Ad hoc WG on the definition of a structured GCU workflow

Amendments and additions to the GCU Proposal sheet

Appendix 8 - Shortening the feedback period for signatories

Record of amendments

<table>
<thead>
<tr>
<th>Amended by</th>
<th>Date</th>
<th>Paragraph</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Christoph Gabrisch</td>
<td>29/11/2023</td>
<td>App. 8, 1 GCU Bureau, Points 9, 10 and 11</td>
<td>Shorten the feedback period for signatories and abolish the delayed entry into force for amendments that have received only limited opposition.</td>
</tr>
<tr>
<td>WU SG</td>
<td>20/02/2024</td>
<td>App. 8, 1 GCU Bureau, Points 9, 10 and 11</td>
<td>Update</td>
</tr>
<tr>
<td>WU SG decision</td>
<td>14/05/2024</td>
<td>App. 8, 1 GCU Bureau, Points 9, 10 and 11</td>
<td>Approved by WU SG</td>
</tr>
<tr>
<td>GCU JC decision</td>
<td>04/06/2024</td>
<td>App. 8, 1 GCU Bureau, Points 9, 10 and 11</td>
<td>Approved by GCU JC</td>
</tr>
</tbody>
</table>

1.- Expose the problem (with examples and, if possible, figures giving a measure of the scope of the problem):

Today, GCU signatories have three months to respond to GCU amendment proposals. Three months is a longer period than is subsequently available for the practical implementation of the updated contract version in the companies of the GCU signatories. For the practical implementation, the contract amendments are to be published and trained (translated into the national language beforehand, if necessary). Especially for signatories that are still translating the contract into their national language, the tight period for implementation leads to stress at the end of the year. We take the opportunity to delete the rule for delayed entry into force for Amendment proposals that have received only limited opposition.

2.- Show what the GCU is lacking in this respect:

Appendix 8, Chapter 1 GCU Bureau, point 9 – 11 defines the feedback period for signatories and the rules of entry into force.

3.- Explain why the problem can only be solved through the GCU contract:

The three-month period is defined in the GCU itself. It is to be changed there.

The somewhat difficult rules for approval for amendment proposals are defined in the GCU itself. They are to be changed here.

4.- Outline why the problem should be solved as envisaged in the proposed amendment/addition:

By shortening the GCU voting process to two months, the signatories gain time for the practical implementation in their organisations.

By deleting the delayed entry into force rule in case of individual opposition we solve the compliance problem this creates.

5.- Describe how the proposed amendments or additions will help solve the problem:

The official voting period will continue to start on 1 July of the previous year but will now end on 1 September of the previous year. This will give signatories an additional month to implement the changes in their organisations.

GCU signatories who reject a contract amendment are also given a further month to cancel their GCU membership in the event of significant concerns.

6.- Assess the potential positive and negative impacts (on operations, costs, administration, interoperability, safety, competitiveness, etc.), using a scale from 1 (very low) to 5 (very high):

Today, most feedback from signatories comes shortly after mailing and just before the feedback deadline. Foreseeably, the feedback period being shortened to two months will have no direct impact on the signatories. On the contrary, the extended period of one month for practical implementation is perceived as an advantage by the signatories.
I. The GCU Bureau

9. Signatories who do not agree with the proposed amendments must declare this by letter, fax or e-mail to the GCU Bureau within three two months after the notification of the proposed amendments has been sent out by e-mail. Any signatory that has not declared disagreement by the end of this period shall be considered to be in agreement with the proposal.

10. Proposals shall be adopted if none of the signatories have opposed them within the prescribed time period or if, in each of the groups referred to in point 5, they obtain the support of at least three-quarters of the signatories in the corresponding group representing at the same time at least three-quarters of the total tonne-kilometres or wagons in the group in question.

11. Adopted amendments to the GCU shall be published on the GCU Website and the fact of the adoption shall be notified by e-mail to all signatories by the GCU Bureau within 1 week after adoption.

Amendments that are adopted unanimously shall enter into force on the date specified in the corresponding proposal; if no date is mentioned, they shall enter into force three months after adoption. on the first of January of the following calendar year.

Amendments of the GCU adopted without unanimity shall enter into force the first day of the month following a period of six months after adoption.

Amendments and additions shall also be binding on signatories that did not agree with them, unless the signatories in question decide to withdraw from the contract in accordance with Article 3 of the GCU.

When proposals are not carried, the GCU Bureau shall also announce the result on the GCUU Website and notify the signatories by e-mail.
sie in jeder der in Ziffer 5 genannten Abteilungen die Zustimmung von mindestens drei Vierteln der zugehörigen Vertragsparteien finden, die zugleich mindestens drei Viertel, der in der jeweiligen Abteilung erfassten Tonnendmometer beziehungsweise Güterwagen repräsentieren.

11. Angenommene Änderungen des AVV werden auf der AVV-Website veröffentlicht und binnen 1 Woche nach erfolgter Annahme vom AVV-Büro allen Vertragsparteien durch E-Mail bekannt gegeben.

**Einstimmig** Angenommene Änderungen treten zu dem im Antrag genannten Zeitpunkt in Kraft; ist kein Zeitpunkt genannt, so treten sie drei Monate nach ihrer Annahme in Kraft, zum ersten Januar des nächsten Kalenderjahres in Kraft.

**Nicht einstimmig angenommene Änderungen** treten frühestens am ersten Tag des Monats in Kraft, der einem Zeitraum von sechs Monaten nach ihrer Annahme folgt. Änderungen und Ergänzungen treten auch gegenüber Vertragsparteien in Kraft, die ihnen nicht zugestimmt haben, sofern diese Vertragsparteien nicht ihre Teilnahme am Vertrag gemäß Artikel 3 AVV kündigen.

Scheitert ein Antrag, so veröffentlicht das AVV-Büro auch dieses Ergebnis auf der AVV-Website und gibt es den Vertragsparteien durch E-Mail bekannt.