

NSA ANNUAL REPORT 2010

Republic of Slovenia

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A. SCOPE OF THE REPORT

Presentation of the results of Public agency for railway traffic of the Republic of Slovenia at the field of security in railway traffic in Slovenia as it is demanded from Directive 2004/49/EC and the Railway Transport Act.

B. INTRODUCTORY SECTION

1. Introduction to the report

Annual report about security includes the data from the area of security and safe procedure and it is meant for all persons included in public railway system in Slovenia.

In accordance to Directive 2009/149/EC grades of »Indicators to calculate the economic impact of accidents« are mentioned in the report as well as the calculation of economical impact of all accidents:

- fatalities and seriously injured
- costs of the delays
- costs of material damages to rolling stock or infrastructure.

To calculate the "Indicators to calculate the economic impact of accidents" we took into account the values given in the "CSI Data Form" for the year 2010, because we do not have nationally coordinated baseline. It is expected that we will by the end of 2011, agreed and adopted this baseline.

In the report there are no delivered costs of the environmental damage, because the appropriate methodology for the calculation of the mentioned costs is not done yet.

2. Railway Structure Information (*Annex A*)

- Network map (Annex A.1)
- List of Railway Undertakings and Infrastructure Managers (Annex A.2)

3. Summary – General Trend Analysis (e.g. trends in the development of railway safety¹, certification etc.)

In the year 2010 the number of accidents and incidents increased for 21% in accordance to the year 2009 (133).

The number of suicides increased from 10 persons in the year 2009 to 15 persons in 2010 which is 50% more.

In accordance to 2009 the number of persons who were injured at extreme circumstances in 2010 decreased for 14% as in the year 2009 there were 14 such examples and in the year 2010 there were 12.

The total number of fatalities increased for 27% in the year 2010, because in 2009 there were 11 fatalities and in 2010 there were 14.

C. ORGANISATION

1. Introduction to the organisation

Date of establishment: June 2007

Number of employees: 29 persons at the Agency, 10 persons responsible for the tasks of NSA.

¹ General trend analysis in a few drops, the detailed trend analysis is to be developed in the paragraph D.

Mission statement:	Article 21 and Article 24 of the Railway Transport Act (See: Annex H)
Tasks of internal units:	They are dealt in the Legislation of interior organisation and systemisation of working places of Public agency for railway traffic of the Republic of Slovenia. Precise tasks are mentioned in Annex G.
Internal organisation Chart:	Presented in the Annex B.

2. Organisational flow – relationship (diagram) between the NSAs and other national bodies (such as National Investigation Bodies, National Regulatory Bodies, Ministry of Transport etc.) (**Annex F**)

The organisation structure of connection and the mission of Public agency for railway traffic of the republic of Slovenia is shown in Annex F and Annex H.

D. THE DEVELOPMENT OF RAILWAY SAFETY

1. Initiatives to maintain/improve safety performances

The initiatives which were published from Investigation Body have no direct impact on keeping or improving the safety and were published to interior organisation units of maintainer or driver in the goal of writing down the data which are not connected to safety.

2. Detailed data trend analysis

Calculation methodologies and definitions:

- Data about the accidents and incidents are in accordance to Regulation (EC) No. 91/2003 of European Parliament and Count from the day of 16. December 2001 about the statistics of railway traffic,
- Cost of material damages to rolling stock or infrastructure are calculated on basis of real expenses for exchange of or repairing of damaged vehicles and railway structure,
- For calculation of economical impact of accidents the methods in accordance to Directive 2009/149/EC are used.

Trend analysis:

In the year 2010 there were 18.884 million train km made, among that passenger trains made 813.354 million passenger km.

Together there were 21 accidents:

- Sixteen accidents at level-crossings,
- Four accidents which were caused by rolling stock in motion,
- One accident categorized as other accident.

There were fifteen suicides, one injured passenger and four injured unauthorised persons.

Safety indicators for the year 2010 are more favourable as they are lower than in the year 2009 and lower than the five-year average. In comparison to last year the number of accidents increased for 2 accidents and there were 26 more incidents than in the previous year.

Five year average calculated in year 2010 of total number of accidents at million train km was 2,48 events.

Number of persons who were injured decreased for 14 persons in the year 2009 to 12 in the year 2010. The whole amount of fatalities increased in the year 2010 as to the fact that in 2009 there were 11 fatalities and in 2010 there were 14 of them.

Five year average calculated in year 2010 of injured persons at one million train km was 1,14 injured persons.

Five year average calculated in year 2010 of fatalities at one million train km was 0,8 fatalities.

In the year 2010 there is an increase seen in the number of fatalities mostly at unauthorised persons which means that we can see failure of national reference values (NRV). At checking the causes for increasing that number we found out that most accidents which included victims of unauthorised persons happened at level crossings on non interoperability lines. Due to the mentioned fact we organized workshops in the year 2010 meant for safety crossing of the railway lines and changed the conditions in July 2011 of protecting the level crossings on non interoperability lines and equipment of the locomotives front signs.

Five year average calculated in year 2010 of the total number of accidents at level crossings at one million train km was 1,48 events.

Five year average calculated in year 2010 of fatalities at level crossings at one million train km was 0,367 fatalities.

Five year average calculated in year 2010 of fatalities of unauthorized persons at level crossings at one million train km was 0,084 fatalities.

In case of extra events there was a note written about the increase of defects at railway rails and safety devices. The cause for growing number of the defects at safety devices and the growth of the defects at railway rails is in condition of infrastructure, which will be updated by Infrastructure Manager in the future. More precise data about that are introduced in Annex C.

3. Results of safety recommendations

Due to the fact that recommendations which were published by Investigation Body were meant for interior organisation units of Infrastructure Manager or railway undertakers as keeping the notes of the data, intervention of Safety Authority was not necessary.

E. IMPORTANT CHANGES IN LEGISLATION AND REGULATION

Short description of implemented provisions:

For making the measures more efficient to increase the safety and adjust the legislation and regulations of EU, the following changes were fulfilled and changed in the year 2010:

- Act Amending the Railway Transport Act,
- Act Amending the Railway Traffic safety Act,
- Rules on Railway station and stops facilities,
- Rules on the Railway telecommunications network,
- Rules on Railway signalling-safety devices,
- Rules on Railway line superstructure.

Description of important changes is in Annex D.

F. THE DEVELOPMENT OF SAFETY CERTIFICATION AND AUTHORISATION

1. National legislation – Starting dates – Availability

- 1.1. The legal basis for the issuance of safety certificates in compliance with the Directive 2004/49.

The legislation basis is the Railway Transport Act which determines 5.July 2007 as the starting date for issuing the Safety Certificates which is determined in Directive. It determines also all the already issued Safety Certificates to be updated in accordance to Directive 2004/49/EC not later than 31.12.2010.

- 1.2. Starting date for issuing Safety Authorisations according to Article 11 of Directive 2004/49/EC

Starting date for issuing Safety Authorisations according to Directive 2004/49/EC is the same as the date of issuing the Safety Certificates, which is 5.July 2007.

- 1.3. Availability of national safety rules or other relevant national legislation to Railway Undertakings and Infrastructure Managers (website, paper documentation on request, etc.)

Relevant legislation is available on following websites:

- www.azp.si (Official website of the Public Agency for Rail Transport of RS),
- www.uradni-list.si (Official website of Official Gazette of the Republic of Slovenia).

2. Numerical data (Annex E)

Number of valid Safety Certificates held by Railway Undertakings in the end of year 2010:

- Slovenske železnice, d.o.o., Kolodvorska ul. 11, SI-1506 Ljubljana
Issued date: 26 Feb. 2009; Validity period expires on: 25 Feb. 2014
- Adria transport d.o.o., Vojkovo nabrežje 38, SI-6501 Koper
Issued date: 1 Dec. 2009; Validity period expires on: 30 Nov. 2014
- Luka Koper, d.d., port and logistic system, Vojkovo nabrežje 38, SI-6501 Koper
Issued date: 15 Dec. 2009; Validity period expires on: 14 Dec. 2014
- RCA – Rail Cargo Austria AG, Edberger Lände 40-48, A-1030 Wien
Issued date: 23 Dec. 2010; Validity period expires on: 23 Dec. 2014

3. Procedural aspects

3.1. Safety Certificates Part A

- 3.1.1. Reasons for updating/amending Part A Certificates (e.g. variation in type of service, extent of traffic, size of company)

In the year 2010 there were no updated or changed Safety Certificates Part A.

- 3.1.2. Main reasons if the mean issuing time for Part A Certificates (restricted to these mentioned in Annex E and after having received all necessary information), was more than the 4 months foreseen in Article 12(1) of the Safety Directive

In the year 2010 there were no updated or changed Safety Certificates Part A.

- 3.1.3. Overview of the requests from other National Safety Authorities to verify/ access information relating the Part A Certificate of a Railway Undertaking that has been certified in your country, but applies for a Part B certificate in the other Member State

We did not get any demands of other National Safety Authorities.

3.1.4. Summary of problems with the mutual acceptance of the Community wide valid Part A Certificate

In the year 2010 we accepted the Safety Certificate Part A of the Railway undertaker RCA AG, issued by NSA Austria. There were no problems about the acceptance noticed.

3.1.5. NSA Charging fee for issuing a Part A Certificate (Yes/No – Cost)

The charging fee was 1.418 EUR till November 2010, from November till the end of 2010 it was 1.549, 31 EUR.

3.1.6. Summary of the problems with using the harmonized formats for Part A Certificates, specifically in relation to the categories for type and extent of service

No problems were noticed.

3.1.7. Summary of the common problems/difficulties for the NSA in application procedures for Part A Certificates.

In the year 2010 there were no updated or changed Safety Certificates Part A.

3.1.8. Summary of the problems mentioned by Railway Undertakings when applying for a Part A Certificate

In the year 2010 there were no updated or changed Safety Certificates Part A.

3.1.9. Feedback procedure (e.g. questionnaire) that allows Railway Undertakings to express their opinion on issuing procedures/practices or to file complaints

In the year 2010 we did not get any suggestions from Railway undertakers.

3.2. Safety Certificates Part B

3.2.1. Reasons for updating/amending Part B Certificates (e.g. variation in type of service, extent of traffic, lines to be operated, type of rolling stock, category of staff, etc.)

There was a change and addition of Safety Certificate Part B due to the change in volume of using the public railway infrastructure at Railway undertaker Adria transport.

3.2.2. Main reasons if the mean issuing time for Part B Certificates (restricted to these mentioned in Annex E and after having received all necessary information), was more than the 4 months foreseen in Article 12(1) of the Safety Directive

Waiting period of issuing and changing the Safety Certificates Part B was not longer than 4 months from the received the demand.

3.2.3. NSA Charging fee for issuing a Part B Certificate (Yes/No – Cost)

The charging fee was 1.418 EUR till November 2010, from November till the end of 2010 it was 1.549, 31 EUR.

3.2.4. Summary of the problems with using the harmonized formats for Part B Certificates, specifically in relation to the categories for type and extent of service

No problems were noticed.

3.2.5. Summary of the common problems/difficulties for the NSA in application procedures for Part B Certificates.

No problems were noticed.

3.2.6. Summary of the problems mentioned by Railway Undertakings when applying for a Part B Certificate

No problems were noticed.

3.2.7 Feedback procedure (e.g. questionnaire) that allows Railway Undertakings to express their opinion on issuing procedures/practices or to file complaints

In the year 2010 we did not get any suggestions from the Railway undertakers.

3.3. Safety Authorisations

3.3.1. Reasons for updating/amending Safety Authorisations

No Safety Authorisations issued, amended or revoked in 2010.

3.3.2. Main reasons if the mean issuing time for Safety Authorisations (restricted to these mentioned in Annex E and after having received all necessary information), was more than the 4 months foreseen in Article 12(1) of the Safety Directive

No Safety Authorisations issued, amended or revoked in 2010.

3.3.3. Summary of the regularly problems/difficulties in application procedures for Safety Authorisations

No Safety Authorisations issued, amended or revoked in 2010.

3.3.4. Summary of the problems mentioned by Infrastructure Managers when applying for a Safety Authorisation

No Safety Authorisations issued, amended or revoked in 2010.

3.3.5. Feedback procedure (e.g. questionnaire) that allows Infrastructure Managers to express their opinion on issuing procedures/practices or to file complaints

In the year 2010 we did not get any suggestions from Infrastructure Manager.

3.3.6. NSA Charging fee for issuing a Safety Authorisation (Yes/No – Cost)

No administrative cost set in Public Administrative Act, because Infrastructure Manager tasks are executed as public service.

G. SUPERVISION OF RAILWAY UNDERTAKINGS AND INFRASTRUCTURE MANAGERS

Safety measures which derive from findings from inspections (paragraph 2, article 17 of Directive 2004/49/EC) not in the domain of NSA Slovenia, because the Transport Inspectorate is an independent body.

1. Description of the supervision of Railway Undertakings and Infrastructure Managers

Supervision was mostly done at Infrastructure Manager meaning the way he deals with the risk at contractors.

2. Description of the coverage of the legal aspects within the annual reports from the Infrastructure Managers and Railway Undertakings – Availability of the annual reports before 30 June (according to Article 9(4) of the Railway Safety Directive)

INSPECTIONS		Issued Safety Certificates Part A	Issued Safety Certificates Part B	Issued Safety Authorisations	Other Activities (To specify)
3. Number of inspections of RUs/IMs for 2010	planned	-	-	-	-
	unplanned	-	-	-	-
	carried out	-	-	-	-
AUDITS		Issued Safety Certificates Part A	Issued Safety Certificates Part B	Issued Safety Authorisations	Other Activities (To specify)
4. Number of audits of RUs/IMs for 2010	planned	-	-	1	-
	carried out	-	-	1	-

H. REPORTING ON THE APPLICATION OF THE CSM ON RISK EVALUATION AND ASSESSMENT

Slovenia implemented the Directive 2008/57/EC, as well as the Regulation 352/2009 and the Commission Decision 2009/460/EC.

I. NSA CONCLUSIONS ON THE REPORTING YEAR – PRIORITIES

General safety assessment

Considering the presented data, general safety in the railway transport system in the Slovenian Republic was estimated as satisfactory.

Because of the detected increase of the accidents at level crossings we organized workshops in the year 2010 meant for safety crossing of the railway lines and changed the conditions in July 2011 of protecting the level crossings on non interoperability lines and equipment of the locomotives front signs, which will also be our main priority. We organize annual safety conference at the end of September with the theme: Safety at level crossings.

J. SOURCES OF INFORMATION

Reports on emergency events in 2010:

- IM: Slovenske železnice, d.o.o., Ljubljana, June 2011;
- RU: Adria transport d.o.o., Koper; June 2011;
- RU: RCA – Rail Cargo Austria AG, Wien, June 2011.

K. ANNEXES

ANNEX A: Railway Structure Information

ANNEX B: Organisation chart(s) of the National Safety Authority

ANNEX C: CSIs data – Definitions applied

ANNEX D: Important changes in legislation and regulation

ANNEX E: The development of safety certification and authorisation – Numerical Data

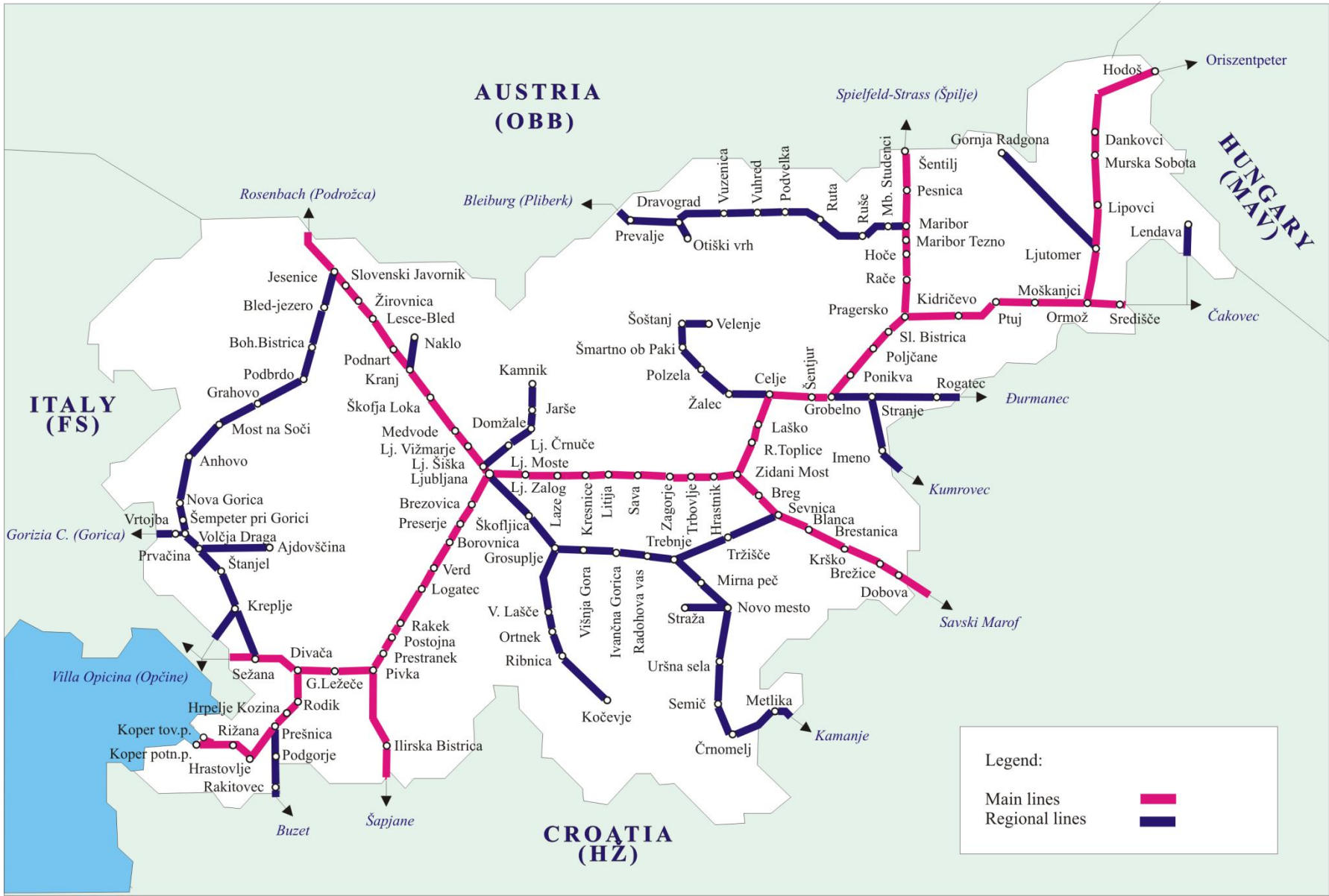
ANNEX F: Institutional framework in 2010

ANNEX G: Description of tasks of NSA (valid from September 2010)

ANNEX H: Mission Statement of Agency

ANNEX A: Railway Structure Information

A.1. Network map



A.2. List of Railway Undertakings and Infrastructure Managers

A.2.1. Infrastructure Manager(s)

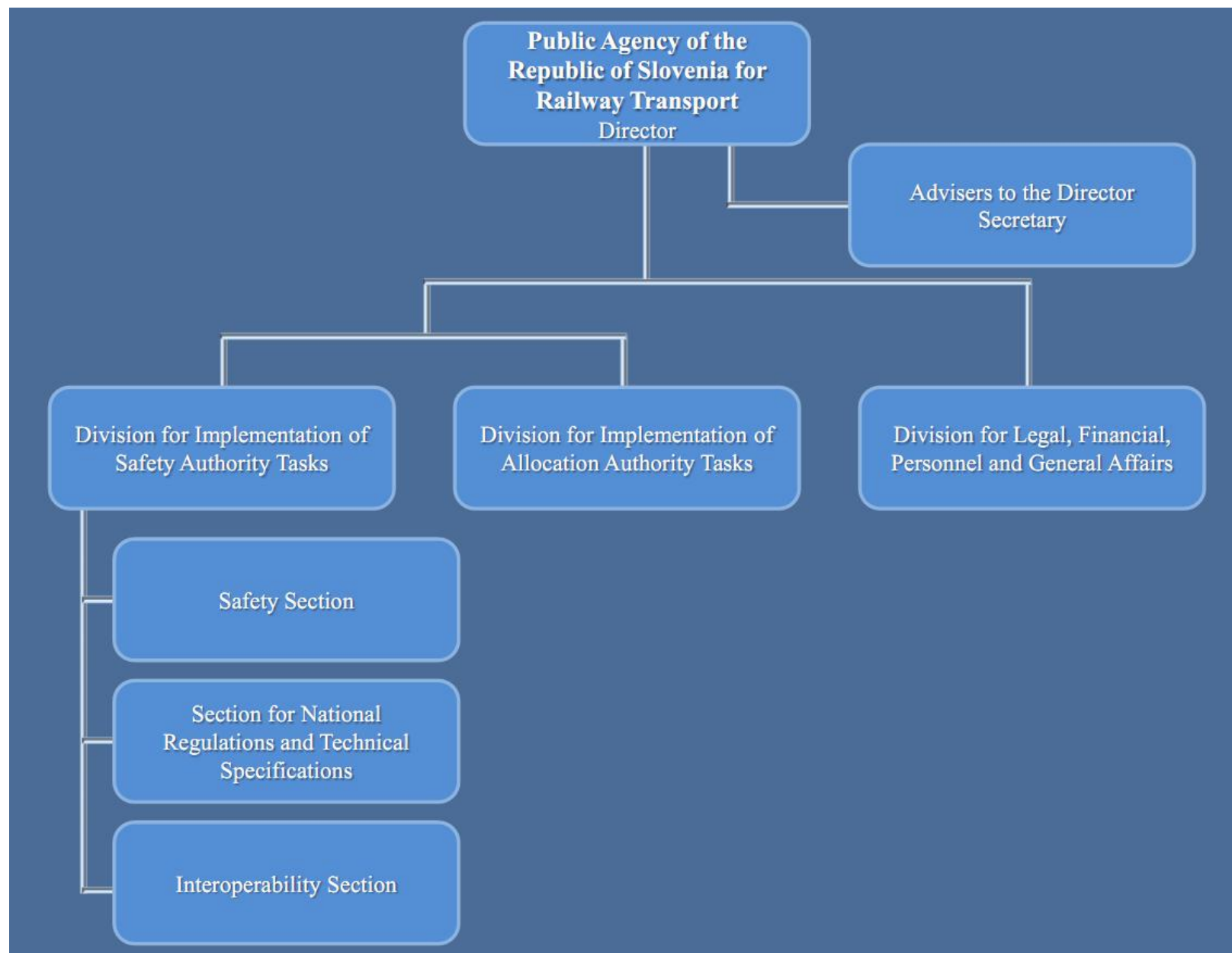
Name	Address	Website/Network Statement Link	Safety Authorisation (Number/Date)	Start date commercial activity	Total Track Length/Gauge	Electrified Track Length/Voltages	Total Double/Simple Track Length	Total Track Length HSL	ATP equipment used	Number of LC	Number of Signals
SŽ, d.o.o.	Kolodvorska ulica 11 1506 Ljubljana	www.slo-zeleznice.si/	37502-1/2007-1/24.5.2008	/	1229/1435	503/3KV AC	330/898	/	Indusi I-60	888	/

A.2.2. Railway Undertaking(s)

Name	Address	Website	Safety Certificate A-B 2004/49/EC (Number/Date)	Start date commercial activity	Traffic Type (Freight,...)	Number of Locomotives	Number of Railcars/Multiple Unit-sets	Number of Coaches/Wagons	Number of train drivers/safety crew	Volume of passenger transport	Volume of freight transport
SŽ	Kolodvorska ulica 11 SI-1506 Ljubljana	www.slo-zeleznice.si	SI 11 2009 0001 26.2.2009 SI 12 2009 0001 26.2.2009	/	Freight / passenger	149	0/267	138/4465	982/1669	> 200 mil	> 500 mil
ADT	Vojkovo nabrežje 38 SI-6501 Koper	www.adria-transport.com	SI 11 2009 0002 01.12.2009 SI 12 2009 0002 01.12.2009	/	Freight	3	/	0/60	5/0	/	< 500 mil
LK	Vojkovo nabrežje 38 SI-6501 Koper	www.luka-kp.si	SI 11 2009 0003 15.12.2009 SI 12 2009 0003 15.12.2009	/	Freight / Shunting only	1	/	/	3/7	/	/
RCA	Erdberger Lände 40-48 1030 Wien	http://www.railcargo.at/	AT 11 2009 0004 23.12.2009 SI 12 2010 0002 23.12.2010	/	Freight	24	/	/	16/6	/	< 500 mil

Abbreviations: HSL = High Speed Line (Definition acc. Directive 96/48/EC)
 ATP = Automatic Train Protection
 LC = Level Crossing

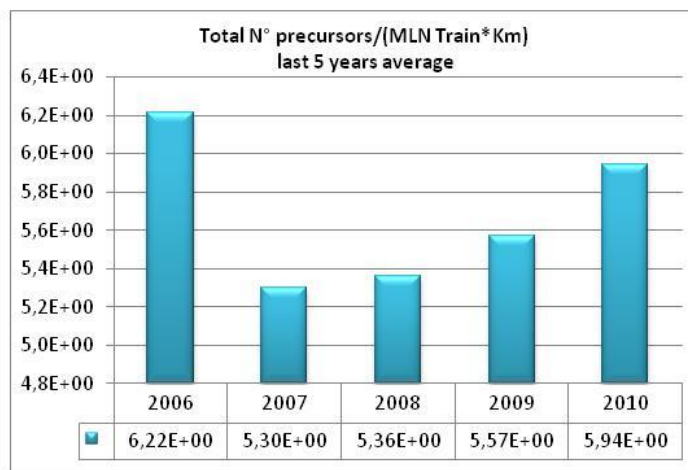
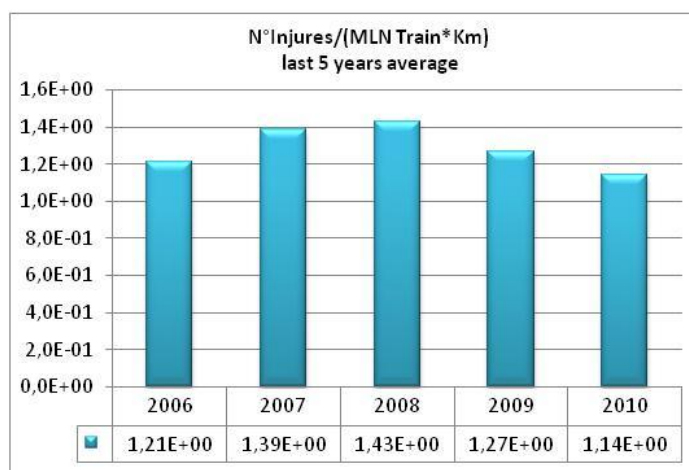
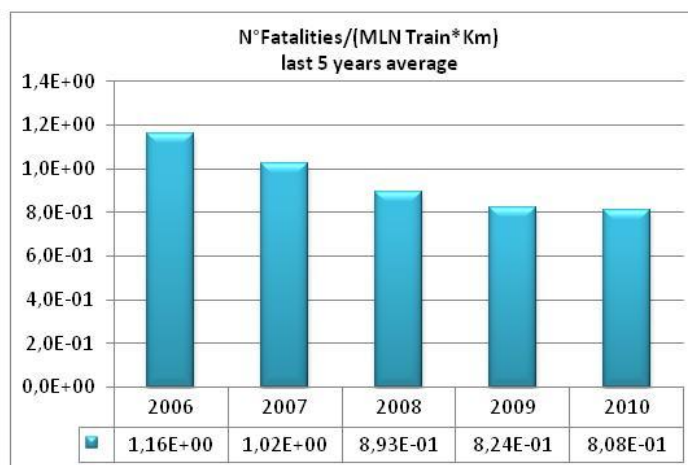
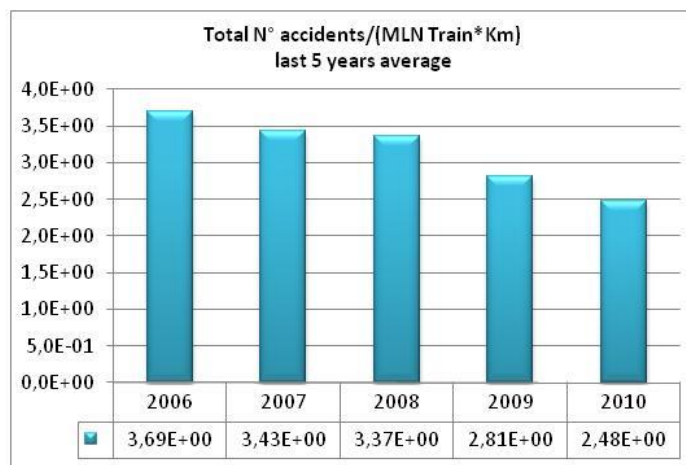
ANNEX B 1: Organisation chart(s) of the National Safety Authority (valid from September 2010)



ANNEX C: CSIs data – Definitions applied

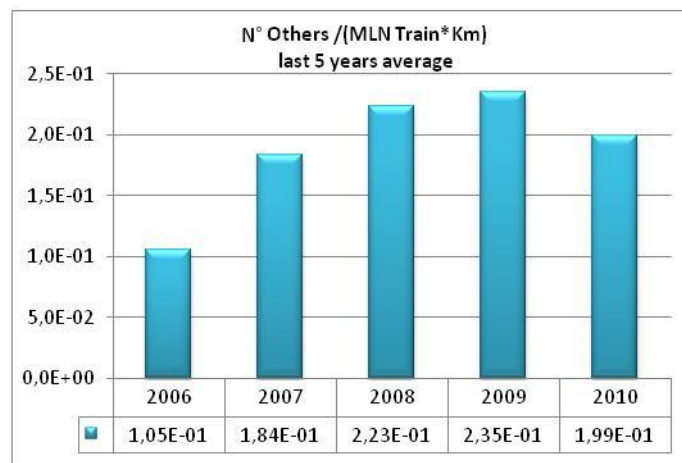
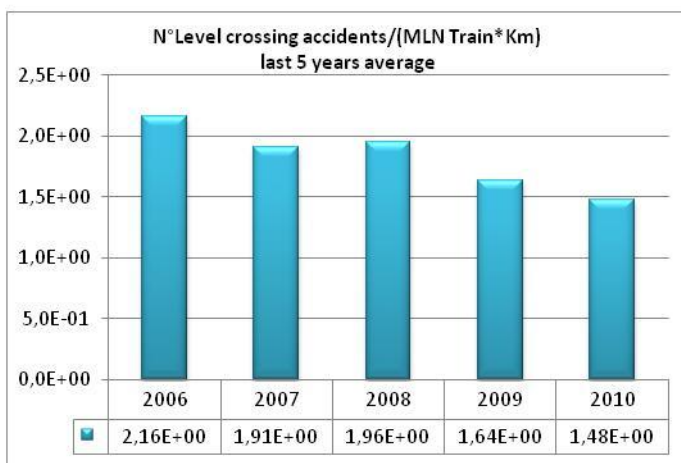
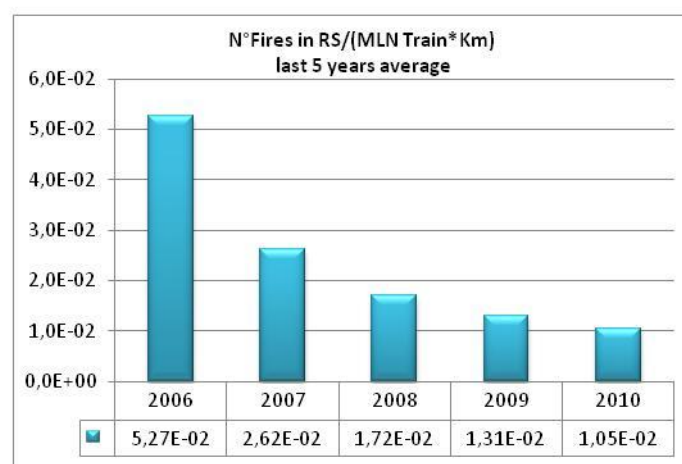
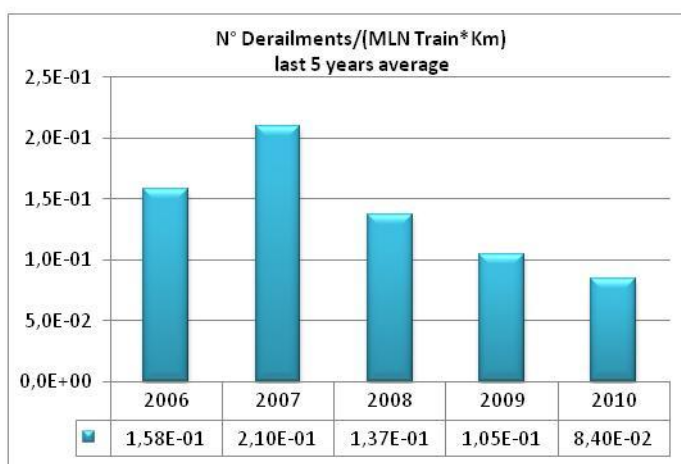
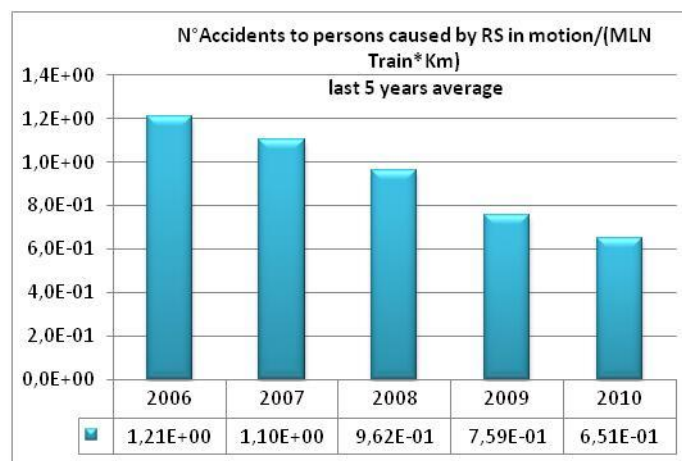
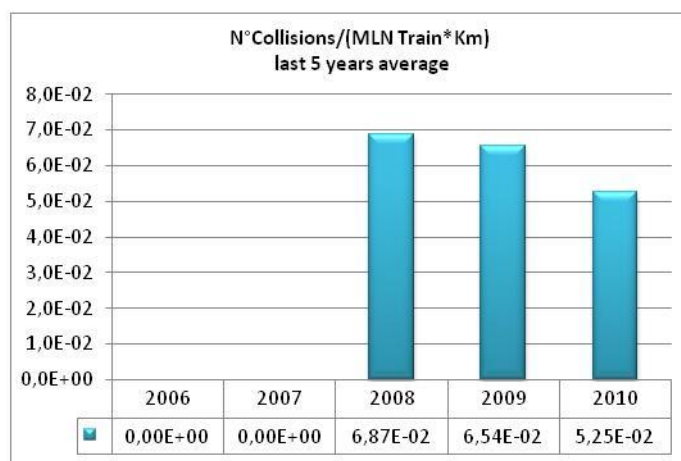
C.1. CSIs data²

Performances at a glance

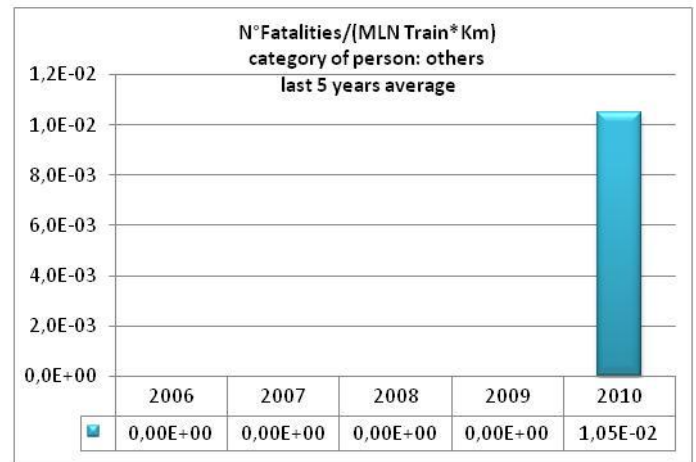
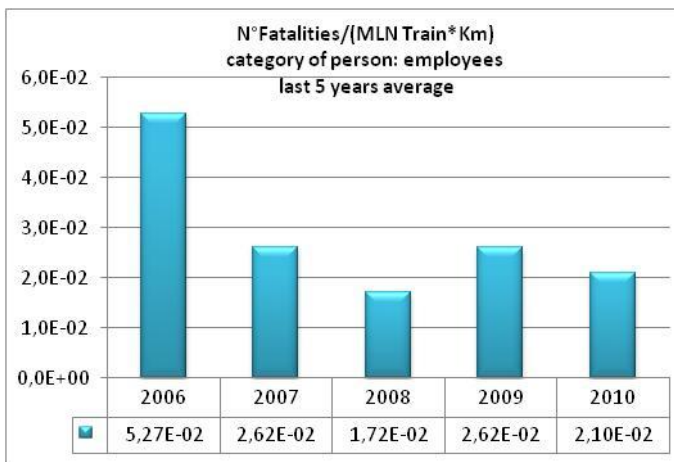
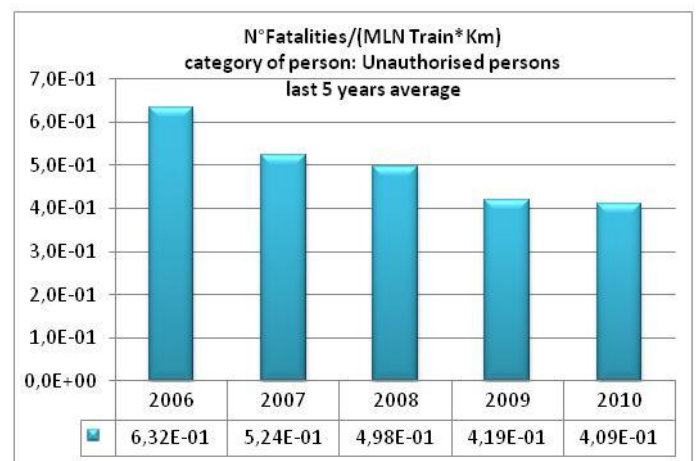
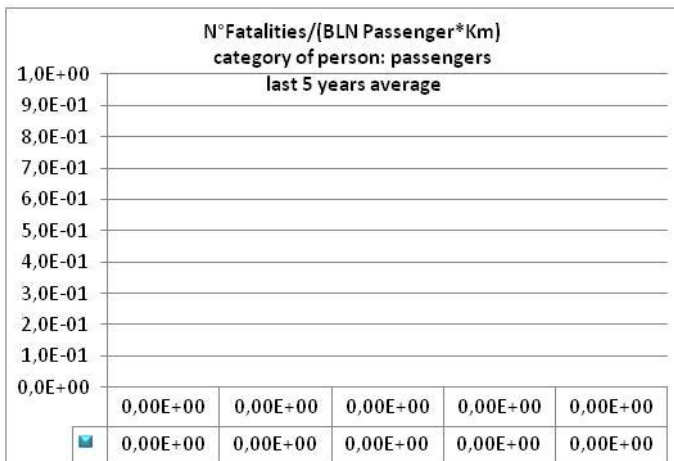
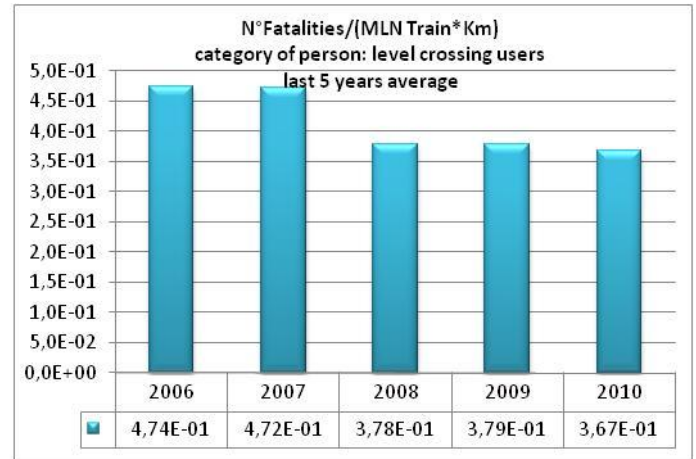
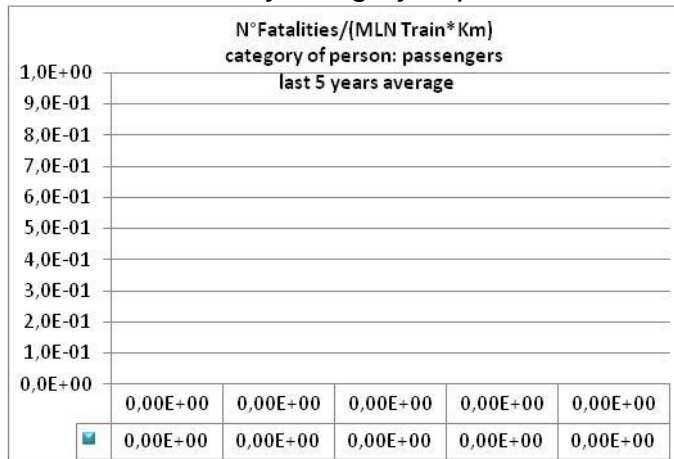


² Data in charts are just examples.

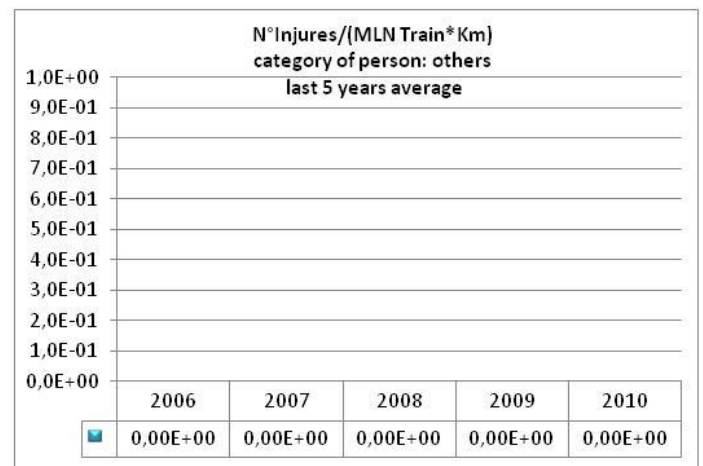
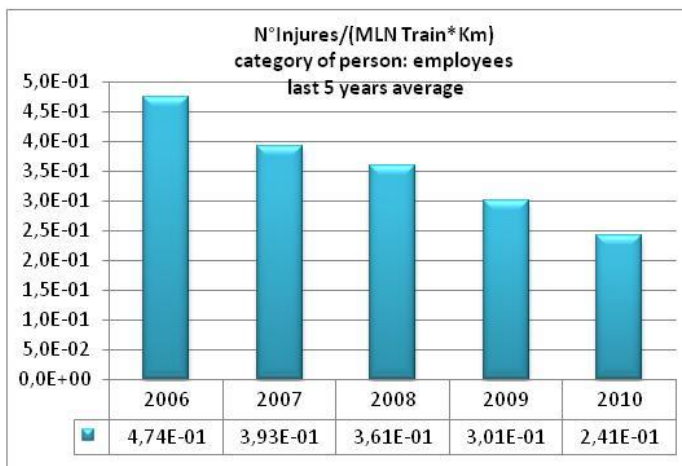
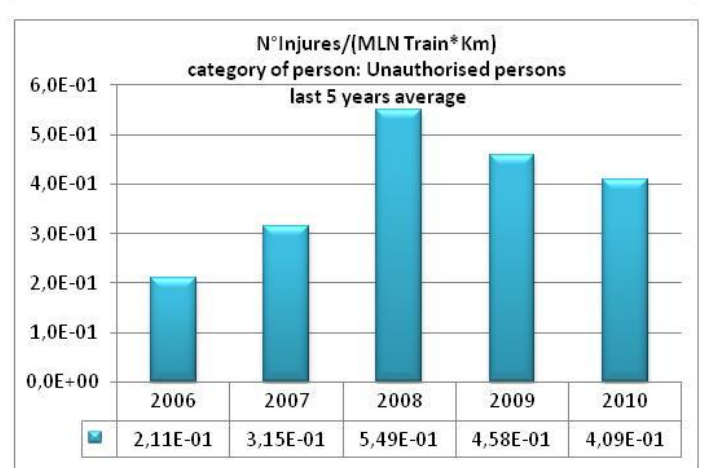
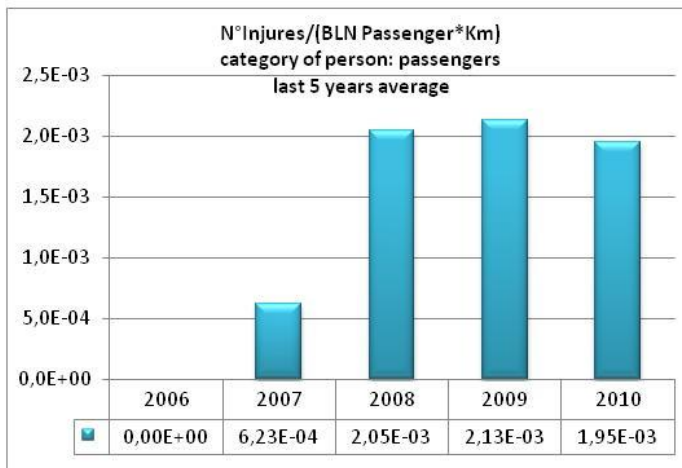
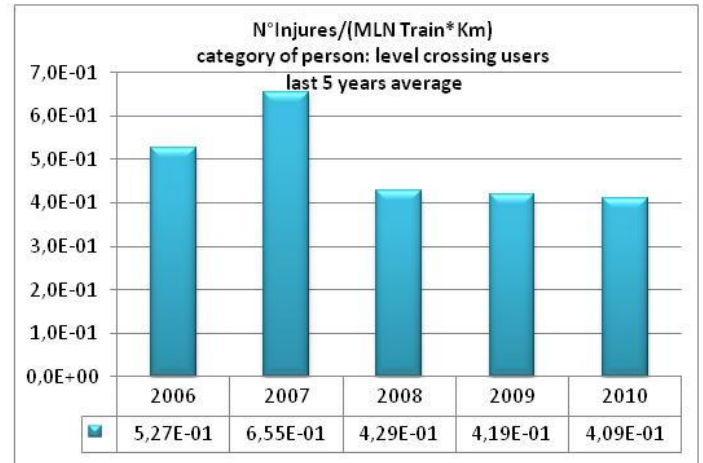
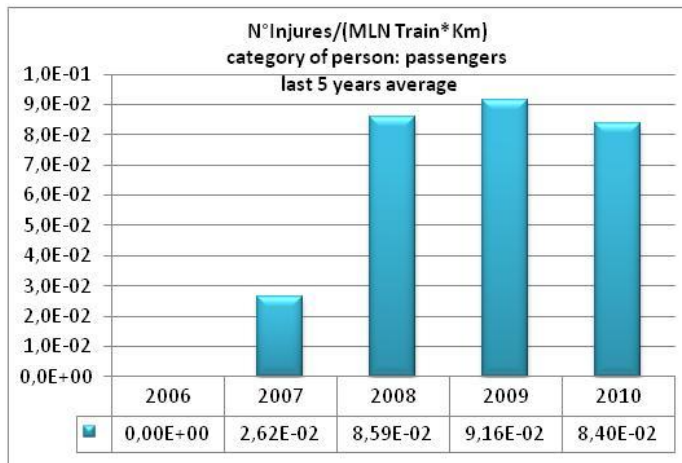
Accidents divided by type



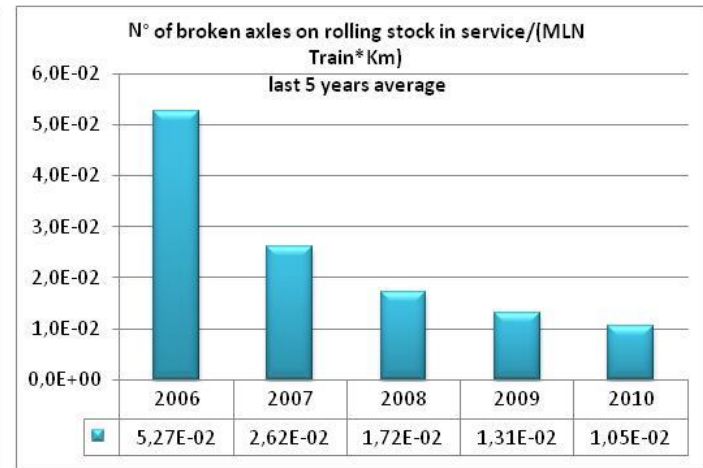
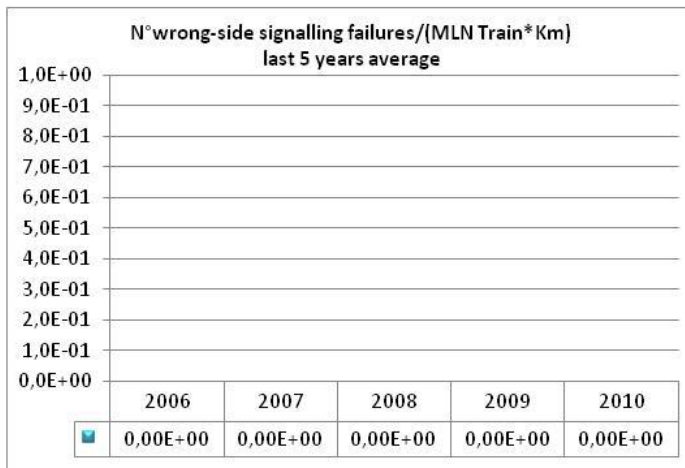
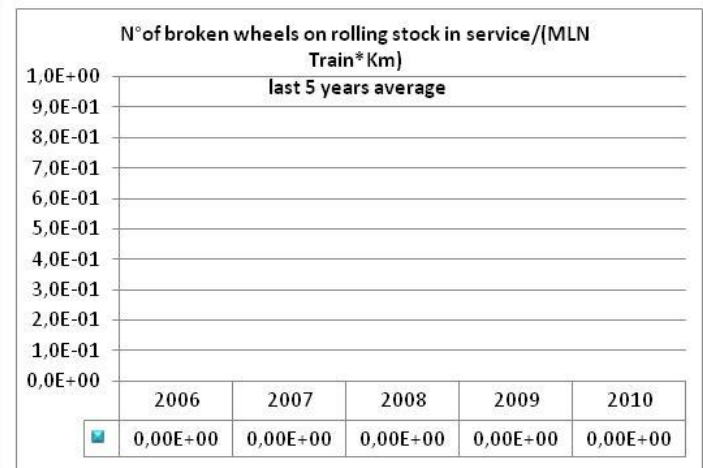
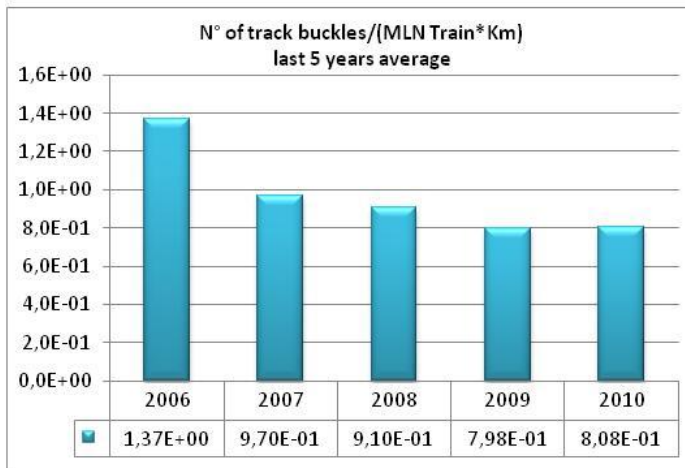
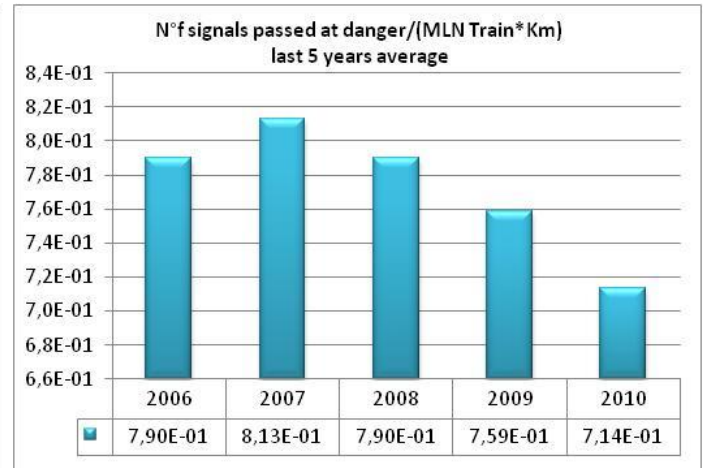
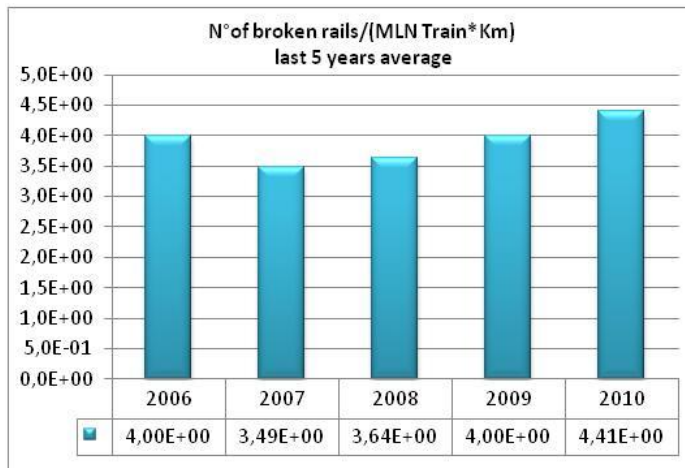
Fatalities divided by category of persons involved



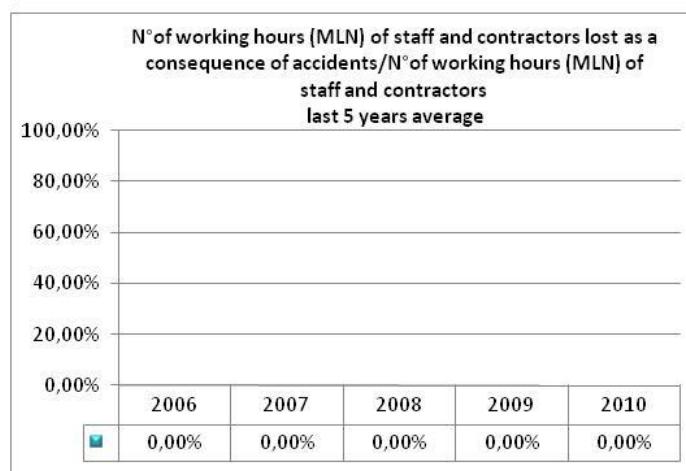
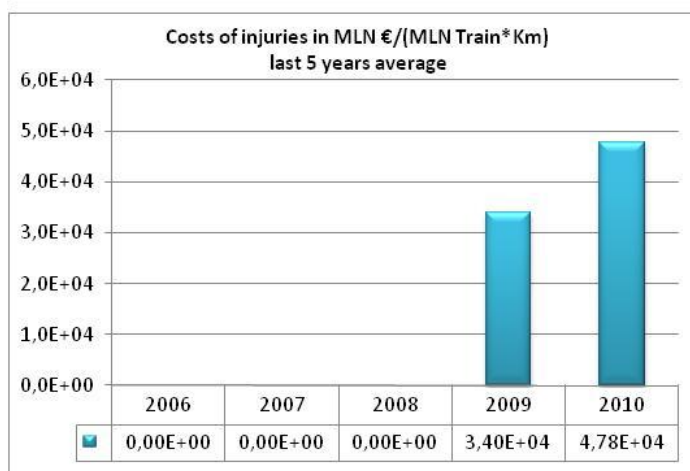
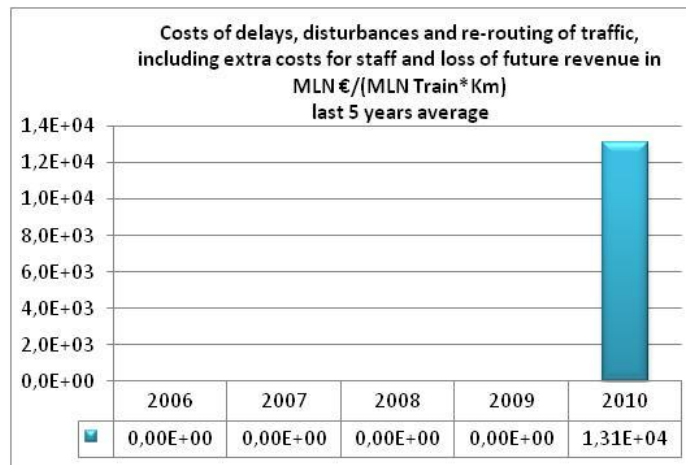
Injures divided by category of persons involved



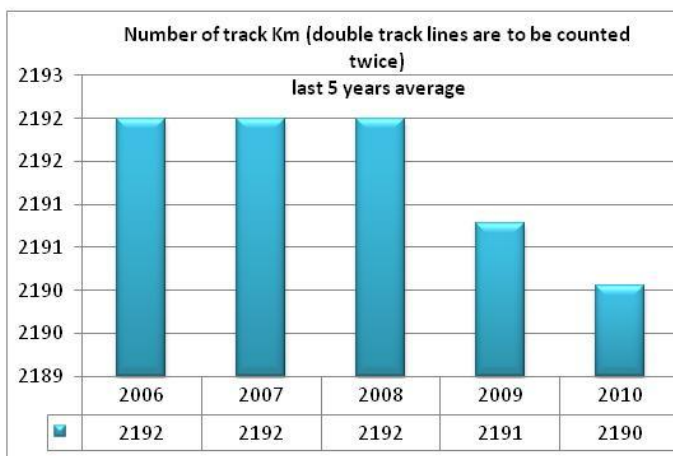
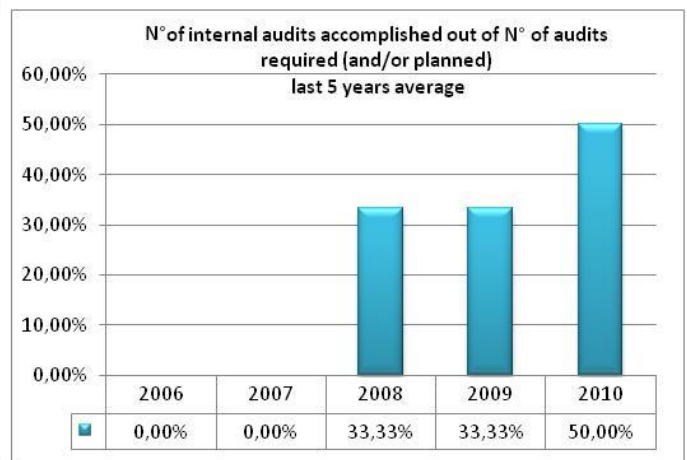
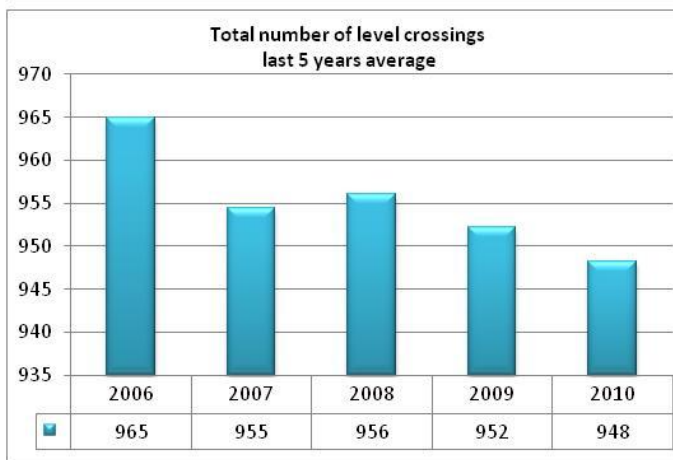
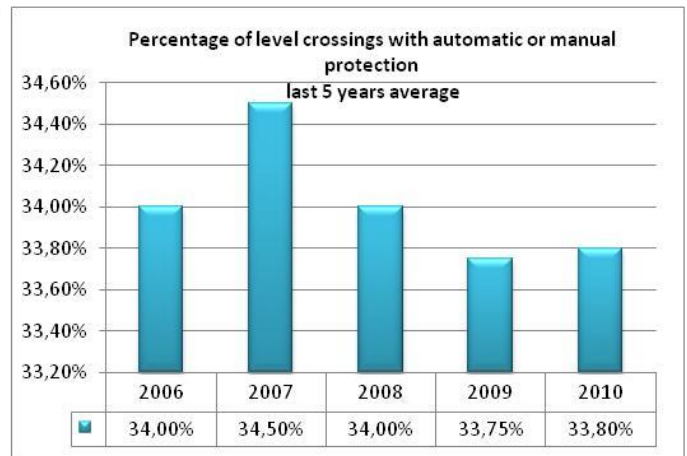
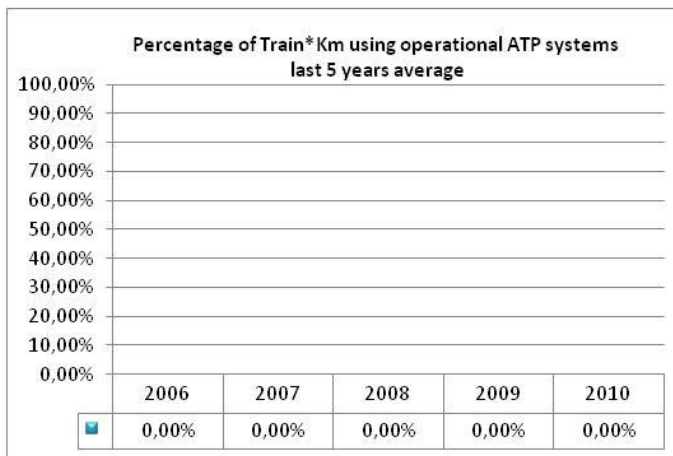
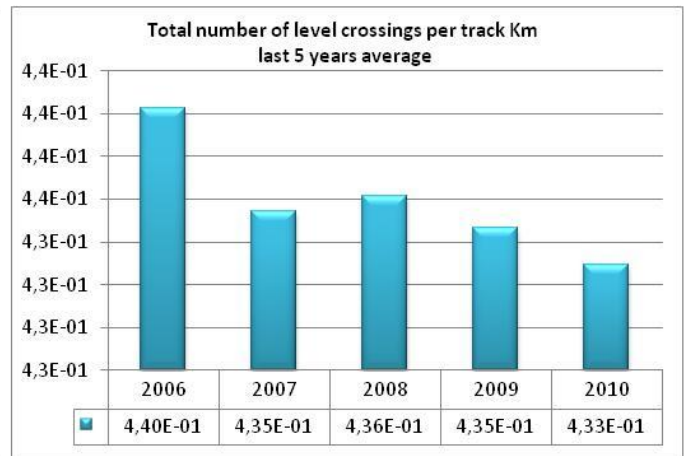
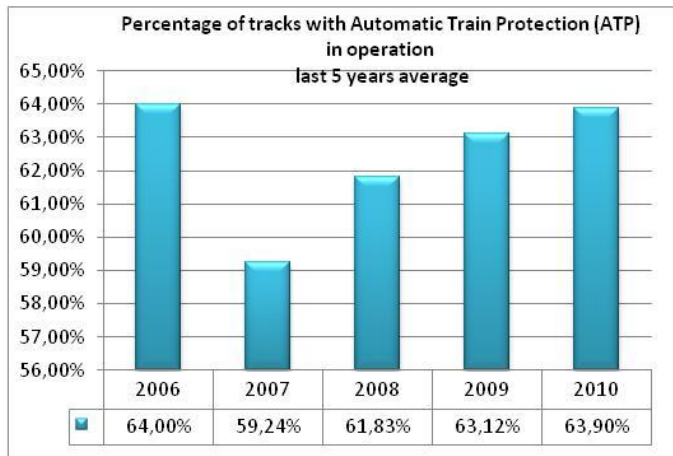
Precursors to accidents



Cost of all accidents, number of working hours of staff and contractors lost as a consequence of accidents



Technical safety of infrastructure and its implementation, management of safety



C.2. Definitions used in the annual report

C.2.1. Definitions in Regulation 91/03 to be applied:

fatalities (killed person)

means any person killed immediately or dying within 30 days as a result of an injury accident, excluding suicides

injuries (seriously injured person)

means any person injured who was hospitalized for more than 24 hours as a result of an accident, excluding attempted suicides

passenger-km

means the unit of measure representing the transport of one passenger by rail over a distance of one kilometre. Only the distance on the national territory of the reporting country shall be taken into account

rail passenger

means any person, excluding members of the train crew, who makes a trip by rail. For accident statistics, passengers trying to embark/disembark onto/from a moving train are included

suicide

means an act to deliberately injure oneself resulting in death, as recorded and classified by the competent national authority

significant accident

means any accident involving at least one rail vehicle in motion, resulting in at least one killed or seriously injured person, or in significant damage to stock, track, other installations or environment, or extensive disruptions to traffic. Accidents in workshops, warehouses and depots are excluded

train

means one or more railway vehicles hauled by one or more locomotives or railcars, or one railcar travelling alone, running under a given number or specific designation from an initial fixed point to a terminal fixed point. A light engine, i.e. a locomotive travelling on its own, is not considered to be a train

train*Km

means the unit of measure representing the movement of a train over one kilometre. The distance used is the distance actually run, if available, otherwise the standard network distance between the origin and destination shall be used. Only the distance on the national territory of the reporting country shall be taken into account

C.2.2. National definitions

In this report there are no national definitions and methods for calculating the costs used. All definitions and methods to calculate costs concerning the items listed in this report are in accordance with the definitions from the Directive 2009/149/EC in Directive 2004/49/EC.

CSI	Common Safety Indicator
ERA	European Railway Agency
LC	Level Crossing
MLN	10^6
BLN	10^9
NSA	National Safety Authorities
RS	Rolling Stock
RU/IM	Railway Undertaking and Infrastructure Manager
NIB	National Investigation Body

ANNEX D: Important changes in legislation and regulation

	Legal reference	Date legislation comes into force	Reason for introduction (Additionally specify new law or amendment to existing legislation)	Description
General national railway safety legislation				
	Zakon o spremembah in dopolnitvah Zakona o železniškem prometu – ZZelP-H (Uradni list RS, št. 106/10 z dne 27. 12. 2010)	11. 01. 2011	Act Amending with Directive 2004/49/EC of European parliament and the Council from 29 of April 2004 about the safety at railway community and changes of Directive of the World 95/18/EC about the publishing the Authorizations to the railway undertakers and the Directive 2001/14/EC about giving the capability of railway infrastructure, collecting of user charges for the railway infrastructure and giving the safety Authorization (Official Gazette of the Republic of Slovenia No. 164 from 30 of April 2004, p.44; in the following: Directive 2004/49/EC) changed by Directive of Commission 2009/149/EC from 27 of November 2009 about the changes of Directive 2004/49/EC of European parliament and the Council about common safety indicators and common methods for calculating the costs of accidents (Official Gazette of the Republic of Slovenia No. 313 from 28 of November 2009, p.65)	Act Amending the Railway Transport Act
	Zakon o spremembah in dopolnitvah Zakona o varnosti v železniškem prometu – ZVZelP-A (Uradni list RS, št. 21/10 z dne 15. 3. 2010)	30. 03. 2010	Implementation of Directive 2007/59/EC of European Parliament and the Council from 23 of October 2007 about publishing the train drive's certificates who deal with locomotives and trains at railway network (Official Gazette of the Republic of Slovenia No. 315 from 3 of December 2007, p. 51; in the following: Directive 2007/59/EC)	Act Amending the Railway Traffic safety Act
National rules concerning railway safety				
Rules concerning national safety targets and methods				
Rules concerning requirements on safety management systems and safety certification of Railway Undertakings				
Rules concerning requirements for wagon keepers				
Rules concerning requirements for maintenance workshops				

Rules concerning requirements for the authorisation of placing in service and the maintenance of new and substantially altered rolling stock, including rules for exchange of rolling stock between Railway Undertakings, registration systems and requirements on testing procedures				
Common operating rules of the railway network, including rules relating to the signalling and traffic procedures				
Rules laying down requirements on additional internal operating rules (company rules) that must be established by the Infrastructure Managers and Railway Undertakings	<u>Pravilnik o spremembah in dopolnitvah Pravilnika o opremljenosti železniških postaj in postajališč (Uradni list RS, št. 72/2010 z dne 10. 9. 2010)</u>	25. 09. 2010	In the Rules TSI for functional defected persons is implemented. The Rules changes the Rules about equipment of railway stations and stops. (Official Gazette of the Republic of Slovenia No. 72/09)	Rules on railway station and stops facilities
Rules concerning requirements on staff executing safety critical tasks, including selection criteria, medical fitness and vocational training and certification				
Rules concerning the investigation of the accident and incidents, including recommendation				
Rules concerning requirements for national safety indicators, including how to collect and analyse the indicators				
Rules concerning requirements for authorisation of placing in service the infrastructure (tracks, bridges, tunnels, energy, ATC, radio, signalling, interlocking, level crossing, platforms, etc.)	<u>Pravilnik o železniškem telekomunikacijskem omrežju</u> (Uradni list RS, št. 59/2010 z dne 23. 7. 2010)	07. 08. 2010	Harmonization with the fourth paragraph of Article 37 and the third paragraph of Article 38 of the Railway Traffic safety Act (Official Gazette of the Republic of Slovenia No. 36/10 – officially consolidated text). The Rules substitutes the Rules about conditions of project, construction and maintenance of railway telecommunication network. (Official Gazette of the Republic of Slovenia No. 30/03)	Rules on the Railway telecommunications network
	<u>Pravilnik o železniških signalnovarnostnih napravah</u> (Uradni list RS, št. 85/2010 z dne 29. 10. 2010)	13 .11. 2010	Harmonization with the fourth paragraph of Article 37 and the third paragraph of Article 38 of the Railway Traffic safety Act (Official Gazette of the Republic of Slovenia No. 36/10 – officially consolidated text). The Rules substitutes the Rules about railway signaling – safety devices	Rules on Railway signalling-safety devices
	<u>Pravilnik o zgornjem ustroju železniških prog</u> (Uradni list RS, št. 92/2010) <u>Uradni list RS, št. 92/2010)</u>	04. 12. 2010	Harmonization with the fourth paragraph of Article 37 and the third paragraph of Article 38 of the Railway Traffic safety Act (Official Gazette of the Republic of Slovenia No. 36/10 – officially consolidated text). The Rules substitutes the Rules about conditions of design, construction and maintenance of railway superstructure. (Official Gazette of the Republic of Slovenia No. 14/03).	Rules on Railway line superstructure

ANNEX E: The development of safety certification and authorisation – Numerical Data

E.1. Safety Certificates according to Directive 2001/14/EC

Number of Safety Certificates issued according to Directive 2001/14/EC, held by Railway Undertakings in year 2010	being licensed in your Member State	0
	being licensed in another Member State	0

E.2. Safety Certificates according to Directive 2004/49/EC

		New	Updated / amended	Renewed
E.2.1. Number of valid Safety Certificates Part A held by Railway Undertakings in the year 2010	being registered in your Member State	3	0	0
	being registered in another Member State	1	0	0

		New	Updated / amended	Renewed
E.2.2. Number of valid Safety Certificates Part B held by Railway Undertakings in the year 2010	being registered in your Member State	4	1	0
	being registered in another Member State	0	0	0

			A	R	P
E.2.3. Number of applications for Safety Certificates Part A submitted by Railway Undertakings in year 2010	being registered in your Member State for	new certificates	0	0	0
		updated / amended certificates	0	0	0
		renewed certificates	0	0	0
	being registered in another Member State for	new certificates	0	0	0
		updated / amended certificates	0	0	0
		renewed certificates	0	0	0

			A	R	P
E.2.4. Number of applications for Safety Certificates Part B submitted by Railway Undertakings in year 2010	being registered in your Member State for	new certificates	0	0	0
		updated / amended certificates	1	0	0
		renewed certificates	0	0	0
	being registered in another Member State for	new certificates	1	0	0
		updated / amended certificates	0	0	0
		renewed certificates	0	0	0

A = Accepted application, certificate is already issued

R = Rejected applications, no certificate was issued

P = Case is still pending, no certificate was issued so far

E.2.5. List of countries where RUs applying for a Safety Certificate Part B in your Member State have obtained their Safety Certificate Part A

The only RU was from Austria.

E.3. Safety Authorisations according to Directive 2004/49/EC

	New	Updated / amended	Renewed
E.3.1. Number of valid Safety Authorisations held by Infrastructure Managers in the year 2010 being registered in your Member State	1	0	0

		A	R	P
E.3.2. Number of applications for Safety Authorisations submitted by Infrastructure Managers in year 2010 being registered in your Member State	new authorisations	0	0	0
	updated / amended authorisations	0	0	0
	renewed authorisations	0	0	0

A = Accepted application, authorisation is already issued

R = Rejected applications, no authorisation was issued

P = Case is still pending, no authorisation was issued so far

E.4. Procedural aspects – Safety Certificates part A

		New	Updated / amended	Renewed
Mean time after having received all necessary information between the receipt of an application and the final delivery of a Safety Certificate Part A in year 2010 for Railway Undertakings	being registered in your Member State	N/A	N/A	N/A
	being registered in another Member State	N/A	N/A	N/A

E.5. Procedural aspects – Safety Certificates part B

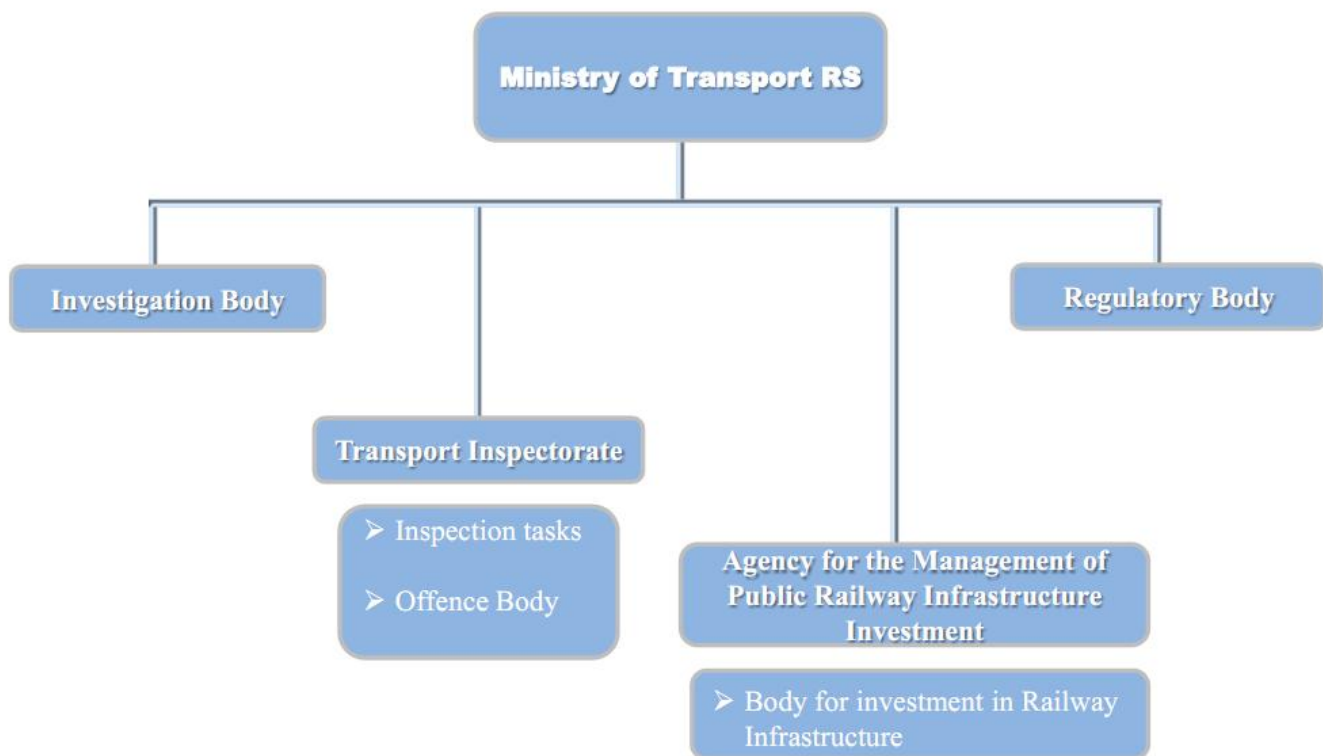
		New	Updated / amended	Renewed
Mean time after having received all necessary information between the receipt of an application and the final delivery of a Safety Certificate Part B in year 2010 for Railway Undertakings	being registered in your Member State	N/A	2 weeks	N/A
	being registered in another Member State	1 month	N/A	N/A

E.6. Procedural aspects – Safety Authorisations

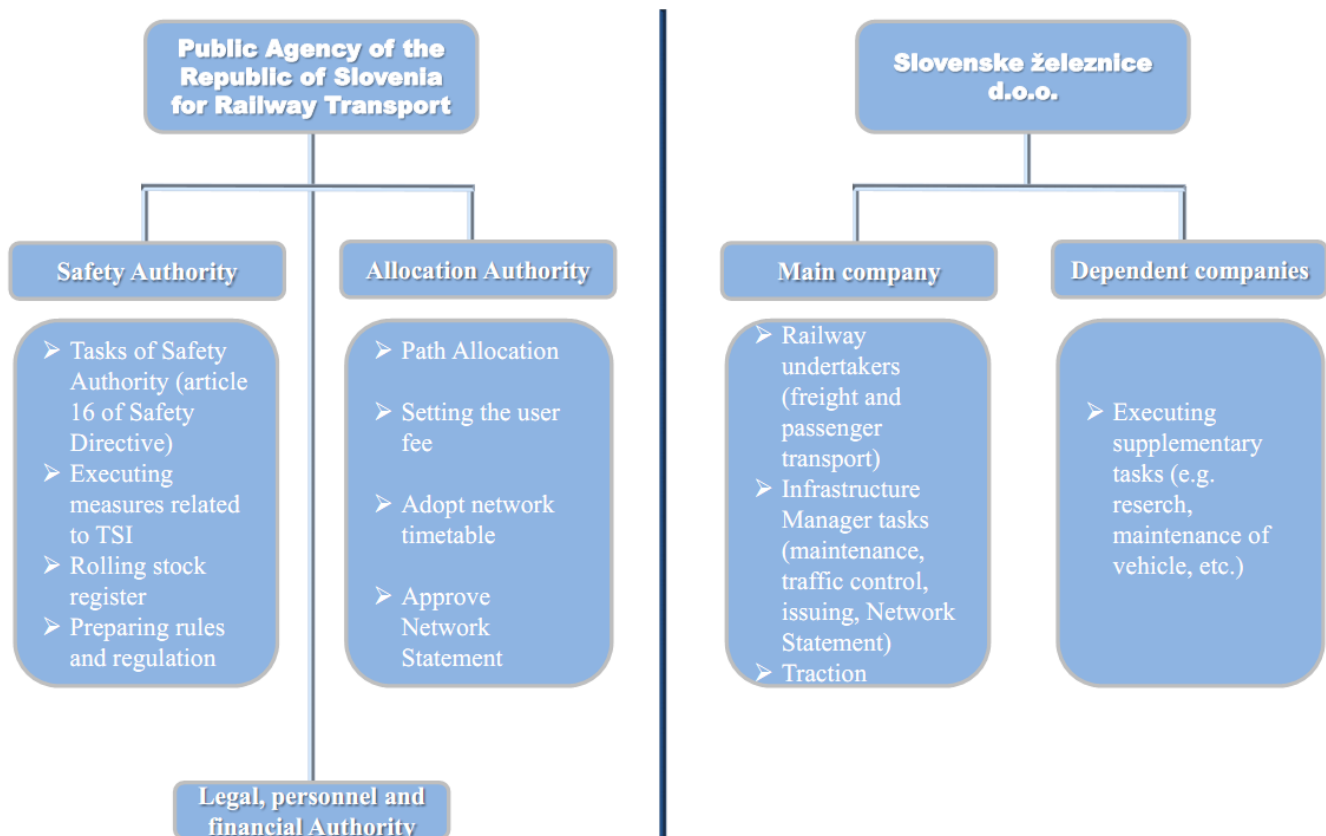
		New	Updated / amended	Renewed
Mean time after having received all necessary information between the receipt of an application and the final delivery of a Safety Authorisation in year 2010 for Infrastructure Managers	being registered in your Member State	N/A	N/A	N/A
	being registered in another Member State	N/A	N/A	N/A

Annex F: Institutional framework in 2010

Governmental level



Public/Non governmental level



Annex G: Description of the tasks of NSA (valid from September 2010)

The field of work of the Division for performing the tasks of the Safety Authority is planning, performing and controlling the working process and the implementation of corrective actions connected with the development and the management of safety.

Its tasks comprise:

The Safety Section:

- surveillance over the up keeping of the railway transport safety level and over its continuous improvement,
- issuing, extending, supplementing and revoking definite parts of the safety certificates of railway undertakers ,
- issuing, extending, supplementing and revoking definite parts of the safety authorisations of railway infrastructure managers,
- issuing, extending, supplementing, invalidating or temporary withdrawal of the railway undertakers' licenses,
- managing and updating of a register of issued licenses, safety certificates and safety authorisations in the framework of the European railway Agency,
- organisation, preparation and development of procedures for professional technical audit of the workshops for maintenance of railway vehicles and/or particular components and devices,
- issuing, extending, supplementing, invalidating and temporary withdrawal of the authorisations of the workshops for maintenance of railway vehicles and/or particular components and devices,
- managing and updating of the register of the workshops, authorised for maintenance of railway vehicles and/or particular components and devices,
- preparation of annual reports on safety conditions and safety indicators related to the railway system in the Republic of Slovenia,
- official publication of the procedure and other information necessary for the acquirement of a license for a railway operative employee,
- issuing, updating, providing of duplicates, temporary revocation and withdrawal of a licence of a railway operative employees,
- managing, publication and updating of the register of licences, issued to operative railway employees, and the register of training entities,
- issuing, temporary revocation or withdrawal of authorisations of entities performing the training of railway operative employees,
- supervision of the performance or regular tests of psychical and physical capabilities and permanent technical training of railway operative employees,
- providing of permanent supervision over the activities in the field of quality standards related to the training and assessment of employees' capabilities, as well as updating of licensing and certificates, with exception of those activities, included within the Safety Management System,
- checking of issued licenses and certificates in the entire territory of the railway infrastructure of the Republic of Slovenia.

The Section for national regulations and technical specifications:

- preparation of by-laws in the field of railway transport safety and their harmonising from time to time, with the technical specifications for interoperability,
- monitoring, enhancing, putting into effect and fostering of the regulatory framework, inclusively the system of national regulations,
- participation in working groups of the ERA and EU Commission in the preparation of new TSIs or of the modifications and amendments of the existing TSIs for conventional and high speeds,
- incorporation of provisions of particular TSIs into national regulations,

- establishing, managing and updating of a register of national safety regulations in the field of railways.

The Interoperability Section:

- monitoring of the use of TSIs in the implementation of subsystems: railway rolling stock, infrastructure, power supply, supervision, control and signalling during the construction, upgrading and/or completion,
- conducting of procedures intended for issuing licenses for new or essentially modified railway vehicles,
- issuing of operating permits for structural subsystems, for which TSIs are still not available,
- performing of the procedures within the committee for technical tests on the occasion of the issue of operating permits for subsystems or parts of subsystems, for which a building permit has been issued,
- establishing and managing of a national register of railway vehicles,
- carrying out of the registration and surveillance over the adequacy of the registration of the railway rolling stock in the national railway vehicle register and inspection of all safety parameters within the register,
- issuing of operating permits for parts of the structural subsystems: infrastructure, power supply, supervision, control and signalling.

Annex H: Mission Statement of Agency

Railway Transport Act (Official Gazette of the Republic of Slovenia, No 44/07- official consolidated text, 58/09 and 106/10).

Article 21

(Public Railway Transport Agency and its tasks)

- (1) The government shall found the Public Railway Transport Agency to perform the tasks laid down hereunder.
- (2) The Agency shall issue general acts for the implementation of public authorisations which regulate legal relations in its area of work and which chiefly concern the Agency's official records, the collection and delivery of data from its area of work, and other issues connected with the fulfilment of the Agency's tasks. The Agency shall issue administrative decisions of first instance on the basis of this Act and of the law governing railway transport safety, which the ministry shall issue until the founding of the Agency.
- (3) The Agency shall perform tasks aimed at ensuring non-discriminatory access to the railway infrastructure, which include:
 - allocation of train paths;
 - setting the user fee;
 - ensuring the efficiency of international train paths;
 - ensuring the competitiveness of international freight transport;
 - granting, revoking or suspending licences;
 - supervision of the validity of licences, approved train paths and the fulfilment of conditions relating thereto,
 - adopt the network timetableThe tasks referred to in the first and the second indent shall be carried out by the independent organisational unit of the Agency that is not connected with the performance of the tasks of the safety authority.
- (4) The Agency shall also perform the following functions:
 - tasks of the safety authority;
 - implementing measures regarding the application of TSI.
- (5) The Agency shall decide in administrative matters in its area of competence in accordance with the act governing the general administrative procedure, unless otherwise determined by this Act.
- (6) To ensure the Agency's independence of the infrastructure Managers and the Railway undertakers, the members of the Agency's Council may not be the persons employed with or the persons for whom there exists a conflict of personal and public interests pursued by the Agency due to their connections with the infrastructure Managers and the Railway undertakers. The act on the establishment of the agency shall lay down more specific conditions to be fulfilled by the members of the Agency's Council.

Article 24

(Safety authority)

(1) The safety authority shall carry out the following tasks:

- issuing, revoking or suspending the Railway undertaker's safety certificates;
- issuing, revoking or suspending the infrastructure Manager's safety authorisations;
- monitoring the validity of safety certificates and safety authorisations;
- issue authorisations for the beginning of the operation of structural sub-systems which represent the Pan-European railway system in accordance with Article 14 of the Directive 96/48/EC and Article 14 of the Directive 2001/16/EC and regular checking whether these systems operate and are maintained in accordance with the essential requirements;
- monitoring the compatibility between interoperability components and the key requirements Directive 96/48/EC and Directive 2001/16/EC;
- issuing permits for the beginning of operation of significantly modified rail vehicles which are not yet included in TSI;
- monitoring the adequacy of registration of rail vehicles and the accuracy and up-to-datedness of safety information in the national register established in accordance with Directive 96/48/EC and Directive 2001/16/EC;
- monitor, promote, enforce and develop the safety and regulatory framework and the system of national safety regulations, including the preparation of the proposed secondary regulations in the field of railway traffic safety;
- writing annual reports on its work for the European Railway Agency.

The authorisation from the fourth indent can also be issued after obtaining the EC declaration of verification which is issued by the notified authority in accordance with the law regulating railway traffic safety. The authorisation from the sixth indent can also be issued under the terms and conditions stipulated by the law regulating railway traffic safety.

- (2) The tasks of the safety authority may not be transferred or subcontracted to another person or body. The safety authority must be independent from any railway undertaker, railway infrastructure operator, the applicant and the supply services in terms of organisation, financial and legal aspects and when adopting decisions.
- (3) The safety authority shall carry out its tasks in an open, non-discriminatory and transparent manner. In carrying out its tasks, it may request technical assistance from a railway infrastructure operator, a railway undertaking or other agencies with relevant capability.
- (4) The safety authority shall enable all those involved to issue a statement and explain their positions. The safety authority shall immediately answer the requirements and the applications and communicate its requests regarding the information needed for the adoption of decisions. The safety authority shall adopt all its decisions within four months of submitting all the requested information.
- (5) During the process of developing the safety regulations framework, the safety authority shall consult all those involved and interested, including the operator, the railway undertakers, the maintenance staff, the users and the employee representatives.
- (6) Appeal shall be allowed against the decisions of the safety authority in accordance with Article 18d hereof.
- (7) In order to harmonise its decision-making criteria with the criteria applicable in the European Community, the safety authority shall co-operate with the safety authorities of other Member States of the European Community. The aim of such co-operation is to harmonise and co-ordinate the granting of safety certificates to railway undertakers that have been assigned international train paths in accordance with the procedure laid down in Article 15 of Directive 2001/14/EC.
- (8) Each year the safety authority shall publish the annual report in respect of its activities in the previous year and send it to the European Railway Agency by no later than 30 September. The report must contain data on:

- a) development of safety on the railway, including the combining of common safety indicators from Annex I to Directive 49/2004/EC at the level of the Member States of the European Community;
- b) important changes to the legislation and regulation of railway safety;
- c) changes in the granting of a safety certificate and safety authorisation;
- d) results and experience connected with the supervision of the railway infrastructure operators and railway undertakers.

(9) The tasks of safety authority shall be carried out by the Agency.