

STATE OF RAIL REFORM IN CROATIA
from 09/2010 to 05/2011

In the period from September 2010 to May 2011, the process of aligning the Croatian railway transport legislation with the *acquis* and its efficient implementation has been continued. Pursuant to the Railway Safety Act (OG 40/07) the Ordinance on technical requirements to be complied with by energy infrastructural subsystem (OG 129/10) and the Ordinance on internal rules in railway traffic (OG 124/10) has been adopted. By the end of June 2011 it is foreseen that, among others, the Ordinance on requirements for authorization for railway vehicle maintenance workshops and the Ordinance on rolling stock register will be adopted.

Further administrative strengthening of the institutions in line with requests and recommendations of the European Union has been carried out, aiming at efficient implementation of the *acquis*. The established Croatian Railway Safety Agency continues to perform its function of the independent body. As previously reported, the chairperson and four members of the Agency Administrative Council were appointed and the Statute of the Agency was approved by the Government. Additionally the Agency director was appointed by the Government of the Republic of Croatia in February 2011, after which would be possible to adopt other operational acts, begin staff recruitment and take over the tasks in its foreseen area of competence.

The administrative capacity of the established Rail Market Regulatory Agency has been increased, and the Agency is fully operational. At the end of 2010 the Agency sent the first report (for the year 2009) to the Croatian Parliament which was adopted in early 2011. The Agency organised in May 2011 the Second roundtable of rail market regulatory bodies of south-east Europe.

Pursuant to the obligations from the Agreement on railway infrastructure management (Multi annual agreement) the company HŽ Infrastructure Ltd. has delivered all relevant documentation such as financial reports for the year 2010, the Business Plan for the year 2011 and the Railway Infrastructure Construction, Modernisation and Maintenance Plan for the year 2011. Since 2009, HŽ Infrastructure Ltd. publishes the Network Statement and path application forms in Croatian and English. At the end of 2010, the railway infrastructure manager HŽ Infrastructure Ltd. published the Network Statement for 2012 containing the methodology and price calculation for access charges on its website (www.hznet.hr).

The rail market is fully open for Croatian undertakings. Article 12 of the Railway Act (OG 123/03, 30/04, 79/07, 75/09) prescribes that all the licenses of railway undertakings issued in the European Union will be recognized upon accession of the Republic of Croatia to the European Union.

In November 2010 the technical assistance project from the PHARE 2006 programme “Restructuring and development of the Croatian railway system within the framework of EU legislation” has been successfully completed. The project was crucial in the sense of implementation of a part of the ‘second’ railway package and other railway packages into the national legislation, especially the *acquis* which entered into force as of 1 January 2010. The

project gave the opportunity to organize trainings for the regulatory body, infrastructure manager, MSTI and Safety authority (Council members). Also further measures for alignment of the national legislation with the acquis have been presented. Project resulted with several drafts of bylaws as well as with draft model for the new law for railways. In the next period these drafts will be taken as a basis for the development of the new legislative railway acts in Croatia.