

N°	Reference (e.g. Art, §)	Type	Reviewer	Reviewer's Comments, Questions, Proposals	Reply	Proposal for the correction or justification for the rejection
7.	3.1.a, §9	G	EL	<p>We consider that this statement is general and needs to be clarified.</p> <p>It is not correct that a risk-based approach is not used, the railway cannot operate without such an approach.</p> <p>Please provide us with a more extended commentary so that further improvement can be made.</p> <p>Through the D-19 Risk Management process that it has established and is implementing, the RU, through its D-19 Risk Management process, meets the requirements of point 3.1 (Annex II) of EU Regulation 2018/762, points a, b and c, for managing risk and establishing risk control measures. The outcome of the process is the Risk Register, which among other things contains the measures to be taken if the risk occurs (e.g. critical situation response plans), contains risks originating from or related to other stakeholders, etc.</p>	R	<p>The Agency confirms its conclusion.</p> <p>Having a document listing the risks does not mean that the organisations apply a risk-based approach to their operations. Interviewed staff were not aware of the content of the risk register, demonstrating a lack of risk awareness.</p> <p>Moreover, in some cases these documents are not adapted to the activities of the entities.</p> <p>Furthermore, during the visit to the IM, in no case was a risk assessment presented to support the establishment of operational rules.</p> <p>By interviewing the RUs it was confirmed that in many cases, the companies were not consulted before an operational rule was issued.</p> <p>During the interview with the IM, top management demonstrated a lack of awareness of the risks the company manages. During the interview, the ways in which certain risks identified as priorities by top management were managed were discussed, and the interviewees were unable to show in the hazard log where these were recorded.</p> <p>In one case in particular, it was stated that the risk management documentation was prepared by suppliers outside the entity and that top management was consequently unable to go through the documentation during the interview.</p>