

New rules for exemption from the requirement that contractors uphold their own safety certificate

Rules and requirements for documentation for Banedanmark's exemption schemes

Termination of the current exemption scheme

Banedanmark terminates the current scheme that dispenses from the requirement that contractors uphold their own safety certificate on the 1st of August 2020.

For contractors that are in the process of obtaining their own safety certificate from the Danish Transport-, Construction and Housing Authority, and have been a part of the exemption scheme for more than the total duration of one year, it is only possible to obtain an extension of an exemption until the 1st of August 2020.

New exemption scheme enters into force

Banedanmark introduces a scheme for exemption from the requirement that contractors uphold their own safety certificate, which will apply from the 3rd of February 2020. The new scheme will only apply to contractors that have not been a part of the earlier exemption scheme.

It will be possible to obtain 6 months of exemption from the requirement that contractors uphold their own safety certificate, and it will only be applicable to contractors that are applying for exemption from the requirement for the first time.

Criteria for obtaining an exemption

- The contractor must at the time of submitting the exemption application have made an agreement with the Danish Transport-, Construction- and Housing authority that determines the dates of a certification audit and the contractor must submit the agenda of the certification audit from the Danish Transport-, Construction- and Housing Authority to Banedanmark as documentation
- Contractors that can provide documentation for delay in the process of obtaining their own safety certificate from the Danish Transport-, Construction and Housing Authority, due to conditions that are beyond the control of the contractor, can one time only obtain a three month extension of the exemption (conditions that are beyond the control of the contractor can be delay in the Danish Transport-, Construction and Housing Authority's processing time)
- The total time of exemption cannot amount to more than a total of nine months

Banedanmark's documentation requirements in relation to the new exemption scheme

Contractors must submit the following four documentation requirements in order for Banedanmark to process an application for exemption from the requirement that contractors must uphold their own safety certificate:

- Documentation for an agreement with the Danish Transport-, Construction- and Housing Authority that determines the dates of a certification audit and the agenda of the certification audit
- Documentation for an insurance contract in reference to the requirement on liability insurance or a statement from the insurer. The insurance amount is 437 million DKK for the period 1st of

January to 31st of December 2020 (cf. *bekendtgørelse om ansvarsforsikring for jernbanevirksomheder og jernbaneinfrastrukturforvaltere*). The amount is regulated from 427 million DKK in 2019

- The contractors time- and activity plan for the continued work with obtention of the safety certificate
- Minutes or other form of documentation for held or coming meetings with the Danish Transport-, Construction- and Housing Authority

Banedanmark lists central points in the contractors time and activity plans when giving the exemption from the requirement that contractors uphold their own safety certificate. The contractors must continuously submit documentation which document that they uphold these points to Banedanmark.

Expiration of exemption from the requirement that contractors must uphold their own safety certificate

The following applies at expiration of exemption from the requirement that contractors must uphold their own safety certificate:

- A contractor which do not obtain their own safety certificate within the maximum exemption period, must make use of the traction unit of another railway company or contractor with a valid safety certificate, until the contractor obtains their own safety certificate