



NEA Transport research and training



UNIVERSITY OF  
OXFORD  
Transport Studies Unit

**ERAIL MONOGRAPH**

**SLOVAKIA**

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**GLOSSARY**

Abbreviation	Slovakian name (if applicable)	English name
<b>ORGANISATIONS</b>		
MTPT		Ministry of Transport Posts and Telecommunication SR
MF		Ministry of Finance
ZSR	Železnice Slovenskej republiky	Railways of the Slovak Republic
ZSSK	Železničná spoločnosť, a. s.	Railway Company, Inc.
ZSSK Cargo	Železničná spoločnosť Cargo Slovakia, a. s.	Railway Freight Undertaking
<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

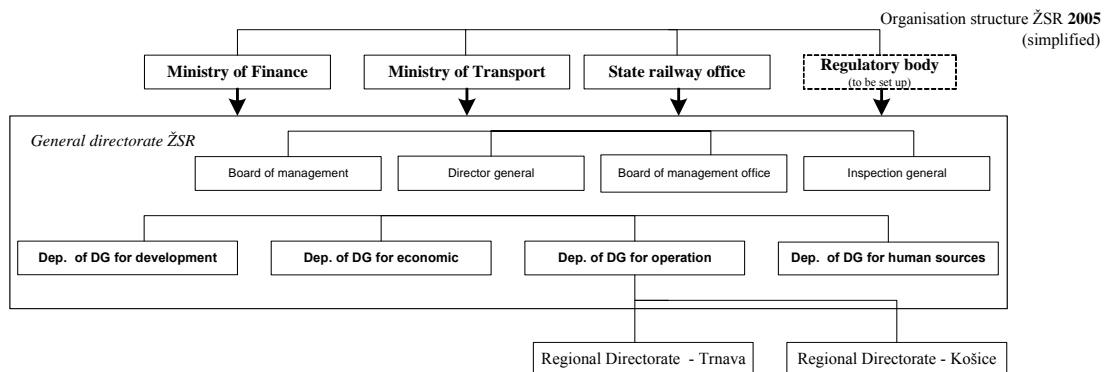
Please mention the different organisations that are involved in one of more of these clusters of activities:

- Železnice Slovenskej republiky (ZSR)
- Železnič ná spoloč nosť, a. s. (ZSSK)
- Železnič ná spoloč nosť Cargo Slovakia, a. s. (ZSSK Cargo)

### 1.1 Current organisations

#### 1.1.1 Železnice Slovenskej republiky (ŽSR) – Railways of the Slovak Republic, infrastructure manager

*Organisation chart*



*Income and expenses*

ZSR are not divided into divisions. For whole ZSR (31.12.2003):

Incomes: 20 685 mil SKK (EUR 532.2 million)

Expenses: 21 641 mil. SKK (EUR 556.8 million)

*Number of employees*

	2001	2002	2003
Total headcount of ŽSR	44 508	22 750	22 106
Transport route	26 956	18 807	18 074
Headquarters of ŽSR	398	500	507
Other internal organisational units	2 943	3 443	3 525
Total technical & administration employees	14 565	8 798	8 729

*Legal constitution*

Railways of the Slovak Republic “ŽSR” based on Act of the National Council of the Slovak Republic no. 258/1993 Coll. on the Railways of the Slovak Republic in the sense of Act no. 152/1997 Coll. and Act no. 259/2001 Coll. are self standing legal entity registered in Trade Register on District Court Bratislava I. for line operation. The role of ŽSR is to safeguard the operation of state and regional lines and organisation of transport for all operators on that lines in the sense of the state transport policy without discrimination and limitation. The main target is the effectiveness of supplying services, minimising of loses by giving the services of lines for operation and maximising of profit from other activities.

*Clients*

ZSSK a.s.; ZSSK CARGO a.s.; US STEEL, a.s.; ŽS, a.s. Košice; TSS Bratislava; Trnavská stavebná spoločnosť, a.s.; SMD, s.r.o Čadca; LTE Logistik and Transport Slovakia s.r.o.; Prvá Slovenská železničná, a.s.; Prvá prepravná spoločnosť, s.r.o.; Hornonitrianske bane a.s.; ELTRA s.r.o.; AM Tuning, Železničné stavebníctvo Bratislava a.s.; ŽDD a.s.; Slovenská železničná dopravná spoločnosť, a.s.; Elektrizácia železníc Kysak a.s.; Technická ochrana a obnova železníc; INVESTEX GROUP s.r.o.

*Contact details for clients*

Cluster	Charging	Interoperability	Safety	State aid, public service obligations	Statistics
<b>Name</b>	Kukučka Anton	Maruniak Daniel	Molko Jozef	Kukučka Anton	Kukučka Anton
<b>Mail address</b>	Klemensova 8, 81361 Bratislava, SR	Klemensova 8, 81361 Bratislava, SR	Klemensova 8, 81361 Bratislava, SR	Klemensova 8, 813 61 Bratislava, SR	Klemensova 8, 813 61 Bratislava, SR
<b>Visiting address</b>	Klemensova 8, 81361 Bratislava, SR	Klemensova 8, 81361 Bratislava, SR	Klemensova 8, 81361 Bratislava, SR	Klemensova 8, 813 61 Bratislava, SR	Klemensova 8, 813 61 Bratislava, SR
<b>Tel</b>	+421-2-50587720	+421-2-5058 7750	+421-2-50587612	+421-2-50587720	+421-2-50587720
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<b>E-mail</b>	<a href="mailto:Kukucka.Anton@zsr.sk">Kukucka.Anton@zsr.sk</a>	<a href="mailto:Maruniak.Daniel@zsr.sk">Maruniak.Daniel@zsr.sk</a>	<a href="mailto:Molko.Jozef@zsr.sk">Molko.Jozef@zsr.sk</a>	<a href="mailto:Kukucka.Anton@zsr.sk">Kukucka.Anton@zsr.sk</a>	<a href="mailto:Kukucka.Anton@zsr.sk">Kukucka.Anton@zsr.sk</a>
<b>Internet site</b>	www.zsr.sk	www.zsr.sk	www.zsr.sk	www.zsr.sk	www.zsr.sk

*Autonomy of organisation*

The autonomy is based on the Act no. 258/1993 Coll. on ŽSR, which stated the framework of activities and the legislative position of an organisation. In accordance with the approved transformation and restructuring project, ŽSR was transformed by Act No. 259/2001 Coll. on Railway Company, j.s.c., and on amendments to Law of the National Council of the Slovak Republic No. 258/1993 Coll. With effects as of January 1, 2002.

By managing on enterprise level there is no outer influence, but they must respect the decisions of state administration in the field of financing – railway charges are approved by the MTPT and the MF. The decision on investments is made by the MTPT.

The MTPT makes the nomination for basic positions.

MTPT is monitoring the economy of financial sources given from state budget and from loans with state guaranty.

**1.1.2 Železničná spoločnosť, a. s. (Railway Company, Joint stock comp. - ZSSK) – railway operator**

*Income and expenses*

*Year 2002 – in thousands of SKK*

	<b>Expenses (SKK)</b>	<b>Expenses (EUR)</b>	<b>Income (SKK)</b>	<b>Income (EUR)</b>
<b>DRSB</b>	12 443 028	320 119	2 324 013	59 789
<b>SU</b>	191 390	4 923	176 039	4 528
<b>FTDK</b>	7 827 756	201 383	23 617	607
<b>PTDK</b>	2 913 414	74 952	5 107 501	131 399
<b>TTC</b>	530 695	13 653	51 158	1 316
<b>CRT</b>	90 332	2 324	111 950	2 880
<b>EAK</b>	191 657	4 930	21 200	545
<b>EAK MP</b>	1 621 088	41 705	12 994 914	334 317
<b>EAK VP</b>	70 262	1 807	5 673 002	145 948
<b>Headquarters</b>	1 316 876	33 879	235 972	6070
<b>together</b>	<b>27 196 498</b>	<b>699 678</b>	<b>26 719 366</b>	<b>687 403</b>

*Number of employees*

<b>Organising Unit</b>	
Headquarters	187
DRS Bratislava	11 411
SU Vrútky	69
PTD Košice	3 232
FTD Košice	4 160
TTC Čierna n/Tisou	1 327
EAK Košice	363
CRT Tatranská Lomnica	101
other	8
<b>ZSSK together</b>	<b>20 858</b>

*Legal constitution*

Joint stock Company; share holder is MTPT

On January 1, 2002 Zeleznicna spolocnost, a.s. (ZSSK) - Railway Company of the Slovak Republic was founded, which was separated from Zeleznicne Slovenskej republiky (ZSR) - Railways of the Slovak Republic. On January 1, 2005 this company was divided into two independent legal entities, into ZSSK and ZSSK Cargo.

Zeleznicna spolocnost Slovensko, a.s. (ZSSK) - Railway Company Slovakia - provides passenger services and Zeleznicna spolocnost Cargo Slovakia, a.s. (ZSSK Cargo) - Railway Company Cargo Slovakia provides goods traffic.

*Clients*

ZSSK with above mentioned text - no clients

*Contact details for clients*

Office of the chairman

Zeleznicna spolocnost Slovensko, a.s. (ZSSK)

Ing. Frantisek STRUCKA - Director of the chairmans office

Zeleznicna spolocnost Slovensko, a.s.

Drienova 24, 820 09 Bratislava

Tel.: +421 2 5058 5656

Office of the chairman

Zeleznicna spolocnost Cargo Slovakia, a.s. (ZSSK Cargo)

Ing. Jozef BENKO - Director of the chairmans office

## **ERAIL Monograph - Slovakia**

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Drienova 24, 820 09 Bratislava  
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Speaker of the railway companies  
Zeleznicna spolocnost Slovensko, a.s.  
Zeleznicna spolocnost Cargo Slovakia, a.s.  
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Tel.: +421 2 5058 7015  
E-mail: hovorca@slovakrail.sk

### *Autonomy of organisation*

“Articles of Regulations of Joint stock Company Železničná spoločnosť, a. s., from 6.12.2001, addendum 1 from 26.7.2002 approved by General Assembly. The autonomy stage on the basis of Articles is given by the competence of bodies of the Joint stock Company and by the range of objects of business.

## **1.2 Authorities required by the 2nd Railway Package**

The responsibility for the implementation of the new Safety Directive (2004/49/EC) is within the State rail authority-regulatory body, who will have to fulfil many duties according our law of railroad transport Nr. 164/1996. It is supposed that in 2005, or more probably 2006 an amendment of this law is prepared incorporating duties resulting from Safety Directive 2004/49/EC.

It is striven to establish a national safety authority and an independent investigating body, but it seems an uneasy and long process. Currently the amendment of the law of railroad transport Nr. 164/1996 is under preparation. This amendment implies the implementation of the directives of the Second Railway Package and the establishment of a State rail authority-regulatory body to fulfil all obligations implicit in the Second Railway Package.

It is envisaged that in 2005 or 2006 the amendment of this law is prepared.

The main problems of the implementation process are budgetary obstacles; getting money from the national budget for increasing safety measures or enhance the number of clerks involved in this agenda in the MTPT or the regulatory body. It is difficult to persuade people who are adept in this business to work for the government as there is much more to do than in private sector and far less salary and many of them are not able to communicate in English.



## **2 ORGANISATION OF PUBLIC TASKS**

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

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

##### *Responsible organisation*

In accordance with the Act no. 164/1996 Coll. on railroads and on amendment of the Act no. 455/1991 Coll. on Small Trade Business (the Trade License Act) as last amended by regulations Investigation of accidental case it is the task of the railway operator ŽSR. There is an agreement between the ŽSR and transport operator who has the licence. Investigation of accidents is covered in the annex of the agreement, where the duties of a) railway operator in case of accident and b) transport operator who must by attendant to safeguard the objectivity of investigation are stated.

##### *Objectives, tasks and responsibilities*

The main target is the identification of reasons of accidents and based on this the implementation of measures to avoid accidents.

##### *Procedure*

After an accident the employee has to report the accident his chief, who must inform the responsible department of ŽSR. The accident must be reported also to the transport operator and to railway police. If the accident exceeds the competence of railway police it must be reported also to state police. Railway operator closes investigation with an acceptance of transport operator. In case of bafflement of investigation the accident is closed on party account that baffled the investigation (on the basis of agreement).

##### *Legal basis of procedure*

Investigation of accidents is executed on the basis of Railway Act no. 164/1996 and internal regulation of ŽSR.

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

##### *Responsible organisation*

At present an administration for safety certification is being created. Licensing administration is covered by State Railway Administration. Safety of operation is solved in the agreement between

ŽSR and the operator.

Concerning the rolling stock only certified vehicles can operate. It is covered also by State Railway Administration. Foreign rolling stock must be in accordance with conditions given in ŽSR regulations.

*Objectives, tasks and responsibilities*

Basic target and role for abidance of operational safety is an adherence of norms and regulation given by ŽSR.

*Procedure*

The operator applies at the State Railway Administration for the rolling stock he is going to use on the network. Further he must submit the list of employees for train operation (list of engine drivers and train managers). He must also bring all necessary records that above-mentioned employees fulfil all required conditions (record on healthy, psychological ability, record on carrying out of professional tests). ŽSR proves ability of employees. On the basis of such data the operator is permitted to operate.

*Legal basis of procedure*

The operation safety is based on the Act on railway and the Decree 250/1996 Transport regulation on railway.

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

*Responsible organisation*

ŽSR comments the application of the future operator for licence from the view of technical norms and regulations of ŽSR. It is one of commentators. In the sense of the Act the Licence is issued by State Railway Administration.

*Objectives, tasks and responsibilities*

ZSR wants to enable an exploitation of railway net for other persons (applicants), which they prove a competence according to separate regulation and technical competence of railway vehicle. They must abide by safety and traffic conditions.

*Procedure*

The licence grant a state railway office on the base of request. It decides in period 60 days after deliver of request. The request must include:

By physical person

- a) Surname, name, place and birth number

- b) A business name
- c) Extract from register of punishments ( not older than 3 month )
- d) Document of special competence
- e) Document of finance competence
- f) document of paying accurate charge

By legal person

- a) business name, place, juridical form and surname, name, place
- b) person, who is statute authority
- c) identification number
- d) Extract from register of punishments all members of statute authority (not older than 3 month)
- e) Extract from business register
- f) Document of special competence
- g) Document of finance competence
- h) document of paying accurate charge

Each request must still include

- a) statements about section of network, which will be need
- b) designation of railway undertaking
- c) statements about a type of traffic and an extent of provided services
- d) statements about an extent and quantity of traffic in the certain time period
- e) statements about quantity and type of railway vehicle
- f) proposal of timetable ( passenger trains)
- g) a term, what it requested for available of licence
- h) written confirmation of infrastructure manager about traffic capacity in requested section

*Legal basis of procedure*

Act no. 164/1996 Coll. Railroads Act in the sense of later regulations.

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

*Responsible organisation*

In the sense of Act no. 164/1996 on Railroads the State Railway Administration issues the licence. For licensing conditions on track access ŽSR as infrastructure manager is responsible. When preparing of mentioned conditions the Act on Railroads and the Directive of EP and EC 2001/14/ES, regulations and instruments of timetable are used.

*Objectives, tasks and responsibilities*

The main objective is to inform transport operators about the track operator's requirements and procedures for gaining track access. The particular conditions are agreed between operator and ŽSR in the Agreement on railway operation.

*Procedure*

In the Act the duty for infrastructure managers is given to draw a network statement - conditions on track access of ŽSR. Technical part concerning the track characteristics is completed by responsible departments of ŽSR. After finishing the reflection procedure the GD of ŽSR are publishing the conditions on track access on the website of ŽSR.

*Legal basis of procedure*

The track access is given by the Act no. 164/1996 the Act on Railway and the Directive of EP and EC 2001/14/ES.

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

*Responsible organisation*

For capacity rationing the infrastructure manager – ŽSR is responsible

*Objectives, tasks and responsibilities*

Target is to offer free capacity to potential operators and safeguard the effectiveness by its usage.

*Procedure*

Each transport operator, who is asking for licence must add to his application a confirmation about free capacity on tracks, which he will use. If the operating efficiency is sufficient a confirmation is issued. In case the application is refused a written justification is given.

*Legal basis of procedure*

Capacity allocation is in accordance with the Act no. 164/1996 Coll.

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

*Responsible organisation*

Manager of infrastructure is publishing free capacity on his website - ŽSR.

*Objectives, tasks and responsibilities*

Publishing of free capacity is an information for transport operators for better orientation for application on free capacity confirmation.

*Procedure*

After incorporating of ordered lines to total operational efficiency the framework is adjusted and newly published. Also all matters causing the decrease in capacity on track parts are published.

*Legal basis of procedure*

Publishing duty is in accordance with the Act no.164/1996 Coll.

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

*Responsible organisation*

MTPT

*Objectives, tasks and responsibilities*

The target is approaching the EU Direction 2001/14.

*Procedure*

ŽSR has analytical costs monitoring. The main part is directly associated to passenger transport and freight transport. Other costs are divided between passenger transport and freight transport by the method approved by the MTPT. Principally within the charge inflation and state subsidy for a certain time period are covered.

*Legal basis of procedure*

The charge for railway infrastructure is a state-regulated price. Legislatively it is covered by the Act no. 258/1993 Coll. on ŽSR; Act no.164/1996 Coll. on Railways and the Act no. 18/1996 Coll. on Prices.

After approval by Board of Directors ŽSR the charge proposal is commented by MTPT and MF and issued by the MF.

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

*Responsible organisation*

ŽSR - The department of marketing and line management gives an approval for invoicing.

*Objectives, tasks and responsibilities*

Target is to abide the regularity of income. Payment calendar is agreed in agreement conditions generally once a month.

*Procedure*

The payment system is agreed in the agreement on transport operation on track. The payment collection is made monthly, by ZSSZ in 10 days period.

*Legal basis of procedure*

It is carried out in accordance of accounting regulations effective in Slovak Republic.

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

*Responsible organisation*

MF

*Objectives, tasks and responsibilities*

Target is to inform transport operators on price conditions for usage of transport line.

*Procedure*

The charging framework is published within the network statement.

Discount from charge for individual operator is approved by general director of ŽSR. Director general is allowed to offer maximum 3% discount from the price for train path. Discount higher than 3% must be consulted with MTPT.

*Legal basis of procedure*

The price action is published by the MF, because the price is regulated. The price action can be changed on basis of change in VAT, changes in input prices and energy.

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

*Responsible organisation*

The decisions on capacity are given by ŽSR. The price for track is regulated and the changes are published by MF in the form of Price action.

*Objectives, tasks and responsibilities*

The role of ŽSR is to optimise capacity to maximise the usage.

*Procedure*

Capacity: All train lines in timetable all orders outside the timetable are taken into account. In case of disputes on train tracking the regulatory body will be decided after its creation.

*Legal basis of procedure*

Act no. 164/1996 Coll.

**2.2 Interoperability**

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

*Responsible organisation*

MTPT, as a central state administrative body acts on behalf of the Slovak Republic, takes part at a work on drawing up TSIs through the activities of Article 21 Committee. Development department of ŽSR, ZSSK and ZSSK Cargo submit potential request for specific cases and annotate proposals from AEIF.

*Objectives, tasks and responsibilities*

MTPT, takes part at a work on drawing up TSIs through the activities of Article 21 Committee. ŽSR - Infrastructure manager and main railway undertakings - ZSSK, and ZSSK Cargo co-operate together with MTPT during the processing work before approving of TSIs. After consulting the remarks and suggestions of the railway companies a Representative of the Article 21 negotiate about them during the sessions of the Committee on the Interoperability and Safety of the European Rail System. MTPT prepares inevitable changes of Slovak Legislative or new Acts to implement European Directives

*Procedure*

MTPT submits the proposal of TSI to ŽSR and ZSSK for comments. Article 21 representative discuss suggestions of Ministry and railway undertakings and votes on decisive materials on sessions of Committee on Interoperability and Safety of the European Rail System. After publication of Directive in *Official Journal* dealing with interoperability, MTPT prepares amendment of Slovak legislation or a new Bill.

*Legal basis of procedure*

Acquis communautaire: Treaty establishing the European Community, Treaty on European Union and Secondary legislation and Slovak legislation and Rules of Procedure of the Committee.

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

*Responsible organisation*

MTPT

*Objectives, tasks and responsibilities*

Article 21 Representative of the Slovak Republic takes part on the work, votes on materials during sessions of Committee on Interoperability and Safety of the European Rail System. The Representative informs before publication of Secondary Legislation, especially Directives, TSIs dealing with interoperability MTPT. Ministry prepares amendment of Slovak legislature or new Bill and inform railway undertakings, infrastructure manager and railway industry.

*Procedure*

Appointing a Representative by Director General of the Tracks and Railway Infrastructure Department (since 15 February 2005 Transport Infrastructure Department ) of MTPT.

*Legal basis of procedure*

Based on Acquis communautaire and Slovak Legislation and Rules of Procedure of the Committee.

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

*Responsible organisation*

For interoperability management a special body (an Act will be issued) will be created.

*Objectives, tasks and responsibilities*

The target is integration in the international approval procedure subsystems and part of interoperability.

*Procedure*

In the sense of TSIs, Directive 2001/16 and Directive 96/48.

*Legal basis of procedure*

In the sense of TSIs, Directive 2001/16 and Directive 96/48.

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

##### *Responsible organisation*

It is in competence of State administration – in accordance of today's legislation. State railway Administration or notified bodies will ask for it and control it.

##### *Objectives, tasks and responsibilities*

In Slovak legal system it is a duty to notify and to approve essential changes in technical devices by State railway Administration.

##### *Procedure*

According to Slovak legal system. Comparison with TSIs, and European and Slovak standards.

##### *Legal basis of procedure*

In the sense of TSIs, Directive 2001/16 and Directive 96/48. and Slovak legal system.

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

##### *Responsible organisation*

MTPT, notified bodies, Regulatory Body, ZSR, ZSSK, ZSSK Cargo and other railway undertakings and railway industry.

##### *Objectives, tasks and responsibilities*

Interoperability of the European railway system. Safety and smooth operation of railway. transport. Responsibility of all participants.

##### *Procedure*

According to Implementing plan and Implementing strategy controls of systems, subsystems and components of the interoperability are done.

##### *Legal basis of procedure*

Regulation 96/48/EC, 2001/16/EC and implementation into the Slovak legal system. The Bill in which are regulations incorporated passed through Slovak Parliament.

**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*

MTPT

*Objectives, tasks and responsibilities*

To fulfil EC procedure notified bodies are responsible for assessing the conformity or suitability for use of the interoperability constituents or for appraising the "EC" procedure for verification of the subsystems. Assessment of the conformity or suitability for use of an interoperability constituent carried out by the notified body.

*Procedure*

Assessment of the conformity or suitability for use of an interoperability constituents by notified bodies.

*Legal basis of procedure*

Directives 96/48/EC, 2001/16/EC and their implementation into the Slovak legal system. The Bill in which are regulations incorporated passed through Slovak Parliament.

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

*Responsible organisation*

MTPT

*Objectives, tasks and responsibilities*

Notify to the Commission and the other Member States the bodies responsible for carrying out the procedure for the assessment of conformity or suitability for use in railway transport. Member States shall apply the criteria provided for in Annex VII for the assessment of the bodies to be notified. Bodies meeting the assessment criteria provided for in the relevant European standards shall be deemed to meet the criteria.

*Procedure*

To apply the criteria provided in Annex VII of Directive 2001/16/EC for the assessment.

*Legal basis of procedure*

Directives 96/48/EC, 2001/16/EC and their implementation into the Slovak legal system. The Bill in which are regulations incorporated passed through Slovak Parliament.

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

*Responsible organisation*

Notified bodies, manufacturers in railway industry and their authorised representatives.

*Objectives, tasks and responsibilities*

Assessment of the conformity or suitability for use of an interoperability constituent and declaration of conformity or suitability for use. Responsible are Notified Bodies, manufacturers in railway industry and their authorised representatives.

*Procedure*

Notified body assesses the conformity or suitability for use of an interoperability constituent.

*Legal basis of procedure*

Directives 96/48/EC, 2001/16/EC and their implementation into Slovak legal system. The Bill in which are regulations incorporated passed through Slovak Parliament.

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

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

*Responsible organisation*

The amended Act. No. 164/1996 (valid from 1 January 2006) considers the establishment of a regulatory body.

*Objectives, tasks and responsibilities*

Objectives of regulation office will inspect on abidance of rules and conditions on traffic market.

*Procedure*

The procedures will be defined within the amendment to Act. No. 164/1996.

*Legal basis of procedure*

amended Act. No. 164/1996 (valid from 1 January 2006)

### **2.3.2 Enforcing of competition (01/2003) -**

*Responsible organisation*

see 2.3.1

*Objectives, tasks and responsibilities*

see 2.3.1

*Procedure*

see 2.3.1

*Legal basis of procedure*

see 2.3.1

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

*Responsible organisation*

see 2.3.1

*Objectives, tasks and responsibilities*

see 2.3.1

*Procedure*

see 2.3.1

*Legal basis of procedure*

see 2.3.1

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

*Responsible organisation*

The Agreement on Services in Public Interest (ASPI) between MTPT and ZSSK is signed by minister of TPT and GD of ZSSK. The preparation of the new ASPI, planning of earnings, costs and evaluation of that indicators is covered by department of controlling in the headquarters of ZSSK, the part of trot round of financial means is in the competence of department of finance of ZSSK and the field of operation is covered by Passenger Transport Division in Košice.

*Objectives, tasks and responsibilities*

The effect of ASPI is safeguarding of transport services in the territory of Slovak Republic. The supplier is ZSSK who is responsible for supplying of agreed amount of services in accordance with GVD. Realised transport services must fulfil basic needs of safety, fluency, regularity, capacity and quality in the sense of regulations. The buyer (state) must cover losses from that services.

*Procedure*

In the controlling department by system SAP R3 are calculated real costs, economically true costs and earnings on the basis of ASPI. Then the loss from these activities is calculated. Independent auditor must audit the economically true cost (in accordance of article VII, § 6 ASPI for the year 2002).

*Legal basis of procedure*

Basic legislation for this field are:

- 1 Act no. 164/1996 Coll. on Railroads
- 2 Act no. 259/2001 Coll. on Railway Company
- 3 Single legal regulations for Contacts in international Transport of Passengers and Luggage (CIV), Agreement on International Transport of Passengers (SMPS) and to them published international tariffs
- 4 Transport Regulations and Tariff of Železničná spoločnosť, a.s.
- 5 Other bilateral or multilateral agreements with other rail administrations.

*Other PSO issues*

• *Nature of PSO contracts concluded for Railway Passenger Transport*

There are two types of PSO:

- The state through the MTPT finances the compensations to ŽSR in an amount of difference between economic vested costs and incomes.
- The state through the MTPT is financing the compensations to ZSSK by contract on PSO.

• *Distinction between long distance and regional/urban transport*

There is not distinction between long distance and regional transport according to compensation from state to ŽSR.

• *Contracting authorities*

ŽSR and state on behalf of MTPT

• *Contracting sum (total)*

In 2004 ŽSR obtained from state SKK 2300 million (EUR 58,8 million) out of which SKK 994 million (EUR 25,4 million) for passenger transport. For 2005 the planned amount for passenger and freight is SKK 3600 million (EUR 92 million).

- *Length of the contract*  
The contract is signed annually.
- *Public procurement procedures for award of PSO*  
No
- *PSO market coverage*  
Compensations from state are 32,2% from the total income in passenger transport.

## **2.4 Statistics**

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

#### *Responsible organisation*

ŽSR and ZSSK

The economical departments of internal units of ZSSK are responsible for the data on earnings and costs to the system SAP R3 from ZSSK internal units. These costs are accounted through the services in different activities (freight transport, passenger transport in accordance of ASPI, passenger transport EC and IC trains, special transports etc.). For correctness of costs accounting dept 355 ZSSK (department of methodology of information scheme) and the department of controlling ZSSK are responsible.

#### *Objectives, tasks and responsibilities*

Accounting in accordance of Directive 1192/69.

#### *Procedure*

ZSR: Financial data collection is carried out by economic software SAP R/3.

ZSSK: Activity is carried out by principles of the New controlling in force in ZSSK from 1.1. 2002.

#### *Legal basis of procedure*

Internal regulations

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

#### *Responsible organisation*

ŽSR provides financial data by department 330 to MTPT.

*Objectives, tasks and responsibilities*

To control the managing with state donations to transport.

*Procedure*

Costs on infrastructure manager are monitored in system SAP R/3.

*Legal basis of procedure*

Internal regulations ŽSR

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

*Responsible organisation*

ŽSR: partly

ZSSK: statistical data are send to Statistical Office of SR who is responsible for communication with Eurostat.

*Objectives, tasks and responsibilities*

NA

*Procedure*

Statistics of ŽSR are sent to UIC.

*Legal basis of procedure*

NA



### **3 TRAIN OPERATING COMPANIES**

#### **3.1 List of train operating companies**

*Freight operations*

ZSSK Cargo, a.s.,

US Steel, a.s.

ŽS, a.s. Košice

TSS Bratislava

Trnavská stavebná spoločnosť, a. s.

SMD, s. r. o. Čadca

LTE Logistik a Transport Slovakia s.r.o.

Prvá Slovenská železničná, a. s.

Prvá prepravná spoločnosť, s. r. o.

*Passenger operations*

ZSSK, a.s.;

Bratislavská regionálna koľajová spoločnosť

#### **3.2 Safety license**

See point 2.1.2

#### **3.3 Market shares/transport volumes**

*Freight operations*

ZSSK Cargo, a.s. – 27 158 160 000 grtkm

U.S.Steel – 39 000 000 grtkm

Other transport operators are in operation since 2003 so the data are not available yet.

ZSSK: nett - 10 383 451 000 tkm

ground - 22 163 216 000 grtkm

part: in accordance with methodology of Eurostat – 20%

in accordance with today's methodology – 57,5% (without calculating services of non public operators)

*Passenger operations*

ZSR: ZSSK, a.s. – 35 734 182 trainkm

Other transport operators are in operation since 2003 so the data are not available yet.

ZSSK: 2 682 338 940 perskm

part: in accordance with methodology of Eurostat – 24,4%

## **4 NON GOVERNMENTAL ORGANIZATIONS (NGO'S) –**

### **4.1 Industry associations**

#### **1 Consortium of repairmen and producers of rolling stock**

Activities:

- revision, maintenance and reconstruction of rolling stock
- production of new rolling stock
- production of mounted halls and containers
- production of spare part for rolling stock
- production of heating blocks, interior fire-places and fire-place pads
- production of electrical products
- equipment for military usage

#### **2 Association of Employees in Transport**



## **5 FURTHER FACTS AND STATISTICS**

### **5.1 Complaint statistics and information**

There is no regulatory body created in Slovakia. The question of track charging is solved in co-operation of ŽSR, MF, MTPT, ZSSK. There were no specific cases yet. The transport operator is fined from the ŽSR side in case of default in the sense of Trade Act SR, or the fine is agreed in the agreement.

### **5.2 Railway accident statistics**

#### **ŽSSK:**

Every half year the report on the situation and development in accidents, which is sent to MTPT, is prepared.

#### **ŽSR:**

ŽSR watches accident causes in terms of the law by Act No. 164/1996 §48 Coll. and notice 250/1997 § 80.

Accident statistics are sent half yearly to Ministry of Transport, Posts and Telecommunications and to UIC.

Coincidence with EU legislation will achieve from 1.1.2006 by application of the law 109/2005, where the Regulatory body take over the mission.

From all accidents on railways in Slovak republic belongs to ŽSR only 0 or 1 per year.

YEAR	Comparison of progress Accident causes from 2000 Summary / ŽSR (From 2002 summary/ŽSR/ŽS, a.s.) Category				
	A)	B)	C)*	D)*	Total
<b>2000</b>	11/1	10/1	73/35	888/655	<b>982/692</b>
<b>2001</b>	16/0	18/0	61/16	776/586	<b>871/602</b>
<b>2002</b>	16/1/1	16/2/1	90/19/13	780/127/453	<b>902/149/468</b>
<b>2003</b>	8/0/0	12/1/1	53/9/11	733/118/396	<b>806/128/408</b>
<b>2004</b>	96/1/0	31/2/1	73/12/20	314/111/110	<b>514/126/131</b>
<b>Total:</b>	147/3/1	87/6/3	350/91/44	3491/1597/959	<b>4075/1697/1007</b>

\*) Categories have changed since the 2003  
(Accident causes D was cancelled, and categories C1 - C16 were established.)  
Category of C is total of C1 – C8 and category D is total of C9 – C16.

6 GRAPHICAL OVERVIEW

