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P-001645/2025

Answer given by Mr Tzitzikostas
on behalf of the European Commission
(28.5.2025)

Article 1(b) of Directive 2012/34/EU¹ establishing a Single European Railway Area ('the Directive') refers to: 'the criteria applicable to the issuing, renewal or amendment of licences by a Member State intended for railway undertakings which are or will be established in the Union'.

Those criteria are set out in Chapter III of the Directive. Under the general requirements for obtaining a licence, Article 17(1) specifies that undertakings are entitled to apply for a licence in the Member State in which they are established. Railway undertakings not established in a Member State of the European Union cannot apply for a European Union licence and, as a consequence, cannot provide rail transport services (Article 17(4)).

Railway undertaking established in the European Union and in possession of an appropriate licence must comply with all the relevant requirements of EU legislation, including those on governance and separation of accounts.

Any specific case of alleged non-compliance with these legal requirements should be referred to the Commission's services for an in-depth informed assessment.

¹ Directive 2012/34/EU of the European Parliament and of the Council of 21 November 2012 establishing a single European railway area (recast) Text with EEA relevance OJ L 343, 14.12.2012, p. 32–77.