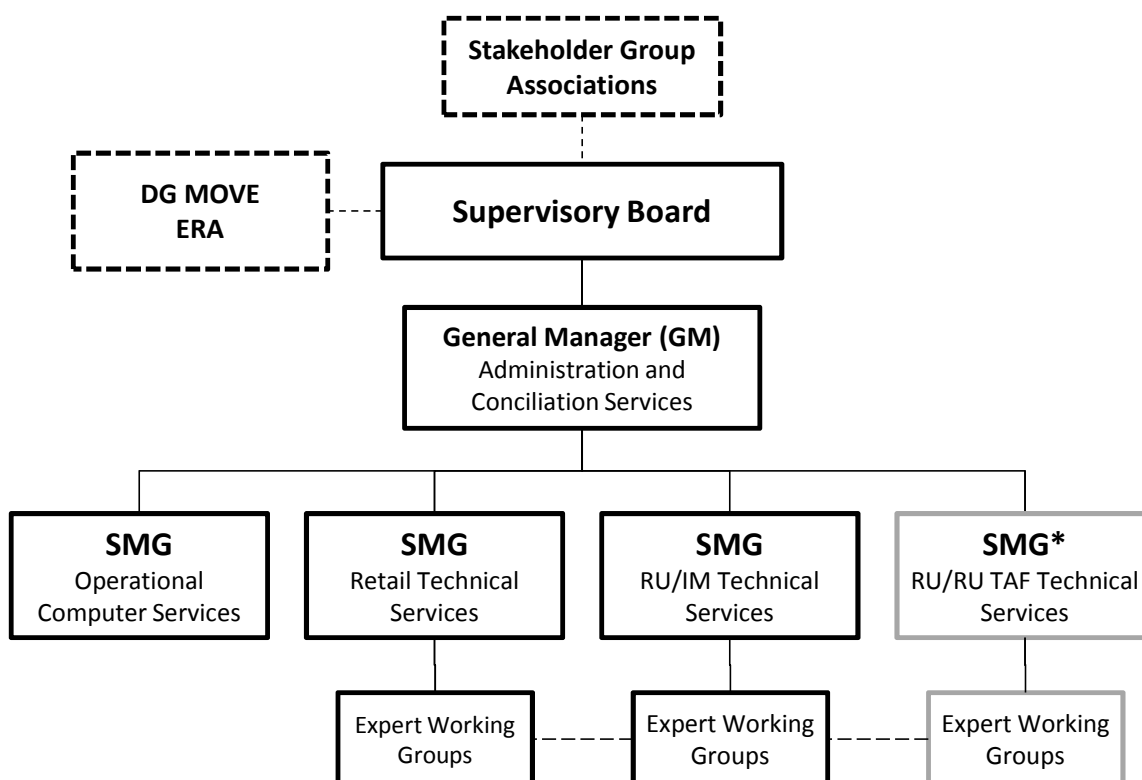
Notes:
DG MOVE, ERA and Stakeholder Group Associations exist – all other parts are proposed
Representative Bodies nominate members of Supervisory Board.
Supervisory Board appoints GM, nominates Service Management Groups (SMGs), meets twice a year, approves budgets, approves SMG recommendations, provides formal link to DG MOVE and ERA.
General Manager supervises administrative and conciliation services, monitors SMG performance, reports to SB.
SMGs monitor Expert Working Groups and/or service providers, report to GM.
*Not required for TAP-TSI implementation – requirement to be determined by TAF-TSI.

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[5] See also section 7.3.

7.3   Stakeholder Group Associations

7.3.1   The governance entity represents the interests of stakeholder groups, as defined in section 5.2. It is proposed that nomination to the decision-making groups in the entity is the responsibility of the associations representing the various stakeholder groups.

7.4   Supervisory Board

7.4.1   The entity is managed by a Supervisory Board nominated by the Stakeholder Group Associations. Nominees are replaced every three years, one third each year. Seats are allocated to the Supervisory Board according to stakeholder groups.

7.4.2   This governance proposal includes both TAP TSI and TAF TSI stakeholders. While the TAF TSI stakeholders are considering the governance proposal it is not possible to propose seat allocations in this report. Determination of the number and allocation of seats in the Supervisory Board will follow any agreement on the form of governance and must be based on the principles in section 6.1.

7.4.3   Not all stakeholders can vote on all aspects of business, as identified in section 6.2. For example, ticket vendors may not vote on RU/IM matters. Infrastructure managers and freight RUs may not vote on retail matters. The Supervisory Board will set these voting rules.

7.4.4   This number of seats allows participation by all stakeholder groups without having a Board so large that it cannot function effectively. Attendance at the Board is not paid. The Board elects its own chair. Voting on all matters requires 80% of seats in favour.

7.4.5   The Board is supported by a General Manager (GM). S/he will either be seconded by a stakeholder or employed as a contractor, to be decided by the Board.

7.4.6   The Board meets according to its business requirements, typically every six months. It monitors and ensures that all the business of the entity accords with these governance procedures and rules. It approves the report of the GM and informs about the business undertaken to the Stakeholder Group Associations.

7.4.7   The Board is responsible for all decisions on budgets and finance, based on information provided by the General Manager and the Service Management Groups (SMGs). It is responsible for deciding what Regulation-related business to conduct and how, as long as that business adheres to these procedures and rules, and issues work mandates to the Service Management Groups.

7.4.8   The Board decides on all service-related matters, upon the recommendation of the Service Management Groups. It only responds to recommendations from the GM and SMGs and does not make proposals on its own account in respect of business managed by the SMGs. It also decides the participation fee and the service charges.

7.4.9   The Board decides on the common stakeholders' positions for all TAP CCM and TAF CCM business, on the recommendation of the retail and RU/IM technical Service Management Groups.

7.4.10   The Board delegates to two of its members the right to sign service provision contracts on its behalf, together with the General Manager.

7.4.11   Changes to these governance procedures and rules are decided by the Supervisory Board and proposed as a recommendation to DG MOVE.

7.4.12   DG MOVE, ERA and a European passenger representative may attend the Supervisory Board as observers in all matters related to the regulatory architecture and the technical

specifications. Those same representatives may attend the financial and commercial business of the Supervisory Board by invitation.

7.5   Service Management Groups

7.5.1   Service definitions form part of the governance procedures and rules. A description of the services is provided in chapter 8. Revisions to the service definitions are managed by the relevant SMGs.

7.5.2   Each of the three main areas of TAP TSI and TAF TSI regulatory service (operational computer services, retail technical services and RU/IM technical services) is monitored by a SMG. Each group has 10 seats. Members are nominated by the Supervisory Board according to the relevant stakeholder group seat allocations in the Supervisory Board. Group members will have clear expertise in the subject of the group as a prerequisite to nomination. Groups meet monthly, or as required by business. Each group selects its chair, who acts as the secretary to the group and is responsible for its business. SMG participation is not paid apart from the time and travelling expenses of the chair, plus the travelling expenses of members.

7.5.3   Members of each Service Management Group act as representatives of their stakeholder group and not of their own company. They perform their tasks and introduce business on behalf of their stakeholders. They coordinate their voting positions with their stakeholder group.

7.5.4   Each SMG will report to and make recommendations through the General Manager to the Supervisory Board. Each SMG will make budget requests through the General Manager to the Supervisory Board for service procurement and operational funds and for the costs of the group chair and member's travel expenses. The SMG will respond to appropriate requests from the Supervisory Board. Primary SMG responsibilities are:

- Service performance, issues and problems

- Identification of commercial and services issues needing changes to regulatory documentation

- preparation of technical documentation and industry business cases for TAP CCM and potentially TAF CCM change requests

- Service charges and changes to charges

- Service procurements and changes

- Changes to entity governance procedures and rules.

7.5.5   The Technical SMGs use Expert Working Groups (WGs) to study technical matters where specific expertise is needed. WGs are made up of experts either from stakeholders, from third parties, or from other organisations nominated by stakeholders. WGs carry out work and report to their SMG but do not make decisions. WG participation is not paid apart from the time and travel expenses of the WG chair.

7.5.6   WGs monitor and review requests for changes to codelists and reference data proposed by the various stakeholder groups. They maintain the regulatory and related documentation such as Implementation Guides. They provide technical support services to stakeholders. They are responsible for the technical studies and business case development associated with TAP CCM and TAF CCM change requests. They make suggestions to their SMG for possible changes to governance rules.

7.5.7   SMGs do not make decisions but prepare recommendations for the Supervisory Board on the basis of work undertaken by the Expert Working Groups. Voting to make a recommendation to the Supervisory Board requires 80% of SMG seats in favour.

7.5.8   The administration and conciliation services are managed directly by the General Manager.

7.5.9   All service provision tenders are procured by the General Manager and the relevant SMG on behalf of and subject to the agreement of the Supervisory Board. The procurement rules to be used have been defined in section 6.3.

7.5.10   DG MOVE and ERA may attend SMGs as observers for all technical matters and by invitation for financial and commercial matters. ERA may participate in the work of all WGs.

7.6   Entity finances

7.6.1   Where the entity requires funds for service development, and this is not included by the service provider in the service charges, the entity will need to raise capital by borrowing. It may borrow funds from stakeholders or from banks/ financial institutions on negotiated terms, but stakeholders' financial contributions are the preferred means of financing.

7.6.2   The entity will not be permitted to make a profit, except the minimum needed for the legitimate reclaim of VAT. At the end of each financial year, any surplus or shortfall after allowing for on-going obligations and risks will be corrected by an adjustment to the membership fee.

8.   Regulatory services

8.1   Service provision role of TSI governance

8.1.1   The purpose of the TSI governance entity is to provide services to stake-holders and to facilitate the meeting of their regulatory obligations. It is not the purpose of the entity to direct stakeholders or to oblige them to follow the Regulation. The entity is there as a stakeholder support.

8.1.2   The instructions for stakeholders as regards meeting their regulatory obligations and exercising their rights are in the Implementation Guides. It is to the Guides (and the documents referenced by them) that stakeholders will go if they need to find out anything about the TAP TSI and TAF TSI sub-systems. If they are having difficulties in using the Guides then the governance entity can help, but it does not enforce the contents of the Guides on stakeholders.

8.1.3   The Implementation Guides contain references to services provided by the TSI governance entity and the entity makes those services available to stakeholders as defined in the Guides. It does this through the service requirements it places on its service providers and these requirements correspond to those referred to in the Guides. The TSI governance entity will ensure that the services it provides are kept synchronised with the services for stakeholders described in the Implementation Guides.

8.2   Services to be provided under TSI governance

8.2.1   Three sets of regulatory services will be provided by the SMGs:

- •   Operational computer services

- •   Retail technical services

- •   RU/IM technical services.

8.2.2   The requirement for freight RU/RU technical services is to be determined in the TAF TSI project.

8.2.3   In addition to the main regulatory services, the TSI governance entity provides administrative and conciliation services. These are supervised by the General Manager.

8.2.4   Note that no services are provided in relation to the payment or settlement of sums under ticket or freight selling contracts or similar commercial contracts. Services are strictly limited to technical matters needed for stakeholders to meet their regulatory obligations.

8.2.5   Every service provider task contract will have some general functional and non-functional requirements, including:

- •   imposition of relevant Governance Rules on suppliers – e.g. participation in WGs by nominees of stakeholders and third parties

- •   ensuring data protection and related statutory requirements are met

- •   ensuring security and back-up of all data and documents held under the contract

- •   ensuring appropriate disaster recovery facilities

- •   use of an appropriate service management methodology – including the management of incidents and problems

- •   service penalties for poor service.

8.3   Use of regulatory services

8.3.1   The entity will publish detailed information that explains to interested parties whether they are a stakeholder, a third party, or that they have no rights or obligations under the Regulation.

8.3.2   This information will also be made available through the Member State regulatory bodies as part of their licencing responsibilities.

8.3.3   If an organisation considers that it is a stakeholder or a third party it may apply for membership of the entity. Membership gives rights to all the services provided by the entity and enables the organisation to send experts to the working groups. The membership application will require the organisation to submit supporting documents showing if they are a stakeholder and, if so, attached to which stakeholder group. The governance entity will verify the application and the documentation.

8.3.4   The rights of membership will apply solely to the member. It is essential that all stakeholders and third parties who require access to the regulatory services are members and pay the appropriate fee. If members are allowed to pass on services to other parties then the financial security of the entity will be at risk.

8.3.5   Once membership is confirmed, the entity will set up the appropriate access for the member to all the operational computer services. This will include the notification service relating to updates to entity resources and assets.

8.3.6   If the member is a stakeholder, rather than a third party, it can work privately with other members of its stakeholder group to nominate members of the Supervisory Board and the Service Management Groups. It can also propose its own nominees to be considered for membership of the Supervisory Board and/or the Service Management Groups. The rules for nomination of the Supervisory Board and the Service Management Groups are local to each stakeholder group and are not the business of the governance entity.

8.3.7   All stakeholders can propose changes to the technical resources of the entity including reference data, specifications, implementation guides, etc. Proposals for change are submitted to the chair of the appropriate Technical Service Management Group who will manage the proposal as defined in sections 8.5 and 8.6.

8.4   Operational computer services

8.4.1   There will be four operational computer-based services provided under TSI governance. These are defined in detail in the section of the Final Report that describes the system architecture.

- Membership service
- Reference data service (common, RU/IM and retail)
- Notification service (including central registry)
- Data quality checking service.

8.4.2   The membership service provides for the entity to record the details of all registered stakeholders and third parties. The service allows individual members to register their own contact details and allows all members to enquire about the contact details of other members.

8.4.3   An operational computer-based reference data service is required that provides stakeholders and others with access to all data elements held in common, such as locations, companies and other codelists. The functional and non-functional

requirements for these services are defined in the TAP TSI and TAF TSI architectures. In addition, the reference data service must provide for application-specific reference data such as those needed for timetables and tariffs.

8.4.4   The notification service will allow stakeholders and third parties to be advised of changes to any item of TSI-related data known to the notification service. This will include reference data, technical documents, user guides and stakeholder data such as timetables and tariffs. Stakeholders will be able to register their interests in TSI resources. All resources owned by the entity will be available for all stakeholders and third parties.

8.4.5   The data quality checking services will provide a set of checks on data such as timetables and tariffs.

8.4.6   In the future, new operational computer services may be needed for stakeholders. If this is required it will be introduced according to the procedures of the TSI governance.

8.5   Retail technical services

8.5.1   There will be three retail technical services provided under TSI governance:

- Technical document service
- Change management service
- Technical support service.

8.5.2   A technical document service will be provided under TSI governance. This will make available to stakeholders and others all the technical documentation needed to participate in the TAP TSI Architecture. Note that stakeholders include ticket vendors, public authorities and third parties as well as the current railway stakeholders.

8.5.3   The service will maintain and provide ERA Technical Documents together with other relevant documentation held outside the Regulation but which is needed to make compliant use of the ERA Technical Documents. This additional documentation includes implementation guides, quality guides, data models, xsd schemas and test schemes that explain how to use the specifications and that define how compliance can be checked.

8.5.4   The technical document service will hold the working versions of documents required by stakeholders for their business. Versions of these documents will be published by the ERA, once approved where appropriate by the TAP CCM, in order to meet the ERA's regulatory obligations for publication. The ERA will publish version-controlled regulatory documents, rather than the full set of operational specifications and support documentation needed by the stakeholders.

8.5.5   Specifications and related documents are subject to continuous change and a change management service is required for the stakeholders. The effort and process needed to assess the impacts of a change will need to reflect the complexity of the change and the commercial impact on stakeholders.

8.5.6   The change management service will, therefore, recognise four classes of change that have different commercial impacts on stakeholders and will adapt the technical studies and business case development accordingly. The greater the impact, the more extensive the preparation work and the greater the need to ensure there is an industry business case. The four classes are, from simplest to most complex:

- codelists
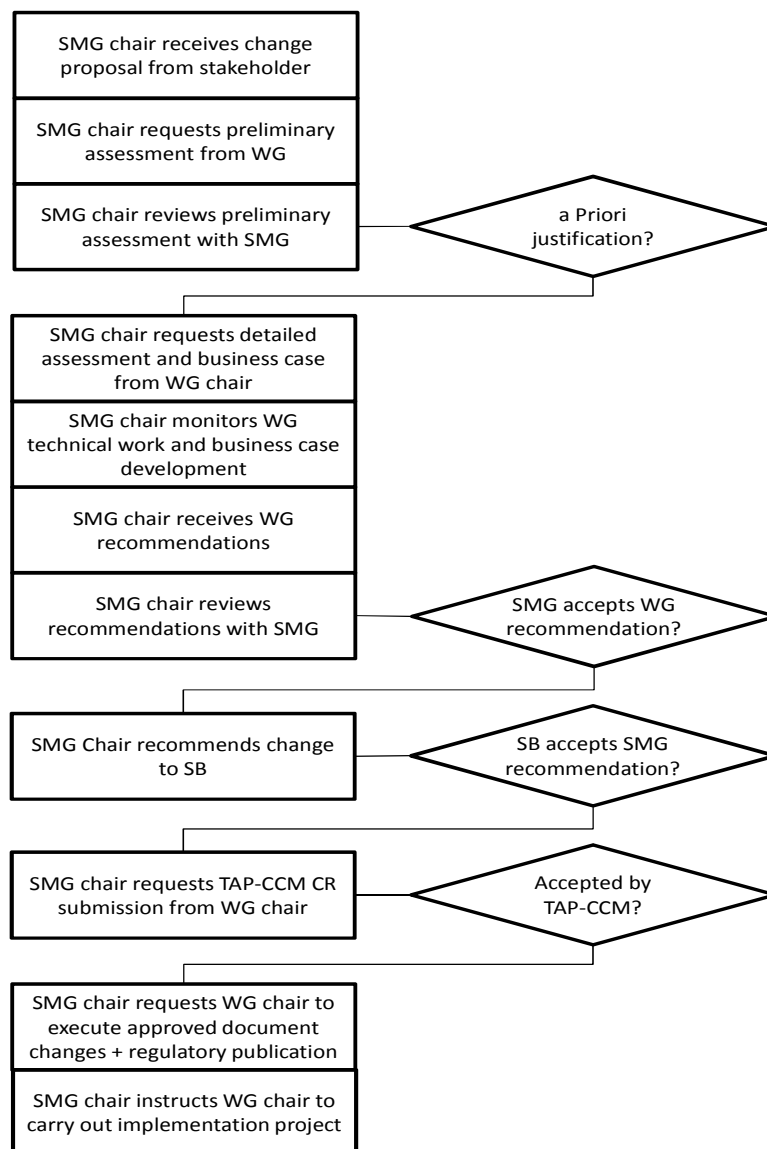- optional change to existing specification

- mandatory change to existing specification

- new specification or other business process change.

8.5.7   Technical studies and industry business cases will be carried out under TSI governance to form the link between all the stakeholders and the regulatory TAP TSI Change Control Management process and the ERA TAP TSI Working Party needed to change regulatory Basic Parameters. This service will use expert working groups to carry out change request technical studies. Technical studies will need to provide information including:

- outline project plan for implementing the change

- proposed changes to all impacted specifications

- revised user guides and test and data quality specifications

- obligations in respect of the use of the changed specification

- identification of any audit, legal, or administration impacts

- requirements for updates to related TAP TSI documents such as specifications and architecture

- costed changes needed to operational services provided under TAP TSI governance.

8.5.8   Stakeholders affected by the change will use this information to make individual studies of the impact on their own organisation from which they can contribute their input to the overall industry business case, subject to competition law and stakeholders' individual policies on sharing sensitive business information. This information is used by the change management service to provide the objective information needed for decision making and subsequent ratification in the TAP CCM.

8.5.9   For the rare cases of significant business process change, a migration project may be required in order to coordinate the change across all stakeholders. In this case, such a project will be managed by the change management service. Depending on the significance of the change, these projects will vary in size and scope, although in some cases they can be expected to last several years.

8.5.10   The change management service will encourage expert working group members to maintain links with other standards bodies where their scope covers rail passenger retail and operations in whatever form[6].

8.5.11   Not all of the change control process requires technical expertise and more generalist administration will be provided by the service to manage the overall flow of change requests. Suitable tools for document and specification management will be used, providing the usual facilities of workflow and version control.

8.5.12   A technical support service will be provided at a charge to stakeholders where they require skilled technical advice about their use of the TAP TSI specifications and architecture. In order to pick up systematic errors in the specifications, this will include an incident and problem management system.

8.5.13   No services will be provided that relate to stakeholder certification, accreditation or compliance. Individual stakeholders and third parties will have the complete responsibility for their own compliance. Where there is a dispute between stakeholders

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[6] This will include for example CIT, OTA, ISO and CEN Technical Committees, plus other industry-based standards activities such as the relevant parts of the mobile telecommunications industry and the payment industry.

in respect of compliance, the entity will offer a conciliation service for the parties involved.

8.5.14   All this work is carried out by the SMG using a service provider contract as tasks executed by expert Working Groups (WGs). Note that the purpose of the service provider contract is simply to administer the expert working groups. The work done in the expert working groups is undertaken pro bono by stakeholders, with the exception of the chair, who is paid.

8.5.15   The SMG needs, therefore, to be able to request from the service provider the creation and disbanding of WGs as required, so that tasks can be allocated to the WGs. The chair of each WG will be paid for time and travel expenses, so the creation of a WG requires budget approval from the Supervisory Board. The service provider contract is prepared by the SMG chair and reviewed by the SMG. It is approved by the Supervisory Board and signed by two authorised signatories of the entity.

8.5.16   WGs are open to competent nominees of all stakeholders and third parties, plus ERA. This is a change from the current position where there are limitations to who may participate in this work. The WG service provider contract will require this wider participation.

8.5.17   Change control applies to five kinds of document/resource:

    •   Reference data and codelists

    •   ERA Technical Documents

    •   Implementation Guides (including quality rules)

    •   Operational computer service requirements[7]

    •   the TAP TSI Architecture definition.

8.5.18   Change management in the entity will be risk-driven, so the effort applied in each case will depend on the class of the change as defined above. However, the process to be followed is essentially the same in all cases, whichever type of document/resource is affected.

8.5.19   The SMG manages the change control process workflow. The process workflow is summarised in the following figure:

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[7] Requirements documents are likely to be recreated for each change of service or re-procurement, rather than being held as live documents subject to regular revision and update.

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┌─────────────────────────┐
│ SMG chair receives change │
│ proposal from stakeholder │
├─────────────────────────┤
│ SMG chair requests preliminary │
│    assessment from WG   │
├─────────────────────────┤                    ╱──────────────╲
│ SMG chair reviews preliminary │───────────────⟨   a Priori    ⟩
│   assessment with SMG   │                    ╲ justification? ╱
└─────────────────────────┘                     ╲──────────────╱

┌─────────────────────────┐
│ SMG chair requests detailed │
│ assessment and business case │
│      from WG chair      │
├─────────────────────────┤
│   SMG chair monitors WG │
│ technical work and business case │
│       development       │
├─────────────────────────┤
│   SMG chair receives WG │
│     recommendations     │
├─────────────────────────┤                    ╱──────────────╲
│   SMG chair reviews     │───────────────⟨  SMG accepts WG ⟩
│ recommendations with SMG │                   ╲ recommendation? ╱
└─────────────────────────┘                     ╲──────────────╱

┌─────────────────────────┐                    ╱──────────────╲
│ SMG Chair recommends change │───────────────⟨  SB accepts SMG ⟩
│         to SB           │                    ╲ recommendation? ╱
└─────────────────────────┘                     ╲──────────────╱

┌─────────────────────────┐                    ╱──────────────╲
│ SMG chair requests TAP-CCM CR │─────────────⟨   Accepted by  ⟩
│  submission from WG chair │                   ╲   TAP-CCM?    ╱
└─────────────────────────┘                     ╲──────────────╱

┌─────────────────────────┐
│ SMG chair requests WG chair to │
│ execute approved document │
│ changes + regulatory publication │
├─────────────────────────┤
│ SMG chair instructs WG chair to │
│ carry out implementation project │
└─────────────────────────┘
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8.5.20   If a change is accepted by the SMG then the SMG chair seeks approval from Supervisory Board – including an approval for the change implementation project budget if needed because the change is of major significance.

8.5.21   The SMG chair monitors the progress of the change with the SMG and reports to Supervisory Board.

8.5.22   The process workflow for technical operational system support, undertaken by the SMG, is summarised as follows:

• SMG chair receives request for operational support from stakeholder – ideally through stakeholder group nominee on SMG

• SMG chair requests assessment of support effort from WG – including the cost of providing the operational support if more than normally accommodated in general support

• SMG chair confirms with stakeholder and instructs WG to provide support

• SMG chair advises admin services of the supply agreement

• SMG chair reports to admin services on progress of support and on completion

- SMG chair reviews support activities with SMG and reports to Supervisory Board.

8.5.23   The task requirements for the retail technical services which are to be contracted to a service provider are defined in the table below.

8.5.24   The reference to controlled documents includes reference datasets and codelists, ERA Technical Documents, implementation and quality guides, TAP TSI architecture definition.

Requirement	Volumetrics[8]	Service Level
Create and remove WGs	2 per year	Two weeks from instruction
Publish documents as required to meet ERA obligations	50 per year	Two days from instruction
Publish controlled documents to stakeholders and third parties according to access control policies – using notification service	50 per year	Two days from instruction
Administer approvals for release of restricted documents	10 per year	Two days from instruction
Provide document management system to store controlled documents and maintain version and release control according to access control policies	Once	
Provide Change Request (CR) register and CR website where work in progress documents and FAQ can be accessed	Once	
Register CR details and maintain status of CR changes	50 per year	Within 1 day from instruction
Provide initial assessment of CRs	50 per year	One week from instruction
Provide detailed assessment of CRs including complete set of document changes, risks, cost of implementation project if required, etc	50 per year	Depends on significance of change
Canvass stakeholder views on CRs including costs and implementation issues – using notification service – and prepare industry business case	50 per year	Depends on significance of change
Make CR submissions to TAP CCM	50 per year	One week from instruction
Execute implementation projects where the significance of the agreed change requires an industry-wide implementation project	One every two or three years	As defined in project plan
Provide report on WGs activity for SMG with status of CRs and controlled documents	Monthly	One week in advance of meeting
Provide administration for WGs including rooms, meeting calling instructions, publication of minutes and papers according to access control policies, etc	20 meetings a year	Normally one month's notice; Exceptionally one week's notice

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[8] Estimates.

Requirement	Volumetrics[8]	Service Level
Provide help desk and operational support for users of TAP TSI related components such as reservations, timetable, governance computer services, etc	200 enquiries a year	Response within one day Provision of support as agreed with SMG
Assess and cost requests for specific requests for operational support from new and existing stakeholders in respect of TAP TSI related RU-RU systems such as reservation and fulfilment	20 per year	One week from instruction

8.6 RU/IM technical services

8.6.1 RU/IM technical services are essentially a copy of the retail technical services with an equivalent set of volumetrics. Opportunities can be considered for some integration of the service provider contracts.

8.7 Administrative services

8.7.1 There will be a set of administrative services provided to stakeholders under TSI governance. These are:

- Registration of members and objects/resources defined in the TAP TSI and TAF TSI architectures
- Management of access control to regulatory services
- Management of charging for regulatory services
- Member and third party communication.

8.7.2 Registration places certain obligations on stakeholders, including those of confidentiality and non-disclosure, appropriate use of data, etc. Registration is needed by the TAP TSI governance as a pre-requisite to the provision of services.

8.7.3 Failure to meet these obligations by a stakeholder will lead to termination of services. The entity will not seek to impose financial penalties where the obligations are not met, nor will it sue for any damages suffered by one or more stakeholders as a result of the improper behaviour or negligence of any stakeholder. The entity will have no assets for such kind of activity and cannot act as a policeman. This constraint forms part of its governance rules. The sole power is withdrawal of services and even that would be a last resort.

8.7.4 The General Manager oversees the provision of administrative and accounting services.

8.7.5 All this work is carried out under a service provider contract. The contract is prepared by the General Manager, approved by the Supervisory Board and signed by two of the authorised signatories of the entity (see 7.4.10).

8.7.6 The General Manager reviews the administrative services and reports to Supervisory Board.

8.7.7 The task requirements for the service provider are defined in the table below. The volumetrics may be larger if a simple charging regime is not possible.

Requirement	Volumetrics[9]	Service Level
Administrative process requests for membership including confirmation of status as stakeholder (of various kinds) or third party	100 in first year 50 a year thereafter	Six months in first year One month thereafter
Create/change/remove entry in membership computer service	100 in first year 50 a year thereafter	Three months in first year Two days thereafter
Create/change/delete access rights on all operational computer services in accordance with stakeholder or third party status – including reference computer service, notification computer service and data quality checking service	100 in first year 50 a year thereafter	Three months in first year Two days thereafter
Maintain accounting ledgers and accounting controls required by law	Once	All data correct within five days from instruction
Provide standard monthly financial reports to SMGs and Supervisory Board	Monthly	One week prior to meeting
Provide adhoc financial reports on demand	50 per year	Two days from instruction
Provide statutory reports	Annually	Within company law deadlines
Keep records of all chargeable activity	On-going	Two days from instruction
Administer payments to SMG/WG chairs and expense costs for SMG members	30 to 50 payments per month	Invoices processed in five days Payment within 30 days of valid invoice
Pay bills and collect debts	40 to 60 transactions per month	Documents processed in five days
Advise SMGs and Supervisory Board of cases where debts are not paid	Quarterly	In monthly SB report

8.7.8   As the entity does not employ staff there are no Human Resources tasks required.

8.8   Conciliation service

8.8.1   In order to meet the requirement in the TAP TSI Regulation for dispute resolution, a conciliation service for stakeholders and their commercial partners will be provided. The service will be made available at a charge to stakeholders and their commercial partners who have exhausted the normal technical services of the entity. The service will be provided to two or more stakeholders or third parties who have a dispute about the compliance of one or more of them in respect of the TAP TSI or TAF TSI architecture, specifications and guides. The procedures will be based on adjudication procedures used in civil contracts involving an external expert.

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[9] Estimates.

8.8.2   The conciliation service does not remove the right of parties to make civil claims in law if they are not satisfied with the independent adjudication provided by the service. The conciliation service will not act in law on behalf of any party subject to the Regulation and will have no enforcement role in any court decisions.

8.8.3   The conciliation service will not be provided where the matter under dispute is of any kind of commercial nature, not related to the TSI specifications.

8.9   New Projects

8.9.1   There will be no services provided under TSI governance other than those absolutely required by stakeholders to use and benefit from the TAP TSI and TAF TSI architectures.