



Support for implementing measures for the South East Europe Core
Regional Transport Network Multi Annual Plan 2008-2012
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HARMONISED NETWORK STATEMENT FOR SEETO PARTICIPANTS

Final

Specific Project Result 4

October, 2009

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HARMONISED NETWORK STATEMENT FOR PARTICIPANTS (Final)

Specific Project Result 4

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GLOSSARY OF TERMS

<i>Network Statement (NS)</i>	Means the statement which sets out in detail the general rules, deadlines, procedures and criteria concerning the charging and capacity allocation schemes. It shall also contain such other information as is required to enable application for infrastructure capacity
<i>Regulatory body (RB)</i>	The body responsible to regulate railway market for fair and non-discriminatory competition
<i>Track access charge (TAC)</i>	The fee charged by infrastructure managers to railway undertakings for using the railway infrastructure
<i>Capacity allocation</i>	Means the allocation of railway infrastructure capacity by an infrastructure manager
<i>Path allocation</i>	Means the allocation of specific railway infrastructure capacity over a given time period
<i>Congested infrastructure</i>	Means a section of infrastructure for which demand for infrastructure capacity cannot be fully satisfied during certain periods even after coordination of the different requests for capacity
<i>One Stop Shop (OSS)</i>	a customer's contact point for requesting path allocation within the framework of RNE serving one or more infrastructure managers
<i>Network</i>	Entire rail infrastructure owned and/or managed by the IM.
<i>Minimum access package</i>	Type of services related to the use of infrastructure which are provided by the IM and defined in the methodology.
<i>Mark up</i>	„Mark up“ is the third component of the total infrastructure charge. It is based on a charge per scheduled train-km and gross-tkm and is applied for freight traffic where there is no risk of modal diversion and for open access passenger traffic based on “ability to pay” and traffic type.
<i>Regulatory period</i>	Time period during which the structure and level of charges remain constant. Changes to either may only occur as a consequence of the review of the access charging regime undertaken by the RB.

ABBREVIATIONS

AADT	Annual Average Daily Traffic
ADB	Accident Data Base
ALB	Albania
AMM	Annual Meeting of Ministers
BC	Border Crossing
BCA	Border Crossing Agreement
BCP	Border Crossing Point
BiH	Bosnia and Herzegovina
BG	Bulgaria
BOD	Board of Directors
BPA	Border Police Agreement
CA	Contracting Authority (EC DG ELARG)
CARDS	Community Assistance for Reconstruction, Development and Stabilisation
Consultant	WYG Engineering, TRADEMCO, Vienna Consult, TRL
DG ELARG	Directorate General for Enlargement
DG TREN	Directorate General for Transport and Energy
EBRD	European Bank of Reconstruction and Development
EDI	Electronic Data Interchange
EU	European Union
EC	European Commission
GIS	Geographical Information System
GR	Greece
HU	Hungary
HeK/KR	Kosovo Railways
HR	Croatia
HSH/AR	Albanian Railways
HZ/CR	Croatian Railways
IFI	International Financing Institution
IM	Infrastructure Manager
IR	Inception Report
IT	Information Technology
KOS	Kosovo (under UNSCR 1244/1999) – as mentioned in the TOR
LB	Licensing Body
LTE/STE	Long Term Expert/Short Term Expert
MK	former Yugoslav Republic of Macedonia
MAP	Multi–Annual Plan
MOF	Ministry of Finance
MON	Montenegro
MoT/C	Ministry of Transport/and Communications

MoU	Memorandum of Understanding
MZ/MR	Macedonian Railways
NC	National Coordinator(s)
NGO	Non Governmental Organisation
NS	Network Statement (for Railways)
PE	Public Enterprise
PEC	Pan European Corridors
PM	Project Management
PMU	Project Monitoring Unit
PPR	Project Progress Report
REBIS	Regional Balkans Infrastructure Study
RB	Regulatory Body
RM	Regulatory Manual
RS	Road Safety
RSA	Road Safety Audit
RSI	Road Safety Inspection
RRSS	Regional Road Safety Strategy
RS TF	Road Safety Task Force
RS WG	Road Safety Working Group
RU	Railway Undertaking
RBC	Railway Border Crossing
RWR/RSA	Railway Reform and Road Safety Audit (short title for the project)
RW TF	Railway Task Force
RW WG	Railway Working Group
SA	Safety Authority
SEE	South East Europe
SEETO	South East Europe Transport Observatory
SC	Steering Committee
SPR	Specific Project Result
SRB	Serbia
TA	Technical Assistance
TAC	Track Access Charges
TEN-T	Trans European Networks (Transport)
TF	Task Force
TL	Team Leader
ToR	Terms of Reference
UNMIK	United Nations Mission in Kosovo
WB	World Bank
WG	Working Group
WS	Workshop
ZCG/RM	Railways of Montenegro
ZFBH/BHR	Bosnia and Herzegovina Federal Railways
ZRS/RSR	Srpska Republic Railways
ZS/SR	Serbian Railways

1. Introduction

The requirement to prepare a Network Statement derives from Activity A.1.6 of Task 1 of the project. According to the TOR the Consultant has to prepare a *“Network Statement based on a common (RNE) format for each of the SEE Region railways, agreed with key counterparts and consistent with EU definition, and harmonized as far as possible with neighboring countries prepared and agreed with key counterparts for each of the Participants. This document will contain precise technical and economic information on the conditions of access to the railway infrastructure of each SEE country”* taking into consideration that:

- *They should prepare the ground for establishing a common Network Statement for the SEE Region.*
- *They should be prepared for all Participants except Serbia because this issue is already covered by a World Bank project in that country¹”.*

In addition to the above, in his tender proposal, the Consultant suggested that *“the Network Statement (NS) will be a document which describes to the user the relevant procedures and organization for obtaining access to the countries’ rail infrastructure. The document is characterized as “General terms and conditions” for the access to the railway infrastructure. In order to harmonize the presentation of the general access conditions within the European Union, Rail Net Europe has developed a manual for the setup of a Network Statement (NS). Respecting the national legislation and the specific conditions of the infrastructure of each Participants, a draft harmonized NS is prepared in close cooperation with the respective Participants’ stakeholders”.*

Furthermore, in his proposal the Consultant had proposed that: *in order to prepare a document as much as possible consistent with neighbouring countries, the key parts, especially the definition of procedures and interfaces will be developed in regional workshops”.*

Since the time of preparation of the TOR (2006) and the preparation of the Consultant's proposal (Dec. 2007) the situation in Participants concerning the NS had changed completely. Namely:

- the only Participants to have adopted NS and have published them on internet are: Croatia, the former Yugoslav Republic of Macedonia and Montenegro. These NS were initially published in local languages. In June, the English translation of Croatian and Montenegrin NS was available while the Consultant made the translation of the NS for the former Yugoslav Republic of Macedonia himself.
- The NS of Albania, Serbia and Kosovo (under UNSCR1244/99) derive from TA contracts, like in Albania, and from specific projects, like in the latter two cases. These NS are still being worked on and are close to being finalized. The latest draft was made available to the Consultant in English language.
- The NS for Bosnia and Herzegovina, although prepared by APRI, is being reviewed afresh, both in the Federal Entity as well as in Republik Sprska. The Consultant was not given any new draft of NS and was asked not to use the APRI NS.

Following the above, the preparation of NS for each Participant, as foreseen in the TOR, was no more relevant. Instead, the weight of the effort had now to be placed in preparing *“the ground for establishing a common Network Statement for the SEE Region”*. After all, the common Network

¹ When this project was initiated (June 2008) the World Bank project which, among others, prepared the NS for Serbia had been completed (Nov. 2007). Despite that, till today, this NS has not been approved by Serbian Railways.

Statement will be important for those countries, to take into account when finalizing their NS which are still in preparation but also for the first three, if and when they will decide to upgrade or change their already approved NS. It has to be mentioned that all above NS's have been produced according to RNE standard NS format.

The prospect of a common NS was presented and discussed –as foreseen in the Consultant's proposal- in detail in the 3rd Railway Reform (RWR) Workshop organised in Sarajevo on July 09 and 10. Of course some of the topics that are relevant to the preparation of the NS have been already prepared in the 1st Railway Reform Workshop that took place in February in Belgrade and they are now well documented in the Revised Regulatory Manual.

The proposals of the Consultant concerning harmonized Sections and Subsections of the NS's were subject to intensive discussion among the representatives of Participants. These proposals were made after the Consultant:

- compared Article by Article, Section by Section and Subsection by Subsection the three adopted NS between themselves, with the RNE standard NS and with the European best practice NS from Sweden,
- compared Article by Article, Section by Section and Subsection by Subsection the three non-adopted NS between themselves, with the RNE standard NS.

The Consultant has also proposed some specific Sections and Subsections of the NS, which have to be harmonized by first priority, taking also into consideration the results and the revised Regulatory Manual that he has prepared.

2. Why is a Harmonised NS necessary?

The need for Network Statement (NS) in the new era for railways, was recognized in the EU Directive 2001/14.

In response to that, when Rail Net Europe was created, among the primary issues to be tackled was the preparation of a standard format for NS so that all Infrastructure Managers can follow it.

2.1. EU Requirements

Directive 2001/14/EC of the European Parliament and of the Council of 26 February 2001 on the allocation of railway infrastructure capacity and the levying of charges for the use of railway infrastructure and safety certification, states in Article 3 (Network statement) that:

- 1. The infrastructure manager shall, after consultation with the interested parties, develop and publish a network statement obtainable against payment of a duty which may not exceed the cost of publishing that statement.*
- 2. The network statement shall set out the nature of the infrastructure which is available to railway undertakings. It shall contain information setting out the conditions for access to the relevant railway infrastructure. The content of the network statement is laid down in Annex I.*
- 3. The network statement shall be kept up to date and modified as necessary.*
- 4. The network statement shall be published no less than four months in advance of the deadline for requests for infrastructure capacity.*

In its Annex 1, the Directive specifies Contents of the network statement:

The network statement referred to in Article 3 shall contain the following information:

- 1. A section setting out the nature of the infrastructure which is available to railway undertakings and the conditions of access to it.*
- 2. A section on charging principles and tariffs. This shall contain appropriate details of the charging scheme as well as sufficient information on charges that apply to the services listed in Annex II which are provided by only one supplier. It shall detail the methodology, rules and, where applicable, scales used for the application of Article 7(4) and (5) and Articles 8 and 9. It shall contain information on changes in charges already decided upon or foreseen.*
- 3. A section on the principles and criteria for capacity allocation. This shall set out the general capacity characteristics of the infrastructure which is available to railway undertakings and any restrictions relating to its use, including likely capacity requirements for maintenance. It shall also specify the procedures and deadlines which relate to the capacity allocation process. It shall contain specific criteria which are employed during that process, in particular:
 - a) the procedures according to which applicants may request capacity from the infrastructure manager;*
 - b) the requirements governing applicants;*
 - c) the schedule for the application and allocation processes;*
 - d) the principles governing the coordination process;**

- e) the procedures which shall be followed and criteria used where infrastructure is congested;*
- f) details of restrictions on the use of infrastructure;*
- g) any conditions by which account is taken of previous levels of utilisation of capacity in determining priorities for the allocation process.*

It shall detail the measures taken to ensure the adequate treatment of freight services, international services and requests subject to the ad hoc procedure.

The Network Statement to be developed by the Project, will take these provisions into consideration, while following the RailNetEurope standard (see Section 2.4 below)

2.2. Conclusions from Annual Ministerial Meetings

In the Region the need for a harmonized NS was included in the Declaration on Railways during the 2nd Annual Ministerial Meeting of the Region Ministers of Transport, that took place in December 2006, in Brussels.

Indeed, in Brussels, Ministers of Transport agreed that:

- a single NS, or at least NS presented in a single format, will significantly facilitate the understanding of NS by the users, in particular for international RU and reduce cost
- EU Member State IM's have assembled and published best practice information on NS in conformity with EU legislation. Railways in the Region should draw full benefit from the experience available
- a common NS can be the starting point for a regional cooperation of RB, both among themselves as well as with their national IM in the process of checking the conformity and updating the NS on a permanent basis
- a common NS will help safeguard and enhance the legal and technical interoperability of the different rail networks; it can provide an early warning system where a loss of interoperability is at stake

This statement, has since then be repeated in almost every Annual Ministerial Meeting and has been referred to in the Addendum to the MoU for a South East European Railway Transport Area. Hence the present project contributes to the establishment of this much desired result.

2.3. Conclusions from MAP 2008-2012

Likewise the 2008-2012 Multi Annual Plan (MAP), in Chapter 5.2.4. mentions that:

"The proposal adopted by the SC is to have a single Common Network Statement, set of access conditions and scale of charges, or a common model that is adopted with the minimum variations between railways. The RW WG has obtained an agreement in principle for the use of a common format".

This project, that constitutes the first EC funded project under , will materialize the above goal, as it will be demonstrated below.

2.4. RailNetEurope and products to facilitate IM's and RU's

In January 2004, a number of European Rail Infrastructure Managers established a common organisation to shape the business of European rail infrastructure. With a Joint Office in charge of co-ordination based in Vienna, **RailNetEurope** represents its members as an Association dedicated to facilitating international traffic on the European rail infrastructure. RNE is the next step from bi- and multilateral co-operation between European rail infrastructure companies towards one common organisation with a European focus. Together, the members of RNE are harmonising conditions and introducing corporate approaches to promote the European rail business from the rail infrastructure point of view and for the benefit of the entire rail industry.

RNE has been joined by 33 Rail Infrastructure Managers, who are either full or associated members, or candidate members. All in all RNE partners constitute a network of around 230,000 km of railway infrastructure. A ferry line has also joined the association and contributes to lowering barriers in international rail traffic.

The IM involved in RNE today take care of 120 customers dealing with international rail business in Europe, the main target group of RNE. Furthermore there are over 300 other RU that only deal with national traffic. Also, for the first time Authorized Applicants – e.g. ports who want to ensure sufficient rail capacity – have taken the opportunity to get in touch directly (for capacity and train paths requests) with rail IM.

The main objective of RNE is to improve operational issues in the field of international rail traffic. To achieve this, RNE focuses on the entire rail infrastructure production process. It starts by harmonising the members' medium and long-term planning, common marketing & sales approaches, and operations, and ends with RNE after-sales services, such as monitoring and reporting.

In this direction, RNE has produced the following products:

- a. **standard format Network Statement:** RNE has been promoting the development, harmonisation and publication of user-friendly, customer-oriented NS – designed to enable RU to find the information they need very quickly. In order to provide train services on a given rail infrastructure on a fair and non-discriminatory basis. To this end, the Members of RNE have agreed a common structure and an implementation guide for drafting NS in accordance with Article 3 of Directive 2001/14/EC. These guidelines can be applied by all IM. The NS presents information on rail infrastructure condition and on commercial and legal conditions for access to infrastructure, including the amount of access charges
- b. **PATHFINDER:** PATHFINDER is a web application provided by RNE to IM, Allocation Bodies and Path Applicants which handles the communication and co-ordination processes for international path requests and path offers. Furthermore Pathfinder assists RUs and Applicants in their pre-co-ordination tasks related to train path studies and international train path requests. In short, the PATHFINDER tool reflects RNE's OSS (One Stop Shop) philosophy of providing support to business processes and daily activities.
- c. **EICIS:** EICIS is the European Infrastructure Charging Information System run by RNE. EICIS shall give fast information on charges related to the use of the European rail infrastructure network. Composed as a web based umbrella system for the different national rail infrastructure charging systems, EICIS calculates the price for the use of cross-border train paths within seconds, 24 hours a day - without any charges for the system, including station fees and shunting fees .

- d. **Contracts:** The RNE Standard Contract of Use of the railway infrastructure has the purpose to help customers, who are operating international transports - both independently and in cooperation with other partner RU - to simplify and speed up their access to the European railway infrastructure. The RNE Standard Contract of Use is part of a simplification of the contractual process between RUs and IMs, because it incorporates the single contracts (i.e. general terms and conditions) of the different IMs. Instead of signing several access contracts with all the IMs concerned, the customer will only have to sign one single document.
- e. **EUROPTIRAILS:** EUROPTIRAILS will make real-time, online supervision of European rail traffic possible for the first time. The tool was developed for a given corridor of railway lines running between Rotterdam and Milan and will assist railway operators to follow their trains. The range of the tool has already been extended to further parts of the European railway network. The new system's first priority is the real-time management (Information Model) of railway traffic inside and outside the borders of the participating countries. Furthermore, all the data must be recorded and accessible for analysis at any time (Reporting Model). EUROPTIRAILS will support traffic management on a high level, will monitor international trains from origin to destination on the involved IMs network and will constitute an information source for international quality analysis.

All RNE members are supposed to make usage of the above products towards facilitating the development of railway infrastructure and of railway operations in Europe. In addition, non-members in Europe are encouraged to use them. In particular the IM's of European railways should be using the common standard NS since this facilitates the creation of a harmonized approach in the collaboration between IM's (as owners or managers of the infrastructure) and RU's (as operators on the infrastructure).

The project, as mentioned earlier will capitalize on the RNE standard in producing a harmonized NS for the Region.

2.5. Objectives of the Harmonised Network Statement for the Region

The objective of the NS to be prepared, is to consider how the harmonisation can be achieved on the content of specific critical Sections/Subsections of the RNE NS, having mainly in consideration the facilitation of international railway operations and in particular:

- having considered the requirements of RNE standard NS format,
- having reviewed in which NS Sections or Subsections is harmonisation necessary,
- having reviewed the NS's of Participants and having compared them with each other,
- having identified the most important issues for the Sections/Subsections that can be harmonized, including those agreed upon in the Regulatory Manual that the Consultant has prepared in the scope of previous project activities.

The Consultant is considering sound ways to harmonise the NS for the Region in a way that will contribute to cohesion and cooperation in the Region, instead of the present and traditional fragmentation of railway operations.

The harmonized NS to be prepared, should be:

- Non discriminatory, in particular towards new entrants,
- Avoid time-consuming and cost-intensive provisions and procedures for new entrants,
- In accordance with the competition policy of the EU,
- Fair and transparent.

The objective of the present report is:

To prepare a document that is based on RNE format agreed upon to act as guideline applicable by the Region and the Participants for finalizing their own NSs and to improve already existing with harmonised procedures introduced in this Report.

The above objectives lead to the contents of the NS which are indicated in the Table of Contents of this Report and will be implemented in the subsequent Chapters of this Report.

3. The current situation for NS in SEETO Participants

The Consultant has reviewed the available NS, which as mentioned in the Introduction (Chapter 1), are as follows:

- Three adopted and available on internet NS: Croatia, Montenegro, the former Yugoslav Republic of Macedonia,
- Three prepared by Consultants or by Infrastructure Department in railway companies NS: Albania, Serbia, Kosovo (under UNSCR 1244/99)
- While all NS follow “more or less” RNE standards, we have observed that:
 - there is no full adherence to the standard in Sections and Subsections headers and titles,
 - some Sections/Subsections have same content in type but are different in details (deadlines, penalties, processes etc)
 - some Sections and Subsections have different approaches (priorities, licenses, charging system).

As it can be seen in the Table below, the RNE standard NS consists of 6 Chapters (1digit), with 46 Sections (2digits) and 72+ Subsections (3 or more digits).

Therefore, in order to attain the objectives of the Report and of MAP, of SC and of AMM which were all presented in Chapter 2, we have evaluated which Sections and Subsections (WHAT) of the NS can be brought to a better alignment among themselves in order to achieve a harmonised NS for Participants. These Sections/Subsections are presented in the Table 3.1 where the Consultant makes also his proposal on HOW –in his opinion- to achieve harmonization. In addition, in the same Table, the Sections and/or Subsections that need to be harmonized by priority are also shown.

This Table and the proposal of the Consultant were already discussed in the Railway Reform Workshop that took place in Sarajevo on 9-10 July 2009. The Table included in this Report takes into account the comments made during the Workshops and the impact of the relevant discussions.

It should be noted, that as part of the discussions during this Workshop, some SEETO Participants who are in the process of preparing their NS, have decided to make appropriate changes corresponding to the agreements reached during the Workshop. Such is the case of Kosovo (under UNSCR 1244/99).

Table 3.1. Network Statement – Possibilities for Harmonization

RNE Chapter	RNE Chapter, Section and Subsection title	RNE Standard NS description for content of Chapter, Sections, Subsections	Is it possible to harmonise? (Yes/No)	How is to be harmonised? What are the issues?	Does it have priority? (Yes/No)
			WHAT	HOW	
1	GENERAL INFORMATION				
1.1	Introduction	Give a brief presentation of the IM and state why the IM is producing the NS. A diagram showing the organization of the railway sector in the IM's country can be included.			
1.2	Objective	<i>Directive 2001/14/EC Article 2 (j) and Article 3</i> Give a brief description of the purpose the NS (e.g. The NS is designed to supply RUs and/or other applicants with the essential information needed to gain access to, and to use			

		the rail infrastructure managed by the IM.). Refer to national legislation transposing the Directive into national law.			
1.3	Legal Framework	List the main legislation and regulations to be considered by RUs, including: <ul style="list-style-type: none"> • International regulations (optional) • National legislation • IM's internal regulations • Other applicable regulations (e.g. imposed by the national Rail Regulator). 			
1.4	Legal Status				
1.4.1	General Remarks	Describe the legal status of the NS in national legislation.			
1.4.2	Liability	State the extent of the liability of the IM for information contained in the NS and include any legal disclaimers.	YES	State in the same way this liability. IMs should provide RUs the sources where to find laws and decrees	YES
1.4.3	Appeals Procedure	<i>Directive 2001/14/EC Article 30 (2a-b)</i> Describe the procedure for RUs to appeal against any action or decision taken by the IM, including the content of the NS.	YES	Make reference to Reg. Body	YES
1.5	Structure of NS	Give a brief description of the common structure for the NS and refer to the latest version number of the implementation Guide.	YES	RNE format	
1.6	Validity and Updating Process	<i>Directive 2001/14/EC Article 3 (3-4)</i>			
1.6.1	Validity Period	State the dates of the period of validity of the NS and the relevant annual timetable start and finish dates.	YES	Should be explicit	
1.6.2	Updating Process	Describe how the NS is updated, with special reference to the situations where consultation with RUs is mandatory.	YES	Participants should follow the same process	YES
1.7	Publishing	<i>Directive 2001/14/EC Article 3 (1)</i> List the available formats of the NS (e.g. printed document, website document, CD-ROM), how they can be obtained and their prices.			
1.8	Contacts	List the contacts which will provide more information on domestic and international traffic (job functions rather than named individuals) and indicate their respective fields of information. The list should include contacts within the IM, including the (Rail Net Europe) OSS, and contacts in other relevant national and international organisations.	YES	Which contacts are necessary by type, for Participant <i>and</i> international	
1.9	Rail Net Europe – international cooperation between infrastructure managers	<i>Directive 2001/14/EC Article 4 (3) and Article 15 (Cooperation between Infrastructure Managers)</i>	YES	State Consultant's proposal from R.M.	
1.9.1	One Stop Shop	FIRST: Give the contact information of the national OSS (the OSS within your company) as indicate in 1.8 above. SECOND: EITHER use the mandatory at the bottom of this Table (this text is agreed among the OSS's themselves) OR use a cross reference to the RNE Homepage In addition to the mandatory text, cooperation projects (Pathfinder, EICIS, Europtirails, etc.) and principles of cooperation can be highlighted.	YES	Follow exactly the RNE homepage	
1.10	Glossary	Provide a glossary of terms used in the NS (a reference to an appendix is suggested).	YES	The correct glossary is in the original language	YES
2	ACCESS CONDITIONS			The text that is same, should be	

				found in the same sections/subsections	
2.1	Introduction				
2.2	General Access Requirements	Describe or refer to the main legal regulations set by national and international authorities. This information should cover domestic as well as international traffic.			
2.2.1	Requirements to apply for a train path	State the requisites for being accepted as an applicant (an entity that wants to apply for a train path). Directive 2001/14/EC Article 16 State, e.g., whether or not an entity applying for a train path needs to be a RU at the time it makes its path application State whether a third party (e.g. OSS) may apply for train paths on behalf of a RU.	YES	Does the entity have to have rolling stock? Does he have to be an RU at time of application? Can OSS apply instead of RU? International groupings	YES
2.2.2	Who is allowed to perform train operations (freight and/or passenger?)	<i>Directive 2001/14/EC Article 16 and Annex I (3)</i> State which kinds of RUs (domestic and/or foreign) or other organisations are permitted to perform train operations (freight and/or passenger).	YES	Those who have license. Companies that do not own RS should be allowed to be RU. Do int'l groupings have to have shareholder from local country?	YES
2.2.3	Licenses	Name the body responsible for issuing train operating licenses. Give the contact name and address or refer to Section 1.8 If the IM issues the licenses itself, either describe or refer to the licensing process.	YES	Mutual acceptance of licenses Or Multilateral between all Participants. Acceptance of all EU licenses (Treaty)	YES
2.2.4	Safety Certificate	Name the body responsible for issuing safety certificates. Give the contact name and address, or refer to Section 1.8. If the IM issues safety certificates itself, either describe or refer to the certification process.	YES	Mutual acceptance of certificates. or Multilateral between all Participants Acceptance of EU certificates (Treaty)	YES
2.2.5	Cover of liabilities	<i>Dir 95/18 art 9</i> Describe or refer to the relevant national legislation and state any mandatory levels of insurance. If other means of risk coverage than insurance is permitted, state this (e.g. state guarantee).	NOT NECESSARILY	Maybe the level of liability should be common	
2.3	How to apply for a Train Path Go to chapter 4	Mandatory text to the left:.	YES		
2.4	General Business/ Commercial Conditions				
2.4.1	Framework Agreement	<i>Directive 2001/14/EC Article 17</i> Give a brief description of the role of a Framework Agreement and refer to the contracts which are regarded as Framework Agreements (e.g. Track Access Agreement, Station Access Agreement, etc). State whether the IM is permitted to enter into bi-lateral agreements with RUs to develop infrastructure enhancements and refer to any standard regulations, or state which other body is responsible for			

		infrastructure enhancement.			
2.4.2	Access Contracts	<p><i>Directive 2 0 01/12 Article 1 11)</i></p> <p>State which contracts are necessary for the use of infrastructure capacity, for example: track access (i.e. regarding the right of using the railway line for performing train operations) access to Passenger Terminals, Freight Terminals, Train Depots etc.</p> <p>State whether an access contract is required before applying for a train path and/or before actual operation, and if separate contracts are required for station / depot access and/or any other services.</p> <p>State which contracts are required to deliver the minimum access package as set out in <i>Directive 20 01/14/EC</i>. Refer to Section 5 for details of additional and ancillary service contracts.</p> <p>State if any independent approval of access contracts is needed (e.g. by Regulatory Authority or by Government). State if a standard form of access contract exists and whether its use is compulsory.</p> <p>The contract formats should be included in an Annex to the Network Statement and/or published on the IM's homepage.</p>	YES	The contracts should be given in the Annex. State which contracts. State when is the contract needed: before applying for capacity or for starting services Contact legal WG RNE for general terms of conditions Question of legally binding NS (check the civil law in your country – every offer is legally binding)	YES
2.5	Operational Rules	<p>(i.e. Rules to be followed by train crew and signallers in current train operations).</p> <p>State which organisation is responsible for publication of the Rules (e.g. the IM, the Regulatory Authority, the Ministry of Transport , etc.) Give the contact name and address, or refer to Section 1.8.</p> <p>Both national and local operational rules and instructions should be covered.</p>		To be further discussed	
2.6	Exceptional Transports	<p>(e.g. test trains, out-of-gauge loads, heavy axle load vehicles). Refer to UIC leaflet 502 Annex 1 (article 1.3) extract from the RIV for definition of "Exceptional Transports". State whether or not the IM uses the UIC definition.</p> <p>State which body is in charge of the rules for exceptional transports and give the contact name and address, or refer to Section 1.8.</p> <p>Refer to Section 4.7 for the capacity allocation process and Section 5 for details of other services provided by the IM.</p>		Coverage of RNE requirements	
2.7	Dangerous Goods	<p>Refer to R.I.D. for definition of "Dangerous Goods"</p> <p>State whether or not the IM uses the RID regulations and if there are any exceptions.</p> <p>Refer to any national regulations for dangerous goods and give the contact name and address (or refer to Section 1.8) for applications to move dangerous goods.</p> <p>Refer to Section 4.7 for the capacity allocation process and Section 5 for details of other services provided by the IM.</p>		Coverage of RNE requirements	
2.8	Rolling Stock Acceptance Process Guidelines	<p><i>Directive 2 00 1/14/EC Article 32 (3)</i></p> <p>State which organisations are in charge of the process and give the contact names and addresses, or refer to Section 1.8. If the IM is in charge of the rolling stock acceptance process, either describe or refer to the main stages in the process and any relevant documentation.</p>	YES	Transfer of wagons on trust	
2.9	Staff Acceptance Process	<p><i>Directive 2 00 1/14/EC Article 32 (3)</i></p> <p>This provision covers operations staff, e.g. drivers, conductors, shunters.</p> <p>State which organisations are in charge of the process and give the contact names and addresses, or refer to Section 1.8. If the IM is in charge of the staff acceptance process, either describe or refer to the main stages in the process and any relevant documentation.</p>	YES	Acceptance of driver training certificates in Participants and then with EU	
3	INFRASTRUCTURE	<p>All the information [in Chapter 3] is provided by the individual IM according to availability and relevance of the data. For example if an IM has no tunnels on its network, that fact will be stated in Section 3.4.</p> <p>Where relevant, maps or lists should be produced for each sub-chapter, which can be placed in appendix, or reference</p>		By definition, this Chapter can not be harmonised. But if this section will cover for	

		should be made to documents containing the required information.		example one Corridor, the presentation of characteristics of Corridor should be done in the same way in different Participants.	
3.1	Introduction	State the general validity of the information provided, especially referring to possible changes of infrastructure characteristics or constraints. <i>2001/14 art 5 nr 1, last sentence: "If the services are not offered by one IM, the provider of the 'main infrastructure' shall use all reasonable endeavours to facilitate the provisions of these services."</i> If any of the facilities mentioned in chapter 3 are owned or operated by another body than the IM who provides the 'main infrastructure' shall do his best to provide this information or refer to where it can be obtained.			
3.2	Extent of Network	<i>Directive 2001/14/EC Annex 1 (1)</i>			
3.2.1	LIMits	State the geographic limits of the IM's infrastructure and indicate any lines not available for normal railway traffic operations.			
3.2.2	Connected Railway Networks	Refer to neighbouring IMs, including other national networks, and list all international border crossings. Refer to Section 3.6 for details of private sidings and private freight terminals.			
3.2.3	Further information	List available documents which provide detailed infrastructure data and give contacts for further information.	YES	Make sure they are in the Annex or provided or mentioned on Internet	YES
3.3	Network Description				
3.3.1	Geographic Identification				
3.3.1.1	Track Typologies	Indicate the extent of single track / double track / multiple track.			
3.3.1.2	Track Gauges	State the track gauge(s) (UIC leaflet 510). Even if there is only one gauge, its value should be stated. Where the IM has more than one gauge, indicate the extent of track of each gauge.			
3.3.1.3	Stations and Nodes	List the stations and nodes and describe their main characteristics. Key characteristics can include distances between nodes and the length of station tracks. As a minimum, the maximum length limit for trains using each station should be stated.			
3.3.2	Capabilities				
3.3.2.1	Loading Gauge	Indicate the loading gauge applicable to each route section. Refer to UIC leaflet 506 or to Combined Traffic Codes.			
3.3.2.2	Weight Limits	Indicate the maximum axle load and any other weight limits applicable to each route			
3.3.2.3	Line Gradients	Indicate the maximum or critical gradient on each route section.			
3.3.2.4	Line Speeds	Indicate the maximum permitted speed per line for each route section.			
3.3.2.5	Maximum train lengths	Indicate the maximum train length allowed on each line or section. (excluding Exceptional Transports).			
3.3.2.6	Power supply	Indicate the extent of the network that is electrified and describe the electrification system, including the voltage and frequency used. <i>Optionally, additional information such as contact wire height, contact pressure, etc. can be supplied.</i>			
3.3.3	Traffic Control and Communication Systems	Give a brief technical description of the traffic control, including signalling, regulation, dispatching and communication and provision of information on train movement.			
3.3.3.1	Signalling Systems	Give a brief technical description of the signaling systems			

3.3.3.2	Traffic Control Systems	Give a brief technical description of the traffic control systems (may be merged with signaling systems).			
3.3.3.3	Communication Systems	Give a brief technical description of the train radio communication systems.			
3.3.3.4	ATC Systems	Give a brief technical description of the automatic train control systems.			
3.4	Traffic Restrictions				
3.4.1	Specialised Infrastructure	<i>Directive 2001/14/EC Article 24</i> Indicate the extent of any specialised infrastructure and describe the traffic restrictions that apply.			
3.4.2	Environmental Restrictions	Indicate if there are any limits on for example noise levels or other Environmental Restrictions. If the limits are allocated to certain line sections or hours, state this.			
3.4.3	Dangerous Goods	Indicate if there are any line sections where Dangerous Goods is not permitted, or where permission is limited (to certain times of the day and/or to certain classes of Dangerous Goods).			
3.4.4	Tunnel Restrictions	Indicate if there are any tunnel restrictions, for example restrictions on the use of diesel traction.			
3.4.5	Bridge Restrictions	Indicate if there are any bridge restrictions, for example closure in high winds, specific opening hours etc.			
3.5	Availability of the infrastructure	Provide information on restrictions, for example Imposed by the IM due to his own needs for managing the infrastructure. These can include restrictions on route opening hours and times of possessions for maintenance, renewal and enhancement works. Refer to art 4.5.			
3.6	Passenger terminals (stations)	This sub chapter is supposed to cover all kinds of stations where passengers embark or leave trains with no regard to their size or Importance. List platform lengths and heights and refer to Section 5 for any services offered by the IM. A description of other passenger facilities can be included. To give the RU's an easy overview of certain characteristics of the passenger terminals, the information can be structured as lists sorted (railway) line by line and station by station.			
3.7	Freight terminals	List the location of freight terminals. Describe the kind of each terminal (intermodal or conventional, harbor etc.). Special built terminals, for example for timber/lumber, should also be listed and described here. The information can include special terminal equipment as side ramps and/or end ramps. State which body is in charge of (track) capacity allocation within the freight terminal. If the National IM is in charge, state if terminal capacity shall be requested as a part of the capacity allocation process (Cf. Chapter 4) or separately If the terminal is suited for interchange of goods between other (more) modes than rail-road and rail-rail this should be stated. (e.g. rail-road-sea/river –air). Do also describe the maximum length of trains that can be received in each terminal without splitting it and the total track length. The information can include the contact point RU's or other interested parties shall turn to in order to obtain further information concerning each terminal. Information concerning services provided in each terminal can also be provided.			
3.8	Service Facilities	(2001/14, annex 1, number 2) List the key Service Facilities that the IM offers to RUs. Service Facilities not owned by the IM can also be listed separately.			
3.8.1	Train formation yards	List the location of train formation yards and the maximum length of trains that can be formed in each yard. The information can include the contact point RUs or other interested parties shall turn to in order to obtain further information concerning each yard.			
3.8.2	Storage sidings	List the location of storage sidings and the maximum length			

		of trains that can be formed in each yard. The information can include the contact point RUs or other interested parties shall turn to in order to obtain further information concerning each storage siding.			
3.8.3	Maintenance Facilities	(If the IM is the service provider, refer to Section 5, otherwise inclusion is optional). Optional information should include the location of each facility in Question and a contact point.			
3.8.4	Refuelling facilities	List the location of refuelling facilities and the type(s) of fuel that can be provided in each place. The information can include the contact point RUs or other interested parties shall turn to in order to obtain further information.			
3.8.5	Technical facilities	List the location and type of technical facility and describe its purposes. Facilities like wheel damage detectors, red box (hot box) detectors, wagon weight bridges, loading gauge gauges and so on can be described here. The information can include the contact point RUs or other interested parties shall turn to in order to obtain further information concerning each facilities. If the facility in question detect and/or gather data concerning the RU's train, information concerning how the RU can obtain access to this data should be included.			
3.8.6-3.8.9	Other facilities	If the IM provides other services or facilities than listed in the previous numbers (3.8.1- 3.8.5) these services are to be listed here with separate sub numbers.			
3.9	Infrastructure Development	Give any available information on the main projects for infrastructure development, including timescales, the nature of the works and the effects on operational characteristics, both during construction period and after completion. The information given in this subchapter is not limited to the validity period of this Network Statement.			
4	CAPACITY ALLOCATION	<i>Directive 2001/14/EC Chapter III</i> The information [in chapter 4] should cover capacity allocation for domestic as well as international traffic.	YES	The deadlines have to be the same for all stages	
4.1	Introduction				
4.2	Description of Process	Describe: how to apply (which forms to be used) how capacity allocation is decided the bodies involved and state their responsibilities The RNE document "Process for international path requests." might be mentioned.	YES	The RNE document "Process for international path requests." should be provided in Annex, or, reference to RNE website. The <i>deadlines</i> provided for all stages should be same.	YES
4.3	Schedule for Path Requests and Allocation Process	<i>Directive 2001/14/EC Article 18 and Annex III</i>			
4.3.1	Schedule for working timetable	List the deadlines in the process or refer to separate production schedule	YES	According to RNE	YES
4.3.2	Schedule for requests for train paths outside the timetabling process (ad hoc requests)	<i>Directive 2001/14/EC Article 23</i> List the deadlines in the process or refer to separate production schedule.	YES	According to Directive: minimum in 5 days after request is placed	YES
4.4	Allocation Process		YES	Allocated capacity can not be transferred	
4.4.1	Coordination process	<i>Directive 2001/14/EC Article 21</i> Describe the coordination process including details of activities performed by IM's and RUs.	YES	Deadlines should be similar → RNE deadlines	YES
4.4.2	Dispute resolution process	<i>Directive 2 00 1/14/EC Article 21 sub 6</i> Give the contact names and addresses of bodies involved. Describe in detail the information the RU must give to the IM in case of a dispute. State any deadlines in the dispute resolution process.	YES	Deadlines should be similar. Role of R.B. should be clear. There is no	YES

		State whether or not the process can delay the capacity allocation process.		stopping of allocation process (during the dispute)	
4.4.3	Congested Infrastructure; definition, priority criteria and process	<i>Directive 2 0 01/14/EC Article 22 (4-6)</i> Quote or refer to the national legislation defining when an area (line and/or station) is to be considered as congested. Indicate (by maps or names of lines and locations) which areas are or are likely to become congested during the period of validity of the NS. Quote or refer to the priority criteria to be used when an area is declared congested.	YES	Common priorities and common rules by type of train should be given, in compliance with R.M. (Capacity calculation in UIC 406)	YES
4.4.4	Impact of Framework Agreements	Describe how a Framework Agreement affects capacity allocation, e.g. whether it confers a particular level of priority on path requests. Refer to a separate list of Framework Agreements if one exists.	YES	If framework contracts exist, refer to them in Annex	
4.5	Allocation of Capacity for Maintenance, Renewal and Enhancements	<i>Directive 2 0 01/14/EC Article 28</i> Refer to documents setting out the capacity allocated for maintenance, renewals and enhancements in the current timetable and any future timetables for which the process is complete or in progress.	YES	Common wording for reserving capacity for maintenance, renewal, enhancements	
4.5.1	Process	Describe how the allocations of capacity for maintenance, renewals and enhancements is established, including roles and rights of IMs and RUs, or refer to Section 4.2 if the process is the same as allocation of capacity for train paths.	YES	Reference can be made to 4.2	
4.6	Non-usage/ Cancellation Rules	<i>Directive 2 0 01/14/EC Article 27</i> Describe the deadlines for cancellation of planned train services. Describe the limits for non-usage of allocated capacity which trigger loss of access or other penalties. Refer to Section 6 for charges imposed when cancellations are advised too late or not at all.	YES	The deadlines should be the same for the same type of causes of cancellation. The conditions for revoking allocated capacity should be same	YES
4.7	Exceptional Transports and Dangerous Goods	State whether or not the RU needs to notify the IM (or any other body) about its Exceptional transport or Dangerous Goods when applying for train paths. State any deadlines that need to be met.	YES	Common reference in application. Common deadlines. Common definition on what is exceptional	
4.8	Special measures to be taken in the event of disturbance	<i>Directive 2 0 01/14/EC Article 29</i>			
4.8.1	Principles	Refer to existing procedures and contractual arrangements.	YES	Refer to procedure (order) and information to all	YES
4.8.2	Operational Regulation	Describe or refer to existing train regulation policies regarding foreseen and unforeseen problems.	YES	In case of change of train priorities due to disturbances, they have to be the same.	
4.8.3	Foreseen problems				
4.8.4	Unforeseen problems				
5	SERVICES				
5.1	Introduction	Refer to the four different groups of services listed in Annex II Directive 2001/1 4/EC and if the IM supplies services in addition to these.	YES	As per Directive	

5.2	Minimum access package	List of services obligatory delivered by IM <i>Directive 2001/14/EC, Annex II, point 1</i> Description of the services.	YES	As per Directive	YES
5.3	Track access to services facilities and supply of services	<i>Directive 2001/14/EC, Annex II, point 2</i> Product definition – including track access conditions and usage conditions for each of the services listed, also stating if services are delivered by IM, or by other suppliers, who may be referred to. For information on location, refer to section 3 “Infrastructure” For information on charges, refer to section 6 “Charges”		State if some services are not offered by IM. Refer always to 3rd parties offering such services and that access is provided by IM to these 3rd parties. Preferably follow all sections. Track access included in minimum access package without charge may violate competition	YES
5.3.1	Use of electrical supply equipment for traction current, where available				
5.3.2	Refuelling facilities				
5.3.3	Passenger stations, their buildings and other facilities				
5.3.4	Freight terminals				
5.3.5	Marshalling yards				
5.3.6	Train formation facilities				
5.3.7	Storage sidings				
5.3.8	Maintenance and other technical facilities				
5.4	Additional services	<i>Directive 2001/14/EC, Annex II, point 3</i> Product definition – including usage conditions for each of the services listed, also stating if services are delivered by IM, or by other suppliers, who may be referred to. For information on location, refer to section 3 “Infrastructure” For information on charges, refer to section 6 “Charges”		State if some services are not offered by IM. Refer always to 3rd parties offering such services and that access is provided to these 3d parties.	YES
5.4.1	Traction current				
5.4.2	Supply of fuel				
5.4.3	Services for trains (preheating, water supply, toilet waste handling, etc.)				
5.4.4	Shunting and other services				
5.4.5	Services for exceptional transports and dangerous goods				
5.4.6-5.4.9 9	Other additional services	If the IM provides other additional services than listed in the previous numbers (5.4.1- 5.4.5), these additional services are to be listed here with separate sub numbers.		Other additional services –if provided- should be placed here	
5.5	Ancillary services	<i>Directive 2001/14/EC, Annex II, point 4</i> Product definition – including usage conditions for each of the services listed, also stating if services are delivered by IM, or by other suppliers, who may be referred to.		State if some services are not offered by IM. Refer always to 3rd parties offering such services and that	YES

				access is provided to these 3d parties	
5.5.1	Access to telecommunication network				
5.5.2	Provision of supplementary information				
5.5.3	Technical inspection of rolling stock				
5.5.4-5.5.9	Other ancillary services	If the IM provides other ancillary services than listed in the previous numbers (5.4.1- 5.4.5), these additional services are to be listed here with separate sub numbers.		Other additional services should be placed here	
6	CHARGES				
6.1	Charging principles	What is the basis for the IM's charges ? Marginal cost, full costs, mark ups, are there exceptions to the principles etc? State to what extent directive 2001/14/ Article 7.4 (scarcity charges) 7.5 (environmental charges), 9 (discounts), 10 (compensation) and 12 (reservation charges) are applicable.	YES	MC+ No scarcity charges No environmental charges Discounts? Compensation? Reservation?	YES
6.1.1	Minimum access package		YES	Common policy for charging for conditional trains and for trains with special timetable	YES
6.1.2	Track access to facilities referred to in 5.3				
6.1.3	Services referred to in 5.3				
6.1.4	Additional services				
6.1.5	Ancillary services				
6.2	Charging system	Describe how the components of the system work together.	YES	Consultant's formula from R.M. with the coefficients, according to the value applicable in each Participant	YES
6.3	Tariffs	Charging information for train paths and any other services supplied by the IM including discounts, compensation schemes and reservation charges.	YES	Values of charges according to service, either introduced here or in annex	YES
6.3.1	Minimum access package		YES	Ditto Track access charge to 3 rd parties should not be provided free of charge in minimum access package	
6.3.2	Track access to services facilities	State if track access is included in the minimum access package or charged separately			
6.3.3	Supply of services referred to in 5.3	If IM supplies services			
6.3.4	Additional services	If IM supplies services		Our formula for electricity, if provided by IM.	
6.3.5	Ancillary services	If IM supplies services			
6.4	Performance scheme	<i>Directive 2001/14/EC Article 11</i>			
6.5	Changes to charges	Foreseen changes	YES	Common	YES

				approach	
6.6	Billing Arrangements	State who bills the services, terms and conditions including non-payment etc.	YES	Same deadlines for invoicing and for paying	YES

Obligatory text for Subsection 1.9.0

"In January 2004, the European Rail Infrastructure Managers have established a common organisation to shape the business of European rail infrastructure. With a Joint Office for coordination based in Vienna, RNE represents its members as Association for Facilitating International Traffic on the European Rail Infrastructure.

RNE is the consequent step from bi-and multilateral co-operations among European rail infrastructure companies towards one common organisation with a European focus. The members of RNE together harmonise conditions and introduce corporate approaches to promote the European rail business from the rail infrastructure point of view: to the benefit of the entire rail industry.

Open to the European Market

RNE is joined by 29 rail infrastructure managers, being either full or associated members or candidates. All in all RNE partners serve a network of around 230.000 km railway infrastructure. Also a ferry line has joined the association and contributes to lower the barriers in international rail traffic. The Infrastructure Managers involved in RNE today take care of 120 customers that are dealing with international business in Europe, the main target group of RNE. Furthermore there are more than 300 other railway undertakings that are only dealing with national traffic, today.

Obligatory text for Subsection 1.9.1

European Infrastructure Managers (IM) have signed an agreement on a common sale and marketing organisation for international infrastructure capacity called RailNetEurope (RNE). These Infrastructure Managers have set up One Stop Shops working as a network of customer contact points within the framework of RNE. For international path requests, the customer needs only to contact one of these One Stop Shops, which will initiate the whole international path allocation process. The contacted One Stop Shop will in close cooperation with the concerned IM:

- offer the customer support and information on the full product and service range of the Infrastructure Managers;
- supply all the information required to gain access to the infrastructure of any Infrastructure Manager participating in RNE;
- handle requests for any international train path within RNE; make sure that requests for the next timetable period are duly taken into account in the yearly timetabling process;
- provide train path offers for the whole international journey

Each One Stop Shop is part of the international network which aims at making network access for customers as simple as possible. The OSS also provides information on infrastructure charges and train movements including quality monitoring. In line with its motto "one face to the customer", the OSS provides competent and efficient assistance across all borders, based on transparent, confidential and non-discriminatory procedures. A list of OSS contacts is available at www.railneteuropa.com.

Also, for the first time Authorized Applicants – e.g. ports who want to ensure sufficient rail capacity - have taken the opportunity to get in direct contact for capacity and train paths requests with rail infrastructure managers.

Operational Business

The main approach of RNE is to Improve operational issues of international rail infrastructure traffic. To do this, RailNetEurope focuses the entire rail infrastructure production process. It starts with harmonising the members' middle and long term planning, common marketing & sales approaches, appropriate planning, operations and ends up with RNE after sales services, such as monitoring and reporting." For further information, visit www.railneteuropa.com

4. A Harmonised Draft NS for SEETO Participants

This is the Project proposal for the harmonized NS. It is prepared on the basis of RNE standard for NS and is presented with the same titles of Chapters, Sections and Subsections.

In the beginning of each Chapter/Section/Subsection, with purple background, the requirements of the RNE Standard format are provided in *Italics*.

The Consultant has prepared the text that in his opinion should be available in the specific Section/Subsection. Every SEETO Participants has to "customize" the specific expression, reference, law, contact etc. to the conditions prevailing in his territory. In some cases (*Notes*) are provided to facilitate the customization of the NS.

1. GENERAL INFORMATION

1.1 Introduction

*Give a brief presentation of the IM and state why the IM is producing the NS.
A diagram showing the organization of the railway sector in the IM's country can be included.*

This Network Statement is prepared in line with the EU Directives, the Railway Law in SEETO Participant, and the current proposals for its amendment.

The document complies with the RailNetEurope (RNE) requirements and is intended to serve as a source of information to national and international railway undertakings.

The Network Statement is intended to provide general information on the railway network, access conditions and the access charging regime in place.

..... [IM of Participant] was created in [SEETO Participant] according to Law and is responsible for managing, maintaining and developing the railway infrastructure in Railway infrastructure is a public good in general use and it is owned by

..... [IM of Participant] is a legal person and within its scope it acts independently in legal affairs, concludes contracts and legal proceedings and undertakes any other type of legal activities which are important for its performance.

The following diagramme represents the current state of affairs for the railway sector in

The following diagramme present the organisational chart of [IM of Participant]

1.2 Objective

*Directive 2001/14/EC Article 2 (j) and Article 3
Give a brief description of the purpose the NS (e.g. The NS is designed to supply RUs and/or other applicants with the essential information needed to gain access to, and to use the rail infrastructure managed by the IM.) Refer to national legislation transposing the Directive into national law.*

The Network Statement contains information about the characteristics of the infrastructure, and the information defining the track access conditions. Specifically, the Network Statement defines the following:

- the characteristics of the infrastructure, which is available for railway undertakings and the conditions for the track access,
- the charging principles and tariffs, including the explicit formula in support of the access charging regime,
- the principles and criteria for capacity allocation, containing general capacity characteristics of the infrastructure, which are available to railway undertakings, and all restrictions related to its use, including the possible

requirements for a capacity maintenance and also specialized processes and procedures concerning the capacity allocation process,

- the specific details of the capacity allocation process, including:
 - the processes to be used by an applicant requesting the capacity allocation from the infrastructure manager,
 - the requirements to be met by the applicants,
 - the time schedule for submitting the requests for paths and the path allocation process,
 - the principles of the coordination process,
 - the processes to be pursued and criteria used in the event of infrastructure congestion,
 - the details of the restriction on the use of infrastructure, and
 - the other conditions, taking into account previous levels of capacity when setting up the priorities of allocation process,
- the identification of areas where *ad hoc* procedures may be introduced.

The EC Directive 2001/14 was transposed into national Law in[year]. .

1.3 Legal Framework

List the main legislation and regulations to be considered by RUs, including:

- *International regulations (optional)*
- *National legislation*
- *IM's internal regulations*
- *Other applicable regulations (e.g. imposed by the national Rail Regulator).*

The operation of infrastructure and transport on the railway network in [SEETO Participant] is governed by the following:

- National legal regulations,
- Internal Infrastructure Manager's acts
- Acts and technological processes of the transport operator, which are compliant with the scope specified in the legislative regulations above.

Publishing of this document is a step towards compliance with the relevant EU regulations. Where local legislation is yet to address the mandatory content of the Network Statement, the appropriate recommendations are drawn from the EU regulations.

European legal regulations

The European Legal Regulations of particular relevance to railways include the following:

- Council Directive 91/440/ECC [of 29 July 1991 on the development of the Community's railways](#),
- Directive 95/18/EC of the European Parliament and of the Council of 19 June 1995 on the licensing of railway undertakings,
- Directive 2001/14/EC of European Parliament and of the Council of 26 February 2001 on the allocation of railway infrastructure capacity and the levying of charges for the use of railway infrastructure and safety certification,
- Directive 2004/49/EC of the European Parliament and of the Council of 29 April 2004 on safety on the Community's railways and amending Council Directive 95/18/EC on the licensing of railway undertakings,
- Directive 2001/16/EC of the European Parliament and of the Council of 19 March 2001 on the interoperability of the conventional rail system,
- Council Regulation (EEC) No 1191/69 of 26 June 1969 on action by Member States concerning the obligations inherent in the concept of a public service in transport by rail, road and inland waterway,
- Council Regulation (EEC) No 1192/69 of 26 June 1969 on common rules for the normalisation of the accounts of railway undertakings,
- Council Regulation (EEC) No 1108/70 of 04 June 1970 on the introduction of an accounting system for expenditure on infrastructure in respect of transport by rail, road and inland waterway,
- European Parliament and Council Decision No 96/1692 of 23 July 1996 on Community guidelines for the development of the trans-European transport network,
- Council Resolution (EEC) of 22 January 1990 on establishing common rules for certain types of combined transport of goods between Member countries,
- Council Resolution (EC) of 19 June 1995 on the development of rail transport and combined transport, and
- Council Directive 96/35/EC of 03 June 1996 on the appointment and vocational qualification of safety advisers for the transport of dangerous goods by road, rail and inland waterway.

National legal regulations

The legal regulations in [SEETO Participant] of particular relevance include the following:

- Railway Law[s] adopted by the National Parliament of [SEETO Participant] (published in the Official Gazette of [SEETO Participant] on),
- [State other laws and regulations in SEETO Participant]

Internal regulations of the infrastructure manager

The internal regulations of the [SEETO Participant] Infrastructure Manager which are of relevance are listed in Appendix

Other regulations and technological processes concerning the operator

The operation of transport on the rail infrastructure in [SEETO Participant] is subject to the national legislative regulations and the specific technological processes and regulations of the transport operator.

The regulations and other processes concerning the railway undertakings on the [SEETO Participant] rail network are developed by the Regulatory Body of [SEETO Participant] and are in line with EU Directives and international practices.

The rules of the transport operation on the rail infrastructure determine the scope, means and conditions of the transport operator's activities, which are necessary to enable all steps in the railway transport operations including the licensing and certification of rolling stock, the running of trains and the monitoring of train operations.

1.4 Legal Status

1.4.1 General Remarks

Describe the legal status of the NS in national legislation.

The Network Statement is based on the legal framework defined in Section 1.3. Where there are discrepancies and/or judicial proceedings, the legal regulations of the [SEETO Participant] shall apply. The Network Statement provides information to the users but is not a legally binding document.

The NS has the validity period presented in Article 1.6.1. and is prepared according to the deadlines indicated in same Article. Therefore Laws and Regulations applicable in [SEETO Participant] 12 months before the annual train timetable comes into force have to be taken account for its preparation.

1.4.2 Liability

State the extent of the liability of the IM for information contained in the NS and include any legal disclaimers.

The [IM of SEETO Participant] is responsible for the information provided in this Network Statement. The [IM of SEETO Participant] is also responsible to provide on his web site -for the benefit of the railway undertakings- all information concerning laws and legal regulations that may influence the content and validity of this Network Statement, which came into force after the ones that were taken into consideration for its preparation.

1.4.3 Appeals Procedure

Directive 2001/14/EC Article 30 (2a –b)

Describe the procedure for RUs to appeal against any action or decision taken by the IM, including the content of the NS.

Any applicant has the right to appeal to the [Regulatory Body in SEETO Participant] if it believes that it has been unfairly treated, discriminated against or is in any other way aggrieved, and in particular against decisions adopted by the infrastructure manager or where appropriate the railway undertaking concerning:

- a) the network statement;
- b) criteria contained within it;
- c) the allocation process and its result;
- d) the charging scheme;
- e) level or structure of infrastructure fees which it is, or may be, required to pay;

f) safety certificate, enforcement and monitoring of the safety standards and rules

In the case where the [Regulatory Body in SEETO Participant] determines that an incorrect procedure was implemented by the IM, it shall decide on the required modification and remedial actions that is necessary.

The [Regulatory Body in SEETO Participant] is an independent public entity performing work for public interest. It also performs supervision over negotiations of IM and RU and controls the quality of railway services by RU.

1.5 Structure of Network Statement

Give a brief description of the common structure for the NS and refer to the latest version number of the Implementation Guide.

The Network Statement is developed in line with the following:

- the general structure of the network statement recommended by the RaiNetEurope association, which brings together the majority of the European infrastructure managers
- [SEETO Participant] regulations,

The Network Statement ensures the availability of data to the existing users and potential applicants while following the format of the document harmonised with other infrastructure managers.

The Network Statements includes the following components:

1. General information – details on the objective of issuing the Network Statement, legislative provisions governing the rail infrastructure and transport operation on the rail infrastructure,
2. Access conditions – specifies the conditions which shall be fulfilled by the transport operator and the obligations of [IM SEETO Participant], in order to be granted infrastructure access
3. Infrastructure – contains the description of the railway infrastructure managed by [IM SEETO Participant],
4. Capacity allocation – provides details of the capacity allocation procedure and the conditions for capacity allocation,
5. Services – provides details of the services provided by [IM SEETO Participant],
6. Charges – provides details of the charging principles, including the tariffs, structure and the method of charges.

1.6 Validity and Updating Process

1.6.1 Validity Period

State the dates of the period of validity of the NS and the relevant annual timetable start and finish dates.

The Network Statement is valid during the period of validity of the annual train timetable which includes a time schedule for timetable changes that will be made public on the agreed dates.

The Network Statement is issued no later than 4 months before the deadline for submission of applications for infrastructure capacity allocation and is valid during the period of validity of the annual train timetable.

The period of validity of the annual train timetable is 12 months starting from midnight of the second Saturday in December.

1.6.2 Updating Process

Describe how the NS is updated, with special reference to the situations where consultation with RUs is mandatory.

The Network Statement shall be updated to reflect the changes in the laws and legal regulations relating to railways and the changes in data concerning the Network Statement, that came into force after the present NS was published. Each modification of the Network Statement shall be made public on the [IM SEETO Participant] website [www.xxx.yy], making available not only the changed part of the Statement, but also including the fully updated Network Statement.

A track record of changes to the Network Statement is made available in the log page provided as Appendix 1 to this NS.

The existing transport operators shall be notified by e-mail about the modification of the Network Statement.

1.7 Publishing

Directive 2001/14/EC Article 3 (1)

List the available formats of the NS (e.g. printed document, website document, CD-ROM), how they can be obtained and their prices.

The Network Statement shall be published at the [IM SEETO Participant] website [www.xxx.yy] in the language of [SEETO Participant] and in English. It will also be published in the Official Gazette of the [SEETO Participant].

[IM SEETO Participant] may provide an electronic version of the Network Statement or parts thereof to the operators in an electronic format, or via e-mail.

1.8 Contacts

List the contacts which will provide more information on domestic and international traffic (job functions rather than named individuals) and indicate their respective fields of information.

The list should include contacts within the IM, including the (Rail Net Europe) OSS, and contacts in other relevant national and international organisations.

[IM SEETO Participant]

Address:

Contact person:

Position:

Phone:

Fax:

Email:

Contact person:

Position:

Phone:

Fax:

Email:

[Regulatory Body of SEETO Participant]

Address:

Contact person:

Position:

Phone:

Fax:

Email:

[OSS]

Address:

Contact person:

Position:

Phone:

Fax:

Email:

1.9 RailNetEurope – International cooperation between infrastructure managers

Directive 2001/14/EC Article 4 (3) and Article 15 (Cooperation between Infrastructure Managers)

The association RailNetEurope (hereinafter referred to as RNE) was established in January 2004 by the agreement of 12 European infrastructure managers.

RNE members administer more than 230,000 km of tracks, including the important ferry lines and co-operate with more than 120 international transport operators and with more than 300 transport operators which only operate in the local transport markets of the EU Member States.

The main efforts of RNE are geared towards the improvement of the infrastructure access conditions and the realisation of the international railway transport operations. In support of this goal, RNE focuses on the whole process of the

international transport operation which includes the harmonisation of a medium and long term plans between RNE members, common marketing and sales approach, and monitoring, control and evaluation of the actual transport levels on the network.

The development of a Network Statement model structure, used by all RNE members, is one of the first steps towards the progressive harmonisation of the plans. Since 2005, RNE assumed full responsibility for the development of the international timetable and its supporting activities. This includes the management of the information systems EICIS and Pathfinder.

In support of the harmonisation, RNE developed an international network of One Stop Shop offices.

Further RNE details, including the list of all RNE members and other information about the association, is available on the website www.railneteuropa.com

1.9.1 One Stop Shop

*FIRST: Give the contact information of the national OSS (the OSS within your company) as indicate in 1.8 above.
SECOND: EITHER use the mandatory text to the left. (this text is agreed among the OSS's themselves) OR use a cross reference to the RNE Homepage
In addition to the mandatory text, cooperation projects (Pathfinder, EICIS, Europtirails, etc.) and principles of cooperation can be highlighted.*

European Infrastructure Managers (IM) have signed an agreement on a common sale and marketing organisation for international infrastructure capacity called RailNetEurope (RNE). These Infrastructure Managers have set up One Stop Shops working as a network of customer contact points within the framework of RNE. For international path requests, the customer needs only to contact one of these One Stop Shops, which will initiate the whole international path allocation process. The contacted One Stop Shop will in close cooperation with the concerned IM:

- offer the customer support and information on the full product and service range of the Infrastructure Managers;
- supply all the information required to gain access to the infrastructure of any Infrastructure Manager participating in RNE;
- handle requests for any international train path within RNE;
- make sure that requests for the next timetable period are duly taken into account in the yearly timetabling process;
- provide train path offers for the whole international journey

Each One Stop Shop is part of the international network which aims at making network access for customers as simple as possible. The OSS also provides information on infrastructure charges and train movements including quality monitoring. In line with its motto "one face to the customer", the OSS provides competent and efficient assistance across all borders, based on transparent, confidential and non-discriminatory procedures. A list of OSS contacts is available at www.railneteuropa.com.

The contact of OSS within [IM SEETO Participant] is given in 1.8 above.

Also, for the first time Authorized Applicants – e.g. ports who want to in ensure sufficient rail capacity - have taken the opportunity to get in direct contact for capacity and train paths requests with rail infrastructure managers.

Operational Business

The main approach of RailNetEurope is to Improve operational issues of international rail infrastructure traffic. To do this, RailNetEurope focuses the entire rail infrastructure production process. It starts with harmonising the members' middle and long term planning, common marketing & sales approaches, appropriate planning, operations and ends up with RailNetEurope after sales services, such as monitoring and reporting." For further information, visit www.railneteuropa.com

1.10 Glossary

Provide a glossary of terms used in the NS (a reference to an appendix is suggested).

Infrastructure manager (IM)	Means any body or undertaking that is responsible in particular for establishing and maintaining railway infrastructure. This may also include the management of infrastructure control and safety systems. The functions of the infrastructure manager on a network or part of a network may be allocated to different bodies or undertakings;
Railway undertaking (transport operator)	Means any public or private undertaking, licensed according to applicable Community legislation, the principal business of which is to provide services for the transport of goods and/or passengers by rail with a requirement that the undertaking must ensure traction; this also includes undertakings which provide traction only;
Network statement	Means the statement which sets out in detail the general rules, deadlines, procedures and criteria concerning the charging and capacity allocation schemes. It shall also contain such other information as is required to enable application for infrastructure capacity;
Licence	Authorisation issued by the respective body of SEETO Participant, by which its capacity as a railway undertaking is recognized. That capacity may be limited to the provision of specific types of services;
Applicant	means a licensed railway undertaking and/or an international grouping of railway undertakings, and, which provide for such a possibility, other persons and/or legal entities with public service or commercial interest in procuring infrastructure capacity, such as public authorities under Regulation (EEC) No 1191/69 (5) and shippers, freight forwarders and combined transport operators, for the operation of railway service on their respective territories;
Network	Means the entire railway infrastructure owned and/or managed by an infrastructure manager;
Train path	Means the infrastructure capacity needed to run a train between two places over a given time-period;
Train Timetable	Means the data defining all planned train and rolling-stock movements which will take place on the relevant infrastructure during the period for which it is in force;
Infrastructure capacity	Means the potential to schedule train paths requested for an element of infrastructure for a certain period
Congested infrastructure	means a section of infrastructure for which demand for infrastructure capacity cannot be fully satisfied during certain periods even after coordination of the different requests for capacity;
Allocation	Means the allocation of railway infrastructure capacity by an infrastructure manager;
Coordination	Means the process through which the allocation body and applicants will attempt to resolve situations in which there are conflicting applications for infrastructure capacity;
Framework agreement	Means a legally binding general agreement on the basis of public or private law, setting out the rights and obligations of an applicant and the infrastructure manager or the allocation body in relation to the infrastructure capacity to be allocated and the charges to be levied over a period longer than one working timetable period;
Capacity enhancement plan	Means a measure or series of measures with a calendar for their implementation which are proposed to alleviate the capacity constraints leading to the declaration of a section of infrastructure as 'congested infrastructure'
Safety certificate	The document issued in line with the Regulations on issue conditions and the contents of safety certificates for safety in railway traffic. Safety certificate, according to ERA can be Part A and Part B.
Relevant / Competent body	The body empowered to make decisions related to specific areas.

The abbreviations used in this document have been defined as follows:

ATC	Automatic Train Control
AGC	European Agreement on the International Main Railway Lines
AGTC	European Agreement on the Most Important Lines of International Combined Transport and Related Objects
EEA	European Economic Area
EEC	European Economic Community
EC	European Commission
EP	European Parliament
EU	European Union

FTE	Forum Train Europe
IM	Infrastructure Manager
NS	Network Statement
NT	Dangerous Goods
OSS	One Stop Shop Business Office
PNM	Exceeded Loading Volume
PIS	Public Information System
BCP	Border Crossing Point
RD	Regional Directorate
RIC (2001)	Agreement Governing the Mutual Use of Passenger and Coaches in the International Transport
RID (2001)	Regulation for the International Railway Transport of Dangerous Goods
RIV (2000)	Agreement governing the joint use of freight wagons in the International Transport
RNE	RailNetEurope
RS	Railway Station
SMGS	Agreement on the International Goods Transport by Rail for Eastern European Countries
UIC	International Union of Railways

2. ACCESS CONDITIONS

2.1 Introduction

From [year], the core activities of [IM SEETO Participant] related to railway infrastructure access will be:

- Development of administration and operation of the capacity allocation process and procedures,
- Provision of services to operators and information on the capacity allocation process.

2.2 General Access Requirements

Describe or refer to the main legal regulations set by national and international authorities. This information should cover domestic as well as international traffic.

A transport operator may operate transport on [IM SEETO Participant] railway infrastructure if the following pre-requisite conditions are satisfied:

- A valid licence for operation of traffic on [IM SEETO Participant],
- It is an allocated train-path,
- A valid safety certificate for traffic operation on [IM SEETO Participant] railway infrastructure,
- Signed track access agreement with the [IM SEETO Participant],
- Insurance required in [SEETO Participant] according to[state existing regulation]

The pre-requisite conditions for submitting a request to obtain a licence, safety certificate and their contents are defined by the Law on Railway of [SEETO Participant] and in [state other existing regulation].

2.2.1 Requirements to apply for a train path

State the requisites for being accepted as an applicant (an entity that wants to apply for a train path). Directive 2001/14/EC Article 16

*State, e.g., whether or not an entity applying for a train path needs to be a RU at the time it makes its path application
State whether a third party (e.g. OSS) may apply for train paths on behalf of a RU.*

The applicant who intends to apply for a train path:

- a) must be a transport operator for railway traffic at the time of submitting a request, i.e. must be registered for performing the activity of public railway transport or transport for its own needs,
- b) has to submit the application on time and meet the deadlines specified for submitting the application (see section 4.3.).

In cases where the application is submitted after the pre-set deadline, a transport operator shall be offered a path from the path catalogue, or in the case where there is no capacity limitation, new path will be additionally designed.

A transport operator for railway traffic should not have necessarily his own rolling stock, before application for access.

As defined in EU Directives and in Railway Law of[SEETO Participant], an international grouping of railway undertaking is also considered to be a railway undertaking.

When a submitted request for train path allocation extends beyond one railway network, the IM in charge can on behalf of the applicant apply for the train path to another IM whom this request concerns. Likewise an OSS can also apply on behalf of an RU.

2.2.2 Who is allowed to perform train operations (freight and/or passenger?)

Directive 2001/14/EC Article 16 and Annex I (3)

State which kinds of RUs (domestic and/or foreign) or other organisations are permitted to perform train operations (freight and/or passenger).

The application for the allocation can be submitted by:

- an operator with a valid license for transport in railway traffic, issued by respective body in any SEETO Participant and in EU Member States and other countries of EEA (*Note: This is according to the latest version of the Treaty between EU and SEE Parties*),
- an operator with a Part A safety certificate issued by respective body in any SEETO Participant and in EU Member States and other countries of EEA (*Note: This is according to the latest version of the draft of the Treaty between EU and SEE Parties-June 09*).

- an operator with a Part B safety certificate issued by [state the competent safety authority in SEETO Participant] or a competent body in another country on the basis of the reciprocity enabled by the bilateral agreements with [SEETO Participant].

The running of transport operations on the network of [IM SEETO Participant] requires that the applicants comply with the conditions set out in section 2.2.1 and requires that an Infrastructure Access Contract is signed with [IM SEETO Participant].

The Infrastructure Access Contract more closely regulates the mutual rights and obligations between infrastructure managers and railway undertakings (operators) concerning the technical and other requirements for safe traffic operation, as well as the payment of infrastructure access charges, organisation and regulation of railway traffic. The contract on railway infrastructure use must be concluded not later than 4 months before the validation period of the new timetable.

2.2.3 Licences

Name the body responsible for issuing train operating licences. Give the contact name and address or refer to Section 1.8. If the IM issues the licences itself, either describe or refer to the licensing process.

The licence is one of the basic documents, that an operator needs to operate the passenger and the freight transport and it is issued by the [State the competent licensing authority in SEETO Participant].

The licence in the [SEETO Participant] is issued, withdrawn and controlled by the[state the competent licensing authority in SEETO Participant]. The[state the competent licensing authority in SEETO Participant] shall issue the licence according to the provisions of [state the respective Law].

Licence is issued for the validity period specified in [state the respective Law] and it cannot be transferred.

The contact details of the[state the competent licensing authority in SEETO Participant] are given in Section 1.8

2.2.4 Safety Certificate

Name the body responsible for issuing safety certificates. Give the contact name and address, or refer to Section 1.8. If the IM issues safety certificates itself, either describe or refer to the certification process.

The[state the competent safety authority in SEETO Participant] is authorised to issue safety certificates. The certificate is issued if the operator meets the following requirements:

- the railway rolling stock must be in good technical condition in accordance with the standards which regulate railway traffic safety,
- the staff engaged in managing and usage of the rolling stock are qualified and healthy in accordance with the standards regulating railway traffic safety, and
- the operator has organised department for surveillance of railway traffic operations.

Safety certificate has a validity of one year, which can be extended according to the provisions of [state the respective Law]. In (SEETO Participant) Part A safety certificates of RU issued in EU Members States and States of EEA are mutually recognised. Part B safety certificates issued by [state the competent safety authority in SEETO Participant] or a competent body in another country are recognised on the basis of the reciprocity enabled by the bilateral agreements with [SEETO Participant].

The contact details of[state the competent safety authority in SEETO Participant] are given in Section 1.8.

2.2.5 Cover of liabilities

Dir 95/18 art 9

Describe or refer to the relevant national legislation and state any mandatory levels of insurance. If other means of risk coverage than insurance is permitted, state this (e.g. state guarantee).

The operator is obliged to provide valid Civil Liability Insurance Agreement against possible damages due to transport operation on the infrastructure. The Insurance Agreement has to be valid for the whole period of transport operation on the infrastructure.

Prior to commencing its transport operations, the operator shall submit a copy of the above agreement to [IM SEETO Participant] for reference.

The minimum insurance coverage will be for the amount of 5 Million Euro (*Note: each SEETO Participant may identify a different level, but this has to be discussed among IM's convening, so that no barriers are created to open access to infrastructure*).

The Civil Liability Insurance Agreement and coverage should be issued by an Insurance Company or Broker that is recognised in all SEETO Participants and will be considered as valid in all SEETO Participants.

2.3 How to Apply For a Train Path

Go to Chapter 4

Prior to applying for a train path the transport operator has to fulfil the conditions described in section 2.2.

See Chapter 4 of this Network Statement.

2.4 General Business/Commercial Conditions

2.4.1 Framework Agreement

Directive 2001/14/EC Article 17

Give a brief description of the role of a Framework Agreement and refer to the contracts which are regarded as Framework Agreements (e.g. Track Access Agreement, Station Access Agreement, etc.).

State whether the IM is permitted to enter into bi-lateral agreements with RUs to develop infrastructure enhancements and refer to any standard regulations, or state which other body is responsible for infrastructure enhancement.

The institution of "framework agreement", along with the operator applying for a train path (applicant) is provided for in the EC Directive 2001/14. Its basic objectives are:

- The framework agreement defines the characteristics of infrastructure capacities which are required and offered to the applicant for periods longer than one timetable period. The framework agreement does not define in detail the traffic path, but it should try to meet the legitimate commercial needs of the applicant. The State may require previous approval of such framework agreement from the Regulatory Body,
- The framework agreements will not prevent other operators from using the corresponding infrastructure,
- In order to enable better infrastructure use, there is a possibility to amend or limit certain framework agreement provisions,
- Framework agreement may include penalty provisions in the event of change or breach of the agreement,
- Generally, framework agreements should be concluded for a five-year period. In specific cases, the infrastructure manager may agree to a shorter or longer period. Any period over five years will need to be justified with reference to the specific details such as commercial agreements, programme of targeted investments, etc.
- A period over 10 years will be possible only in exceptional cases, particularly in the case of a large, long-term investment, and especially in the case when such investment is covered by contractual obligations,
- Respecting business confidentiality, the general character of each framework agreement will be made available to each interested party.

The RailNetEurope Standard framework agreement can be used as a model, with reference to www.railneteurope.com

2.4.2 Access Contracts

Directive 2001/12 Article 11)

State which contracts are necessary for the use of infrastructure capacity, for example:

- *track access (i.e. regarding the right of using the railway line for performing train operations)*
- *access to Passenger Terminals, Freight Terminals, Train Depots etc.*

State whether an access contract is required before applying for a train path and/or before actual operation, and if separate contracts are required for station / depot access and/or any other services.

State which contracts are required to deliver the minimum access package as set out in Directive 2001/14/EC. Refer to Section 5 for details of additional and ancillary service contracts.

State if any independent approval of access contracts is needed (e.g. by Regulatory Authority or by Government). State if a standard form of access contract exists and whether its use is compulsory

The contract formats should be included in an Appendix to the Network Statement and/or published on the IM's homepage.

The EC Directive 2001/14 and the Railway Law of the [IM SEETO Participant] provide for the obligation of contractual conclusion on infrastructure use which enables the operator to have access to railway infrastructure. The contract on infrastructure use more closely regulates mutual rights and obligations between the infrastructure manager and railway undertakings (operators).

The RailNetEurope Standard agreement for access to infrastructure can be used as a model, with reference to www.railneteurope.com. It is provided in Annex 2 of this report.

2.5 Operational Rules

(i.e. Rules to be followed by train crew and signallers in current train operations).

State which organisation is responsible for publication of the Rules (e.g. the IM, the Regulatory Authority, the Ministry of Transport, etc.) Give the contact name and address, or refer to Section 1.8.

Both national and local operational rules and instructions should be covered.

The transport on the rail infrastructure shall be operated in such a way as to ensure the protection of the life of persons, property and the environment.

A transport operator on the rail infrastructure is obliged to follow the regulations and provisions valid for traffic operations on certain railway infrastructure. Operating rules in accordance to which railway traffic functions on railway infrastructure are published and adopted by [the competent authority in SEETO Participant] and the Ministry of Transport in [SEETO Participant]. The list of valid rules and instructions related to the operational rules is presented in Appendix A.2.5. with reference to where they be acquired. *(Note: The rulebooks, regulations and provisions are made available on the website of the IM).*

On certain parts of the infrastructure, and in certain situations, there are exceptions to the rules. These need to be approved by [state the competent authority] based on [IM SEETO Participant] proposals. The information on the exceptions are published by [IM SEETO Participant]. The corresponding contact points for the aforementioned rules, instructions and changes are:

[IM SEETO Participant]

Address:

Contact person:

Position:

Phone:

Fax:

Email:

Contact person:

Position:

Phone:

Fax:

Email:

[Competent body in SEETO Participant]

Address:

Contact person:

Position:

Phone:

Fax:

Email:

2.6 Exceptional Transports

(e.g. test trains, out-of-gauge loads, heavy axle load vehicles).

Refer to UIC leaflet 502 Annex 1 (article 1.3) extract from the RIV for definition of "Exceptional Transports". State whether or not the IM uses the UIC definition.

State which body is in charge of the rules for exceptional transports and give the contact name and address, or refer to Section 1.8.

Refer to Section 4.7 for capacity allocation process and Section 5 for details of other services provided by the IM.

A consignment is considered to be exceptional if, due to its external dimensions, weight of load or characteristics in relation to station equipment or cars in transport of one of the railways participating in transport, causes special difficulties and therefore is accepted for transport only under exceptional technical or operational conditions.

In the event of exceptional transport, the [IM SEETO Participant], uses UIC definitions. The body in charge of general regulations on exceptional transport is [state the body in charge].

[Competent body in SEETO Participant]

Address:

Contact person:

Position:

Phone:

Fax:

Email:

[IM SEETO Participant] is also in charge of the allocation of capacities and the definition of conditions of exceptional transport.

In domestic transport of exceptional consignments, the transport operator has to follow the provisions of the international agreements (regulations):

- RIV - Agreement Governing the Mutual Use of Freight Wagons in the International Transport
- RIC - Agreement Governing the Mutual Use of Passenger and Baggage Coaches in the International Transport
- SMGS - Agreement on the International Railway Transport of Goods.

The transport operator in international transport needs to comply with the above agreements and also follow the provisions of UIC Leaflets 502.1 and 502.2 regulating the process of approving the requests for exceptional transport. The transport operator submits the requests for exceptional transport to [IM SEETO Participant].

2.7 Dangerous Goods

Refer to R.I.D. for definition of "Dangerous Goods"

State whether or not the IM uses the RID regulations and if there are any exceptions.

Refer to any national regulations for dangerous goods and give the contact name and address (or refer to Section 1.8) for applications to move dangerous goods. Refer to Section 4.7 for the capacity allocation process and Section 5 for details of other services provided by the IM.

When transporting dangerous goods, i.e. goods that may, due to their characteristics cause explosion, fire, damage to wagons, railway installations or other objects, as well as injuries, intoxication, burns or other damage to health of persons, and/or when the transport of these goods is forbidden according to the regulations for international transport of dangerous goods- RID, or it is allowed only in accordance with certain regulations set in the RID Regulations (Regulations for the International Railway Transport of Dangerous Goods) the transport operator is obliged to comply with the RID provisions.

The national regulations dealing with trade, storage and transport of dangerous goods are as follows [state the national regulation in SEETO Participant]:

- the Law on Transport of Dangerous Goods,
- the Law on Weapons and Ammunition,
- the Law on Production and Trade of Poisonous Goods,
- the Law on Environment Protection, and
- the Decree on Transport of Dangerous Goods in Road and Railway Traffic
- [state other Laws or regulations, or modify above]

Further information on aforementioned regulations may be obtained in the [state the competent authority in SEETO Participant]. The contact address is:

[Competent body in SEETO Participant]

Address:

Contact person:

Position:

Phone:

Fax:

Email:

2.8 Rolling Stock Acceptance Process Guidelines

Directive 2 00 1/14/EC Article 32 (3)

State which organisations are in charge of the process and give the contact names and addresses, or refer to Section 1.8. If the IM is in charge of the rolling stock acceptance process, either describe or refer to the main stages in the process and any relevant documentation.

A transport operator can operate only the rolling stock which complies with the conditions for the transport on the infrastructure, the safety of transported persons, animals and objects, safety of operating persons. An operator must also follow the requirements of health and environmental protection.

All conditions related to rail vehicles and their operation on [IM SEETO Participant] railway infrastructure is defined by the Law on Safety in Railway Traffic [state the competent law in SEETO Participant]. The RU is responsible for their technical conditions, maintenance and operation.

The rolling stock of a railway undertaking holding a valid license for the performance of railway transport services and a valid safety certificate, is considered to meet the named conditions.

The requirements for the approval of the rolling stock of foreign transport companies for operation on the [IM SEETO Participant] network are listed in Appendix A.2.5.

[Competent organisation in SEETO Participant]

Address:

Contact person:

Position:

Phone:

Fax:

Email:

2.9 Staff Acceptance Process

Directive 2 00 1/14/EC Article 32 (3)

This provision covers operations staff, e.g. drivers, conductors, shunters.

State which organisations are in charge of the process and give the contact names and addresses, or refer to Section 1.8. If the IM is in charge of the staff acceptance process, either describe or refer to the main stages in the process and any relevant documentation.

The transport operator is responsible for his personnel to meet the requirements laid by the Law on [state the competent law in SEETO Participant] and corresponding by-laws which are within the competence of the.....[state the competent body].

The transport operator is responsible for training the employees and ensuring the validity of professional examinations, knowledge of the track conditions and local conditions in the stations and their health condition. In doing so, the transport operator has to comply with the legislative regulations of the [SEETO Participant].

The staff of a railway undertaking holding a valid safety certificate, is considered to meet the named conditions.

3. INFRASTRUCTURE

All the information [in Chapter 3] is provided by the individual IM according to availability and relevance of the data. For example if an IM has no tunnels on its network, that fact will be stated in Section 3.4. Where relevant, maps or lists should be produced for each sub-chapter, which can be placed in appendix, or reference should be made to documents containing the required information.

3.1 Introduction

State the general validity of the information provided, especially referring to possible changes of infrastructure characteristics or constraints. If any of the facilities mentioned in Chapter 3 are owned or operated by another body than the IM who provides the 'main infrastructure' shall do his best to provide this information or refer to where it can be obtained.

The purpose of this section is to provide detailed information about the railway infrastructure in [SEETO Participant] which is managed by [IM SEETO Participant] , mainly the description and characteristics of the lines, facilities and other installations. More detailed information is available on the Appendixes to the NS and in [IM SEETO Participant] website.

Information on railway infrastructure presented in the NS is based on facts known at the moment this statement was drawn up. All changes related to the infrastructure will be published in [IM SEETO Participant] website www.xxx.yyy and will be integrated into the Network Statement as soon as possible.

Contact address for additional information is provided in Section 1.8.

3.2 Extent of Network

A section setting out the nature of the infrastructure which is available to railway undertakings and the conditions of access to it.

3.2.1 Limits

State the geographic limits of the IM's infrastructure and indicate any lines not available for normal railway traffic operations.

The geographical limits of the railway network [IM SEETO Participant] are at its borders with the following neighbouring [SEETO Participants] and EU member states:.....,....., These borders, constitute at the same time borders with the neighbouring railway networks.

3.2.2 Connected Railway Networks

Refer to neighbouring IMs, including other national networks, and list all international border crossings. Refer to Section 3.6 for details of private sidings and private freight terminals. The list of border crossings with the neighbouring IMs is shown in Table 1 below.

Table 1: List of the border crossings with neighbouring IMs (names of the stations of adjoining countries have been presented in their original form and as given in timetables)

No	BCPs in SEETO Participant	Neighbouring BCPs	Railway Administration	Open for RUs:
1				
2				
3				
4				
5				
6				

Section 3.6 provides information on private sidings and private freight terminals (*Note: This is included for those SEETO Participants that have private sidings and private freight terminals*).

3.2.3 Further information

List available documents which provide detailed infrastructure data and give contacts for further information.

Further information is available from [IM SEETO Participant] (contact address specified in section 1.8).

3.3 Network Description

3.3.1 Geographical Identification

The general network data is shown in Table 2 below.

Table 2. General network information

Total tracks length	
Single-line tracks	
Double-line tracks	
Narrow-gauge tracks	
Electrified tracks	
Non-electrified tracks	

3.3.1.1 Track typologies

Indicate the extent of single track / double track / multiple track.

Total line length on the territory of IM SEETO Participant is km of which are single track and km are double track. The total track length is

Out of the total, km are electrified (.....km single track andkm double track). The length of station tracks amounts to km.

Detailed information about lines is shown in Appendix A3.3.1.1.

Classification of [IM SEETO Participant] according to the agreement AGC (European Agreement on Main International Railway Lines) is shown in table below (Note: if there is any).

3.3.1.2 Track Gauges

State the track gauge(s) (UIC leaflet 510). Even if there is only one gauge, its value should be stated.

The track gauge on [IM SEETO Participant] is 1435 mm apart from the narrow gauge (.....mm) for a length ofkm (if any).

3.3.1.3 Stations and Nodes

List the stations and nodes and describe their main characteristics. Key characteristics can include distances between nodes and the length of station tracks. As a minimum, the maximum length limit for trains using each station should be stated.

The list of the stations and nodes with their main characteristics described is part of Appendix A 3.3.1.3 which is also available on the [IM SEETO Participant] web site.

3.3.2 Capabilities

3.3.2.1 Loading Gauge

Indicate the loading gauge applicable to each route section. Refer to UIC leaflet 506 or to Combined Traffic Codes.

On [IM SEETO Participant] network for international traffic the reported loading gauge is except for line sections (state if any), where loading gauge is These loading gauges are in accordance with UIC Leaflets 506 and with the regulations on combined transport.

On [IM SEETO Participant] railway lines for domestic traffic the loading gauge is the details of which are given in the Appendix.

3.3.2.2 Weight limits

Indicate the maximum axle load and any other weight limits applicable to each route

IM SEETO Participant railway network classification is according to UIC regulations, UIC code 700. The detailed information about weight limits is shown in Appendix A3.3.1.1.

Table 3: Load classes according the UIC Code 700

Load Class	Axle load	Load per 1 m of the track length
A	P=16t	p=50kN/m
B1	P=18t	p=50kN/m
B2	P=18t	p=64kN/m
C2	P=20t	p=64kN/m
C3	P=20t	p=72kN/m
C4	P=20t	p=80kN/m
D2	P=22,5t	p=64kN/m
D3	P=22,5t	p=72kN/m
D4	P=22,5t	p=80kN/m

ŠRT P=24,5t p=90 kN/m

Table 4: Load classes

Load of the vehicle per 1 m of the track Length		Axle load P			
		A	B	C	D
		16 t	18 t	20 t	22,5 t
1	50 KN/m	A	B1		
2	64 KN/m		B2	C2	D2
3	72 KN/m			C3	D3
4	80 KN/m			C4	D4

3.3.2.3. Line Gradients

Indicate the maximum or critical gradient on each route section.

Line Gradient for [IM SEETO Participant] is presented in the table in Appendix More detailed information on the gradient conditions of separate tracks and track sections is provided in Manual on technical standards and data for the preparation and realisation of the timetable, issued by [IM SEETO Participant], published on the website of the [IM SEETO Participant] (Note: if it is the case, state the Official Gazette where this Manual is published).

3.3.2.4 Line speeds

Indicate the maximum permitted speed per line for each route section.

More detailed information on maximum permitted track speeds is provided in the table in Appendix.....

Detailed information of limited speeds, speeds lower than the maximum permitted speeds at which a train can operate and which are subject to its technical conditions can be obtained in Appendix

3.3.2.5 Maximum train lengths

Indicate the maximum train length allowed on each line or section. (excluding Exceptional Transports).

Train lengths allowed on each line or line sections and in the railway stations is presented in the Tables of Appendix..... . This is done separately for passenger trains and for freight trains.

The maximum length of passenger trains is influenced by the length of platforms at stations.

The maximum length of international freight trains is influenced by the maximum length of trains permitted in neighbouring networks.

3.3.2.6 Power supply

Indicate the extent of the network that is electrified and describe the electrification system, including the voltage and frequency used. Optionally, additional information such as contact wire height, contact pressure, etc. can be supplied.

[IM SEETO Participant] lines are divided to electrified and non-electrified. All electrified lines have basic power supply system – single-phase system– kVHz.

Length of catenaries per tracks is given in Annex..... . The power supply system is $U=.....$ kV, and the frequency is $f=.....$ Hz. The height of contact wire is $H_{kmin}=.....$ mm, $H_{knom}=.....$ mm and $H_{kmax}=.....$ mm. Staggering of the contact wire is $p=\pm.....$ mm direction a $p=.....$ mm curve.

Further information on the capabilities of [IM SEETO Participant] network is available from contact address specified in section 1.8.

3.3.3 Traffic Control and Communication Systems

Give a brief technical description of the traffic control, including signalling, regulation, dispatching and communication and provision of information on train movement.

Safety and signalling devices and means of telecommunication are used to operate train traffic, including signalling, control, reception and dispatch of trains as well as communication in connection with train traffic on the railway network.

Detailed information on the communication and interlocking equipment is provided in Appendices..... .

3.3.3.1 Signalling Systems

Give a brief technical description of the signalling systems

Signaling systems consist of the.....

3.3.3.2 Traffic Control Systems

Give a brief technical description of the traffic control systems (may be merged with signalling systems).

Traffic control systems consist of.....

3.3.3.3 Communication Systems

Give a brief technical description of the train radio communication systems.

Information on radio communication systems on certain line sections is presented in Appendix.....

3.3.3.4 ATC Systems

Give a brief technical description of the automatic train control systems.

Automatic train control systems consist of..... .

Further information on the traffic control and communication systems on [IM SEETO Participant] network is available from contact address specified in section 1.8.

3.4 Traffic Restrictions

RU will be informed on the possible traffic restrictions at the latest until the time of conclusion of the Agreement on the transport operation or shortly after their occurrence.

3.4.1 Specialised Infrastructure

Directive 2001/14/EC Article 24

Indicate the extent of any specialised infrastructure and describe the traffic restrictions that apply.

According to Directive 2001/14/EC Article 24, where there are alternative routes, the IM may, after consultations with interested parties, define specialized infrastructure for certain types of traffic. This infrastructure will be available for all type of traffic which is in concordance with characteristics needed for traffic operation on those lines. This will not disable this infrastructure to be used for other types of traffic when capacity is available and when vehicle fleet meet the technical characteristics required for railway operations.

There is no specialised infrastructure in the sense mentioned on the railway network managed by [IM SEETO Participant]. *(Note: if there is such infrastructure, further information has to be provided in the NS or in Appendix).*

3.4.2 Environmental Restrictions

Indicate if there are any limits on for example noise levels or other Environmental Restrictions. If the limits are allocated to certain line sections or hours, state this.

Environmental restrictions, e.g. noise level, have not been introduced on [IM SEETO Participant] lines. *(Note: if there are such restrictions, further information has to be provided in the NS or in Appendix).*

3.4.3. Dangerous Goods

Indicate if there are any line sections where Dangerous Goods is not permitted, or where permission is limited (to certain times of the day and/or to certain classes of Dangerous Goods).

Dangerous materials may be transported on all lines except *(Note: if there are exceptions, further information has to be provided in the NS or in Appendix).*

For materials 1B (explosive materials and inflammable 3), [IM SEETO Participant] should be contacted for special conditions regulations and traffic safety.

Detailed information can be acquired from:

[Competent department in IM SEETO Participant]

Address:

Contact person:

Position:

Phone:

Fax:

Email:

3.4.4 Tunnel Restrictions

Indicate if there are any tunnel restrictions, for example restrictions on the use of diesel traction.

Tunnel restrictions are the following..... (if any).

Diesel traction is not allowed on part of the line (if any). Cargo trains are not allowed along the same section between hours (if any).

3.4.5 Bridges Restrictions

Indicate if there are any bridge restrictions, for example closure in high winds, specific opening hours etc.

Restrictions regarding bridges, e.g. traffic restrictions due to strong wind, open for traffic during a certain period are the following (if any).

3.5 Availability of the Infrastructure

*Provide information on restrictions, for example imposed by the IM due to his own needs for managing the infrastructure. These can include restrictions on route opening hours and times of possessions for maintenance, renewal and enhancement works.
Refer to art 4.5.*

All railway lines operated by [IM SEETO Participant] are open for the entire railway traffic 24 hours a day, except the line provided in Appendix.... (if any).

The transport operators will be informed by e-mail and on the web-site of [IM SEETO Participant] for the line closures and traffic disruptions on a specific section of track in advance in order to plan re-routing of their trains.

Further information is available from [IM SEETO Participant] at the contact provided below:

[Competent department in IM SEETO Participant]

Address:

Contact person:

Position:

Phone:

Fax:

Email:

3.6 Passenger terminals (stations)

This sub chapter is supposed to cover all kinds of stations where passengers embark or leave trains with no regard to their size or importance.

List platform lengths and heights and refer to Section 5 for any services offered by the IM.

A description of other passenger facilities can be included.

To give the RU's an easy overview of certain characteristics of the passenger terminals, the information can be structured as lists sorted (railway) line by line and station by station.

Appendix..... contains an overview of stations and stops with platform lengths and heights structured per line where passengers can embark or leave trains.

Description of other passenger facilities is available in Appendix..... .

Further information is available from [IM SEETO Participant] (contact address specified in section 1.8).

3.7 Freight terminals

List the location of freight terminals. Describe the kind of each terminal (intermodal or conventional, harbour etc.). Special built terminals, for example for timber/lumber, should also be listed and described here. The information can include special terminal equipment as side ramps and/or end ramps.

State which body is in charge of (track) capacity allocation within the freight terminal. If the National IM is in charge, state if terminal capacity shall be requested as a part of the capacity allocation process (Cf. Chapter 4) or separately. If the terminal is suited for interchange of goods between other (more) modes than rail-road and rail-rail this should be stated. (example rail-road-sea/river –air).

Describe the maximum length of trains that can be received in each terminal without splitting it and the total track length. The information can include the contact point RU's or other interested parties shall turn to in order to obtain further information concerning each terminal. Information concerning services provided in each terminal can also be provided.

There are[add the number] terminals for loading and unloading as well as for transshipment of for combined transport. Transshipment and combined transport terminals can be intermodal, conventional or harbour terminals. The name, role, location and body responsible of the terminals is presented in the table that follows:

Table 5: Freight Terminals

No	Freight Terminal Name	Type	Location	Body responsible
1				
2				
3				
4				
5				
6				

Additional information for the type of facilities, handling equipment and services provided in these terminals is provided in Appendix and from [IM SEETO Participant] at the contact address specified in Section 1.8. as well as from the following contacts related to Bodies that are not related to [IM SEETO Participant]

[Other Responsible bodies for freight terminals]

Address:

Contact person:

Position:

Phone:

Fax:

Email:

3.8 Service Facilities

(2001/14, annex 1, number 2)
List the key Service Facilities that the IM offers to RUs.
Service Facilities not owned by the IM can also be listed separately.

Following key Service Facilities are offered by [IM SEETO Participant]:.....

Following Service Facilities are offered by other service providers :

3.8.1 Train formation yards

List the location of train formation yards and the maximum length of trains that can be formed in each yard. The information can include the contact point RUs or other interested parties shall turn to in order to obtain further information concerning each yard.

Freight train formation yards

List of locations of train formation yards and the maximum length of trains that can be formed is provided in Appendix

Detailed information and further information is available from IM SEETO Participant at the contact address specified in section 1.8. as well as from the following contacts related to Bodies that are not related to [IM SEETO Participant]

[Other Responsible bodies train formation yards]

Address:

Contact person:

Position:

Phone:

Fax:

Email:

Passenger train formation yards

List of locations of train formation yards and the maximum length of trains that can be formed is provided in Appendix

Detailed information and further information is available from IM SEETO Participant at the contact address specified in section 1.8. as well as from the following contacts related to Bodies that are not related to [IM SEETO Participant]

[Other Responsible bodies train formation yards]

Address:
 Contact person:
 Position:
 Phone:
 Fax:
 Email:

3.8.2 Storage sidings

List the location of storage sidings and the maximum length of trains that can be formed in each yard. The information can include the contact point RUs or other interested parties shall turn to in order to obtain further information concerning each storage siding.

Lists of locations of storage sidings and the maximum length of trains that can be formed in each yard is provided in Appendix..... (Note: if the IM is the service provider).

Further information is available from [IM SEETO Participant] at the contact address specified in section 1.8. as well as from the following contacts related to Bodies that are not related to [IM SEETO Participant]

[Other Responsible bodies for storage sidings]
 Address:
 Contact person:
 Position:
 Phone:
 Fax:
 Email:

3.8.3 Maintenance facilities

(If the IM is the service provider, refer to Section 5, otherwise inclusion is optional). Optional information should include the location of each facility in question and a contact point.

Location of maintenance facilities is provided in Appendix..... (Note: if the IM is the service provider).

Information on the addresses and contacts for the use of maintenance facilities can be found in Chapter 5.

3.8.4 Refueling facilities

List the location of refuelling facilities and the type(s) of fuel that can be provided in each place. The information can include the contact point RUs or other interested parties shall turn to in order to obtain further information.

Location of refuelling facilities is provided in Appendix..... (Note: if the IM is the service provider).

Information on the addresses and contacts for the use of refuelling facilities can be found in Chapter 5.

3.8.5 Technical facilities

*List the location and type of technical facility and describe its purposes.
 Facilities like wheel damage detectors, red box (hot box) detectors, wagon weight bridges, loading gauge gauges and so on can be described here.
 The information can include the contact point RUs or other interested parties shall turn to in order to obtain further information concerning each facility.
 If the facility in question detect and/or gather data concerning the RUs train, information concerning how the RU can obtain access to this data should be included.*

Location of technical facilities with the description of its purposes is provided in Appendix..... (Note: if the IM is the service provider).

Information on the addresses and contacts for the use of technical facilities can be found in Chapter 5.

3.8.6-3.8.9. Other facilities

If the IM provides other services or facilities than listed in the previous numbers (3.8.1- 3.8.5) these services are to be listed here with separate sub numbers.

Information on the addresses and contacts for the use of other facilities can be found in Chapter 5.

3.9 Infrastructure Development

Give any available information on the main projects for infrastructure development, including timescales, the nature of the works and the effects on operational characteristics, both during construction

Railway infrastructure managed by [IM SEETO Participant] is being constantly renewed and modernised in order to provide the best possible quality of service to its users.

The programme for the development of railway infrastructure in [SEETO Participant] is presented in the National Development programme which can be found on the web-site of [IM SEETO Participant].

The possibilities of realising the planned work depend on the availability of the necessary financial resources obtained from the State budget of [SEETO Participant] as well as from other source of financing.

4. CAPACITY ALLOCATION

Directive 2001/14/EC Chapter III

The information [in chapter 4] should cover capacity allocation for domestic as well as international traffic.

4.1 Introduction

The procedure for capacity allocation is in accordance with the corresponding EC Directive (2001/14) and its annexes and the recommendations of RNE entitled "Process for international path requests". It relates to national and international transport.

4.2 Description of Process

Describe: how to apply (which forms to be used) how capacity allocation is decided the bodies involved and state their responsibilities. The RNE document "Process for international path requests." might be mentioned.

The capacity is allocated in a non-discriminatory manner, although the critical factor is the satisfaction of the conditions for access to railway infrastructure defined in Chapter 2 of this NS and the time order in which the applications were submitted.

The allocation of infrastructure capacity in the form of a train path is carried out for:

- applications related to annual timetable
- applications outside the annual timetabling process, including ad hoc requests.

How to apply

A request for capacity allocation can be submitted by railway undertakings using the train path request application form which is available in Appendix..... and published on [IM SEETO Participant] web site www.xxx.yyy and in RNE website www.railneturope.com. The request has to state what kind of transport (passenger, freight, regular, and irregular) shall be allocated the capacity and which line sections are required.

Requests are submitted according to processes defined under 4.3.

The request has to contain the following information:

- name of railway undertaking,
- train category (passenger, freight, empty, locomotive train and similar),
- required departure/arrival,
- route,
- necessary stops with minimum stopping time,
- period and days of operation,
- wagon type and number/ train set type and number,
- train length and weight (length in meters; weight in tonnes),
- type and serial number of motive power unit,
- additional locomotives (type and serial number) and on which section,
- maximum train speed,
- type of braking,
- special requirements such as vehicle shunting, change of train composition, connections, staff change, type of intermodal transport unit, type of dangerous goods, exceptional consignments, procedures of delivery and receipt at border crossings, delivery and receipt of trains on mutual confidence, technical breaks (inspection, water supply, waste handling and similar) and required time period, need for further track capacities (storage sidings, pre-heating/preliminary air conditioning, train formation and similar), need to access other facilities for provision of additional services and similar.

The railway undertaking is required to provide all missing information within five working days at the request of [IM SEETO Participant], otherwise the request for capacity allocation will not be considered as submitted.

A request for capacity allocation submitted to [IM SEETO Participant] on time and that contains all necessary elements, makes a basis for timetabling and train path allocation. If a railway undertaking changes the request completely or partially after determined deadlines for request submission, it assumes the risk of not having the request granted.

After the annual timetable drafting process has been carried out, the remaining available capacities are being allocated in line with deadlines defined in Appendix..... according to the sequence of request arrival time.

Procedure for capacity allocation

[IM SEETO Participant] takes a decision on capacity allocation while taking into consideration all legally valid requests and legal provisions in force.

In accordance with the Railway Law of [SEETO Participant], processes and deadlines in the capacity allocation process have been determined under 4.3 of this NS.

[IM SEETO Participant] has adjusted the definition of processes and deadlines in the capacity allocation process with RNE handbook "Process for International Path Requests", which will be delivered to all railway undertakings at their request by [IM SEETO Participant], and can also be obtained on its website www.xxx.yyy and in RNE website www.railneturope.com.

The bodies involved and their responsibilities

The following bodies are involved in capacity allocation process:

1. [IM SEETO Participant] as infrastructure manager, with the contact given in Section 1.8
2.as capacity allocation authority (*Note: if this authority is different than the IM*)
3. Railway Undertakings as railway traffic operators who submit a capacity allocation application
4. [Regulatory Body of SEETO Participant] as appeal body and market regulator, with the contact given in Section 1.8
5. RNE as the body responsible for the co-ordination of train paths and determining processes and deadlines for international train path requests, with website www.railneturope.com
6. ForumTrainEurope (FTE) as the European organisation of RU's which represents the European forum for technical planning of international passengers and freight transport, with website www.forumtraineurope.org
7. (*Note: if there is other relevant organisation*)

[IM SEETO Participant] is a member of RNE and FTE and is actively participating in the activities of these international organisations

4.3 Schedule for Path Request and Allocation Process

Directive 2001/14/EC Article 18 and Annex III

1. *The infrastructure manager shall adhere to the schedule for capacity allocation set out in Annex III.*
 2. *Infrastructure managers shall agree with the other relevant infrastructure managers concerned which international train paths are to be included in the working timetable, before commencing consultation on the draft working timetable.*
- Adjustments shall only be made if absolutely necessary.*

The applicant must submit the request for transport path capacity allocation after the publication of the network statement and no later than 8 months before the day of train timetable validity.

4.3.1 Schedule for working timetable

List the deadlines in the process or refer to separate production schedule

Capacity allocation requests of railway undertakings for the annual timetable have to be submitted on the prescribed form and within determined deadlines in the following way:

- by mail at the following address of [IM SEETO Participant] [.....]
- by fax at this number: [.....] followed by the original of the application, sent by mail and received within one week from sending date;
- by Pathfinder.

Following table contains the deadlines for request submission and capacity allocation for the 2010/2011 timetable, which begins on December 12, 2010 and lasts until December 10, 2011.

Phase	Authority	Submission date for capacity allocation requests	Date of capacity allocation
Proposals on planned changes of regular train paths for previous year's timetable (2009/2010)	RU	31.12.2009	
Final deadline for submission of capacity allocation requests	RU	12.4.2010	
Co-ordination period	IM/RU	13. 04. 2010 - 18. 06. 2010	
Timetable draft	IM	05.07.2010	
Remarks to timetable draft	RU	06. 07. 2010 - 06. 08. 2010	
Defining final timetable draft according to requests received until 12.04.2010	IM/RU	16.8.2010	
Contracting	IM/RU	17.08.2010 - 17.09.2010	
Additional deadline (remaining capacities)	RU/IM	13.04.2010 - 15.10.2010	12.11.2010
Timetable coming into effect	IM		12.12.2010

4.3.2 Submission of path requests outside of the process of timetable development (ad hoc requests)

Directive 2001/14/EC Article 23
List the deadlines in the process or refer to separate production schedule.

Schedule for Requests for Train Paths Outside the Timetabling Process (Ad Hoc Requests)

Where railway undertakings wish to obtain additional capacities or amend allocated train paths, [IM SEETO Participant] will enable capacity allocation in the following way:

Allocation of capacities in the course of valid annual timetable for a shorter time period of service provision, taking into consideration regular amendments to the annual timetable

Requests for allocation of capacities in the course of a valid annual timetable are to be submitted in line with determined deadlines for regular amendments and amendments to the annual timetable which can be seen in following table.

Table x. Deadlines for amendments to annual 20010/2011 timetable

Submission date of requests for amendments to the annual timetable	Date of implementation for amendments to the annual timetable	Capacity allocation deadline
27.12.2010	31.1.2011	20 days prior to implementation of amendments
7.3.2011	11.4.2011	
09.5.2011	12.6.2011	
1.8.2011	5.9.2011	
29.8.2011	3.10.2011	

Request can be submitted:

- by mail at the following address of [IM SEETO Participant] [.....]
- by fax at this number: [.....] followed by the original of the application, sent by mail and received within one week from sending date;
- by Pathfinder.

Allocation of ad hoc capacities

Depending on time in which the service has to be provided as well as on service type, the requests are to be submitted:

In general:

- by mail at the following address of [IM SEETO Participant] [.....]
- by fax at this number: [.....] followed by the original of the application, sent by mail and received within one week from sending date;

The deadline for request submission is 2 weeks before service provision.

The deadline for capacity allocation is no later than 5 working days after the request is placed.

When it is justifiable and in the case of framework agreements, the requests can be submitted even within a shorter deadline, and the deadline for capacity allocation is as soon as possible. In such a case transport can be realized within 5 days from request submission.

Transport of exceptional consignments:

Request of transport of exceptional consignments can be placed:

- by mail at the following address of [IM SEETO Participant] [.....]
- by fax at this number: [.....] followed by the original of the application, sent by mail and received within one week from sending date;

The deadline for request submission is no later than 4 weeks before service provision.

The deadline for capacity allocation is no longer than 2 weeks after the request is placed.

Depending on the type of exceptional consignment, request processing could require either a longer or shorter period for processing and for this reason railway undertakings have to consult the [IM SEETO Participant] on the possibility of consignment transport and accordingly submit a request on time. Detailed information can be obtained at the aforementioned address. Deadline for capacity allocation will be as soon as possible.

[IM SEETO Participant] takes a decision whether it is possible to accept a certain transport and under which conditions.

4.4 Capacity Allocation Process

After the final deadline for submission of annual timetabling requests has passed, [IM SEETO Participant] initiates a process for capacity allocation in a transparent and non-discriminatory manner. Requests obtained after the final deadline for request submission will not be considered.

Requests for capacity allocation which have been received after the annual timetable drafting cannot influence draft alteration except with the consent of railway undertaking to whom the capacity has been originally allocated.

[IM SEETO Participant] shall allocate the infrastructure capacity if the applicant satisfies the conditions for access to railway infrastructure defined in Chapter 2 of this NS and fulfils the conditions for capacity allocation identified above and if the infrastructure capacity allows it. [IM SEETO Participant] shall proceed in such a way as not to favour any of the applicants.

Allocated capacity can be used upon conclusion of access contract between [IM SEETO Participant] and railway undertaking submitting a request for capacity allocation.

Allocated capacity cannot be transferred onto another railway undertaking.

4.4.1 Co-ordination process

Directive 2001/14/EC Article 21

Describe the coordination process including details of activities performed by IM's and RUs.

After the end of the final deadline for submission of requests for capacity allocation for the annual timetable, and if all capacity allocation request have not been satisfied, the [IM SEETO Participant] will initiate a co-ordination process.

Co-ordination is a process used by the [IM SEETO Participant] with applicants in order to resolve conflict situations occurring as a result of requests for the infrastructure capacity.

During this meeting, [IM SEETO Participant] will attempt to co-ordinate the requests and the conclusions of the meeting shall be published. In the case that the conditions are the same for all the applicants, the date of submitting the request shall be the conclusive factor (first come-first served).

If the number of requests for allocation of the same infrastructure capacity exceeds the permitted capacity of a specific line, [IM SEETO Participant] will apply priority rules mentioned under 4.4.3.

After the co-ordination process is completed, [IM SEETO Participant] delivers a timetable draft to RU. Final consultations relating to timetable draft are conducted with RU. RU have to make a written statement on partial or complete acceptance or non-acceptance of the timetable. Deadline for statements is no later than a month since the receipt of draft timetable. In case that the dispute is maintained, the procedures described in Article 4.4.2 applies.

After the deadline for statements has passed, [IM SEETO Participant] defines the timetable according to requests delivered within the deadline and the train paths are considered as allocated. Subsequently, [IM SEETO Participant] carries out the allocation of remaining capacities available according to requests received after the final deadline, in the order of their arrival.

4.4.2 Dispute resolution process

Directive 2001/14/EC Article 21 sub 6

Give the contact names and addresses of bodies involved.

Describe in detail the information the RU must give to the IM in case of a dispute. State any deadlines in the dispute resolution process.

State whether or not the process can delay the capacity allocation process.

In the case where the applicant does not agree with the response to his request, he can express the disagreement in writing, no later than 3 days from the date of receiving the draft proposal of [IM SEETO Participant] infrastructure capacity allocation. Statements should be addressed to :

[IM SEETO Participant]

Address:

Contact person:

Position:

Phone:

Fax:

Email:

[IM SEETO Participant] has to decide on this request no later than within 5 working days.

In the event that it is still not possible to satisfy all requests for the transport path capacity, even after the co-ordination of the requirements, [IM SEETO Participant] has to declare the track section in question to be congested and will notify the [Regulatory Body of SEETO Participant].

The transport operator can appeal at any stage of capacity allocation process in writing against the decision of the [IM SEETO Participant] to the Regulatory Body. Appeals should be addressed to :

[Regulatory Body of SEETO Participant]

Address:

Contact person:

Position:

Phone:

Fax:

Email:

4.4.3 Congested Infrastructure

Directive 2001/14/EC Article 22 (4-6)

Quote or refer to the national legislation defining when an area (line and/or station) is to be considered as congested. Indicate (by maps or names of lines and locations) which areas are or are likely to become congested during the period of validity of the NS.

Quote or refer to the priority criteria to be used when an area is declared congested.

Congested infrastructure represents that part of infrastructure which, even after the coordination meeting, cannot meet the requests of the transport operators for a certain time due to capacity limitations. Infrastructure capacity will not be considered congested:

- when the need for a specific infrastructure capacity does not exceed 9 months and if it is not expected that the capacity in question will be requested again
- when infrastructure capacity cannot be allocated due to performance of infrastructure maintenance work,
- when [IM SEETO Participant] has reasonable grounds to suspect that the requested path will not be used by the requesting RU.

The UIC developed a standard which could be the basis for all calculations and studies of congested railway infrastructure. This standard is UIC 406.

Where there is insufficient capacity, [IM SEETO Participant] is entitled to apply priority rules with the following order:

- 1) international passenger trains
- 2) international freight trains (including international combined transport trains)
- 3) domestic passenger trains
- 4) domestic combined transport services
- 5) other freight transport services

Considering the above mentioned priorities, the train path allocation process will be carried out according to the following rules:

- requests for train paths of regular trains have priority over request for the train paths of conditional and special trains;
- requests for train paths according to framework agreements have priority over new requests;
- requests for train paths for a longer period of running have priority over requests for train paths for shorter time period;
- requests for train paths for a longer route have priority over train paths for a shorter route on the same travel routes.

When a track section has been declared congested, the [IM SEETO Participant] has to carry out a capacity analysis in order to solve the problem. Within six months of the completion of a capacity analysis, [IM SEETO Participant] publishes a capacity enhancement plan on its website www.xxx.yyy. Further information on Enhancement of infrastructure is given in Section 4.5.

4.4.4 Impact of Framework Agreements

Describe how a Framework Agreement affects capacity allocation, e.g. whether it confers a particular level of priority on path requests. Refer to a separate list of Framework Agreements if one exists.

Framework agreements regulate the right of a railway undertaking to use infrastructure capacities for a period longer than the annual timetable, which will not be defined in detail, but will enable the railway undertaking to use specific infrastructure capacities.

Framework agreements are subject of direct arrangements between [IM SEETO Participant] and railway undertakings and they cannot prevent the use of infrastructure by other railway undertakings. See also Section 2.4.1.

Any existing framework contracts signed by the [IM SEETO Participant] are provided in Annex

4.5 Capacity Allocation for Maintenance, Reconstruction and Enhancements

Directive 2001/14/EC Article 28

Refer to documents setting out the capacity allocated for maintenance, renewals and enhancements in the current timetable and any future timetables for which the process is complete or in progress.

The allocation of infrastructure capacities for the needs of maintenance, renewals and enhancements of the railway network is an integral part of the capacity allocation process.

4.5.1 Process

Describe how the allocations of capacity for maintenance, renewals and enhancements is established, including roles and rights of IMs and RUs, or refer to Section 4.2 if the process is the same as allocation of capacity for train paths.

Every year at the beginning of the new annual timetabling process, [IM SEETO Participant] will conduct consultations with railway undertakings on their plans for the timetable which will come into force in 11 months (x-11). In the course of these consultations, [IM SEETO Participant] will inform railway undertakings on major work regarding maintenance and railway infrastructure renewal.

With the aim of maintaining a certain level of quality, safety and reliability of railway infrastructure, [IM SEETO Participant], Infrastructure Access Department, will during the timetabling process reserve a part of infrastructure capacities for regular railway infrastructure maintenance, for specific time periods and specific sections. Periods reserved for regular railway infrastructure maintenance are published in the supplementary data for timetable.

[IM SEETO Participant] will notify all railway undertakings three months in advance, of all other longer planned works on railway infrastructure which could influence transport operations.

Capacity allocation for maintenance, renewals and enhancements of railway infrastructure is carried out by the [Department of IM SEETO Participant] according to the ad hoc process for capacity allocation described in Section 4.3.2.

Requests are to be delivered:

- by mail at the following address of [IM SEETO Participant] [.....]
- by fax at this number: [.....] followed by the original of the application, sent by mail and received within one week from sending date;

Infrastructure Enhancement

As mentioned in Section 4.4.3 above when a track section has been declared congested, the [IM SEETO Participant] has to carry out a capacity analysis in order to solve the problem. Within six months of the completion of a capacity analysis, [IM SEETO Participant] publishes a capacity enhancement plan on its website www.xxx.yyy.

The infrastructure enhancement plan is drawn up after consultation with the parties that use the congested infrastructure. It states:

- the causes of the congestion
- the probable future development of the traffic
- obstacles to infrastructure development
- options for and costs of capacity enhancement.

The capacity enhancement plan also includes a cost-benefit analysis for possible measures, details of the measures that the infrastructure manager intends to take on the basis of this analysis, and a timetable for this work. The stated timetable covers three years at most. The measures that are analysed and suggested may, for example, be work on the infrastructure, train path adjustments or measures related to the vehicles and wagons of the railway undertakings.

If there is already a capacity enhancement plan for the congested infrastructure and if this plan is in the process of being implemented, no new capacity analysis or capacity enhancement plan will be drawn up.

4.6 Cancellation and Non Usage Rules

Directive 2001/14/EC Article 27

Describe the deadlines for cancellation of planned train services.

Describe the limits for non-usage of allocated capacity which trigger loss of access or other penalties.

Refer to Section 6 for charges imposed when cancellations are advised too late or not at all.

[IM SEETO Participant] reserves the right to cancel the allocated capacity if the railway undertaking is using the allocated capacity less than 25% of the monthly quota. [IM SEETO Participant] reserves the right to cancel the allocated capacity on congested infrastructure if the allocated capacity is used less than 50% of the monthly quota, except due to reasons of economic character and beyond the railway undertaking's control.

A railway undertaking can cancel the allocated capacity:

- 30 days before service provision without charge
- from 30 days up to 1 week before service provision with 10% of the charge for the entire train path,
- less than a week before service provision with payment of the whole charge for the entire train path

Railway undertaking has to cancel the allocated capacity in written form at this address:

[IM SEETO Participant]

Address:

Contact person:

Position:

Phone:

Fax:

Email:

Allocated capacities which have been cancelled can be allocated to other railway undertakings.

4.7 Exceptional transport and dangerous goods

State whether or not the RU needs to notify the IM (or any other body) about its Exceptional transport or Dangerous Goods when applying for train paths.

State any deadlines that need to be met.

Exceptional transport

Exceptional transport is transport during which there is a deviation in at least one technical standard applied on the mentioned infrastructure, such as for example, axle load, railway vehicle gauge and similar. Taking into account all necessary elements for the transport of an exceptional transport, [IM SEETO Participant] will decide whether the requested infrastructure capacity will be allocated and under which conditions. Allocation of capacities for the transport of exceptional transport is carried out according to process described under 4.3.2.

In their capacity allocation request, railway undertakings are required to list all necessary information on the exceptional transport which is being transported, regardless whether it is a capacity allocation process for the annual timetable or an ad hoc capacity allocation.

Further information can be obtained at this address:

[IM SEETO Participant-Responsible Department]

Address:

Contact person:

Position:

Phone:

Fax:

Email:

Dangerous goods

The transport of dangerous goods on railway infrastructure run by [IM SEETO Participant] is regulated by [the Transport of Dangerous Goods Act] (Note: state the correct name in SEETO Participant if any) and RID. Railway undertakings are

obliged to report all dangerous goods consignments transported by a regular train, the RID class and placement in the train. RU are responsible for obtaining an appropriate consent relating to safety of dangerous goods transport.

The allocation of capacities for transport of dangerous goods is performed according to the process defined under 4.3.2.

Further information can be obtained at this address:

[IM SEETO Participant-Responsible Department]

Address:

Contact person:

Position:

Phone:

Fax:

Email:

4.8 Special measures applied in the event of disturbance

Directive 2001/14/EC Article 29

Special measures to be taken in the event of disturbance

1. In the event of disturbance to train movements caused by technical failure or accident the infrastructure manager must take all necessary steps to restore the normal situation. To that end he shall draw up a contingency plan listing the various public bodies to be informed in the event of serious incidents or serious disturbance to train movements.

2. In an emergency and where absolutely necessary on account of a breakdown making the infrastructure temporarily unusable, the paths allocated may be withdrawn without warning for as long as is necessary to repair the system. The infrastructure manager may, if he deems it necessary, require railway undertakings to make available to him the resources which he feels are the most appropriate to restore the normal situation as soon as possible.

3. Member States may require railway undertakings to be involved in assuring the enforcement and monitoring of their own compliance of the safety standards and rules.

4.8.1 Principles

Refer to existing procedures and contractual arrangements.

With the aim of removing operation disturbances, [IM SEETO Participant] will undertake appropriate measures to restore the regular timetable, while taking into consideration the needs of passengers and users of freight traffic, as well as traffic safety.

With the aim of removing operation disturbances, [IM SEETO Participant] can apply operative rules under 4.8.2., cancel some trains or assign another train path in agreement with a railway undertaking, depending on the kind of disturbance and expected duration.

In case a longer traffic disruption [IM SEETO Participant] will, in agreement with railway undertakings, make an additional timetable for the period until regular operation is restored.

In the case of a disturbance caused by technical failure or accident, [IM SEETO Participant] together with railway undertakings, will undertake all necessary measures to restore normal operating conditions as soon as possible.

The contingency plan with the names of various public bodies to be informed in the event of serious incident or serious disturbance to train movement is provided in the Appendix.....

Each breakdown of the [IM SEETO Participant] equipment identified by the railway undertaking's staff has to be immediately reported to [IM SEETO Participant], who shall undertake all the measures to prevent a possible accident. If it is necessary to disrupt the traffic operation on the given section, [IM SEETO Participant] will notify this situation to all the transport operators along with expected time of the disruption.

In an emergency and where absolutely necessary on account of a breakdown making the infrastructure temporarily unusable, the paths allocated may be withdrawn without warning for as long as is necessary to repair the system. The [IM SEETO Participant] may, if he deems it necessary, require railway undertakings to make available to him the resources which he feels are the most appropriate to restore the normal situation as soon as possible.

4.8.2 Operational restrictions

Describe or refer to existing train regulation policies regarding foreseen and unforeseen problems.

With the aim of reinstating normal traffic flow, operative rules for railway traffic management apply under the [Railway Safety Law] as well as [Traffic regulations] and other sub-legal acts and regulations of the [SEETO Participant] which regulate the mentioned.

In the cases of delays and premature train dispatch, the rule applies that lower-ranking trains should not interfere with movements of higher-ranking trains. A lower-ranking train can be given priority only if in this way increase in delays is avoided and the higher-ranking train can make up for the delay on its further route. With same rank trains, priority is given to that train which delay might cause it to lose connections. If the connections are not in question, priority is given to that train which has a longer route to its destination station, i.e. which is running on time.

Necessary measures to be taken in the case of accidents and incidents are defined in the Railway Traffic Safety Act, by the Regulation on accidents and incidents and Instruction on procedures during accidents and incidents investigation of the [SEETO Participant]. Trains which are taking part in removing the disturbances caused as a result of an accidents and incidents have priority over all other trains.

4.8.3 Foreseen problems

Necessary measures to be undertaken in cases of foreseen problems such as: technical disturbances of safety-signalling and telecommunication devices, traffic management devices, strong wind, natural disasters, snow and similar, are regulated by Traffic regulations and other regulations which regulate the mentioned in [SEETO Participant].

4.8.4 Unforeseen problems

In very urgent cases when railway infrastructure is temporarily rendered unavailable for use, [IM SEETO Participant] can, without prior notice, cancel train paths for a time period necessary to put the system back in working order.

[IM SEETO Participant] will notify all interested parties of the resulting situation.

5. SERVICES

5.1 Introduction

Refer to the four different groups of services listed in Annex II Directive 2001/14/EC and if the IM supplies services in addition to these.

The services offered to operators on the [IM SEETO Participant] network are according to Directive 2001/14/EC the following:

- Category I: Minimum access service (Appendix II.1),
- Category II : Track access to service facilities and supply of services (Appendix II.2),
- Category III: Supply of additional services in service facilities (Appendix II.3),
- Category IV: Supply of ancillary services in service facilities (Appendix II.4).

Directive 2001/14/EC prescribes the right of railway undertakings to a minimum access package in a non-discriminatory way and for track access to service facilities and their supply; requests submitted by railway undertakings can only be denied if there are feasible market condition alternatives.

[IM SEETO Participant] will enable all railway undertakings the use of minimal access package and track access to service facilities in a non-discriminatory way by signing an Access Contract with [IM SEETO Participant].

The use of all service facilities, additional and ancillary services provided by [IM SEETO Participant] will be enabled to railway undertakings in a non-discriminatory way and at their request, and will be concluded separately.

The use of all service facilities not managed by [IM SEETO Participant] as well as additional and ancillary services not provided by [IM SEETO Participant] is subject to special contracts with managers of the same service facilities, i.e. service providers.

On the basis of the scope of services provided according to descriptions in Chapters 5.2 to 5.5, the operators pay a fee for use of infrastructure services that are provided in the facilities.

5.2 Minimum Access Package

List of services obligatory delivered by IM

Directive 2001/14/EC, Annex II, point 1

Description of the services.

Within the minimum access package [IM SEETO Participant] provides the following services to operators:

- Management of capacity applications,
- The right to utilize capacity which is allocated,
- Use of running track, points and junctions,
- Train control including signaling, regulation, dispatching and the communication and provision of information on train movement,
- Provision of all information required to operate the service for which the capacity has been allocated.

The operator pays the infrastructure access charge to [IM SEETO Participant] in accordance with the Infrastructure Access Contract. The structure of the charge and the formula used to determine the tariff are detailed in Chapter 6.

5.3 Track Access to Service Facilities and Supply of Services

Directive 2001/14/EC, Annex II, point 2

Product definition – including track access conditions and usage conditions for each of the services listed, also stating if services are delivered by IM, or by other suppliers, who may be referred to.

For information on location, refer to Chapter 3 "Infrastructure"

For information on charges, refer to Chapter 6 "Charges"

5.3.1 Track access to service facilities

[IM SEETO Participant] provides RU with track access to the following facilities where it also provides the relevant services: *(Note: please indicate to which of these facilities the [IM SEETO Participant] provides access. Please describe in which of these facilities, it is the [IM SEETO Participant] that provides the service. Then include a Subsection for each one of them in Section 5.3.2, describing where they are, what kind of service is provided by the [IM SEETO Participant] and if there are any limitations –for example hours that the service is offered- etc. Please indicate which of these services the [IM SEETO Participant] does not provide. Please indicate who or which facility manager provides the service or give contact details):*

- Electrical supply equipment for traction current
- Re-fuelling facilities,
- Passenger stations, their buildings and other facilities,
- Freight terminals,
- Marshalling yards,
- Train formation facilities,
- Storage sidings,
- Maintenance tracks and other technical facilities.

The operator pays [IM SEETO Participant] for the track access to the above facilities in accordance the signed minimum service package contract, in a non-discriminatory way, at their request, according to provisions of Chapter 6 and in particular Subsection 6.1.2.

The [IM SEETO Participant] will enter into a contract with the RU for the provision of the services in facilities managed by it (see Subsection 5.3.2). In case the services are not offered by [IM SEETO Participant], the RU should previously demonstrate that it has entered into a contract on the use of these facilities with the respective facility managers.

The need to have track access service facilities and supply of services has to be stated by RU in the capacity allocation procedure.

For the location of these facilities please consider Chapter 3 and its Annexes.

5.3.2 Supply of services

As mentioned in Subsection 5.3.1, the [IM SEETO Participant] provides the following services in above facilities: *(Note: Include a Subsection for each one of the services offered by the [IM SEETO Participant], describing where they are, what kind of service is provided and if there are any limitations –for example hours that the service is offered- etc.)*

- Electrical supply equipment for traction current
- Re-fuelling,
- Services in Passenger stations, their buildings and other facilities,
- Services in freight terminals,
- Services in marshalling yards,
- Train formation services,
- Storage services in sidings,
- Maintenance services and services in other technical facilities.

The [IM SEETO Participant] will enter into a contract with the RU for the provision of the services in facilities managed by it.

5.3.3 Supply of services in facilities by third parties

As mentioned in Subsection 5.3.1, following services are provided in above facilities by third parties: *(Note: Include a Subsection for each one of the services offered by third parties and provide a contact for each one of them)*

- Electrical supply equipment for traction current
- Re-fuelling,
- Services in Passenger stations, their buildings and other facilities,
- Services in freight terminals,
- Services in marshalling yards,
- Train formation services,
- Storage services in sidings,
- Maintenance services and services in other technical facilities.

The service provider (or the facility manager) will enter into a contract with the RU for the provision of the services in facilities managed by it.

5.4 Additional Services

Directive 2001/14/EC, Annex II, point 3

Product definition – including usage conditions for each of the services listed, also stating if services are delivered by IM, or by other suppliers, who may be referred to.

For information on location, refer to section 3 "Infrastructure"

For information on charges, refer to section 6 "Charges"

State any deadlines that need to be met.

The additional services concern the following:

- Traction current,
- Control of transport of dangerous goods,
- Assistance in running abnormal trains,
- Other additional services.

5.4.1 Traction current

[IM SEETO Participant] provides [or does not provide] RU with traction current : *(Note: please refer to Chapter 6 for the formula to calculate traction current cost. Refer also to contact in [IM SEETO Participant] for contract. in case that [IM SEETO Participant] does not offer this service please indicate who does or give contact details):*

[IM SEETO Participant-Responsible Department]

Address:

Contact person:

Position:

Phone:

Fax:

Email :

The [IM SEETO Participant] or [the service provider] will enter into a contract with the RU for the provision of the service.

5.4.2 Control of transport of dangerous goods

[IM SEETO Participant] provides [or does not provide] RU with control of transport of dangerous goods : *(Note: Refer also to contact in [IM SEETO Participant] for contract. In case that [IM SEETO Participant] does not offer this service please indicate who does or give contact details):*

[IM SEETO Participant-Responsible Department]

Address:

Contact person:

Position:

Phone:

Fax:

Email :

The [IM SEETO Participant] or [the service provider] will enter into a contract with the RU for the provision of the service.

5.4.3 Assistance in running abnormal trains

[IM SEETO Participant] provides [or does not provide] RU with assistance in running abnormal trains : *(Note: Refer also to contact in [IM SEETO Participant] for contract. In case that [IM SEETO Participant] does not offer this service please indicate who does or give contact details):*

[IM SEETO Participant-Responsible Department]

Address:

Contact person:

Position:

Phone:

Fax:

Email :

The [IM SEETO Participant] or [the service provider] will enter into a contract with the RU for the provision of the service.

5.4.4 Other Additional services

[IM SEETO Participant] provides [or does not provide] RU with other additional services such as:

- Preheating of passenger trains,
- Supply of fuel,
- Shunting services,
- Supply of water,
- Discharging of waste.

(Note: Refer also to contact in [IM SEETO Participant] for contract. In case that [IM SEETO Participant] does not offer these services, please indicate who does or give contact details):

[IM SEETO Participant-Responsible Department]

Address:

Contact person:

Position:

Phone:

Fax:

Email :

The [IM SEETO Participant] or [the service provider] will enter into a contract with the RU for the provision of the service.

5.5 Ancillary Services (EU Service Category IV)

Directive 2001/14/EC, Annex II, point 4

Product definition – including usage conditions for each of the services listed, also stating if services are delivered by IM, or by other suppliers, who may be referred to.

The ancillary services include the following:

- Access to telecommunication network,
- Provision of supplementary information,
- Technical inspection of rolling stock.

5.5.1 Access to telecommunication network

[IM SEETO Participant] provides [or does not provide] RU access to telecommunications network : *(Note: Refer also to contact in [IM SEETO Participant] for contract. In case that [IM SEETO Participant] does not offer this service please indicate who does or give contact details):*

[IM SEETO Participant-Responsible Department]

Address:

Contact person:

Position:

Phone:

Fax:

Email :

The [IM SEETO Participant] or [the service provider] will enter into a contract with the RU for the provision of the service.

5.5.2 Provision of supplementary information

[IM SEETO Participant] provides [or does not provide] RU with supplementary information : *(Note: Refer also to contact in [IM SEETO Participant] for contract. In case that [IM SEETO Participant] does not offer this service please indicate who does or give contact details):*

[IM SEETO Participant-Responsible Department]

Address:

Contact person:

Position:

Phone:

Fax:

Email :

The [IM SEETO Participant] or [the service provider] will enter into a contract with the RU for the provision of the service.

5.5.3 Technical Inspection of rolling stock

[IM SEETO Participant] provides [or does not provide] RU with technical inspection of rolling stock : (Note: Refer also to contact in [IM SEETO Participant] for contract. In case that [IM SEETO Participant] does not offer this service please indicate who does or give contact details):

[IM SEETO Participant-Responsible Department]

Address:

Contact person:

Position:

Phone:

Fax:

Email :

The [IM SEETO Participant] or [the service provider] will enter into a contract with the RU for the provision of the service.

6. CHARGES

According to the Railway Law of [SEETO Participant], [IM SEETO Participant] determines and levies charges for the use of railway infrastructure.

With the aim of carrying out transport operations on the railway infrastructure of the [SEETO Participant] managed by [IM SEETO Participant] railway undertakings pay charges for:

- minimum access package;
- track access to service facilities;
- use of service facilities;
- additional services;
- ancillary services.

6.1 Basic Principles of the Infrastructure Access Regime

What is the basis for the IM's charges ? Marginal cost, full costs, mark ups, are there exceptions to the principles etc? State to what extent directive 2001/14/ Article 7.4 (scarcity charges) 7.5 (environmental charges), 9 (discounts), 10 (compensation) and 12 (reservation charges) are applicable.

For the minimum access package and for the track access to service facilities, the proposed structure of charges involves a simple tariff structure based on recovery of marginal costs plus, where appropriate, a mark-up to cover some of the fixed costs (MC+). The above approach is fundamental to the charging structure, because marginal costs are attributable to different operators, provide strong incentives to operators and are mentioned in EU legislation.

No scarcity charges, no environmental charges and no reservation charges are applicable.

[IM SEETO Participant] may introduce special charge for the defined transport flows, available to all users of the infrastructure and recognize limited discounts of charges for quality users, with the aim to promote the development of the railway market in [SEETO Participant], to promote new services and to stimulate the inefficiently exploited railway infrastructure.

6.1.1 Minimum access package

The methodology that is proposed is based on the development of an infrastructure access charging regime while reflecting two mandatory principles:

- infrastructure manager's costs need to be fully recovered,
- users should be required to pay only for costs *efficiently* incurred in the provision of services they require.

The level of access charges for the minimal access service package is set based on the unit price for the use of railway infrastructure per train kilometre, categorisation of railway tracks, and categorisation of trains with special coefficients for weighting the types of railway lines and type of trains and number of train kilometre realised.

6.1.2 Track access to service facilities and supply of services

Charges for track access to facilities referred to in Subsections 5.3 are determined with the same method as the charges for minimum access package and are calculated on the basis of train-km. They will be covered by the Minimum Access Charge contract to be signed between the [IM SEETO Participant] and the RU for access to infrastructure.

6.1.3 Additional services

Charges for use of service facilities referred to in Subsection 5.3.2 and Section 5.4 are determined on the basis of costs incurred in use of service facilities and market conditions. A special contract will be signed for that purpose between the [IM SEETO Participant] and the RU.

Charges for use of service facilities apply in a non-discriminatory way to all railway undertakings.

6.1.4 Ancillary services

Charges for use of service facilities referred to in Section 5.5 are determined on the basis of costs incurred in use of service facilities and market conditions. A special contract will be signed for that purpose between the [IM SEETO Participant] and the RU.

Charges for use of service facilities apply in a non-discriminatory way to all railway undertakings.

6.2 Calculation of the Infrastructure Access Charge

Describe how the components of the system work together.

The model of setting access charges for the minimal access service package is based on the formula presented below, which when calculated provides the price for the access charges for every train path on every railway line.

$$U = \left(Q_{tkm(main)} \times P_{(main)} + Q_{tkm(reg)} \times P_{(reg)} \right) \times C_{tkm} \times K \times F$$

U User charge for the allocated train path, in monetary units

$Q_{tkm(main)}$ The amount of trainkm realised on main railway track

$Q_{tkm(reg)}$ The amount of trainkm realised on regional railway track

C_{tkm} The price of line per trainkm, in monetary units per trainkm

$P_{(main)}$ The weighting coefficient for running on main railway track

$P_{(reg)}$ The weighting coefficient for running on regional railway track

K The coefficient for track wear

F The coefficient which depends on timetable requests

The above coefficients take the following prices, according to the characteristics of the railway network.

The applicable prices are proposed to be the same for passenger and freight train. The differentiation of track access charging between passenger and freight trains derives from the different values of the coefficient "K" for passenger and freight trains.

Track wear coefficient "K" is applied for differentiating trains according to their gross weight and their type:

- for cargo trains (more than 1100 ton gross): 1,00 – 1,50
- for cargo trains (less than 1100 ton gross): 0,50-0,80

- for cargo trains with empty wagons (less than 100 ton net²): 0,30-0,40
- for cargo trains (circular, collecting, locomotive): 0,10-0,20
- for passenger trains: 0,30-0,40

Weighting coefficient "P" is applied for differentiating the cost of using main and regional railway lines. The suggested values are:

- for main rail lines: 1,00
- for regional rail lines: 0,60-0,80

RU's demand related coefficient "F" represents the timeliness of train paths regarding the timetable (regular or additional requests):

- for allocated train paths, which are requested prior to timetable enforcement: 1
- for allocated train paths, which are requested ad hoc: 1,2

6.3 Tariffs

Charging information for train paths and any other services supplied by the IM including discounts, compensation schemes and reservation charges.

The price for train kilometer C_{tkm} is based on real costs which are calculated and presented by the IM's. The price that is being proposed for the purposes of harmonised access charges is $C_{tkm} = 3\text{Euro/trainkm}$

6.3.1 Minimum access package charge

The tariff presented above (Section 6.3) applies for the minimum access package.

6.3.2 Track Access to Service Facilities

State if track access is included in the minimum access package or charged separately

The tariff presented above (Section 6.3) applies for the minimum access package.

6.3.3 Supply of Services referred to in 5.3.2 and 5.4

A special contract will be signed for that purpose between the [IM SEETO Participant] and the RU.

In particular for provision of traction electric current in electrified railway lines, in case this is provided by [IM SEETO Participant], the following formula is proposed. The calculation of electricity charge can be made in the scope of a separate contract, or the same contract as for track access charges. This is also a simple formula that is based on the same unit (trainkm) and the amount of electricity consumed per trainkm and the cost of electricity.

$$E = Q_{tkm} \times CO_{kWh/km} \times T_{Euro/kWh}$$

E The charge of electricity consumed, in monetary terms

Q_{tkm} The amount of trainkm realised on railway track

$CO_{kWh/km}$ The consumption of electricity per trainkm

$T_{Euro/kWh}$ Unit Tarrif for electricity (in monetary terms per kWh according to the time period of consumption³)

Charges for use of service facilities apply in a non-discriminatory way to all railway undertakings.

² A train with empty wagons, which « carry » up to 100net ton of any cargo, is considered as empty train

³ The unit tariff of electricity depends on the time period of consumption, which can be peak period, normal period or off peak period

6.3.4 Ancillary Services

A special contract will be signed for that purpose between the [IM SEETO Participant] and the RU.

Charges for use of service facilities apply in a non-discriminatory way to all railway undertakings.

6.4 Performance Schemes

Directive 2001/14/EC Article 11

Infrastructure charging schemes shall through a performance scheme encourage railway undertakings and the infrastructure manager to minimise disruption and improve the performance of the railway network. This may include penalties for actions which disrupt the operation of the network, compensation for undertakings which suffer from disruption and bonuses that reward better than planned performance.

Train delay is monitored in relation to timetable deviation at the train destination station. If the train was received with delay to the border station, this delay is subtracted from total delay time. According to causes of delay, infrastructure manager is held responsible for delays due to:

- restricted speed running
- malfunction or disturbance of safety-signalling devices
- malfunction or disturbance of safety devices for level crossings

According to causes of delay, railway undertaking is held responsible for delays due to:

- prolonged train running because of traction
- untimely train set/locomotive delivery
- wagon/locomotive malfunction

For the following causes responsibility for delay is determined separately in each specific case:

- waiting because of a crossing or overtaking of trains
- waiting for departure announcement
- waiting for train connections
- other

[IM SEETO Participant] determines causes of delays. If a railway undertaking deems the cause of delay not to have been correctly determined, within 5 days since delivery of train running data a written complaint can be filed with the infrastructure manager. All complaints are reviewed by a permanent committee made up of one [IM SEETO Participant] and one RU representative. The committee adjourns when required and no more than once a month. The committee decision taken on delay causes is final.

There is no compensation charged for a delay less than [15] minutes. The compensation is calculated by the minute of delay for each train respectively, considering the fact that all minutes of delay are taken into account.

The compensation delay amounts to 0.1% of the charge for the entire train path for each minute of the delay. The total amount of delay compensation for a specific train can reach a maximum of 5% of the charge for the entire train path of the train in question.

6.5 Changes to Charges

Foreseen changes

The current railway infrastructure access charging regime, including the structure and the amount of the charges, is compliant with the Decision [.....] made by [.....] and published in the Official Gazette of the [SEETO Participant]

All midyear changes to the infrastructure access charging regime will be available on the website of [IM SEETO Participant] www.xxx.yyy once they come into force.

6.6 Billing Arrangements

State who bills the services, terms and conditions including non-payment etc.

A sample Infrastructure Access Contract is available on the website of RNE (www.railneteuropa.com) and is also attached to this report as Annex 2.

The terms and conditions of billings and of payments are stipulated in this contract.

Normally the billing should be done on monthly basis and payment should be effected within the next month

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13. Network Statements in SEETO Participants
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18. Network Statement of Sweden

ANNEX 1
Log page for changes to NS

ANNEX 2

Standard RNE Track Access Contract

ANNEX 3

Standard capacity allocation application form

