

Effective: from 10 March 2023

Applicable: from 10 March 2023

TEXT

1. 1.5.1 Validity of Network Statement

The following modification was made:

This Network Statement is valid from 00:00 of 07 10 March 2023 to 24:00 of 9 December 2023

2. 1.5.2.2.1 Modifications defined by Paragraph 5 Section (1) of Decree No 55/2015 (IX.30) NFM (30 days modification):

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.

3. 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 the Network Statement enters into force. (Decree of the Ministry of Economy and Transport No 55/2015 (IX.30) NFM Paragraph 6).

1. 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.

2. 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

3. 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 possessions 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.

4. 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.

5. 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:

Type of train path	Deadline for submitting request correlated to the date of the planed 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, 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.

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

6. 4.5.4 Coordination process

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 capacity applicant, unless the concerned applicant gave its prior consent.

7. 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** causes 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.

8. 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 charge 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, or should inform 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.

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:~~

- ~~a) description of the infrastructure, inclusive of basic data required to construct timetable,~~
- ~~b) terms and conditions of access,~~
- ~~c) capacity allocation rules,~~
- ~~d) available services and conditions of their use~~
- ~~e) charges to be paid for the use of services and the rules of calculation of fees.~~

ANNEXES

9. 4.2 Process of open access to railway network in accordance with relevant legal rules, distinguished by activities

The following modification was made:

