

## 1131

On the basis of article 12, par. 2 and article 16, par. 2 of the Railway Law ("Official Gazette of RS", No. 18/05), the Minister for Capital Investments has enacted the following

### **REGULATIONS on the conditions for issue and the content of the certificate on safety for railway infrastructure management, i.e. for the industrial railways**

#### Article 1

These Regulations prescribe more detailed conditions for issue of certificate on safety for railway infrastructure management, i.e. industrial railways ( hereinafter called "Certificate"), as well as its content.

#### Article 2

The Certificate is issued to the public enterprise, to the other form of enterprise, to other legal entity or entrepreneur (hereinafter called "Manager"), i.e. to the holder of the industrial railways, if they comply with the following conditions:

- 1) Railway infrastructure has to be technically correct and in accordance with the regulations and standards which regulate the safety on railway transport;
- 2) Persons engaged in railway infrastructure management and organization and regulation of railway transport have to be professionally qualified and healthy fit in accordance with the rules and standards which regulate the safety of railway transport;
- 3) It must have organized service for supervision of the railway infrastructure maintenance and organization and regulation of railway transport.

#### Article 3

Manager, i.e. the holder of the industrial railways fulfills the condition regarding the technical correctness of railway infrastructure for issue of certificate if:

- 1) He has the railway infrastructure which is constructed and maintained in accordance with the regulations and standards which set the safety of railway transport.
- 2) He records regularly data on railway infrastructure relating to the following:
  1. survey of lines with the basic technical data,
  2. survey of line profile (line sections),
  3. survey of official spots along the lines and survey of signalling-safety installations on the lines,
  4. survey of telecommunication installation on the lines,
  5. survey of the characteristics gradients and resistance on the lines,
  6. length of the lines according to the categories,
  7. length of the station tracks,

8. length of the lines and station tracks of the industrial railways,
  9. survey of the private sidings,
  10. survey of the rolling stock which are used maintenance of infrastructure including serial number an individual number.;
- 3) He has a list of regulations and standards applied for infrastructure maintenance, organization and regulation of traffic and rolling stock maintenance;
  - 4) He has valid licences and certificates on technical correctness for each vehicle which used for infrastructure maintenance;
  - 5) He elaborates and publishes the Catalogue of network data (refers only to the railway infrastructure managers);
  - 6) He has declaration of a responsible person that the railway infrastructure is technically correct and in accordance with the regulations and standards which regulate the safety of railway transport;
  - 7) He has declaration of a responsible person that the organization and regulation of the railway transport is in accordance with the regulations relating to safety of railway transport;
  - 8) He has declaration of a responsible person that the rolling stock are maintained in accordance with the regulations relating to rolling stock maintenance.

#### Article 4

The Catalogue of network data from the article 3, par.5 of these Regulations will contain the following:

- 1) General provisions:
  1. validity time,
  2. list of addresses of the competent departments and a contact person relating to provision of a new information;
- 2) Conditions for access to railway infrastructure:
  1. general conditions for access to railway infrastructure from the Law which regulates railway transport,
  2. the form of Contract on utilization of railway infrastructure,
  3. the list of regulations applied on railway infrastructure as well as at the border stations which the carrier staff must be familiar with;
- 3) Railway infrastructure data:
  1. description of infrastructure (elements from the article 3., item 2), sub-items 1 to 8 of this Regulations, the list of the border stations, etc.),
  2. traffic restrictions (relating to transport of dangerous goods, carrying out operations which can cause noise or environment pollution, utilization of the station installations, bottle necks, restrictions due to tunnels and bridges, etc.),
  3. facilities and installations for additional services;
- 4) Route allocation:
  1. general criteria for route allocation from the Law which regulates the railway transport,
  2. deadlines to submit applications for route allocation,
  3. application form for route allocation.

- 5) The services which are the subject of the contract:
  1. basic package of services ( consideration of application for route allocation, utilization of the allocated route, utilization of switches and crossings on the route, services necessary for train operation including the traffic regulation, usage of signalling and telecommunication devices for transfer of information relating to train operation as well as the other information necessary to carry out the transport for which the route is allocated),
  2. additional services (electricity supply, refueling, usage of stations, their buildings and facilities, usage of freight terminals, usage of marshalling yards and installations, side tracking, maintenance and other technical services, pre-heating of passenger coaches, shunting, controlling of dangerous goods transport, technical inspection of the wagons etc.);
- 6) Charges for usage of railway infrastructure:
  1. methodology for calculation of the level of charges for the services given in the basic package,
  2. charges for the services given in the basic package,
  3. methodology for calculation of the level of charges for additional services,
  4. charges for additional services,
  5. cancellation and revocation of the route,
  6. change of the route.

#### Article 5

The manager, i.e. the holder of the industrial railways complies with the condition relating to the professional qualification and health fitness for the persons which are engaged on maintenance of railway infrastructure and organization and regulation of railway transport for issue of the certificate if:

- 1) the persons engaged on maintenance of railway infrastructure and organization and regulation of railway transport are professionally qualified and healthy fit in accordance with the regulations which set the safety of railway transport;
- 2) regularly keeps data on the positions, qualification and number of persons engaged on railway infrastructure maintenance and organization and regulation of railway transport;
- 3) has a list of regulations which set the professional qualification of the persons engaged on railway infrastructure maintenance and organization and regulation of railway transport;
- 4) has Declaration of the competent person that the persons engaged on railway infrastructure maintenance and organization and regulation of railway transport comply with the conditions relating to qualification and health fitness in accordance with the regulations which set the safety of railway transport.

#### Article 6

Data from the article 3, item 2) sub-item 1, sub-items 3-10 and article 5, item 2) of these Regulations will be entered by the Manager, i.e. the holder of industrial railways in the Form 1, which is printed together with these Regulations and represents its constituent part. Declarations of the responsible person from the article 3, items 6), 7) and 8) and article 5, item 4) of these regulations have to be entered in the Form 2 on railway infrastructure maintenance and organization and regulation of railway transport;

#### Article 7

The Manager, i.e. the holder of the industrial railways complies the condition relating to the Department for supervision of the maintenance of railway infrastructure and organization and regulation of railway transport for issue of certificate if he has the following:

- 1) general document which set the organization of the Department for supervision;
- 2) organization chart of the Department for supervision;
- 3) the list of the persons including the title of position and qualification which are authorized to carry out supervision.

#### Article 8

The request of the Manager, i.e. the holder of the industrial railways for the issue of certificate must contain the following:

- 1) data referring to the applicant (business name, headquarters, number and date of registration);
- 2) name and surname and address of the responsible person, and
- 3) document from the article 3, items 2) to 8), article 5, items 2) to 4) and article 7 of these Regulations.

#### Article 9

The Certificate specially contains the following:

- 1) survey of the lines, i.e. the line sections including the settled of the beginning and the end of the line, i.e. line section;
- 2) kind of signalization;
- 3) survey of the official points on the line;
- 4) kind of signalling-safety safeguard of the official points;
- 5) purpose of the official points;
- 6) survey of the facilities on the line including the settled of the beginning and the end of the facilities;
- 7) type of traffic regulation;
- 8) qualification structure of the persons which will be engaged on maintenance of railway infrastructure and organization and regulation of railway transport;

- 9) survey of the rolling stock for maintenance of infrastructure including serial and individual number.

Beside the data given in paragraph 1 of this article, the Certificate will also contain the following:

- 1) ordinal number;
- 2) date of issue;
- 3) name of the Manager, i.e. the holder of the industrial railways;
- 4) registration number of the Manager, i.e. the holder of the industrial railways;
- 5) headquarters of the Manager, i.e. the holder of the industrial railways; and
- 6) validity period.

The Certificate is issued in the short form as well on the Form 3, which printed with these Regulations and represents its constituent part.

#### Article 10

These Regulations come into the force eight days after publishing in the "Official Gazette of the Republic of Serbia"

No. 340-06-47/2006-11  
Belgrade, 13th April 2006  
Minister,  
**Velimir Ilic, M.Sc., Sgd.**