

Effective: from 10 March 2023

Applicable: from 10 December 2023

TEXT

1. 1.5.2.2.1 Modifications defined by Paragraph 5 Section (1) of Decree No 55/2015 (IX.30) NFM (30 days modification):

The following modification was made:

VPE publishes the finalised modification on its website, indicates the starting date of its entering into force and the timepoint of validity, and at the ~~same time~~ **of its publication** sends it to the rail regulatory body (Paragraph 67/O, Section (4) of Railway Act; Paragraph 7 of Decree of the Ministry of Economy and Transport No 55/2015 (IX.30) NFM.

2. 1.5.3.2 Feedback, finalisation of the draft of Network Statement, publication

The following modification was made:

VPE shall send the finalized Network Statement to the rail regulatory body at the ~~same time~~ **of its publication** of the Network Statement ~~enters into force~~. (Decree of the Ministry of Economy and Transport No 55/2015 (IX.30) NFM Paragraph 6)

3. 4.3.1 General ~~Principles~~ **Rules**

Infrastructure manager shall submit at VPE its requests for track possession in compliance with the procedure described in this point to carry out such maintenance, renewal and enhancement works on the railway network which disturb or limit train movements on the affected track section. Expected effects of the maintenance, renewal and enhancement works (total, partial exclusion) shall be published on the home page of VPE continuously in an up-to-date version. **The requests for possessions are submitted to VPE in the train path request system of VPE or if this system is not available, by using the pattern set out in Annex 4.3.2. A request for possession is considered to have been submitted to VPE when it is in the status "Examination" in the IT system for path requests.**

4. 4.3.2 Track closures, capacity restrictions and deadlines

By the final date for submitting of corridor and annual train path requests (11 April 2023), Infrastructure Manager may submit at VPE in the train path requesting system of VPE its annual request for track possession to be taken account of when constructing working timetable for the relevant year. ~~If this system is not available, by using the pattern set out in Annex 4.3.2. Infrastructure Manager shall attach train run plan at the same time when submitting requests for track possession.~~ Train run plan can be modified until the final date of submitting of annual requests for track possession. VPE shall satisfy annual track possession requests in compliance with rules relating to the annual working timetable

5. 4.3.2.1 Capacity allocation **rules for maintenance, renewal and enhancement works which can not be scheduled on a yearly base**

For the length of time carrying out such track possession which cannot be scheduled in the period of constructing the annual working timetable, and which disturb or limit train movements on the affected track section, Infrastructure Manager shall apply for network capacity ~~in the train path application system of~~ **from** VPE ~~if this system is not available by~~

using the pattern shown in Annex 4.3.2, taking into account the loss of revenues to be expected and the possible liabilities to compensate damages regarding train paths allocated.

On the basis of the so submitted track possession request, VPE shall initiate the suspension of the working timetable on the given track section, **for the section which is subject to the track possession, requests for paths submitted by the capacity requesters before the submission of the track possession will be examined before the allocation of the track possession and their train run will be ensured by the infrastructure manager, but requests for paths received after the submission of the track possession will be considered as if the track possession had already been allocated.** VPE informs the applicants concerned with the capacity restriction without coincidence with track possessions through its path allocation IT system and also shall involve such train path requests into the track possession requests the run of which shall be ensured by the Infrastructure Manager during the track possession.

In the event of non-annual track possessions **with the exception of possessions without disruption of train paths**, train path or service requests that are submitted **by the capacity requesters** during the period between the submission and the allocation of track possession requests and are affected by the section for which track possession was requested, shall be taken into account as if track possession would have been allocated, or they shall be judged after the allocation of track possession. Infrastructure Manager shall carry out such works in such a manner that the extent and period of time of the trouble should be as little as possible.

6. 4.5 Capacity allocation process

The following modification was made:

Railway Undertakings can submit annual, annual late, ~~mid-term~~, ad hoc and instant capacity requests whereas the authorised applicants can submit annual, annual late, ~~mid-term~~ and ad hoc requests for rail network services. They all need to comprise the type of request, the train type and the train category, as well as the time necessary for carrying out the activity. List of train types and the train categories can be found in Annex 4.5-2.

7. 4.5.1 Deadlines for annual train paths and timetabling

The following modification was made:

After the deadline of the submission of annual train path requests within 12 weeks, (until 03 July 2023), VPE shall construct the draft annual working timetable taking into account the submitted annual train path requests and the annual late path requests submitted 10 weeks prior to the deadline of the finalization of the annual working timetable (13 June 2023) and VPE is obliged to send in writing the relevant parts of timetable to applicants. Applicants will have possibility to make comments and carry out the necessary arrangements in the following 5 weeks (07 August 2023). **VPE shall publish the draft working timetable on its website no later than 13 weeks after the submission of the annual train path requests, in order to allow interested parties whose ability to use the rail services may be affected by the working timetable to submit their comments during the consultation period.** After this in the following 2 weeks (21 August 2023) VPE shall finalize the annual working timetable i.e. allocate train paths.

8. 4.5.2 Handling of requests which not belong to the annual working timetable, including short term requests as well

The following modification was made:

Final date for judgement of annual late requests that were not taken into account during the construction of annual working timetable shall be the last working day of the second week prior to the start of the timetable period (24 November 2023). **When finalising the working timetable, the previously published draft will be updated by VPE on its website one week after the finalisation of the annual and the annual late requests.**

Type of train path	Deadline for submitting request correlated to the date of the planned train run	Time needed for allocation
Mid-term train path	At least 5 weeks before train run	Within 5 working days
Ad hoc train path	At least 5 days before train run	As soon as possible, Immediately and no later than 24 hours before the departure of the train run. but within 4 working days at the longest.
Short term train path	Within 5 days but at least 1 hour before train run	As soon as possible
Train path for working trains	Before the scheduled time of running	As soon as possible

9. 4.5.4 Coordination path

The following modification was made:

The notice on the coordination process shall include:

- the capacity affected by conflicts between applications for railway network - **requested and pre-allocated** - capacity,
- the proposed capacity which differs from ~~that~~ **one** which was requested (**subject to pre-defined international train paths**),
- **detailed information on the criteria used for allocation,**
- the venue, date and time of the coordination procedure **and also,**
- consequences if parties concerned fail to participate in the coordination procedure.

The information provided in the notification shall be provided without revealing the identity of the applicant, unless the concerned applicant gave its prior consent.

10.4.6.1 Congested track section

The following modification was made:

If VPE - based on the data supply provided by the Infrastructure Manager - detects that the capacity usage reserved for congested track section is less at least for 1 month than the threshold (60%), VPE should inform the concerned applicant on this fact within 3 days. In addition, VPE should invite the applicant to declare within 8 days whether existed such **non-economic** cause out of its interest, which resulted that the rail network had not been available. Necessary documents which can prove cause(s) should be attached.

If the applicant does not fulfil this obligation in time or does not prove the cause out of its own **non-economic** interest, VPE should withdraw the reserved capacity. Immediately after decision making, VPE should inform affected applicants, infrastructure manager and rail regulatory body.

11.7.1.2 Different rules relating to service facilities not operated by Infrastructure Managers

The following modification was made:

Should the operator of the service facility be not the same as the Infrastructure Manager of rail network the service facility is connected to, the operator of the service facility shall deliver up-to-date information **free of charges and public on its website, and provide to the rail capacity allocation body before the deadline of the Network Statement's publication**~~(data supply) required to using the services supplied by the service facility to the rail capacity allocation body with a content described below, rail capacity allocation body of the availability of the such website where this up-to-date information is available in electronic form free of charge.~~

If the Applicant would like to use a non-Infrastructure Manager operated open access service facility, Applicant should has a valid user agreement with the operator of the service facility.

The information provided by the operator of the service facility can be found in section 7.2.

In case of the operator of the serving facility does not provide the data or provides it incompletely, the capacity allocation body shall request the missing data in writing with a minimum of 15 days' notice.

~~In case of the operator of the service facility wants to present the services provided in the service facility in this Network Statement, data supply shall include the following:~~

- ~~1. description of the infrastructure, inclusive of basic data required to construct timetable,~~
- ~~2. terms and conditions of access,~~
- ~~3. capacity allocation rules,~~
- ~~4. available services and conditions of their use~~
- ~~5. charges to be paid for the use of services and the rules of calculation of fees.~~

ANNEX

12.4.2 Process of open access to railway network in accordance with relevant legal rules, distinguished by activities

The following modification was made:

