

Proposed amendment to GCU
Article 19 and in Appendix 2 (Work package 6)

Amendment history

Author(s)	Date	Paragraph	Amendment
ECM in GCU special group	11/08/2026		Basis V10, Separation of Packages
UIC Update	08/09/2026		V11
GCU JC decision	15/09/2026 30/09/2026		15 September: approved by UIC and UIP 30 September: approved by ERFA Published on 1 January 2027 and coming into force on 1 July 2027

Title:	ECM in the GCU – Further development of the main text CHAPTER IV - ASCERTAINMENT AND HANDLING OF DAMAGE TO WAGONS IN THE CUSTODY OF AN RU – Article 19: Handling of damage and Appendix 2
Proposed amendment made by (RU/keeper/other body):	Special working group (ERFA, UIC, UIP)
Proposed amendment concerns:	☒ Article 19 ☒ Appendix 2
Proposer:	SG Further Development of the GCU: Christian Kühnast
Location, date:	Remote, 11/08/2026
Concise description:	As part of the ongoing development of the GCU, the provisions governing the handling of defects and damage to freight wagons are being clarified and brought into line with the requirements of the ECM system. This will clarify the respective responsibilities of RUs, ECMs, and workshops, introduce new definitions, and standardise the processes for release to services and return to operations. The aim is to increase clarity, legal certainty, and operational safety.

1. Starting point (current situation):**1.1. Introduction**

The introduction and further development of the European ECM system require a clear allocation of responsibilities in identifying, rectifying, and approving defects and damage to freight wagons. The existing provisions of the GCU are currently open to different interpretations. The amendment builds on the existing provisions and ensures compliance with the requirements of the ECM Regulation.

1.2. Mode of operation

If an RU identifies a defect or damage, it must first decide whether operating safety can be restored by means of a corrective measure during operation, or whether the wagon must be removed from operation and subsequently repaired. Corrective measures during operation are carried out by the RU under its own responsibility, using qualified staff. Repair work is carried out by approved ECM-compliant workshops in accordance with the requirements set out in Appendices 9 and 10. Once the repairs have been completed, a release to service is issued, on the basis of which the responsible ECM arranges for a wagon to receive a return to operation. The relevant terms and responsibilities regarding this are clearly defined in Appendix 2.

1.3. Anomaly/description of problem:

The previous version of Article 19 led, in practice, to a lack of clarity regarding the distinction between corrective measures during operation undertaken by the RU and repair work carried out by workshops. There were also differing views on when a release to service was sufficient and in which cases an additional return to operation from the ECM was required. This left room for interpretation amongst the parties involved and made it difficult to apply the GCU consistently. Furthermore, there were no clear definitions for key terms such as “corrective measures during operation”, “removal for operation” and the role of qualified staff.

1.4. Does this concern a recognised code of practice* (e.g. DIN, EN)?

☒ No ☐ Yes (state which):

* “Code of practice: a written set of rules that, when correctly applied, can be used to control one or more specific hazards.” (source: Regulation EC 402/2013, Article 3)

"Technical provisions laid down in writing or conveyed verbally and pertaining to procedures, equipment and modes of operation which are generally agreed by the populations concerned (specialists, users, consumer and public authorities) to be suitable for achieving the objective prescribed by law, and which have either proven their worth in practice or, it is generally agreed, are likely to within a reasonable period of time"(translation/source: BMJ Handbuch der Rechtsförmlichkeit – German Ministry of Justice)

2. Target situation**2.1. Elimination of anomaly/problem (goal)**

The amendment clarifies the responsibilities and procedures relating to defects and damage to freight wagons. The inclusion of new definitions clearly sets out which measures are to be carried out by the RU and which by ECM-compliant workshops. At the same time, it is made clear that, following each release to service, the responsible ECM must provide a return to operation. The regulations are based on the requirements of the ECM Regulation and establish a consistent, traceable process, from the identification of a defect through to its rectification and the release of the wagon to service. This reduces existing scope for interpretation, increases legal certainty, and enhances operating safety.

3. Amendment

Comparison

<u><i>Current version of the GCU</i></u>		<u><i>Amendment considerations</i></u>	
CHAPTER IV - ASCERTAINMENT AND HANDLING OF DAMAGE TO WAGONS IN THE CUSTODY OF AN RU		ASCERTAINMENT AND HANDLING OF DAMAGE TO WAGONS IN THE CUSTODY OF AN RU	
Article 19: Handling of damage		Article 19: Handling of damage	
19.1	The user RU that identifies the damage and detaches the wagon, shall arrange for the wagon to have its fitness to run restored in accordance with the specifications of Appendices 9 and 10 and put the wagon back into service. When Appendix 10 is used, the repair is carried out based on an authorisation by the ECM (Article 7.5).	19.1	If the user RU identifies a defect or damage to the wagon that requires the wagon's fitness to run to be restored, the RU shall take care to rectify the damage by means of a corrective measure during operation or organise a removal from operation* for repair work in accordance with Appendix 10. When Appendix 10 is used, the repair is carried out based on the RU being authorised (according to Article 7.5).
19.2	If the cost of repairs is more than 850 euro, the agreement of the keeper must first be sought, except in the case of brake block replacements or if Appendix 13 is applied by the RU. If the keeper does not respond after 2 working days (not including Saturdays) the repair work shall go ahead. If the keeper refuses the cost estimate for the repair, the keeper is responsible for repairing the damage		(Moved to 19.7)
		19.2	(Unchanged, see 19.5 part 1) In cases where the RU carries out corrective measures during operation, it shall do so with qualified staff* and with all due care.
		19.3	(Unchanged, see 19.5 part 2) Repair work in application of the provisions of Appendix 10 may only be performed by approved workshops. These approved workshops: - hold a valid ECM certification for maintenance functions in accordance with the ECM Regulation/in accordance with applicable public law, which includes at least the maintenance delivery function - are listed in the European Agency for Railways Database of Interoperability and Safety (ERADIS)

			- are conversant with Appendices 7, 9, and 10 and instruct their employees on changes to the GCU on a regular basis.
		19.4	Following the repair work, the RU or the contracted workshop will send the release to service* and any additional information to the keeper.
19.3	When the damage does not affect the wagon's fitness to run, but makes its use difficult, the RU may carry out work to restore the fitness for use* of the wagon without the keeper's agreement, up to an amount of 850 euros in accordance with the provisions of Appendix 10. By separate agreement with the keeper, the RU may be authorised to carry out additional work.		(Moved to 19.8)
		19.5	The keeper shall notify the RU of the return to operation based on the release to service.
		19.6	(Unchanged, see 19.8) Upon completion of the repairs and without any specific instructions from the keeper, the RU shall forward the wagon to the destination station for which it was initially bound.
19.4	If the cost of repairing the wagon exceeds the residual value calculated according to Appendix 5, the wagon shall be considered beyond repair from an economic point of view.		(Moved to 19.9)
		19.7	(See 19.2) If the expected cost of repairs for restoring the fitness to run is more than 850 euro, the keeper's agreement must first be sought except in the case of brake block replacements or if Appendix 13 is applied by the RU . If the keeper does not respond after 2 working days (not including Saturdays) the repair work shall go ahead. If the keeper refuses the cost estimate for the repair, the keeper is responsible for repairing the damage

19.5	In cases where the RU carries out corrective measures in application of the provisions of Appendix 9, it shall do so with qualified staff and all due care. In the context of the preceding provision, “qualified staff” (operations staff) means staff possessing the competences and authorisations to take corrective measures, described in the RU’s safety management system (SMS). Repair work in application of the provisions of Appendix 10 may only be performed by approved workshops. These approved workshops: - hold a valid ECM certification for maintenance functions in accordance with the ECM Regulation/in accordance with applicable public law, which includes at least the maintenance delivery function, and - are listed in the European Agency for Railways Database of Interoperability and Safety (ERADIS), and are conversant with Appendices 7, 9, 10 and 10 to the GCU and instruct their employees on changes to the GCU on a regular basis.		(Moved to 19.2 and 19.3)
		19.8	(Unchanged, see 19.3) When the damage does not affect the wagon's fitness to run, but makes its use difficult, the RU may carry out work to restore the fitness for use* of the wagon without the keeper's agreement, up to an amount of 850 euros in accordance with the provisions of Appendix 10. By separate agreement with the keeper, the RU may be authorised to carry out additional work
19.6	The RU that has arranged the repair in accordance with Appendix 10 shall ensure that the workshop provides it the notice of release to service* after completion of the work, using the codes according to Appendix 10, Annex 6. A copy of the notice of release to service and any additional information shall be sent to the keeper without delay either by the RU or by the workshop, if so provided in the contractual relationship between the RU and the workshop.		(Moved to 19.4 and adapted)

		19.9	(See 19.4) If the expected cost of repairing the wagon exceeds the residual value calculated according to Appendix 5, the wagon shall be considered beyond repair from an economic point of view.
19.7	If one of the following cases applies, the wagon is considered removed from operation and a notice of return to operation provided by the keeper is necessary: - - the RU has detached a wagon in accordance with Appendix 9, point 2.2.5, Variation C - the RU has detached a wagon in accordance with Appendix 9, point 2.2.5, Variation A and the workshop has applied Appendix 10, Module M00.001 to request additional maintenance instructions from the keeper - the RU has requested the delivery of parts using the form H^R (Appendix 7 GCU) - in its notice of release to service, the workshop has indicated restrictions for use which are different from the actions to be taken according to Appendix 9 The keeper shall provide a notice of return to operation to the RU on the basis of the notice of release to service*.		(Moved to 19.5 and adapted)
19.8	Upon completion of the repairs and without any specific instructions from the keeper, the RU shall forward the wagon to the destination station for which it was initially bound.		(Moved to 19.6)
19.9	The management of spare parts is covered in Appendix 7.	19.10	(Unchanged, see 19.9)
19.10	Coverage of the cost of repair work is dealt with in Chapter V.	19.11	(Unchanged, see 19.10)

Explanation:

In conjunction with the definitions of “corrective measure during operation” and “repair”, this clarifies that corrective measures during operation are carried out by an RU under its own responsibility, whilst repair work is carried out independently by the ECM-4 workshop on the basis of the wagon damage report provided by the RU. The scope of the repair work is determined in the matrices provided in Appendices 9 and 10.

Feedback from practical experience has shown that a standardised procedure for dealing with RTSs and RTOs makes it easier to comply with the GCU. Article 19 has therefore been amended in this respect, and an RTO is now required following every RTS. This complies with the ECM Regulation (definitions in Article 2): an RTS is always followed by an RTO from the competent ECM, including any applicable restrictions on use. This removes any ambiguity regarding when a return to operation is required.

In principle, only the keeper's ECM can certify a return to operation in accordance with the ECM Regulation, as the RU does not have all the information required to certify a return to operation; for example, in accordance with Appendix II, Section III, paragraph 6 of the ECM Regulation: The issue of the return-to-operation certificate also involves general restrictions on use being imposed to ensure safe operation. Article 19.1: The RU may decide whether a wagon that is damaged or defective can still be transported, subject to certain restrictions. Article 19.4: A release to service must be certified using the codes given in Appendix 10, Annex 6. Article 19.8 contains an optional provision which the RU may do itself or through authorised parties, provided that the required skills are available in each case.

Appendix 2 TO THE GENERAL CONTRACT OF USE FOR WAGONS DEFINITIONS	Appendix 2 TO THE GENERAL CONTRACT OF USE FOR WAGONS DEFINITIONS
	Removal from operation A wagon is removed from operation when it is temporarily withdrawn from railway operations for repair work in accordance with Appendix 10.
	Corrective measure during operation Any technical, organisational, or operational measure taken by an RU that is necessary to rectify or control an identified defect or deviation from a safe operating condition in such a way that the freight wagon is subsequently restored to a safe operating condition and meets the applicable requirements.
Maintenance The combination of all technical and administrative actions during the life cycle of a wagon or its parts intended to retain it in, or restore it to, a state in which it can perform the required function.	Maintenance The combination of all technical and administrative actions during the life cycle of a wagon or its parts intended to retain it in, or restore it to, a state in which it can perform the required function in accordance with the provisions of Appendix 10.
Wagon keeper or keeper	Keeper or wagon keeper:
	Qualified staff (operations staff) This means staff possessing the competences and authorisations to take corrective measures, described in the RU's safety management system (SMS).
Explanation/definition: In the definition of "keeper" or "wagon keeper": (The order has been reversed, thereby altering the relationship between the individual terms, because "keeper" is the more common, consistently used term) The definition of "corrective measure" makes it clear that this refers to an action to be taken by the RU. The definition of "repair" makes it clear, through its reference to Appendix 10, that this is a maintenance measure.	

4. Reasoning

These changes are necessary to address the ambiguities and points of criticism.

5. Assess potential positive/negative impacts

Assess the possible positive and negative effects (operations, costs, administration, interoperability, safety, competitiveness, etc.) on a scale of 1 (very low) to 5 (very high)

Justify observations

Impacts:

A necessary change to address the current criticisms of the GCU.

Operations: 3 – Operational procedures will be clarified and standardised. In particular, the requirement for a return to operation after each release to service leads to clearer process management, without significantly altering the fundamental responsibilities

Costs 2 – In principle, there are no new technical requirements. Potential costs may arise from the consistent application and documentation of existing processes.

Administration 3 – The provisions increase the documentation and communication requirements between RUs, workshops, ECMs, and keepers. At the same time, processes are standardised and simplified.

Safety 5 - The amendments ensure compliance with the ECM Regulation, establish clear responsibilities, and reduce the risk of having differing interpretations of release and maintenance processes.

Competitiveness: 4 – Standardised processes and clear responsibilities promote cooperation between market participants and create a transparent framework for all those involved.

6. Safety appraisal of proposed amendment

Description of actual/target system, and scope of change to be made (see points 1 and 2).

Safety assessment carried out by:

6.1. Does the change made have an impact on safety?	☐ No ☒ Yes
Reasoning: Measures relating to safety-related activities are affected.	
6.2. Is the change significant?	☒ No ☐ Yes
Reasoning: see template Attach the "significant change" test template.	
6.3. Determining and classifying risk:	☒ N/A
6.3.1. Effect of change in normal operation: 6.3.2. Effect of change in the event of disruption/deviation from normal operation: 6.3.3. Potential misuse of system: ☐ No ☐ Yes (describe possible misuse):	
6.4. Have safety measures been applied?	☒ No ☐ Yes
<i>For each type of risk, one of the following risk acceptance criteria is to be selected:</i> • <i>Code of practice</i> • <i>Use of reference system</i> • <i>Explicit risk estimate</i>	
6.5. Has a risk analysis been submitted to the assessment body?	☒ No ☐ Yes
Assessment body: Attach the verdict reached by the assessment body:	[Appendix]