



Správa železniční dopravní cesty

Ref. No. 56258/2018-SŽDC-GŘ-O12

**Správa železniční dopravní cesty,
státní organizace,**

issues the

**Network Statement on Nationwide
and Regional Railways**

**Valid for the Preparation of the Timetable 2020 and the Timetable
2020**

in Force as of 14/12/2018

Správa železniční dopravní cesty, státní organizace, ID No.: 70 99 42 34, based at Dlážděná 1003/7, 110 00 Prague 1 – Nové Město, registered in the Commercial Register maintained by the Municipal Court in Prague, Section A, File 48384 (hereinafter "SŽDC") as a legal person that in compliance with Section 32(1) of the Act No. 266/1994 Coll., as amended (the "Rail Systems Act") allocates the infrastructure capacity on nationwide and regional railways owned by the Czech Republic, issues, pursuant to Section 33(1) of the above mentioned Rail Systems Act, the "Network Statement on Nationwide and Regional Railways" (hereinafter the "Network Statement").

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D	Performance remuneration system
E	International study / path applications form
F	Rail line radio systems
G	Common Template for Service Facilities
H	List of connected railways
I	Track clearances
J	List of devices used for diagnosing defects of moving vehicles
K	Form of the carrier's written declaration of the use of capacity allocated to the non RU applicant
L	Draft sample arrangement on a performance remuneration system including an equitable way of out of court resolution of disputes concerning a disruption of rail transport
M	Glossary of used terms

MAPS ²	
M01	Numbering of lines according to Network Statement
M02	Category of railways and rail system operators
M03	Rail freight corridors
M04	Price categories
M05	Number of tracks, electrification systems and denomination pursuant to the table of line conditions
M06	Remote operating control
M07	Allowed line classes of loading
M08	Railway signalling systems
M09	Cab signalling (ATP)
M10	Primary ground-to-train radio communication
M11	Lines codes for combined traffic
M12	Districts of SŽDC Regional Directorates and operation districts
M13	Information points of system AVV (ATO)
M14	Lines where SŽDC applies a penalty for unused or renounced allocated capacity

Glossary of Used Terms

The terms used and their meanings are stated as follows:

- as amended by the Rail Systems Act and its Implementing Regulations and Act No. 77/2002 Coll., on České dráhy, a.s., on Správa železniční dopravní cesty, státní

¹ The data contained in the Annexes correspond to the state and information known on the issue date of the Network Statement.

² The data contained in the maps correspond to the state and information known on the issue date of the Network Statement.

organizace and on Amendment to Rail System Act No. 266/1994 Coll., as amended, and Act No. 77/1997 Coll., on the State Enterprise, as amended;

- in Annex “M”

1 GENERAL INFORMATION

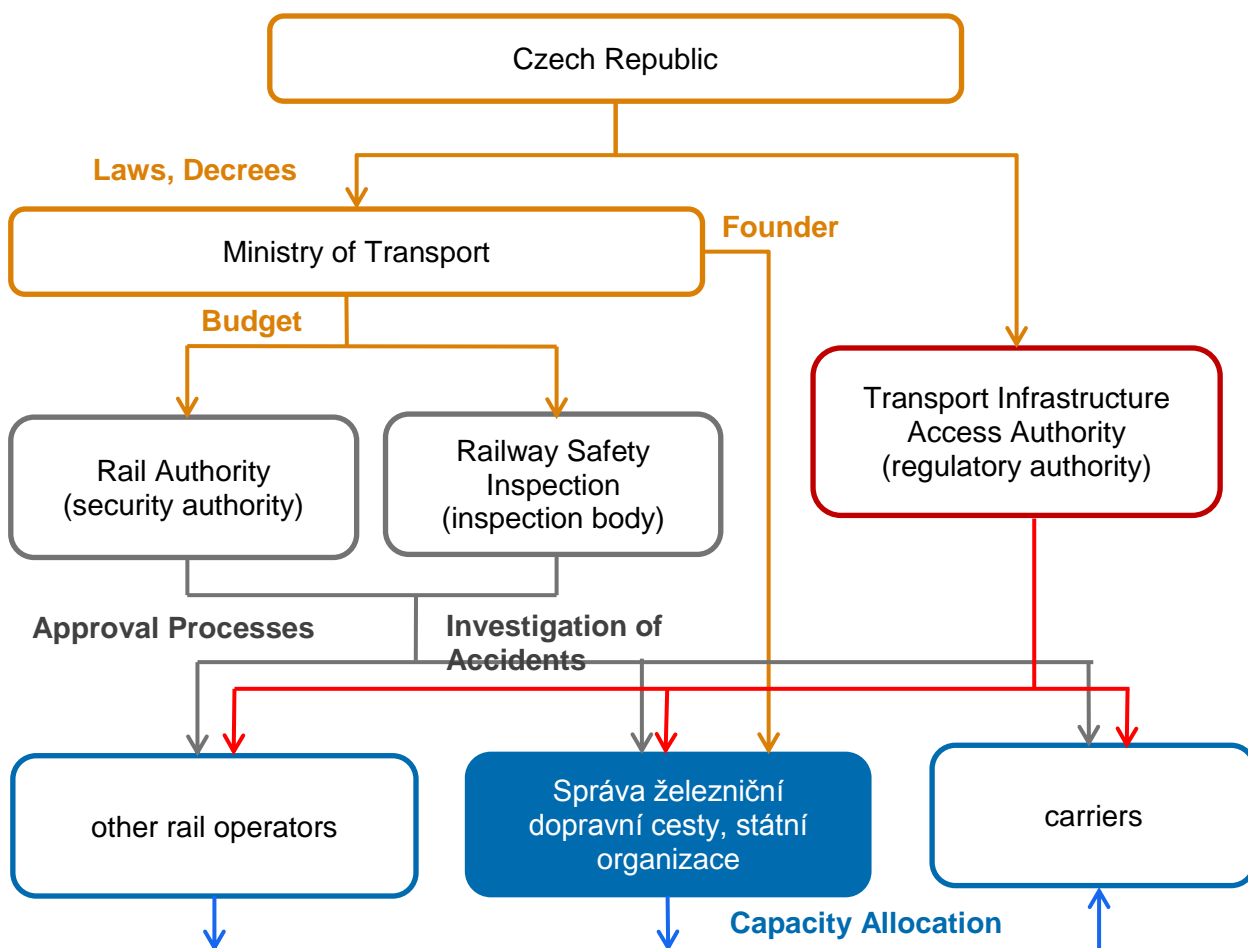
1.1 Introduction

SŽDC is a state organization under public law. SŽDC wishes to contribute to sustainable mobility within the European rail network in order to boost economic and social development in the Czech Republic.

As the Czech Republic rail Infrastructure Manager (IM), SŽDC offers its customers (Railway Undertakings (RUs) and non-RU applicants), a competitive and qualitative railway infrastructure, adapted to their needs. In addition to the daily management, maintenance and further development of this infrastructure, SŽDC is also responsible for the control and the safety of all train traffic

The Rail Systems Act No. 266/1994 Coll. gives the SŽDC task of drafting and publishing the network statement (NS).

The position of SŽDC in the Czech Republic railway sector is shown by the organisation chart below:



1.1.1 State Administrations in the Affairs of Railway Infrastructure

The state administration of railways is carried out by the Transport Infrastructure Access Authority, the Railway Safety Inspection and the railway

administration authorities, which in the case of nationwide and regional railways are represented by the Ministry of Transport and the Railway Authority.

1.1.1.1 Ministry of Transport of the Czech Republic

Ministry of Transport, ID No.: 66003008, based at Nábřeží L. Svobody 1222/12, 110 15 Prague 1, as the railway administration authority:

- a) decides on the inclusion of the rail system in the category and the cancellation of the nationwide or regional rail systems, subject to the agreement with the Ministry of Defence,
- b) decides on the change of the category of the nationwide railway to another railway category and on the change of the category of a railway other than the nationwide railway to the nationwide railway subject to the agreement with the Ministry of Defence,
- c) is the appellate authority in the administrative proceedings in matters governed by the Rail Systems Act against the decisions made by the Railway Authority and the Rail Safety Inspection, where it is stipulated by the regulation,
- d) submits its views on territorial development policy and planning documentation with respect to interests and intentions of the railway infrastructure,

For more information, visit the website of the Ministry of Transport – www.mdcz.cz

1.1.1.2 Transport Infrastructure Access Authority

Úřad pro přístup k dopravní infrastruktuře, ID No.: 05553521, based at Myslíkova 171/31, 110 00 Prague 1, is the central administrative authority for:

- a) use of rail and air transport infrastructure and access to it,
- b) use of service facilities for railway transport infrastructure services and access to these facilities,
- c) price control in the field of using railway transport infrastructure and service facilities according to the Act regulating the competence of the authorities of the Czech Republic in the field of prices and
- d) provision of support for the operation of the European electronic toll service.

Transport Infrastructure Access Authority:

- a) decides whether the prevailing purpose of interstate passenger rail transport is the passenger transport between two or more Member States,
- b) decides if passenger rail transport operated without a public service contract for passenger transport may endanger the economic balance of passenger rail transport operated under a public service contract.
- c) decides if any of the parts of the published Network Statement is not in conflict with the Rail Systems Act,
- d) decides whether the extent of the allocated capacity or the procedure for its allocation is not in conflict with the Rail Systems Act,
- e) decides on a proposal of one of the contracting parties to the rail transport operation contract or by virtue of office whether such a contract is not in conflict with the Rail Systems Act.

- f) reviews the decision of the operator of the siding and decides, whether the siding is accessible or inaccessible for the public,
- g) reviews the decision of the service facility operator to refuse to provide services,
- h) at the request of the railways operator, approves a plan to limit railway operation.

For more information, visit www.updi.cz.

1.1.1.3 Rail Authority

Drážní úřad, ID No.: 61379425, based at Wilsonova 300/8, 121 06 Prague 2, as a railway authority subordinated to the Ministry of Transport, exercises railways competence on the railway infrastructure pursuant to the Rail Systems Act or in compliance with a specific regulation, with the exception of matters in which the Ministry of Transport or a municipality decide.

Rail Authority:

- a) is a special building authority for railway structures and structures on the railway,
- b) decides about issuing official licences for rail operation,
- c) decides about issuing licences for railway transport operation,
- d) issues certificates on the safety of the rail system operator and carrier certificates,
- e) issues and withdraws engine driver licences,
- f) issues licences on competence for persons to drive rail vehicles,
- g) issues certificates on the competence of specified technical equipment such as pressure, gas, electric, lifting, transport and railway vehicles,
- h) issues certificates of professional competence for carrying out reviews, inspections and tests of specified technical equipment in service,
- i) imposes fines according to the Construction Act and the Rail Systems Act,
- j) performs state construction supervision and state supervision in matters of railway infrastructure.

For more information, visit the website of the Railway Authority – www.ducr.cz

1.1.1.4 Rail Safety Inspection Office

Drážní inspekce is an administrative authority subordinate to the Ministry of Transport, ID: 75 00 95 61, based at Těšnov 1163/5, 110 00 Prague 1, which investigates the causes and circumstances in case of serious accidents on the railway, except for specific railways. The causes and circumstances of the occurrence of other emergency events on railways may be investigated by the Railway Inspectorate, if appropriate in view of their severity, repeatability, sequence or their impact on the track operator and the carrier.

For more information, please visit the Rail Safety Inspection website at www.dicr.cz

1.1.2 Basic Information on the Capacity Allocator

The function of the capacity allocator on the railways infrastructure is held by Správa železniční dopravní cesty, státní organizace (hereinafter referred to as "SŽDC").

The origin of SŽDC, its duties and rights are stipulated by Act No. 77/2002 Coll., on České dráhy, a.s. Správa železniční dopravní cesty, státní organizace and amending Act No.

266/1994 Coll., On Railways, as amended by later regulations and Act No. 77/1997 Coll., on State Enterprise, as amended.

Name of organisation: Správa železniční dopravní cesty, státní organizace

Legal form: State organisation

Founder: Czech Republic

(the Ministry of Transport is entrusted with the function of the founder)

Registered office: Dlážděná 1003/7, 110 00 Praha 1 - Nové Město

Identification number: 70994234

Date of incorporation: 01/01/2003

For more information, visit the SŽDC website www.szdc.cz.

SŽDC performs the function of the owner and the operator of the railway infrastructure according to a specific legal regulation consisting of:

- ensuring the operability of the railway infrastructure,
- ensuring the operation of the railway infrastructure,
- ensuring modernisation and development of the railway infrastructure.

The operation of the nationwide and regional railways in the public interest is one of the basic duties of SŽDC as a legal entity responsible for the management of the state owned railways.

SŽDC ensures activities related to the operation of nationwide and regional railways owned by the state. As the operator of the railway, SŽDC shall designate additional rights and obligations of carriers and third parties by means of its internal regulations. It ensures that these activities are carried out by competent personnel and checks if the internal regulations are observed. Furthermore, it draws up an annual timetable for the organisation of railway transport management, carries out statistical and registration activities, concludes contracts for rail transport operation with the carriers, plans and coordinates traffic closures, inspects the possibilities of transportation of exceptional items, is responsible for coordination and negotiation of operational, technical and technological measures with carriers. The outputs from these activities are used for the operational management of rail transport in pursuit of efficient and economical use of the railway.

As part of SŽDC's activities, OneStopShop service is provided, which stands for the sale of interstate train routes in cooperation with neighbouring infrastructure managers.

For more information see Chapter 1.10.1 .

For more information, please visit <http://provoz.szdc.cz> runway portal (hereinafter as the "Infrastructure Operation Portal").

1.1.3 Basic Information on State Owned Railways Operators

The Trutnov – Svoboda nad Úpou and Sokolov – Kraslice regional railways are operated under the lease agreement by PDV RAILWAY a.s.

Railway Operator: PDV RAILWAY a.s.

Registered office: Blahoslavova 937/62, 400 01 Ústí nad Labem

ID No.: 22792597

Tax ID No.: CZ22792597

Legal form:	Joint-stock company
Tel:	+420 475 351 511
Fax:	+420 475 351 500
E-mail:	info@pdvr.cz
Web:	www.pdvr.cz/

The Milotice nad Opavou – Vrbno pod Pradědem regional railway is operated under the lease agreement by PKP CARGO INTERNATIONAL, a.s.

Railway operator:	PKP CARGO INTERNATIONAL, a. s.
Registered office:	Hornoplní 3314/38, 702 62 Ostrava - Moravská Ostrava
ID No.:	47675977
Tax ID No.:	CZ47675977
Legal form:	Joint-stock company
Tel:	+420 596 166 111
Fax:	+420 596 116 748
E-mail:	obchod@pkpcargointernational.com
Web:	www.pkpcargointernational.com

PKP CARGO INTERNATIONAL a.s., based on the valid official permit with Reg. No. UP/1997/8005 issued by the Rail Authority on 30/12/1997, is the operator of the Milotice nad Opavou – Vrbno pod Pradědem regional railway.

SŽDC is the operator of the nationwide and other regional railways owned by the state.

For more information see Chapter 1.1.2 .

1.1.4 Other Owners of Nationwide and Regional Railways in the Czech Republic

The manager of railway infrastructure that is not owned by the state, as referred to in Directive 2012/34/EU of the European Parliament and of the Council of 21 November 2012, is the owner of the railway infrastructure. It shall act in cooperation with the railways operator. The function of the capacity allocator on non-state railways is performed by the rail operator. In accordance with Section 33 of the Rail Systems Act, descriptions of the parts of the nationwide railways, the regional railways, where SŽDC is not the capacity allocator, and the publicly accessible sidings are not part of this Network Statement. Contact the owner of these railways for more information.

1.1.4.1 České dráhy, a.s.

České dráhy, a.s., owns parts of the nationwide and regional railways.

Railway owner:	České dráhy, a.s.
Registered office:	Nábřeží L. Svobody 1222, 110 15 Praha 1
ID No.:	70994226
Tax ID No.:	CZ70994226
Legal form:	Joint-stock company
Tel:	+420 972 233 130

E-mail: tynkova@gr.cd.cz
Web: www.ceskedrahy.cz

1.1.4.2 Jindřichohradecké místní dráhy, a.s.

Jindřichohradecké místní dráhy, a.s., owns the Jindřichův Hradec – Nová Bystrice and Jindřichův Hradec – Obrataň regional railways.

Railway owner: Jindřichohradecké místní dráhy, a.s.
Registered office: Nádražní 203/II, 377 01 Jindřichův Hradec
ID No.: 62509870
Tax ID No.: CZ62509870
Legal form: Joint-stock company
Tel: +420 384 361 165
E-mail: office@jhmd.cz
Web: www.jhmd.cz

1.1.4.3 Svazek obcí údolí Desné

Svazek obcí údolí Desné owns the Šumperk – Kouty nad Desnou and Petrov nad Desnou – Sobotín regional railway.

Railway owner: Svazek obcí údolí Desné
Registered office: Družstevní 125, 788 14 Rapotín
ID No.: 65497074
Tax ID No.: CZ65497074
Legal form: association of municipalities
Tel: +420 583 242 642
E-mail: svazek@rapotin.cz
Web: www.udoli-desne.cz

1.1.4.4 KŽC, s.r.o.

KŽC, s.r.o. owns the Česká Kamenice – Kamenický Šenov regional railway.

Railway owner: KŽC, s.r.o.
Registered office: Meinlinova 336, 190 16 Praha 9
ID No.: 27210481
Tax ID No.: CZ27210481
Legal form: Limited liability company
E-mail: vlaky@kzc.cz
Web: www.kzc.cz

1.1.4.5 Moravskoslezský kraj

Moravskoslezský kraj owns the Sedlnice – Mošnov, Ostrava Airport regional railway.

Railway owner:	Moravskoslezský kraj
Registered office:	28. října 117, 702 18 Ostrava
ID No.:	70890692
Tax ID No.:	CZ70890692
Legal form:	higher-level territorial self-governing units
E-mail:	ivo.muras@msk.cz
Web:	www.msk.cz

1.1.4.6 AŽD Praha s.r.o.

AŽD Praha s.r.o. owns the Dolní Bousov – Kopidlno and Čížkovice – Obrnice regional railway.

Railway owner:	AŽD Praha s.r.o.
Registered office:	Žirovnická 2/3146, 106 17 Praha 10
ID No.:	48029483
Tax ID No.:	CZ48029483
Legal form:	Limited liability company
E-mail:	levinsky.david@azd.cz
Web:	www.azd.cz

1.2 Objective

The Network Statement's objective is to inform Applicants, the authorities and other interested parties about SŽDC infrastructure, and the terms and conditions for allocation of capacity and use.

The Network Statement presents the services that the SŽDC offers, with information regarding where they are accessible, how the allocation of services functions, which charges apply, and the conditions that apply for gaining access to the services.

The Network Statement is produced in accordance with Directive 2012/34/EU and Rail Systems Act No. 266/1994 Coll..

1.3 Legal Framework

In Czech Republic, basic legal conditions for the construction of railways, the conditions for the operation of railways, the operation of railway transport on these railways, as well as rights and obligations of natural and legal persons associated with them are stipulated by the Rail Systems Act and its implementing regulations, as amended, as well as directly effective regulations of the European Union.

Selected regulations are published on the website of the Ministry of Transport <http://www.mdcr.cz/Dokumenty/Drazni-doprava/Legislativa-v-drazni-doprave> .

1.4 Legal Status

1.4.1 General Remarks

The obligation to issue and publish the Network Statement is imposed on SŽDC in accordance with Section 33 of the Rail Systems Act.

Personal data of SŽDC employees and rail transport operators that are made available to rail operators for the purposes of rail system operation are processed in accordance with Regulation 2016/679 of the European Parliament and of the Council on Protection of Natural Persons with Regard to the Processing of Personal Data.

1.4.2 Liability

When concluding a contract for the operation of rail transport between SŽDC, as a capacity allocator and railway operator, and the applicant, the conditions stated in this Network Statement are binding on both Contracting Parties.

SŽDC continuously monitors if the text and data published in the Network Statement are correct, with the exception of the data provided or authorised by external suppliers.

SŽDC is not responsible for the data and texts provided to the railway operator or service management.

1.4.3 Appeals Procedure

The Rail Systems Act imposes the processor the Network Statement under the obligation of allowing interested persons to comment on its content at least 30 days before the date of its publication. SŽDC publishes the draft of the Network Statement on the Infrastructure Operation Portal. SŽDC shall publish the Network Statement no later than 12 months before the day when the annual timetable comes into force in a way allowing remote access. If any of the data contained in this Statement are changed, SŽDC shall record the change and re-publish the Network Statement in a way allowing remote access and indicate the changes made therein.

The Transport Infrastructure Access Authority shall, on the proposal of the applicant for the allocation of the capacity of the railway or ex-officio, decide whether any of the parts of the published Network Statement are not in contradiction with the Rail Systems Act. If the Network Statement was published due to data changes contained therein, the proposal can only be submitted for these changes. The applicant's proposal for capacity allocation must include details about the specific part of the Network Statement that is contrary to the Rail Systems Act, about the nature of the conflict, and the identification of evidence needed to prove it. If the Transport Infrastructure Access Authority decides that any part of the Network Statement is in conflict with the Rail Systems Act, it shall set a reasonable time limit in the decision after which no such part can be used. The capacity allocator shall replace the part, which is in conflict with the Rail Systems Act, with a new part, which will be incorporated in the re-published Network Statement. The Transport Infrastructure Access Authority is obliged to issue a decision no later than 40 days from the date of commencement of the proceedings.

1.5 Structure of the Network Statement

The structure of this NS follows the "Network Statement Common Structure", adopted by European infrastructure managers belonging to RailNetEurope (see chapter 1.10), on the basis of the applicable legal framework. The document is revised annually and the most recent version is available on the RNE website (<http://www.rne.eu/network-statement>). The goal of

this Common Structure is that all applicants and interested parties can find the same information at the same place in the NS of other countries.

The NS is thus structured in 6 sections constituting the main document and appendixes giving further details:

Section 1 gives general information about the NS and contacts

Section 2 defines the legal requirements and access proceedings to the railway network

Section 3 describes the main technical and functional characteristics of the railway network

Section 4 sets the procedure for the allocation of the train paths

Section 5 lists the services provided by (name of the IM) and other service facilities managers

Section 6 refers to the charging of the provided services as well as incentive schemes.

1.6 Validity and Updating Process

1.6.1 Validity Period

The Network Statement applies to capacity requests and execution of timetabled transport operations (/traffic movements) during the 2020 timetable starting on Sunday 15 December 2019 00:00 and ending on Saturday 12 December 2020 24:00. The present NS comes into force on 14 December 2018.

1.6.2 Updating Process

SŽDC regularly updates the Network Statement and edits it if necessary. The current version is published on the capacity allocator`s website (www.szdc.cz).

In line with the further development of the common structure of the Network Statement within RNE, this Statement will be modified for the period of validity of the upcoming annual timetable.

1.7 Publishing

The Network Statement is drawn in Czech and published in Czech and English on the SŽDC's website (www.szdc.cz) where it is available free of charge in electronic format. In the event of a conflict between the language versions, the Czech version of the Network Statement will be used primarily.

1.8 Contacts

See the Annex "A".

1.9 European Freight Corridors

The Regulation (EU) No. 913/2010 concerning a European rail network for competitive freight became effective on 9 November 2010. This Regulation required Member States to establish international market-oriented Rail Freight Corridors (RFCs) in order to meet the following goals:

- - strengthening co-operation between IMs on key aspects such as the allocation of paths, deployment of interoperable systems and infrastructure development,

- - finding the right balance between freight and passenger traffic along the RFCs, giving adequate capacity for freight in line with market needs and ensuring that common punctuality targets for freight trains are met,
- - promoting intermodality between rail and other transport modes by integrating terminals into the corridor management process.

SŽDC participants in RFC Baltic-Adriatic (RFC 5), RFC East and East-Mediterranean (RFC 7), RFC North-Baltic (RFC 8) and RFC Rhine-Danube (RFC 9). For a detailed description of RFCs that SŽDC is a member of, please visit the following websites:

- RFC "Baltic-Adriatic" – www.rfc5.eu,
- RFC "East and East-Mediterranean" – www.rfc7.eu,
- RFC "North-Baltic" – www.rfc8.eu,
- RFC "Rhine-Danube" – www.rfc9.eu.

1.10 RailNetEurope – International Co-operation between Railways Operators

RailNetEurope (RNE) started in January 2004 on the initiative of a number of European railway Infrastructure Managers and Allocation Bodies (IMs/ABs), who wished to establish a common, Europe-wide organisation to facilitate their international business. This can be achieved by providing solutions that benefit all RNE Members as well as RUs, non RU-applicants and other interested parties. To this end, RNE's role is also to provide support as regards compliance with the European legal framework. This entails developing harmonised international business processes, templates, handbooks, and guidelines. Also, dedicated IT tools are being streamlined and harmonised wherever necessary.

You can find more information about RNE on <http://www.rne.eu/organisation/rne-approach-structure/>.

1.10.1 One Europe – One service

A network of One-Stop Shops (OSS) represents the IMs in international traffic. They constitute a single point of contact for the entire international route of a rail service, from the initial questions related to network access to international path requests and performance reviews after a train run. [IM name] also operates an OSS.

A list of OSS contact persons in Europe is available at: <http://www.rne.eu/organisation/oss-c-oss/>.

1.10.2 RNE tools

1.10.2.1 Path coordination system (PCS)

PCS is an international path request coordination system for Railway Undertakings (RUs) and other Applicants, Infrastructure Managers (IMs,) Allocation Bodies (ABs) and Rail Freight Corridors (RFCs). The internet-based application optimises international path coordination by ensuring that path requests and offers are harmonised by all involved parties. Furthermore, PCS is the only tool for publishing the binding PaP and RC offer and for managing international path requests on RFCs.

Access to PCS is free of charge. A user account can be requested via the RNE PCS Support: support.pcs@rne.eu.

More information can be found on <http://pcs.rne.eu>.

1.10.2.2 Charging information system (CIS)

The CIS is an infrastructure charging information system for Applicants provided by IMs and ABs. The web-based application provides fast information on indicative charges related to the use of European rail infrastructure and estimates the price for the use of international train paths. It is an umbrella application for the various national rail infrastructure charging systems.

Access to CIS is free of charge without user registration.

More information can be found on <http://cis.rne.eu> or can be requested via the RNE CIS Support: support.cis@rne.eu.

1.10.2.3 Train information system (TIS)

TIS is a web-based application that supports international train management by delivering real-time train data concerning international trains. The relevant data are obtained directly from SŽDC's systems. The IMs send data to TIS, where all the information from the different IMs is combined into one train run from departure or origin to final destination. In this manner, a train can be monitored from start to end across borders.

RUs and terminal operators may also be granted access to TIS. They are invited to join the RNE TIS Advisory Board as all members of this board grant all other members full access to TIS data if they are involved in the same train run. However, if the RUs and terminal operators concerned are not members of the RNE TIS Advisory Board, mutual agreements have to be signed between individual RUs and between RUs and terminal operators.

Access to TIS is free of charge. A user account can be requested via the RNE TIS Support: support.tis@rne.eu.

More information can be found on <http://tis.rne.eu>.

2 ACCESS CONDITIONS

2.1 Introduction

Chapter 2 of this Network Statement describes the principles and conditions for applicants' access to nationwide and regional railways owned by the State, where SŽDC is the capacity allocator.

These principles and conditions will also apply to parts of the European freight corridors located on the railways, where SŽDC is the capacity allocator.

2.2 General Access Requirements

2.2.1 Conditions for applying for capacity

An application for capacity allocation from SŽDC may be filed by a legal or natural person who holds a valid licence or a person who does not hold a valid licence and has complied with all legal conditions. A person without a residence in the Czech Republic intending to submit an application for railway capacity allocation for the purpose of operating cross-border passenger rail transport shall notify of this fact to the Transport Infrastructure Access Authority no later than 2 months before submitting the application in a due form for capacity allocation within the annual timetable. Any person intending to submit an application for railway capacity allocation for the purpose of operating passenger rail transport without a public passenger transport service contract shall notify of this fact no later than 2 months before the application is filed to the Transport Infrastructure Access Authority

2.2.2 Conditions for access to the railway infrastructure

Passenger rail transport on nationwide or regional railways may be operated, in compliance with the conditions laid down by the Rail Systems Act, by a legal or natural person which:

- a) is a resident of the Czech Republic if it is not resident of a Member State of the European Union operating cross-border passenger rail transport;
- b) holds a valid licence;
- c) has concluded a contract with the railway operator for the operation of rail transport, unless the railway operator and the carrier is one person;
- d) is a holder of a valid certificate of a carrier (the certificate of safety for the operation of railway transport on nationwide and regional railways in the Czech Republic is issued on request by the Railway Authority);
- e) is financially eligible to operate rail transport. Financial capacity is proved by the carrier to the Rail Authority and it is understood as an ability to financially secure the commencement and due operation of rail transport for at least 12 months. The carrier is not financially eligible if its bankruptcy is settled by an insolvency court's decision to declare bankruptcy of the debtor's assets or to authorise a reorganisation or where the insolvency court has decided to cancel the bankruptcy because the debtor's property is completely insufficient for the creditors' satisfaction or the carrier owes tax arrears, insurance premiums, social security penalty payments, a contribution to the state employment policy or general health insurance premiums;
- f) has a paid insurance of liability for damages caused by the operation of railway transport and premiums during the entire period of operation of rail transport, while on

the railways operated by SŽDC the minimum amount of insurance benefit is set at CZK 50,000,000;

- g) has the allocated railway capacity in the whole range of railway transport operation – rail capacity on the nationwide railway and regional railways owned by state is allocated by SŽDC;
- h) has agreed the price for the use of railway for train according to the price regulations and the payment method;
- i) has negotiated with the operator of the railway special technical and operating conditions for the transport of exceptional consignments or loading capacity of the railway vehicle.

Freight rail transport on a nationwide or regional railway may be operated, in compliance with the conditions laid down by the Rail Systems Act, by a legal or natural person which:

- a) holds a valid licence;
- b) has concluded a contract for the operation of rail transport with the railway operator, unless the railway operator and the carrier are one person;
- c) is a holder of a certificate of a carrier (the certificate of safety for the operation of railway transport on nationwide and regional railways in the Czech Republic is issued on request by the Railway Authority);
- d) is financially eligible to operate rail transport. The carrier demonstrates its financial eligibility to the Railway Authority by proving its ability to financially secure the commencement and proper operation of rail transport for at least 12 months. The carrier is not financially eligible if its bankruptcy is settled by an insolvency court's decision to declare bankruptcy of the debtor's assets or to authorise a reorganisation or where the insolvency court has decided to cancel the bankruptcy because the debtor's property is completely insufficient for the creditors' satisfaction or the carrier owes tax arrears, insurance premiums, social security penalty payments, a contribution to the state employment policy or general health insurance premiums;
- e) has a paid insurance of liability for damages caused by the operation of railway transport and premiums during the entire period of operation of rail transport, while on the railways operated by SŽDC the minimum amount of insurance benefit is set at CZK 50,000,000;
- f) has the allocated railway capacity in the whole range of railway transport operation – rail capacity on the nationwide railway and regional railways owned by state is allocated by SŽDC;
- g) has agreed the price for the use of railway for train according to the price regulations and the payment method;
- h) has negotiated with the operator of the railway special technical and operating conditions for the transport of exceptional consignments or loading capacity of the railway vehicle.

For more details about the contract, see Chapter **Chyba! Nenalezen zdroj odkazů..**

2.2.3 Licences

A licence to operate rail transport issued by an authority of a Member State of the European Union is valid on the territory of the Czech Republic.

In the Czech Republic, the licence for the operation of railway transport on the nationwide and regional railways is issued by the Railway Authority based at Wilsonova 300/8, 121 06 Prague 2.

The licence may be issued under the terms of the Rail Systems Act, i.e. if the applicant:

- a) is over 18 years of age and, in the case it is a natural person, is fully legally competent,
- b) is without criminal report,
- c) is professionally competent,
- d) is financially illeigible,
- e) has not seriously violated labour-law regulations,
- f) has not seriously breached customs regulations, in the case of an authorisation to operate rail freight transport,
- g) is insured as of the date of commencement of rail transport operation in the case of an obligation to compensate for the damage caused by such operation and
- h) is a resident of the Czech Republic.

For more information visit www.ducr.cz.

2.2.4 Safety Certificate

As of the date of the commencement of rail transport on the nationwide and regional railways the carrier shall be a holder of the carrier's certificate indicating the mode of transport and the range of services to which it applies. The certificate is issued upon the carrier`s request by the Rail Authority, based at Wilsonova 300/8, 121 06 Prague 2. The carrier's certificate consists of:

- a) parts certifying actions taken by the carrier to meet the requirements of the internal organisational structure and management system for rail transport and the establishment of a rail safety management system, which is a set of organisational and technological measures for the safe operation of rail transport,
- b) parts certifying measures taken by the carrier in order to meet the conditions of professional competence of persons providing railway transport operation, conditions stipulated by the Rail Systems Act on operation of railway vehicles and specific technical equipment for the issue of internal regulations for the operation of railway transport, operation of railway vehicles, operation of specific technical equipment, requirements for the professional competence and knowledge of persons providing rail transport operations and the way they are reviewed, including a system of regular training.

A carrier who holds a carrier certificate issued by an authority of another Member State of the European Union shall receive upon fulfilment of the legislative requirements a certificate from the Rail Authority with only the parts referred to in Subparagraph (b) above.

For more information, visit www.ducr.cz

2.2.5 Cover of liabilities

A carrier who operates rail transport on a nationwide or regional railway is obliged to comply with the requirements of the Rail Systems Act in relation to financial eligibility and insurance:

- a) financially ensure the proper operation of rail transport throughout the period of validity of the licence,
- b) as of the date of commencement of the railway transport, negotiate insurance for liability for damages from the operation of railway transport, pay the insurance premiums and have this insurance agreed and premiums paid for the whole period of operation of railway transport, subject to a minimum amount of indemnity set at CZK 50,000,000 for railways operated by SŽDC.

2.3 General Commercial Conditions

SŽDC allocates railway capacity at a price negotiated according to the pricing regulations by setting the frame time routes of trains. It allocates railway capacity for the duration of the annual timetable.

2.3.1 Contracts with RUs

The safe operation of railway transport requires the cooperation of all parties involved. In this process, these are the carrier, the rail operator and the railway owner. Their mutual relations are defined by a bilateral agreement.

For a carrier which enters a railway for the purpose of operating rail transport, this is a contract for the operation of rail transport on the nationwide and regional railways concluded by the carrier and the railway operator.

The carrier is obliged to operate rail transport in accordance with a contract for operation of railway transport concluded with the railway operator. The railway operator is obliged to provide the carrier with contractually negotiated services in standard quality and on a non-discriminatory basis.

The carrier and the operator of a railway on which the traffic is to be operated may not deviate from the contents of this Statement when concluding or amending the contract for operation of railway transport.

Should there be a dispute between the railway operator and the carrier regarding the compliance of the contract proposal with the Rail Systems Act, the Transport Infrastructure Access Authority will decide upon request of one of the contractual parties whether the contract proposal is in conflict with the Rail Systems Act.

2.3.1.1 A contract between RU and SŽDC as a allocation body and infrastructure manager

Commercial terms and conditions shall be negotiated by SŽDC with the RU prior to the commencement of the operation of rail transport, by concluding a bilateral contract.

The subject of the contract is to regulate the mutual rights and obligations of the contracting parties in:

- a) allocation of rail capacity on the nationwide and regional railways on which SŽDC is the capacity allocator,
- b) operation of rail transport on the nationwide and regional railways operated by SŽDC,
- c) use of service facilities operated by SŽDC and the use of services directly related to the operation of railway transport on nationwide or regional railway provided by SŽDC.

The contractual terms and conditions for the use of the railways on routes rented to a third party are governed by separate contracts between the carrier and the tenant of the relevant regional railway.

The standard format of the contract between the carrier and SŽDC as the capacity allocator and railway operator:

C O N T R A C T
*on the operation of rail transport on the nationwide
and regional railways*

Chapter I Operation of rail transport

Article 1 Allocation of railway capacity

Article 2 Timetable and train movement planning

Article 3 Restriction of railway operation

Article 4 Conditions for regulation

Article 5 Employees of the carrier

Article 6 Rail vehicles

Article 7 Exceptional consignments

Article 8 Restriction of train movements

Article 9 Emergencies

Chapter II Service and performance fees

Article 10 Costs for the capacity allocation

Article 11 Prices for the use of the railway

Article 12 Prices for provided services

Article 13 Register of performances and services

Article 14 Invoicing

Chapter III Other arrangements

Article 15 Liability for damages or other detriments

Article 16 Performance remuneration system

Article 17 Termination of the contractual relation

Article 18 Other arrangements

Article 19 Final provisions

Annex 1 Internal Regulations of the Railway Operator

Annex 2 Summary of Invoiced Prices for the Use of Railway for Train Movement

Annex 3 Summary of Sanctions for Unused or Cancelled Allocated Capacity

For more information see Section 5.

2.3.1.2 Contract between the RU and PKP CARGO INTERNATIONAL, a.s. as the infrastructure manager

PKP CARGO INTERNATIONAL, a.s., as the infrastructure manager of the Milotice nad Opavou – Vrbno pod Pradědem regional railway, enables the operation of rail transport on the relevant regional railway only to carriers that meet the conditions for operating rail transport pursuant to Act No. 266/1994 Coll., on Railways, as amended, under a contract concluded for the operation of rail transport when complying with the conditions stipulated by the contract. The conclusion of the contract can be requested in writing at the address of the company (PKP CARGO INTERNATIONAL, a.s., Hornopolní 3314/38, Ostrava, Moravská Ostrava, Postcode 702 62 or email at the address: drznilegislativa@pkpcargointernational.com or via mailbox – ID: gv4cgeh.

2.3.2 Contracts with non-RU Applicants

A condition for allocating infrastructure capacity to a non-RU applicant is meeting legal requirements by the applicant and the conclusion of the Contract for allocation of capacity between SŽDC and the non-RU applicant. The subject of this contract is to regulate the mutual rights and obligations of the contracting parties in requesting and allocating railway capacity and its subsequent use.

On freight corridors (see Chapter 1.9), the specific rules contained in Regulation 913/2010/EU, as well as other specific rules published in the Corridor Information Document of each corridor (CID), apply. These specific rules apply only to international freight trains operating under the rules of a particular freight corridor.

Standard format of contract between the applicant and SŽDC:

CONTRACT

on allocation of railway capacity to the non-RU applicant

<i>Article 1</i>	<i>Definitions</i>
<i>Article 2</i>	<i>Subject of the contract</i>
<i>Article 3</i>	<i>Right and obligations of the contracting parties</i>
<i>Article 4</i>	<i>Price and payment conditions</i>
<i>Article 5</i>	<i>Validity</i>
<i>Annex 1</i>	<i>Contact Addresses of Each IM for Defining the RU by the Applicant</i>

2.3.3 Framework Agreement

SŽDC in accordance with Article 14 of Commission Regulation (EU) 2016/545 does not offer and does not newly conclude framework agreements for reservation of railway capacity. The validity of the existing framework agreements concluded for a fixed period will not be extended and it is not possible to increase the booked railway capacity specified therein for the remaining period of validity of these agreements.

2.4 Operating Rules

Basic operating rules on nationwide and regional railways are issued by the Ministry of Transport in the form of implementing decrees to the Rail Systems Act.

For more information visit www.mdcr.cz.

The specific list of operating rules that the carrier is obliged to observe when operating rail transport is determined in the contract between the carrier and the railway operator (see Chapter 2.3.1.1). On European freight corridors (see Chapter 1.9), other specific rules published in the Corridor Information Document of each corridor (CID) apply. These specific rules apply only to international freight trains operating under the rules of a particular freight corridor.

2.4.1 Internal Regulations

In accordance to Rail Act SŽDC issued the internal regulations stating the rules for organising and securing railway operation on nationwide and regional railways operated by SŽDC and binding on carriers. The list of this internal regulations is published on the Infrastructure Operation Portal and is also included in the contract for operation of railway transport.

The basic internal regulations stating the rules of organising and securing railway operation on nationwide and regional railways which come into contact with railways of neighbouring countries (see **Chyba! Nenalezen zdroj odkazů.**) and on railways with remote-controlled signalling equipment, are supplemented or modified by other documents by the railway operator.

The SŽDC has procedures in place to recognize the need for co-operation with other entities in areas where they share interfaces and which could influence the implementation of appropriate risk mitigation measures in line with the requirements of Commission Regulation (EU) No 1169/2010.

The basic internal regulations stating the rules for organising and securing railway operation on rented regional railways shall be laid down by the operator of the relevant regional railway.

Contacts to regional railway operators are listed in Chapter 1.1.3 and in Annex “A”.

2.4.2 Mutual Communication between IM and RU

In compliance with the Commission Decision of 14 November 2012 on the technical specification for interoperability relating to the sub-system “transport operation and management” of the rail system in the European Union and amending Commission Decision 2007/756/EU, Czech language is the operation language on railway infrastructure operated by SŽDC. On border railways, different operation language can be agreed by the operators of the railways.

The Infrastructure Operation Portal is one of the basic means of communication of SŽDC, the railway operator, with carriers. It provides information about the railway infrastructure, such as access conditions, the border arrangements and the internal regulations of the railway operator, the description of the operated network (Railway situation tables, Basic transport documentation), closures on network operated by SŽDC, including plans, closure commands and a list of slow train movements. Furthermore, current and planned utilities for the annual timetable together with information for the carriers, contacts to the SŽDC dispatcher board and links to other applications of the railway operator, where access is offered to carriers, are published there.

The official website of SŽDC (www.szdc.cz) is intended for communication with the public.

2.4.2.1 Ensuring mutual data communication between RU and SŽDC within TAF/TAP TSI implementation

SŽDC operates a Set of Operation Information Systems (SPIS). The respective systems are interconnected and mutually linked and cover the whole life cycle of the train from the submission of the rail route application up to final pricing for the use of the railway and train movement. For communication with carriers IS, standards defined in the Common European Implementation TAF/TAP TSI are followed. During successive implementation of TAF TSI (Commission Regulation (EU) No. 1305/2014) and TAP TSI (Commission Regulation No. 454/2011) and simultaneously with the operation of IS KAPO to ensure automated calculation of the cost for the use of the railway, train movement and other services of SŽDC, bilateral data communication between carriers` IS and the railway operator`s IS is being initiated. The conditions for mutual data communication between IS of the carriers and individual SPIS applications are published in the Infrastructure Operation Portal and are also subject to mutual agreement. Data communication of the IS of the carrier with the SPIS takes place in accordance with the above legislation by the exchange of defined messages via the Common interface. Specific access of the carrier`s IS to the individual SPIS applications is subject to

the consent of the authorised representative of SŽDC for data exchange with SPIS. Basic precondition of bilateral data communication between IS of RUs/Applicant to individual SPIS applications is allocation of company code according TAF TSI and TAP TSI. This precondition applies also to data input in form of access to Information systems of SŽDC.

In some cases, SŽDC offers access to its own IS as a full-featured option for data communication where carriers can use provided services.

The aim of SPIS is a maximally successful automation of the individual processes and activities of the railway operator leading to the on-line link of the carrier's IS and the surrounding IM via the central RNE IS, as well as to automated calculation of the costs for railway capacity allocation, use of the railway by means of the train movement and other provided services. This replaces the previously predominant use of manually maintained records and increases the accuracy of all processes at the interface between carriers and SŽDC and of the internal processes of the railway operator, which ultimately results in a higher quality and efficiency of the railway operator's activity.

For determining detailed conditions and rules of using SPIS and communication with SPIS, SŽDC issues the regulation IS 10, the "Regulation for the Use of the Set of Operation Information Systems (SPIS)".

2.5 Exceptional Consignments

The consignment is considered exceptional any of the participating railway operators is required to adopt and implement specific technical or operational measures due to its external dimensions, weight or nature, taking into account the parameters used for the rail vehicles and railways affected by transport.

Exceptional consignments (hereinafter referred to as "EC") are:

- a) consignments exceeding loading gauge (hereinafter referred to as "ELG"), vehicles exceeding the reference profile:
 - » a consignment which, in its dimension, exceeds the loading gauge or the required loading width limitation,
 - » consignments of combined transport load units exceeding the applicable loading gauge, whose code is higher than the code of the relevant route or which are transported on trains not designed for combined transport (the relevant train code is not provided) or load units are not loaded on approved coded wagons for combined transport,
 - » a rail vehicle that exceeding with its kinematic or static outline the reference profile corresponding to the clearance profile of the track, unless the Rail Authority has provided otherwise.
- b) Consignments of excessive weight:
 - » the weight of the consignment exceeds the specified track load class on the respective railway (per axle or regular meter of the vehicle);
 - » the weight of the load exceeds the vehicle's maximum load rating (load gauge grid/ additional data grid).
- c) Consignments of excessive length:

- » solid load units on two wagons with swivelling bolster / sliding swivelling bolster,
 - » consignments of flexible load units of more than 36m in length on more than one wagon³.
- d) Other consignments:
- » a rail vehicle that has been approved for operation under specific technical and operation conditions by the Rail Authority (as an exceptional consignment);
 - » consignments loaded on wagons with more than 8 axles.
- e) Other consignments with respect to the following regulations: CIM, AVV, UIC Loading Directive and Decree UIC 502-1:
- » a rail vehicle transported on its own wheels, which itself is the subject of a contract of carriage, not labelled using the RIV/RIC/TEN or in the loading capacity grid (e.g. CZ/ČD) under the conditions of the AVV General Contract of Use for Wagons, Annex 11, Article 2.1 or 2.2,
 - » a cargo which is not stored and secured in accordance with international regulations (e.g. the UIC Loading Directive) and if no comparable alternative securing is available,
 - » consignment that is to be transloaded to ships (ferry) if it does not comply with the conditions stated in the AVV General Contract of Use for Wagons (AVV, Annex 11, Appendix 1)
 - » a cargo consignment that cannot be transported to its destination station without transshipment if it weighs more than 25 tonnes or is loaded on a well wagon (applies only for transshipment to rails with a different track gauge),
 - » other consignments not mentioned above resulting from the European standards, Agreements and Conventions (e.g. UIC)⁴.

Exceptional consignments may only be transported after the conditions specified by the operator have been met. The carrier is obliged to discuss EC transport on nationwide and regional railways operated by SŽDC with SŽDC – URMIZA (Central Registry of Exceptional Consignments) according to SŽDC Regulation No. D31, which defines rules for discussing, organising and assessing the possibility of EC transport. SŽDC Regulation No. D31 applies the provisions of Decree UIC No. 502-1, which regulates the approval procedures in EC international transport.

EC transport in international transport has to be discussed and harmonised in advance with the cooperating carriers on railway infrastructure.

³ In the case of SŽDC and some other railway undertakings, transports in covered wagons are considered to be regular consignments (without negotiation as an EC) if the conditions of cargo securing are met in accordance with the principles of international regulations (e.g. the UIC Loading Guidelines).

⁴ These include, for example, wagons with expired revision, where damage and defects have been found that limit the transport speed and where the transport is permissible only as an exceptional consignment; a rail vehicle on its own wheels (a traction unit, an electric/motor unit, etc.) which may only be transported as an exceptional consignment in compliance with specific technical and operating conditions.

Decree UIC No. 502-1 is published by UIC on: <http://www.uic.org/etf/codex/codex-resultat.php?codeFiche=502>.

The list of departments/persons of railway operators and carriers that are authorised to discuss EC international transport is listed as MB 502-1_Annex E on the UIC website: <http://www.uic.org/spip.php?article2145>.

Contact information:

Správa železniční dopravní cesty, státní organizace
Department of Operation and Closure Management – URMIZA
Dlážděná 1003/7, 110 00 Praha 1 – Nové Město

Workplace:

Křižíkova 2, Praha 8

Tel: +420 972 244 761

+420 972 244 405

Fax: +420 972 244 690

e-mail: urmiza@szdc.cz

Nerudova 1, Olomouc

Tel: +420 972 741 258

Fax: +420 972 741 203

E-mail: urmiza@szdc.cz

Contacts to operators of other regional railways are listed in Chapter 1.1.3 and in Annex "A".

2.6 Dangerous Goods

"Dangerous goods" means materials and objects of which the carriage is prohibited under the RID (Regulation concerning the International Carriage of Dangerous Goods by Rail) or authorised only under certain conditions.

The transport of dangerous goods by rail is legislated by the RID, and the following national legislation::

- Act No. 266/1994 Coll., on Railways, as amended.
- Government Regulation No. 1/2000 Coll., on Transport Regulation for Public Railway Freight Transport, as amended.
- Decree No. 376/2006 Coll., on the Safety System of Railways and Rail Transport and on Procedures for the Occurrence of Exceptional Events on Railways.
- Decree of the Ministry of Transport No. 100/1995 Coll. that stipulates the conditions for operation, construction and production of specified technical equipment and their specification (Rules of specified technical equipment).
- Government Regulation No. 208/2011 Coll., on Technical Requirements for Transportable Pressure Equipment.

In accordance with the RID provision, SŽDC has developed the Internal Emergency Plans for the following train stations:

- | | | |
|------------------------------|------------------------|------------------------|
| • Beroun seř.n. | • České Velenice | • Chomutov |
| • Brno-Maloměřice | • Děčín hl.n. | • Jihlava |
| • Břeclav přednádraží | • Domažlice | • Kolín |
| • Bohumín-Vrbice | • Havlíčkův Brod | • Kralupy nad Vltavou |
| • Česká Třebová
směr.sk. | • Hněvice | • Krnov |
| • České Budějovice
seř.n. | • Horní Dvořiště | • Liberec |
| | • Hradec Králové hl.n. | • Lovosice |
| | • Cheb | • Mladá Boleslav hl.n. |

-
- | | | |
|------------------------|----------------------|------------------------|
| • Most nové nádraží | • Plzeň seř.n. | • Třinec |
| • Nové Sedlo u Lokte | • Praha-Libeň | • Turnov |
| • Nymburk seř.n. | • Protivín | • Týniště nad Orlicí |
| • Olomouc pravé předn. | • Přerov přednádraží | • Ústí nad Labem západ |
| • Ostrava Kunčice | • Sokolov | • Valašské Meziříčí |
| • Ostrava levé n. | • Strakonice | • Veselí nad Lužnicí |
| • Ostrava pravé n. | • Tábor | • Znojmo |
| • Pardubice hl.n. | • Trutnov hl.n. | |

See also Chapter **Chyba! Nenalezen zdroj odkazů.** and 4.7.2.

2.7 Rolling Stock Acceptance Process Guidelines

The basic rules for the operation of rail vehicles on nationwide and regional railways are laid down by the Rail Systems Act.

The Rail Administrative Authority will approve the type of the rail vehicle in accordance with applicable law. The basis for the decision of the Rail Administrative Authority is a certificate of conformity issued by an authorised person under a special legal regulation (Government Regulation No. 133/2005 Coll., on Technical Requirements for the Operational and Technical Interconnection of the European Railway System) if the rail vehicle is a subsystem of the European rail system. In other cases, the basis for the decision of the Rail Administrative Authority shall be the outcome of the test of the rail vehicle, which shall be performed by the rail vehicle manufacturer or another person demonstrating legal interest in the approval of the rail vehicle type at its own expense with the legal entity authorised by the Ministry of Transport.

On railways, a railway vehicle can be run which, in its construction and technical condition, meets the requirements of rail transport safety, service personnel, persons and goods transported and whose technical competence has been proven to comply with the approved type and which does not endanger the environment. Traction rail vehicles and non-traction rail vehicles driven on railways at a speed of more than 160 km/h must be certified not only in compliance with an approved type but also by the Railway Authority. If the carrier or its employee discovers that the operation of the vehicle is jeopardising the safety of the rail transport, it shall immediately take measures to prevent the occurrence of an exceptional event or to reduce its consequences.

Vehicle approval is also exercised by the European Union Railway Agency in the scope and manner of Regulation 2016/796 and implementing regulations, if any.

For more information, visit www.ducr.cz

The carrier must prevent all negative environmental impacts while operating rail vehicles and respect generally applicable regulations.

When operating traction rail vehicles, the carrier shall ensure their maintenance and service in a way that is not in conflict with the valid legislation of the Czech Republic while preventing negative environmental impacts.

The carrier is obliged to take its own measures to eliminate negative environmental impacts that have occurred in connection with the operation of the rail vehicles, even if another entity is at fault.

A carrier whose activity caused a damage to the environment is required to take immediate remedial action. If this is impossible or non-effective for the carrier, it is obliged to compensate SŽDC for environmental damage in another way (alternative performance) or to compensate ČŽDC for this damage in cash.

In order to prevent potential environmental danger, SŽDC defines in its internal regulations the operational conditions and the specific measures to prevent or minimise potential environmental damage. These operational conditions and measures are binding on all natural and legal persons involved in railway operations.

Only rail vehicles with wheelsets maintained in accordance with ČSN EN 15313 can be operated on railways operated by SŽDC.

The carrier is obliged to ensure that the rail vehicle is inspected after the following occurs

- derailment of the vehicle in which at least one wheel has left the top of the rail head even for a short period of time, or has passed a rigid object higher than 3cm (except for the stopping or dropping of the railhead in rail brakes)
- the impact of the vehicle on an obstruction at a speed exceeding 5.5 km/h even through buffers,
- exceeding the maximum weight of the load in relation to the car's length or floor area, overloading of the wagon, chassis, wheelset or wheels by more than 5% above the permitted load,
- free fall of a compact solid object on the wagon floor with the energy corresponding to the fall of an object weighing at least 30kg from a height of 3m,
- drawing or pushing the vehicle by shearing or by applying force to parts other than specified,
- violent removal of plastic deformations of the carcass or underbody,
- passing through a hump in a gravity yard with a vehicle whose restraint is limited or prohibited,
- exposure to aggressive media,

by a qualified person after each handling of the rail vehicle and subsequently set the conditions for further transport. These conditions shall be sent to SŽDC by the carrier.

2.8 Staff Acceptance Process

Requirements for the medical fitness of employees responsible for the operation of railways and rail transport are stipulated by Decree No. 101/1995 Coll., and stated in the Rules for the Health and Professional Competence in the Operation of a Railway and Railway Transport, as amended. Requirements for the professional competence of persons conducting the railway vehicle are laid down by Decree No. 16/2012 Coll., on the professional competence of persons conducting the railway vehicle and persons carrying out inspections, examinations and tests of specified technical equipment and on the amendment of Decree of the Ministry of Transport No. 101/1995 Coll. issuing the Rules for the Health and Professional Competence in the Operation of Railway and Railway Transport, as amended.

The specific requirements for the professional competence and knowledge of the persons responsible for the operation of rail transport and the method of their verification, including the system of regular training, shall be defined by each carrier as an internal regulation for the operation of rail transport.

Specific requirements for the professional competence and knowledge of persons providing activities related to the organisation and management of rail transport and the way of their verification, including the system of regular training, shall be laid down by an internal regulation.

Access into the operated railway infrastructure, into premises and buildings of SŽDC is granted to persons with a valid staff ID of the railway transport operator.

All other persons must apply for permission to enter the railway infrastructure, premises and buildings of SŽDC. The permit is issued by SŽDC in accordance with SŽDC regulation Ob1, part II. The application procedure and information for the authorisation of the licence can be found at www.szdc.cz in section "Access to ŽDC."

The carrier shall enter the licence number of each driver driving the traction unit of a train into the IS of SŽDC before each movement of that train. This obligation is not a condition for access on the railway and if not fulfilled by the carrier it does not prevent the carrier from using the railway or does not affect in any way the relations between SŽDC and the carrier. The licence number serves solely to verify the fulfilment of conditions for the operation of rail transport by the carrier, in accordance with the provisions of Section 23 (1) (d) of the Rail Systems Act and for the needs of the Railway Authority; SŽDC employees do not have access to data in the IS SŽDC which would allow for a closer identification of the holder of the licence number. If the licence number of the engine driver driving the traction vehicle on the train is not entered into the IS, SŽDC shall inform the Rail Authority immediately.

3 INFRASTRUCTURE

3.1 Introduction

This chapter contains a description of the functional and technical characteristics of the railway infrastructure owned by the Czech Republic. It is formulated for the purpose of meeting existing and new Railway Undertakings' information needs in connection with their planning of railway traffic. Reference is made to (e.g. IMs document, Technical Rules, "Supplementary Information and regulations", maps).

3.2 Extent of Network

3.2.1 Limits

The technical specifications of the network are described in this chapter and shown on maps M02 to M13. Technical specifications are also part of the Infrastructure Register maintained in accordance with the provisions of Article 35 of Directive 2008/57/EC on the Interoperability of the Rail System within the Community.

3.2.2 Connected Railway Networks

The contact points of nationwide and regional railways with railways in neighbouring countries:

Border point	Foreign Rail Administration
Mosty u Jablunkova st.hr. (km 286.534)	Železnice Slovenskej republiky (ŽSR)
Horní Lideč st.hr. (km 21.110)	Železnice Slovenskej republiky (ŽSR)
Vlárský průsmyk st.hr. (km 163.500)	Železnice Slovenskej republiky (ŽSR)
Velká nad Veličkou st.hr. (km 44.685)	Železnice Slovenskej republiky (ŽSR)
Hodonín st.hr. (km 3.009)	Železnice Slovenskej republiky (ŽSR)
Sudoměřice nad Moravou st.hr. (km 14.950)	Železnice Slovenskej republiky (ŽSR)
Lanžhot st.hr. (km 11.395)	Železnice Slovenskej republiky (ŽSR)
Břeclav st.hr. (km 77.992)	ÖBB Infrastruktur AG (ÖBB)
Znojmo st.hr. (km 87.660)	ÖBB Infrastruktur AG (ÖBB)
České Velenice st.hr. (km 163.100)	ÖBB Infrastruktur AG (ÖBB)
Horní Dvořiště st.hr. (km 61.097)	ÖBB Infrastruktur AG (ÖBB)
Železná Ruda st.hr. (0.000)	DB Netz AG (DB Netz)
Česká Kubice st.hr. (km 184.102)	DB Netz AG (DB Netz)
Cheb st.hr. (km 140.587)	DB Netz AG (DB Netz)
Aš st.hr. (km 29.585)	DB Netz AG (DB Netz)
Vojtanov st.hr. (km 51.897)	DB Netz AG (DB Netz)
Kraslice st.hr. (km 27.452)	DB Netz AG (DB Netz)
Potůčky st.hr. (km 46.199)	DB Netz AG (DB Netz)

Border point	Foreign Rail Administration
Vejprty st.hr. (km 35.391)	DB Netz AG (DB Netz)
Děčín st.hr. (km 11.860)	DB Netz AG (DB Netz)
Dolní Poustevna st.hr. (km 26.271)	DB Netz AG (DB Netz)
Rumburk st.hr. (km 97.690)	DB Netz AG (DB Netz)
Varnsdorf staré nádr. st.hr. (km 13.706)	Deutsche Regionaleisenbahn GmbH (DRE)
Varnsdorf st.hr. (km 11.459)	DB Netz AG (DB Netz)
Hrádek nad Nisou st.hr. (km 21.769)	PKP Polskie Linie Kolejowe S.A. (PKP-PLK)
Frýdlant v Čechách st.hr. (km 200.107)	PKP Polskie Linie Kolejowe S.A. (PKP-PLK)
Harrachov st.hr. (km 40.111)	Dolnośląska Służba Dróg i kolei (DSDiK)
Královec st.hr. (km 62.089)	PKP Polskie Linie Kolejowe S.A. (PKP-PLK)
Meziměstí st.hr. (km 92.774)	PKP Polskie Linie Kolejowe S.A. (PKP-PLK)
Lichkov st.hr. (km 113.251)	PKP Polskie Linie Kolejowe S.A. (PKP-PLK)
Mikulovice st.hr. (km 51.500)	PKP Polskie Linie Kolejowe S.A. (PKP-PLK)
Jindřichov ve Slezsku st.hr. (km 25.694)	PKP Polskie Linie Kolejowe S.A. (PKP-PLK)
Bohumín-Vrbice st.hr. (km 4.275)	PKP Polskie Linie Kolejowe S.A. (PKP-PLK)
Bohumín st.hr. (km 279.628)	PKP Polskie Linie Kolejowe S.A. (PKP-PLK)
Petrovice u Karviné st.hr. (km 292.602)	PKP Polskie Linie Kolejowe S.A. (PKP-PLK)
Český Těšín st.hr. (km 139.112)	PKP Polskie Linie Kolejowe S.A. (PKP-PLK)

The list of railway operators interconnected with the Czech Republic is given in Annex "H".

3.2.3 Other information

Railway networks are divided into individual categories depending on their significance, purpose and technical conditions stipulated in the implementing regulation.

Railway categories for the purposes of this Statement are:

- a) nationwide railway, which is a railway that serves for international and national public rail transport and is marked as such,
- b) regional railway, which is a railway with regional or local importance that serves for public rail transport and is interconnected with nationwide or other regional railway,
- c) local railway, which is a railway with local importance separated from nationwide or regional railway; it is to be defined as separated if it allows the transport of a railway vehicle to a different railway only with the use of special technical equipment or if it only serves for the operation of non-public passenger rail transport, passenger rail transport for the purposes of tourism or it is operated using historical trains,
- d) siding, which is a railway that serves solely for the needs of an operator or other entrepreneur and is interconnected with nationwide or regional railway or with another siding,

- e) test track, which is a track that serves in particular to carry out the test operation of railway vehicles or type-approval or type-modification test for railway vehicles and railway infrastructures,

See Annex “B”.

Current data about the infrastructure are provided on request by individual rail operators. Contacts to regional railway operators are listed in Chapter 1.1.3 and in Annex “A”.

3.3 Network Description

The track consists of:

- a) substructure consisting of the substructure body, construction and substructure equipment, as well as the traffic surface,
- b) superstructure consisting of a track, switch, special constructions and structural elements; parts of superstructure include rails, rail supports, fasteners, rail fastening system, switch components, expansion joints, insulated rail joints, conductive and special joints, retaining rails, protective rails, rack rods, equipment preventing rail movement, sleeper anchors, track ballast, switch heating,
- c) level crossings,
- d) constructions and fixed equipment necessary for protection against unfavourable impact of the railway, i.e. equipment protecting against noise, stray currents, corrosion, interference of telecommunication systems, impact of high voltage and limiting the impact of railway (transport) operation on the electricity system,
- e) communication equipment for the transmission of information containing transmission paths, terminal, connecting, and transmission equipment that are connected to separate circuits or telephone, telex, data and radio networks, radio, clock and information equipment, industrial television and fire alarm systems,
- f) signalling equipment consisting of technical devices securing and controlling rail transport at railway stations and railways, equipment for the mechanisation and automation of hump yards and related transmission paths,
- g) electrical equipment containing power supply equipment for electric traction vehicles (traction power and switch stations, traction lines), devices for dispatcher control, electrical heavy-current railway equipment for the production, transformation, supply and utilization of electric energy, specialised electrical and lighting equipment and devices, devices securing power supply of signalling equipment, electrical equipment for train pre-heating, equipment for protection against the effects of atmospheric electricity, equipment for protection against negative effects of the reverse traction currents, or other electrical equipment powered from the overhead line,
- h) fixed equipment for measurement, maintenance and repair works on the railway, equipment for malfunction diagnostics of moving vehicles and related buildings,
- i) buildings and equipment designed to organise, secure and manage rail transport, to meet transport needs and to provide services related to the public transport, including utilities necessary for their operation,
- j) land around the railway,
- k) other equipment that has an impact on the operation of a railway vehicle or the operation of a railway vehicle has an impact on it.

This Network Statement applies only to those parts of the nationwide and regional railways owned by the Czech Republic. The above mentioned parts of the railway meet the technical conditions and requirements of the spatial arrangement, track class, the geometrical arrangement of the track and the body of the substructure, substructure equipment and conditions for the construction of a level crossing, technical parameters of the superstructure, track marking system, equipment of railway stations and stops, arrangement of electrical equipment, signalling and communication equipment.

Detailed information on a particular network element is provided by SŽDC on request at oss@szdc.cz

3.3.1 Geographic Identification

Basic Characteristics of the Railway Network (as of 30 June 2017)

Total length of railways (km)	9,459
single-track (km)	7,534
double-track and multi-track (km)	1,925
Length of TEN-T tracks (km)	2,393
Length of electrified tracks (km)	3,216
AC 25 kV / 50 Hz (km)	1,382
DC 3 kV (km)	1,774
DC 1.5 kV (km)	24
AC 15 kV / 16.7 Hz (km)	14
Length of narrow-gauge lines (km)	23
Total length of tracks (km)	15,493
Length of tracks with speed (km)	
up to 80 km/h	7,098
81 - 120 km/h (km)	1,821
121 - 159 km/h (km)	181
160 km/h and more (km)	360
Number of switches (pcs)	21,753
Number of bridges (pcs)	6,784
Total length of bridges (m)	152,198
Number of tunnels (pcs)	163
Total length of tunnels (m)	45,762
Number of level crossings (pcs)	8,041
Length of tracks equipped with	
automatic block (km)	3,269
automatic signal block (km)	2,695
relay semi-automatic block (km)	911

semi-automatic signal block (km)	313
Length of tracks equipped with	
automatic train stopping device (km)	1,832
remote control of stations (km)	1,676
Number of stations equipped with signalling equipment	
electronic	341
hybrid	32
relay	385
electromechanical (mechanical)	516
remotely controlled	295

3.3.1.1 Track Typologies

The extent of single-track, double-track and multi-track routes is to be found in the annexed map.

See map “M05”.

3.3.1.2 Track Gauges

Nationwide and regional railways consist of tracks with standard gauge, defined in accordance with UIC Decree No. 510, i.e. 1,435mm (except for the Třemešná ve Slezsku – Osoblaha regional railway with a narrow track gauge of 760mm).

3.3.1.3 Stations and Nodes

See Chapter 3.6 and Annex “B”.

3.3.2 **Capabilities**

3.3.2.1 Loading Gauge

The spatial arrangement of the track constructions is defined by the dimensional parameters of the tracks, which shall secure a safe clearance of railway vehicles.

The Z-GC and Z-GB clearance profiles for standard gauge track are based on clearance profile parameters set by the European Committee for Standardisation CEN (EN 15273-3) created on the basis of reference kinematic profiles for GB and GC vehicles.

The Z-GČD clearance profile for standard gauge track is based on reference kinematic profile for GČD vehicles, which is identical to the G2 reference kinematic profile.

The Z-GCZ3 clearance profile for standard gauge track is based on the GCZ3 reference kinematic profile and used for double-decked passenger units. The GCZ3 reference kinematic profile is bigger than the DE3 reference kinematic profile (according to Article D.4.8 ČSN EN 15273-3).

Basic clearance profiles applicable to straight track and track in a curve with a radius of 250m or more are the following:

- a) Basic Z-GC clearance profile is used in new buildings and reconstructions of buildings and facilities on the nationwide as well as on regional railways,
- b) Basic Z-GB, Z-GČD and Z-GCZ3 clearance profiles (alleviations compared to Z-GC) are used in the assessment of existing buildings (until they are modernised or

reconstructed) or during renovations unless the removal of clearance obstructions is economically or technically achievable. Assessment of the Z-GB clearance profile does not replace the assessment of the Z-GČD clearance profile. Assessment of the Z-GCZ3 clearance profile replaces assessments of the Z-GB and Z-GČD clearance profiles.

In curves with the radius less than 250m, the width of basic clearance profiles, including the lateral free spaces thereof, is increased according to internal regulations of SŽDC.

Only equipment that changes its position concurrently with the vehicle movement (railway brakes in service position, contact wire on electrified railway lines, etc.) can interfere with the clearance profile, provided that contact of this equipment with the designated vehicle parts is precisely defined and contact with other parts of the vehicle is prevented. For the platform edge at the height of 550mm, the provisions of ČSN 73 6320 + Z1 for the given clearance profile are used.

The Z-GC, Z-GČD and Z-GCZ3 clearance profiles as well as profiles for free and handling space are listed in Annex "I".

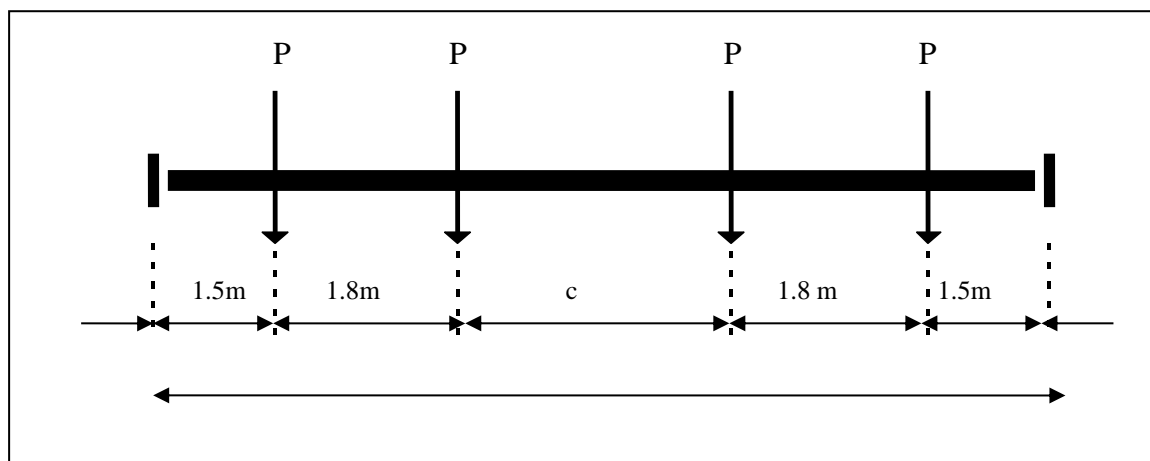
3.3.2.2 Weight Limits

The tracks of nationwide and regional railways are divided into track classes with corresponding speed limits, depending on which of the most efficient rail vehicles of the relevant track class with associated speed they can be used for.

Tracks are divided into track load classes with the corresponding speed limit in compliance with ČSN EN 15528 and with respect to the loading capacity of rail vehicles, which is understood as the ability of the railway building to transfer the rail vehicle over its own structure, while maintaining railway operation safety. The efficiency of rail vehicles characterising the track class is based on the values of the biggest bending moments and displacement forces on the static-free beam, including the dynamic effects corresponding to the associated speed generated by the train unit made up of an unlimited number of reference wagons simulating predominantly four-axle wagons with two-axle bogies. These reference wagons are defined with respect to their:

- a) graded axle weight;
- b) graded weight per unit of the vehicle's length;
- c) conventional geometric characteristics of the axle spacing.

Tracks are classified into the following track load classes A, B1, B2, C2, C3, C4, D2, D3, D4, D4xL, E4 and E5 according to graded contractual limits shown in the picture below and in the table.



Contractual Limits for Track Classification in Track Class

Track Class	Weight per Axle (P) [t]	Weight per Length Unit (p) [t / m]	c [m]	d[m]
A	16	5.0	6.20	12.80
B1	18	5.0	7.80	14.40
B2	18	6.4	4.65	11.25
C2	20	6.4	5.90	12.50
C3	20	7.2	4.50	11.10
C4	20	8.0	3.40	10.00
D2	22.5	6.4	7.45	14.05
D3	22.5	7.2	5.90	12.50
D4	22.5	8.0	4.65	11.25
D4xL	22.5 (20) ^{*)}	8.0 (7.4) ^{*)}	6.50 (6.00) ^{*)}	18.30 (15.00) ^{*)}
E4	25	8.0	5.90	12.50
E5	25	8.8	4.75	11.35

^{*)} Reference wagons of the special track load class for locomotives are composed of three six-axle (locomotive) wagons and an unlimited number of wagons identical to the D4 track load class reference wagons – see ČSN EN 15528.

Summary of admissible track load classes with associated speed limit is shown in Annex “B”, column No. 12.

3.3.2.3 Line Gradients

See Annex “B”.

3.3.2.4 Line Speeds

See Annex “B”.

3.3.2.5 Maximum train lengths

See Annex “B”.

3.3.2.6 Power supply

On nationwide and regional railways, the following traction systems are used:

- a) DC 3 kV,
- b) AC 25 kV / 50 Hz,
- c) AC 15 kV / 16,7 Hz,
- d) DC 1,5 kV.

Contact points of traction systems DC 3 kV and AC 25 kV / 50 Hz:

Track	contact point of traction systems
Přerov–Břeclav ⁵	Nedakonice – km 132.103
Přerov–Brno	Nezamyslice – Ivanovice na Hané – km 60.558
Česká Třebová–Brno	Svitavy – Březová nad Svitavou – km 228.109
Kolín–Havlíčkův Brod	Kutná Hora hl.n. (rails 1 – 6, 11) – km 287.580 – 287.310
Praha–České Budějovice	Benešov u Prahy – Olbramovice – km 132.000
Praha–Plzeň	Beroun – Zdice – km 41.080
Chomutov–Cheb	Kadaň-Prunéřov – Klášterec nad Ohří – km 138.870

Contact points of traction systems DC 1.5 kV and AC 25 kV / 50 Hz:

Track	contact point of traction systems
Tábor–Bechyně	Tábor railway station (passage of electric traction vehicles under its own power between the parts of the track with electrified systems AC 25 kV and DC 1.5 kV is not possible)

Contact point of traction systems at the state border:

Foreign rail administration	contact point of traction systems	Note
DB Netz	Dolní Žleb st.hr. – Bad Schandau km 11.853	DC 3 kV/AC 15 kV
ÖBB	Sumerrau – Horní Dvořiště km 61.097	AC 15 kV/AC 25 kV

⁵ In 2020, the construction of the Traction System Change to AC 25 kV, 50 Hz in the Nedakonice - Říkovice section will begin. The traction system will be converted to 25 kV, 50 Hz in the section Říkovice (except) - Nedakonice (connection to the existing AC system) on the DC section from Přerov to Nedakonice on the Přerov - Břeclav line. For trains from Přerov to Břeclav, it will be necessary to use two-system locomotives AC 25 kV, 50 Hz / DC 3 kV. The last station with the DC 3 kV system on the Přerov - Břeclav line will be the Říkovice railway station. According to the expected construction dates, DC vehicles of 3 kV will be able to travel to Nedakonice until approximately August 2022. This date will be specified with the development of the construction.

ÖBB	Railway station České Velenice km 163.134	AC 15 kV/AC 25 kV
ÖBB	Břeclav st.hr. – Břeclav km 78.000	AC 15 kV/AC 25 kV

Basic interface parameters of the pantograph – TV

Parameter	25 kV, 15 kV	3 kV, 1.5 kV
Material of pantograph skid	pure carbon carbon filled copper max. 35%	pure carbon carbon filled copper max. 40%
Length of the collector head	1950 mm	1950 mm
Width of the collector head	max. 65 cm	max. 65 cm
Static contact force of the pantograph	75 ±15 N	105 ±15 N
Aerodynamic contact force of the pantograph	According to EN 50367 Ed. 2, fig. A.8	According to EN 50367 Ed. 2, fig. A.10
Number and distance of pantographs	1-4 pantographs, distance according to Table 4.2.13 TSI ENE, Type A For 3 and more pantographs EN 50367 ed. 2, art. A.1.5, arrangement I is used too. Longer distances are always used.	1-4 pantographs, distance according to Table 4.2.13 TSI ENE, Type A
Maximal contact wire height	6300 mm	6300 mm
Basic contact wire height	5500 mm	5500 mm
Minimal contact wire height	5000 mm 5,100mm for rail lines with Z-GC clearance profile	4950 mm 5,100mm for rail lines with Z-GC clearance profile
Sections for phase separation	short neutral section according to EN 50367, ed. 2 divided neutral section of arrangement I according to EN 50367 special solution ad. 2	N/A

Recovery on SZDC electrified lines is permitted at locations marked with appropriate signal devices for electrical operation. Detailed conditions and requirements are given in the directions of SŽDC Managing Director, No. 11/2009 (DC 3 kV) and No. 14/2008 (AC 25 kV/50 Hz).

By the end of 2020, the Týniště n. O. (off) – Častolovice – Solnice railway will be electrified with AC 25 kV, 50 Hz system and railway operation in electrical traction will start at the beginning of 2021. For this route the construction of a FCD (filter-compensating device) that compensates for power factor less than 1 in the case of older electrical traction vehicles is not considered. For this reason, only four-quadrant converters and with power factor 1 will be allowed to operate on this route.

See map “M05”.

3.3.3 Traffic Control and Communication Systems

Signalling block system, which in connection with the movements of rail vehicles contributes to the safety of rail transport and replaces the human factor, enables the automation of the transport process and increases capacity performance of the railway stations and railways and is divided (in compliance with TNŽ 34 2620) according to the level of security and inspection of conditions for secured movements of rail vehicles into the following categories:

- Category 1 – designated employees are responsible for meeting most of the safety requirements for the secured train movement;
- Category 2 – adherence to specified safety requirements for secure train movement is ensured by the signalling block system and designated employees are responsible for meeting other safety requirements;
- Category 3 – adherence to specified safety requirements for secure train and shunting movement is ensured by the signalling equipment.

Station and trackside signalling block systems and automated train protection systems are capable of mutual exchange of information necessary for operation to an extent and in form according to the requirements of the used train protection system.

See map “M08”.

3.3.3.1 Signalling Systems

The signalling system consists of a uniform system of visible signals in a specified design, shape and colour and audible acoustic signals in a specified design. The signalling system enables easy, fast and unambiguous expression and apprehension of signals and ensures safe operation of rail transport. The basic signals of the signalling system are listed in Annex 1, Part I, of the Decree No. 173/1995 Coll. of the Ministry of Transport from 22 June 1995 by means of which the Railway Transport Rules are issued. Other signals used are listed in the internal regulations of the railway operator.

Signals are expressed by signal aids (e.g. signalling flag, light, signal board), by hand (visible hand signals), sound (acoustic signals), by means of signal signs of mechanical or light signal devices and permanent signal devices (visible signals) or by verbal instructions.

3.3.3.2 Traffic Control Systems

See map “M06”

3.3.3.3 Communication Systems

The following railway radio systems are operated to control rail transport:

- GSM-R digital radio system in the 900 MHz band,
- analogue TRS radio system in the 450 MHz band,
- analogue ASCOM radio system in the 450 MHz band,
- analogue simplex radio networks in the 150 MHz band.

See Annex “F” and Map “M10”.

3.3.3.4 Train Control Systems

On nationwide and regional railways, the national LS train system and the ERTMS/ETCS system are used as ATP (Automatic Train Protection) systems.

See map “M09”.

National LS train control system is a low-capacity line train control system using a frequency-impulse code for the transmission of information between the station or trackside signalling block systems and the mobile part of the national train protection system on the rail vehicle. Circuits designated for code transmission from the train control system on railways where this equipment is used are considered parts of the station and trackside signalling block devices. Station and trackside signalling block devices provide via the national LS train control system simplified signalling information on the next main or distant signal.

These are Class B equipment according to the Technical specifications for interoperability in terms of security and management within a subsystem Trans-European railway system (TSI CCS) ⁶ for the Czech Republic.

The ERTMS/ETCS system is a European train control system. This is Class A according to the CCS TSI. A detailed description of the ERTMS / ETCS system, its functions and requirements are to be found in documents referenced in the CCS TSI.

The use of ERTMS/ETCS system of Level 2 requires the use of encryption keys to encrypt useful data for radio transmission between the radio block central (RBC) and the ETCS mobile part. Encryption keys for ETCS mobile parts are issued at request of SŽDC for RBC under its administration. Requirement for the application and detailed procedure are to be found in a separate SŽDC document published on the Infrastructure Operation Portal.

On the Kolín – Česká Třebová – Brno – Břeclav state border Austria/Slovakia track section, a trackside part of the ERTMS/ETCS system of Level 2 in the version according to the set of specifications No. 1 of the TSI CCS (2.3.0d). The conditions for operating locomotives, control wagons and special traction vehicles with the enabled ETCS mobile part and controlled by this system are specified in the internal regulations of the railway operator.

Further development of ETCS system in Petrovice u Karviné state border PL – Přerov – Břeclav is pending, during which the ETCS system Level 2 in version according to the set of specifications No. 3 of the TSI CCS 3.6.0 is implemented in system version 1.1 (it enables operation of vehicles with the version of ETCS mobile part No. 1 according to TSI CCS [2.3.0d]).

A condition for activating the encryption keys by RBC for ETCS mobile parts of individual vehicles is to demonstrate the mutual compatibility of the used type of ETCS mobile part (including SW version) with the trackside part of the ETCS (type and SW version).

Compatibility is demonstrated by:

- submitting a copy of the ES declaration of verification of the on-board subsystem “control command and signalling” for a specific vehicle;
- submitting a copy of the ES certificate of verification of the on-board subsystem “control command and signalling”;
- submitting a copy of the protocol of successful completion of compatibility testing of the used part of the mobile part (according to Chapter 6.5 of the Annex to Commission Regulation (EU) 2016/919). The extent and conditions for compatibility testing are set out in a separate SŽDC document published on the Infrastructure Operation Portal.

The used ETCS track-side level, its version and contact details for establishing the connection to individual RBCs are listed in TTP Table 04.

⁶ Currently, the Commission Regulation (EU) 2016/919 from 27 May 2016 is being discussed.

3.3.3.5 Automatic train control system

On selected railways of the nationwide and regional network, the automatic train control system (AVV) system is used as the ATO (Automatic Train Operation) system.

For the purposes of the Automated train control system (AVV), a positioning devices, so-called magnetic information points, are located on the track. Magnetic information points are mainly located on rails designed for passenger (stopping) trains. On some tracks, it is also necessary to use GPS (Global Position System) for the AVV mobile (vehicle) parts to identify the location.

The AVV mobile (vehicle) part must include the route map. Based on the local identification of the train, track description and information transmitted via the train control system and/or inserted by the engine driver, the AVV mobile (vehicle) section ensures smooth and economical train movements.

See map “M13”.

3.4 Traffic Restrictions

SŽDC is not responsible to the applicant for restrictions of train movements caused by the influence of:

- weather conditions preventing proper operation of rail transport,
- traffic situation caused by exceptional events pursuant to Section 49 of the Rail Systems Act that are not caused by the activities of SŽDC,
- carrier failing to comply with the conditions of operation of the rail transport on his part,
- acts of third parties, whereas “third parties” are those without a contractual relationship with SŽDC,
- declaration of regulatory measures in rail transport in crisis situations,
- restriction of railway operation implemented in accordance with the current legislation,

and in the case of indicating a fault on the carrier's train with a diagnostic device , except cases when defective diagnostic equipment is proven (see Annex “J” for a list of diagnostic equipment).

In these cases, SŽDC is not obliged to compensate the claimant for damages incurred.

In the event restricted operation of any of the carrier's trains that was not caused by SŽDC, SŽDC shall provide the carrier with all available evidence that they have in their possession for proving liability for this restriction.

SŽDC organises and manages the operation of rail transport in such a way that the rail transport proceeds safely, fluently and according to the established timetable. SŽDC shall proceed in accordance with the relevant provisions of the internal regulations of the railway operator.

In the event of a disruption of traffic flow for reasons other than an incident (eg a train jam), the carrier which disrupted the traffic flow is obliged to immediately remove the reason for the disruption of the traffic flow. The railway operator shall provide him with assistance in order to eliminate the reason for the continuity. If the RU fails to ensure that the reason for the disruption is removed or is unable to do so, the IM may ask the other RUs to assist in the removal of the reason for the disruption. The costs incurred in providing assistance and for all damages and costs incurred as a result of the disruption, both to the infrastructure manager

and to other carriers or third parties, shall be borne by the party which caused the disruption. The demonstrable costs incurred by the carrier in direct connection with the removal of the reason for the violation of another carrier's fault (eg by transporting a stranded train of another carrier) shall be borne by SŽDC. The carrier that caused the disturbance of the traffic flow is subsequently obliged to pay these costs to SŽDC

3.4.1 Specialised Infrastructure

SŽDC restricts the use of allocated railway capacity on the Třemešná ve Slezsku – Osoblaha narrow-gauge regional track only to applicants operating rail vehicles technically competent for rail transport operation on this track.

SŽDC restricts the use of allocated capacity on the Rybník – Lipno nad Vltavou, Tábor – Bechyně and Štramberk – Veřovice regional track only to applicants operating rail vehicles technically competent to operate rail transport on these tracks.

SŽDC restricts the use of allocated railway capacity on the nationwide railway in sections equipped with a remote control of the signalling block system and where for accessing the track the traction, control and specialised vehicle has to be equipped with a vehicle radio transmission device capable of full cooperating in the basic radio connection with the radio system of the railway. See Annex “F”.

SŽDC restricts the use of allocated railway capacity on the nationwide and regional railways in sections equipped with a radio block and where for accessing the track the traction, control and specialised vehicle has to be equipped with a terminal securing full communication and cooperation of the traction vehicle with the radio block. The requirement for a vehicle to be equipped with a terminal may be further specified by issuing an instruction or an internal instruction of the railway operator for the operation of a particular track section.

On selected sections of new or modernised tracks equipped exclusively with the ETCS system, SŽDC will restrict the use of allocated railway capacity only to operation of traction, control or special vehicles for which encryption keys are issued and activated to log in to RBCs of the given track sections. Conditions for issuing and activating the encryption keys to log in to the RBC are listed in Chapter **Chyba! Nenalezen zdroj odkazů.**

3.4.2 Environmental Restrictions

Based on Government Decree No. 152/1992 Coll. on Protective Zones of the Natural Healing Resources of the Spa Town of Františkovy Lázně, it is prohibited to operate transport of substances that could adversely affect natural healing resources in the following sections of the railway: Cheb – Františkovy Lázně – Vojtanov, Tršnice – Františkovy Lázně – Hazlov and Tršnice – Skalná.

For reasons of protection of waters and water resources in the following areas:

- » the surroundings of the Jedlová railway station, which is located in zone II of waters hygienic protection of Chřibská water reservoirs (Decision of Děčín District Court No. 050/4964/99/235/ZF from 30 August 1999),
- » the surroundings of the Letohrad railway station and part of the section between the stations Lanšperk and Letohrad, located in the protection zone of the water source of level II for groundwater sources (decision of the Municipal Authority in Žamberk No. 2929/2009/ZPZE-8/231.8/KOSP-226),
- » the surroundings of the Jablonné nad Orlicí railway station and part of the section between the stations Jablonné nad Orlicí and Těchonín, located in the protection zone

of the water source of level II for groundwater sources (decision of the Municipal Authority in Žamberk No. 11185/2010/ZPZE-7/231.8/SCHP-70),

it is prohibited to:

- » stand off trains, train units or individual wagons containing harmful substances, except for vehicles with propellants for their own operation,
- » establish warehouses, including temporary, with harmful and dangerous substances, and handle them,
- » establish waste disposal sites, place litter and waste freely.

For reasons of prevention of potential environmental hazards in the cases of repeated leakage of harmful substances from railway vehicles (e.g. leakage of petroleum substances), SŽDC will define a section of station track designated for waiting or standstill of such railway vehicles in the Rules and Regulations of the Station. Waiting or standstill of such railway vehicles is only allowed for the carrier in these specified places.

Refueling of railway vehicles outside stationary service facilities of the service station is possible only under the conditions set by the valid legislation of the Czech Republic in the area of environmental protection, in particular § 39 of Act No. 254/2001 Coll. subsequent regulations, including its implementing regulations and internal regulations of the infrastructure manager. In this case, the carrier is obliged in particular to have an emergency plan drawn up in accordance with the above legislation and approved by the relevant water authority. SŽDC publishes a list of recommended locations for refueling of rail vehicles outside stationary service facilities at the railway operation portal.

3.4.3 Dangerous Goods

Based on Government Decree No. 152/1992 Coll. on Protective Zones of the Natural Healing Resources of the Spa Town of Františkovy Lázně, it is prohibited to operate transport of substances that could adversely affect natural healing resources in the following sections of the railway: Cheb – Františkovy Lázně – Vojtanov, Tršnice – Františkovy Lázně – Hazlov and Tršnice – Skalná.

3.4.4 Tunnel Restrictions

In the Ejpovice – Plzeň hl.n. rail section it is possible to operate rail transport only by engine and vehicles with control wagons equipped with the functional GSM-R radio station. Because of the use of fixed track, the operation of rail vehicles without a closed toilet flushing system is also prohibited in this section. If the train is equipped with a toilet without a closed flushing system, it is the responsibility of the carrier to ensure that the toilet is not used while driving through the tunnel. Steam locomotive movement in this section is allowed with a serviceable boiler and fire on the grate only if no tractive power is generated and under the conditions laid down for the operation of steam locomotives in Article 5 of SŽDC Directive No. 71 Fire Protection Measures for the Operation of Steam Locomotives on the Railway Operated by Správa železniční dopravní cesty, státní organizace.

3.4.5 Bridge Restrictions

Without specific restrictions.

3.5 Availability of the infrastructure

3.5.1 Simplified Control of Rail Transport

On the track where rail transport is organised in such a way that only one train or shunting rail vehicle moves in the specified track sections, or if the train crew has a list of operating control points set in advance, where the trains cross or overtake, it is possible to use the simplified rail transport control.

The specified operating control points are not permanently manned by persons controlling rail transport. In these cases, train traffic is controlled from one point and the train crew communicates with the person in charge of the control of railway transport in the specified operating control points. When crossing or overtaking of trains, the entrance track has to be set or, where appropriate, the train that is to enter the operating control point first.

Communication of the train crew with the person in charge of the rail transport control shall be ensured by an appropriate communication equipment from the specified operating control points or, where appropriate, from the train. The train may not depart from the designated operating control point without permission from the person controlling rail transport or without the permission of the railway operator.

On lines where a specific technical facility (hereinafter referred to as the "radio block"⁷), rail transport is organised through data (voice) instructions given by the person controlling rail transport. Only one train or shunt unit operates in the designated track sections. The engine driver of the leading traction vehicle has the operating control points set in advance by the person in charge of rail transport control, where he/she has to request further instructions for driving the train or the shunting part.

The specified operating control points are not permanently manned by persons controlling rail transport. In these cases, train traffic is controlled from one point and the engine driver of the leading traction vehicle communicates with the person in charge of railway transport in the specified operating control points. The train or the shunting part must not leave the designated operating control point without permission from the person controlling rail transport or without other permission from the railway operator.

On the track section and in designated operating control point, traction vehicles must be equipped with a terminal ensuring full communication and cooperation of the traction vehicle with the radio block.

See map "M08".

3.5.2 Restriction of Railway Operation

Railway operator shall prepare a draft plan for the restriction of the railway operation or its part for the purpose of carrying out maintenance or repair works on the track and activities related to the construction of the railway or its facilities or other activities endangering safe or fluent rail transport if the expected restriction time exceeds 24 hours. The draft plan for the restricted operation of the railway or its part is approved by the Transport Infrastructure Access Authority after a due discussion according to the Rail Systems Act.

On the Infrastructure Operation Portal, SŽDC publishes updated monthly information on planned operating restrictions of the individual tracks and their parts. The carrier is entitled to

⁷ **Radio block** is defined as a technical device enabling control and check of train traffic in a defined area by means of authenticated driving permissions transmitted to the traction vehicles via radio with data transmission and subsequent control of the driving of the traction vehicles according to the issued permits.

compensation of the difference of the directly expended costs related to the securing substitute transport for interrupted public passenger rail transport due to restrictions of the railway operation planned pursuant to Section 23b (3) and the savings related to the interruption of rail transport and any claims for reimbursement of these costs under the contract on public passenger transport services. The railway operator shall pay for this difference if the applicant proves the amount of demonstrably expended costs related directly to securing substitute transport and the amount of savings related to the interruption of rail transport. If the carrier is entitled to reimbursement of expended costs directly related to securing substitute transport on the basis of the public passenger transport service contract, it shall also demonstrate the amount of that claim.

In addition, according to the Rail Systems Act, the railway operator is entitled to restrict the operation of the railway due to the activities not listed in the approved Restriction Plan such as:

- a) ensuring serviceability of the track after its disruption by natural or exceptional events,
- b) maintenance or repair works on the track, unless the expected restraint period exceeds 24 hours or there is no restriction of the rail transport operation on the track, or
- c) maintenance or repair works on the track, if the conditions under Letter b) are not fulfilled but the carrying out of such activities must not be postponed.

In such cases, the railway operator shall, without undue delay, notify the affected carriers, railway owner and the Transport Infrastructure Access Authority and state the reasons of such a procedure and the expected limitation period. If legal requirements are not complied with, the Transport Infrastructure Access Authority shall require the railway operator to resume railway operation and sets a reasonable period of time for it to do so.

SŽDC is also entitled to limit the allocation of the railway capacity in the event of exceptional events, adverse weather conditions, natural events, regulatory actions in rail transport in crisis situations, etc. See also Chapter **Chyba! Nenalezen zdroj odkazů..**

Movements of rail vehicles for the purpose of regular measurements and test movements for technical safety test of a line that are required by Decree No. 177/1995 Coll., on Construction and Technical Regulations for Railways, as amended, are according to Section 23 (b) of the Rail Systems Act a reason entitling SŽDC for the time necessary to restrict the operation of the railway or parts thereof.

For more information see Chapter **Chyba! Nenalezen zdroj odkazů..**

3.5.3 Personnel Limitation of Infrastructure Availability

Railway operators publish on their website information on the extent of the closure of transport service.

3.6 Service Facilities Operated by SŽDC

In accordance with the provisions of Commission Implementing Regulation (EU) 2017/2177 and by the provision of the Rail Systems Act at the Infrastructure Operation Portal, SŽDC as a service facility provider publishes the terms and conditions for the provision of services through service facilities available at railways where SŽDC exercises the function of a capacity allocator together with the price for these services and alternatively cost for using sidings to connect these service facilities.

3.7 Service Facilities not managed by SŽDC

3.7.1 List of Service Facilities

On the Infrastructure Operation Portal, SŽDC runs a list of service facilities available at railways, where SŽDC is the capacity allocator. This list contains data in the extent that was provided by the relevant service facility operator. Operators of service facilities available at railways, where SŽDC is the capacity allocator, will provide SŽDC with information on facilities operated by them for the purpose of publishing these in the aforementioned list in the given extent:

- Name of the service facility,
- Identification whether the service is operated by a single operator (simple service facility) or multiple operators (complex service facility),
- Identification of the type of service facility or its operating component in accordance with Decree No. 76/2017 Coll., on the Content and Extent of Services Provided by the Carrier to the Railway Operator and the Service Facility Operator,
- Contact point, where the facility is connected to nationwide or regional railway, including kilometric location,
- Information on whether the service facility is part of the European Freight Corridor (RFC - see Chapter 1.9) or not,
- Identification of the service facility operator, including contact details,
- Information where a description of the service facility is published in accordance with the provisions of Commission Implementing Regulation (EU) 2017/2177.

The service facility operator will send this data electronically to the following e-mail address portal@szdc.cz and will update it in the same way if changed.

3.7.2 Disclosure of Service Facility Description

In accordance with the provision of Commission Implementing Regulation (EU) 2017/2177, each service facility operator is required to disclose a description of the service facility, either:

- d) by publishing it on its web portal or on a joint web portal and by providing a link to the capacity allocator;
- e) by providing the relevant information ready for publication that is to be published by the capacity allocator.

If the service facility operator requests SŽDC to publish a description of the service facility, SŽDC will provide a description of the service facilities ready for publication in Czech and English language versions. The content of the service facility description is defined by the Commission Implementing Regulation (EU) 2017/2177. In order to provide a service facility description, a common sample for service facility description can be used, which was created by the railway sector in cooperation with regulatory bodies. A sample for description of the service facility is given in Annex “G” in both Czech and English versions.

Service facility operators shall disclose descriptions of their service facilities and their operating components by 01/06/2019. If disclosing the descriptions of service facilities is requested by SŽDC, the service facility operator sends the sample for individual descriptions electronically in a PDF format to the following email address portal@szdc.cz at least 15 calendar days before the required publication date. SŽDC is not entitled to make any changes in the submitted documents except for file name unification. SŽDC is not responsible for the content of the submitted documents or non-publication of these documents, if these are not sent to SŽDC in accordance with this chapter.

3.8 Infrastructure Development

3.8.1 Infrastructure Development Policy

As of 1 May 2004, the Czech Republic became a member of the European Union whose European Parliament and Council adopted directives on the interoperability of the trans-European high-speed and conventional rail system in order to improve the interconnection of national rail networks.

The selected railway network of the Czech Republic forming part of this European rail system must meet the requirements for interoperability (according to Decree No. 352/2004 Coll., on Operational and Technical Interconnection of the European Railway System, Government Regulation on the Technical Requirements for the Operational and Technical Interconnection of the European Railway System No. 133/2005 Coll. and relevant technical specifications for interoperability).

The reconstruction of the selected railway network is usually implemented as follows:

- a) track modernisation – a set of measures that allow to increase the maximum running speed on the line to 160 km/h (with possible construction readiness for speed upgrades, if the investment costs are not increasing disproportionately), achieving the required track load class, achieving the required spatial clearance and operating units with tilting boxes;
- b) track optimisation – a set of measures that allow to meet the requirements for the given track load class, achieve the required clearance, remove local speed limitations and, where appropriate, operate units with tilting boxes, generally on an existing ground body;
- c) rail line revitalisation – a summary of measures to ensure the rehabilitation of the infrastructure in relation to the requirements of passenger and freight transport. In particular, improvements are being made to the conditions of access for passengers, the safety of rail transport, the reduction of driving times and the improvement of the operational and technical condition.

Rail line modernisation includes term-related construction measures such as reconstructions, relocations and new constructions on a continuous section of the line.

During modernisation and optimisation of the line, main tracks (continuously line tracks and main station tracks) are being reconstructed. In addition to the main station tracks, the following measures are taken in the operating control points with branching tracks:

- reconstruction of passing tracks,
- establishment of new transport (or handling) tracks only if their necessity is demonstrably proven,
- alterations to the configuration of tracks in other stations resulting from the new position of the main or passing tracks and from the new position of the platforms or other freight engineering structures or arising from changes in requirements for train routes,
- replacement of the tracks owned by other persons that were removed as a result of changes to the track configuration,

- reduction of redundant parts of the track in the case there is a collision with the new track configuration or if it substantially reduces the investment intensity of a signalling block system.

Main objectives of modernisation and optimisation of selected railway network of the Czech Republic:

- introducing a higher line speed on sufficiently long sections so that the increased speed can be used effectively,
- achieving the track load class D4 UIC for the line speed of 120 km/h (i.e. 22.5 t/axle and 8 t/standard vehicle length meter),
- introducing clearance for the loading gauge UIC GC according to ČSN 6320, i.e. the basic Z-GC clearance profile,
- ensuring the required railway capacity or providing required time positions of trains while stating the optimised extent of railway infrastructure,
- equipping the track with such technological facilities that ensure full safety of operation at the speed of up to 160 km/h.

Construction of new lines or modernisation of existing lines for speeds above 160 km/h is considered to be a higher level modernisation.

New constructions of line sections which will be part of the high-speed line network are designed with respect to the relevant technical specifications for the interoperability of the trans-European high-speed rail system.

See Annex “G”.

3.8.2 ETCS Development

The strategy of the transition from the LS national train control system to the Class A European interoperability system – ETCS is based on the ERTMS National Implementation Plan and the European Development Plan by combining investments in track and vehicle equipment in such a way so that the equipped track would create conditions for the operation of equipped vehicles. However, in comparison with the development of the GSM-R system, the development of ETCS is significantly slower. This is mainly due to the fact that deployment of ETCS is effective on modernised lines and equipping with ETCS mobile parts will be gradual. In the first phase it will be applied only for vehicles for international operation or for new or modernised vehicles.

During the migration period from LS national train control system to ETCS, the strategy of ensuring operation is based on the use of dual equipment on the track enabling simultaneous operation of vehicles equipped with ETCS and vehicles equipped only with the LS train control national system for the migration period.

The migration period for the ETCS system in the Czech Republic for the tracks with mixed operation of vehicles equipped with ETCS and vehicles non-equipped with ETCS is defined as the time from the commencement of the routine ETCS operation on the continuously equipped track section to the time of the operation of all trains solely under the ETCS supervision.

The duration of the ETCS migration period must be minimised with respect to safety and other negative operating conditions. The migration period for a given line (track section) will last for a maximum of five years according to the applicable National Implementation Plan

ERTMS 2017. The end of the migration period for a specific line will be set by the Ministry of Transport.

Upon expiration of the migration period, the track part of the train control national system will disable LS and the benefits of the ETCS system will be fully applied in terms of increasing the level of safety and efficiency of rail transport control.

The first sections with exclusive operation and the dates of its commencement are stated in the valid National Implementation Plan of ERTMS 2017 or are communicated by the Ministry of Transport.

As part of the construction of new lines or significantly modernised lines (currently mostly without the national LS train control system), ETCS-only sections can be put into operation, where the operation is allowed only for ETCS-equipped vehicles such as the planned rail connection between Prague and Václav Havel Airport Prague or a new or modernised lines within a so-called fast connections system (e.g. the Brno – Přerov track section). The Uničov – Olomouc hl. n. and Otrokovice – Vizovice sections are another sections which are being prepared for operation exclusively with the ETCS train control system.

Specific ETCS sections with mixed operation of trains equipped with ETCS and trains not equipped with ETCS and the date of putting ETCS into operation will be published at least 6 months before the commencement of the routine operation on the Infrastructure Operation Portal including the conditions for the use of the system. This paragraph covers sections with a migration period.

Specific sections of new or modernised lines put into operation exclusively with the ETCS train control system are (will be) published by the Ministry of Transport, including the date of commencement of exclusive operation. According to the valid National Implementation Plan ETRMS 2017, these are currently the following sections: Praha – Veleslavín – Praha – Letiště Václava Havla (Prague – Vclav Havel Airport), new section Plzeň – Stod on the line Plzeň – Domažlice – state border of the Czech Republic/Germany and lines in preparation of the so-called fast connections. For these sections and after the commencement of ERTMS/ETCS operation, SŽDC will restrict the use of allocated railway capacity solely for the use of a traction, control or special vehicle for which encryption keys are issued and activated for RBC login. Conditions for issuing and activating encryption keys for RBC login are listed in Chapter **Chyba! Nenalezen zdroj odkazů.** Information about the commencement of ETCS outline operation in these cases will be updated continuously.

4 CAPACITY ALLOCATION

4.1 Introduction

Railway capacity, i.e. the ability to use rail routes required for certain parts of the track over a certain period of time, is expressed by the number of rail routes that can be constructed over a given period of time with given technical, operational and personnel equipment and with maintaining necessary quality of transport.

The railway capacity of multi-track sections is defined by SŽDC for each track separately according to the specified railway traffic organisation.

In accordance with Section 32 of the Rail Systems Act, SŽDC allocates the capacity of the railway on nationwide railway and on state-owned regional railways. **The maximum time range (the time between the departure from the first point and the arrival at the last point on the SŽDC network) of the allocated railway capacity is 20 hours.** An exception may be granted by the capacity allocator only if a one-time application is submitted for one day only.

On lines that are included in the European Rail Network for Competitive Freight (ERNCF), the OSS (C-OSS) Corridors can also allocate the railway capacity of the track according to Regulation 913/2010 (see Chapter 1.9). Conditions and procedures for allocating the capacity of the C-OSS railway are published by each corridor in the Corridor Information Document (CID). More information can be found on websites of the individual corridors or on the SŽDC website in the ERNCF section.

4.2 Description of Process

SŽDC will allocate railway capacity if:

- a) the applicant has submitted and attested its application in accordance with the Network Statement,
- b) the applicant has a valid licence or has fulfilled all legislative requirements for applicants without a valid licence,
- c) the capacity of the railway allows it,
- d) the applicant concluded a contract with SŽDC according to Chapter **Chyba! enalezen zdroj odkazů.** or 2.3.2,
- e) the carrier has concluded a contract on the performance remuneration system according to Chapter 6.5,
- f) for interstate routes the condition stipulated in Chapter 4.3.1.2 was met.

4.2.1 Application for Railway Capacity Allocation

4.2.1.1 Application for railway capacity allocation to the annual timetable

Due applications for railway capacity allocation to the annual timetable and late applications to the annual timetable shall be submitted by the applicant to SŽDC:

- electronically via IS KANGO or IS RNE PCS, in accordance with the instructions issued by the railway operator for use of these applications;
- through electronic data exchange between the IS of the carrier and IS KANGO, according to the conditions defined on the Infrastructure Operation Portal. Railway operator shall inform the carrier about the granting access for data communication between IS KANGO and the IS of the carrier on the Infrastructure Operation Portal;

- in Czech or English language, directly or through an authorised person, in writing, using a special form with the following title: "INTERNATIONAL STUDY FORM / PATH REQUESTS" (see Annex "E") as follows:
 - » by post to the address: Správa železniční dopravní cesty, státní organizace Dlážděná 1003/7, 110 00 Prague 1,
 - » in person at the registry of Správa železniční dopravní cesty, státní organizace – applications are accepted during office hours, i.e. on working days from 8:00 a.m. to 2:30 p.m.

A written application must be signed by an authorised person according to the contract (see Chapter 2.3) or by person(s) authorised to act on behalf of the company according to the Commercial Register.

The application is considered to be delivered based on date and time:

- » of submission of the application for railway capacity and route in IS KANGO or IS KADR,
- » of submission of the path application in IS RNE PCS,
- » indicated in a stamp of the SŽDC registry in the case of a written application.

4.2.1.2 Application for ad hoc railway capacity allocation and regular changes of annual timetable

The application for ad hoc railway capacity allocation is submitted by the applicant to SŽDC in Czech language electronically as follows:

- using the IS KADR web form placed on the Infrastructure Operation Portal (<http://provoz.szdc.cz/KADR>), in accordance with the instructions issued by the railway operator to operate this IS;
- using the electronic data exchange between the IS of the applicant and IS KADR, according to the conditions published on the Infrastructure Operation Portal;
- for international applications also using IS RNE PCS. The railway operator will notify the applicant of the commencement of data communication between IS RNE PCS and IS KADR on the Infrastructure Operation Portal;
- in the event of an unforeseen failure of the IS KADR, an ad hoc application submitted within 3 working days may also be requested by telephone. In this case, the carrier must immediately submit an application in writing in the Czech language either directly or through an authorized person, by e-mail to:
 - » International applications - oss@szdc.cz,
 - » National applications to the head of the dispatcher for the relevant traffic management area - see Annex A.

A form for a written request in the event of an unforeseen failure of the IS KADR is published on the Infrastructure Operation Portal (Access to the network -> KADR).

The application is considered to be delivered based on date and time:

- » of the submission of the application for the railway capacity in IS KADR,
- » of the submission of the path application in IS RNE PCS,

- » In the event of an unexpected failure of IS KADR to deliver an e-mail with a written request.

4.2.1.3 Mandatory data in the application

The applicant is required to state in the application the following:

- a) business company, ID Number and registered office of the applicant. In the case of an applicant without a valid licence, also the identification of the carrier which will use the allocated railway capacity (business company, ID Number and registered office of the carrier) should be stated. International path applications require the identification of cooperating carriers on relevant neighbouring infrastructures. For international applications, the applicant must be assigned an international number assigned to the company by UIC (the so-called RICS code);
- b) description of the required railway capacity, i.e. a train path that establishes a logical connection of the starting and destination point (alternatively the contact point of two interconnected railways) and the indication of path points needed to identify the path in a clear manner. In this path there must not be any sections of transport points operated multiple times, except for the cases specifically agreed by the railway operator;
- c) proposal of a timetable of the required train path, including the requirements for waiting at certain transport points and the reasons for such waiting;
- d) type of train conducted on the required train path, including information on its maximum regular weight, maximum speed, length, track class, container profiles, braking mode, maximum braking percentage and rolling resistance;
- e) type of traction, series and number of traction railway vehicles, their function, the requirement for planned change of traction vehicles, etc.;
- f) time range of the required railway capacity (i.e. the train path usage calendar – daily/on certain days, regularly/as needed, or in the period from-to);
- g) type of rail transport operated, including information whether the train is operated on the basis of a public service obligation;
- h) stating the required tariff and non-tariff notes into the annual timetable including their time and space limitations;
- i) type and extent of required services;
- j) other requirements of the applicant for rail vehicle movement and the occupation of tracks surrounding the station in which the assigned path starts or ends, or handling at wayside stations or the minimum required technological time of waiting at the border station, etc.;
- k) in the case of the ad hoc application for railway capacity allocation, also stating the technology used at the destination transport point and wayside transport point (see Annex “M”) if it is required for waiting or operation, which means a requirement for any occupation of station tracks before or after the departure of the train or if the carrier requests additional cooperation from the railway operator during the waiting;
- l) exceptional situations on the train (see Chapter 4.7.3) if these are known to it at the time of the submission of the application;

- m) in the case of a written application, a signature of the authorised person according to the contract (see Chapter 2.3) or of the person(s) authorised to act on behalf of the company according to the Commercial Register,
- n) in the case of an application submitted by the applicant who is not in possession of a valid licence, a written statement of the licensee that the allocated capacity will be actually used (see Annex “K”).

If any of the parameters stated in Sections (a) to (f) are changed, the capacity allocator shall assess, within the process of drawing up the annual timetable, whether there has been a change in the application under Chapter 4.3.1.1 and whether the due application is changed for belated.

In accordance with the TAF/TAP TSI implementation process, a list of mandatory and optional elements of the individual messages used in the Path Application dialogue will be published on the Infrastructure Operation Portal from the date of publication.

4.2.1.4 Other necessary documents

The carrier shall provide SŽDC the following documents at the latest on the day of the commencement of rail transport operation within the allocated rail capacity:

- a) carrier's certificate valid for the period of time to which it has the allocated railway capacity,
- b) document proving the conclusion of the liability insurance contract for damages caused by the operation of railway transport on the allocated railway capacity in the minimum amount according to Chapter **Chyba! Nenalezen zdroj odkazů.**, including document proving that the insurance has been paid.

4.3 Schedule for Path Requests and Allocation Process

The rail capacity allocation process to the annual timetable and in the ad hoc mode is carried out in accordance with European directives included in the Rail Systems Act and its implementing decrees, as amended, and in accordance with the arrangements of European railway operators and railway capacity allocators incorporated in RNE organisation.

Applications for railway capacity allocation are divided into the following products,

- a) application for railway capacity allocation to the annual timetable,
- b) late application for railway capacity allocation to the annual timetable,
- c) application for railway capacity allocation to a change of the annual timetable,
- d) application for ad hoc capacity allocation.

The participants of the capacity allocation process are:

- applicant;
- railway capacity allocator:
 - » SŽDC – Department of Timetable,
 - » SŽDC CDP Praha and CDP Přerov,
 - » on lines operated by another operator the dispatcher department of the railway operator.

Contacts to railway operators and the dispatcher department of SŽDC and other railway operators are provided in Chapter 1.1.3 and Annex “A”.

For mutual cooperation of applicants and capacity allocators in the capacity allocation process, the following information systems are used:

- a) IS KANGO Information System for drawing up an annual timetable – this is a set of interconnected modules, which allow to draw up the annual timetable and its planned changes from the preparation of necessary basic data, through entering detailed data about each required train path and a graphic design of the train timetable to the creation of all necessary data outputs of the annual timetable.
- b) RNE PCS Information System – this is a coordination tool that ensures mutual cooperation of applicants and capacity allocators, including their own information systems, when defining requests and the subsequent design of international train paths. This IS is developed by RNE and offered to carriers free of charge. More information can be found on the RNE website or provided by the OSS.
- c) KADR Information System – it is used to enter or receive ad hoc application and application to regular change of annual timetable and subsequent allocation of the route by the capacity allocator. This IS is offered to applicants free of charge. Detailed information on the conditions of the use of this IS are available on the Infrastructure Operation Portal.

By submitting a railway capacity application, the applicant agrees with the terms stated in this Network Statement.

4.3.1 Schedule for Working Timetable and Its Regular Changes

4.3.1.1 Due application for allocation of the railway capacity to the annual timetable

This process is divided into a logical sequence of partial phases that are adapted to the agreed time schedule of the annual timetable.

The individual partial phases include:

- receipt of an application to the annual timetable,
- submission of a proposed plan for designing train paths,
- application of the applicants' suggestions,
- railway capacity allocation.

In order to draw up the annual timetable, SŽDC offers technical capacity of the route, which is based on the equipment of the railway infrastructure. On the basis of this application, SŽDC will allocate route capacity to the applicant for the validity period of the annual timetable.

Technical capacity of the route indicates the maximum scope of traffic, taking into consideration requirements for the required quality and prescribed maintenance. When determining technical capacity of the route, full staffing and operation of temporarily closed facilities that may be put into service if necessary, are assumed.

The route and timetable of the train shall be determined by the railway operator as part of the railway capacity assessment before the subsequent capacity allocation. Relevant data outputs for the annual timetable are provided by SŽDC to the carriers free of charge electronically on the Infrastructure Operation Portal.

4.3.1.2 Submission of the application

The applicant shall request for route capacity allocation at the railway operator in accordance with provisions stated in Chapter 4.2.1.1.

The application must contain all the information defined in Chapter 4.2.1.3.

International applications must be harmonised in advance with cooperating applicants on neighbouring railway infrastructures. This is an essential condition for accepting this application for design. The IS RNE PCS serves to harmonise the application between applicants. The allocation of route and line capacity on a border section is subject to the agreement of the adjacent railway capacity allocator (infrastructure manager) based on the confirmation that the same application for the allocation of the route and line on the interconnected border section of the neighbouring infrastructure has been submitted by the follow-up applicant and that this application would be granted.

The applicant may also apply for the allocation of the offer route. The railway operator does not guarantee the allocation of the offer route to the applicant.

4.3.1.3 Receipt of the route application

Railway operator will accept the application and, if it is not submitted directly in the IS, it will insert the data from the application into IS KANGO. Incompleteness or factual errors in the application may be a reason for rejection and return. Re-submission of this application shall be considered as a new application, including the updated receipt date.

The railway operator shall assess the railway capacity upon the receipt of the application. When assessing the railway capacity, it will allocate an offer route or draw up a train route and submit a draft of the train timetable to the applicant. In the case of international routes, the draft of the train timetable is coordinated and submitted collectively to the applicants. The IS RNE PCS is used to coordinate train timetable drafts. SŽDC submits the route proposal to the applicant through IS KANGO or IS RNE PCS or via data communication with the information system of the carrier. SŽDC may submit the multiple drafts of the timetable to the carrier, but no more than one draft for each required movement day.

4.3.1.4 Acceptance of train timetable draft

The applicant shall assess the draft of the train timetable and advises for objections on the proposed routes or approves the proposed routes. This is done via IS KANGO or for domestic routes also in writing, for international routes simultaneously via IS RNE PCS. Written objections or a written approval will be sent via email to SŽDC, the Department of Timetable. In the case of an international route that is provided by the applicants in cooperation, the objections regarding the route are handled with the leader applicant, who will subsequently submit them to railway operators. The details of these processes are provided in RNE's manuals for IS RNE PCS.

The applicant must send its objections or acceptance of routes by the deadline for the submission of applicants' objections against the draft annual timetable. If within this deadline the applicant fails to send his objections, the proposed routes are considered to be accepted.

The applicant's objections shall be handled by the railway operator by the deadline for allocating railway capacity for applications to the annual timetable.

If the route capacity application cannot be complied with even after the coordination of all received requirements (see Chapter 4.4.1), the railway operator shall notify the applicant of this information together with the statement that there is no other alternative for settling its application.. The applicant may then re-submit its application in new dates and new

conditions for designing train routes. The re-submission of this application shall be considered as a new application, including its date of receipt.

Upon acceptance of the route by the applicant, SŽDC will allocate the railway capacity of this route. Subsequently, it processes the proposed route and its data into the annual timetable.

When processing applications to the annual timetable, deadlines defined by European directives, the Rail Systems Act and its implementing regulations, as amended, and deadlines agreed by RNE, European railway operators organisation and railway capacity allocators, are observed. These are listed in Chapter 4.3.1.8.

4.3.1.5 Change of the application

The application is considered to be changed if the application parameters are changed by the applicant to such an extent that the railway operator has to change the parameters of the already planned route. The decision whether the change of application parameters causes a change in the route design is issued by the railway operator.

If the applicant changes the parameters of its application between 9 April 2019 and 9 September 2019, there is a change in the application, which is solved by two subsequent steps:

- cancellation of the original application,
- creation of a new route application – late applications with a new referral date.

4.3.1.6 Late application for allocation of the railway capacity to the annual timetable

This process addresses the applications to the annual timetable, which were submitted after the deadline of 9 April 2019 or were changed after that date.

For late applications, train routes are designed within the remaining free capacity of the railway, taking into account already allocated routes.

Routes designed for late applications have a lower priority than applications for capacity allocation to the annual timetable.

For the submission and receipt of a route application, the acceptance of the draft annual timetable and a change of the application, the provisions of Chapter 4.3.1.1 are applied adequately.

4.3.1.7 Application for capacity allocation to a change of the annual timetable

The railway operator offers applicants the possibility to receive applications for the planned change of the annual timetable.

The routes within the change of the annual timetable are designed in the remaining free capacity of the railway, taking into account already allocated routes and planned construction works.

The routes designed on the basis of applications to a change of the annual timetable have a lower priority than the applications for capacity allocation applied earlier.

For the submission and receipt of the application and acceptance of the proposal for the change in the timetable, the provisions of Chapter 4.3.1.1 are applied adequately.

4.3.1.8 Deadlines for designing the annual timetable and its planned change

2020 Annual Timetable

Due application for the annual timetable	Applications accepted until	08 April 2019	
	Presentation of the draft of the annual timetable for passenger transport	12 June 2019	
	Draft of the annual international timetable published until:	01 July 2019	
	Draft of the annual timetable for freight transport	01 July 2019	
	Deadline for objections by applicants in freight transport	02 August 2019	
	Deadline for objections by applicants in passenger transport	09 August 2019	
	Deadline for railway capacity allocation	29 November 2019	
Late application to the annual timetable	Applications accepted from	09 April 2019	
	Applications accepted until	09 September 2019	
	Deadline for railway capacity allocation	29 November 2019	
The start of validity of the annual timetable		15 December 2019	
The end of validity of the annual timetable		12 December 2020	
Deadlines for Applications to the Planned Change of the 2020 Annual Timetable			
Changes in Passenger Transport (PT) and Freight Transport (FT)			
Change of the annual timetable	Applications accepted until	13 April 2020	FT + PT
	Change valid from	14 June 2020	

4.3.2 Schedule for Train Path Requests Outside the Timetabling Process (Ad-Hoc Requests)

As part of the ad hoc route capacity allocation, SŽDC offers the following products:

- application for long-term ad hoc route capacity allocation where the period from the receipt of the application to the first required departure day of the train is 20 or more working days (including the submission date of the application) and concurrently 20 days of movement or more is required in one application,
- application for ad hoc route capacity allocation for “more than 3 days” where the period from the receipt of the application to the first required departure day of the train is three or more working days (including the submission date of the application);
- application for ad hoc capacity allocation for "less than 3 days" where the period from the receipt of the application to the first required departure day of the train is less than three working days (including the submission date of the application)

- application for ad hoc route capacity allocation for the purpose of technical and safety tests of rail vehicles,
- application for ad hoc route capacity allocation for test driving of vehicles of an unapproved type or driving faster than the maximum track limit,
- application for ad hoc route capacity allocation for maintenance of SŽDC infrastructure,
- application for ad hoc route capacity allocation due to the temporary capacity restrictions.

An application for an ad hoc allocation of the capacity of the infrastructure due to the temporary capacity restrictions is not necessary in cases where the capacity is restricted pursuant to Section 23c (3) a) the Railways Act.

The route and the timetable of the train shall be determined by the railway operator as part of the assessment of the application for railway capacity.

For long-term applications, ad hoc applications and applications for "more than 3 days", the railway operator shall design and ad hoc routes with solving the conflicts.

In the case of applications for "less than 3 days", it is up to the railway operator to decide whether to allocate ad hoc routes with solving the conflicts (e.g. allocate offer routes in a designed position), or to allocate routes in reserve capacity to resolve conflicts as part of operational traffic management.

4.3.2.1 Submission of the application

The applicant applies for ad hoc railway capacity allocation electronically:

- using data communication from its own IS to the IS of the railway operator – IS KADR. Before the initiation of data communication, the railway operator has to agree with the correctness of the established data communication. Conditions for connecting the IS data communication of the applicant shall be communicated by the railway operator;
- through the IS KADR web application form that is to be found on the Infrastructure Operation Portal (<http://provoz.szdc.cz/KADR>);
- for international applications also using IS RNE PCS. SŽDC will inform about the commencement of the data communication between IS RNE PCS and IS KADR on the Infrastructure Operation Portal.

The application must contain all the information defined in Chapter 4.2.1.3.

International applications must be harmonised with cooperating applicants on neighbouring railway infrastructures. This is an essential condition for accepting this application for design. The allocation of route and line capacity on a border section is subject to the agreement of the adjacent railway capacity allocator (infrastructure manager) based on the confirmation that the same application for the allocation of the route and line on the interconnected border section of the neighbouring infrastructure has been submitted by the follow-up applicant and that this application would be granted.

The applicant may also apply for the allocation of the offer route. The railway operator does not guarantee the allocation of the offer route to the applicant.

In the case of an application for capacity applied for "less than 3 days", the applicant submits this application in a period exceeding 12 hours before the departure of the train from the

starting point/access point to SŽDC infrastructure. The applicant may also apply in a shorter time, however SŽDC does not guarantee the timely settlement of its application.

4.3.2.2 Receipt of the application for route capacity

SŽDC will accept the application for ad hoc capacity allocation through IS KADR. If the application is incomplete or contains factual errors, this may be a reason for refusal and return. Re-submission of this application shall be considered as a new application, including the updated receipt date.

Application for capacity allocation is assessed by SŽDC only within the free capacity of the route, remaining after the end of the process of route capacity allocation to the annual timetable and after the completion of all previous ad hoc applications for route capacity allocation.

During the whole capacity allocation process, SŽDC cooperates closely with other railway operators in the Czech Republic, which are responsible for processing the train timetable.

For mutual cooperation in allocating railway capacity that exceeds the capacity of one capacity allocator, a joint commission consisting of the representatives of the capacity allocators concerned is set up where necessary.

After the application is received, SŽDC will assess the route capacity, determine a train timetable applicable within this capacity and submit it to the applicant as a draft. SŽDC may submit more drafts of the timetable to the applicant but no more than one draft for each required movement day.

In the event of a conflict while designing a timetable, the application that has been accepted earlier has priority. In the case of concurrent applications, the unused track capacity will be allocated to the applicant which intends to provide transport services.

The railway operator for international capacity applications shall ensure a coordinated offer of the train route in cooperation with infrastructure operators and railway capacity allocators on other infrastructures. The allocation of route and line capacity on a border section is subject to the agreement of the adjacent railway capacity allocator (infrastructure manager) based on the confirmation that the same application for the allocation of the route and line on the interconnected border section of the neighbouring infrastructure has been submitted by the follow-up applicant and that this application would be granted.

4.3.2.3 Acceptance of draft route

The applicant shall assess the proposed route and provide objections against the proposed train timetable or approves the proposed route. This is done via IS.

The applicant must send its objections or acceptance of the route

- within 24 hours after receiving the route offer, but no later than 2 hours before the proposed departure time from the departure station for capacity application for “more than 3 days”,
- within 2 hours after receiving the route offer, but no later than 2 hours before the proposed departure time from the departure station, for capacity applications for "less than 3 days”,

otherwise the draft of the railway operator is considered accepted.

The applicant has also an option of accepting the route offer in advance when the application is filed. In this case, after designing the train timetable, track capacity is automatically allocated.

Applicant's objections shall be handled by the railway operator as soon as possible, up to the time the train departs from the transport starting point.

The railway operator may also send information to the applicant that there is no alternative how to handle its application for capacity. The applicant may then re-submit its application in new dates and new conditions for designing train routes. The re-submission of this application shall be considered as a new application, including its date of receipt.

Upon acceptance of the route by the applicant, SŽDC will allocate the railway capacity of this route. The proposed route is then processed and its data put into SPIS.

In the case of the ad hoc capacity application on lines with a closure of transport services (See Chapter 3.5.3), the applicant is required to apply for capacity at latest 3 business days prior to the scheduled movement if it requests adjusting the extent of the transport service closure, except in the case of applications due to a restriction of the runway operation, transport services. The railway operator shall consider the possibility of adjusting the extent of transport service closure and shall inform the applicant accordingly.

4.3.2.4 Deadline for processing the application for ad hoc route capacity allocation

The capacity allocator shall respond to the applications for route capacity allocation in the shortest possible time but no later than within 5 working days from its delivery. Moreover, the capacity allocator will respond to the application for railway capacity allocation submitted in a period longer than 12 hours before the train departure from the starting transport/contact point of SŽDC infrastructure no later than within the requested train departure from the starting transport/contact point of SŽDC infrastructure.

It is also possible to reply by changing the status of the application in IS KADR.

4.4 Allocation Process

If the number of applications does not exceed route capacity, SŽDC shall proceed in such a way as not to favour any of the applicants. If the number of applications exceeds route capacity, SŽDC shall follow the principles of application coordination process and priority criteria (see below).

4.4.1 Coordination Process

If all applied requirements for allocating free route capacity to the annual timetable cannot be handled, SŽDC shall coordinate due applications of the applicants and propose to all applicants, to the extent appropriate, another suitable route capacity, which may not correspond fully to the individual applications.

If it is not possible to handle all applied requirements for free railway capacity allocation, SŽDC is entitled to preferentially allocate route capacity in the following order:

- 1) requirements for free railway capacity allocation for the purpose of operating rail transport on the basis of the contact on passenger transport public services,
 - i) supraregional or international trains,
 - ii) trains operated in the area of the region
 - iii) trains operated in the area of the municipality

- 2) requirements for the allocation of free railway capacity for the purpose of operating combined transport,
- 3) requirements for the allocation of free railway capacity for the purpose of operating international freight transport,
- 4) requirements for the allocation of free railway capacity for the purpose of operating rail transport to the extent stipulated by the framework agreement,
- 5) requirements for the allocation of free railway capacity for the purpose of operating regular international passenger transport,
- 6) requirements for the allocation of free railway capacity for the purpose of operating regular domestic passenger transport,
- 7) requirements for the allocation of free railway capacity for the purpose of operating regular domestic freight transport,
- 8) requirements for the allocation of free railway capacity for the purpose of operating other transport.

Priority allocation of SŽDC railway capacity shall be discussed with the respective applicants; where appropriate, the procedure referred to in the first paragraph shall be applied adequately.

In the capacity allocation process for late applications to the annual timetable, applications for regular changes to the annual timetable and applications for ad hoc capacity allocation, conflicts during allocating capacity are handled in such a way that priority is given to the application received by SŽDC earlier.

4.4.2 Dispute Resolution Process

If the applicant does not agree with the coordination of due applications, it shall disclose its disapproval together with the justification or a proposal of an alternative solution for the coordination of due applications, in writing within five days from the date of delivery of the proposal for capacity allocation to SŽDC. SŽDC shall resolve the disagreement no later than 10 working days from the date of receipt of the applicant's disapproval.

The applicant, whose application for railway capacity allocation was not satisfied by SŽDC even after the completion of the coordination process, is entitled to request the Transport Infrastructure Access Authority (see Chapter 1.1.1.2) to review if the extent of the allocated capacity or the procedure for its allocation is not in contradiction to the Rail Systems Act.

If the Transport Infrastructure Access Authority finds that the extent of the allocated capacity is in contradiction with the Rail Systems Act, the allocator shall re-allocate railway capacity and determine the manner of this allocation.

4.4.3 Congested Infrastructure

In the cases where, after coordination of the required routes and consultations with the applicants, it is not possible to adequately satisfy applications for free railway capacity, SŽDC shall in this situation declare capacity exhaustion on the relevant infrastructure element. SŽDC will notify demonstrably all applicants with whom it has concluded a contract according to Chapters **Chyba! Nenalezen zdroj odkazů.** or 2.3.2 of this fact on the Infrastructure Operation Portal.

SŽDC is entitled to restrict railway capacity allocation on those sections of the infrastructure that cannot satisfy the demand for railway capacity during certain time periods or after

coordination of different applications for railway capacity, i.e. in the case of exhausted railway capacity.

SŽDC is entitled to withdraw the allocated railway capacity on the track section where the capacity has been exhausted or in the section where restrictions for railway operation are planned if the allocated train routes in accordance with the time table are not used in this section for at least 75% during a period of one month. The above mentioned right to withdraw railway capacity allocation does not apply to cases where the railway capacity is not used due to reasons on the part of the railway operator.

If the respective infrastructure is declared by the railway operator to be the infrastructure with exhausted capacity, SŽDC applies priority criteria for the coordination process stated in Chapter 4.4.1 when allocating this railway capacity.

4.4.4 Impact of Framework Agreements

In the case of coordination of applications, applications submitted in accordance with a concluded framework agreement, receive capacity allocation with priority according to Chapter 4.4.1.

4.5 Allocation of Capacity for Maintenance, Renewal and Enhancements

SŽDC, as an organisation exercising the function of the owner of state-owned railways, carries out maintenance and repair works on the railway in accordance with the provision of Section 20 of the Rail Systems Act in the extent necessary for its operability and secures development and modernisation of nationwide and regional railways necessary for ensuring transport needs of the state and transport servicing in its regions.

For this reason, SŽDC implements an extensive railway network development and maintenance programme. The implementation of this programme has significant impacts on the extent of available railway capacity, both by closing part of the infrastructure and by limiting speed on affected sections of the track. The list of planned temporary capacity railway restrictions ("TCR") planned to be implemented by SŽDC is published on the SŽDC website (www.szdc.cz/vyluky.html) in the following dates:

- until 14 December 2018 for the period of validity of the Timetable 2020 in its second updated version according to Annex VII to Directive 2012/34/EU of the European Parliament and of the Council (hereinafter as Annex VII);
- until 14 December 2018 for the period of validity of the Timetable 2021 in its first version according to Annex VII,
- until 14 August 2019, in the version of publishing TCR with low-impact according to paragraph 12 of Annex VII for the validity period of Timetable 2020.

SŽDC shall notify the applicants for railway capacity of those TCRs (already published in the second version according to Annex VII) that are expected, with respect to the impact of the restriction, to influence the incorporation of a reduced capacity allocation of the railway when planning the annual timetable by 14 December 2018. In the case of such TCRs, SŽDC reckons that during capacity allocation, with respect to the specific parameters of a particular TCR, it might not be possible to satisfy all received applications for capacity allocation. In this case, SŽDC will proceed to coordinate the applications according to the provisions of Chapter 4.4.1.

4.5.1 Alternative Route Offer Design

In the case of TCRs published as part of the rules listed in paragraph 12 of Annex VII with a requirement for the design of the closure scheduling timetable,

The allocated railway capacity may be modified or even withdrawn if necessary in connection with the implementation of the actions of the TCR plan approved by UPDI. Carriers will be informed about the need to modify or withdraw already allocated capacity without delay, but no later than 60 days before the start of the action. In the event of an action with an approved requirement for designing the closure scheduling timetable, they will be sent a draft of the closure scheduling timetable at least 45 days prior to the date of the scheduled restriction of railway operation. Possible withdrawal of railway capacity will be carried out in a non-discriminatory way.

When adjusting the allocated capacity according to the provisions of the previous paragraph, the railway operator shall seek to minimise the deviation from the allocated timetable.

In this case, applicants are entitled to use alternative railway capacity or be reimbursed the price for capacity allocation in accordance with the provisions of Chapter 4.6.

The above mentioned procedure includes the following steps:

Stage	Deadline
Consultation of the DOK's annual plan with applicants prior to the first publication pursuant to Annex VII	24 months*)
Publication of the annual plan of DOK in the mode of first publication according to Annex VII	24 months *)
Coordination of designated DOKs with the downstream network	18/13,5 months *)
Consultation with applicants prior to the second publication according to Annex VII	12 months *)
Publication of the annual plan of DOK in the mode of the second publication according to Annex VII	12 months *)
Consideration of possible changes to the DOK annual plan after the second publication with applicants	5 months *)
SŽDC's application for approval of the DOK plan at ÚPDI	4 months *)
Low-impact DOK publication pursuant to Article 12 of Annex VII	4 months *)
Informing carriers of the routes offered for closures with an approved design requirement of the lockout schedule	4 months **)
Informing carriers of the planned DOK	90 days**)
Submission of draft lockout schedule (if designed)	45 days **)
Deadline for carriers' comments on draft road timetable draft (if designed)	40 days **)
SŽDC's comments on carriers' comments on the draft timetable lockout schedule (if designed)	28 days **)
Deadline for measures of carriers to the lockout order	20 days **)

Deadline for carriers' comments on draft road timetable draft (if designed)	5 working days ***)
SŽDC's comments on the carriers' comments on the draft timetable timetable, if these comments were not fully or partially met	10 days *****)
Termination of the lockout order and the issuance of the lockout order and lockout timetable (if designed)	15 days **)

*) Before allocating capacity to the annual timetable – see Chapter 4.3.1.8.

**) Before the start of the closure.

***) From the date of delivery of the draft Exclusive Drawing Schedule

*****) From the date of delivery of the carrier's statement on the draft timetable

For the needs of diagnostics and measurement of infrastructure and where possible, SŽDC establishes a reserve capacity of 10% of the technical capacity of the railway on the relevant track section.

This railway capacity may be used by:

- a) applicants transporting material, equipment and technical devices for railway diagnostics and measurement, maintenance, renewal and track capacity enhancement or carrying out the above mentioned activities themselves,
- b) applicants whose railway capacity allocated by SŽDC is limited by maintenance, renewal and track capacity enhancement works on the railway, and only to the extent reducing the limitation if this capacity is not used in accordance with (a);
- c) other applicants if this capacity is not used according to Clause (a) or (b).

4.5.2 Process of Allocating Reserve Railway Capacity for Maintenance, Renewal and Capacity Enhancement

Railway capacity is allocated to applicants in accordance with the procedure pursuant to Chapter **Chyba! Nenalezen zdroj odkazů.**

In the event of the application for allocation of this railway capacity, SŽDC shall take into account its purpose and adjust the priorities in its allocation. SŽDC may reject the application for reserve railway capacity for the maintenance, renewal and capacity enhancement if it does not meet its purpose.

4.6 Non-Usage / Cancellation Rules

The applicant cannot transfer the allocated capacity to other persons while the use of capacity allocated to the applicant which is not in possession of a valid licence by the carrier stated in the application is not considered a transfer of capacity.

If, for any reason, the applicant does not intend to use the allocated railway capacity or intends to restrict the extent or frequency of train movements on certain days or for a certain period, it is obliged to cancel the allocated railway capacity.

Cancellation of railway capacity of the track is carried out as follows:

- » using IS KANGO, in case of national routes for cancellations to the regular change of the annual timetable also in writing, given that the submission date is the date and time

of delivery of the application to SŽDC, in the case of international routes also using IS RNE PCS,

- » using IS KADR or via data communication between the IS of the applicant and IS KADR.

Railway capacity cancelled this way may then be allocated to another applicant.

If the applicant gives up the allocated railway capacity less than one month before the planned day of train movement outside the period of regular change of the timetable and due to reasons on the part of the applicant or the allocated railway capacity will run out because of a train delay of more than 1,200 minutes due to the reasons on the part of the applicant or it will not use the allocated capacity, it is obliged to pay a sanction to the capacity allocator (see Chapter 6.4.1).

If the applicant cannot use the allocated railway capacity for reasons on the part of SŽDC, the sanction according to the previous paragraph does not apply and the applicant has the right to use alternative railway capacity offered by SŽDC (diversions). This alternative railway capacity is allocated free of charge.

If the applicant cannot use the allocated railway capacity for the entire length of the train route of the allocated railway capacity due to reasons on the part of SŽDC and does not use the rights for free allocation of alternative railway capacity, it may request price reimbursement for the capacity allocation for days that it was not able to use the capacity to full extent. SŽDC is obliged to comply with the application in such a case.

4.6.1 Rules for the Use of Allocated Railway Capacity

From the point of view of the allocated railway, railway capacity is considered used for a specific day if it has been used at least between two transport points on that day. This means that the applicant cannot claim multiple use of one business transaction (TR ID) and one allocated data timetable (PA ID) for multiple trains for a specific day. The provisions of this paragraph do not affect the assessment of capacity use in relation to individual sections between stations, as described in Chapter **Chyba! Nenalezen zdroj odkazů.**

By using a route on a single section between stations in a single time period, the applicant's right to use the allocated route on other previously allocated sections will forfeit.

The carrier may use the allocated capacity only in such a way so that no deviation would occur from the allocated time position of more than 3 hours before the allocated route (head start) or 20 hours after the allocated time (delay) at any point of the route. If the carrier requests a higher deviation, it is obliged to submit an application for new capacity allocation.

4.6.2 Withdrawal of Allocated Railway Capacity

SŽDC is entitled to withdraw allocated railway capacity from the applicant if:

- a) it has not been used for a period of one month;
- b) conditions as set in the Network Statement are met for this;
- c) the carrier ceased comply with railway access conditions stated in Article 2.2.2 of this Network Statement;
- d) the applicant has not paid the invoiced price for the allocation of railway capacity or for the use of the railway for the purpose of train movement or for services provided or the penalties for unused or renounced allocated capacity within the contractual maturity period and did not do so within the substitute deadline set out in a written

reminder containing the notice of stopping the allocation of the railway capacity and withdrawal of the already allocated railway capacity;

- e) the carrier uses the railway in contradiction with the allocated railway capacity;
- f) there was a cancellation/withdrawal of railway capacity on the neighbouring infrastructure;
- g) it is stipulated by law;
- h) it was decided by the effective decision of a public authority.

SŽDC is also entitled to limit applicant`s allocated capacity if the allocated railway capacity has been used, for reasons on its part, for less than 25% of the allocated train kilometres during a period of one month. Reasons on the part of the applicant mean all reasons that have not occurred on the part of the capacity allocator, the railway operator, state and local administration and have not been caused by an exceptional event or force majeure.

SŽDC is also entitled to require from the applicant to limit the extent or frequency of train movements on certain days or in a certain period, i.e. to relinquish railway capacity that has been used for less than 50% of the allocated train kilometres during a period of one month, if it was not caused by reasons that the applicant could not influence.

4.7 Exceptional Consignments and Transport of Dangerous Goods

4.7.1 Exceptional Consignments

The carrier is obliged to discuss with the railway operator any transport of an exceptional consignment in accordance with the internal regulation of the railway operator concerned by such transport.

The discussion of the conditions for exceptional transport must be completed with all railway operators concerned by the transport prior to its commencement.

The carrier is obliged to enter the identification number and the number of the commanding dispatch for transport of the exceptional consignment into the information system of the railway operator in accordance with internal regulation of the concerned railway operator.

4.7.2 Transport of Dangerous Goods

When transporting dangerous goods, the carrier is obliged to comply with the Rules for the International Carriage of Dangerous Goods (RID), as amended, and national generally applicable environmental legislation when commencing such transport or other internal regulations and documents of the railway operator.

The carrier is allowed to transport dangerous goods in accordance with RID under the conditions specified therein. When transporting dangerous goods, the carrier must ensure that the railway operator has at its disposal information in the following extent at minimum:

- train composition,
- position of the wagon with dangerous things on the train,
- UN numbers of transported dangerous goods,
- presence of dangerous goods packed in limited quantities according to Chapter 3.4 of the RID if only dangerous goods packed in limited quantities are transported and a classification of a wagon or large container is required pursuant to Chapter 3.4 of the RID,
- weight of transported dangerous goods.

The carrier shall enter these data into the IS of the railway operator before the departure of the train from the departure station or from the point of marshalling the wagon with dangerous goods into a train.

Detachment of wagons with dangerous goods must be negotiated by the railway operator with the carrier in advance. In particular, the following must be agreed and approved by the railway operator:

- location of detached wagons with dangerous goods (station, track)
- time period of detachment of wagons with dangerous goods,
- information on whether supervision over wagons with dangerous goods will be carried out and who will ensure it,
- information on where train documentation and transport documents will be stored.

Procedures in case of exceptional events (leaks, accidents etc.) are regulated by internal regulations and other documents of the railway operator. The carrier is obliged to provide the railway operator at request with its own procedures respecting the principles set by the railway operator.

Carriers and other legal or natural persons involved in the transport of high risk dangerous goods must accept and apply such safety measures to ensure safe handling and transport of dangerous goods, by stipulating responsibilities and rules for handling in the so-called Safety Plan. This Safety Plan will be drawn up by the carrier in accordance with SŽDC Safety Plan for Transport of High Risk Dangerous Goods pursuant to the RID (drawn up under 1.10.3.2 of the RID) and in compliance with internal emergency plans for marshalling yards of the railway operator. According to the RID, high risk dangerous goods are goods that might be potentially misused in terrorist attacks and that might have serious impacts such as massive fatalities or mass infection. An Overview of high risk dangerous goods is provided in Chapter 10 of the RID.

Any report of exceptional events must contain information on the presence of transported dangerous goods pursuant to RID.

Contacts to regional railway operators are listed in Chapter 1.1.3 and in Annex “A”.

4.7.3 Exceptional Events on the Train

The carrier is obliged to notify the railway operator of all exceptional events on the train, prior to the train movement. Exceptional events are the following events:

- a) marshalling of an exceptional consignment,
- b) train running in the code for combined transport,
- c) transport of dangerous goods (with code identification in accordance with RID),
- d) military transport,
- e) passenger transport on freight trains (excluding regular transport);
- f) exceeding the length norm according to the provisions of respective route tables,
- g) train speed reduction compared to the specified speed by 10 km/h or more,
- h) transport of specialised traction vehicles,
- i) all other transports for which any restrictive measures are taken for their movement on the required route (e.g. test movements, marshalling wagons for which the “R” speed signal applies, etc.)

- j) handling on the route or change of work technology at request of the carrier, as opposed to valid GVD conditions,
- k) delay of a train-set or a locomotive train going for a passenger train.

Reporting exceptional events on the train is conducted in accordance with the railway operator's internal regulations.

4.7.4 Exceptional Events for Rail Vehicle Testing

Applications for allocation of railway capacity for technical safety testing of rail vehicles, testing of non-approved rail vehicles or driving above the speed limit of the line are handled by SŽDC in ad hoc capacity allocation mode (see Chapter **Chyba! Nenalezen zdroj dkazů.**). If no route is found to meet the requirements of the test drive while not affecting other routes, railway capacity can only be allocated after the applicant obtains permission from other applicants to disrupt their routes.

In the case of such test drives, SŽDC is entitled to charge the applicant a contract price for railway capacity allocation according to Chapter 6.3.1 (TB and ZK products).

If a non-approved vehicle is put into regular operation during testing operation and no exceptional transport measure is taken to ensure its drive and operation safety, such a drive is not considered to be a test drive pursuant to this Chapter.

At request of the applicant, SŽDC provides special services such as ensuring exceptional safety conditions for conducting a test drive etc.

4.8 Special Measures To Be Taken in the Event of Disturbance

An exceptional event is an accident or an incident that occurred in connection with railway transport operation or movement of a rail vehicle on the railway or in its surroundings and that endangered or disturbed

- a) railway operation safety,
- b) safety of persons,
- c) safe operation of buildings or facilities, or
- d) environment.

An accident is an event resulting in death, injury or another detriment. Serious accident is an accident caused by the collision or derailment of railway vehicles resulting in death, injury of at least 5 persons, or damage of a large scope according to the Criminal Code on a railway vehicle, track or the environment, or another accident with similar consequences. An incident is an exceptional event other than the accident.

4.8.1 Principles

The procedure for detecting the causes of an exceptional event includes reporting of the exceptional event, the procedure for collecting documentation on the site of the exceptional event, identifying the causes and circumstances of the exceptional event and taking measures to prevent exceptional events.

SŽDC issues its own organisational measures in the form of an reporting schedule for the purposes of quick reporting of an exceptional event. The reporting schedule is available at all workplaces that SŽDC commissioned to report exceptional events. The reporting workplaces and their contact information are listed in the Route Table.

The agreement between the carrier and SŽDC (see Chapter 2.3.1.1) sets a list of operating rules that the carrier and SŽDC are obliged to observe during the exceptional event.

At the Milotice nad Opavou – Vrbno pod Pradědem regional railway, the operator of this railway, PKP CARGO INTERNATIONAL a.s., offers to conclude or mediate the conclusion of the agreement on assistance when removing the consequences of exceptional events. More information is provided directly by the operator of this railway.

Contacts to regional railway operators are listed in Chapter 1.1.3 and in Annex “A”.

4.8.2 Operational Regulation

Basic operating rules for an exceptional event together with foreseen and unforeseen problems related hereto are stated in the Rail Systems Act and in Decree No. 376/2006 Coll., on the Safety System for Railway Operation and Transport and Procedures During the Occurrence of Exceptional Events on Railways, as amended. These basic operating rules are further developed by the internal regulation of the respective railway operator.

4.8.3 Foreseen Problems

In the event of a train transport disturbance caused by an exceptional event, the railway operator shall adopt all necessary measures to restore normal situation. For this purpose, it has a crisis plan stating public authorities to be informed in the event of serious accidents or serious disturbances in train transport.

SŽDC will allow applicants to use other free capacity of the railway for train movements on an appropriate diversion route accepted by the applicant.

4.8.4 Unforeseen Problems

Exceptional interruption of the line or its significant restriction with effect on the train running for more than 10 minutes, the railway operator shall be demonstrably notified to the railway undertaking immediately after the obstacle is detected or an unforeseen closure is determined, including the expected duration of the interruption and reason interruption of operation.

In the event of the imposition of regulatory measures in rail transport in crisis situations, in emergency cases and if absolutely necessary as a result of an extraordinary or other event resulting in the interruption of operation, SŽDC may limit the allocation of railway capacity and reduce or reduce the capacity. i to withdraw the allocated railway capacity on the section concerned for as long as is necessary to restore operation..

5 SERVICES

5.1 Introduction

In accordance with the law of the European Union and the Legal Order of the Czech Republic, the extent of services provided by the railway operator to the authorised carrier is defined in the decree by the Ministry of Transport.

Access to nationwide and regional railways and the provision of services related to railway transport operation which serve or may serve for more than one carrier are available to all authorised carriers in a manner that excludes preference of any of the carriers.

5.2 Minimum Access Package

The railway operator on nationwide and regional railways shall provide the carrier with access to services related to the use of the railway and the operation of a rail vehicle in the following extent:

- a) processing the application for railway capacity allocation, preparing the timetable according to the allocated capacity and using the allocated railway capacity according to the negotiated timetable,
- b) using the railway within the extent specified in Annex to Decree 76/2017 Coll., including the use of traction current delivery equipment, if available,
- c) organising railway transport, securing train movement and shunting by rail vehicle, operational control of railway transport, radio connection with the rail vehicle, if available, reporting and providing information to the carrier on train movements of the respective carrier,
- d) providing additional information needed to establish or provide transport services for which the railway capacity has been allocated.

5.3 Access to services facilities and supply of services

The following are considered to be service facilities:

- a) operational components of railway stations,
- b) maintenance centres for rail vehicles with the exception of high speed vehicles and vehicles with special operational and technical characteristics,
- c) equipment for operational maintenance of wagons, in particular washing, cleaning and filling with water,
- d) loading and unloading facilities,
- e) stable and mobile facilities for transshipment of transport units between specific modes of transport,
- f) shunting facilities,
- g) loading gauges,
- h) track scales,
- i) facilities with a source other than traction electric power intended for connecting rail vehicles.

Conditions for the provision of services through service facilities available at railways where SŽDC is the capacity allocator, the cost of providing these services and the cost of using sidings to connect service facilities shall be published by SŽDC on the Infrastructure Operation Portal to the extent provided by the operator of the respective service facility or siding.

5.4 Additional Services

5.4.1 Traction current

SŽDC is the traction power supplier for carriers using traction on all electrified railways it operates. Each carrier must conclude a written Contract for the supply of traction electric power with SŽDC prior to the commencement of its collection.

Contact to the provider of traction electric power:

Company: Správa železniční dopravní cesty, státní organizace

Správa železniční energetiky

Registered office: Riegrovo nám. 914, 500 02 Hradec Králové

ID No.: 70994234

Tax ID No.: CZ70994234

Legal form: State organisation

Web: www.szdc.cz

Detailed conditions for the provision of additional service, including billing and invoicing the supply of traction electric power to individual carriers, which are binding on SŽDC and the carriers, are subject to a separate Contract for the supply of traction electric power between SŽDC and a respective carrier. A specimen contract including the terms of providing service for the supply of traction electric energy and the price for providing this service is available at www.szdc.cz in the section Energy. Prior to the conclusion of the Contract for the supply of traction electric energy, the carrier is obliged to conclude a contract for the operation of railway transport with SŽDC (see Chapter 2.3.1.1).

5.4.2 Service for Trains

In railway stations operated by SŽDC, facilities for preheating, water supply and other facilities are available. Information about their location, terms of service and the cost of providing these services are published on the Infrastructure Operation Portal.

In the case of service facilities directly accessible from railways where SŽDC is the capacity allocator operated by other railway operators, SŽDC publishes data on the Infrastructure Operation Portal only to the extent provided by the service facility operator.

5.4.3 Services for exceptional transports and dangerous goods

SŽDC provides negotiation of transport of exceptional consignments on the network operated by SŽDC, see Chapter 2.5.

In the case of services provided by other providers on railways where SŽDC is the capacity allocator, SŽDC publishes data on the Infrastructure Operation Portal only to the extent provided by the service provider.

5.5 Ancillary Services

Ancillary services are:

- » providing information related to railway transport operation
- » access to telecommunication networks,
- » technical inspection of the rolling stock,
- » sale of travel and transport documents,
- » maintenance of railway vehicles with particular operational and technical characteristics,
- » provision of audiovisual services to passengers.

5.5.1 Access to Telecommunication Network

SŽDC operates non-public fixed and radio (digital or analogue) telecommunication networks (TN) enabling voice and data communication. Access conditions for individual TN are provided by SŽDC at request.

5.5.2 Provision of supplementary information

SŽDC, as the railway operator, allows carriers to access the IS SŽDC providing information on train movements and other information related to the operation of railway and rail transport. Access conditions for individual ISs are provided by OSS SŽDC at request.

At the Milotice nad Opavou – Vrbno pod Pradědem regional railway, the railway operator, PKP CARGO INTERNATIONAL a.s., provides additional information related to the organisation of railway transport and railway transport safety, especially on technological procedures used in the operation of rail transport and the extent and level of provided services. More information is provided directly by the operator of this railway. Contact information are listed in Chapter 1.1.3.

5.5.3 Technical inspection of rolling stock

SŽDC does not provide technical inspections of railway vehicles. In the case of services provided by other providers on railways where SŽDC is the capacity allocator, SŽDC publishes data on the Infrastructure Operation Portal only to the extent provided by the service provider.

5.5.4 Ticketing services in passenger stations

SŽDC does not offer the ticketing service to carriers. In the case of services provided on railways, where SŽDC is an allocation body, by other providers, SŽDC publishes data on the Railway Operation Portal only to the extent of the data provider provided by the service.

5.5.5 Specialized heavy maintenance services

SŽDC does not provide specialised maintenance of railway vehicles. In the case of services provided by other providers on railways where SŽDC is the capacity allocator, SŽDC publishes data on the Infrastructure Operation Portal only to the extent provided by the service provider.

5.5.6 Issue of the Timetable

SŽDC offers the following services to carriers and other operators:

- publication of a timetable on lines where SŽDC is not the operator, contractual transport conditions and the tariff of the carrier in the timetable, incl. data transmission to CIS,
- publication of a timetable for the carrier's train in the required operating control point, above and beyond the obligations of the railway operator, as set in Decree No. 173/1995 Coll.
- processing and publication of additional carrier data related to the IDS information to which the carrier is involved, including the publication of possible connecting bus services and tariff conditions in the following extent:
 - "esko" and any possible mutations ("erko", "učko"),
 - information on the connecting bus transport, either within the IDS or outside, using the bus sign after the name of the station,
 - plans of IDS lines and zones,
- planning and processing of the timetable for a track section (sidings) not operated by SŽDC and connected to a railway operated by SŽDC.

In the case of services provided by other providers on railways where SŽDC is the capacity allocator, SŽDC publishes data on the Infrastructure Operation Portal only to the extent provided by the service provider.

5.5.7 Providing Audio-visual Information to Passengers

SŽDC offers a service of providing audio-visual information to passengers. Conditions for using this service are published by SŽDC on the Infrastructure Operation Portal. In the case of services provided by other providers on railways where SŽDC is the capacity allocator, SŽDC publishes data on the Infrastructure Operation Portal only to the extent provided by the service provider.

6 CHARGES

6.1 Charging principles

Capacity allocators and railway operators charge applicants the following prices for the use of the railway infrastructure of nationwide and regional railways owned by the Czech Republic:

- a) allocator's price for railway capacity allocation,
- b) railway operator's price for the use of the railway for the purpose of train movement,
- c) railway operator's price for access to service facilities via railway infrastructure,
- d) prices for other services provided under this Network Statement.

Prices listed under Letters (a) to (c) are prices for regulated services subject to material regulation, the extent of which is set by a valid assessment of the Ministry of Finance published in the Price Journal (Use of nationwide and regional railway infrastructure and publicly accessible sidings). These are valid for the validity period of the timetable and are published in the Network Statement. Prices for regulated services are equal and non-discriminatory for all applicants which provided with services of the same kind on the same or similar part of the railway infrastructure. Price regulation applies to nationwide and regional railways according to Section 3(1)(a) and b) of the Rail Systems Act. Prices listed under Letter (d) are not prices for regulated service and are not subject to material regulation in the sense of the aforementioned assessment of the Ministry of Finance.

6.1.1 Minimum Access Package

SŽDC provides the following for regulated prices:

- allocation of track capacity, including the elaboration of a timetable,
- track for train movement, i.e. ensuring track operation (traffic control) and the ensuring railway serviceability including access roads for passengers to carriers' trains (infrastructure maintenance and repairs).

Other railway operators provide the following for prices including economically eligible costs directly spent on the operation of rail transport:

- track for train movement, i.e. ensuring track operation (traffic control) and the ensuring railway serviceability (infrastructure maintenance and repairs).

A price is charged for providing information necessary for the introduction or operation of transport services for which the railway capacity was allocated, in particular the provision or mediation of the train crew training, its familiarisation with railway conditions on the routes and in operating control points, providing route tables of track sections on which the train moves, and a train timetable, which includes costs directly incurred to provide the above mentioned information.

6.1.2 Railway Access to Service Facilities Listed in Chapter Chyba! Nenalezen zdroj odkazů.

Prices for providing access for carriers to service facilities on the track listed in Chapter **Chyba! Nenalezen zdroj odkazů.** are prices for regulated services and subject to material regulation.

6.1.3 Services Listed in Chapter Chyba! Nenalezen zdroj odkazů.

When services listed in Chapter **Chyba! Nenalezen zdroj odkazů.** are used, SŽDC charges prices according to the price list published on the Infrastructure Operation Portal. In the case of

services provided by other providers on railways where SŽDC is the capacity allocator, SŽDC publishes data on the Infrastructure Operation Portal only to the extent provided by the service provider.

6.1.4 Additional Services

When additional services listed in Chapter 5.4 are used, SŽDC charges contract prices according to the price list published on the Infrastructure Operation Portal. In the case of services provided by other providers on railways where SŽDC is the capacity allocator, SŽDC publishes data on the Infrastructure Operation Portal only to the extent provided by the service provider.

6.1.5 Ancillary Services

When ancillary services listed in Chapter 5.5 are used, SŽDC charges contractual prices according to the price list published in this Network Statement and on the Infrastructure Operation Portal. In the case of services provided by other providers on railways where SŽDC is the capacity allocator, SŽDC publishes data on the Infrastructure Operation Portal only to the extent provided by the service provider.

6.2 Charging system

6.2.1 Minimum Access Package

The price for allocating railway capacity depends on the system used to manage the request and on the number of required framework routes. Price calculation for allocating railway capacity takes into account the costs of operating SŽDC electronic information systems and other professional activities necessary to incorporate framework routes into the train timetable.

The price for allocating railway capacity is set depending on:

- length of the time interval between the submission of the application for railway capacity allocation and the required date of its usage,
- relation between the submitted application for railway capacity allocation and the date of the design of the annual timetable or its planned changes,
- processing complexity of the application.

The price for railway capacity allocation includes:

- charge for process of railway capacity allocation,
- charge for processing the train timetable (excluding printing costs and costs for utility distribution) assigned to the respective application of the applicant,
- charge for the operational implementation of the train and surcharge for short-term discussion and handling of the application.

Price for railway capacity allocation is calculated according to the following formula:

$$\text{Price} = K_1 + K_2 \times \text{Route length} + K_3 \times \text{Number of movement days [CZK]}$$

where:

K₁ rate for processing and planning of the timetable and allocating railway capacity [CZK]

K₂	rate for designing a train route [CZK/km]
K₃	rate per day for train route allocation [CZK/day]
Route length	distance of the allocated route between the departure and final points of the route on railway network where SŽDC is the railway operator or capacity allocator [km]

Number of movement days number of days for which the route is allocated [day]

The price for the use of railway for the purpose of train movement on a railway operated by PKP CARGO INTERNATIONAL a.s. depends on the length and parameters of driving track, the mode of transport (passenger, freight) and train parameters. PKP CARGO INTERNATIONAL a.s. sets the price for the use of the railway for the purpose of train movement to all carriers according to the formula and conditions set out in Annex “C” to this Network Statement.

The price for the use of railway for the purpose of train movement on a railway operated by PDV RAILWAY a.s. depends on the length and parameters of the driving track, the mode of transport (passenger, freight) and train parameters. PDV RAILWAY a.s. sets the price for the use of the railway for the purpose of train movement to all carriers according to the formula and conditions set out in Annex “C” to this Network Statement.

The price for the use of railway for the purpose of train movement on a railways operated by SŽDC depends on the length and parameters of the railway, train parameters, basic price, application of the product factor and specific factors that are part of the pricing model and the number of stops of passenger trains in places allowing passengers to enter and exit. The price is determined by the calculation based on the actual extent of carriers' performance on the railway operated by SŽDC, bounded by contact points with infrastructures operated by other legal entities. The term performance stands for train kilometres (tkm) operated in a respective billing period and the number of stops for passenger trains in places allowing the get-on and get-off of passengers. SŽDC sets the price for the use of the railway for the purpose of train movement to all carriers according to the formula and conditions set out in Annex “C” to this Network Statement.

6.2.2 Railway Access to Service Facilities Listed in Chapter Chyba! Nenalezen zdroj odkazů.

The method of calculating prices for railway access to service facilities listed in Chapter 5.3 is governed by the terms of price regulation. SŽDC currently does not apply these prices.

6.2.3 Services Listed in Chapter Chyba! Nenalezen zdroj odkazů.

The price of services listed in Chapter 5.3 is governed by the price-list and rules set forth on the Infrastructure Operation Portal. In the case of services provided by other providers on railways where SŽDC is the capacity allocator, SŽDC publishes data on the Infrastructure Operation Portal only to the extent provided by the service provider.

6.2.4 Additional Services

Prices for services related to handling exceptional consignments on railways operated by SŽDC are set depending on the category of the exceptional consignment. The categories of exceptional consignments are set out in the following table:

Price category	The category includes exceptional consignments
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category 1	<ul style="list-style-type: none"> • Weight of load exceeds the specified track load class or the vehicle's maximum load (loading gauge grid / wagon additional data grid). • Solid load units loaded on two or more wagons with pivots. • Flexible load units of more than 36m in length on multiple wagons¹). • Consignments loaded on wagons with more than 8 axles. • A vehicle for which the Rail Administrative Authority has decided that it may be operated or transported under special technical and operating conditions. • A vehicle loaded or on its own wheels without the RIV/RIC/TEN designation or without the CZ marking in the loading capacity grid. • Other consignments resulting from European standards, Agreements and Conventions.
category 2	<ul style="list-style-type: none"> • Load exceeding loading gauge (hereinafter "ELG"). • A vehicle exceeding by its kinematic or static profile the respective track clearance profile.
category 3	<ul style="list-style-type: none"> • ELG consignment and, concurrently, the weight of its load exceed the specified track load class or loading gauge grid / wagon additional data grid. • A vehicle exceeding by its kinematic or static profile the respective track clearance profile and, concurrently, exceeding specified track load class, loading gauge grid / wagon additional data grid or loading capacity of the vehicle.
category 4	<ul style="list-style-type: none"> • ELG consignment loaded into RS on a special low-loader wagon with lift and release handling.
category 5	<ul style="list-style-type: none"> • ELG consignment loaded into RS on a special low-loader wagon with lift and release handling.

Explanation: "RS" means registration space in which the operator records structures, facilities and natural objects (general objects). On operators' lines there is a RS of 2.2 with a half width of 2,200mm and RS of 2.5 with a half width of 2,500mm. The value of the critical point of the consignment (18b) and the required route is critical for the assessment of category 4 or 5.

The price for other services listed in Chapter 5.4 is set on the basis of the extent of services ordered and provided. The price for services listed in Chapter 5.4 and provided by SŽDC is set in the price-list and governed by rules on the Infrastructure Operation Portal. In the case of services provided by other providers on railways where SŽDC is the capacity allocator, SŽDC publishes data on the Infrastructure Operation Portal only to the extent provided by the service provider.

6.2.5 Ancillary Services

The price of services provided by SŽDC is set in the price-list and governed by rules stated on the Infrastructure Operation Portal. In the case of services provided by other providers on railways where SŽDC is the capacity allocator, SŽDC publishes data on the Infrastructure Operation Portal only to the extent provided by the service provider.

6.3 Tariffs

6.3.1 Minimum Access Package

Price for Railway Capacity Allocation

Product	K ₁	K ₂	K ₃
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RJ	due application for railway capacity allocation to the annual timetable	1,700.00	8.00	10.00
PJ	late application for railway capacity allocation to the annual timetable	1,700.00	10.00	20.00
ZJ	application for railway capacity allocation to the regular change of the annual timetable	1,700.00	10.00	20.00
DZ	application for long-term ad hoc railway capacity allocation for 20 days or more	1100.00	0.00	25.00
N3	application for ad hoc railway capacity allocation for "more than 3 days"	100.00	0.00	70.00
P3	application for ad hoc railway capacity allocation for "less than 3 days"	100.00	0.00	160.00
TB	application for ad hoc railway capacity allocation for technical and safety tests of rail vehicles	480.00	0.00	70.00
ZK	application for ad hoc railway capacity allocation for test drives of non-approved type vehicles or driving above the line speed	960.00	0.00	70.00
UI	application for ad hoc railway capacity allocation for train movements for the purpose of SŽDC infrastructure maintenance	0.00	0.00	0.00
OM	application for ad hoc railway capacity allocation due to temporary capacity restrictions	0.00	0.00	0.00

Prices for the Use of Railway for the Purpose of Train Movement and conditions for their application are listed in Annex "C" to this Network Statement.

6.3.2 Track access to services facilities

SŽDC does not have a special price for access to the service facilities, which are listed in Chapter **Chyba! Nenalezen zdroj odkazů..** In the case of services provided by other providers on railways where SŽDC is the capacity allocator, SŽDC publishes data on the Infrastructure Operation Portal only to the extent provided by the service provider.

6.3.3 Supply of services referred to in Chyba! Nenalezen zdroj odkazů.

SŽDC negotiates with carriers contract prices for the directly provided services listed in Chapter **Chyba! Nenalezen zdroj odkazů..** Prices are governed by the price list and rules stated on the Infrastructure Operation Portal. Negotiating contractual prices is non-discriminatory to all carriers (a single price list and the same application conditions for all carriers). The negotiation of contractual prices is the subject of a contract for the operation of railway transport or separate contracts. In the case of services provided by other providers on railways where SŽDC is the capacity allocator, SŽDC publishes data on the Infrastructure Operation Portal only to the extent provided by the service provider.

6.3.4 Additional Services:

Prices for services related to negotiating exceptional consignments on railways operated by SŽDC determined according to the category of the exceptional consignment (see Chapter 6.2.4) are set in the following table:

Product	Category 1	Category 2	Category 3	Category 4	Category 5
Negotiation of transport and setting transport conditions for exceptional consignments	CZK 1,000	CZK 3,000	CZK 5,000	CZK 13,000	Individual ²⁾
Transport survey of the route of an exceptional consignment	CZK 500	CZK 1,500	CZK 2,500	CZK 7,500	Individual ²⁾
Issuing Edps „Order for transporting an exceptional consignment“ – the price is shown for one Order (dps number)	CZK 50	CZK 50	CZK 50	CZK 50	CZK 50

Notes:

¹⁾ By operators and some other railway undertakings, transports operated on unit trains are considered to be regular consignments (without negotiating as an exceptional consignment) provided that the cargo security conditions are complied with in accordance with international regulations (e.g. UIC - Loading Directive).

²⁾ The individual price per business case; the price will be set by a commercial offer against the demand received, but at least in the amount of the price category 4.

Other service charges listed in Chapter 5.4 and provided by SŽDC shall be governed by the price list and rules set on the Infrastructure Operation Portal. Negotiating contractual prices is non-discriminatory to all carriers (a single price list and the same application conditions for all carriers). The negotiation of contractual prices is the subject of a contract for the operation of railway transport or separate contracts. In the case of services provided by other providers on railways where SŽDC is the capacity allocator, SŽDC publishes data on the Infrastructure Operation Portal only to the extent provided by the service provider.

6.3.5 Ancillary Services

The price for services associated with issuing timetables is set for each product as follows:

Product	Price
publication of a timetable on lines where SŽDC is not the operator, contractual conditions of transport and the tariff of the carrier in the timetable, incl. data transmission to CIS,	CZK 10,000 / each A5 format page
publication of a timetable for the carrier's train in the required operating control point, above and beyond the obligations of the operator, as set in Decree No. 173/1995 Coll.	CZK 238 / operating control point
The price for processing and publishing additional carrier data related to the IDS information in which the carrier is involved, including the publication of connecting bus services and tariff conditions	CZK 5,000 / route

The price for designing and processing of the timetable for track section (sidings) not operated by SŽDC and following the route operated by SŽDC is determined as follows:

Product	Price
processing of a new timetable and its regular change	CZK 300 / route
Processing of an exceptional event on the part of the carrier	CZK 500 / route

For other services listed in Chapter 5.5, SŽDC negotiates contract prices. Prices are governed by the price list and rules stated on the Infrastructure Operation Portal. Negotiating contractual prices is non-discriminatory to all carriers (a single price list and the same application conditions for all carriers). In the case of services provided by other providers on railways where SŽDC is the capacity allocator, SŽDC publishes data on the Infrastructure Operation Portal only to the extent provided by the service provider.

6.4 Financial Sanctions and Incentives

6.4.1 Non-usage /cancellation fees and charges

If the applicant cancels the allocated railway capacity less than one month before the planned day of train movement, and beyond the period of regular change of the timetable due to reasons on the part of the applicant or if the applicant does not use the allocated railway capacity (see Chapter 4.6.1), or the allocated railway capacity remains unused as a result of a train delay of more than 1,200 minutes due to reasons on the part of the applicant, the applicant shall be obliged to pay the capacity allocator a penalties for unused or renounced allocated capacity for each planned day of the train movement when the allocated capacity is not used. This penalty is calculated according to the length of the unused allocated route, rates and conditions listed in Part D of Annex “C” to this Network Statement. The capacity allocator applies this penalty only on a selected network. Penalty are subject only to the unused or renounced sections of the allocated route that are located on the selected network. The selected network for which the capacity allocator applies a penalties for unused or renounced allocated capacity is shown on the M14 map.

Reasons on the part of the applicant mean all reasons that have not occurred on the part of the capacity allocator, the railway operator, state and local administration and have not been caused by an exceptional event or force majeure.

6.4.2 Reduction fee for Framework Agreements

SŽDC does not provide any special incentives for framework agreements (see Chapter 2.3.3).

6.4.3 ERTMS Discounts

In the context of ERTMS development support, SŽDC applies an advantage in calculating the price for the use of railway for traction vehicles equipped with ETCS Level 2. Details are given in Annex “C”, Part C, Section II.6.2.

6.4.4 Bonus for Upgraded Wagons to Reduce Noise Emissions

SŽDC provides carriers with bonuses for the use of modernised vehicles for the purpose of noise emission reduction. Details are given in Annex “C”, Part E.

6.5 Performance scheme

The performance remuneration system is a system of financial incentives with a motivational intent, aimed at ensuring minimisation of rail deficiencies and increasing their capacity in order to increase the quality of provided services. The contractual obligation of the carrier to

adhere to the performance remuneration system is one of the basic conditions for the allocation of railway capacity.

The performance remuneration system is defined so that:

- it would be in compliance with applicable law,
- none of the carriers would be given an advantage,
- on both parts only faults directly caused by the respective party were penalised.

Applying the performance system remuneration does not affect the right of SŽDC or the carrier to any possible compensation of proven damage in accordance with applicable law.

A detailed description of the performance remuneration system is given in Annex “D”. A model proposal for an arrangement on performance remuneration, including an impartial method of out-of-court settlement of disputes concerning the disruption of rail transport operations, is given in Annex “L”.

In accordance with the provision of Annex VI of Directive 34/2012/EU, once a year, SŽDC shall publish on its website the average annual performance level achieved by the carrier based on the main parameters of the performance remuneration system.

6.6 Changes to charges

SŽDC reserves the right to change the prices listed in Chapters 6.3.2 , 6.3.3 , 6.3.4 and 6.3.5. SŽDC notifies of these price changes in the form of a change in the Network Statement and via notification on the Infrastructure Operation Portal. Other railway operators (see Chapter 1.1.3) inform about price changes individually. Changing the prices of allocating the capacity of the infrastructure and using the train path listed in Chapter 6.3.1 the SŽDC currently does not plan in the near future. SŽDC does not rule out the possible adjustments of the prices mentioned in Chapter 6.3.1 in the case of an unplanned increase in economically justified costs or a change in the amount of the subsidy granted to SŽDC.

6.7 Billing Arrangements

6.7.1 Billing Arrangement on the Railway Operated by PKP CARGO INTERNATIONAL a.s.

Prices for the use of the Milotice nad Opavou – Vrbno pod Pradědem regional railway for the purpose of train movement are invoiced by PKP CARGO INTERNATIONAL a.s. to the carriers by the 15th day after the end of the calendar month in which the movement of the respective train was terminated. The tax document includes the total final price for performance in passenger or freight transport, VAT, and the total price including VAT. The tax document has a due date of 30 calendar days.

Payment identification for using the railway for train movement is as follows:

Account = 1000483318/3500 maintained with ING Bank N.V.

Variable symbol = tax document number

Specific symbol = period of actually made performances subject to charging, in mmyyyy format (e.g. 052013).

6.7.2 Billing Arrangement on Railways Operated by PDV RAILWAY a.s.

PDV RAILWAY a.s., as a railway operator, does not allocate railway capacity. The carrier requests SŽDC for the allocation of railway capacity on regional railways operated by PDV RAILWAY a.s. Prices for railway capacity allocation are then invoiced to the carriers by SŽDC.

PDV RAILWAY a.s. invoices the price for the use of railway for the purpose of train movement to carriers under the contract for operation of rail transport between the carrier and the railway operator. Due date of the tax document is 30 days. The tax document includes a billing document, which distinguishes performances in passenger and freight transport. Furthermore, the number of trains, train kilometres and gross tonne kilometres are stated at each kind of transport. Other data are only stated if this is agreed in the contract for rail transport operation.

Other services required by the carrier (e.g. long-term standstill of vehicles, re-fueling, train crew training, etc.) are provided by the railway operator in agreement with the carrier under a concluded contract. For other services provided by PDV RAILWAY a.s., as the railway operator, only the actual and demonstrably proven costs are invoiced to carriers.

6.7.3 Billing Arrangement on Railways Operated by SŽDC

Prices for railway capacity allocation are invoiced by SŽDC to applicants by the 15th day after the end of the calendar month in which railway capacity was allocated. The tax document includes the total final price for the allocation of the railway capacity, VAT, and total cost including VAT. The tax document has a due date of 30 calendar days. The Czech crown (CZK) is the official currency for billing and payments.

Payment identification for railway capacity allocation is as follows:

Account = 14606011/0710, IBAN CZ13 0710 0000 0000 1460 6011, BIC:
CNBACZPP maintained with the Czech National Bank

Variable symbol = tax document number

Penalties for unused or cancelled allocated railway capacity are invoiced by SŽDC to applicants on a quarterly basis. The subject of invoicing is the sum of sanctions in individual months of the given quarter. If the calculated penalty per calendar month is less than CZK 1,000, the resulting amount of the quarterly invoice is not included. The tax document has a due date of 30 calendar days.

Payment identification for unused or cancelled allocated railway capacity is as follows:

Account = 14606011/0710, IBAN CZ13 0710 0000 0000 1460 6011, BIC:
CNBACZPP maintained with the Czech National Bank

Variable symbol = tax document number

Prices for the use of the railway for the purpose of train movement and a bonus for cars upgraded to reduce noise emissions are invoiced by SŽDC to carriers by the 15th day after the end of the calendar month in which the movement of the relevant train was terminated. The tax document includes the total final price, partial prices for performances in passenger and freight transport and for the stopping of passenger trains in places allowing the get-on and get-off of passengers, bonus for upgraded cars, VAT and a total price including VAT. The tax document has a due date of 30 calendar days.

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Payment identification for using the track for train movement is as follows:

Account = 10006-14606011/0710, IBAN: CZ53 0710 0100 0600 1460 6011, BIC:
CNBACZPP maintained with the Czech National Bank

Variable symbol = tax document number

Mutually negotiated sanction amounts resulting from the performance remuneration system are invoiced by SŽDC and carriers in the quarterly cycle by the end of the calendar month following the last month of the relevant quarter in which the reason for the sanction incurred. The tax document includes the total final price for all agreed sanctions in the relevant quarter. The tax document has a due date of 30 calendar days.

Payment identification for negotiated sanctions invoiced to carriers by SŽDC is as follows:

Account = 14606011/0710, IBAN CZ13 0710 0000 0000 1460 6011, BIC:
CNBACZPP maintained with the Czech National Bank

Variable symbol = tax document number

Prices for access to services on the track listed in Chapter 5.3 and for services in Chapters 5.3, 5.4 and 5.5 (if specified) are invoiced separately. The tax document has a due date of 30 calendar days.

Payment identification for railway access to services is as follows:

Account = 14606011/0710, IBAN CZ13 0710 0000 0000 1460 6011, BIC:
CNBACZPP maintained with the Czech National Bank

Variable symbol = tax document number

Neither SŽDC nor the carriers are authorised to make the payment of invoiced prices and sanctions pursuant to Chapter 6 by form of a unilateral set-off.

Prague, November 2018

Bc. Jiří Svoboda, MBA
Chief Executive Officer