

**ERAIL MONOGRAPH**

***HUNGARY***

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**GLOSSARY**

Abbreviation	Hungarian name (if applicable)	English name
<b>ORGANISATIONS</b>		
GKM	Gazdasági és Közlekedési Minisztérium	Ministry of Economy and Transport
GVH	Gazdasági Versenyhivatal	Hungarian Competition Authority
ROeEE GYSEV	Raab-Oedenburg-Ebenfurter Eisenbahn Győr-Sopron-Ebenfurti Vasút	Győr-Sopron-Ebenfurth Railway
MÁV		Hungarian State Railways
KöViM	Közlekedési és Vízügyi Minisztérium	Minister of Transport and Water Management
VPE	Vasúti Pályakapacitás-elosztó Kft	Railway Capacity Allocation Office
<b>LEGAL FRAMEWORK</b>		
NGO		Non Governmental Organisation
PSO		Public Service Obligation
TSI		Technical Specifications for Interoperability



# 1 ORGANISATIONS INVOLVED IN CARRYING OUT PUBLIC TASKS

Public tasks are distinguished according to the following clusters of activities:

- Separation, licensing and charging
- Interoperability and safety
- State aid, competition and public service obligations
- Statistics

The following organisations are involved in one or more of these clusters of activities:

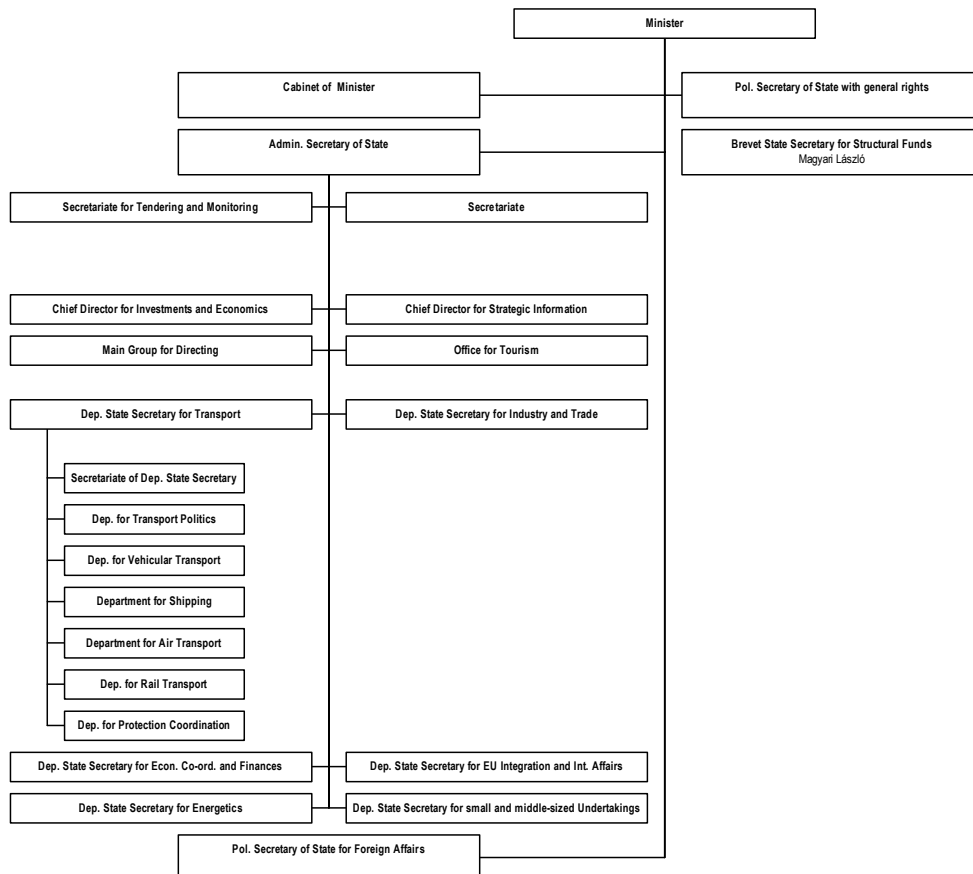
- Central Inspectorate for Transport (Railway Inspectorate)
- Ministry of Economy and Transport

## 1.1 Current organisations

### 1.1.1 Ministry of Economy and Transport

*Organisation chart*

Structure of Ministry of Economy and Transport



*Income and expenses*

NA

*Number of employees*

623

*Legal constitution*

State administration

*Clients*

NA

*Contact details for clients*

István Pákozdi – Head of Railway Department

1880 Budapest, P.Box 111

Margit körút 85

Tel.: +36 1 336 7990

Fax: +36 1 336 7989

*Autonomy of organisation*

State administration

**1.1.2 Central Inspectorate for Transport (Railway Inspectorate)**

*Organisation chart*

NA

*Income and expenses*

NA

*Number of employees*

Central Inspectorate for Transport: 151 persons

Railway Inspectorate: 23 persons

*Legal constitution*

The Central Inspectorate for Transport is defined as a "regional" body of the General Inspectorate for Transport (the nationwide Transport Authority under the guidance of the Minister of Transport who appoints its Director General) dealing with tasks that cannot be solved in the regional framework based on 20 counties. The Railway Inspectorate is a department of the Central Inspectorate for Transport (there are similar departments for road transport and for inland waterways). Claims against decisions of the Central Inspectorate for Transport are to be settled by the General Inspectorate for Transport.

*Clients*

Railway undertakings; companies engaged in construction of railway infrastructure and rolling stock.

*Contact details for clients*

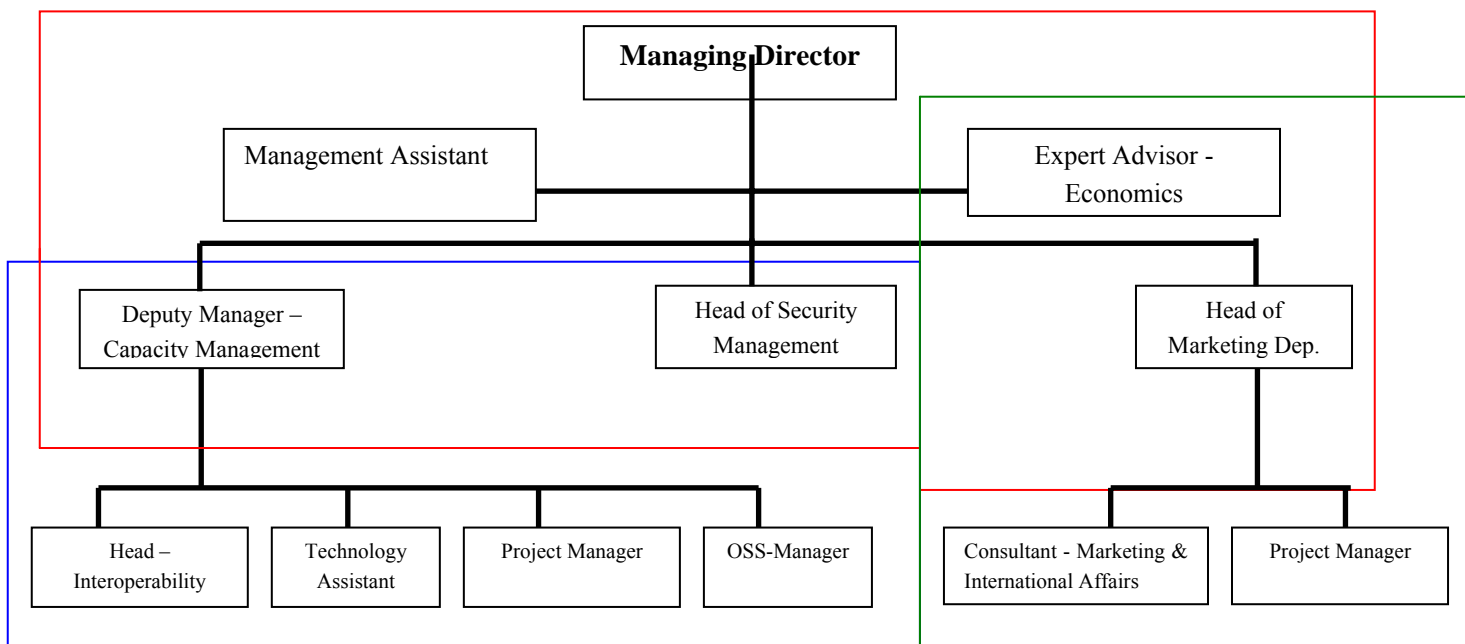
Péter Major – Head of Railway Inspectorate  
1066 Budapest, Teréz körút 62  
Tel.: +36 1 312 6667  
Fax: +36 1 312 6614

*Autonomy of organisation:*

The organisation of the Transport Authority is independent from the Ministry of Economy and Transport with a separate budget; the Ministry carries out supervisory tasks. Legal basis: Government Decree 231/1997 on tasks and powers of the Transport Authority and Government Decree 51/1994 on the tasks and powers of the Railway Authority.

**1.1.3 Railway Capacity Allocation Office (VPE)**

*Organisation chart*



*Income and expenses*

NA

*Number of employees*

12

*Legal constitution*

Rail Capacity Allocation Office is a limited company, established 2004.

*Clients*

Railway undertakings; companies engaged in construction of railway infrastructure and rolling stock. (MÁV Rt., GYSEV Rt., FLOYD Kft., MÁV Hajdú Vasútépítő Kft., MMV Rt., CER Rt.)

*Contact details for clients*

Salaveczi János – Managing Director

1066 Budapest

Teréz krt. 62

Tel.: +36 1 312 0012

Fax: +36 1 332 8025

E-mail: salaveczi@vpe.hu

*Autonomy of organisation*

100% owned by the Hungarian Privatization and State Holding Company (ÁPV Rt.). ÁPV Rt. is the main proprietor of the entrepreneurial assets of the Hungarian State. ÁPV Rt.'s task is the sale and market based management of state assets determined by law as well as rendering accounts and the controlling of earlier privatization transactions.

**1.1.4 Infrastructure division of Hungarian Railways - MÁV**

*Organisation chart*

NA

*Income and expenses*

NA

*Number of employees*

21.908

*Legal constitution*

Infrastructure division of railways is a public limited company.

*Clients*

Railway undertakings; companies engaged in construction of railway infrastructure

*Contact details for clients*

Dr. Mosóczi László – Managing Director

1062 Budapest

Andrássy u. 73-75

Tel.: +36 1 432 3038

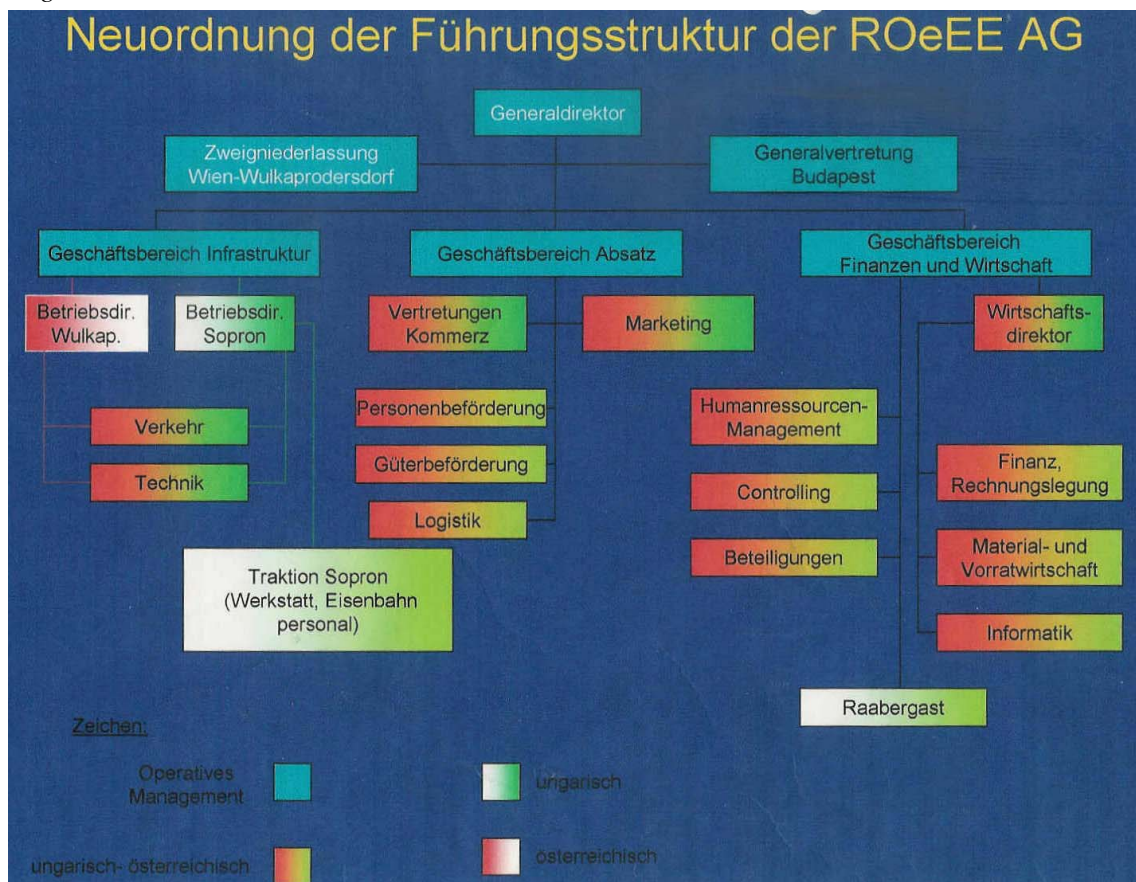
Fax: +36 1 432 3286

*Autonomy of organisation*

100% owned by the Hungarian State

**1.1.5 Infrastructure division of Győr-Sopron-Ebenfurt-Railway - GYSEV**

*Organisation chart*



*Income and expenses*

NA

*Number of employees*

AUT: approx. 130

HUN: approx. 1700

*Legal constitution*

Győr -Sopron-Ebenfurt-Railway Inc. is a joint-stock company

*Clients*

NA

*Contact details for clients*

Alfred Szuppin is OSS Manager of ROeEE/GySEV

Phone: +43 2687 62224 123

Fax: +43 2687 62224 190

E-mail: Alfred.Szuppin@raaberbahn.com

Directorate in Sopron

Phone: +36 99 517 113

Fax: +36 99 517 108

Email: ekrisch@gysev.hu

*Autonomy of organisation*

The shareholders of ROeEE/GySEV:

52.2 % Republic of Hungary

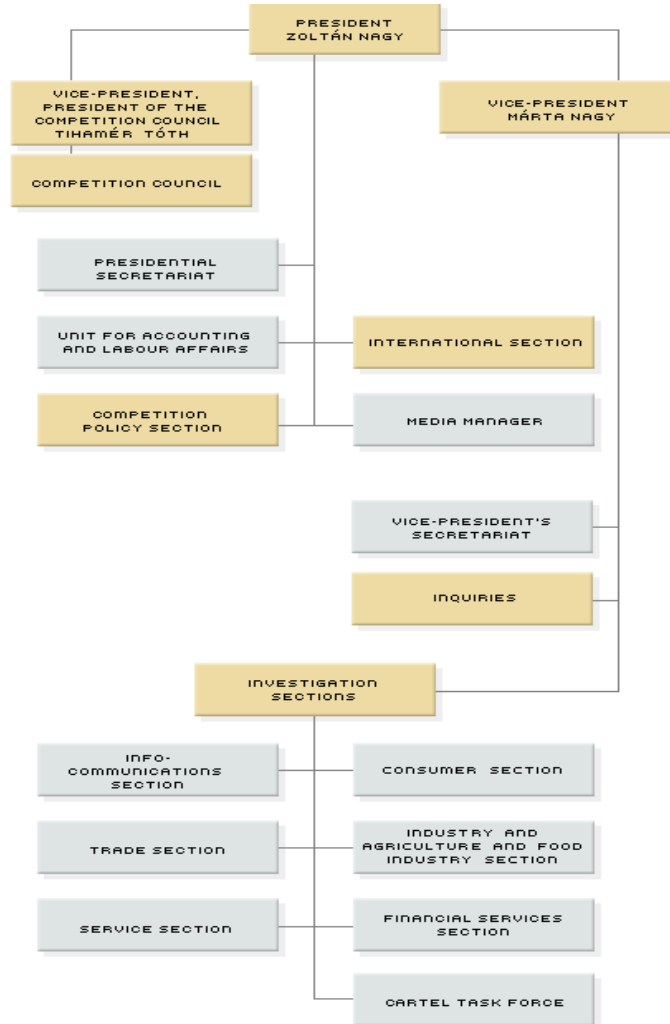
41.3 % Republic of Austria

5.3 % Speditions Holding AG

1.2 % ROeEE AG

1.1.6 Hungarian Competition Authority (GVH)

Organisation chart



*Income and expenses*

NA

*Number of employees*

120

*Legal constitution*

State administration

*Clients*

NA

*Contact details for clients*

Dr. Nagy Zoltán – President

Mail: 1245 Budapest 5. P.Box 1036

Address: 1054 Budapest, Alkotmány u. 5

Tel.: +36 1 472 8900

Fax: +36 1 472 8905

*Autonomy of organisation*

The Gazdasági Versenyhivatal is a public, budgetary institution of national competence which is responsible for the supervision of competition as defined in the Competition Act and in the Act on Business Advertising Activity. However, certain matters of the competition supervision such as the injury of reputation and business secrets, boycott and imitation are in the competence of the courts. In cases affecting the trade between Member States of the EU, the GVH applies the competition rules of the Community. The GVH is independent of the Government, but controlled by the Parliament.

**1.2 Authorities required by the 2<sup>nd</sup> Railway Package**

Currently the Ministry of Economy and Transport is preparing a new Railway Act (including provisions for the railway safety authority and investigation body) and modification of Decree 51/2004 GKM of the Minister of Economy and Transport on the railway safety certificate. The future railway safety authority will be the Central Inspectorate for Transport (Railway Inspectorate). According to present plans, the future investigation body will be linked to the General Inspectorate for Transport.

The draft new Railway Act is being discussed by ministries and other relevant organisations. Preparation of the modification of Decree 51/2004 GKM has started.

The new Railway Act will come into force by 31 December 2005 the modified Decree by 30 April 2006.

The financing of the investigation body and a strengthened railway authority should be solved in a way that enables them to carry out tasks defined by the Directive.

## **2 ORGANISATION OF PUBLIC TASKS**

### **2.1 Separation, licensing and charging and safety**

#### **2.1.1 Investigation of accidents (2001/12)**

*Responsible organisation*

Detailed reports are being made within the organisation of the railway companies and sent to the police. For all accidents with injuries or significant material damage, investigation procedure is carried out by the police.

*Objectives, tasks and responsibilities*

The two main objectives are to find out the causes for accidents and general prevention of similar incidents in future.

*Procedure*

Standard procedure for police investigation

*Legal basis of procedure*

Act 1994/XXXIV on the Police.

#### **2.1.2 Safety certification of rolling stock and railway undertakings (2001/12)**

*Responsible organisation*

Central Inspectorate for Transport (Railway Inspectorate) as the Railway Safety Authority

*Objectives, tasks and responsibilities*

The Railway Safety Authority provides railway undertakings with safety certificate and infrastructure managers with safety authorisation based on their application and attached documents according to the Decree of Minister of Economy and Transport. When necessary (but at least once in five years time), the authority checks whether the company having the certificate still meets the relevant requirements.

*Procedure*

Standard procedure defined by Act on Public Administrative Proceedings

*Legal basis of procedure*

Decree 51/2004 GKM of the Minister of Economy and Transport on the railway safety certificate

### **2.1.3 Licensing of railway undertakings (2001/13)**

#### *Responsible organisation*

Central Inspectorate for Transport (Railway Inspectorate)

#### *Objectives, tasks and responsibilities*

Providing licences for railway undertakings engaged in passenger transport, freight transport and/or traction services (based on goodwill, adequate financial basis, professional suitability); checking whether railway undertakings are operating in conformity with their licences.

#### *Procedure*

Standard procedure defined by Act on Public Administrative Proceedings with a modified deadline (90 days instead of 30)

#### *Legal basis of procedure*

Decree 15/2002 KöViM of the Minister of Transport and Water Management on licensing of railway undertakings; Government Decree 51/1994 on the tasks and powers of the Railway Authority modified by Government Decree 21/2002; Act on the General Rules of Public Administrative Proceedings 1957/IV modified by Act 1997/XIV

### **2.1.4 Track access (2001/12)**

#### *Responsible organisation*

VPE

#### *Objectives, tasks and responsibilities*

Facilitating competition on railway lines (in accordance with Directive 2001/12).

#### *Procedure*

see 2.1.3 licensing of railway undertakings and 2.1.5 developing the capacity allocation framework

#### *Legal basis of procedure*

Act 1993/XCV on railways (modified by Act 2001/CIX and 2004/XXIV); Decree 15/2002 KöViM of the Minister of Transport and Water Management on licensing of railway undertakings; Decree 67/2003 GKM of the Minister of Economy and Transport on allocation of national railway infrastructure capacity (modified by Decree 48/2004 GKM)

### **2.1.5 Developing the capacity allocation framework (2001/14)**

*Responsible organisation*

VPE

*Objectives, tasks and responsibilities*

The main objective is the efficient utilisation of infrastructure capacity covering the demand as far as possible.

*Procedure*

Before preparing timetables the Railway Capacity Allocation Company is negotiating with interested parties (infrastructure managers, railway undertakings, organisations of EU member states for capacity allocation); allocation deadlines defined in the Decree in accordance with Directive 2001/13.

*Legal basis of procedure*

Decree 67/2003 GKM of the Minister of Economy and Transport on allocation of national railway infrastructure capacity (modified by Decree 48/2004 GKM)

### **2.1.6 Publishing of capacity allocation framework (2001/14)**

*Responsible organisation*

VPE

*Objectives, tasks and responsibilities*

The Network Statement has to include data concerning line capacity, conditions of entering lines, restrictions of track usage as well as rules of procedure.

*Procedure*

see 2.1.7 setting of infrastructure charges

*Legal basis of procedure*

Decree 67/2003 GKM of the Minister of Economy and Transport on allocation of national railway infrastructure capacity (modified by Decree 48/2004 GKM)

### **2.1.7 Setting of infrastructure charges (2001/14)**

*Responsible organisation*

VPE

*Objectives, tasks and responsibilities*

Establishing rules for setting of charges in a Regulation for the Calculation of Infrastructure Costs and Charges to be approved by the Minister of Finance and the Minister of Economy and Transport (provisions of the Network Statement relating to infrastructure charges to be laid down on the basis of the approved Regulation); publishing a Network Statement with relevant provisions

*Procedure*

Conditions and preferences laid down in the Network Statement

*Legal basis of procedure*

Joint Decree 66/2003 GKM-PM of the Minister of Economy and Transport and Minister of Finance on railway infrastructure charges and the principles of charge setting; Decree 67/2003 GKM of the Minister of Economy and Transport on allocation of national railway infrastructure capacity (modified by Decree 48/2004 GKM)

**2.1.8 Collection of infrastructure charges (2001/14)**

*Responsible organisation*

Infrastructure divisions of railways

*Objectives, tasks and responsibilities*

Covering costs directly relating to train movements on the network and to the administration procedure of capacity allocation.

*Procedure*

Amounts to cover costs relating to the activities of the Railway Capacity Allocation Company are to be transferred monthly to the company.

*Legal basis of procedure*

Joint Decree 66/2003 GKM-PM of the Minister of Economy and Transport and Minister of Finance on railway infrastructure charges and the principles of charge setting

**2.1.9 Publishing of charging framework (2001/14)**

*Responsible organisation*

VPE

*Objectives, tasks and responsibilities*

To make charging conditions and allocation rules included in the Network Statement available for all interested parties.

*Procedure*

The Network Statement has to be published in the Official Journal of the Ministry of Economy and Transport four months before the deadline given for applications.

*Legal basis of procedure*

Joint Decree 66/2003 GKM-PM of the Minister of Economy and Transport and Minister of Finance on railway infrastructure charges and the principles of charge setting; Decree 67/2003 GKM of the Minister of Economy and Transport on allocation of national railway infrastructure capacity (modified by Decree 48/2004 GKM)

**2.1.10 Appeal to decisions related to charging and capacity allocation (2001/14)**

*Responsible organisation*

Infrastructure Usage Body (functioning in the framework of the General Inspectorate for Transport)

*Objectives, tasks and responsibilities*

To settle disputes and take decisions on claims relating to dispositions of the Network Statement, decisions of the Railway Capacity Allocation Company concerning capacity allocation and charges

*Procedure*

Standard procedure defined by Act on Public Administrative Proceedings with a modified deadline (60 days instead of 30).

*Legal basis of procedure*

Act 1993/XCV on Railways (modified by Act 2004/XXIV); Decree 67/2003 GKM of the Minister of Economy and Transport on allocation of national railway infrastructure capacity (modified by Decree 48/2004 GKM); Joint Decree 66/2003 GKM-PM of the Minister of Economy and Transport and Minister of Finance on railway infrastructure charges and the principles of charge setting; Act on the General Rules of Public Administrative Proceedings 1957/IV modified by Act 1997/XIV

**2.2 Interoperability**

**2.2.1 Drawing up Technical Specifications for Interoperability (TSIs) (96/48 and 2001/16, art. 5)**

*Responsible organisation*

GKM

Central Inspectorate for Transport (Railway Inspectorate)

*Objectives, tasks and responsibilities*

Direct application of TSIs defined at European level in accordance with the National Railway Regulation (Annex 4 to Decree 103/2003 GKM)

*Procedure*

Detailed regulation given in Decree 103/2003 GKM.

*Legal basis of procedure*

Decree 9/2002 KőViM of the Minister of Transport and Water Management on the interoperability of high-speed railway systems; Decree 103/2003 GKM of the Minister of Economy and Transport on the interoperability of conventional railway systems

**2.2.2 Appointing of Member State representative in the Advisory Committee (96/48 and 2001/16, art 21)**

*Responsible organisation*

GKM

*Objectives, tasks and responsibilities*

Participation in the Advisory Committees

*Procedure*

According to internal regulations of the Ministry of Economy and Transport

*Legal basis of procedure*

Decree 9/2002 KőViM of the Minister of Transport and Water Management on the interoperability of high-speed railway systems; Decree 103/2003 GKM of the Minister of Economy and Transport on the interoperability of conventional railway systems

**2.2.3 Regulation of interoperability (96/48 and 2001/16, art 8 and 20)**

*Responsible organisation*

GKM

Central Inspectorate for Transport (Railway Inspectorate)

*Objectives, tasks and responsibilities*

Ensuring the conditions of interoperability in accordance with Directives 96/48 and 2001/16.

*Procedure*

In accordance with Directives 96/48 and 2001/16

*Legal basis of procedure*

Decree 9/2002 KőViM of the Minister of Transport and Water Management on the interoperability of high-speed railway systems; Decree 103/2003 GKM of the Minister of Economy and Transport on the interoperability of conventional railway systems; Government Decree 182/1997 on appointing organisations examining, checking and attesting suitability of technical products; Decree 4/1999 GM of the Minister of Economy on detailed regulations of appointing organisations examining, checking and attesting suitability of technical products

**2.2.4 Authorisation of (sub)systems (96/48 and 2001/16, art 14)**

*Responsible organisation*

Central Inspectorate for Transport

*Objectives, tasks and responsibilities*

Examination of systems and subsystems enabling interoperability:

- meeting system requirements,
- conformity with TSIs and other European specifications,
- EC declaration.

*Procedure*

Authorisation is carried out by the Central Inspectorate for Transport on the basis of EC declaration and other documents (described in detail in the decrees mentioned) submitted by applicant.

*Legal basis of procedure*

Decree 9/2002 KőViM of the Minister of Transport and Water Management on the interoperability of high-speed railway systems; Decree 103/2003 GKM of the Minister of Economy and Transport on the interoperability of conventional railway systems

**2.2.5 Control on (sub/system) operation and maintenance in accordance with regulations (96/48 and 2001/16, art 14)**

*Responsible organisation*

Central Inspectorate for Transport

*Objectives, tasks and responsibilities*

To check whether (sub)systems meet regulations of operation and maintenance.

*Procedure*

Checking at installation and afterwards regularly by the Central Inspectorate for Transport.

*Legal basis of procedure*

Decree 9/2002 KöViM of the Minister of Transport and Water Management on the interoperability of high-speed railway systems; Decree 103/2003 GKM of the Minister of Economy and Transport on the interoperability of conventional railway systems

**2.2.6 Approval of Notified Bodies (96/48 and 2001/16, art. 20) please indicate which are the approved Notified Bodies and their relevant tasks**

*Responsible organisation*

GKM

*Objectives, tasks and responsibilities*

To carry out tasks defined in Directives 96/48 and 2001/16

*Procedure*

Defined in Government Decree 182/1997 and in Decree 4/1999 of the Minister of Economy.

*Legal basis of procedure*

Decree 9/2002 KöViM of the Minister of Transport and Water Management on the interoperability of high-speed railway systems; Decree 103/2003 GKM of the Minister of Economy and Transport on the interoperability of conventional railway systems; Government Decree 182/1997 on appointing organisations examining, checking and attesting suitability of technical products; Decree 4/1999 GM of the Minister of Economy on detailed regulations of appointing organisations examining, checking and attesting suitability of technical products

**2.2.7 Assessment/control of Notified Bodies (96/48 and 2001/16, art. 20)**

*Responsible organisation*

Central Inspectorate for Transport

*Objectives, tasks and responsibilities*

Checking whether examinations on suitability and applicability are carried out properly.

*Procedure*

Regular checks; if necessary, the Central Inspectorate for Transport

- makes a proposal to restrict or revoke the operation of Notified Bodies if their operation is inadequate, informing the Commission and Member States;
- requires restriction of trade or withdrawal of inadequate components;
- obliges the manufacturer or its representative to ensure the conformity of all components with the regulations.

*Legal basis of procedure*

Decree 9/2002 KőViM of the Minister of Transport and Water Management on the interoperability of high-speed railway systems; Decree 103/2003 GKM of the Minister of Economy and Transport on the interoperability of conventional railway systems

**2.2.8 Assessment of conformity and/or suitability of (sub)systems for use (96/48 and 2001/16, art 13)**

*Responsible organisation*

Notified Body (In the railway field, no Hungarian Notified Body has been approved yet.)

*Objectives, tasks and responsibilities*

Examination of suitability and/or conformity with TSIs and European regulations.

*Procedure*

Examination is carried out by the Notified Body at the costs of the applicant. An EC declaration is given out to the applicant if it meets the requirements.

*Legal basis of procedure*

Decree 9/2002 KőViM of the Minister of Transport and Water Management on the interoperability of high-speed railway systems

**2.3 State aid, competition and public service obligations**

**2.3.1 Monitoring of competition (1017/68, 2001/12 and 01/2003)**

*Responsible organisation*

GVH

*Objectives, tasks and responsibilities*

The Hungarian Competition Authority is not entitled to generally monitor competition in any market. GVH only has a specific (“quasi”) monitoring competence: in case price movements or other market circumstances suggest that competition may be prevented, restricted or distorted, or a dominant position may be abused by one or more undertakings on a given market, the Authority is empowered to initiate sectoral investigation. This power of the GVH is quite similar to that of the European Commission according to Article 17 of Council Regulation No 1/2003. The sectoral investigation aims at understanding market tendencies and revealing the cause of contingent market failure, and the GVH decides – depending on the findings of the investigation – whether any intervention is justified.

*Procedure*

The sectoral investigation of the Hungarian Competition Authority is initiated by a decision of its President. In the course of the investigation, GVH requires undertakings in the relevant economic sector to provide information, and consults the sectoral authorities and the regulator. The results of the investigation are summarized and published in a report, which the undertakings concerned are invited to comment on.

*Legal basis of procedure*

The Hungarian Competition Authority acts on the basis of Act LVII of 1996 on the Prohibition of Unfair and Restrictive Market Practices (hereinafter referred to as “the Competition Act”).

**2.3.2 Enforcing of competition (01/2003)***Responsible organisation*

GVH

Hungarian courts (according to Article 6 of Council Regulation No 1/2003, national courts – besides the Commission and national competition authorities – have the power to apply Articles 81 and 82 of the Treaty in individual cases, when trade between Member States is affected)

*Objectives, tasks and responsibilities*

The objectives pursued by the Competition Act and thus the Hungarian Competition Authority include the public interest for the maintenance of competition ensuring economic efficiency and social welfare. According to the Competition Act, the GVH is to investigate and act against restrictive or abusive market practices, and to control mergers. In case the GVH applies EC competition law (Articles 81 and 82 of the Treaty), the specific objectives of the Community – like the creation of a single market – shall also be taken into consideration.

*Procedure*

Proceedings of the GVH might be commenced on notification or ex officio.

Planned mergers or the extension of temporary acquisition of control must be notified to the GVH by the undertakings concerned. Under the Competition Act, parties to agreements restricting competition must apply for individual exemption, while an agreement might be notified – on decision of the parties – for negative clearance or the establishment of a Government block exemption. Under EC law, the system of notification for restrictive agreements no longer exists.

Antitrust investigations are initiated ex officio (but there might be a complaint as origin).

In the course of investigation, the case-handlers of GVH may take wide-ranging investigative measures: they may require market actors and authorities to provide all necessary information, examine the books and other records of undertaking(s) and take copies or extracts thereof, hold oral hearings, enter any premises of undertaking(s) etc. When the interest of the investigation so requires, case-handlers may even hold – with the prior authorisation of the court – “dawn raids”. Following the fact-finding of case-handlers, the final decision is made by the Competition

Council, which might be subject to judicial review. The Competition council – in its decision – may bring the infringement to an end, impose fines, order interim measures or commitments or terminate proceedings.

In case proceedings were suspended or the fulfilment of conditions, obligations set out by the decision shall be verified, GVH may hold post-investigation.

*Legal basis of procedure*

The Competition Act and the Act IV of 1957 on the General Rules of Public Administration Procedure (hereinafter referred to as “Public Administration Procedure Act”).

In case the conduct to-be-investigated affects trade between Member States, GVH applies Article 81 or 82 of the Treaty, Council Regulation No 1/2003, and procedural rules of the Competition Act and the Public Administration Procedure Act.

**2.3.3 Complaint handling related to competition (01/2003)**

*Responsible organisation*

GVH

*Objectives, tasks and responsibilities*

In case of an alleged infringement of the Competition Act or the competition rules of the Treaty, any natural or legal person who is individually concerned (whose rights or lawful interests are affected by the infringement) might lodge a complaint to the GVH. Well-founded complaints may serve as important sources of information for the GVH.

*Procedure*

The GVH is obliged to examine the complaint, and decide – within 60 days, after making inquiries or holding hearings, if necessary – on the initiation of further proceedings. When refused, the complainant may apply for legal remedy to the Competition Council and the court.

*Legal basis of procedure*

The Competition Act and the Public Administration Procedure Act

**2.3.4 Evaluation of annual PSO claims (1191/69)**

*Responsible organisation*

GKM, Ministry of Finance

*Objectives, tasks and responsibilities*

Determination of PSO claims and their justified costs.

*Procedure*

Proposal of railway companies for passenger timetables to be approved by the Minister of Economy and Transport; on the basis of approved timetables conclusion of a PSO contract signed by the Minister of Finance, Minister of Economy and Transport and the railway companies. (For local railway services, local government sign PSO contracts with railway companies.)

*Legal basis of procedure*

Act 1993/XCV on Railways (modified by Act 2004/XXIV).

*Other PSO issues*

- *Nature of PSO contracts concluded for Railway Passenger Transport*  
In Hungary at present there is no contract on PSO in force. Instead, elaboration of a framework agreement on PSO has been taking place.
- *Distinction between long distance and regional/urban transport*  
The details of the framework agreement are under elaboration.
- *Contracting authorities*  
Contracting parties are the State of Hungary represented by the Minister of Economy and Transport and Hungarian State Railways. The framework agreement has to be approved by the Minister of Finance, as well.
- *Contracting sum (total)*  
According to the present draft of the framework agreement on PSO, it does not determine exact contracting sum since it will be in force for several years and the exact annual sum will be determined separately each year.
- *Length of the contract*  
The framework agreement will be in force until 2008.
- *Public procurement procedures for award of PSO*  
As there are two railway companies (geographically separated) involved there is no public procurement procedure. The liberalisation will start in 2008.
- *PSO market coverage*  
Not available

## **2.4 Statistics**

### **2.4.1 Collection of financial data from railway undertakings (1192/69)**

*Responsible organisation*

Hungarian Central Statistics Office (KSH)

*Objectives, tasks and responsibilities*

KSH prepares annual plans of statistical data collection. According to this plan, railway undertakings receive questionnaires to fill in.

*Procedure*

Railway undertakings fill out the question forms by the given deadlines with the help of fill-out guides.

*Legal basis of procedure*

Act 1993/XLVI. on Statistics; Act 1992/LXIII on the Protection of Personal Data and on Access to Data of General Interest; Government Decrees on annual programmes of statistical data collection.

### **2.4.2 Collection of financial data from infrastructure managers (1108/70)**

*Responsible organisation*

Hungarian Central Statistics Office (KSH)

*Objectives, tasks and responsibilities*

see 2.4.1. collection of financial data from railway undertakings

*Procedure*

see 2.4.1. collection of financial data from railway undertakings

*Legal basis of procedure*

see 2.4.1. collection of financial data from railway undertakings

### **2.4.3 National contribution to Community statistics on rail transport to Eurostat (91/2003)**

*Responsible organisation*

Hungarian Central Statistics Office (KSH) Transport and Tourism Section, railway undertakings

*Objectives, tasks and responsibilities*

KSH is responsible for carrying out the full-scope data collection while railway companies are responsible providing data.

*Procedure*

KSH prepares and dispatches the questionnaires to the companies involved. They complete and send them back. Data are processed by KSH. Data control is done by KSH and the companies involved. Dissemination is prepared by KSH.

*Legal basis of procedure*

see 2.4.1. collection of financial data from railway undertakings

### 3 TRAIN OPERATING COMPANIES

#### 3.1 List of train operating companies

##### *Freight operations*

MAV Co Ltd. – Hungarian State Railways (plc)  
 GySEV Inc. - Győr-Sopron-Ebenfurth-Railway Inc.  
 MMV plc – Hungarian Private Railway plc  
 Floyd Ltd. (GmbH)  
 MAV Hajdu Ltd. – MAV Hajdu Railway Construction Ltd. (GmbH)

##### *Passenger operations*

MAV Co Ltd. – Hungarian State Railways (plc)  
 GySEV Inc. - Győr-Sopron-Ebenfurth-Railway Inc.

#### 3.2 Safety license

Decree 51/2004 GKM of the Minister of Economy and Transport was published on 22 April 2004; no decisions on safety certificates have been taken yet.

#### 3.3 Market shares/transport volumes

**Principal Data of MAV 1995-2006**

	1995	1996	1997	1998	1999	2000.	2001. tény	2002. Várható	2002	2003. Plan	2004. Plan	2005. Plan	2006. Plan
<b>Total passengers (million)</b>	154,2	155,8	155,1	155,2	155,1	154,2	159,6	162,7	161,9	163,5	166,8	168,5	172,0
<b>Million passenger kms</b>	8.276	8.497	8.583	8.788	9.418	9.595	9.903	10.348	10.408	10.515	10.917	11.098	11.491
<b>1000 net tonnes</b>	46.354	44.588	46.018	47.497	43.606	43.618	43.801	44.225	43.557	44.085	44.615	44.615	44.765
<b>Million net tonne kms</b>	8.132	7.409	7.873	7.852	7.444	7.780	7.426	7.338	7.387	7.590	7.705	7.785	7.922

##### *Performance data 2003 of GySEV/ROeEE*

Cross-border freight traffic:

- 6.2 million tons of freight of which:
- 1.4 million tons container traffic
- 1.4 million tons Ro-La accompanied traffic (“rolling highway”)
- 3.4 million tons conventional waggon-load traffic

Total freight traffic of the GySEV/ROeEE

- 7.0 million tons of freight

*Freight operations***Modal shares of railway transport, freight (net tonnes):**

	<b>1998</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>
Rail	25,8%	23,0%	23,2%	24,2%	24,2%
Road	61,8%	65,7%	65,9%	62,8%	63,1%
Waterways	1,1%	1,0%	1,1%	1,4%	1,4%
Pipeline	11,3%	10,3%	9,8%	11,6%	11,3%

*Passenger operations:***Modal shares of railway transport, passengers (number of passengers):**

	<b>1998</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>
Rail	22,5%	22,2%	21,3%	21,3%	21,8%
Road	76,8%	77,1%	78,0%	78,0%	77,7%
Waterways	0,4%	0,4%	0,4%	0,4%	0,2%
Air	0,3%	0,3%	0,3%	0,3%	0,3%

## **4 NGO'S**

The following NGOs are active:

### **4.1 Industry associations**

### **4.2 User groups**

### **4.3 Trade unions**

Trade Union of Railwaymen

Free Trade Union of Railway Workers

Trade Union of Locomotive Drivers

and several smaller unions (mostly local; a separate union focused on the infrastructure division, etc.)

### **4.4 Environmental groups**

Hungarian Traffic Club – [www.mkk.zpok.hu](http://www.mkk.zpok.hu)

Clean Air Action Group

Ipoly Union

### **4.5 Other**

Friends of Narrow-Gauge Railways

NOHAB-GM Foundation – [www.nohab-gm.com](http://www.nohab-gm.com)



## 5 FURTHER FACTS AND STATISTICS

### 5.1 Complaint statistics and information

NA

### 5.2 Railway accident statistics

			1995	1996	1997	1998	1999	2000	2001	2002	2003
I.	TRAIN ACCIDENTS		24	34	25	30	34	26	29	22	19
II.A	TRAINS IN DANGER	NO DAMAGE	51	29	25	21	15	26	30	25	33
II.B		SMALL DAMAGE	39	39	27	32	34	19	18	21	28
I+II.	TOTAL		114	102	77	83	83	71	77	68	80
III.A	NON-HUMP-SHUNTING ACCIDENTS		632	553	529	502	489	449	390	374	428
III.B	HUMP-SHUNTING ACCIDENTS		45	46	30	15	19	27	19	11	8
III.	TOTAL		677	599	559	517	508	476	409	385	436
IV.A	ACCIDENTS AT LEVEL CROSSINGS (PEOPLE, ANIMALS, ROAD VEHICLES)	RAILWAY FAULT	1	1	4	5	4	6	3	4	2
IV.B		OTHERS' FAULT	109	114	107	116	115	105	107	126	118
V.A	RUNDOWN ACCIDENTS IN OTHER PLACES	RAILWAY FAULT	23	25	26	13	8	12	14	11	15
V.B		OTHERS' FAULT	565	592	551	579	562	574	599	662	562
IV+V.	TOTAL		698	732	688	713	689	697	723	803	697
VI.	NEGLIGENCE		1064	1012	1000	1043	993	904	907	1096	1051
VII.	DELIBERATE ACTIONS		3284	2916	3377	2756	1970	2453	2650	2031	1515
TOTAL			5837	5361	5701	5112	4243	4601	4766	4383	3779

### 5.3 Investments in Infrastructure and Government Payments relating to that

	<b>Total investments (HUF million)</b>	<b>Total investments (EUR million)</b>	<b>Government Payments (HUF million)</b>	<b>Government Payments (EUR million)</b>
1995	17400	70.4	16300	66.0
1996	19561	79.1	16436	66.5
1997	18720	75.7	15005	60.7
1998	18580	75.2	12648	51.2
1999	30584	123.7	25393	102.7
2000	36522	147.8	25294	102.3
2001	33603	136.0	21524	87.1
2002	38508	155.8	30139	121.9
2003	43624	176.5	15732	63.7
2004	94984	384.3	75877	307.0
2005	97374	394.0	76707	310.4
2006	112431	454.9	90113	364.6

Exchange rate: EUR 1 = HUF 247,15 (source: European Commission – DG Budget InforEuro, April 2005)

There are no Government payments relating to maintenance.

6 GRAPHICAL OVERVIEW

