

Consolidated version with modifications No. “A” - 17~~H~~I.

Modification ~~17~~18.

FOR THE TIMETABLE PERIOD OF 2024/2025

NETWORK STATEMENT

ON TERMS AND CONDITIONS OF THE USE OF THE OPEN ACCESS RAILWAY
NETWORK OF MÁV INFRASTRUCTURE CO. LTD. AND GYSEV ZRT

EFFECTIVE: FROM 24:00 OF ~~09~~22 APRIL 2025
TILL 24:00 OF 13 DECEMBER 2025

List of modifications

| Modification | | | Date of validity | Date of entering into force |
|--------------|---------------------|-------------------------------------|-------------------|-----------------------------|
| Number | Subject | Registration Number of Modification | | |
| 1. | Modification No A. | VPE/301-9/2024 | 17. January 2024 | 15. December 2024 |
| 2. | Modification No B. | VPE/301-11/2024 | 01. February 2024 | 15. December 2024 |
| 3. | Modification No C. | VPE/301-14/2024 | 09. February 2024 | 15. December 2024 |
| 4. | Modification No D. | VPE/301-16/2024 | 14. February 2024 | 15. December 2024 |
| 5. | Modification No E. | VPE/301-18/2024 | 20. February 2024 | 15. December 2024 |
| 6. | Modification No F. | VPE/301-22/2024 | 28. February 2024 | 15. December 2024 |
| 7. | Modification No G. | VPE/301-30/2024 | 15. March 2024 | 15. December 2024 |
| 8. | Modification No 1. | VPE/301-20/2024 | 29. March 2024 | 15. December 2024 |
| 9. | Modification No 1A. | VPE/301-32/2024 | 02. April 2024 | 15. December 2024 |
| 10. | Modification No 1B. | VPE/301-35/2024 | 05. April 2024 | 15. December 2024 |
| 11. | Modification No 2. | VPE/301-24/2024 | 12. April 2024 | 15. December 2024 |
| 12. | Modification No 3. | VPE/301-26/2024 | 16. April 2024 | 15. December 2024 |
| 13. | Modification No 4. | VPE/301-28/2024 | 19. April 2024 | 15. December 2024 |
| 14. | Modification No 4A. | VPE/301-38/2024 | 23. April 2024 | 15. December 2024 |
| 15. | Modification No 4B. | VPE/301-42/2024 | 26. April 2024 | 15. December 2024 |
| 16. | Modification No 5. | VPE/301-33/2024 | 10. May 2024 | 15. December 2024 |
| 17. | Modification No 5A. | VPE/301-47/2024 | 15. May 2024 | 15. December 2024 |
| 18. | Modification No 6. | VPE/301-39/2024 | 21 May 2024 | 15 December 2024 |
| 19. | Modification No 7. | VPE/301-43/2024 | 28 May 2024 | 15 December 2024 |
| 20. | Modification no 7A. | VPE/301-50/2024 | 04 June 2024 | 15 December 2024 |
| 21. | Modification no 7B. | VPE/301-54/2024 | 14 June 2024 | 15 December 2024 |
| 22. | Modification no 7C. | VPE/301-56/2024 | 19 June 2024 | 15 December 2024 |
| 23. | Modification no 8. | VPE/301-48/2024 | 25 June 2024 | 15 December 2024 |
| 24. | Modification no 8A. | VPE/301-58/2024 | 12 July 2024 | 15 December 2024 |
| 25. | Modification no 9. | VPE/301-52/2024 | 19 July 2024 | 15 December 2024 |
| 26. | Modification no 9A. | VPE/301-62/2024 | 24 July 2024 | 15 December 2024 |
| 27. | Modification no 9B. | VPE/301-65/2024 | 02 August 2024 | 15 December 2024 |
| 28. | Modification no 9C. | VPE/301-69/2024 | 08 August 2024 | 15 December 2024 |
| 29. | Modification 10. | VPE/301-60/2024 | 13 August 2024 | 15 December 2024 |
| 30. | Modification 10A. | VPE/301-72/2024 | 13 August 2024 | 15 December 2024 |
| 31. | Modification 10B. | VPE/301-76/2024 | 27 August 2024 | 15 December 2024 |
| 32. | Modification 11. | VPE/301-63/2024 | 1 September 2024 | 15 December 2024 |
| 33. | Modification 12. | VPE/301-67/2024 | 1 September 2024 | 15 December 2024 |
| 34. | Modification 13. | VPE/301-74/2024 | 14 September 2024 | 15 December 2024 |
| 35. | Modification 13A. | VPE/301-80/2024 | 20 September 2024 | 15 December 2024 |
| 36. | Modification 13C. | KTI/VPE/27/2024 | 18 October 2024 | 15 December 2024 |
| 37. | Modification 13D. | KTI/VPE/49/2024 | 30 October 2024 | 15 December 2024 |
| 38. | Modification 13E. | KTI/VPE/65/2024 | 15 November 2024 | 15 December 2024 |
| 39. | Modification 14. | KTI/VPE/38/2024 | 19 November 2024 | 15 December 2024 |

| Modification | | | Date of validity | Date of entering into force |
|---------------------|-------------------------------------|-------------------------------------|-------------------------------|-------------------------------|
| Number | Subject | Registration Number of Modification | | |
| 40. | Modification No 14A. | KTI/VPE/80/2024 | 04 December 2024 | 15 December 2024 |
| 41. | Modification No 15. | KTI/VPE/60/2024 | 10 December 2024 | 15 December 2024 |
| 42. | Modification No 15A. | KTI/VPE/90/2024 | 15 December 2024 | 15 December 2024 |
| 43. | Modification No 15B. | KTI/VPE/93/2024 | 24 December 2024 | 29 December 2024 |
| 44. | Modification No 16. | KTI/VPE/1/2025 | 7 January 2025 | 7 January 2025 |
| 45. | Modification No 17. | KTI/VPE/11/2025 | 24 January 2025 | 24 January 2025 |
| 46. | Modification No 17A. | KTI/VPE/29/2025 | 28 January 2025 | 28 January 2025 |
| 47. | Modification No 17B. | KTI/VPE/20/2025 | 30 January 2025 | 30 January 2025 |
| 48. | Modification No 17C. | KTI/VPE/36/2025 | 06 February 2025 | 06 February 2025 |
| 49. | Modification No 17D. | KTI/VPE/44/2025 | 14 February 2025 | 14 February 2025 |
| 50. | Modification No 17E. | KTI/VPE/54/2025 | 26 February 2025 | 26 February 2025 |
| 51. | Modification No 17F. | KTI/VPE/66/2025 | 05 March 2025 | 05 March 2025 |
| 52. | Modification No 17G. | KTI/VPE/82/2025 | 20 March 2025 | 25 March 2025 |
| 53. | Modification No 17H. | KTI/VPE/102/2025 | 04 April 2025 | 09 April 2025 |
| 54. | Modification No 17I. | KTI/VPE/104/2025 | 10 April 2025 | 10 April 2025 |
| 55. | Modification No 18. | KTI/VPE/57/2025 | 23 April 2025 | 23 April 2025 |

CONTENTS

| | |
|---|-----------|
| LIST OF MODIFICATIONS..... | 2 |
| CONTENTS..... | 4 |
| 1. GENERAL INFORMATION | 8 |
| 1.1 INTRODUCTION..... | 8 |
| 1.1.1 Hungarian railway organisations..... | 8 |
| 1.2 OBJECTIVE OF NETWORK STATEMENT..... | 12 |
| 1.3 LEGAL FRAMEWORK..... | 13 |
| 1.3.1 Applicable directives and regulations | 13 |
| 1.3.2 Legal status and binding character of the Network Statement..... | 16 |
| 1.3.2.1 Binding character of the Network Statement..... | 16 |
| 1.3.2.2 Liability for the content of the Network Statement..... | 16 |
| 1.3.3 Appeals..... | 16 |
| 1.4 STRUCTURE OF NETWORK STATEMENT | 17 |
| 1.5 VALIDITY, PUBLISHING AND UPDATING OF NETWORK STATEMENT..... | 17 |
| 1.5.1 Validity of Network Statement | 17 |
| 1.5.2 Updating of Network Statement | 17 |
| 1.5.3 PUBLISHING OF NETWORK STATEMENT | 19 |
| 1.5.3.1 Compiling the draft of Network Statement | 19 |
| 1.5.3.2 Feedback, finalisation of the draft of Network Statement, publication | 19 |
| 1.6 CONTACTS | 21 |
| 1.7 INTERNATIONAL CO-OPERATION BETWEEN INFRASTRUCTURE MANAGERS/ALLOCATION BODIES | 21 |
| 1.7.1 Information on European corridors for competitive freight (Amber, Mediterranean, Orient/East-Med, Rhine-Danube)..... | 21 |
| 1.7.2 RailNetEurope and other cooperation platforms | 22 |
| 1.8 GLOSSARY OF DEFINITIONS USED IN NETWORK STATEMENT | 22 |
| 2. INFRASTRUCTURE..... | 23 |
| 2.1 INTRODUCTION..... | 23 |
| 2.2 EXTENT OF NETWORK | 23 |
| 2.2.1 Limits | 23 |
| 2.2.2 Connecting railway networks | 23 |
| 2.3. CHARACTERISTICS OF OPEN ACCESS RAILWAY NETWORK..... | 23 |
| 2.3.1 Track Typologies | 24 |
| 2.3.2 Gauges..... | 24 |
| 2.3.3 Stations and Nodes..... | 24 |
| 2.3.4 Loading gauge | 24 |
| 2.3.5 Applicable maximum axle load and meter load of railway lines | 24 |
| 2.3.6 Gradients | 24 |
| 2.3.7 Track speed of railway lines..... | 24 |
| 2.3.8 Lengths of trains that may run on railway lines | 24 |
| 2.3.9 Characteristics of power supply system..... | 24 |
| 2.3.10 Signalling systems..... | 25 |
| 2.3.11 Traffic control systems..... | 25 |
| 2.3.12 Communication systems..... | 25 |
| 2.3.13 Train control systems..... | 26 |
| 2.4. TRAFFIC RESTRICTIONS..... | 27 |
| 2.4.1 Specialised infrastructure | 27 |
| 2.4.2 Environmental restrictions..... | 27 |
| 2.4.3 Restrictions for forwarding of dangerous goods | 27 |
| 2.4.4 Restrictions for tunnels..... | 27 |
| 2.4.5 Restrictions for bridges and engineering constructions..... | 27 |

| | |
|--|-----------|
| 2.4.6 Other infrastructure restrictions..... | 27 |
| 2.5 AVAILABILITY OF RAILWAY INFRASTRUCTURE | 28 |
| 2.6 INFRASTRUCTURE DEVELOPMENT | 28 |
| 3. ACCESS CONDITIONS | 30 |
| 3.1 INTRODUCTION..... | 30 |
| 3.2 GENERAL ACCESS REQUIREMENTS | 30 |
| 3.2.1 CONDITIONS FOR APPLYING FOR CAPACITY..... | 30 |
| 3.2.2 CONDITIONS FOR ACCESS TO THE RAILWAY INFRASTRUCTURE | 30 |
| 3.2.3 OPERATION LICENCES | 31 |
| 3.2.4 SINGLE SAFETY CERTIFICATE, RAIL SAFETY PERMISSION | 31 |
| 3.2.5 INSURANCE, COVER OF LIABILITIES | 31 |
| 3.3 CONTRACTUAL AGREEMENTS FOR RAILWAY NETWORK ACCESS | 32 |
| 3.3.1 Framework Agreement..... | 32 |
| 3.3.2 Network Access Contract and Internal Agreement | 32 |
| 3.3.3 Capacity reservation framework agreement..... | 32 |
| 3.3.4 General Terms and Conditions..... | 33 |
| 3.4 Specific Access Requirements | 33 |
| 3.4.1 Conditions for the running of rolling stock | 33 |
| 3.4.2 Conditions for staff | 34 |
| 3.4.3 Rules for running of trains transporting exceptional consignments..... | 35 |
| 3.4.4 Conditions for the running of trains which forward dangerous goods | 35 |
| 3.4.5 Rules for running Test Trains and Other Special Trains | 36 |
| 3.4.5.1 Rules for running of test trains | 36 |
| 3.4.5.2 Rules for running of Ro-La trains | 37 |
| 4. CAPACITY ALLOCATION | 38 |
| 4.1 INTRODUCTION..... | 38 |
| 4.2 DESCRIPTION OF THE CAPACITY ALLOCATION PROCESS | 38 |
| 4.2.1 Train path application for border crossing trains and application for related services | 39 |
| 4.3 CAPACITY ALLOCATION FOR MAINTENANCE, RENEWAL AND ENHANCEMENT WORKS..... | 39 |
| 4.3.1 General Rules..... | 39 |
| 4.3.2 Track closures, capacity restrictions and deadlines..... | 39 |
| 4.4 EFFECT OF THE FRAMEWORK AGREEMENT | 44 |
| 4.5 CAPACITY ALLOCATION PROCESS..... | 44 |
| 4.5.1 Deadlines for annual train paths and timetabling..... | 46 |
| 4.5.2 Handling of requests which not belong to the annual working timetable, including short term requests as well | 46 |
| 4.5.3 Ad-Hoc Path Requests | 47 |
| 4.5.4 Coordination process | 47 |
| 4.5.5 Dispute resolution process, possible recourse | 48 |
| 4.5.6 Deadlines and procedures of application for services provided by the infrastructure manager | 48 |
| 4.5.7 Procedural order of transferring and using of rail network capacity requests allocated to a non-RU Applicant | 50 |
| 4.6 CONGESTED INFRASTRUCTURE..... | 51 |
| 4.6.1 Congested track section..... | 51 |
| 4.6.2 Priority rules and procedure to be followed | 53 |
| 4.6.3 Rejection of requests received, withdrawal of allocated requests | 53 |
| 4.7 FORWARDING OF EXCEPTIONAL CONSIGNMENT AND/OR DANGEROUS GOODS | 54 |
| 4.8 RULES AFTER PATH ALLOCATION | 54 |
| 4.8.1 Rules for path and service request modification by the applicant..... | 54 |
| 4.8.2 Rules for Path Alteration by the infrastructure manager | 54 |
| 4.8.3 Non-Usage of train paths by the applicant..... | 54 |
| 4.8.4 Cancellation rules, procedure if train path is not cancelled by the applicant | 55 |
| 4.9 TIMETABLING PROCESS TTR - FOR SMART CAPACITY MANAGEMENT | 55 |

| | |
|--|-----------|
| 4.9.1 Objectives of TTR | 55 |
| 4.9.2 Process Components..... | 57 |
| 4.9.3 Implementation of TTR | 58 |
| 4.9.3.1 Requesting capacity..... | 58 |
| 4.9.3.2 Capacity Model and capacity allocation..... | 58 |
| 5. SERVICES AND CHARGES..... | 60 |
| 5.1 INTRODUCTION..... | 60 |
| 5.2 CHARGING PRINCIPLES..... | 60 |
| 5.3 MINIMUM ACCESS PACKAGE AND CHARGES..... | 62 |
| 5.3.1 Ensuring of train path..... | 62 |
| 5.3.2 Running of trains | 63 |
| 5.3.3 Use of catenary system..... | 66 |
| 5.4 ADDITIONAL SERVICES AND CHARGES..... | 66 |
| 5.4.1 Ensuring of traction current..... | 66 |
| 5.4.2 Services for trains providing energy for non- traction purposes..... | 68 |
| 5.4.3 Transport of exceptional consignments..... | 70 |
| 5.5 ANCILLARY SERVICES | 70 |
| 5.5.1 Technical inspection of railway vehicles | 70 |
| 5.5.2 Ticketing and reckoning activity..... | 71 |
| 5.6 FINANCIAL PENALTIES AND INCENTIVES | 72 |
| 5.6.1 Items decreasing amounts to be paid in respect of Framework Agreements | 72 |
| 5.6.2 Penalties for Path Alteration | 72 |
| 5.6.3 Reservation fee..... | 72 |
| 5.6.4 Cancellation fee | 72 |
| 5.6.5 ERTMS discounts (ETCS fee)..... | 72 |
| 5.7 PERFORMANCE REGIME | 73 |
| 5.8 CHANGES TO CHARGES | 74 |
| 5.9 INVOICING ARRANGEMENT | 74 |
| 6. OPERATIONS..... | 76 |
| 6.1 INTRODUCTION..... | 76 |
| 6.2 OPERATIONAL RULES | 76 |
| 6.2.1 The obligation of applying railway operational instructions | 76 |
| 6.2.2 Obligation to use documents while running a train | 77 |
| 6.3 SPECIAL MEASURES IN THE EVENT OF DISTURBANCES, EMERGENCY | 77 |
| 6.3.1 Main principles of restoring the scheduled traffic | 77 |
| 6.3.2 Operation regulation | 78 |
| 6.3.3 Disturbances | 78 |
| 6.4 TOOLS FOR TRAIN INFORMATION AND MONITORING | 78 |
| 7. SERVICE FACILITIES..... | 80 |
| 7.1 INTRODUCTION..... | 80 |
| 7.1.1 Rules regarding service facilities operated by the infrastructure managers | 80 |
| 7.1.2 Different rules relating to service facilities not operated by Infrastructure Managers | 80 |
| 7.2 SERVICE FACILITY OVERVIEW..... | 80 |
| 7.2.1 Operators of the non-Infrastructure Manager operated service facilities..... | 80 |
| 7.3 SERVICE FACILITIES MANAGED BY THE INFRASTRUCTURE MANAGERS | 81 |
| 7.3.1 Common provisions for all service facilities | 81 |
| 7.3.2 Passenger stations..... | 92 |
| 7.3.3 Freight terminals | 97 |
| 7.3.4 Access to marshalling yards and train formation facilities..... | 100 |
| 7.3.5 Storage sidings | 101 |
| 7.3.6 Use of maintenance facilities..... | 102 |
| 7.3.7 Other Technical Facilities..... | 103 |
| 7.3.8 Maritime and inland port facilities | 107 |

| | |
|---|------------|
| <i>7.3.9 Relief facilities.....</i> | <i>107</i> |
| <i>7.3.10 Refuelling facilities.....</i> | <i>107</i> |
| <i>7.3.11 Access to public loading sidings and loading areas belonging to these loading sidings</i> | <i>110</i> |

1. GENERAL INFORMATION

1.1 Introduction

1.1.1 Hungarian railway organisations

The present Hungarian railway system has been developed in compliance with the regulations of the European Union.

Railway organisations:

- a) *Rail regulatory body*: Ministry for Construction and Transport, Sub-Secretariat Responsible for Transport Authority Matters, Rail Regulatory Body whose tasks and power are set out in Paragraph 69 of Act CLXXXIII of 2005 on railway transport (hereafter referred to as Railway Act).
- b) *Railway Authority*: Ministry for Construction and Transport, Sub-Secretariat Responsible for Transport Authority Matters, Main Department of Rail Authority whose tasks and scope of authority are set out in Paragraph 80 of Railway Act.
- c) *Railway companies managing national railway network* (hereafter referred to as Infrastructure Managers): Tasks of the MÁV Infrastructure Private Company Limited by Shares (hereafter referred to as MÁV Infrastructure Co. Ltd.) and Győr-Sopron-Ebenfurti Vasút Zártkörűen Működő Részvénytársaság (hereafter referred to as GYSEV Zrt) - operating the open access national railway network are regulated in Paragraph 2 Point 4.12 of the Railway Act.
- d) *Train operating companies*: business company holding an operation licence, the principal businesses of which is to provide services for the transport of goods and passengers by rail with a requirement that this company ensures traction; this also includes companies which provide traction service only.
- e) *Railway Undertaking (RU)*:
 - ea) Train operating company that has operational licence and domestic registration;
 - eb) Train operating company established in any EEA member state, that holds an operation licence issued in accordance with the Directive 2012/34/EU of the European Parliament and of the Council;
 - ec) Train operating company that was established abroad and it is participant of an international or reciprocal agreement.
 - ed) International grouping of train operating companies
- f) *Non-Railway Undertaking Applicant (Non-RU Applicant)*: any natural person or legal entity that is not a railway undertaking, registered in any EEA member state, providing public services or having commercial interest in procuring infrastructure capacity; as well as shippers, freight forwarders, carriers performing combined traffic services with the obligation to conclude a framework agreement with the Infrastructure Manager for the reservation of rail network capacity.
- g) *Operator of service facility*: any natural person or business company responsible for operating one or more service facilities, or providing to Railway Undertakings one or more services referred to in points 2-4 of Annex 2 of Railway Act.
- h) *Rail capacity allocation body*: VPE Rail Capacity Allocation Nonprofit Limited (hereinafter referred to as VPE) that carries out the following tasks in accordance with Paragraph 67/P (3) as well as Paragraph 3/B of the Railway Act:
 - ha) allocation of rail network capacity, inclusive of both the determination and the assessment of the availability of train paths and their allocation,

- hb) determination of costs of the access to the railway network operated by the Infrastructure Manager,
- hc) establishment of the Charging Methodology and the Charging Document, as well as determination of the amount of network access charges to be paid by Railway Undertakings, and also the collection of charges in the case of a non-independent Infrastructure Manager,
- hd) preparation of the Network Statement of the Infrastructure Manager.

1.1.1.1 Rights and duties of VPE, Infrastructure Managers, Railway Undertakings and authorised applicants (jointly referred to as applicants) exercised towards each other

1.1.1.1.1 The most important tasks of VPE

In order to ensure open access to the railway network, VPE is entitled and legally bound to fulfil the following tasks:

- a) to judge requests for train path, for services and for track possession, to allocate the capacity of open access railway network, to appoint replacement track sections in compliance with point 4.6.1 in order to avoid congested track sections and to prevent the development of congestion, as well as to withdraw reserved capacity on such sections,
- b) to allocate railway network capacity and related services of the Infrastructure Manager provided within the open access to the railway network in harmony with priority rules detailed in section 4.6.2 without discrimination, following the path allocation schedule; to construct the annual working timetable,
- c) in case of termination of the framework agreement for capacity reservation to withdraw the allocated but not used rail network capacity requested by an authorised applicant,
- d) to make sure that Railway Undertakings have the necessary documents for use of the open access railway network, and authorised applicants have the necessary documents for reservation to open access railway network,
- e) to inform the infrastructure managers in writing which Railway Undertakings are entitled to use the railway network, immediately after receiving the request for the services of the Infrastructure Manager submitted for the railway network within open access,
- f) to construct and update the Charging Methodology (hereafter referred to as CM)
- g) to construct and update the Charging Document (hereafter referred to as DD),
- h) to offer another train path for the applicant's request if the infrastructure manager revokes the train path because of an emergency as laid down in Paragraph 31 Section 2 Point b of Railway Act,
- i) to revoke the right to use the allocated train path in the cases of using the train path below a threshold set out in section 4.6.1. of the Network Statement),
- j) to settle preliminary international train paths,
- k) to specify the considerably underutilised sections of railway tracks,
- l) to publish the specialized infrastructure designated,
- m) to determine the amount of track access charges to be paid by Railway Undertakings,
- n) to collect the fees in case of non-independent Infrastructure Managers
- o) in case of disputes to initiate coordination between applicants and infrastructure manager,
- p) to construct the Network Statement and enter the proposals for its modifications after discussions with the concerned parties,
- q) to handle confidentially the information in its possession.

1.1.1.1.2 The most important rights and obligations of Infrastructure Managers

The most important rights of Infrastructure Managers:

- a) operating the open access national railway network
- b) providing rail network services,
- c) concluding the network access contract, and framework agreement for requesting capacity
- d) collection of track access charges,
- e) to revoke the allocated train path in the case of an emergency (Paragraph 31 Section 2 point b of Railway Act)
- f) to run service trains in accordance with the capacity allocation of VPE.

The most important obligations of Infrastructure Managers:

- a) to operate open access railway network,
- b) to provide services set out in the Network Statement,
- c) on its website, to publish technical instructions in connection with the use of the open access railway network as laid down in the regulations of the Network Statement on publishing and putting into force of instructions,
- d) on its website, to provide continuous, up-to-date information site about capacity restriction arising out of an emergency,
- e) to designate the specialized infrastructure
- f) to take the necessary steps to remove disturbances, emergency,
- g) to inform directly VPE and the involved applicants about any event in connection with allocated capacity,
- h) to give the required information to VPE for the development and modification of the Network Statement, the Charging Methodology, and the Charging Document,
- i) to maintain the base data files of the open-access infrastructure, and to inform VPE of the changes in them,
- j) in the case of exceptional events to inform VPE and applicants thereof,
- k) to handle confidentially the business information obtained,
- l) to keep the railway infrastructure and the service facilities in a condition that these should meet the requirements of safe running as well as conditions specified by legal rules while ensuring allocated capacity,
- m) after concluding the network access contract or internal agreement, as well as the capacity reservation framework agreement to inform VPE without delay who are entitled to use rail network capacity and related services and also inform VPE about the termination of applicants' rights to reserve capacity.

1.1.1.1.3 The most important rights and obligations of Railway Undertakings

The most important rights of Railway Undertakings:

- a) to submit a request for train path or services provided by the infrastructure manager within the open access to the railway network; to run trains in compliance with the allocated train path; to use services provided within open access,
- b) to initiate a coordination procedure in connection with the draft timetable,
- c) in cases referred to in Section 1.4.3.3, to initiate a legal dispute at the rail regulatory body.

The most important obligations of Railway Undertakings:

- a) to possess the necessary licenses for use the railway network and for running their rolling stock
- b) to comply with the orders and regulations given by the Infrastructure Manager in connection with traffic control,
- c) to employ staff and other contributors who are familiar with the requirements of the Network Statement for the request of rail network services, who comply with the national and international regulations, have a good command of the Hungarian language, both written and spoken, and have the required special knowledge and qualifications,
- d) to inform VPE and the Infrastructure Managers without delay or at least within 5 days after the change takes place about the changes in the conditions of application for services provided by the Infrastructure Manager within the open access to the railway network,
- e) if a train start or entering the rail infrastructure network involves neither wagons with consignments to be forwarded as exceptional consignment nor wagons loaded with dangerous goods, to inform the infrastructure manager - in compliance with rules specified in the Network Access Contract or Internal Agreement - about the actual composition of the train by such a time in advance (at least 10 minutes) before the scheduled departure from or arrival at the rail network, so that infrastructure manager shall be able to take measures necessary to a safe train run in order to keep the scheduled departure time or arrival time; in the case of a train that leaves the rail infrastructure network to deliver also a report „The train is ready to run” taking the foregoing into account,
- f) should the train start or entering the rail infrastructure network involve wagons with consignment to be forwarded as exceptional consignments, to inform the infrastructure manager - in compliance with rules specified in the Network Access Contract or Internal Agreement - about the actual composition of the train at least 30 minutes before the scheduled departure time from or arrival time at the rail infrastructure network so that infrastructure manager shall be able to take measures necessary to a safe train run in order to keep the scheduled departure time or arrival time; in a case of a train that leaves the rail infrastructure network, to deliver also the report „The train is ready to run”, taking the foregoing into account,
- g) if a train departing from or entering the infrastructure network is loaded with dangerous goods, the infrastructure manager must be notified of the actual composition of the train at least 60 minutes before the scheduled departure or arrival time -as specified in the network access contract-, so that the infrastructure manager can take the necessary measures to ensure the safe operation of the train service in order to keep to the scheduled departure or arrival time; a ready report must also be given for departure from the network, taking into account the previous,
- h) to make a declaration sent to VPE within 48 hours after assignment made by the authorised applicant in electronic format if they refuse to accept the assignment by the authorised applicant,
- i) to pay on schedule the network access charges for the use of the railway track and its accessories and charges for the use of services related,
- j) to contribute to removing obstacles causing disturbance at the expense of the Infrastructure Manager if the Infrastructure Manager asks for help in cases defined by the Railway Act,
- k) to report any exceptional event without delay to the Infrastructure Manager, to take measures in respect of life and property protection as well as safe railway operation, if necessary to take part in the elimination of the event,
- l) to examine or to contribute in the examination of any exceptional event in connection with its own train running on the path used by them, to provide for technical or chemical rescue,

- m) to contribute to remove emergency against charging of justified costs,
- n) in the case of exceptional event to tolerate disturbances emerged in railway traffic,
- o) to meet UIC loading rules
- p) in order to manage the railway infrastructure network, to keep the documents as defined in the instructions of 6.2.1.
- q) to have railway code (RICS) before concluding the network access contract or internal agreement (further details can be seen on homepage www.uic.org/rics)

1.1.1.1.4 The most important rights and obligations of authorised applicants

The most important rights of authorised applicants:

- a) to submit a request for train path or services provided by the Infrastructure Manager within the open access to the railway network.

The most important obligations of authorised applicants:

- a) to designate the Railway Undertaking actually using the rail network capacity required by and allocated to the authorised applicant, at least 10 days prior to the actual use of the rail network service.
- b) to employ staff and other contributors who are familiar with the requirements of the Network Statement for the request of rail network services who have the competence to apply for rail network services and who have a good command of Hungarian language written and spoken.
- c) to inform VPE and the Infrastructure Manager in written form without delay about all the conditions and hindrances that influence the use of rail capacity allocated to the authorised applicant and prevent the authorised applicant from assigning their rights and applying for capacity.

1.2 Objective of Network Statement

The Network Statement is published in accordance with Article 27 and Annex IV of Directive 2012/34/EU, with a structure and content which is in line with national regulations.

The objective of the Network Statement is to lay down conditions and order of procedures for the access to open access rail network, for the use of the rail network, and for the use of basic, supplementary, additional and ancillary services.

In the Network Statement, the designation "network" refers to the open access rail network. In cases where the Network Statements contain a provision relating to a non-open access infrastructure network, this fact shall be indicated separately in the designation of the infrastructure network concerned.

Network Statement shall contain the content elements included in Section 67/O Subsection 1 of Railway Act.

Network Statement serves planning objectives in the following timetable period of its publication for the Infrastructure Managers, VPE and the applicants, for the following reasons:

- after the publication of the given Network Statement, applicants and Infrastructure Managers carrying out maintenance, renewal and enhancement works to the railway network, shall plan and submit to VPE their annual and annual late requests for the capacity of the railway network and services for the timetable period referred to in

the published Network Statement in compliance with rules prescribed in the Network Statement.

- Based on requests submitted in accordance with the above provisions, VPE shall compile the annual working timetable for the timetable period referred to in the Network Statement.

1.3 Legal framework

1.3.1 Applicable directives and regulations

1.3.1.1 *Regulations that affect the content of the Network Statement*

- Directive 2012/34/EU of the European Parliament and of the Council of 21 November 2012 establishing a single European railway area (recast),
- Regulation (EU) No 913/2010 of the European Parliament and of the Council of 22 September 2010 concerning a European rail network for competitive freight,
- Directive (EU) 2016/798 of the European Parliament and of the Council of 11 May 2016 on railway safety (recast),
- Commission Implementing Regulation (EU) 2015/909 of 12 June 2015 on the modalities for the calculation of the cost that is directly incurred as a result of operating the train service,
- Commission Implementing Regulation (EU) 2016/545 of 7 April 2016 on procedures and criteria concerning framework agreements for the allocation of rail infrastructure capacity,
- Act CLXXXIII of 2005 on railway transport (Railway Act),
- Commission Implementing Regulation (EU) 2017/2177 of 22 November 2017 on access to service facilities and rail-related services,
- Act CXCVI of 2011 on national wealth,
- Act V of 2013 on the Civil Code of Hungary,
- Governmental Decree No 321/2023 (VII.17.) on legal relationship between the Rail Capacity Allocation Body and rail infrastructure managers,
- Decree of the Government No. 414/2020. (VIII. 30.) on the procedures concerning the rail safety, and the detailed rules of supervising activity of the railway transport authority,
- Decree of the Minister of Economy and Transport 45/2006 (VII 11) GKM on licensing of the operation of railway undertakings,
- Joint Decree of the Minister of Economy and Transport and the Ministry of Finance No 50/2007 (IV 26) GKM-PM on the separation of accounts of railway business segments within the railway company,
- Decree of the Minister of Economy and Transport No 58/2015 (IX.30) NFM on frameworks of the network access charging system, and basic regulations of determination and implementation of network access charges,
- Decree of the Minister of Economy and Transport No 55/2015 (IX.30) NFM on detailed rules of open access to railway network,
- Decree of the Minister of Economy and Transport No 57/2015 (IX.30) NFM on detailed rules of Performance Regime,
- Governmental Decree No 194/2016 (VII.13.) on the assignment of the nationwide secondary railway lines,
- Decree of the Ministry of Transport, Communication, and Energy No15/2010. (III.5.) KHEM on unified coordination procedure of public passenger timetables.
- Governmental Decree No 382/2016. (XII. 2.) on the designation of the transport authority tasks
- Governmental Decree No 312/2011 (XII.23.) on controlling of inland waterway and railway transportation of dangerous goods in the course of procedures carried out by

professional disaster recovery organs and on rules of a unique procedure for levying of fines, on the amount of fines that might be levied for certain infringements, as well as on detailed rules of authority tasks relating to levying a fine,

- Commission Regulation (EU) No 1304/2014 of 26 November 2014 on the technical specification for interoperability relating to the subsystem 'rolling stock – noise' amending Decision 2008/232/EC and repealing Decision 2011/229/EU,
- Commission Regulation (EU) No 321/2013 of 13 March 2013 concerning the technical specification for interoperability relating to the subsystem 'rolling stock – freight wagons' of the rail system in the European Union and repealing Decision 2006/861/EC,
- Commission Implementing Regulation (EU) 2019/774 of 16 May 2019 amending Regulation (EU) No 1304/2014 as regards application of the technical specification for interoperability relating to the subsystem 'rolling stock – noise' to the existing freight wagons.

1.3.1.2 Other relating regulations

- Directive 2007/59/EC of the European Parliament and of the Council of 23 October 2007 on the certification of train drivers operating locomotives and trains on the railway system in the Community,
- Regulation (EU) No 1316/2013 of the European Parliament and of the Council of 11 December 2013 establishing the Connecting Europe Facility, amending Regulation (EU) No 913/2010 and repealing Regulations (EC) No 680/2007 and (EC) No 67/2010,
- Commission Implementing Decision (EU) 2017/177 of 31 January 2017 on the compliance with Article 5 of Regulation (EU) No 913/2010 of the European Parliament and of the Council of the joint proposal to establish the 'Amber' rail freight corridor,
- Commission Regulation (EU) No 1305/2014 of 11 December 2014 on the technical specification for interoperability relating to the telematics applications for freight subsystem of the rail system in the European Union and repealing the Regulation (EC) No 62/2006,
- Commission Regulation (EU) No 454/2011 of 5 May 2011 on the technical specification for interoperability relating to the subsystem 'telematics applications for passenger services' of the trans-European rail system
- Directive (EU) 2016/2370 of the European Parliament and of the Council of 14 December 2016 amending Directive 2012/34/EU as regards the opening of the market for domestic passenger transport services by rail and the governance of the railway infrastructure
- Commission Regulation (EU) 2019/554 of 5 April 2019 amending Annex VI to Directive 2007/59/EC of the European Parliament and of the Council on the certification of train drivers operating locomotives and trains on the railway system in the Community,
- Act CLXXXIV of 2005 on technical investigation of air, railway and water transport accidents and other events
- Act LXXVII of 2006 on publishing of the Protocol of 3 June 1999 - adopted in Vilnius - amending the Convention concerning International Carriage by Rail (COTIF) of 9 May 1980 adopted in Bern
- Act LXXX of 2011 on publishing the consolidated text of the Appendix C of the Protocol of 3 June 1999 of Vilnius with amendments and complements from 2011 amending the Convention concerning International Carriage by Rail (COTIF),
- Act XXXVII of 2011 on the publication of the consolidated text of the International Railway Freight Agreement (SzMGSz) and its Annexes with modifications and complements; and the related modifications of this law,
- Regulation (EC) No 1371/2007 of the European Parliament and of the Council of 23 October 2007 on railway passengers' rights and obligations
- Governmental Decree 8/2006 (I 13.) on the detailed regulation of the application and extent of the penalty levied by market surveillance,

- Governmental Decree No 85/2007 (IV.25.) on travelling allowances in the public passenger transport
- Governmental Decree 271/2007 (X 19.) on compulsory insurance of damage coverage in case of railway companies' accident of the,
- Decree of the Government No. 412/2020. (VIII. 30.) on licencing of circulation and operation, on periodical and extra inspection of rail vehicles, and on the official register of rail vehicles,
- Decree of the Ministry of National Development 19/2011 (V 10) on the rules of vocational training, examination of employees performing safety relevant activity in railway transportation, on the rules of operating railway examination centres and training institutions, issuing of licences for training, and on the rules of railway engine-drivers' skills,
- Governmental Decree 203/2009. (IX. 18.) on on health requirements for workers in the field of railway safety and on the health examination checklist,
- Decree of the Ministry of Economy and Transport 103/2003 (XII 27) on mutual interoperability of traditional railway systems,
- Decree of the Ministry of National Development 24/2012. (V.8.) NFM on detailed regulations of technical investigation of serious railway accidents, railway accidents and unexpected railway events, as well as on detailed rules of operators' examination
- Decree of the Government No. 413/2020. (VIII. 30.) Korm. on the interoperability of the railway system,
- Decree of the Ministry of Economy and Transport 72/2006 (IX 29) on administrative service charges paid for the transport authority for railway administrative proceedings,
- Decree of the Ministry of Transport, Communication, and Energy No 9/2008 (VI 30) KHEM on administrative service charges paid for the railway regulatory body for railway administrative proceedings,
- Governmental Decree No 271/2009 (XII.1) on detailed conditions of passenger transport services carried out in accordance with national operation licence,
- Decree of the Ministry of Transport, Communication and Energy No 10/2008 on the modes and conditions of the payment of the supervisory fee to be paid to the rail regulatory body,
- Governmental Decree No 32/2009 (II.19.) on detailed rules for contracts of railway transport of goods,
- Governmental Decree No 6/2010 (I. 21.) on ensuring a compulsory coverage ability of railway companies for the compensation of damages resulting from other than railway accidents,
- Act LIII of 1995 on general rules of environment protection,
- Act LIII of 1996 on the protection of nature,
- Act CXXIX of 2007 on protection of soil,
- Act XXXVI of 2007 on electricity,
- Act LXVIII of 2016 on the excise tax,
- Act CLXXXV of 2012 on waste,
- Governmental Decree No 284/2007 (X.29.) on detailed rules of protection against environmental noise and vibration,
- Governmental Decree No 306/2010 (XII.23.) on air protection,
- Governmental Decree No 346/2008 (XII.30.) on protection of arborescent vegetation.

1.3.1.3. Instructions of Infrastructure Managers

During use of railway network the Railway Undertakings must follow the instructions of Infrastructure Managers included in section 6.2.1.

1.3.2 Legal status and binding character of the Network Statement

1.3.2.1 Binding character of the Network Statement

The rules laid down in the Network Statement apply equally to the Infrastructure Manager, to Railway Undertakings and to authorised applicants using services which are provided within the framework of the open access railway network, as well as to VPE Railway Capacity Allocation Office.

Should a railway undertaking run on the open access network of MÁV Infrastructure Co. Ltd. and GYSEV Zrt. according to Paragraph 7 section (4) of the Decree of the Government No. 414/2020. (VIII.30.) Korm., the rules of the Network Statement shall be applied to it.

1.3.2.2 Liability for the content of the Network Statement

VPE as the complier of the Network Statement is liable for ensuring compliance with international and national laws. Railway company is liable for data it delivers pursuant to Paragraph 67/P Section (4) of the Railway Act and Paragraph 2 and 3 of the Government Decree 321/2023 (VII.17.) as well as in accordance with the cooperation agreement of the Infrastructure Manager and the complier of the Network Statement.

In case of service facilities operated not by Infrastructure Managers the information included in section 7.2. must be provided by the operator of the service facility to the Rail Capacity Allocation Body.

1.3.3 Appeals

An organisation authorised to open access or a infrastructure managing company may commence a legal action at the rail regulatory body in accordance with Section 79/B, Subsection 1, of the Railway Act , or, in compliance with Section 79/B, Subsection (5) of the Railway Act, may directly go to court if according to its opinion:

- a) any rules of the Network Statement are contradictory to the requirement of a non-discriminatory procedure,
- b) the Infrastructure Manager or VPE fails to fulfil any of their obligations set out in the Network Statement,
- c) in the course of allocating railway network capacity, a procedural offence has been committed, or the result of the procedure infringes law, or it is contradictory to the provisions of the Network Statement,
- d) during the treatment of an ad hoc request for ensuring railway network capacity, a procedural offence has been committed, or the result of the allocation procedure infringes law or it is contradictory to the provisions of the Network Statement,
- e) Charging Methodology is contradictory to the provisions of the Railway Act or related, distinct legal rules,
- f) charges, discounts and mark-ups mentioned in the Charging Document or Network Statement are determined not in accordance with provisions of the Railway Act or related, distinct legal rules, or Network Statement lays down charges other than determined by the Charging Document,
- g) any of the parties violates the contract concluded for the open access to the railway infrastructure, or the determination of the amount of the network access charge to be paid for the use of train path is carried out in a manner which breaks the law or it is contradictory to the provisions of the Network Statement,

- h) the decision and the applied charges of the operator of service facility are contradictory to the requirement of a non-discriminatory procedure,
- i) the operator of service facility did not provide on time the information set out in paragraph 67/O. § (6) to the Infrastructure Manager or to VPE, or the information was not supplied in a proper manner.

Appeals shall be submitted in harmony with the deadlines fixed in Section 79/B, Subsection 2 of the Railway Act. The contents requirement of the appeal is fixed in Section 79/B, Subsection 3 of the Railway Act.

Appeals may be submitted by the authorised applicant to the competent court having jurisdiction, in compliance with Act CXXX of 2016 on the Code of Civil Procedure.

1.4 Structure of Network Statement

The structure of the Network Statement is divided into seven main chapters and annexes in accordance with the Common Structure and Implementation Guide approved by RailNetEurope (RNE), international regulations and practice:

1. Chapter 1 General Information
 2. Chapter 2 Infrastructure
 3. Chapter 3 Use of the open access railway network
 4. Chapter 4 Capacity allocation
 5. Chapter 5 Services and charges
 6. Chapter 6 Operational rules
 7. Chapter 7 Service facilities
- Annexes

1.5 Validity, publishing and updating of Network Statement

1.5.1 Validity of Network Statement

The timetable period of 2024-2025 starts on Sunday 15th of December 2024. 00:00 and ends on 13th December 2025 24:00.

This Network Statement is valid from 00:00 of ~~10~~ [23](#) April 2025 to 24:00 of 13 December 2025.

The geographic scope of Network Statement applies to the open access railway networks operated by MÁV Infrastructure Co. Ltd. and GYSEV Zrt.

1.5.2 Updating of Network Statement

1.5.2.1 Obligation of updating the Network Statement

Network Statement shall be kept updated, modified as necessary (Article 27, Section (3), Directive 2012/34/EU; Para 67/O, Section (4) of the Railway Act; Paragraph 5 -, Decree of the Ministry of National Development No 55/2015 (IX.30) NFM.

VPE is obliged to record all modifications with the date of their entry into force into the "List of Modifications" which forms an inseparable part of the Network Statement (Paragraph 6 Section (3) of the Decree No 55/2015 (IX.30) NFM.

The procedural scheme of legally codified modifications of the Network Statement shall be differentiated between modifications defined by Para 67/O Section (4) of Railway Act and Paragraph 5 Section (2), Decree of the Ministry of Economy and Transport No 55/2015 (IX.30)

NFM (up-to-date modifications) and modifications defined by Paragraph 5 Section (1) of the Decree No 55/2015 (IX.30) NFM.

1.5.2.2 Procedural orders of modifying the Network Statement

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

- a) modifications resulting from changes in the railway infrastructure, changes in the rules and deadlines of the rail capacity allocation process of the open access railway network,
- b) modifications arising from changes in the technical or operational characteristics of the open access railway network and service facilities affecting network access charges, allocated train paths and services
- c) changes to the services provided on the open access rail network or the serving facility that affect the published network access charges, allocated service and path request,
- d) changes in network or service facilities operated by a service facility operator access charges relating to the services provided by the infrastructure manager

Order of procedure

- 30 days before the publication, VPE shall bring out the draft of modifications of the Network Statement on its website in order to present an opportunity for coordination; at the same time inform thereof electronically the applicants authorized to have access to railway network and reserve capacity.
- Parties concerned can make remarks on the draft modification within 10 days after bringing them out on the website; VPE will deliberate those remarks during the finalisation of the modification (Decree of the Ministry of National Development No 55/2015 (IX.30) NFM.) Paragraph 5, Section (1).
- 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 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.

1.5.2.2.2 Modifications defined by Paragraph 67/O Section (4) of Railway Act and Paragraph 5 Section (2), Decree of the Ministry of Economy and Transport No 55/2015 (IX.30) NFM (up-to-date modifications)

- a) changes in the legal rules concerning the operation of the open access railway networks
- b) changes in the data indicated in the Network Statement of infrastructure managers, transport administration bodies or the capacity allocation body,
- c) changes in the technical or operational characteristics of the open access railway network not affecting network access charges, allocated train paths and services.
- d) changes in the reference, if service facility operator provides information on conditions of access to service facilities and provision of services in service facilities connected to the network of the Infrastructure Manager with a reference to the website.

Order of procedure

- In the case of changes of technological or operational characteristics of the railway network operated by MÁV Infrastructure Co. Ltd. and GYSEV Zrt, the Infrastructure Managers shall immediately inform VPE, properly documented, electronically or in writing if changes affect the conditions of use by Railway Undertakings of services which are provided within the framework of the open access to the railway network.
- VPE shall enter the changes into the Network Statement if changes affect the above mentioned cases and VPE shall publish the modifications on its website and inform the applicants on the modifications by electronic means.

1.5.3 Publishing of Network Statement

1.5.3.1 Compiling the draft of Network Statement

Every year VPE shall compile the draft of the Network Statement which enters into force on 24:00 of the second Saturday of December in the calendar year that follows the current calendar year, bearing in mind the governing community and national regulations as well as the technological and operational information from the Infrastructure Manager. (Decree of the Ministry of National Development No 55/2015 (IX.30) NFM Paragraph 4).

Based on the agreement between the affected parties, VPE has unified the Network Statement of the railway network of MÁV Infrastructure Co. Ltd. and GYSEV Zrt (Decree of the Ministry of National Development No 55/2015 (IX.30) NFM Paragraph 4, Section (6)).

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

30 days prior to the publishing of the finalised Network Statement VPE shall issue the draft Network Statement on its website in order to make possible that applicants give their opinion on the content. VPE shall inform electronically the applicants on the fact of issuing of the draft Network Statement. Paragraph 5, Section (1) of Decree of the Ministry of National Development 55/2015 (IX.30) NFM).

Affected parties shall make remarks within 10 days after the issuing of the Network Statement. The rail regulatory body shall be informed of the received comments and every circumstance in connection with harmonizing. (Railway Act, Para 67/O, section (2); Decree of the Ministry of National Development No 55/2015 (IX.30) NFM) Para 4, Section (1))

At least 4 months before the deadline of submitting of the annual train path requests for the given timetable year - not later than the second Saturday of December - VPE shall publish on its website (www.vpe.hu) in Hungarian and English language the Network Statement related to the same timetable year, and shall make the Network Statement available to be purchased in printed form for the cost of its publication (Directive 2012/34/EU Article 27 Section (1,4), Railway Act Paragraph 67/O, Section (3); Decree of the Ministry of Economy and Transport No 55/2015 (IX.30) NFM Paragraph 4, Section (2). In case of any difference between the Hungarian and English versions of Network Statement the Hungarian version shall prevail.

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

The English version of Infrastructure Managers' Network Statements are also available on website of RailNetEurope organisation (hereafter referred to as RNE):
www.rne.eu/organisation/network-statements/

1.6 Contacts

Contacts of the entities concerned can be found in Annex 1.6-1.

Contacts of the Traffic Control Centres of MÁV Infrastructure Co. Ltd. and GYSEV Zrt are in Annex 1.6-2.

1.7 International co-operation between Infrastructure Managers/Allocation Bodies

1.7.1 Information on European corridors for competitive freight (Amber, Mediterranean, Orient/East-Med, Rhine-Danube)

Regulation (EU) No. 913/2010 of the European Parliament and of the Council of 22 September 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 increasing the regularity of freight trains,
- promoting combined transport between rail and other transport modes by integrating terminals into the corridor management process.

MÁV Infrastructure Co. Ltd. participates in the operation of RFC “Amber”, “Mediterranean”, “Orient/East-Med” and “Rhine Danube”.

GYSEV Zrt participates in the operation of RFC “Amber”, “Orient/East-Med” and “Rhine Danube”.

The detailed description of the Rail Freight Corridors and the Contacts can be found in Annex 1.7.1, and on the following websites:

Amber Corridor - <http://www.rfc-amber.eu>

Mediterranean Corridor - <https://www.medrfc.eu/>

Orient/East-Med Corridor - <http://www.rfc7.eu>

Rhine-Danube Corridor - <http://rfc-rhine-danube.eu/>

Under Article 20 of Regulation (EU) No 913/2010 of the European Parliament and of the Council of 22 September 2010 concerning a European rail network for competitive freight, the rail regulatory bodies cooperate to monitor competition in the freight corridor. In order to ensure efficient and effective management of the corridors, the regulatory bodies concerned have laid down the principles for cooperation in a Cooperation Agreement, which is available on the following websites:

Amber corridor:

<https://www.kozlekedesihatosag.kormany.hu/hu/dokumentum/273209>

Mediterranean corridor:

<https://www.kozlekedesihatosag.kormany.hu/hu/dokumentum/188996>

Orient/East-med corridor:

<https://www.kozlekedesihatosag.kormany.hu/hu/dokumentum/189012>
Rhine-Danube Corridor:
<https://www.kozlekedesihatosag.kormany.hu/hu/dokumentum/347085>

1.7.2 RailNetEurope and other cooperation platforms

The VPE, the GYSEV Zrt and the MÁV Infrastructure Co. Ltd. are a member of RailNetEurope (RNE), which is an umbrella organisation of European railway Infrastructure Managers and Allocation Bodies (IMs/ABs). RNE facilitates international railway business by developing harmonised international business processes in the form of templates, handbooks, and guidelines, as well as IT tools.

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

One Stop Shop (OSS)

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.

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

Entities under the scope of Network Statement may be members of other international institutions, such as CER, ERA, UIC, PRIME, CIT and OSZZSD on which more information can be found in Annex 1.7.2.

1.8 Glossary of definitions used in Network Statement

For the list and definition of the main notions used in this Network Statement see Annex 1.8.

2. INFRASTRUCTURE

2.1 Introduction

In the process of preparing the Network Statement, the infrastructure manager sends the infrastructure data operated by it to VPE, which data is also recorded in the IT path requesting system of VPE for the given timetable period. Changes in the infrastructure data compared to the annual data supply shall be immediately notified to VPE by the infrastructure manager in the form of a request for amendment of the NS. VPE publishes the modification on its website and informs the railway regulatory body and the applicants electronically. At the same time, the changes will be transferred to the database of the path requesting IT system of VPE.

2.2 Extent of Network

The open access railway network operated by MÁV Infrastructure Co. Ltd. and GYSEV Zrt, the categorization of railway lines, and the numbering of the railway lines can be found in Annex 2.3.1.

2.2.1 Limits

Data of the open access railway network can be found in Annex 2.3.1, Annex 2.3.3 and Annex 2.3.6-1.

2.2.2 Connecting railway networks

List of border stations of the open access railway network, the name of the infrastructure manager of the border station on the territory of the neighbouring state, as well as the operation times taken into consideration from the point of view of traffic regulation, can be found in Annex 2.2.2-1.

Border points between the railway infrastructure of MÁV Infrastructure Co. Ltd. and GYSEV Zrt the relevant infrastructure data can be found in Annex 5.2-4 and Annex 5.2-5.

Railway networks in own operation and industrial tracks connected to the open access railway network can be found in Annex 2.2.2-3.

All other information on the railway network is available at the infrastructure managers, using the contacts given in Annex 1.6-1 to this Network Statement.

List of operators of service facilities not operated by the infrastructure managers can be found in subchapter 7.2.1.

The infrastructure data of the non-open access network suitable for the provision of passenger transport service in Tram-train mode between Szeged and Hódmezővásárhely (hereinafter: Tram-train), connected to the railway network of MÁV Infrastructure Co. Ltd. can be found in Annex 2.2.2-4.

2.3. Characteristics of open access railway network

The most important infrastructure data of the open access railway network announced by the infrastructure manager in the Network Statement are also available on the e-NS platform of the VPE: <https://www.kapella2.hu/ehuszfelulet>

2.3.1 Track Typologies

Main characteristics of open access railway network - divided to sections in accordance with the changing of typical parameters - can be found in Annex 2.3.1.

2.3.2 Gauges

The open access railway network consists of standard gauge (1435 mm) and broad gauge (1524 mm) railway lines.

2.3.3 Stations and Nodes

Locations of service places in the open access railway network and the most important technical and operational characteristics of the service places can be found in Annex 2.3.3.

2.3.4 Loading gauge

Loading gauges as well as international loading gauges and GA (UIC), GB (UIC), GC (UIC) loading gauges are listed in Annex 2.3.4.

2.3.5 Applicable maximum axle load and meter load of railway lines

Axle loads as well as meter loads applicable to different lines can be found in Annex 2.3.1.

2.3.6 Gradients

Ruling gradients, maximum gradients, load sections typical of railway lines can be found in the Technical Tables (track and machinery tables) and in Annex 2.3.6-1.

2.3.7 Track speed of railway lines

Speed of tracks regarding certain railway lines can be found in Annex 2.3.1. MÁV Infrastructure Co. Ltd. and GYSEV Zrt Infrastructure Business Units make a daily statement available on their websites with the title „Statement of constant and foreseeable temporary speed-restrictions” for railway undertakings.

2.3.8 Lengths of trains that may run on railway lines

Lengths of trains that may run on railway lines without special permission can be found in Annex 2.3.1.

2.3.9 Characteristics of power supply system

Track clearance on electrified railway lines and on railway lines designated for electrification shall be established in accordance with Standard MSZ 8691/4-81 on „Clearance of national public railways. Clearance dimensions of electrified tracks”.

Nominal voltage of the electric overhead wire is 25000 V, with a frequency of 50 Hz. Stagger of catenary is 30, 40 cm. Annex 2.3.9 contains data of interoperability of the electric overhead wire network as well as voltage and frequency data of electrified border crossings.

Data on electrification of the railway lines can be found in Annex 2.3.1.

2.3.10 Signalling systems

There are mechanical, relay-dependent and electronic signalling installations in operation on the track network.

The type of the signalling system used in the service places of the network are listed in Annex 2.3.6-1.

2.3.11 Traffic control systems

On the open access network all railway lines are operation controlled.

Traffic control systems of railway lines can be the following:

- central traffic control
- station traffic control
- simplified traffic control

The following operation types belong to the central traffic control type:

- KÖFI (Central Operative Traffic System)
- KÖFE (Central Traffic Supervising System)
- MERÁFI (Central Radio Operative Traffic System on Branchlines)
- Remote Operated Station
- Remote Controlled Station

Type of operation control systems in use can be found in Annex 2.3.1.

2.3.12 Communication systems

The analogue line radio network operates in the 160 MHz and 450 MHz frequency bands. The 160 MHz line radio networks provide open, non-encrypted, (unidentified) half-duplex (simultaneous one-way) voice communication between mobile and traffic services. A line radio system (450 MHz) operating according to UIC Recommendation 751-3 is also capable of selective (train number identified) duplex (bidirectional) voice and data communication in mode A.

The technological radio circuits operate in open mode simplex mode (one-way communication on a single frequency radio channel) or half-duplex mode (frequency-pair radio channel, but also one-way communication at a time) at 160 MHz, while in the 450 MHz band, open mode simplex communication can be established in mode 'C' on the frequencies specified in Recommendation UIC 751-3. The shunting technology radio band may be used for communication between the movement services and the traffic controller at the respective service location.

Discussions running on radio network are registered with a date/minutes accuracy. For using radio systems a built-in radio device has to be installed on the vehicle - driven by one or two controllers. Connection to the network is only permitted with devices previously approved by the infrastructure manager.

On the Zalaegerszeg - Rédics line MERÁFI (Traffic Control System on sidings) is in operation which can be used by vehicles equipped with special board radio facilities. None of the above ground train radio systems comply with the requirements of interoperability.

On the Boba-Óriszentpéter line in parallel with GSM-R system a UIC system is also in operation, on which only emergency and circuit connections can be established as set out in the Line Implementing Instructions.

GSM-R HU radio network has been established on lines listed in Annex 2.3.1, which is necessary for interoperability, voice communication and ERTMS/ETCS L2 data communication.

The system ensures quick and simple communication between the traffic controller, traffic manager, the driver and the line staff. The network is a wireless communication network based on a GSM-technology, extended with railway-specific functions. GSM-R network is suitable for selective and group connections, which are always encrypted.

GSM-R as a railway radio network provides services for the users as follows:

- voice connection between traffic controller, traffic manager and train driver
 - possibility for emergency call
 - ground-train radio function
 - functional numbering (vehicle calling based on train number and registration number)
 - short-code quick call from train driver to traffic controller, traffic manager, overhead wire controller and other configurable staff.
- data communication between subsystems on the line and train (depending on installation of ETCS L2 subsystems on the lines)
- communication between subsystems on the line and data collector or remote control devices

For using GSM-R radio systems a built-in GSM-R radio device has to be installed on the vehicle driven by one or two controllers (GSM-R onboard device) or a GSM-R mobile device has to be used with applicable SIM-card installed. Connection to the network is only permitted with devices previously approved by the infrastructure manager.

Specific discussions running on radio network are registered with a date/minutes accuracy (communications between dispatcher and onboard devices, group calls, emergency calls).

The primary means of communication between the traffic service and the driver of the vehicle being considered as a locomotive on the sections of line and in the service stations covered by GSM-R is the GSM-R railway radio network.

The applied ground-train radio network can be found in Annex 2.3.1.

2.3.13 Train control systems

The following automatic train control systems are in operation or have been installed on the network:

- ETCS2,
- ETCS1,
- INDUSI (PZB),
- Train protection 75 Hz (EVM, EÉVB, MIREL)

If more than one train protection system is in operation on the line/section, the system to be used shall be the one whose requirements are met by the traction unit and the locomotive crew, in descending order.

Railway lines equipped with automatic train control systems can be found in Annex 2.3.1. If the line concerned is not equipped with train control system, “none” can be found in the Annex.

2.4. Traffic restrictions

2.4.1 Specialised infrastructure

The infrastructure manager can designate certain track section or a part of that as specialised infrastructure for specified railway undertaking activities after a coordination with the concerned Railway Undertakings has taken place, and the railway regulatory body has been informed of the coordination.

The designation of a specialised infrastructure cannot hinder the use of the specialised infrastructure for other railway services if there is spare capacity on the track section and the rail vehicles meet the technical requirements of the running on the track section.

On the open access railway network no specialised infrastructure is designated.

2.4.2 Environmental restrictions

Infrastructure managers had to provide a list of quieter routes to the European Union Agency for Railways until 16 November 2019 according to the Commission Implementing Regulation No. 2019/774. The list shall be updated at least every five years after the entry into force of the Regulation (8 December 2024) in accordance with the procedure laid down in the Annex D.2 of the Regulation.

For the timetable period concerned by the present Network Statement no quieter routes were defined on the network of GYSEV Zrt.

On the network of MÁV Infrastructure Co. Ltd. the following quieter routes are defined according to the Commission Implementing Regulation No. 2019/774:

- 1. Hegyeshalom oh. - Ferencváros
- 40. Budapest Kelenföld - Dunai Finomító
- 80. Nagyút - Mezőkeresztes-Mezőnyárád
- 100. Kőbánya-Kispest - Szolnok
- 150. Soroksár - Ferencváros
- 205. Ferencváros - Kőbánya felső
- 206. Ferencváros - Kőbánya-Kispest

2.4.3 Restrictions for forwarding of dangerous goods

Conditions of traffic restrictions relating to the forwarding of dangerous goods, can be found in subchapter 3.4.4 of this Network Statement.

2.4.4 Restrictions for tunnels

Main parameters of railway tunnels in Hungary can be seen in Annex 2.4.4.

2.4.5 Restrictions for bridges and engineering constructions

Restrictions for axle load, for meter-weight and line subclasses can be found in Annex 2.3.1.

2.4.6 Other infrastructure restrictions

Transportation of exceptional consignment, test and Ro-La trains.

Condition of forwarding exceptional consignment and traffic restrictions relating to the forwarding of Ro-La and test trains can be found in subchapters 3.4.3 and 3.4.5 of this Network Statement.

Railway lines where Ro-La trains can run are indicated in Annex 2.3.1.

Conditions of the combined transport

Conditions of carriages of transport units of the combined transport can be found in Annex 2.4.6-1.

Obligation of performing look-out service on the locomotive

Information on obligation of performing look-out service on the railway network of MÁV Infrastructure Co. Ltd. and GYSEV Zrt can be found in Annex 2.4.6-2.

2.5 Availability of railway infrastructure

The railway network is not available to the applicants on a continuous basis.

Restrictions:

a) traffic restrictions because of maintenance, renewal and enhancement works carried out on track facilities

Maintenance, renewal and enhancement works carried out on network can be found in Annex 2.5-1.

b) Service Stoppage

Infrastructure Manager may introduce restrictions at service places due to traffic regulations. List of service places, which are affected by service stoppage together with their operation times taking into consideration from the point of view of traffic regulation can be found in Annex 2.5-2.

c) operation times on border station taken into consideration from traffic regulation point of view

Infrastructure Manager may introduce restrictions on certain service places from traffic regulation point of view. Operation times on border stations from traffic regulation point of view can be seen in Annex 2.2.2-1. Over the operation times, border stations listed and services provided there, are not available for applicants.

2.6 Infrastructure Development

Significant infrastructure enhancement works foreseeable for the period after the relevant timetable year can be seen informatively in Annex 2.6.

Infrastructure Managers publish the capacity restriction information according to the Commission Delegated Decision No. 2017/2075 and Decree no. 55/2015 (IX. 30.) NFM on detailed rules of open access to railway network setting out the rules of implementation of the Commission Delegated Decision on their websites:

MÁV Infrastructure Co. Ltd.: <https://www.mavcsoport.hu/palyavasut/koordinalt-vaganyzarak-1>

GYSEV Zrt.: <https://www2.gysev.hu/palyavasuti-informaciok>

3. ACCESS CONDITIONS

3.1 Introduction

The aim of this chapter is to define the conditions for access to national open access railway network.

3.2 General Access Requirements

According to Railway Act Paragraph 37/P (3) d), VPE defines detailed conditions for access to the railway network by preparing a Network Statement. Capacity of the railway network is ensured by the capacity allocation for the open access railway network. Use of the open access railway network by a Railway Undertaking is based on the request for basic, supplementary, additional and ancillary services (hereinafter services provided by Infrastructure Managers: - rail network services) submitted in the proper format and with the described content by an applicant that fulfils all requirements described either by law or in this current Network Statement. Requests must be handed in to the OSS office of VPE.

3.2.1 Conditions for Applying for Capacity

In case of authorised applicants:

Rail network services may be applied for by a Railway Undertaking who can verify his right to use the railway network with documents defined in subchapters 3.2.3-3.2.4 by delivering a copy of them to VPE.

Requirements of applying for rail network services:

- operational licence issued by the rail regulatory body (subchapter 3.2.3), as well as
- single safety certificate issued by the Main Department of Railway Authority or the European Union Agency for Railways (hereinafter: ERA) (subchapter 3.2.4)
- valid network access contract (subchapter 3.3.2.1) or internal agreement (subchapter 3.3.2.2).

In case of Railway Undertakings:

Authorised applicant is entitled to reserve rail network services only if it has a valid and effective framework agreement for capacity concluded with the Infrastructure Manager.

The capacity requested by the applicant and allocated by VPE, as well as the capacity requested by the authorised applicant, cannot be transferred or sold after the designation of the applicant (and its acceptance by the applicant).

3.2.2 Conditions for Access to the Railway Infrastructure

Open access railway network can be used by the Infrastructure Managers and applicants.

The open access railway network is operated by:

- MÁV Infrastructure Co. Ltd.
- GYSEV Zrt

Open access railway network can be used for providing the following types of services:

- passenger,
- freight,

- traction service.

3.2.3 Operation licences

Providing freight, passenger or traction services are activities which may be performed only in the possession of operation licence issued by the related authority. The issuing, modification, suspension, withdrawal of an operational licence or a temporary operational licence fall within the responsibility and authority of the rail regulatory body.

Operation licence can be applied for by filling in and handing in the licensing form that can be downloaded from the regulatory body's homepage. In order to obtain an operation licence, Railway Undertaking must also submit to the regulatory body documents - defined by legal rules - that prove the existence of conditions under which operation licence may be issued.

Under the process defined by the regulatory body train operating companies holding operational licences that were issued in any EEA countries must notify in writing the regulatory body of their intention to use the open access railway network in a way of not having operational licence issued of Hungary, by filling in and handing in the form downloaded from the regulatory body's homepage at least 30 days prior to the date of submitting the requests for capacity. Notification must include as an attachment the operation licence issued by another EEA state and also a certification that proves that the scope of the company's contract guaranteeing the coverage of liability bonds, also covers Hungary.

Name, address and availabilities of the rail regulatory body can be found in Annex 1.6-1.

After a modification, Railway Undertaking shall immediately in writing announce and verify modifications in connection with operation licences to VPE and infrastructure managers.

3.2.4 Single Safety certificate, rail safety permission

Railway undertaking registered in Hungary may use the railway network only if holding a single safety certificate issued by ERA or the Main Department of Railway Authority. Single safety certificate verifies that in order to guarantee the safe operation of the railway network the railway company has established its safety system and is capable to maintain safe operation on its territory of determined service area.

Management and operation of railway networks may be performed only if holding a safety permission issued by the railway transport authority.

Single safety certificates and safety permissions must be requested under the process defined by the National Transport Authority.

Contacts of the Main Department of Railway Authority can be found in Annex 1.6-1.

Railway Undertaking must immediately announce and prove modifications of single safety certificate to VPE and to infrastructure managers in writing.

3.2.5 Insurance, cover of liabilities

Additional insurance or guarantees necessary for the use of the railway infrastructure network shall be provided for in the network access contract or internal agreement between the parties.

3.3 Contractual Agreements for railway network access

3.3.1 Framework Agreement

Infrastructure Managers do not offer framework agreements under Article 14 of Commission Implementing Regulation No. 2016/545 and do not have such existing framework agreements.

3.3.2 Network Access Contract and Internal Agreement

3.3.2.1 Network Access Contract

The Network Access Contract regulates the technical, technological, financial and legal conditions of the utilisation of railway infrastructure.

Railway Undertaking shall apply for rail network capacity and rail infrastructure services at the Infrastructure Manager. The submission of the request is subject to the existence of a valid network access contract or internal agreement.

Application shall be qualified as a call for a bid. Infrastructure Manager is obliged to make proposal for ensuring track network capacity and the use of rail infrastructure services in compliance with the provisions of the Network Statement and against the payment of a network access fee calculated in accordance with the rules of the Network Statement.

Precondition of concluding the network access contract is as follows:

- operation licence,
- single safety certificate.

In order to conclude the network access contract or internal agreement, it is necessary to contact the organization of the Railway Services Directorate of the Directorate General of MÁV Infrastructure Co. Ltd. and the organization of the Railway Business Unit of GYSEV Zrt.

The open access railway network cannot be used without allocated rail network service and a valid Network Access Contract.

When entering into a Network Access Contract for ensuring the services of the railway network, the regulations of the Civil Law, especially Book 6 on the law of obligations, the Railway Law and the Network Statement must be applied jointly.

3.3.2.2 Internal Agreement

Before using the capacity, Infrastructure Manager and business units operating within the organisation and executing freight, passenger or traction services must conclude an internal agreement.

The open access railway network cannot be used by the train operating business unit without capacity allocated to the business unit operating train services and without a valid Internal Agreement. The Internal Agreement is worked out by VPE. Business units of the departments of the vertically integrated company without separate legal personality shall sign the Internal Agreement and send it to the rail regulatory body for approval.

3.3.3 Capacity reservation framework agreement

Authorised applicant and Infrastructure Manager shall conclude a framework agreement for the reservation of rail network capacity. For the use of rail network capacity subject to this

contract, authorised applicant shall undertake in this contract the obligation to observe the procedures and conditions published by the Infrastructure Manager related to the use of rail network services, as part of the distribution principles.

Before concluding the contract and at times determined by the Infrastructure Manager, the authorised applicant is obliged to provide the Infrastructure Manager with a certificate - issued by an authority eligible to register economic organisations - proving that it is an economic organisation registered in an EEA state. If the authority entitled to issue this certificate is not located in Hungary, an authentic Hungarian translation is required to be submitted to the Infrastructure Manager together with the original certificate.

In case of the authorised applicant is a natural person, a valid document is required to prove identity.

If any data has changed in the submitted document, the authorised applicant is obliged to inform the Infrastructure Manager without delay in written form.

In order to use the rail network capacity subject of this agreement, non-RU Applicant shall undertake in this agreement the obligation to appoint a Railway Undertaking at least 10 days before the actual use of the rail network capacity allocated, which will actually use the allocated track network capacity. An exception to this is the rule applicable in case of the rail freight corridors, when the applicant is not an RU, it shall assign the responsible RU for the execution of the traffic. The concerned rule can be found in point 3.2 of Annex 4.10. The appointed Railway Undertaking shall have a valid and effective network access contract or Internal Agreement with the Infrastructure Manager that operates the rail network affected by the allocated rail network capacity. Non-RU Applicant may transfer the rail network capacity allocated to it to any other Railway Undertaking for using the capacity.

To determine the 10-day deadline, Paragraph 103, Act CXXX of 2016 on the code of Civil Procedure shall be taken into consideration which states that if the deadline is determined in days, the starting/first day of the deadline shall not be counted so this way the previous day before the deadline expires shall be a full calendar day (so-called 10-day rule).

The Network Access Contract or Internal Agreement to be signed in the interest of the authorised applicant shall be concluded 10 days before the date of the use of the rail network capacity which is planned to use the earliest.

When entering into a Network Access Contract for ensuring the capacity of the railway network, the regulations of the Civil Law, especially Book 6 on the law of obligations, the Railway Law and the Network Statement must be applied jointly.

The template for Capacity reservation framework agreement can be found in Annex 3.3.3.

3.3.4 General Terms and Conditions

General Terms and Conditions for Network Access Contract, which is also valid in case of Internal Agreements, can be found in Annex 3.3.4.

3.4 Specific Access Requirements

3.4.1 Conditions for the running of rolling stock

The suitability of the rolling stock operated by the Railway Undertaking is proved by the circulation licence and vehicle type licence issued by ERA or the Main Department of Railway

Authority. Railway Undertaking must fulfil all technical and transport safety conditions set out for the train composition, technical inspections of wagons, inspection of train, brake trials and the braking level. Railway Undertaking must declare - in line with the decree of the Government 412/2020. (VIII. 30.) Korm. about the data, parameters of wagons used or to be used.

Licensing authority is the ERA, or the Ministry for Construction and Transport Sub-Secretariat Responsible for Transport Authority Matters, Main Department of Railway Authority, contacts can be found in Annex 1.6-1.

3.4.2 Conditions for staff

Suitability of the staff of Railway Undertakings shall be proven by the single safety certificate according to the Decree of the Government No. 414/2020. (VIII. 30.) Korm.

Staff of the Railway Undertaking may carry out shunting of its own only after passing the exam of Training Instructions, having a valid foreman shunting examination in accordance with the training instructions of the Railway Undertaking or Infrastructure Manager, passing the exam of Executive Instruction for Stations (ÁVU) regarding knowledge of local relations, and after performing duty under supervision defined in the Appendix of the Labour Protection Regulation relevant to the given service location.

Should -pursuant to the AVU- no contribution of shunting personnel be necessary to carry out shunting of own, staff of the Railway Undertaking is allowed to carry out shunting without having an examination on local information prescribed above.

In scope of activities that are in connection with the shunting, running and operation of trains, Hungarian language shall be applied as the only language, if no international agreement states different.

3.4.2.1 Conditions related to the exemption from the knowledge of the Hungarian language at B1 level of train drivers of trains running on the sections between the Hungarian border station and the border crossing point

The Infrastructure Manager may grant exemptions from the knowledge of the Hungarian language at B1 level to the drivers of railway undertakings in accordance with the provisions of the Commission Regulation (EU) 2019/554 of 5 April 2019 amending Annex VI to Directive 2007/59/EC of the European Parliament and of the Council on the certification of train drivers operating locomotives and trains on the railway system in the Community.

The Applicant requesting the exemption may be a railway undertaking that has a network access contract or an internal agreement with the infrastructure manager.

When assessing the application submitted, the infrastructure manager shall verify that the following conditions are met:

- The applicant requesting the exemption has a valid network access contract or internal agreement with the infrastructure manager,
- The application was submitted for a specific route,
- In the request, the railway undertaking has declared that the drivers concerned have acquired the knowledge necessary to communicate properly with the Infrastructure Manager's staff and that the appropriate provisions have been implemented in his safety management system,
- The application was submitted in Hungarian with firm signature.

In the presence of the above, the infrastructure manager shall grant the railway undertaking an exemption from knowledge of the Hungarian language at B1 level within 15 days of the submission of the application.

The Infrastructure Manager reserves the right to withdraw the exemption from the B1 level language knowledge granted to the drivers of the railway undertaking.

The Infrastructure Manager provides information for railway undertakings on its website on the railway undertakings the procedures for communication between staff and drivers at the changeover stations, on the template for the request for a B1 language exemption and on the information on which border crossings can it be requested.

3.4.3 Rules for running of trains transporting exceptional consignments

A consignment must be qualified as exceptional transport if forwarding of the consignment presents extra difficulty on the rail network of the Infrastructure Manager due to the outer size, weight, shape or other characteristic of the consignment considering railway equipments or wagons, thus its forwarding can only be permitted under special technical and operational conditions. Rules concerning the forwarding of exceptional consignments are issued by the infrastructure manager (Instruction No. H.6.)

The following consignments are qualified as extraordinary consignments:

- extraordinary consignment forwarded on the basis of a transport permission of general validity for standard-size consignments,
- extraordinary consignment transported on the basis of an individual transport permission.

Organisations responsible for regulating the transport of extraordinary consignments are as follows:

MÁV Infrastructure Co. Ltd. Directorate-General for Infrastructure Management,
Departement for Traffic, Operational Centre

Address: H-1087 Budapest, Kerepesi út 16.
Phone: +36 30/367-2002
+36 1 /511-1566
+36 1 /511-3932
+36 1 /511-3061
+36 1 /511-1097

E-mail: sondetrp@mavcsoport.hu
uk.rk@mavcsoport.hu

GYSEV Zrt Infrastructure Business Unit - Traffic
Address: H-9400 Sopron, Állomás utca 2.
Phone: +36 99/577-065
e-mail: sondetrp@gysev.hu

3.4.4 Conditions for the running of trains which forward dangerous goods

Materials and objects are considered as dangerous goods which are qualified as dangerous goods by the Minutes adopted in Vilnius on 3 July 1999 on the modification of the Convention Concerning International Carriage by Rail (COTIF) Appendix C (hereafter RID), or by the Regulation on the transportation of dangerous goods (SzMGSz Annex 2) of the SzMGSz Agreement on International Goods Transport by Rail.

Should any wagon of the train contain dangerous goods the train shall be considered as a train transporting dangerous goods irrespective of the owner of the wagons.

In the application for train path, applicants must inform the infrastructure manager if catastrophe level dangerous goods or consignment of high public security risk in accordance with RID 1.10.3 point are to be forwarded, and must also give information on the train guidance and security arrangements to be taken.

In this case, organisational units of the infrastructure manager to be informed:

MÁV Infrastructure Co. Ltd. Operational for Directorate General - Departement for Traffic, Operational Centre

Address: H-1087 Budapest, Kerepesi út 16.

Phone: + 36 30/367-2002

+36 1/511-1566

Fax: +36 1/511-1638

E-mail: uk.rk@mavcsoport.hu

GYSEV Zrt - Infrastructure Business Unit - Traffic

Address: H-9400 Sopron, Állomás utca 2.

Phone: +36 99/577-333

E-mail: hfuir@gysev.hu

3.4.5 Rules for running Test Trains and Other Special Trains

3.4.5.1 Rules for running of test trains

Running of test trains may cause extra difficulties as regards to railway equipments or wagons, so, forwarding of these trains can only be permitted under special technical and operational conditions. Regulations relating to test trains are issued by the infrastructure manager (F.2. Traffic Instruction, Appendix 15).

MÁV Infrastructure Co. Ltd. Directorate-General for Infrastructure Management, Departement for Traffic, Operational Centre

Address: H-1087 Budapest, Kerepesi út 16.

Phone: +36 30/367-2002

+36 1/511-1566

Fax: + 36 1/511-1638

E-mail: sondertp@mavcsoport.hu;
uk.rk@mavcsoport.hu

GYSEV Zrt Infrastructure Business Unit

Address: H-9400 Sopron, Mátyás király utca 19.

Phone: + 36 99/577 351

e-mail: fegyed@gysev.hu

3.4.5.2 Rules for running of Ro-La trains

Running of Ro-La trains may cause extra difficulties as regards to railway equipment or wagons, so, forwarding of these trains can only be permitted under special technical and operational conditions. Regulations relating to the running of Ro-La trains are issued by MÁV Infrastructure Ltd. (Instruction No. 18/2023. III. 17. MÁV Ért. EVIG on the requirements for the trucks carriage by rail, Annex 2.3.1 of the Network Statement as well as Restrictions announced on the website of MÁV Infrastructure Co. Ltd.).

MÁV Infrastructure Co. Ltd. Directorate-General for Infrastructure Management,
Departement for Traffic, Operational Centre

Address: H-1087 Budapest, Kerepesi út 16.
Phone: +36 30/367-2002
Fax: + 36 1/511-1638
E-mail: sondertp@mavcsoport.hu;
uk.rk@mavcsoport.hu

4. CAPACITY ALLOCATION

4.1 Introduction

Any applicant who verifies in compliance with point 3.2.1 its entitlement to use the railway infrastructure may request at VPE for rail network services provided within the framework of the open access railway network.

To applicants authorised to reserve capacity, Paragraphs 54-55 of the Railway Act will apply when requesting rail network capacity.

Based on requests, VPE carries out capacity allocation in its train path application information technology system to services provided by the infrastructure manager within the framework of open access.

The train path application information technology system is on the following website:

<https://www.kapella2.hu/bejelentkezes>

For track sections, for which neither annual nor late path requests are submitted, VPE shall construct catalogue train paths to be published on its website and in its train path application information technology system.

Railway companies entitled to provide railway passenger, freight transport services, or to operate railway infrastructure are only authorised to order train types as follows:

Holders of operation licence for rail passenger transport are entitled to order

- trains of categories A, B, C, E listed in Annex 4.5-2,

Holders of operation licence for rail freight transport are entitled to order

- trains of category D, E listed in Annex 4.5-2.

Holders of operation licence exclusively for traction service are entitled to order

- Trains of category E listed in Annex 4.5-2

In case of announcement for operation of rail infrastructure network approved by the Railway Agency:

- Trains of category F listed in Annex 4.5-2.

Authorised applicant is entitled to order all train categories excepting trains of category F.

VPE shall treat information supplied by applicants confidentially.

4.2 Description of the capacity allocation process

In accordance with community and domestic legislation, dividing of activities among organisations involved in the capacity allocation of open access a railway network, ensuring access, provision and use of services provided by the infrastructure manager, as well as the prescription of the entire process can be seen in Annex 4.2.

Information on capacity allocation on European rail corridors for competitive freight is provided in Annex 4.10.

4.2.1 Train path application for border crossing trains and application for related services

Applicants shall apply for train path for international trains at VPE from the border point or to the border point, respectively for the Hungarian open access railway network.

In this case cooperation is needed with the train operating companies of the neighbouring country. Both the train number and the Railway Undertaking forwarding on the not Hungarian railway network the train from the border or to the border shall be indicated in the train path request.

PATH COORDINATION SYSTEM (RNE PCS)

PCS is an international path request coordination system for 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 <https://rne.eu/it/rne-applications/pcs/>

4.3 Capacity allocation for maintenance, renewal and enhancement works

4.3.1 General Rules

The Infrastructure Manager is entitled to carry out maintenance, renewal and enhancement works or mandate any other company to carry out these works (in the followings: track possession) on the open access railway network operated by this IM, and to reserve capacity for these works, and to use the railway network.

Infrastructure Manager is obliged to carry out maintenance, renewal and enhancement works in such a manner that loss of revenues to be expected for the duration of these works and influence on train movements should be as little as possible.

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.

4.3.2 Track closures, capacity restrictions and deadlines

12 months prior to entering into force of working timetable at the latest, track construction works and corridor catalogues (hereinafter referred to as corridor catalogue) specified by Regulation (EU) No 913/2010 shall be published which must be taken into consideration when compiling annual working timetable.

By the final date for submitting of corridor and annual train path requests (08 April 2024), 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. 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.

Track possession requests linked to works that cannot be scheduled on a yearly base shall be submitted at VPE by the Infrastructure Manager after the final date for submission of yearly requests for rail infrastructure services. Infrastructure Manager shall submit its requests for track possession that cannot be scheduled on a yearly base but do not coincide with any train paths 15 days before starting of planned works, while requests for track possession ensuring operation safety, track possession regarding emergency cases, or track possession regarding weather conditions when it becomes necessary.

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 from VPE, 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 submitted train path request, if it concerns allocated train paths.

Types of non-annual track possession request are as follows:

- a.) track possession request submitted not later than 70 days prior to the scheduled start day of works,
- b.) track possession request submitted more than 50 days and less than 69 days prior to the scheduled start day of works,
- c.) track possession request submitted more than 30 days and less than 49 days prior to the scheduled start day of works,
- d.) track possession not disturbing any train path
- e.) track possession for operation safety.

When submitting a track possession request, the following data shall be given:

- affected track section (track between two stations, right-left track, station track etc.),
- time period (from month-day-hour-minute to month-day-hour-minute, or from train to train, etc.),
- technological characteristics (neutralisation of contact line, speed restriction signal, etc.)

If Infrastructure Manager submits its non-annual track possession request at VPE 70 days before the start of the works, it shall simultaneously declare that the preliminary consultation with Applicants affected by the track possession request has resulted in an agreement which does not result in an increase in the network access charge for the applicant. Train run plan of track possession under the agreement of affected parties shall be submitted to VPE at the same time when track possession request. Train run plan shall comprise beyond the location and time of works also its influence on capacity. On the basis of the delivered train run plan, capacity allocation body shall prepare a study timetable according to which the modification of the affected, allocated capacity requests shall be the responsibility of the owner of the capacity. Should the modification of capacity requests

not happen by the 25th days prior to the start of the track possession at the latest, capacity allocation body shall withdraw the affected, allocated capacity requests.

On the basis of submitted track possession requests if it affects allocated train paths as well, VPE shall initiate the suspension of the working timetable of the given track section, and shall prepare a provisional working timetable in accordance with the attached train run plan if the owner of the train path has initiated the modification of the train path.

If the infrastructure manager submits the non-annual track possession request to VPE at least 70 days before the start of the work, IM must make a statement at the same time that he has proposed to the customer a suitable alternative solution that does not increase the network access charges for the customer. If no such proposal has been made or the non-annual track possession request is submitted no later than 69 and at least 30 days before the start of construction works. Train run plan of track possession under the agreement of affected parties shall be submitted to VPE at the same time when track possession request. Train run plan shall comprise beyond the location and time of works also its influence on capacity.

Should the Infrastructure Manager submit its non-annual track possession request more than 50 days and less than 69 days prior to the scheduled start time of the works, Infrastructure Manager shall refund to the Applicants additional costs resulting from the use of track because of track possession.

Should the Infrastructure Manager submit its non-annual track possession request more than 30 days and less than 49 days prior to the scheduled start time of the works, Infrastructure Manager shall refund to the Applicants additional costs resulting from the use of track and traction because of track possession.

Regarding modified train paths, VPE shall construct - based on train path requests submitted again - new timetable (temporary working timetable) which will become part of the working timetable.

Infrastructure Manager shall submit at VPE 15 days prior to the start time of the works - if it is possible - its track possession requests that do not coincide with any train path. 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 submitted by the capacity requesters 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.

Infrastructure Manager may submit track possession request for operation safety at the capacity allocation body

- a) if it is submitted because of an unforeseeable situation endangering safety of life, property or railway operation,
- b) if its purpose is to restore scheduled train run as soon as possible,
- c) if it is not connected to any other track possession request and
- d) if it becomes valid at the same time when the allocation by the capacity allocation body takes place.

In the event of track possession for operation safety, Infrastructure Manager is entitled to initiate at capacity allocation body the withdrawal of allocated capacity requests affected by track possession, if, at the same time IM informs Applicant about the track possession for operation safety purpose, and declares that the submitted track possession request for operation safety purpose is not in connection with other track possession requests. On the basis of information and declaration, capacity allocation body shall revoke the allocated capacity requests.

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.

Using delay codes attributable to the activity of the Infrastructure Manager and specified in the decree on detailed rules of rail performance regime (57/2015. (IX.30.) NFM), track possession can be performed in a time that deviates from time data defined by track possession. Deviation from time data defined in the track possession cannot be more than 24 hours.

4.3.2.2 Capacity allocation rules for major track closures

(1) Infrastructure manager shall consult with applicants on planned major track closures when planning the annual working timetable. The result of the consultation and the location and time of the planned major track closure shall be published on the infrastructure manager's website at least twenty-four months before the entry into force of the working timetable and updated at least twelve months before the entry into force of the working timetable.

(2) In the event of a planned major track closure affecting a network operated by more than one infrastructure manager, the infrastructure managers concerned shall consult the relevant applicants and service facility operators at least twenty-four months before the working timetable affected by the track closure enters into force. The outcome of the consultation will be recorded in minutes, which will form the basis of the track closure technology and capacity allocation. Consultation may be waived only if the infrastructure managers, applicants and service facility operators concerned have agreed in advance in writing not to do so. If the impact of a planned major track closure affects another infrastructure manager, the relevant infrastructure managers shall consult each other between the date of publication and the updating of the significant track closure information on the planned significant track closure, if necessary with the relevant applicants and service facility operators. After the conclusion of the consultation and before updating the track closure information for the planned major track closure, they shall re-consult with the applicants and the operators of the service facilities concerned. The outcome of the consultation is recorded in minutes, which forms the basis of the track closure technology and capacity allocation.

(3) If the impact of the planned major track closure affects other infrastructure managers, the infrastructure managers concerned shall consult each other at least twenty-four months before the publication of the planned major track closure, involving the relevant applicants and service facility operators, if necessary. The outcome of the consultation is recorded in minutes, which forms the basis of the track closure technology and capacity allocation. The

consultation shall be concluded in each of the following cases no later than eighteen months before the update of the track closure information:

- a) more than 30% of the estimated daily traffic on a line is canceled, diverted or replaced by more than seven consecutive days;
- b) more than 50% of the estimated traffic on a line is canceled, diverted or replaced by other means of transport per day for a maximum of seven consecutive days.

(4) During the planning of the annual working timetable, the infrastructure manager shall consult on planned track closure works in addition to the planned significant track closures for which more than 10% of the estimated daily traffic on the line is canceled, diverted or replaced by other means of transport, if they fall within the next timetable period and the infrastructure manager becomes aware of them at least six months and fifteen days in advance of the entry into force of the annual working timetable. During the consultation, the Infrastructure Manager shall notify the applicants concerned of the updated closures at least four months before the change of the working timetable and provide detailed information on the paths offered no later than four months for passenger trains and no later than one month for freight trains, unless a shorter lead time is agreed in writing between the infrastructure manager and the applicants concerned.

(5) The infrastructure manager may, based on the consultation with applicants and service facility operators, decide to apply stricter thresholds for track closures than those indicated in the previous paragraph, which are based on shorter periods or lower percentages of estimated traffic, or further specified criteria.

(6) VPE Shall publish the applied thresholds and criteria in the Network Statement.

(7) The infrastructure manager may decide not to apply the time limits set out above if:

- a) the track closure is necessary for the safe operation of the railway,
- b) the timing of the restrictions cannot be influenced by the infrastructure manager,
- c) the application of the time limits would not be cost-efficient or cause unnecessary damage to the lifespan or condition of the track and its accessories, or
- d) all applicants concerned agree not to apply the time limits.

(8) In the cases specified above and in the case of planned major track closures and further planned major track closures, the infrastructure manager shall immediately consult the applicants concerned and the operators of the service facilities.

(9) The infrastructure manager shall provide the following information for the consultations:

- a) the planned start, end and, as soon as available, hours of the start and end of the track closure,
- b) the section of line affected by the track closure; and
- c) the capacity of the lines which may be used as detours.

VPE Publishes the contents of points a-c in the Network Statement and keeps them up to date based on data provided by infrastructure managers.

For track closures lasting at least thirty consecutive days and affecting more than 50% of the estimated traffic on the line, the infrastructure manager shall make available to applicants on request a comparison showing the conditions for at least two alternatives to the track closure. The infrastructure manager shall develop alternatives on the basis of the

information provided by applicants at the time of application and together with applicants. The comparison shall include for each alternative:

- a) the duration of the track closure,
- b) the indicative amount of expected infrastructure charges,
- c) detours and available capacity,
- d) the estimated time of transit.

Before choosing between alternatives to a planned major track closure affecting a network operated by more than one infrastructure manager, the infrastructure manager shall consult the applicants concerned and take into account the effects of the different alternatives on applicants.

In the case of track closures lasting more than 30 consecutive days and affecting more than 50% of the estimated traffic on the line, the Infrastructure Manager shall define the criteria for which services are to be diverted. When defining the criteria, the commercial and operational constraints of the applicant must be taken into account, taking into account the criteria included in the Railway Act, without prejudice to the objective of cost reduction. VPE publishes these criteria in the Network Statement and the preliminary allocation of the remaining capacity between the different types of railway services in the event of a consultation on the planned significant track closures. Following the conclusion of the consultation, the infrastructure manager shall make available to the railway undertakings concerned, on the basis of the feedback received from applicants, a non-mandatory breakdown of the remaining capacity by rail.

4.4 Effect of the framework agreement

Train path request submitted on the basis of a framework agreement has priority in accordance with provisions of Paragraph 17, Section (4) of the Decree No. 55/2015 (IX.30) NFM.

4.5 Capacity allocation process

Steps set out in legal rules for capacity allocation for the open access railway network the entire allocation process from the submission of requests to the invoicing of charges can be found in Annex 4.5.

Applicants shall submit their requests at VPE for the use of track network capacity set out in point 1-4 of Annex 2 of the Railway Act electronically through the train path applying information technology system of VPE. Should the information technology system be not available, Applicant shall submit its request for capacity to VPE via oss@vpe.hu e-mail address on the application form set out in Annex 4.3-1 signed by a person with permission to the IT system, or duly signed by the company. VPE also accepts digital signature. VPE shall enter data of track network capacity submitted this way into its train path applying IT system after the inaccessibility has ceased.

During submission of a train path request there are routes where so-called routing point (topopont) shall be recorded in order to fix the desired route. Routing point shall be recorded in the following cases:

- Komárom „5” topopont - for trains running on line Nr. 5 heading from Nagyigmánd-Bábolna to Komárom and back
- Kaposvár 35 topopont - for trains running on the line Nr. 35 heading from Mernye to Kaposvár and back

- Szolnok „A” feljáró topopont - for trains running on line Nr. 100 heading from Abony to Szolnok-Rendező
- Szolnok „D” feljáró topopont - for trains running on line Nr. 120 heading from Újszász to Szolnok-Rendező
- Kecskemét 145 topopont - for trains running on line Nr. 145 heading from Lakitelek to Kecskemét and back
- Kiskunhalas 150 topopont - for trains running on line Nr. 150 heading to Kelebia via Kiskunhalas and back

Railway Undertakings can submit annual, annual late, ad hoc and instant capacity requests whereas the authorised applicants can submit annual, annual late, 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.

If trains running according to train path for operation purposes or short term timetable via not interlocked stations, the box “direction of entry” will not be filled in, therefore the following statement will be attached to the short term timetable: “Information about the change of the entry direction at the station [name of the not interlocked station crossed by the train according to the timetable] will be provided by a command in writing in accordance with point 15.16.3 of F.2. Traffic Instructions.”

Should the applicant coming from an open access railway network also wish to reserve / use privately owned railway network relieved of open access, applicant- when applies for rail network services - must hold a service agreement concluded with the operator of the privately owned railway network relieved of open access, and when requesting for rail network services, shall make a declaration on the existence of a service agreement, which contains the command for the validity of the agreement.

In case of entering from or to a privately owned railway network the applicant in its request should indicate the first/last part of the path if serving occurs by train.

Non-open access sections of the Tram-train network set out in Annex 2.2.2-4 may only be used by applicants with an infrastructure access contract to these sections. Information on the rules for the Tram-train’s non-open access railway network can be found in Annex 4.5-3.

11 months prior to the entering into force of working timetable at the latest, capacity allocation body shall announce corridor catalogues for track sections selected as international rail corridors fostering competitive rail freight transport, which must be taken into consideration when compiling annual working timetable.

VPE shall consider as reserved capacity track construction works on corridors mentioned in the previous two paragraphs and capacities reserved by corridor catalogues in the national capacity allocation system until the time deadline specified for individual international rail corridors concerning competitive freight transport.

Infrastructure manager is exclusively entitled to request at VPE a service train path for his working trains which he intends to run in order to operate his own track network, using not reserved free capacity in the working timetable.

VPE shall inform the applicant and the rail regulatory body of the receipt of a request for rail network services without delay.

For trains crossing a border, if appropriate, pre-constructed international trains paths shall be established which shall be made available for applicants on the website of VPE and through the train path applying IT-system operated by VPE.

Should network path requests submitted for any element of the railway possession or rail network services conflict, VPE shall initiate a coordination process with the involvement of applicants concerned and shall decide based on this process.

VPE shall inform the applicants concerned, the infrastructure managers and the rail regulatory body on his decisions made in capacity allocation (decisions on track network possession and rail network services allocated in compliance with the Network Statement).

4.5.1 Deadlines for annual train paths and timetabling

Deadline for submitting annual train path requests is the second Monday of April in the previous timetable year (08 April 2024).

Annual late path requests shall be submitted after the deadline for the annual path requests but 5 weeks prior to the entry into force of the annual working timetable (09 November 2024). VPE must deliver to applicants for their feedbacks the draft timetable and/or the draft service plan in terms of the requested train path.

After the deadline of the submission of annual train path requests within 12 weeks, (until 01 July 2024), 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 (10 June 2024) 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 (05 August 2024). 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 2024) VPE shall finalize the annual working timetable i.e. allocate train paths.

Validity period of the annual working timetable begins at 24:00 on the second Saturday of December in the running year and lasts until 24:00 on the second Saturday of December in the subsequent year.

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

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 (29 November 2024). 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 |
|-------------------------------|---|---|
| Ad hoc train path | At least 5 days before train run | Immediately and no later than 24 hours before the departure of the train run. |
| 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 |

In emergency cases or in the case of operation disturbance indicated by the Infrastructure Manager, Railway Undertaking may submit its short term train path request even within one hour before the planned start of a train run. By submitting a short term train path request within one hour Railway Undertaking has to refer on the affected operation disturbance or emergency case. Short term train path request within one hour will be accepted if the referred capacity restriction is existing at the time of submitting the request.

4.5.3 Ad-Hoc Path Requests

VPE shall offer catalogue train timetable for satisfying ad hoc short term train path requests. If the Railway Undertaking does not accept the offered catalogue timetable, or in the case of train paths for working trains, VPE shall enclose so called “short term timetable” to the train path request, but running of trains will happen by using of free capacities depending on the train traffic. VPE shall enter the following remark in the heading of the short term timetable: “Offered catalogue train path has not been accepted by applicant. The train will run according to a short term timetable.” The term “ordering party” in the comment is understood to mean the person submitting the request.

4.5.4 Coordination process

When a request for rail network capacity cannot be satisfied due to its conflict with other capacity requests even taking into account judgement provisions defined in legal rules, or any of these requests cannot be refused, a coordination procedure shall be conducted. VPE shall initiate the coordination procedure in writing and in electronic format by simultaneously notifying each applicant affected and the rail regulatory body within two working days after VPE has got to know of the conflict of applications submitted for the railway network capacity.

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 the one which was requested (subject to pre-defined international train path),
- 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.

The coordination procedure shall be conducted by VPE. Minutes shall be prepared and signed by each party participating in the coordination procedure. Each party shall receive one copy of the minutes. Should the coordination procedure not achieve a result within 10 working days, VPE shall decide on the requests affected by the coordination procedure by taking into account the sequence defined by Paragraph 15 Sections (4) and (5) of Decree No 55/2015

(IX.30) NFM, and consequently, may make such a proposal to an applicant which differs from the applicant announced previously. Immediately after decision making, VPE shall notify in writing the affected applicants and the rail regulatory body of its decision made in disputes which cannot be resolved during the coordination procedure.

4.5.5 Dispute resolution process, possible recourse

In accordance with the provisions of Paragraph 79/B, Section (1), points c) and d) of the Railway Act, Railway Undertakings or non-independent infrastructure managers may initiate legal dispute process at the rail regulator body against decisions made by VPE in the matter of ensuring and allocating rail network capacity.

A non-RU Applicant may submit its recourse to the competent court having jurisdiction in compliance with Act CXXX of 2016 on the Code of Civil Procedures in the event if the non-RU Applicant has not initiated a legal dispute process at the rail regulatory body in the given matter yet and will not intent to initiate any.

4.5.6 Deadlines and procedures of application for services provided by the infrastructure manager

In accordance with the rules of train path application, services referred to in Annex 2 points 1-4 of the Railway Act and published in Chapter 5 and 7 of this Network Statement, shall be ordered in the train path application system of VPE, or in case of hindrance, by using the application form defined in point 4.5 of the Network Statement.

Application for services provided by the infrastructure manager may happen jointly with the application for train path, or as an application for services without train path as well.

Before requesting for train path and services regarding the railway network of MÁV Infrastructure Co. Ltd., railway undertaking should - if it is possible - consult with MÁV Infrastructure Co. Ltd. Directorate-General for Infrastructure Management about the possibility of using supplementary and additional services. MÁV Infrastructure Co. Ltd. Directorate-General for Infrastructure Management receives the preliminary requests regarding the possibility of requesting of infrastructure services provided by the infrastructure manager from 00.00-24.00 hours and shall within 2 hours after receiving the request give preliminary information to the authorised applicant.

For feasibility reasons prior to the allocation of services, railway undertaking is obliged to negotiate with the infrastructure manager on the allocation of additional and ancillary services with availability parameters different from published in the Network Statement.

Shunting for own operation

Shunting without the usage of shunting staff of the infrastructure manager or/and traction unit ensured by the infrastructure manager (shunting of its own) may be carried out only in such service locations where traffic operation is ensured. On lines equipped with simplified traffic service, rules that are covered by the Executive Instructions for Line Sections defined in point 6.2.1 l) must apply.

The authorised applicant must indicate the shunting of its own in the train path requesting IT system of VPE and must give the length of time of shunting and the number of vehicles to be shunted.

Storage of vehicles

Infrastructure Manager provides the service “Storage of vehicles” if the service has been ordered in the train path requesting informatics system.

Service stoppage

After the finalisation of the annual working timetable, Infrastructure Manager shall publish in Annex 2.5-2 those service places where the availability of service staff is limited. Infrastructure Manager shall make service staff available to Railway Undertaking if Railway Undertaking indicates in the train path requesting IT system of VPE that it intends to use the affected rail network capacity during the period of the service stoppage and Infrastructure Manager confirms this.

Request for access for public loading sidings

The request for access to public loading sidings and loading area of MÁV Infrastructure Co. Ltd. infrastructure Manager belonging to these sidings, and in the interest of capacity allocation the request shall be indicated by the railway undertaking. This indication can be submitted independently of applying for a train path (without the train path) or together with the train path.

The indication shall be submitted with the stating time of the loading stated in it. Indication together with a train path may be submitted earlier than 30 days prior the planned starting time of the loading.

Indication without train path can only be submitted not earlier than 30 days before the planned starting time of the loading.

In the indication railway undertaking must provide the following information:

- service place concerned, within this, name of the loading place,
- the requested time of start,
- number of wagons to be loaded/unloaded,
- length of the loading unit (metre),
- the length of time needed for the use of the loading place.
- in the case of submitting together with a train path, the ID of the train path.

Optionally the following can be specified:

- the referred train path identifier (which can be referred to on the day of the request +/- 48 hours),
- usage of loading interruption (loading on other days than indicated in the lighting calendar and / or on public holidays)

When signalling, in addition to the above, the railway undertaking shall in any case take into account the information published in the Restrictions, remarks column of Annex 7.3.11.

In order to improve the real utilization rate of public loading sidings and loading areas belonging to these sidings, and for a more efficient phasing of requests, railway undertakings may have insight to the graphic interface, where recorded and allocated access requests are displayed which have been recorded in the train path requesting informatics system of VPE.

Railway undertakings may use the acquired information only for a better distribution and for better temporal harmonization of requests. VPE follows up the use of insight access and its effect on distribution of submits, and the real utilization of use of public loading sidings.

In case the rate of the occupied but not used loading capacity is more than 50% within the full planned loading capacity requests with a planned application in the examined month (regardless the time of the request) of the concerned railway undertaking, the right for the insight of the concerned railway undertaking will be suspended for 30 days following the account.

Sanction mentioned above shall only be used against those railway undertakings, which have had at least 25 requests for use of public loading sidings and loading areas in the timeframe examined.

The number of requests below are considered as unused at the time of preparing the statement:

- requests cancelled 5 calendar days or less before the planned date of use (date of planned use - date of cancellation \leq 5 days)
- subsequent cancellation
- no factual data and no cancellation
- no execution (loading not started)
- loading finished within 10 minutes.

Monitoring of allocated capacities will be made by VPE by the 10th day of every month and concerned railway undertakings will be informed about the results in writing.

Conditions for the use of public loading sidings and loading areas belonging to these sidings can be found in Annex 4.5.6.

4.5.7 Procedural order of transferring and using of rail network capacity requests allocated to a non-RU Applicant

Authorised applicant may transfer the right to use the rail network services allocated to it to any other Railway Undertaking that has a network access contract or internal agreement concluded with the Infrastructure Manager. In the case of the request contains more than one traffic day - or services more than one service day - different RUs can be designated to each day. In the case of the path request contains service request too, different RU can be designated to the path request than to the service request. In the case of the request of the non-RU Applicant is for cohesive services derived from the 5th and 7th chapters of the NS, the designated RU should be the same for the services on the same day.

Authorised applicant is obliged to designate the Railway Undertaking actually using the rail network services required by and allocated to the authorised applicant, at least 10 days prior to the actual use of the service. VPE informs the designated Railway Undertaking about the designation immediately and demonstrably.

Within 48 hours after the appointment, Railway Undertaking is entitled to reject the appointment by the non-RU Applicant for the actual use of the reserved capacity. Should the appointment be rejected by an RU, the non-RU Applicant shall appoint another Railway Undertaking 10 days prior to the scheduled usage date of the rail network capacity.

Request data are accessible for the RU designated by the non-RU applicant, but it can not make any changes on the parameters of the allocated request, and can not cancel it. RU may refuse the designation according to the NS immediately after the notification on the designation.

Non-RU Applicant may change its appointment until the tenth day before the use of the rail network capacity at the latest.

Once the RU, which will use the allocated capacity has been designated by the non-RU applicant, the designation can be changed any time outside the 10-days deadline for designation. In the case of the modification of the designated RU is needed, the non-RU applicant shall cancel the request and order a new request with the modification instead.

Outside the 10-days deadline for designation of a RU, Non-RU applicant may change or cancel the parameters of the allocated path request according to the rules set out in the NS. Within the 10-days deadline for designation of a RU, non-RU applicant may change those parameters, which does not have any affect to the allocated capacity or the price quotation. If those parameters have to be modified which affect to the allocated capacity or price quotation, then a new capacity request shall be submitted. A new request can be submitted before the 10-days deadline for designation of a RU, therefore for a request cancelled within the designation deadline a new request for the same period cannot be submitted.

After the termination of the deadline without determination of an RU, VPE concerns it as cancellation.

4.6 Congested infrastructure

4.6.1 Congested track section

For a more balanced use of the rail network, in order to avoid congested rail track sections, as well as to prevent the development of congestion, capacity allocation body may appoint replacement rail track sections. Should VPE appoint replacement rail track sections it shall publish them simultaneously with train path catalogues and in the same manner.

If on a certain railway section even in the framework of a coordination process it is not possible to satisfy train path requests, and as a consequence of this, train path requests rejected run up to or go beyond 10% of the monthly theoretical capacity of a certain railway section, or if train path requests to be foreseeable submitted within a year are very likely not to be satisfied, VPE shall qualify the concerned part of the railway network as a congested railway section, and shall initiate at the infrastructure manager that it prepares capacity analysis and also makes proposal- for removal of congestion.

VPE constantly monitors the utilization of the theoretical capacity of the congested railway track section to ensure applicants the use of the available infrastructure capacity to the maximum extent possible.

VPE examines the use of reserved capacity on a monthly basis for a whole calendar month period for each applicant in order to determine to what extent the applicant has used the given reserved capacity for the reviewed period.

The examination of the congested track section's reserved capacity must be completed by the start of the next examination, including the possible withdrawal of the reserved capacity as a result of the examination.

The concept of reserved capacity includes train path request - with departure time for the examined period - submitted to the VPE at least 5 days before the planned departure and the train path request approved by VPE (allocated annual, annual late and ad hoc).

Train paths which have been cancelled by the applicant at least five days before the planned departure are not included in this investigation.

If the reserved capacity for the applicant is withdrawn as a result of a monthly examination, the use of the train paths withdrawn in the meantime will no longer be examined by the VPE for the following period (in the month of withdrawal).

Determining the utilization rate of the reserved capacity, the train paths used by the applicant against the reserved capacity in the examined period are compared to the reserved capacity for the applicant.

For the examination of the reserved capacity utilization of the congested track section the IM shall provide the data no later than the 5th working day of the following month, these data include in addition the reserved capacity utilization, any information that the Infrastructure Manager have about the possible failure of utilization. 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 VPE already have these documents - whether if its based on the data provided by the IM or any other source - should inform the concerned applicant.

VPE in its interpretation and assessment of the non-economic cause out of its interest - as a waiver of non-utilization - as defined in Article 16. § (4) of Decree 55/2015 (IX.30) on the detailed rules of open access to railway network follows the general interpretation and practice of civil law. According to this definition, the interest of the applicant includes, inter alia, the acts and omissions of the capacity applicant's partners (including other Infrastructure Managers), subcontractors, customers, and other persons or entities involved in the operation of the transport.

If the applicant fails to comply with the obligation to make a declaration within the deadline or fails to prove the existence of a non-economic cause out of its interest, VPE shall decide on the withdrawal of the reserved capacity and from the 5th day after the decision shall withdraw the remaining reserved capacity for the relevant timetable period and approved for the applicant. VPE shall notify the applicant, the Infrastructure Manager and the Rail Regulatory Body of its decision without delay.

After coordination between the Infrastructure Manager, Applicant and VPE, Infrastructure Manager shall carry out capacity analysis regarding congested track sections within six months after declaring the rail network or any part of it congested.

In the capacity analysis, Infrastructure Manager shall identify restrictions of satisfying capacity demands, and also works out proposals to remove restrictions. Capacity analysis specifies the reasons of congestions and short term and middle term measures to alleviate congestion.

Within six months after the completion of a capacity analysis, Infrastructure Manager shall prepare a capacity enhancement plan, following a consultation with capacity Applicants.

Capacity enhancement plan shall specify:

1. reasons for the congestion,
2. expected short, middle and long-term trend of traffic,
3. restriction of development of rail track section,

4. possibilities and costs of capacity enhancement including expected changes in network access charges,
5. possible actions for capacity enhancement and cost-benefit analysis of their realisation,
6. schedule for the execution of proposed actions,
7. Amount of financial funds to execute actions (within which the amount of state aid).

Infrastructure Manager shall send capacity enhancement plan to VPE and the rail regulatory body indicating also possible differences of opinions remaining after the consultation. Should measures specified in the capacity enhancement plan need also the use of state aid, Infrastructure Manager shall send capacity enhancement plan also to the minister responsible for transportation. Infrastructure Manager shall report to rail regulatory body on the implementation of measures specified in the capacity enhancement plan in every quarter year.

The sections of the open access rail network which have been declared congested are listed in Annex 2.3.1.

4.6.2 Priority rules and procedure to be followed

On a congested railway section train path requested by the Infrastructure manager shall have priority if

- the use of the capacity is needed to execute the provisions of a legal rule, or
- Infrastructure Manager carries out maintenance, renewal or enhancement works.

Infrastructure Manager may not enforce its need for priority laid down above over public services operated in peak hours.

On a congested railway section, after enforcing the provisions above, or if annual, annual late, ad hoc and short term requests coincide, with the exception of railway sections designated as specialized infrastructures, priority shall be given to

- Railway public services,
- International passenger transport,
- International freight transport,
- Other freight transport,
- Other passenger transport.

If train path request to which priority shall be given in accordance with the previous paragraph cannot be identified, priority shall be given using ranking below:

- to trains running on the basis of the Regular Interval Timetable, ,
- to train paths ordered in the scope of the framework agreement,
- train path requests covering more than one traffic days,
- train path requests for longer distances,
- train path request of regularly running trains,
- train path requests submitted earlier.

4.6.3 Rejection of requests received, withdrawal of allocated requests

VPE is entitled to revise the submitted rail network service request if in any of the papers, documents specified in 3.2.1 justifying the right prescribed for using the railway infrastructure have been modified.

If the papers, documents referred to in the previous paragraph do not justify the right of the applicant to use the rail network service, VPE shall revoke or withdraw to use the service.

VPE shall inform the applicant and the Infrastructure Manager of the revocation of the train path.

4.7 Forwarding of exceptional consignment and/or dangerous goods

Forwarding of exceptional consignment, running of test trains and Ro-La trains are subject to authorisation, so, they shall be indicated when requesting train path.

Railway Undertaking shall register the forwarding of dangerous goods at the Disaster Management Authority according to the 6. § of the Govt. Decree No. 312/2011. (XII. 23.) in Hungarian, English, German or French language, containing data set out in the Annex 1 section A of the Decree, at least 1 hour before the start of forwarding. Registration can also be made directly through the IT tool „Veszélyes Áru Bejelentő Rendszer” - VÁB) operated by VPE. In this case the moment of registration in the VÁB tool shall be regarded/considered as the moment of arrival of the registration to the Disaster Management Authority.

Procedure of forwarding of exceptional consignments can be seen as regards MÁV Infrastructure Co. Ltd. in Annex 4.7.1, as regards GYSEV Zrt in Annex 4.7.2.

4.8 Rules After Path Allocation

Should the train depart late from departure station, upon request of the Railway Undertaking the train can also start within a timeframe of 24 hours subject to the application on the basis of the originally allocated train path, and can run in the route as allocated in the train path if traffic conditions makes it possible.

Should the train during its run exceed time data of the original timetable attached to the originally allocated train path, or exceed the data given in the short-term timetable by more than 24 hours, the train is not allowed to run using the allocated train path.

Services are valid for a timeframe of 24 hours on the basis of the beginning of the planned starting time according to the capacity allocation. After the 24-hour validity period the service could not be used according to the originally allocated request, and the cancellation of the request is only possible from the beginning of the planned starting time until the end of the 24-hour period.

4.8.1 Rules for path and service request modification by the applicant

Train path relates exclusively to the length of time defined in the train path allocation which is necessary for a train-run between two points. Consequently, any changes occurred in the route and time data of the train path, in services ordered simultaneously with the train path and influencing the route or time data of the train path, as well as in basic data of train categories (Annex 4.5-2) which are part of train path allocation, require in accordance with legal provisions in force the cancellation of the path and a request for a new train path with modified parameters.

4.8.2 Rules for Path Alteration by the infrastructure manager

Infrastructure manager may give offer for alternative route in the cases of alteration of train paths set out in subchapter 4.5.

4.8.3 Non-Usage of train paths by the applicant

Allocated, but not used train paths shall be handled according to the rules of reservation fee set out in point 2 section IV of the Performance Regime.

4.8.4 Cancellation rules, procedure if train path is not cancelled by the applicant

Applicant may cancel rail network capacity allocated to it in writing at VPE or electronically through the train path requesting IT system of VPE or in case of inaccessibility of the IT-system via e-mail on oss@vpe.hu, sending an application form signed by a person with permission to the IT system, or duly signed by the company, not later than 24 hours after the planned date of train run. VPE also accepts digital signature. Infrastructure Manager may cancel track possession request allocated to it for the purpose of maintenance, renewal and enhancement not later than the end of time frame indicated in the track possession request.

In case the allocated train path is cancelled by the applicant (+/-)24 hours with reference to the planned departure time, or the applicant performs such modification that causes cancellation, the cancellation shall only be allocated if factual traffic data or a report „The train is ready to run” sent by the IM has not been arrived to the train path requesting IT system concerning to the request desired to be cancelled/modified.

Inquiry of the arrival of factual data or the report „The train is ready to run” lasts for 10 minutes, in case no factual data or report „The train is ready to run” arrives to the train path requesting IT system to the request concerned, the allocation of the cancellation takes place the next minute after the expiration of the inquiry time.

Effective time of the cancellation is the time of the allocation of the cancellation version by VPE.

In case factual data or report „The train is ready to run” sent by the IM is available to the request concerned at the time of the submission of cancellation/modification in the train path requesting IT system operated by VPE, or arrives during the inquiry time, the request for cancellation/modification of the train path shall be rejected.

In case of withdrawal of „The train is ready to run” report or factual traffic data (withdrawal of departure) the cancellation/modification of the train path is newly possible.

Infrastructure Manager considers the rail network capacity cancelled in the following cases:

- if the network access contract or internal agreement concluded between the Railway Undertaking and the Infrastructure Manager is terminated or its implementation is suspended by the Infrastructure Manager,
- If the Railway Undertaking does not start the use of the ordered service within 24 hours starting from the time requested in the allocation.

With regard to MÁV Infrastructure Co. Ltd., in case of cancellation or failure of cancellation of the train path affecting the section Rösztke - Rösztke bc. from any direction, the RU might have an obligation to pay a fee based on the rules detailed in the Performance Regime.

4.9 Timetabling process TTR - For Smart Capacity Management

4.9.1 Objectives of TTR

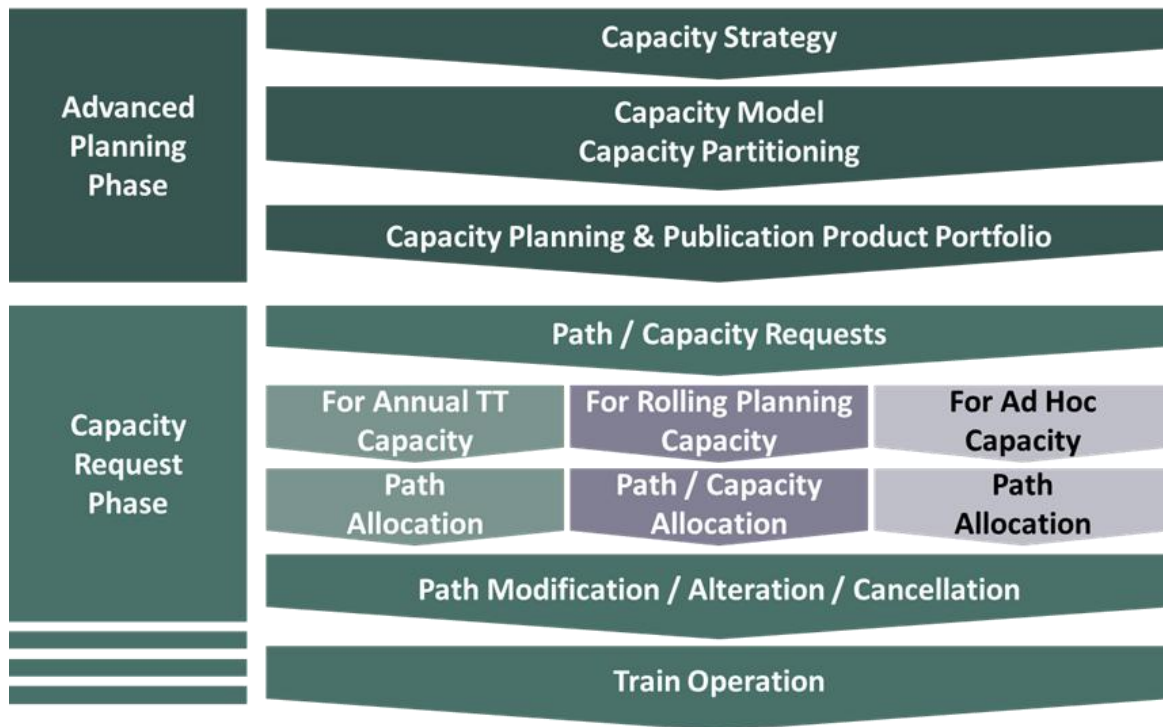
RailNetEurope (RNE) and Forum Train Europe (FTE), supported by European Rail Freight Association (ERFA) are currently working on a Redesign of the International Timetabling Process (TTR). The objective of TTR is to harmonize and improve the European rail timetabling system to significantly increase the competitiveness of railway transports.

TTR consists of different components, including in particular an improved planning of the distribution of infrastructure capacity (including temporary capacity restrictions) and the introduction of new capacity allocation processes.

Detailed information on the project can be found on www.ttr.rne.eu and <https://www.forumtraineurope.eu/services/ttr/>.

TTR is planned to be partly implemented for the timetable 2025 provided that it is supported by the European and national legal framework.

4.9.2 Process Components



The essential ones are described in further detail below.

- **Capacity Strategy (X*-60 to X*-36 months):** The capacity strategy is the long-term capacity planning of the IM for a dedicated line, a part of a network or entire network. The major aim of the capacity strategy is to provide a first overview of available capacity on the infrastructure in the future and of future capacity needs. It enables the IM to share future capacity needs with neighbouring IMs and applicants and agree on the main principles to be applied in the design of the capacity model.
- **Capacity Model (X*-30 to X*-18 months) with Capacity Partitioning:** The capacity model gives a more detailed definition of the demand forecast, and the partitioning of capacity into Annual Planning, Rolling Planning, and Temporary Capacity Restrictions and unplanned capacity (where available). Applicants have the possibility to give input into the capacity model by announcing their capacity needs and can provide their reaction on the proposed capacity partitioning. The capacity needs announcements and the capacity model are described respectively in chapters 4.9.3.1 and 4.9.3.2.
- **International alignment on TCRs:** Temporary Capacity Restrictions (TCR) may occur in case of maintenance, renewal, or building of the infrastructure or other restrictions of use, which have an impact on the available capacity on a line. They refer to TCRs with major, high, medium and minor impact as well as to possessions (unavailability of paths due to e.g. maintenance). TCR are necessary to keep the infrastructure and its equipment in good condition and to allow infrastructure development in accordance with market needs (see chapter 4.3 for more information).
- **Capacity for Annual requests:** Capacity to be coordinated at a defined deadline or made available for requests placed after this deadline.
- **Capacity for Rolling Planning requests:** Dedicated capacity based on capacity bands for a defined time window or paths, all these being used with specific requesting deadlines.

- Capacity for ad- hoc requests: Unplanned capacity or remaining capacity for applications submitted after X-2 month.

*X stands for the day of timetable change in 2025

4.9.3 Implementation of TTR

MÁV Infrastructure Co. Ltd. and GYSEV Zrt. participates in the project implementation.

As a first step in the implementation of the national process, infrastructure managers have developed some capacity models for one or more lines/network sections and/or the whole network.

For more information, you may contact:

Name: Zoltán Imre Kovács

Company: MÁV Infrastructure Co. Ltd. Directorate-General for Infrastructure Management

E-mail: kovacs.zoltan.imre@mavcsopot.hu

4.9.3.1 Requesting capacity

The procedures for requesting of capacity will be defined later.

4.9.3.2 Capacity Model and capacity allocation

The capacity model is based on the infrastructure managers' capacity strategy (see chapter 4.9.2.1), market requirements (e.g. new service plans) and TCRs (Temporary Capacity Restrictions, see chapter 4.9.2.3) and serves as the baseline for all capacity requests. To fulfil this purpose, it assigns the capacity to the various commercial and technical needs ('capacity partitioning'), which generally are:

- Capacity required for TCRs;
- Commercial capacity requests

After assessing the capacity requests used, the available commercial capacity is allocated to:

- Capacity available for annual requests (see chapter 4.9.2);
- Capacity safeguarded for Rolling Planning requests (see chapter 4.9.2);
- Unplanned capacity, which can be used for ad-hoc requests

4.9.3.3 Available capacity

Based on the capacity division, the Infrastructure Manager will work to determine the capacity supply by approximately X-18 month by comparing the capacity bandwidths of the pre-planned routes, system routes, rolling design capacity, taking into account rolling design multi-year capacity commitments and framework agreement requests for previous years to meet different commercial needs. Capacity supply may also include unplanned capacity.

For cross-border lines, these activities are coordinated with neighbouring infrastructure managers.

In order to allow applicants to plan and coordinate their needs, infrastructure managers shall publish the capacity supply (in terms of bandwidth/tracks/catalogue paths) for the annual timetable and rolling stock planning needs by X-11 month at the latest.

Capacity applicants will receive a draft capacity offer for consultation before final publication.

4.9.4 Pilot projects for early implementation of the TTR or TTR process element

Currently none of the infrastructure managers (MÁV Infrastructure Co. Ltd., GYSEV) are involved in any pilot projects.

4.10 Capacity allocation principles for European corridor corridors for competitive freight

Under Regulation (EU) No 913/2010, corridor train paths may be requested, modified and cancelled as follows:

Reservation of corridor train paths can be initiated in the PCS system by booking the catalogues offered there. Capacity applicants may submit their annual catalogue reservations by the second Monday (X-8) of April preceding the scheduling period, and C-OSS will be responsible for the evaluation of the reservations received. Two weeks are allowed for the processing of claims. Once received, the VPE will be notified of the reserved catalogues and timetable editing tasks by the working group responsible for the capacity allocation of the corridor concerned, via the interface link to be established with the PCS system or until it is completed. Following the notification, the VPE will record the request for the Hungarian section in the VPE Route Requester IT system, based on the data entered in the PCS, on behalf of the capacity requester, in the train type Ko "International Corridor Freight Train" (45). The type of request is defined in the VPE The type of train path is determined by the date of recording in the IT system of the path requestor.

If the request needs to be modified in relation to the reservation recorded in the PCS system, the capacity requestor may do so no later than 30 calendar days before the service.

If a capacity change is required for the Hungarian section of the corridor route, but the change does not affect the traffic day recorded in the PCS system and the arrival/departure times at the national borders agreed in the border negotiations, the change shall be made by VPE on the basis of a written request by the capacity applicant to VPE Route Requester's IT system.

If the allocated corridor path is not used by the capacity applicant, the cancellation of the path request is the responsibility of the capacity applicant both in the PCS system and in the VPE Route Applicant's IT system.

The description of the capacity allocation principles for international corridors is given in Annex 4.10 for information. The capacity allocation for each international corridor is governed by the relevant corridor's CID or general contractual conditions.

5. SERVICES AND CHARGES

5.1 Introduction

The use of the open access railway network and rail network services of the Infrastructure Manager provided within the open access shall be made available to each applicant under equal conditions and at the same price have to be paid.

The content of the services provided by the Infrastructure Managers of MÁV Infrastructure Co. Ltd. and GYSEV Zrt may be different owing to local features. These discrepancies are presented in the Network Statement in all cases. If there are no discrepancies indicated in the Network Statement, the services offered by Infrastructure Managers are provided with the same content.

Infrastructure Managers may provide services listed in Annex II of Act CLXXXIII of 2005 on railway transport (Railway Act).

Related infrastructure background is presented in Chapter 2.

5.2 Charging principles

VPE shall lay down the method of determination of elements of the charging system in the Charging Methodology (Annex 5.2-1).

Charging Methodology III. (Annex 5.2-1) prepared in compliance with the NFM Decree 58/2015 (IX.30.) on the framework of the railway network access charge system and the basic rules for the formation and application of network access charges (hereinafter: Decree on Charging) includes description of the charging system used for the rail network of MÁV Infrastructure Co. Ltd. and GYSEV Zrt. Charging Methodology provides inter alia the structure of the charging system, services provided by the Infrastructure Managers, costs assigned to services supplied by Infrastructure Managers and calculation rules that can be implemented to the calculation of components of the charging system.

VPE shall carry out determination of elements of the charging system for the given timetable year on the basis of provisions of the Charging Methodology, fact data of the last closed business year of the Infrastructure Manager, plan data of the business plan of the Infrastructure Manager in the year of charge as well as the volume of the central budget aid (hereinafter referred to as state contribution).

Charging Document (Annex 5.2-2 to this Network Statement) contains calculations relating to the determination of network access charges and data for calculations.

Given that the scope of this Network Statement applies to the open access railway networks of both MÁV Infrastructure Co. Ltd. and GYSEV Zrt, but fees to be paid may differ in respect of the two rail networks, so values connected to certain services shall be described separate in respect of the two Infrastructure Managers.

Regarding the 2023/2024 timetable period the following charging elements will not apply to any of the Infrastructure Managers.

- congestion fee laid down in Paragraph 67/C (1) of the Railway Act
- environmental protection fee laid down in Paragraph 67/C (2) of the Railway Act,
- rail network maintenance fee laid down in Paragraph 67/D (3) of the Railway Act,
- fee for different gauges laid down in Paragraph 67/G (1) of the Railway Act,

- investment fee laid down in Paragraph 67/G (2) of the Railway Act,
- general discount laid down in Paragraph 67/H (3) of the Railway Act,
- individual discount laid down in Paragraph 67/H (4) of the Railway Act,
- countervailing benefit laid down in Paragraph 67/I of the Railway Act.

In accordance with Paragraph 67/G (3) of the Railway Act, the use of ETCS fee is compulsory, relevant regulation is specified in point 5.6.5.

In compliance with paragraph 67/E (1) of the Railway Act and Charging Decree, if network access charges are not excepted to cover all reasonable costs and expenses of the infrastructure manager taking into account the state contribution, the fee of services may be increased by an amount of a mark-up that can at least cover all reasonable costs and expenses. Before introducing this mark-up, it should be examined, whether there is any segment in the List specified in Annex 5.2-3 that is not able to pay the network access charge increased by this mark-up.

According to segment examinations for the timetable year 2023/2024, each segment is capable to pay mark-ups in respect of basic services, access-type supplementary service as well as complex supplementary services.

Ro-La trains and Tram-train are identified as a potential segment in Annex 5.2-3, thus mark-ups shall not be charged for the use of basic services, for access part of supplementary services and complex supplementary services in respect of trains belonging to this segment. In the case of Tram-train this is also valid for train types No. 19, 53, 73 and 75 and the mark-up content of services used for the provision of passenger transport services described in the segment description.

In accordance with Paragraph 85/O of the Railway Act, in the case of using rail network services during the performance of national defence tasks by the Hungarian Defense Forces, the network access charges without energy and the financial obligations arising from the Performance Regime (hereinafter: PR obligation) will not be accounted for as follows:

- the settlement of the network access fee without energy and the exemption from the PR obligation include those trains and the railway services ordered together with them and settled as announced in the NS, which trains run exclusively domestically, i.e. both the departing and its destination is a domestic station in Hungary (not including the border point) and,
- loaded, closed set, D category trains and,
- the Railway Undertaking has marked these trains as railway activities related to the national defence tasks to the infrastructure operator by the first working day of the month following the actual month.

In the framework of the charging system, VPE shall publish non-discriminatory amounts to be paid for different Applicants that perform services of an equivalent nature in comparable part of the market.

Network access charges are published in HUF and do not include value added tax (ÁFA).

For services where both a fee and a surcharge can be levied, both charging components are shown in the table. For services where surcharge cannot be levied, the fee and the amount to be paid are equal, in the table appears the heading „Amount to be paid”.

If the service is used, values to be seen in the column “Amount to be paid” shall be charged.

Rating of track sections and service locations into charge categories for certain services can be found in Annexes 5.2-4 and 5.2-5.

Summary table of charges of services can be found in Annex 5.2-6.

The notification in Paragraph 67/R Section 3 of the Railway Act also contains the value counted by the multiplication of the published network access charges, mark-ups and the in-kind performances relating to the available railway network capacity. In the notification neither the subtotal nor the total amount of charges contain decimals, they are calculated by applying the rounding rules.

Infrastructure Manager stipulates financial guarantee requirements to Railway Undertakings in order to protect its legitimate expectations regarding the future revenues and the use of the rail network. Relevant regulation can be found in Paragraph 36 of Annex 3.3.4.

5.3 Minimum Access Package and Charges

Services provided on the basis of Annex 2 point 1 of the Railway Act.

Activities related to the handling of applications for railway network capacity and running of trains may be linked within minimum access package to four components: ensuring of train path, the train kilometer-based part of running of trains, gross ton kilometer-based part of running of trains and use of overhead contact wire.

5.3.1 Ensuring of train path

5.3.1.1 Content of the service

Handling of application for rail network capacity.

Content of the service:

- receipt of the client's request in electronic way (including supplementary, additional and ancillary services belonging to the request),
- examination of feasibility of the request,
- construction of the necessary timetable,
- examination of achievability of the service belonging to the request,
- feedback to the applicant about the acceptance and realization of the request,
- necessary steps in the interest of execution.

5.3.1.2 Charges

Amount to be paid for the use of service specified in point 5.3.1.1 shall be charged on the basis of actually performed train kilometres.

Measure unit: HUF/train km.

Amount to be paid for ensuring of train path shall be charged to the Railway Undertaking only if the train has run factually. The basis for determining distance is always the pricing mileage.

Amount to be paid by individual Infrastructure Managers can be seen in the following table.

Charging elements of Ensuring of train path

| <i>Ensuring of train path Unit HUF/train km</i> | Charge | Mark-up | Amount to be paid |
|---|--------|-----------|-------------------|
| MÁV Infrastructure Co. Ltd. | 1 | 9 | 10 |
| GYSEV Zrt. | 1 | 10 12* | 11 13* |

* Effective: from 20.08.2024

5.3.2 Running of trains**5.3.2.1 Content of the service**

This service comprises:

- making the open access railway network available to Railway Undertakings for transporting goods and passengers and carrying out traction,
- ensuring the use of open access railway lines, straight main running tracks, point switches in main straight tracks, open line junctions, track junctions, engineering structures, as well as signalling and safety equipment,
- running of trains by ensuring staff, tools and information systems of traffic control and traffic operation,
- handling and forwarding data necessary for the running of railway vehicles, (if necessary, issuing of permit for forwarding of exceptional consignment, registration of consignment, delivery of offer in writing),
- performing Infrastructure Manager's task for handling train run document and annexes.

5.3.2.2 Charges

Amount to be paid for the use of the service specified in point 5.3.2.1 consists of a train kilometer-based part and a gross ton kilometer-based part, consequently it shall be charged on the basis of the actually performed train km and gross ton km. The basis of determination of the distance is the chargeable kilometre in every case.

Amount to be paid for the train kilometer-based part of the service "Running of trains" shall be charged in 3 line categories and for the following train categories:

- passenger trains (trains of train category A, B and C listed in Annex 4.5-2),
- freight trains (trains of train category D listed in Annex 4.5-2, except special freight trains) ,
- special freight trains (the corridor trains, freight trains to/from Záhony in case of MÁV Infrastructure Co. Ltd.)
- loco trains (trains of train category E listed in Annex 4.5-2).

Measure unit: HUF/train kilometer. Amount to be paid as regards individual Infrastructure Managers can be seen in the following tables.

Charging elements of Running of trains- train km proportionate part on the network of MÁV Infrastructure Co. Ltd.

| Running of trains- train km proportionate part Unit: HUF/train km | Line section category I | | | Line section category II | | | Line section category III | | |
|--|-------------------------|---------|-------------------|--------------------------|---------|-------------------|---------------------------|---------|-------------------|
| | Charge | Mark-up | Amount to be paid | Charge | Mark-up | Amount to be paid | Charge | Mark-up | Amount to be paid |
| Passenger trains | 67 | 391 | 458 | 97 | 304 | 401 | 108 | 42 | 150 |
| Standard freight trains | 69 | 471 | 540 | 85 | 417 | 502 | 166 | 102 | 268 |
| Locomotive trains | 68 | 414 | 482 | 85 | 391 | 476 | 149 | 309 | 458 |
| Special freight trains | Line section category I | | | Line section category II | | | Line section category III | | |
| | Charge | Mark-up | Amount to be paid | Charge | Mark-up | Amount to be paid | Charge | Mark-up | Amount to be paid |
| Záhony freight trains | 60 | 435 | 495 | 92 | 364 | 456 | 106 | 142 | 248 |
| Corridor trains | 60 | 479 | 539 | 105 | 395 | 500 | 0 | 0 | 0 |

Charging elements of Running of trains- train km proportionate part on the network of GYSEV Zrt

| Running of trains- train km proportionate part Unit: HUF/train km | Line section category I | | | Line section category II | | | Line section category III | | |
|--|-------------------------|-------------|-------------------|--------------------------|-------------|-------------------|---------------------------|-------------|-------------------|
| | Charge | Mark-up | Amount to be paid | Charge | Mark-up | Amount to be paid | Charge | Mark-up | Amount to be paid |
| Passenger trains | 60 | 250 305* | 310 365* | 54 | 226 275* | 280 329* | 43 | 172 210* | 215 253* |
| Standard freight trains | 96 | 303 373* | 399 469* | 115 | 184 237* | 299 352* | 50 | 149 184* | 199 234* |
| Locomotive trains | 95 | 215 270* | 310 365* | 40 | 240 289* | 280 329* | 26 | 189 227* | 215 253* |
| Special freight trains | | | | | | | | | |
| Corridor trains | 87 | 236 293* | 323 380* | - | - | - | - | - | - |

* Effective: from 20.08.2024

Regarding the rail network of MÁV Infrastructure Co. Ltd., amount to be paid for the gross ton kilometer-based part of the service “Running of trains” shall be announced irrespectively of the line categories in the following two train categories:

- Passenger trains, normal freight trains, loco trains (trains of categories A, B, C, D, E in Annex 4.5-2, except special freight trains)
- special freight trains (Záhony trains and corridor trains).

Regarding the track network of GYSEV Zrt, amount to be paid for the gross ton kilometer-based part of the service “Running of trains” shall be charged irrespectively of the line/train categories:

- Passenger trains, freight trains, loco trains (trains of train categories A, B, C, D, E in Annex 4.3-2, except special freight trains)

Measure unit: HUF/gross ton kilometer. Amount to be paid as regards the individual Infrastructure Managers can be seen in the following table.

Charging elements of Running of trains- gross ton km proportionate part on the network of MÁV Infrastructure Co. Ltd.

| Running of trains- gross ton km proportionate part Unit: HUF/gross ton km | Charge | Mark-up | Amount to be paid |
|--|--------|---------|-------------------|
| Passenger trains | 0,35 | 0 | 0,35 |
| Standard freight trains | | | |
| Locomotive trains | | | |
| Special freight trains | | | |
| Záhony freight trains | 0,31 | 0,00 | 0,31 |
| Corridor trains | 0,30 | 0,04 | 0,34 |

Charging elements of Running of trains- gross ton km proportionate part on the network of GYSEV Zrt

| <i>Running of trains- gross ton km proportionate part</i> <i>Unit: HUF/gross ton km</i> | Charge | Mark-up | Amount to be paid |
|--|--------|---------|-------------------|
| Passenger trains | 0,28 | 0 | 0,28 |
| Freight trains | 0,33* | 0* | 0,33* |
| Locomotive trains | | | |

* Effective: from 20.08.2024

5.3.2.3 Train running - further rules applied for special freight trains

Amount to be paid for the special train category “Running of trains” concerning the rail network of GYSEV Zrt shall apply to corridor freight trains, and concerning the rail network of MÁV Infrastructure Co. Ltd. to Záhony trains and corridor trains.

Záhony freight train (D category) means every such freight train, which during the transportation covers the section between Kiszárda [14118] and Fényeslitke [14134] and between Kiszárda [14118] or Fényeslite-Déli Rendező [42127] service places and the total weight of the train amounts to 380 tons.

Corridor freight train is every train that is qualified in Annex 4.3-2 within train category D as a (45) Ko international corridor freight train.

When placing the order in case of Záhony freight trainscorridor trains, conditions shall be checked and if they are fulfilled, amount to be paid for each special freight train categories shall apply in the price quotation. The checking of the conditions taking place automatically during the capacity allocation, applicants have not got any marking liability.

When placing the order the train path fulfils the special freight train categories jointly too, the lower payable charge of the concerned special freight train categories shall be taken into account in the price quotation as follows:

In case the train path fulfils both the conditions for freight trains of Záhony and conditions set out for corridor trains, payable charge related to freight trains of Záhony will be taken into account.

Amount to be paid for special freight train shall be taken into consideration in accounting if the train fulfils the conditions during its run, too.

If the freight train fulfils the conditions for freight trains of Záhony at capacity allocation, payable charges related to freight trains of Záhony could be taken into account in accounting if the train during the train running also fulfils the requirements of freight trains of Záhony.

Should the train meet conditions set out for corridor trains at capacity allocation, the sum to be paid for a corridor freight train shall be taken into consideration in the account if the train meets conditions for corridor freight trains also during the train run.

Should the train path fulfil different conditions of a special freight train category during its run as at capacity allocation, in the accounting the infrastructure manager may not conform

to the price quotation given with the capacity allocation by VPE, which acts as binding offer for the infrastructure manager according to the Civil Code (Act No. V. of 2013), as follows:

Should the freight train fulfil the conditions related to freight trains of Záhony and for a corridor freight train at capacity allocation, payable charges related to special freight trains could be taken into account in accounting if the train during the train running fulfils at least one of the two conditions. In this case the „running of trains” charge shall be paid at the accounting according to the special freight train categories fulfilled during its run by the train path owner. Shall the train fulfil during its run both special freight train categories mentioned above, payable charges related to freight trains of Záhony will be taken into account.

According to the definition in the aid scheme for the maintenance and revitalisation of single wagonload traffic by rail (hereinafter referred to as the "aid scheme"), as set out in Government Decision 1414/2020 (16.VII.), single wagonload trains may apply for aid outside the tariff scheme under the HÜSZ, within the framework of the aid scheme and under the conditions set out therein.

5.3.3 Use of catenary system

5.3.3.1 Content of the service

The service comprises:

- access to and use of the overhead contact wire system and power supply system (without providing electric energy).

5.3.3.2 Charges

Amount to be paid in the case of using the service specified in point 5.3.3.1. It shall be charged on the basis of electric train kilometer factually run by train on the electrified track section.

Measure unit: HUF/electrical train kilometer. Amounts to be paid in the case of individual Infrastructure Managers can be found in the table below.

Charging elements of Use of catenary

| <i>Use of catenary</i> <i>Unit: HUF/electric train km</i> | Charge | Mark-up | Amount to be paid |
|--|--------|-----------|-------------------|
| MÁV Infrastructure Co. Ltd. | 68 | 9 | 77 |
| GYSEV Zrt. | 70 | 18 33* | 88 103* |

* Effective: from 20.08.2024

5.4 Additional Services and Charges

Services listed in Annex 2 point 3 of the Railway Act.

5.4.1 Ensuring of traction current

5.4.1.1 Content of the service

Service for trains of train-category A, B, C, D, E listed in Annex 4.5-2, and for energy input taken by traction units suitable for electric traction according to the network access contract or internal agreement.

The service comprises:

- transmission of traction current through private wire.

5.4.1.2 Charges

Amount to be paid in the case of using the service specified in point 5.4.1.1.

Measure unit: HUF/kWh.

The amount to be paid charge comprises the following charge items:

- charge for transmitted traction current
- charge for system-use
- charge for the network loss of transmitted traction current
- charge for the excise duty
- charge for funds in accordance with Law LXXXVI of 2007 on electric energy (Vet.)

When using this service, amount to be paid for individual items shall be invoiced together.

Amounts to be paid in the case of individual Infrastructure Managers can be found in tables below.

Infrastructure managers have the possibility to request prior consent from the railway regulatory body to deviate from the charges included in the NS. If the railway regulatory body gives its prior consent to deviate from the NS, the amount to be paid may differ according to the provisions of the network access contract or internal agreement.

**Charging elements of Ensuring of traction current on the network of MÁV
Infrastructure Co. Ltd.**

| Additional services | Amount to be paid |
|---|--------------------------|
| Ensuring of traction current Unit: HUF/kWh | |
| Transmitted traction current | 62,5 |
| System-use | 18,4 |
| Network loss of transmitted traction current | 0,4 |
| Excise tax | 0,4 |
| Funds under the Act on Electricity | 4,1 |

Charging elements of Ensuring of traction current on the network of GYSEV Zrt

| Additional services | Amount to be paid |
|---|--------------------------|
| Ensuring of traction current Unit: HUF/kWh | |
| Transmitted traction current | 76,3 |
| System-use | 18,1 |
| Network loss of transmitted traction current | 4,0 |
| Excise tax | 0,2 |
| Funds under the Act on Electricity | 1,8 |

5.4.2 Services for trains providing energy for non- traction purposes**5.4.2.1 Ensuring of electric energy for non-traction purposes (for preheating, precooling)****5.4.2.1.1 Content of the service**

Service for railway undertakings having operation licence for running trains of train-category A, B, C, D, E listed in Annex 4.5-2.

The service comprises:

- transmission of electric energy through private wire for non-traction purposes (preheating, precooling).

Service places suitable for providing this service are listed in Annex 2.3.3.

5.4.2.1.2 Charges

Amount to be paid in the case of using the service specified in point 5.4.2.1.1.

Measure unit: HUF/kWh.

The amount to be paid comprises the following charge elements.

- charge for transmitted electric energy used for other than traction purposes (preheating, precooling)
- charge for system-use
- charge for the network loss of transmitted electric energy used for other than traction purposes
- other operational charge
- charge for the excise duty
- charge for funds in accordance with Law LXXXVI of 2007 on electric energy (Vet.)

Amounts to be paid in the case of individual Infrastructure Managers can be found in tables below.

Charging elements of Ensuring of electric energy for other than traction purposes (preheating, precooling) on the network of MÁV Infrastructure Co. Ltd.

| Additional services | Amount to be paid |
|---|--------------------------|
| Ensuring of electric energy used for other than traction purposes (preheating, precooling) Unit: HUF/kWh | |
| Transmitted traction current | 26,6 |
| System-use | 7,9 |
| Network loss of transmitted traction current | 0,5 |
| Excise tax | 0,2 |
| Funds under the Act on Electricity | 1,8 |

Charging elements of Ensuring of electric energy for other than traction purposes (preheating, precooling) on the network of GYSEV Zrt

| Additional services | Amount to be paid |
|---|--------------------------|
| Ensuring of electric energy used for other than traction purposes (preheating, precooling) Unit: HUF/kWh | |
| Transmitted traction current | 76,3 |
| System-use | 18,1 |
| Network loss of transmitted traction current | 4,0 |
| Excise tax | 0,2 |
| Funds under the Act on Electricity | 1,8 |

Infrastructure managers have the possibility to request prior consent from the railway regulatory body to deviate from the charges included in the NS. If the railway regulatory body gives its prior consent to deviate from the NS, the amount to be paid may differ according to the provisions of the network access contract or internal agreement may be different from the above.

5.4.2.2. Ensuring of fuel for other than traction purposes (for preheating, precooling)

5.4.2.2.1 Content of the service

Service for railway undertakings having operation licence for running trains of train-category A, B, C, D, E listed in Annex 4.5-2.

The service comprises:

- ensuring of fuel for other than traction purposes (for preheating, precooling).

MÁV Infrastructure Co. Ltd. provides the service in the service places and operation hours published in Annex 7.3.10.

GYSEV Zrt does not provide this service.

5.4.2.2.2 Charges

Amount to be paid in the case of using the service specified in point 5.4.2.2.1.

Measure unit: HUF/liter. Amounts to be paid on the network of MÁV Infrastructure Co. Ltd. can be found in the table below.

**Charging elements of Ensuring of fuel for other than traction purposes
(preheating, precooling) on the network of MÁV Infrastructure Co. Ltd.**

| Additional services | Amount to be paid |
|---|--------------------------|
| Ensuring of fuel used for other than traction purposes (preheating, precooling) Unit: HUF/litre | 401 |

Infrastructure managers have the possibility to request prior consent from the railway regulatory body to deviate from the charges included in the NS. If the railway regulatory body gives its prior consent to deviate from the NS, the amount to be paid may differ according to the provisions of the network access contract or internal agreement.

5.4.3 Transport of exceptional consignments

Issue of permit to the Applicant necessary to forwarding of exceptional consignments, registration of the consignment, sending of a proposal in writing are included in the service "Running of trains".

Procedure of forwarding of exceptional consignments can be seen as regards MÁV Infrastructure Co. Ltd. in Annex 4.7-1, as regards GYSEV Zrt in Annex 4.7-2.

5.5 Ancillary services

Services listed in Annex 2 point 4 of the Railway Act.

5.5.1 Technical inspection of railway vehicles

5.5.1.1 Content of the service

Ancillary service for railway undertakings having operation licence for running trains of train-category A, B, C, D, E listed in Annex 4.5-2.

The service comprises:

- technical inspection of railway vehicles in accordance with Technical wagon and train inspection Instructions No. E.12.

GYSEV Zrt provides this service in service places and operation hours defined by Annex 5.5.1.

MÁV Infrastructure Co. Ltd. does not provide this service.

5.5.1.2 Charges

Amount to be paid in the case of using the service specified in point 5.5.1.1.

Measure unit: HUF/train. Amounts to be paid in the case of GYSEV Zrt can be found in the table below.

Charging elements of Technical inspection of railway vehicles on the network of GYSEV Zrt

| Ancillary services | Amount to be paid |
|---|-------------------|
| Technical inspection of railway vehicles Unit: HUF/train | 14 534 |

5.5.2 Ticketing and reckoning activity

5.5.2.1 Content of the service

Ancillary service for railway undertakings having operation licence for running trains of train-category A, B listed in Annex 4.5-2.

This service includes the following activities performed by the staff of the infrastructure manager:

- sale of train tickets and other articles defined in the Passenger Transport Statement and in its annexes, instructions and orders of the railway company (hereinafter together: train tickets) as well as provision of relevant information
- reimbursement of train tickets,
- handling of complaints, reports, damage claims relating to the sale of train tickets, provision of relevant information,
- accounting for and reckoning with cash income,
- cash activity relating to selling of train tickets during the sales activity, expenses and collecting income to the benefit of the applicant,
- other tasks relating to the above.

GYSEV Zrt. provides this service in service places and operation hours defined by Annex 5.5.2.1.

MÁV Infrastructure Co. Ltd. does not provide this service.

5.5.2.2 Charges

Amount to be paid in the case of using the service specified in point 5.5.2.1.

Measure unit: HUF/ticket. Amounts to be paid in the case of GYSEV Zrt. can be found in table below.

Charging elements of Ticketing and reckoning activity on the network of GYSEV Zrt

| Ancillary services | Amount to be paid |
|--|-------------------|
| Ticketing and reckoning activity Unit: HUF/ticket | 239 |

5.6 Financial penalties and incentives

5.6.1 Items decreasing amounts to be paid in respect of Framework Agreements

In respect of Framework Agreements no items decreasing the amount to be paid has been determined in the Network Statement.

5.6.2 Penalties for Path Alteration

In the case of path alteration infrastructure manager is obliged to reimburse the costs described in point 4.3.2.1.

5.6.3 Reservation fee

Under Paragraph 8 (2) of Decree 57/2015. (IX.30.) NFM, reservation fee shall be specified in the Performance Regime.

5.6.4 Cancellation fee

The cancellation fee is the ad hoc fee payable for cancelling or failing to cancel the reservation of infrastructure capacity.

In the current timetable period fees for cancellation or failure of cancellation of infrastructure capacity are determined in point 4.8.4 of the Network Statement and also in the Performance Regime.

5.6.5 ERTMS discounts (ETCS fee)

ETCS fee can only be charged if track sections equipped with ETCS are used. Basis of charging shall be train kilometer run by the train on the track section equipped with ETCS. Measure unit: HUF/train km.

ETCS fee can work as a bonus item that decreases the amount to be paid, or a malus item increasing the amount to be paid.

ETCS Bonus fee shall be granted to every train that is hauled by a traction unit which were equipped with the ETCS device later, after the first putting into operation of the traction unit, and runs on a track section equipped with ETCS.

ETCS malus fee shall be paid by every train that is hauled by a traction unit not equipped with ETCS device and runs on a section equipped with ETCS.

Neither ETCS bonus nor malus shall apply to such trains that are hauled by a traction unit which was equipped with ETCS device in the manufacture.

Infrastructure Manager shall check the traction unit for the existence of an ETCS equipment on the grounds of the track number of the traction unit entered into the train load statement.

Value of ETCS bonus fee on the track network of MÁV Infrastructure Co. Ltd.: 13 HUF/train km

Value of ETCS malus fee on the track network of MÁV Infrastructure Co. Ltd.: 1 HUF/train km

Value of ETCS bonus fee on the track network of GYSEV Zrt: 26 HUF/train km

Value of ETCS malus fee on the track network of GYSEV Zrt: 1 HUF/train km

ETCS fees shall not affect the amount to be paid for the train kilometer-based part of running of trains, they shall be charged additionally.

Bonus and malus amounts arising from ETCS fees shall be in equilibrium, therefore Infrastructure Manager is obliged to examine the balance of bonus-malus amounts. Should the difference between bonus and malus amounts exceed 100.000 HUF, Infrastructure Manager shall settle the difference with the Railway Undertaking in question subsequently, after the timetable period until closing its business year.

5.7 Performance regime

Introduction of the Performance Regime is regulated by of Decree of the Minister of National Development 57/2015 (IX.30) NFM on detailed rules of open access to railway network.

In order to minimize network disturbances and to improve the performance of the railway network, VPE has established a Performance Regime that applies the same principle for the entire railway network.

Elements of the Performance Regime that apply to both the infrastructure managers and the Applicants are penalties on actions which disrupt the operation of the network and bonuses that reward better than planned performance. Penalty unambiguously concerns network disturbances caused by the infrastructure manager or by any of the Railway Undertakings.

Performance Regime comprises proportionate elements as for the infrastructure manager and the Railway Undertaking.

VPE determines the extent of the elements of the Performance Regime and also the condition of the usage of the incentive elements in such a way that bonuses coming from the operation of the Performance Regime should be proportionate to the expenditures of the operation, and the administrative costs of identification of network disturbances should not exceed penalties for causing network disruption.

Bonuses and penalties defined in accordance with the Performance Regime may be accounted also within the framework of the network access charge accounting, however, they must not be involved in the adjustment of damages caused by network disturbances.

In every year, for every timetable year, with the involvement of the infrastructure manager, the Applicants and the rail regulatory body, VPE evaluates the experiences of the applied Performance Regime, particularly its effect on minimizing network disruptions.

Performance Regime covers:

- incentive scheme to facilitate punctual train run,
- reservation fee,
- incentives supporting environmentally friendly transportation,
- special element on railway line 136.

The Performance Regime can be found as the Annex no. 5.7 of the Network Statement.

5.8 Changes to charges

Charging element of this Network Statement applies to the 2023/2024 timetable year. Considering that the determination of the elements of the charging system happens annually previous to the announcement of the Network Statement on the basis of cost and performance plan data delivered by the Infrastructure Managers, elements of the charging system may change between the certain timetable periods.

Under Paragraph 16 (1) of the charging decree, it is compulsory to carry out modification of the elements of the charging system, if the amount of state contribution received by Infrastructure Managers or the extent of the open access rail network operated by the Infrastructure Manager changes considerably in comparison to the values that were taken into account when determining the elements of the charging system.

Under Paragraph 16 (3) of the charging decree, modifications increasing the value of amounts to be paid shall become effective only 3 months after the publication of the Network Statement comprising the relevant modifications.

Detailed rules of the revision of charges can be found in the Charging Methodology.

5.9 Invoicing arrangement

Basis of accounting is the capacity allocated in accordance with provisions of Paragraph 67/R (3) points a) and b) of the Railway Act.

In compliance with the network access contract infrastructure managers shall make out a balance account based on train paths effectively used in the given month, performances (in case of service for ensuring shunting staff fact data should be charged in the account based on subchapter 7.3.1.3.2.1-2, but the quantity in the order should be handled as a minimum) and on the basis of the invoices already issued for the given month, issue an invoice in case of a positive difference and a corrective invoice(s) in case of a negative balance according to the network access contract or internal agreement in Hungarian language.

Counter value of the use of railway network not contained by the annual working timetable shall be invoiced to the Railway Undertaking by the infrastructure manager on the basis of train paths effectively used and performances (in case of service for ensuring shunting staff fact data should be charged in the account based on subchapter 7.3.1.3.2.1-2, but the quantity in the order should be handled as a minimum) in the month concerned.

Parties may otherwise agree in the network access contract or internal agreement on the date of invoicing.

On behalf of GYSEV Zrt as a non-independent rail infrastructure manager the issue of invoices is made by VPE.

By acknowledging the invoice, Railway Undertaking assumes the obligation to pay the network access fee charged for access to the open-access railway railway network. Deadline for payment shall be set out in the network access contract or internal agreement on condition that the deadline for payment may not be set for a period longer than 30 days. In the event of late payment, a default interest defined by the Civil Law shall apply.

In the invoice issued for the use of the open-access railway railway network, charges for basic, supplementary, additional and ancillary services as well as discounts and mark-ups and other charging elements according to subchapter 5.6 are presented separately.

Invoices and its annexes shall be comparable with the offer of VPE given on the basis of requests of the applicants.

6. OPERATIONS

6.1 Introduction

The following chapter contains the rules to be followed when using the rail network.

6.2 Operational Rules

Operational rules are set out in the network access contract, internal agreement and in the railway operational instructions.

6.2.1 The obligation of applying railway operational instructions

Railway Undertakings must observe the following operational instructions of the infrastructure managers:

- a) F.1. Signalling Instruction,
- b) F.2. Operational Instructions and Appendixes,
- c) E.1. Instructions for the personnel of the locomotive staff I. III. IV. section (unless the Railway Undertaking has an instruction approved by the transport authority),
- d) E.2. Brake Instructions,
- e) E.12. Technical wagon and train inspection Instructions,
- f) Technical tables (track data and mechanical tables),
- g) E.101. General Instructions for the operation of standard gauge electrified railway lines,
- h) H.6. Instructions for handling extraordinary consignment,
- i) As regards MÁV Infrastructure Co. Ltd., parts of O.1. Training Instructions involving the qualification required to perform the service unaided,
- j) As regards GYSEV Zrt, Training Instructions of GYSEV Zrt (except for qualifications to which Railway Undertakings have their own training instructions),
- k) Executive Instructions for stations - Infrastructure related parts,
- l) Executive Instructions to perform a service,
- m) Deviation in Instructions for the adjacent infrastructure managers,
- n) Timetable Instructions,
- o) Instruction No. 109/2020 (XI. 13. MÁV Ért.27.) EVIG T.25. on the use of wireless telecommunication systems in railway traffic,
- p) Instruction No. 36/2020. (II. 21. MÁV Ért. 7.) EVIG T.10. on the definition of railway telecommunication services provided by MÁV Infrastructure Co. Ltd. , on the procedures for their use and on the applicable tariffs,
- q) Instruction No. 18/2023. III. 17. MÁV Ért. EVIG on the requirements for the trucks carriage by rail,
- r) Instruction No. 19/2023. (III.24. MÁV Ért. 6.) EVIG on specimen texts of written provision,
- s) As regards MÁV Infrastructure Co. Ltd. Instruction No. 43/2022. (IX. 09. MÁV Ért. 10.) EVIG D.9. Rail weighing scales technical Instruction.

From instructions listed above, transport authority approves instructions listed under a) - h). Publication or modification of these instructions are communicated by MÁV Infrastructure Co. Ltd. and GYSEV towards VPE and the Railway Undertakings, and any information in line with these instructions must be placed on their websites, too.

MÁV Infrastructure Co. Ltd. and GYSEV Zrt shall publish on their websites instructions in full to be applied for the usage of the open access railway network operated by them.

6.2.2 Obligation to use documents while running a train

While running trains on the network, the usage of documents defined in instructions listed above are binding, beyond that, parties may also agree in the usage of other documents.

6.3 Special measures in the event of disturbances, emergency

6.3.1 Main principles of restoring the scheduled traffic

- In the event of deviation from the daily plan and timetable, the operational and operative control organisation of the infrastructure manager shall take the necessary steps to remove disturbances, restore the scheduled train movements in accordance with timetable.
- Railway Undertakings shall make a contact person entitled to decide or an own governing organisation continuously available who may be notified by the operational and operative managing organisation of the infrastructure manager in the event of disturbances or emergency, and the request of whom shall be taken into consideration in order to restore the scheduled operation.
- In the case of disturbance or emergency the infrastructure manager shall enter the capacity restriction into the IT system for requesting train paths. With reference to the identification number of the capacity restriction railway undertaking may request train paths within 1 hour prior according to the rules set out in point 4.3.2.
- Act of God and other unforeseeable, exceptional circumstances
 - In the event of disturbance to train movements caused by technical failure or accident, infrastructure manager must take all necessary steps to restore the normal operational situation and inform the affected Railway Undertakings. To this end infrastructure manager shall draw up adequate regulation which involves bodies to be informed in the event of serious accidents or serious disturbance to train movements.
 - On request of the infrastructure manager, Railway Undertakings - on payments - are obliged to make available their resources which they consider to be the most appropriate tool to restore as soon as possible the normal operational situation.
 - In the case of disturbance which makes the railway infrastructure temporally unusable, infrastructure manager - with the notification of the interested parties - may withdraw the allocated train path for such a long time as it is necessary to repair the system. On request of the applicant, VPE shall offer for this period another train path from free capacity available.

Procedure:

- 1) Operation control organisation of the Infrastructure Manager shall take measures to remove obstacles from the track,
- 2) with the contribution of the operation control organisation of the applicant or the representative of the applicant operation control organisation of the Infrastructure Manager shall take the necessary steps to cease disturbance, emergency and to run the trains of the Railway Undertakings.
- 3) Railway Undertakings take part in the national disturbance management, their task is to forward information connected to the trains towards the customers. If large incidents with significant international impact occur, international coordination of incident management is needed.

Large scale disruptions are - inter alia - the following: at least 50% of the trains running on the affected section need operational command, and upon individual evaluation large scale

disruption can be declared with regard to the business know-how and to the available diversation possibilities.

For international disruptions longer than 3 days with a high impact on international traffic, the rules stated in the International Contingency Management handbook applies.

This handbook describes standards that aim to allow continuation of traffic flows at the highest possible level despite an international disruption and assure transparency of the status of the disruption and its impact on traffic flows for all relevant stakeholders across Europe. It defines disruption management and communication processes that complement national incident management procedures to allow a better international cooperation of IMs and ABs.

Rail Freight Corridors act as facilitators with respect to the disruption management and the communication process. They have developed and published re-routing overviews and operational scenarios together with their member IMs. A reference to the re-routing overview and scenarios can also be found in Book 4, chapter 5 of the Corridor Information Document (see point 1.9 of this NS).

More details can be found at the homepage of RNE:

<https://rne.eu/wp-content/uploads/RNE-International-Contingency-Management-handbook-v-2.0.pdf>.

6.3.2 Operation regulation

In the event of a disruption or emergency, the infrastructure managers shall manage operations in accordance with the priority rules set out in Traffic Order F.2 and the Timetable Instructions.

6.3.3 Disturbances

In the event of foreseeable or unforeseeable emergency, provisions of Paragraph 31 Section (2) points a)-b) of the Railway Act shall be followed.

For international disruptions longer than 3 days with a high impact on international traffic, the rules stated in the International Contingency Management handbook applies. For detailed information see point 6.3.1.

6.4 Tools for Train Information and Monitoring

TRAIN INFORMATION SYSTEM (RNE 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 [IM name]'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.

Applicants and operators of serving facilities can also gain access to the TIS by signing a TIS User Declaration.

By signing this agreement, the TIS user agrees to RNE sharing train related information with cooperating TIS users. The TIS user may have access to data concerning his own trains and to trains of other TIS users, if they cooperate in the same train operation.

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>.

7. SERVICE FACILITIES

7.1 Introduction

7.1.1 Rules regarding service facilities operated by the infrastructure managers

Should the operator of the service facility be the same as the Infrastructure Manager of the rail track network the service facility is connected to, rules of this Network Statement relating to the Infrastructure Manager shall be the governing rules for supplying of infrastructure services.

Summary table of charges of services provided by infrastructure managers can be found in Annex 5.2-6.

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

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 the availability of such website where this up-to-date information is available in electronic form free of charge.

In case of the operator of the service facility wants to present the services provided in the service facility in this Network Statement its submission shall include the information specified in Article 4(2) of Commission Implementing Regulation (EU) 2017/2177 on access to servicing facilities and rail-related services.

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.

Operators of service facilities shall notify the Rail Regulator Body of starting their activity within five days after starting.

7.2 Service Facility Overview

The common template for description of the service facilities can be found in Annex 7.2. based on this, operators of service facilities operated by non-infrastructure managers should have published the necessary information until 7 November 2020 and made the link available to the infrastructure managers for accessing the data. Following the publication operators must keep information up-to-date.

7.2.1 Operators of the non-Infrastructure Manager operated service facilities

Budapesti Szabadkikötő Logisztikai Zrt

Homepage: www.bszl.hu/vasut

Rail Cargo Terminal - BILK Zrt

Homepage: www.railcargobilk.hu

MÁV-START Zrt

Homepage: <https://www.mavcsoport.hu/mav-start/tevekenyseg/karbantartas-es-javitas>

Győr-Gönyű Országos Közforgalmú Kikötő

Homepage: <http://www.eduvizig.hu/eszak-dunantuli/kozerdeku/gyor-gonyu-orszagos-kozforgalmu-kikoto-vasut>

MÁV VAGON Vasúti Jármű Gyártó és Javító Kft.

Homepage: <https://www.mavcsoport.hu/mav-vagon/uzletszabalyzatok>

East-West Intermodális Logisztikai Szolgáltató Zrt.

Homepage: <https://eastwestil.com/dokumentumok>

PSP Terminal Kiskundorozsma

Homepage: <https://www.pspterminal.com/Dokumentumok.html>

7.3 Service Facilities managed by the infrastructure managers

7.3.1 Common provisions for all service facilities

7.3.1.1 Access conditions

Service facility is a facility, including land, buildings and equipment, that has been specifically designed, in whole or in part, to enable the provision of one or more of the services referred to in points 2-4 of Annex II. of the Railway Act.

Services listed in point 2 of Annex II of the Railway Act are available in the service facilities.

In this section 7.3, the conditions for the use of these services (hereinafter: supplementary services) defined in accordance with Article 3 (1) of Regulation 2017/2177/EU are described for service facilities, while the conditions for the use of ancillary and additional services defined in points 3 and 4 of Annex II of the Railway Act can be found in subchapters 5.4 and 5.5. The additional and ancillary services provided in the server facilities described in this chapter are only listed in the relevant section of service facilities concerned.

Supplementary services have been divided into three categories as follows:

- access type service: services providing access to infrastructures and service facilities,
- supply type service: providing services connected to infrastructures and service facilities,
- complex services: ensuring both services mentioned before.

Supply part of services (as a part of complex services) can be provided by the Infrastructure Manager only at the service places that have the necessary infrastructure and/or facilities to provide the service.

7.3.1.2 Capacity allocation

The provisions of Chapter 4 of this Network Statement shall apply to the capacity allocation of the service facilities operated by the infrastructure managers, with the exceptions set out in this section.

If the service facility is not operated by an infrastructure manager, its capacity shall be allocated by the service facility operator.

Requests for access to service facilities and rail-related services may not be rejected before the scheduling of capacity requests has been completed on the grounds that the requested path has not yet been allocated.

If the applicant submits an ad hoc request for several railway-related services provided in a single service facility and indicates that it could only use their simultaneous distribution, all relevant service facility operators or in the case of service facilities operated by MÁV Infrastructure Co. Ltd. and GYSEV Zrt. VPE is obliged to respond within the deadline set out in Chapter 4.5.2.

If, in case of a service facility operated by an infrastructure manager, VPE receives a request for access to a service facility or service that conflicts with another request or affects the capacity already allocated to the service facility, discussions and coordination with the relevant applicants attempts to reconcile all requests in an optimal way. Any modification of the access rights already granted shall be subject to the consent of the applicant concerned.

In the case of service facilities operated by the infrastructure manager, VPE may not reject requests for access to the service facility or service and may not offer the applicant viable alternatives if the capacity corresponding to the applicant's needs is available in the service facility, or will be available during and after the coordination procedure.

If conflicting requests cannot be met due to lack of capacity in the server facility, the facility operators shall consider different options in order to fulfill the requests for access to or provision of services within the server facility. These options should include, where necessary, measures to maximize the capacity available in the service facility, provided that this does not require investment in additional resources or facilities. These measures may include, but are not limited to:

- a proposal for an alternative timetable,
- change of opening hours or shift schedule, if possible,
- granting access to the facility for the purpose of providing services on its own behalf.

Operators of service facilities may set priority criteria for the allocation of capacity in the event of conflicting needs for access to the service facility and rail-related services, provided that these needs cannot be met after the coordination procedure. Those criteria shall be established taking into account the purpose of the installation, the purpose and nature of the rail transport services concerned and the objective of efficient use of the available capacity.

If such criteria are established, the operator of the service facility shall publish them in the description of the service facility.

If the capacity demand cannot be met, in the case of a service facility operated by the infrastructure manager, VPE and the applicant shall jointly assess whether there are viable alternatives that allow the relevant freight or passenger service on the same or alternative routes, economically under acceptable conditions.

VPE outlines possible alternatives, including those that can be implemented in other Member States.

The applicant notifies VPE of the acceptance or rejection of the offered alternative.

VPE has the possibility to reject the capacity request if

- the applicant does not request an examination of the availability of a viable alternative, or
- during the examination of the availability of a viable alternative, VPE and the applicant do not agree on a viable alternative. In this case, VPE is obliged to present alternatives to the capacity applicant as well, or
- if VPE and the applicant have jointly identified viable alternatives, VPE may reject the original capacity request.

7.3.1.3 Services provided in multiple server facilities and their fees

7.3.1.3.1 Storage of vehicles

7.3.1.3.1.1 Content of the service

Complex service for railway undertakings having operation licence for running trains of train-category A, B, C, D, E listed in Annex 4.5-2.

The service comprises:

- ensuring the use of sidings enabling track access to storage sidings and
- the provision of relating traffic operation activity.

The supply part of service includes:

- storage of vehicles beyond 24 hours,
- usage of storage sidings.

Safe-keeping and protection of stored vehicle(s) is the obligation of the Railway Undertaking; the service does not comprise the protection itself. Applicant is obliged to indicate its need for storage by ordering the service prompt at the arriving of the vehicles to the storage place, but not later than the expiry of the 24 hours. Before the expiry of the 24 hours it is not considered as storage of vehicles.

The following cases are not qualified as storage of vehicles:

- stay of freight wagons on public loading sidings and loading areas belonging to loading sidings as indicated in the application for acces, within the allocated time period,
- stay of passenger cars and motor train sets for less than 120 hours,
- stay of wagons and cars as a consequence of accidents, exceptional events,
- storage of vehicles used for the purpose of operating the infrastructure.

7.3.1.3.1.2 Charges of the service

Amount to be paid in the case of using the service specified in point 7.3.1.3.1.1.

Measure unit: HUF/vehicle/day.

The vehicle storage time lasts from the arrival time of the vehicle(s) to the given station registered by the Infrastructure Manager until the departure time of the vehicle from the given station.

Amount to be paid in case of using the storage service is charged in full days starting 24 hours after the arriving time of the vehicle to the given station registered by the infrastructure manager, or after the time given in point 7.3.1.3.1.1, which does not considered as storage of vehicles, so, that the hours of vehicle storage shall be cumulated.

In case of MÁV Infrastructure Co. Ltd. :

The Infrastructure Manager calculates the accounted storage service time by dividing the aggregated storage hours by 24. In case of fraction of hours, below 12 hours it shall be rounded down, over 12 hours it shall be rounded up to a whole day. During accounting and request every commenced hour counts as a whole hour.

- In case the service of storage of vehicles hadn't been requested, but the circumstances stated in point 7.3.1.3.1.1 have occurred/have been realized, and the given vehicle was in use by more railway undertakings, then the charge shall be paid by those railway undertakings, who had used the given vehicle during the storage. In this case using the service of storage shall be considered continuous, the storage time shall be taken into account after 24 hours from the arrival time of the vehicle to the given station registered by the infrastructure manager, regardless of its actual user.
- The amount equal to the storage charge shall be accounted individually to railway undertakings, in proportion to their chargeable storage time in whole days (considering the exceptions stated in point 7.3.1.3.1.1), where storage hours shall be cumulated. The Infrastructure Manager assesses the full length of the accountable storage time by dividing the full storage time by 24. In case of fraction of hours, below 12 hours it shall be rounded down, over 12 hours it shall be rounded up to a whole day. During accounting and request every commenced hour counts as a whole hour.

In this case time of use shall be taken into account by each railway undertakings from the arrival time of the vehicle(s) to the next command of the new user as stated in point 7.3.1.3.1.1, in case of two or more users the time between the given commands shall be taken into account so that the closing event of the service shall be the departure of the given vehicle(s) from the given station in any case.

In case of GYSEV Zrt:

- Every commenced 24 hour counts as a whole day.
- Storage charge shall be paid by the railway undertaking who had the vehicle arrive at the storage location.

Amounts to be paid in the case of individual Infrastructure Managers can be found in the following tables.

**Charging elements of Storage of vehicles on the network of MAV
Infrastructure Co. Ltd.**

| <i>Storage of vehicles</i> | Charge | Mark-up | Amount to be paid |
|-------------------------------|--------|---------|-------------------|
| <i>Unit: HUF/ vehicle/day</i> | 182 | 43 | 225 |

Charging elements of Storage of vehicles on the network of GYSEV Zrt.

| <i>Storage of vehicles</i> <i>Unit: HUF/ vehicle/day</i> | Charge | Mark-up | Amount to be paid |
|---|--------|-----------|-------------------|
| | 130 | 52 84* | 182 214* |

* Effective: from 20.08.2024

Should Railway Undertaking not request the service “Storage of vehicles”, but conditions specified for this service in point 7.3.1.3.1.1 are fulfilled/met in respect of vehicles used by the Railway Undertaking, a sum satisfying with the sum specified in this point to be paid for the service “Storage of vehicles” shall be charged to the Railway Undertaking. Railway Undertaking is obliged to pay this sum.

User of the vehicle is in case of MÁV Infrastructure Co. Ltd.:

a railway undertaking, which has given the latest command regarding the vehicle. Command can be:

- vehicle data announcement (creating hauled vehicle),
- train composition disclosure,
- service specification,
- service performance, and
- an agreement between two railway undertakings on changing users.

In case of GYSEV Zrt user of the vehicle is the Railway Undertaking, which has registered the vehicle as arrived to the storage location.

7.3.1.3.2 Shunting

7.3.1.3.2.1 Ensuring of shunting staff

7.3.1.3.2.1-1 Content of the service

Supply-type service for railway undertakings having operation licence for running trains of train-category A, B, C, D, E listed in Annex 4.5-2.

The service comprises:

- ensuring of shunting staff to carry out shunting activity in service places and operation hours published in Annex 7.3.1.3.2.1,
- also in service places and/or operation hours other than published in Annex 7.3.1.3.2.1 if the necessary resources to be ensured by the Infrastructure Manager are available.

The following movements are qualified as the service “Ensuring staff for shunting”: vehicle-coupling, protection of level crossings, detaching of wagons from trains or inserting of wagons to trains, train formation, splitting-up of trains, fine sorting of wagons and all station activities that are performed with the contribution of a shunting foreman and/or shunter (or any other personnel of the Infrastructure Manager performing the task) ensured by the Infrastructure Manager irrespectively of the train-category of the train shunted.

Station Executive Instruction of the given station stipulates the minimum number of staff necessary to carry out the shunting activity in question.

Infrastructure Managers provide the service “Ensuring staff for shunting” only in cases when applicant orders the minimum number of staff necessary to carry out the shunting activity.

Amount to be paid for the service “Ensuring of shunting staff” is published separately for passenger trains (A,B,C train categories) and for freight and loco trains (D,E train categories).

Regarding freight and loco trains, different amount is published for the rail network of MÁV Infrastructure Co. Ltd. if the service „Ensuring of shunting staff” will be ordered more than 8 days or within 8 days prior the scheduled use of the service. During the application the number of days between the submission and the planned usage of the service in accordance with the allocations should be checked. As a consequence the payable amount should be determined in the price quotation.

7.3.1.3.2.1-2 Charges of the service

Amount to be paid in the case of using the service specified in point 7.3.1.3.2.1-1.

Measure unit: HUF/person/hour.

The pure (net) time of shunting must be accounted as time data for ensuring of shunting staff that is effectively used for carrying out the given shunting activity. If the service ‘Ensuring of shunting staff’ for any reason consists of more than one actions (stopping of shunting due to train movements or other reasons) the total time need of the individual actions shall be accounted even in the case when individual actions are carried out not in a succession but with breaks.

If during one shunting activity the splitting-up/formation of more than one train is carried out and shunting time used can not be directly connected to certain trains, time basis needed for ensuring of shunting staff must be distributed on the grounds of the number of wagons inserted to or detached from the individual train.

If a train forwards such vehicles which were/ will be previously/later transported by using train paths allocated to different applicants and shunting time used can not be directly connected to certain trains, time need necessary for ensuring shunting staff shall be shared by applicants having the allocated service capacity in proportion of number of vehicles affected by shunting.

Definitions of the most important notions necessary to better understand the notion of pure (net) working time connected to the shunting activity can be found in Instructions as follows:

| Notion | Where to find definition |
|--|---|
| Shunting | F.2. Instruction, points 1.2.119. |
| On permitting of shunting | F.2. Instruction, points 4.1.4. - 4.1.4.4. |
| Stop and re-start shunting | F.2. Instruction, points 4.1.7. - 4.1.7.1. |
| Tasks of head of shunting | F.2. Instruction, points 4.1.5. - 4.1.5.4. |
| Obligation of shunting staff | F.2. Instruction, points 4.1.6. - 4.1.6.5. |
| Coupling with screw link | F.2. Instruction, point 7.2. - 7.2.11. |
| Staff obliged to carry out coupling | F.2. Instruction, point 7.10. - 7.10.4. |
| Shunting activity with air brake | E.2. Brake instruction 5.3. - 5.3.7. |
| (Keep standing, protecting against vehicle running) Protection against breaking away of vehicles after completing shunting | F.2. Instruction, 5.3 - 5.3.3. E.2. Brake instruction 6.2.,6.3. - 6.3.4. |

In case of service for ensuring shunting staff fact data should be charged in the account, but the quantity in the order should be handled as a minimum.

When accounting the service "Ensuring of shunting staff" the number of full days between the date of the submission of the request for the service and the planned date of using the service in accordance with the allocation shall be examined, and the relevant amount to be paid shall be calculated accordingly.

In terms of GYSEV Zrt, when ensuring shunting personnel in service locations other than listed in Annex 7.3.1.3.2.1, the effective time lasting from the departure of shunting personnel from the depot station (listed in Annex 7.3.1.3.2) to returning back of shunting personnel to the depot station shall be charged to Railway Undertakings. When confirming the requested service, GYSEV Zrt shall simultaneously give information about the length of the time to be expected.

Amounts to be paid in the case of individual Infrastructure Managers can be found in the tables below.

Charging elements of Ensuring shunting staff on the network of MÁV Infrastructure Co. Ltd.

| | |
|--|--------------------------|
| <i>Ensuring of shunting staff for passenger trains</i> | Amount to be paid |
| Unit: HUF/person/hour | 10 184 |
| <i>Ensuring of shunting staff for freight and locomotive trains - ordered more than 8 days before the scheduled use of the service</i> | Amount to be paid |
| Unit: HUF/person/hour | 5 292 |
| <i>Ensuring of shunting staff for freight and locomotive trains - ordered within 8 days before the scheduled use of the service</i> | Amount to be paid |
| Unit: HUF/person/hour | 6 644 |

Charging elements of Ensuring shunting staff on the network of GYSEV Zrt.

| | |
|---|--------------------------|
| <i>Ensuring of shunting staff for passenger trains</i> | Amount to be paid |
| Unit: HUF/person/hour | 9 800 |
| | 11 525* |
| <i>Ensuring of shunting staff for freight and locomotive trains</i> | Amount to be paid |
| Unit: HUF/person/hour | 5 300 |
| | 6 233* |

* Effective: from 20.08.2024

7.3.1.3.2.2 Staff available for shunting

7.3.1.3.2.2-1 Content of the service

Supply-type service for railway undertakings having operation licence for running trains of train-category A, B, C, D, E listed in Annex 4.5-2.

The service comprises:

- availability of shunting staff to carry out shunting activity in service places and operation hours published in Annex 7.3.1.3.2,
- also in service places and/or operation hours other than published in Annex 7.3.1.3.2 if the necessary resources to be ensured by the Infrastructure Manager are available.

The following movements are qualified as the service “Staff available for shunting”: vehicle-coupling, protection of level crossings, detaching of wagons from trains or inserting of wagons to trains, train formation, splitting-up of trains, fine sorting of wagons and all station activities that are performed with the contribution of a shunting foreman and/or shunter (or any other personnel of the Infrastructure Manager performing the task) ensured by the Infrastructure Manager irrespectively of the train-category of the train shunted.

Station Executive Instruction of the given station stipulates the minimum number of staff necessary to carry out the shunting activity in question.

MÁV Infrastructure Co. Ltd. does not provide this service.

7.3.1.3.2.2-2 Charges of the service

Amount to be paid in the case of using the service specified in point 7.3.1.3.2.2-1.

Measure unit: HUF/person/hour.

Charging for the service shall be based on the request irrespective of the actual use of the service. Minimum hours to be ordered is 4 hours.

Amounts to be paid in the case of GYSEV Zrt can be found in the following table.

Charging elements of Availability of shunting staff on the network of GYSEV Zrt

| | |
|---|--------------------------|
| <i>Availability of shunting staff for passenger trains</i> | Amount to be paid |
| | 5 294 |
| Unit: HUF/person/hour | 6 226* |
| <i>Availability of shunting staff for freight and locomotive trains</i> | Amount to be paid |
| | 4 000 |
| Unit: HUF/person/hour | 4 704* |

* Effective: from 20.08.2024

7.3.1.3.2.3 Ensuring traction unit

7.3.1.3.2.3-1 Content of the service

Supply type service for railway undertakings having operation licence for running trains of train-category A, B, C, D, E listed in Annex 4.5-2.

The service comprises:

- ensuring of traction unit for shunting,
- ensuring of driving crew operating the traction unit.

Infrastructure Manager ensures traction unit in service places and working hours indicated in Annex 7.3.1.3.2 Traction unit ensured by the Infrastructure Manager cannot be ordered without the ensuring of the shunting crew by the Infrastructure Manager.

The following activities are qualified as the service of ‘Ensuring of traction unit’:

- track-change of vehicles,
- forwarding of vehicles to the delivery point of industrial track, privately-owned railway network at stations or to the border point of open access railway network and the privately owned railway network branching from the station,
- detaching of wagons from trains or inserting of wagons into trains,
- train formation, splitting-up of trains, fine sorting of wagons and all station activities that are performed with the contribution of traction units ensured by the Infrastructure Manager.

7.3.1.3.2.3-2 Charges of the service

Amount to be paid in the case of using the service specified in point 7.3.1.3.2.3-1.

Measure unit: HUF/vehicle/hour.

The clear (net) time of shunting must be accounted as time data for ensuring of traction unit that is effectively used for carrying out the given shunting activity. If the service ‘Ensuring of traction unit’ by any reason consists of more than one actions (stopping of shunting due to train movements or other reasons) the total time need of the individual actions shall be accounted even in the case when individual actions are carried out not in a succession but with breaks.

If during one shunting activity the splitting-up/formation of more than one train is carried out and shunting time used can not directly be connected to certain trains, time basis needed for ensuring of shunting locomotive must be distributed on the ground of the number of wagons inserted to or detached from the individual train.

If a train forwards such vehicles which were/will be previously/later transported by using train paths allocated to different applicants and shunting time used can not be directly connected to certain trains, time need necessary for ensuring shunting locomotive shall be shared by applicants having the allocated service capacity in proportion of number of vehicles affected by shunting.

Charge of the service “Ensuring of traction unit for shunting” is published separately for passenger trains (A,B,C train categories) and for freight and loco trains (D,E train categories).

Amounts to be paid in the case of individual Infrastructure Managers can be found in the following tables.

The amounts to be paid include all the costs of insuring the shunting vehicle.

Charging elements of Ensuring traction unit on the network of MÁV Infrastructure Co. Ltd.

| | |
|--|--------------------------|
| <i>Ensuring of traction unit for passenger trains</i> | Amount to be paid |
| Unit: HUF/vehicle/hour | 47 772 |
| <i>Ensuring of traction unit for freight and locomotive trains</i> | Amount to be paid |
| Unit: HUF/vehicle/hour | 29 811 |

Charging elements of Ensuring traction unit on the network of GYSEV Zrt.

| | |
|--|--------------------------|
| <i>Ensuring of traction unit for passenger trains</i> | Amount to be paid |
| Unit: HUF/vehicle/hour | 24 066 28 302* |
| <i>Ensuring of traction unit for freight and locomotive trains</i> | Amount to be paid |
| Unit: HUF/vehicle/hour | 24 066 28 302* |

* Effective: from 20.08.2024

7.3.1.3.2.4 Traction unit available for shunting**7.3.1.3.2.4-1 Content of the service**

Supply type service for railway undertakings having operation licence for running trains of train-category A, B, C, D, E listed in Annex 4.5-2.

The service comprises:

- availability of traction unit to carry out shunting activity in service places and operation hours published in Annex 7.3.1.3.2.1,
- also in service places and/or operation hours other than published in Annex 7.3.1.3.2.1 if the necessary resources to be ensured by the Infrastructure Manager are available,
- ensuring of driving crew operating the traction unit.

Traction unit available for shunting ensured by GYSEV Zrt cannot be ordered without the ensuring of Staff available for shunting by GYSEV Zrt.

The following activities are qualified as the service of 'Traction unit available for shunting':

- track-change of vehicles,
- forwarding of vehicles to the delivery point of privately-owned railway network at stations or to the border point of open access railway network and the privately owned railway network branching from the station,
- detaching of wagons from trains or inserting of wagons into trains,
- train formation, splitting-up of trains, fine sorting of wagons and all station activities that are performed with the contribution of traction units ensured by the Infrastructure Manager.

MÁV Infrastructure Co. Ltd. does not provide this service.

7.3.1.3.2.4-2 Charges of the service

Amount to be paid in the case of using the service specified in point 7.3.1.3.2.4-1.

Measure unit: HUF/vehicle/hour.

In case of GYSEV Zrt, charging for the service shall be based on the request irrespective of the actual use of the service. Minimum hours to be ordered is 4 hours.

Amounts to be paid in the case of GYSEV Zrt can be found in the table below.
The amounts to be paid include all the costs of insuring the shunting vehicle.

Charging elements of Availability of traction unit on the network of GYSEV Zrt

| | |
|--|--------------------------|
| <i>Availability of traction unit for passenger trains</i> | Amount to be paid |
| | 19 376 |
| Unit: HUF/vehicle/hour | 22 786* |
| <i>Availability of traction unit for freight and locomotive trains</i> | Amount to be paid |
| | 18 200 |
| Unit: HUF/vehicle/hour | 21 403* |

* Effective: from 20.08.2024

7.3.1.3.3 Train acceptance**7.3.1.3.3.1 Content of the service**

Supply type service for railway undertakings having operation licence for running trains of train-category A, B, C, D, E listed in Annex 4.5-2.

The service comprises:

- the registration of data required for preparing the total weight report (VTK) of a departing train; communication of these data in order to enter them into the IT system of the Infrastructure Manager,
- carrying out braked weight calculation and
- handling of rear sign.

GYSEV Zrt does not provide this service.

7.3.1.3.3.2 Charges of the service

Amount to be paid in the case of using the service specified in point 7.3.1.3.3.1

Measure unit: HUF/person/hour.

Amounts to be paid in the case of MÁV Infrastructure Co. Ltd. can be found in the table below.

Charging elements of train acceptance on the network of MÁV Infrastructure Co. Ltd.

| | |
|---|--------------------------|
| <i>Staff providing train acceptance</i> | Amount to be paid |
| Unit: HUF/person/hour | 5 292 |

7.3.1.3.4 Train preparation**7.3.1.3.4.1 Content of the service**

Supply type service for railway undertakings having operation licence for running trains of train-category A, B, C, D, E listed in Annex 4.5-2.

The service comprises:

- the registration of data required for preparing the total weight report (VTK) of a departing train; communication of these data in order to enter them into the IT system of the Infrastructure Manager,
- carrying out braked weight calculation, handling of rear sign, and on request labelling of railway wagons,
- checking the existence of wagon lock, in case of lack or damage, replacement of wagon lock.

Previous recording of conditions is required before using the service, in case of the following activities: labelling of railway wagons, checking the existence of wagon lock and replacement of wagon lock in case of lack or damage.

GYSEV Zrt provides the service in the service places and operation hours published in Annex 7.3.1.3.4.1.

MÁV Infrastructure Co. Ltd. does not provide this service.

7.3.1.3.4.2 Charges of the service

Amount to be paid in the case of using the service specified in point 7.3.1.3.4.1

Measure unit: HUF/person/hour.

Amounts to be paid in the case of GYSEV Zrt can be found in the table below.

Charging elements of train preparation on the network of GYSEV Zrt

| | |
|--------------------------|--------------------------|
| <i>Train preparation</i> | Amount to be paid |
| | 4 740 |
| Unit: HUF/person/hour | 5 574* |

* Effective: from 20.08.2024

7.3.2 Passenger stations

7.3.2.1 General information, list of passenger stations

Information on the technical, preparatory and passenger service facilities for passenger trains on each line is provided in Annex 2.3.3.

7.3.2.2 Services

The following services are available at passenger stations:

Supplementary services:

- Use of stations for stopping passenger trains
- Use of departure / destination stations for passenger trains
- Train preparation
- Train acceptance
- Ensuring shunting staff
- Availability of shunting staff
- Ensuring traction unit
- Availability of traction unit

- Storage of vehicles
- Additional services:
- Provision of traction electricity
 - Provision of non-traction electricity (pre-heating, pre-cooling)
 - Provision of non-traction fuel (preheating, pre-cooling)
- Ancillary services:
- Technical inspection of a railway vehicle
 - Ticketing and reckoning activities

7.3.2.3 Description of the service facility

Information on the technical, preparatory and passenger service facilities for passenger trains on each line is provided in Annex 2.3.3.

7.3.2.3.1 Content of the service Use of stations for stopping by passenger trains

Complex service for railway undertakings having operation licence for running trains of train-category A and B listed in Annex 4.5-2.

The access part of service includes:

- ensuring access to and use of track network and other facilities of passenger stations, halts and stops used for passenger transport and not included in basic services,
- ensuring access to and use of passenger service buildings, facilities, passenger areas, platforms, underpasses and footbridges.
- ensuring direction change
- ensuring the use of traffic operation activity related to stopping of trains at stations and necessary for dispatching and receiving of trains.

The supply part of service includes:

- usage of track network - used for passenger transport, and not included in basic services - and other facilities of passenger stations and stops
- providing information to passengers at stations and ensuring of services to passengers
- ensuring the surveillance of stations with security and patrol service not containing the security service related to railway vehicles
- ensuring the use of buildings and facilities of passenger services, passenger areas, platforms, underpasses and foot bridges, and the waiting hall, other passenger areas and buildings as well as services connected to them and ensuring the use of the ticketing buildings.

For using any of the above mentioned services, the service "Use of station for stopping" shall be ordered for every station where the train stops inclusive of origin and destination station as well as request stop.

If a train in its route runs via a service place from where it is possible to reach the destination station of the train only by changing the running direction, the service called "Use of station for stopping" shall be requested for the service place in case of changing the direction.

Infrastructure managers publish the technical information on passenger information equipment referred to in Article 4(2) of Commission Implementing Regulation (EU) 2017/2177 on access to service facilities and rail-related services at the following contact points:

- MÁV Infrastructure Co. Ltd. : <https://www.mavcsoport.hu/palyavasut/tajekoztatok>
- GYSEV Zrt.: <https://www2.gysev.hu/gysev/palyavasuti-informaciok>

7.3.2.3.2 Content of the service Use of the origin/destination stations by passenger trains

Complex service for trains of train-categories A, B and C listed in Annex 4.5-2

The access part of service comprises:

- ensuring access to track network necessary for formation, shunting and splitting-up of passenger trains, as well as access to track related technical devices containing signalling and safety equipment,
- ensuring direction change,
- ensuring the use of traffic operation activity related to train arrival, departure, direction change, which is not included in basic service (traffic control, recording train run data)
- ensuring access to and use of installed equipment necessary for preheating, pre-cooling, water supply, emptying waste water from closed system toilets, wagon cleaning of passenger trains as well as access to facilities related to rail rolling stock maintenance facilities,

The supply part of service includes:

- ensuring access to and the use of installed equipment necessary for pre-heating, pre-cooling and water supply and providing services related to them (without providing energy).

7.3.2.3.3 Content of Train preparation service

The content of the train preparation service is described in point 7.3.1.3.4.1.

7.3.2.3.4 Content of Train acceptance service

The content of the train acceptance service is described in point 7.3.1.3.3.1.

7.3.2.3.5 Content of Ensuring shunting staff service

The content of Ensuring shunting staff service is described in point 7.3.1.3.2.1-1.

7.3.2.3.6 Content of Availability of shunting staff service

The content of Availability of shunting staff service is described in point 7.3.1.3.2.2-1.

7.3.2.3.7 Content of Ensuring traction unit service

The content of Ensuring traction unit service is described in point 7.3.1.3.2.3-1.

7.3.2.3.8 Content of Availability of traction unit service

The content of Availability of traction unit service is described in point 7.3.1.3.2.4-1.

7.3.2.3.9 Content of Storage of vehicles service

The content of Storage of vehicles service is described in point 7.3.1.3.1.1.

7.3.2.4 Charges

7.3.2.4.1 Charges of the service Use of stations for stopping by passenger trains

In the case of using services specified in point 7.3.2.3.1, Infrastructure Manager shall charge an amount to be paid that corresponds to the station category for passenger trains. As regards the use of stations by passenger trains for stopping, at most four station categories shall be distinguished. The amount to be paid for the use of stations by passenger trains for stopping shall be charged for each requested stopping at stations, including scheduled request stops and departure and destination stops, inclusive of origin and destination stations. Other stops not included in the request but due to the request of the railway undertaking owning the path shall be billed to the railway undertaking by the infrastructure manager. The charge for the use of stations by passenger trains for stopping can be charged only in train paths.

Measure unit: HUF/ use of station. Amounts to be paid in the case of individual Infrastructure Managers can be found in the following tables.

Charging elements of the use of stations for stopping by passenger trains on the network of MÁV Infrastructure Co. Ltd.

| <i>Use of stations by passenger trains for stopping</i> <i>Unit: HUF/ use of stations</i> | Charge | Mark-up | Amount to be paid |
|--|--------|---------|-------------------|
| Station category I | 1 597 | 2 282 | 3 879 |
| Station category II | 1 198 | 2 057 | 3 255 |
| Station category III | 1 039 | 1 218 | 2 257 |
| Station category IV | 906 | 1 114 | 2 020 |

Charging elements of the use of stations for stopping by passenger trains on the network of GYSEV Zrt.

| <i>Use of stations by passenger trains for stopping</i> <i>Unit: HUF/ use of stations</i> | Charge | Mark-up | Amount to be paid |
|--|--------|---------------|-------------------|
| Station category I | 1 340 | 720 1 083* | 2 060 2 423* |
| Station category II | 1 086 | 662 974* | 1 748 2 060* |
| Station category III | 1 138 | 410 686* | 1 548 1 824* |
| Station category IV | 1 051 | 342 587* | 1 393 1 638* |

* Effective: from 20.08.2024

7.3.2.4.2 Charges of the service Use of the origin/destination stations by passenger trains

In the case of using services specified in point 7.3.2.3.2, Infrastructure Manager shall charge an amount to be paid that corresponds to the station category. As regards the use of

origin/destination stations by passenger trains, at least four station categories shall be distinguished. This fee shall be charged for both the origin and the destination station of the train. The fee for the use of origin/destination stations by passenger trains can be charged only with train paths.

For trains reversing direction at a station in closed sets, no fee for the use of origin/destination station shall be charged if this fact was indicated in the order.

Definition of a train reversing direction in a closed set can be found in Annex 1.8.

Measure unit: HUF/ use of station. Amounts to be paid in the case of individual Infrastructure Managers can be found in tables below.

**Charging elements of the use of origin/destination stations by passenger trains
on the network of MÁV Infrastructure Co. Ltd.**

| <i>Use of origin/destination stations by passenger trains</i> <i>Unit: HUF/ use of stations</i> | Charge | Mark-up | Amount to be paid |
|--|--------|---------|-------------------|
| Station category I | 1 645 | 1 048 | 2 693 |
| Station category II | 994 | 1 153 | 2 147 |
| Station category III | 993 | 80 | 1 073 |
| Station category IV | 1 073 | 0 | 1 073 |

**Charging elements of the use of origin/destination stations by passenger trains on
the network of GYSEV Zrt**

| <i>Use of origin/destination stations by passenger trains</i> <i>Unit: HUF/ use of stations</i> | Díj | Felár | Fizetendő összeg |
|--|-------|-----------------|------------------|
| Station category I | 2 318 | 1 172 1 786* | 3 490 4 104* |
| Station category II | 2 653 | 347 875* | 3 000 3 528* |

* Effective: from 20.08.2024

7.3.2.4.3 Charges of train preparation service

Charges for the train preparation service can be found in point 7.3.1.3.4.2.

7.3.2.4.4 Charges of train acceptance service

Charges for the train acceptance service can be found in point 7.3.1.3.3.2.

7.3.2.4.5 Charges of ensuring shunting staff service

Charges for ensuring shunting staff service can be found in point 7.3.1.3.2.1-2.

7.3.2.4.6 Charges of availability of shunting staff service

Charges for availability of shunting staff service can be found in point 7.3.1.3.2.2-2.

7.3.2.4.7 Charges of ensuring traction unit service

Charges for ensuring traction unit service can be found in point 7.3.1.3.2.3-2.

7.3.2.4.8 Charges of availability of traction unit service

Charges for availability of traction unit service can be found in point 7.3.1.3.2.4-2.

7.3.2.4.9 Charges of storage of vehicles service

Charges for storage of vehicles service can be found in point 7.3.1.3.1.2.

7.3.2.5 Access conditions

The access conditions for the technical, preparatory and passenger service facilities are the same as described in sections 3.2 and 3.3.

The station usage services are requested indirectly in the IT request system by recording the conditions specified there during the request.

If there is a service place on the train path from which it is only possible to reach the train's destination by reversal, then the “use of stations for stopping” must be ordered at the service place affected by the reversal.

7.3.2.6 Capacity allocation

The applicable capacity allocation requirements for the technical, preparation and passenger service facilities of Passenger Trains are specified in point 7.3.1.2.

7.3.3 Freight terminals

7.3.3.1 General information

General information on freight terminals (freight stations) is provided in Annex 2.3.3 for each service place on each line.

7.3.3.2 Services

The following services are available at the freight terminals:

Supplementary services:

- Use of stations for freight trains
- Train preparation
- Train acceptance
- Ensuring shunting staff
- Availability of shunting staff
- Ensuring traction unit

- Availability of traction unit
- Storage of vehicles

Additional services:

- Ensuring traction electricity

Ancillary services:

- Technical inspection of railway vehicles

7.3.3.3 Description of the service facility

Technical information on Freight Terminals is provided in Annex 2.3.3 for each service place on each line.

7.3.3.3.1 Content of Use of stations for freight trains service

Complex service for trains of train-category D listed in Annex 4.5-2

The access part of service comprises:

- access to railway tracks, train reception tracks and facilities belonging to stations but not included in basic services (tracks and related engineering equipment used by the trains and detached/inserted wagons) for the purpose of freight transport,
- use of traffic operation activity at stations related to dispatch and reception of trains but not included in basic services (traffic control, recording of data of train run),
- access to marshalling yards and wagon shunting equipment, as well as access to station sidings ensuring track access there,
- provision of traffic operation activity needed for marshalling, with the exception of provision of traffic activity related to the use of the following services: Ensuring access to wagon weigh bridges, Ensuring access to refuelling facilities and Storage of vehicles.
- access to open access privately-owned networks, loading places, sidings designated for loading, branch sidings, connecting tracks, transshipment sidings, as well as ensuring access to facilities enabling transshipment between different gauges, to rail rolling stock maintenance facilities and to tracks enabling access to freight terminals.

If a train in its route runs via a service place from where it is possible to reach the destination station of the train only by changing the running direction, the service called "Use of station" shall be requested for the service place in case of changing the direction.

The supply part of service comprises:

- ensuring the surveillance of stations with security and patrol service not containing the security service related to railway vehicles
- ensuring the use of buildings necessary for freight transport and providing related services.

7.3.3.3.2 Content of Train preparation service

The content of the train preparation service is described in point 7.3.1.3.4.1.

7.3.3.3.3 Content of Train acceptance service

The content of the train acceptance service is described in point 7.3.1.3.3.1.

7.3.3.3.4 Content of Ensuring shunting staff service

The content of Ensuring shunting staff service is described in point 7.3.1.3.2.1-1.

7.3.3.3.5 Content of Availability of shunting staff service

The content of Availability of shunting staff service is described in point 7.3.1.3.2.2-1.

7.3.3.3.6 Content of Ensuring traction unit service

The content of Ensuring traction unit service is described in point 7.3.1.3.2.3-1.

7.3.3.3.7 Content of Availability of traction unit service

The content of Availability of traction unit service is described in point 7.3.1.3.2.4-1.

7.3.3.3.8 Content of Storage of vehicles service

The content of Storage of vehicles service is described in point 7.3.1.3.1.1.

7.3.3.4 Charges

7.3.3.4.1 Charges of Use of stations for freight trains service

In the case of using services specified in point 7.3.3.1, Infrastructure Manager shall charge for freight trains (D train category) an amount to be paid that corresponds to the category of the station. As regards the use of stations by freight trains three stations categories shall be distinguished. The fee for the use of the stations by freight trains can be charged only in train paths.

Measure unit: HUF/ use of station. Amounts to be paid in the case of individual Infrastructure Managers can be found in the Tables below.

Charging elements of the use of stations by freight trains on the network of MÁV Infrastructure Co. Ltd.

| <i>Use of stations by freight trains Unit: HUF/ use of stations</i> | Charge | Mark-up | Amount to be paid |
|---|--------|---------|-------------------|
| Station category I | 5 938 | 0 | 5 938 |
| Station category II | 2 975 | 0 | 2 975 |
| Station category III | 940 | 0 | 940 |

Charging elements of the use of stations by freight trains on the network of GYSEV Zrt.

| <i>Use of stations by freight trains Unit: HUF/ use of stations</i> | Charge | Mark-up | Amount to be paid |
|---|--------|---------|-------------------|
| Station category I | 5 000 | 0 | 5 000 |
| | 5 880* | | 5 880* |
| Station category II | 4 000 | 0 | 4 000 |
| | 4 704* | | 4 704* |
| Station category III | 3 000 | 0 | 3 000 |
| | 3 533* | | 3 533* |

* Effective: from 20.08.2024

7.3.3.4.2 Charges of train preparation service

Charges for the train preparation service can be found in point 7.3.1.3.4.2.

7.3.3.4.3 Charges of train acceptance service

Charges for the train acceptance service can be found in point 7.3.1.3.3.2.

7.3.3.4.4 Charges of ensuring shunting staff service

Charges for ensuring shunting staff service can be found in point 7.3.1.3.2.1-2.

7.3.3.4.5 Charges of availability of shunting staff service

Charges for availability of shunting staff service can be found in point 7.3.1.3.2.2-2.

7.3.3.4.6 Charges of ensuring traction unit service

Charges for ensuring traction unit service can be found in point 7.3.1.3.2.3-2.

7.3.3.4.7 Charges of availability of traction unit service

Charges for availability of traction unit service can be found in point 7.3.1.3.2.4-2.

7.3.3.4.8 Charges of storage of vehicles service

Charges for storage of vehicles service can be found in point 7.3.1.3.1.2.

7.3.3.5 Access conditions

The access conditions for freight terminals are the same as described in sections 3.2 and 3.3.

If there is a service place on the train path from which it is only possible to reach the train's destination by reversal, then the use of the station must be ordered at the service place affected by the reversal.

The station usage services are requested indirectly in the IT request system by recording the conditions specified there during the request.

7.3.3.6 Capacity allocation

The applicable capacity allocation requirements for freight terminals are specified in point 7.3.1.2.

7.3.4 Access to marshalling yards and train formation facilities

7.3.4.1 General information

On the railway network of MÁV Infrastructure Co. Ltd. the following service places count as marshalling yards:

Ferencváros (10025, 40162, 46466), Eperjeske-Rendező (42358), Fényeslitke-Déli rendező (42127), Miskolc-Rendező (12641).

General information on the facilities on each line is provided in Annex 2.3.3.

7.3.4.2 Services

The services available at the service places defined as a marshalling yard in point 7.3.4.1 can be found in Annexes 7.3.1.3.2.1, 7.3.7, 7.3.7.3, 7.3.10.

7.3.4.3 Description of the service facility

Technical information on service facilities on each line is provided in Annex 2.3.3 for each service place.

7.3.4.3.1 Content of the services provided in the service facility

The content of the services that can be used at the service places defined as marshalling yards in point 7.3.4.1 is described in points 7.3.1.3.2.1-1, 7.3.1.3.2.3-1, 7.3.7.3.3, 7.3.7.3.4, 7.3.7.4.5, and 7.3.10.3.1.

7.3.4.4 Charges of the services

The charges for the services available at the service places defined as marshalling yards in point 7.3.4.1 are included in Annex 5.2-6.

7.3.4.5 Access conditions

The access conditions for marshalling yards and train formation facilities are the same as described in subchapters 3.2 and 3.3.

Access to marshalling yards and train formation facilities is included in the Use of stations services based on point 7.3.3.

The Use of stations services are requested indirectly in the IT requesting system by recording the conditions specified there during the request.

7.3.4.6 Capacity allocation

The applicable capacity allocation requirements for the technical, preparation and passenger service facilities of Passenger Trains are specified in point 7.3.1.2.

7.3.5 Storage sidings

7.3.5.1 General information

The list of tracks designated for the storage of railway vehicles is given in Annex 2.3.3.

7.3.5.2 Services

The following services are available at storage sidings:

Supplementary services:

- Storage of vehicles

7.3.5.3 Description of the service facility

The technical data of the tracks designated for the storage of railway vehicles are given in Annex 2.3.3.

The content of the vehicle storage service is described in point 7.3.1.3.1.1.

7.3.5.4 Charges

Charges of storage of vehicles can be found in point 7.3.1.3.1.2.

7.3.5.5 Access conditions

The access conditions for storage of vehicles are the same as described in subchapters 3.2 and 3.3.

7.3.5.6 Capacity allocation

The applicable capacity allocation requirements for the technical, preparation and passenger service facilities of Passenger Trains are specified in point 7.3.1.2.

7.3.6 Use of maintenance facilities

7.3.6.1 General information

The vehicle maintenance facilities of the Railway Business Unit of GYSEV Zrt. Are included in Annex 2.3.3.

GYSEV Zrt. provides the service within the framework of use of stations service.

MÁV Infrastructure Co. Ltd. does not provide the service.

7.3.6.2 Services

GYSEV Zrt. provides the service within the framework of use of stations service.

The following services are available in the maintenance facilities:

Supplementary services:

- Technical inspection of a railway vehicle

7.3.6.3 Description of the service facility

The technical data of the maintenance facilities of the Railway Business Unit of GYSEV Zrt. can be found in Annex 2.3.3.

The content of the technical inspection service is described in point 5.5.1.1.

7.3.6.4 Charges

The charges for the technical inspection service can be found in point 5.5.1.2.

7.3.6.5 Access conditions

The access requirements for maintenance facilities are the same as described in subchapters 3.2 and 3.3.

7.3.6.6 Capacity allocation

The applicable capacity allocation requirements for use of maintenance facilities are specified in point 7.3.1.2.

7.3.7 Other Technical Facilities

7.3.7.1 General information

Other technical facilities are:

- axle exchange facilities
- wagon weigh bridges (scales)
- pre-heating/pre-cooling facilities
- water supply facilities

The list of wagon weigh bridges (scales) can be found in Annex 7.3.7.

The list of tracks available for pre-heating/pre-cooling, electrical connection, water supply and sewer connection, inspection pit provided by the Infrastructure Manager at stations and service places can be found in Annex 2.3.3.

7.3.7.2 Services

Services provided in Other Technical Facilities:

- exchange of axles
- use of bogies
- use of wagon weigh bridges (scales)
- ensuring staff for weighing
- ensuring of water used for water supply

The content of the additional services "Non-traction (preheating, pre-cooling) electricity supply" and "Non-traction (preheating, pre-cooling) fuel supply" and their fees are described in clauses 5.4.2.1 and 5.4.2.2.

7.3.7.3 Description of the service facility

The technical data of the facilities suitable for exchange of axles (service places) and of the tracks with water supply facilities can be found in Annex 2.3.3.

Technical data of wagon weigh bridges (scales) can be found in Annex 7.3.7.

7.3.7.3.1 Content of Exchange of axles service

Supply-type service, for railway undertakings having operation licence for running trains of train-categories A, B, C, D, E listed in Annex 4.5-2.

The service comprises:

- the exchange of rail vehicles' bogies of different gaugees (it should mean the exchange of bogies either from broad to standard gauge or from standard to broad gauge)
- technical inspection of vehicles after the exchange of bogies, that is technical inspection of railway vehicles with bogies of broad gauge exchanged to standard gauge or technical inspection of rail freight vehicles after replacing of bogies from standard gauge to broad gauge in accordance with Technical wagon and train inspection Instructions No. E.12.

Facilities suitable for exchange of axles for normal and broad gauge vehicles on the network of MÁV Infrastructure Co. Ltd. are at Záhony Axle Exchange Division [service place code for exchange from broad gauge to normal gauge 44230 (Záhony sz.), from normal gauge to broad gauge 42077 (Záhony-Rendező)].

GYSEV Zrt. does not provide this service.

7.3.7.3.2 Content of Use of bogies service

Supply type service for railway undertakings having operation licence for running trains of train-categories A, B, C, D, E listed in Annex 4.5-2.

The service comprises:

- use of bogies.

GYSEV Zrt does not provide this service.

7.3.7.3.3 Content of Use of wagon weigh bridges service

Complex service for railway undertakings having operation licence for running trains of train-categories A, B, C, D, E listed in Annex 4.5-2.

The access part of service comprises:

- ensuring the access of sidings ensuring track access to the scale house, and
- provision of relating traffic operation activity.

The supply part of service includes:

- ensuring the use of sidings ensuring track access to the scale house
- ensuring scales in good working order
- access to the scale house
- supervising the weighing of wagons carried out by the applicant.

Infrastructure Managers ensure availability of this service in places and in time period set out in Annex 7.3.7.

As regards GYSEV Zrt. weighing railway wagons, person carrying out weighing activity shall enter into the scale journal of the Infrastructure Manager the following data corresponding to facts:

- serial number of the railway vehicle,
- gross load weighed,
- number of axles of the railway vehicle,
- empty weight of wagon marked on the railway vehicle.

As regards MÁV Infrastructure Co. Ltd. the scale operator is obliged to fill out the scale journal defined in D.9. Rail weighing scale technical Instruction.

7.3.7.3.4 Content of Ensuring staff or weighing service

Supply type service for railway undertakings having operation licence for running trains of train-categories A, B, C, D, E listed in Annex 4.5-2.

The service comprises:

- carrying out of weighing of wagons.

The scale operator simultaneously fills out the scale journal and the scale usage journal. After the weighing process, the Infrastructure Manager sends the scale journal defined in D.9. Rail weighing scale technical Instruction to the Railway Undertaking.

List of service places and operation hours published in Annex 7.3.7.3.

GYSEV Zrt does not provide this service.

7.3.7.3.5 Content of Ensuring water for water supply service

Supply type service for railway undertakings having operation licence for running trains of train-categories A, B, C, D, E listed in Annex 4.5-2.

The service comprises:

- the provision of water for filling and for water supply.

List of service places suitable to use this service can be found in Annex 2.3.3.

MÁV Infrastructure Co. Ltd. does not provide this service.

7.3.7.4 Charges

7.3.7.4.1 Charges of Exchange of axles service

Amount to be paid in the case of using the service specified in point 7.3.7.3.1

Measure unit: HUF/vehicle. Amounts to be paid in the case of MÁV Infrastructure Co. Ltd. can be found in the Table below.

Charging elements of Exchange of axles on the network of MÁV Infrastructure Co. Ltd.

| | |
|--------------------------|--------------------------|
| <i>Exchange of axles</i> | Amount to be paid |
| Unit: HUF/vehicle | 32 880 |

7.3.7.4.2 Charges of Use of bogies service

Measure unit: HUF/bogie. Amounts to be paid in the case of MÁV Infrastructure Co. Ltd. can be found in the Table below.

Charging elements of Use of bogies on the network of MÁV Infrastructure Co. Ltd.

| | |
|----------------------|--------------------------|
| <i>Use of bogies</i> | Amount to be paid |
| Unit: HUF/hour/bogie | 57 |

7.3.7.4.3 Charges of Use of wagon weigh bridges (scales) service

Amount to be paid in the case of using the service specified in point 7.3.7.3.3.

Measure unit: HUF/vehicle.

Amounts to be paid in the case of individual Infrastructure Managers can be found in the following tables.

Charging elements of use of wagon weigh bridges on the network of MÁV Infrastructure Co. Ltd.

| | | | |
|--|--------|---------|-------------------|
| <i>Use of wagon weigh bridges (scales)</i> | Charge | Mark-up | Amount to be paid |
| Unit: HUF/ vehicle | 3 175 | 0 | 3 175 |

Charging elements of use of wagon weigh bridges on the network of GYSEV Zrt.

| | | | |
|--|--------|---------|-------------------|
| <i>Use of wagon weigh bridges (scales)</i> | Charge | Mark-up | Amount to be paid |
| Unit: HUF/ vehicle | 2 727 | 338 | 3 065 |
| | | 877* | 3 604* |

* Effective: from 20.08.2024

7.3.7.4.4 Charges of Ensuring staff for weighing service

Amount to be paid in the case of using the service specified in point 7.3.7.3.4.

Measure unit: HUF/vehicle. Amounts to be paid in the case of individual Infrastructure Managers can be found in the following tables.

Charging elements of ensuring staff for weighing on the network of MÁV Infrastructure Co. Ltd.

| | |
|-----------------------------------|--------------------------|
| <i>Staff ensured for weighing</i> | Amount to be paid |
| Unit: HUF/vehicle | 5 292 |

Charging elements of ensuring staff for weighing on the network of GYSEV Zrt.

| | |
|-----------------------------------|--------------------------|
| <i>Staff ensured for weighing</i> | Amount to be paid |
| Unit: HUF/vehicle | 3 513 |

7.3.7.4.5 Charges of Ensuring water used for water supply service

Amount to be paid in the case of using the service specified in point 7.3.7.3.5.

Measure unit: HUF/ m³. Amounts to be paid in the case of GYSEV Zrt. can be found in the following table.

Charging elements of ensuring water supply on the network of GYSEV Zrt.

| | |
|---|--------------------------|
| <i>Ensuring of water for water supply</i> | Amount to be paid |
| Unit: HUF/m ³ | 486 |

7.3.7.5 Access conditions

The access conditions for maintenance facilities are the same as described in subchapters 3.2 and 3.3.

7.3.7.6 Capacity allocation

The applicable capacity allocation requirements for use of maintenance facilities are specified in point 7.3.1.2.

7.3.8 Maritime and inland port facilities

Infrastructure managers do not have sea and inland/river port facilities.

7.3.9 Relief facilities

Infrastructure managers do not have emergency equipment that can be made available to persons with access.

7.3.10 Refuelling facilities**7.3.10.1 General information**

Refuelling facilities and their opening hours can be found in Annex 7.3.10.

7.3.10.2 Services

Services provided in refuelling facilities:

Supplementary services:

- fees of refuelling facilities

- ensuring of fuel for traction

7.3.10.3 Description of the service facility

7.3.10.3.1 Content of Use of refuelling facilities service

Complex service for railway undertakings having operation licence for running trains of train-categories A, B, C, D, E listed in Annex 4.5-2.

The access part of service comprises:

- ensuring access of sidings enabling track access to refuelling facilities, and
- provision of relating traffic operation activity.

The supply part of service includes:

- ensuring the use of sidings enabling track access to refuelling facilities
- ensuring the use of buildings and devices necessary for refuelling and providing related services (without providing fuel).

Refuelling facilities and their opening hours can be found in Annex 7.3.10.

7.3.10.3.2 Content of Ensuring of fuel for traction service

Supply type service for railway undertakings having operation licence for running trains of train-categories A, B, C, D, E listed in Annex 4.5-2.

The service comprises:

- provision of fuel for traction.

Fuel on the territory of MÁV Infrastructure Co. Ltd. may be purchased only at railway refuelling stations set out in Annex 7.3.10, operated by the company.

A mobile refuelling on the territory of GYSEV Zrt is possible but only with a preliminary approval of GYSEV Zrt.

7.3.10.3.3 Content of Ensuring of non-traction fuel (pre-heating, pre-colling) service

The content of the non-traction (pre-heating, pre-cooling) fuel supply service is described in point 5.4.2.2.1.

7.3.10.4 Charges

7.3.10.4.1 Charges of Use of refuelling facilities service

Amount to be paid in the case of using the service specified in point 7.3.10.3.1.

Measure unit: HUF/liter. Amounts to be paid in the case of individual Infrastructure Managers can be found in Tables below.

**Charging elements of use of Use of refuelling facilities on the network of
MÁV Infrastructure Co. Ltd.**

| <i>Use of refuelling facilities</i> <i>Unit: HUF/ litre</i> | Charge | Mark-up | Amount to be paid |
|--|--------|---------|-------------------|
| | 31 | 0 | 31 |

**Charging elements of use of Use of refuelling facilities on the network of
GYSEV Zrt.**

| <i>Use of refuelling facilities</i> <i>Unit: HUF/ litre</i> | Charge | Mark-up | Amount to be paid |
|--|--------|---------|-------------------|
| | 36 | 2 7* | 38 43* |

* Effective: from 20.08.2024

Infrastructure managers have the possibility to request prior consent from the railway regulatory body to deviate from the charges included in the NS. If the railway regulatory body gives its prior consent to deviate from the NS, the amount to be paid may differ from the above according to the provisions of the network access contract or internal agreement.

7.3.10.4.2 Charges of Ensuring of fuel for traction service

Amount to be paid in the case of using the service specified in point 7.3.10.3.2.

Measure unit: HUF/liter. Amounts to be paid in the case of individual Infrastructure Managers can be found in Tables below.

**Charging elements of ensuring fuel for traction on the network of MÁV Infrastructure Co.
Ltd.**

| <i>Ensuring of fuel for traction</i> <i>Unit: HUF/litre</i> | Amount to be paid |
|--|-------------------|
| | 366 |

Charging elements of ensuring fuel for traction on the network of GYSEV Zrt

| <i>Ensuring of fuel for traction</i> <i>Unit: HUF/litre</i> | Amount to be paid |
|--|-------------------|
| | 493 |

Infrastructure managers have the possibility to request prior consent from the railway regulatory body to deviate from the charges included in the NS. If the railway regulatory body gives its prior consent to deviate from the NS, the amount to be paid may differ from the above according to the provisions of the network access contract or internal agreement.

7.3.10.4.3 Charges of Ensuring non-traction fuel (pre-heating, pre-cooling) service

The charges for the Ensuring of non-traction fuel (preheating, pre-cooling) can be found in point 5.4.2.2.2.

7.3.10.5 Access conditions

The access conditions for maintenance facilities are the same as described in subchapters 3.2 and 3.3.

7.3.10.6 Capacity allocation

The applicable capacity allocation requirements for use of maintenance facilities are specified in point 7.3.1.2.

7.3.11 Access to public loading sidings and loading areas belonging to these loading sidings

The conditions for the use of public loading sidings and the associated loading areas can be found in Annex 4.5.6.

The public loading tracks and their associated loading areas are listed in Annex 7.3.11.

In case of any dispute, the Hungarian version shall prevail.