1. Basic information:
1.1 CRIS number: 2002/000-196.01.02 Twinning number: PL02/IB/TR/01
1.2 Title Implementation of EU legislation in the field of civil aviation and railway sector
1.3 Sector Transport
1.4 Location: Poland

2. Objectives:
2.1 Wider objectives:
- Implementation and enforcement of acquis communautaire in the field of civil aviation to the Polish legal system.
- Creation of the institutional basis in Poland for application of the rules included in the new Community regulations for the railway sector called “the rail package”, especially enabling implementation to the Polish legislation of the rules contained in the Directives 2001/12/WE, 2001/13/WE, 2001/14/WE.

2.2 Project purpose:
- Implementation of the EU standards and legislation in the field of civil aviation into the Polish legal system and creation of conditions to adjust Polish law.
- Development of system for issuing of operating licences and permissions concerning economic activities in the air transport sector as well as system for issuing crew member certificates.
- Reinforcement of responsibilities of civil aviation administration in the area of the supervision of civil aviation safety in terms of monitoring the compliance of rules and regulations governing civil aviation safety issues, in particular Joint Aviation Requirements (JARs).
- Elaboration of a Strategic and Business Plan for the Civil Aviation (Authority).
- Strengthening of Technical Documentation Section and Technical Library.
- Modernisation of Polish Civil Aircraft State Register.
- Development of the information system for aviation infrastructure (airports, air traffic management, air carriers operating to/from Poland).
- Establishment of the framework for activities of the Rail Transport Office (rail transport market regulator), determination of its functions and structure.
- Elaboration of the procedures for co-operation of the Rail Transport Office with the institutions and entities existing on the rail transport market that should result in ensuring the non-discriminating access of the rail carriers to the rail lines and controlling the application of this principle and in full separation of the rail infrastructure management from the economic activities covering the passenger and freight transport, what should contribute to the development of the competitiveness in the rail transport market and should result in increased volume of carriages, so also in increased receipts of the rail management; assessment and control of the situation in the scope of the appropriateness of the relations in the rail transport market and regularity of the activity of the whole rail transport system.

2.3 Accession Partnership and NPAA priorities
The overall objective which is to implement and enforce acquis communautaire in the field of civil aviation will be achieved through the accomplishment of the NPAA medium - term priority 9.4: "Harmonisation of Polish law with the EU regulation concerning technical requirements, safety, environmental protection and market access in air transport" which was adopted on 12 June 2001.

The objectives concerning the reinforcement of administration capacity in implementation and enforcement of acquis communautaire in the field of civil aviation and supervision of civil aviation safety remain in strict alignment with the NPAA which priorities include, inter alia establishment of a new organisation - Civil Aviation Authority as a central state administration for aviation matters. The NPAA priorities include legislative actions as adoption of a new aviation law, as well as the institutional strengthening.

The medium term priority of the Accession Partnership for transport is: “Completion of the harmonisation works and reinforcement of the administrative and enforcement capacities in the road, rail, maritime, inland waterways and air transport.” It concerns i.a. such questions as: for road transport – access to the market, safety on the roads, rules concerning the hazardous goods transport and taxes, for maritime transport – requirements concerning reporting of the ships and classification requirements, for inland waterways – technical requirements of the ships, for air transport – air safety and management of the air traffic.
The above questions are also contained in the Polish National Programme of Adoption of the Acquis. In the field of railways there is the NPAA priority 9.2 “Harmonisation of the legislation and rules of activities of the rail transport with the European Union requirements”, one of the intermediate objectives under this priority is: “Establishment of the Rail Transport Office as the rail transport market regulator in Poland”.

2.4 Contribution to National Development Plan N/A

2.5 Cross-Border Impact N/A

3. Description:

3.1 Background and justification

Realisation of the project objectives requires specific actions in three main areas (subprojects):

I. Reinforcement of Civil Aviation Authority with a view to implementing EU legislation and standards in the field of civil aviation

The conclusions of European Agreement establishing an association between the Republic of Poland and the European Communities and in consequence the process of integration of Poland with the EU as well as carried negotiations of the Agreement of the European Common Aviation Area require the harmonisation of Polish law with the EU legislation.

The draft of new Aviation Act was adopted by Parliament on 25 August 2001. The draft only needs the approval of President of the Republic of Poland, after which the new Aviation Act can enter into force on 1 January 2002. The executive regulations to the new Aviation Act at the moment are in preparation, and should enter into force by the end of 2002.

This new Aviation Act is compatible with the EU regulations. The Act provides for the establishment of Civil Aviation Authority with its Chairman as a central state administration authority for aviation matters. The Act precisely defines the competencies and duties of the Chairman who will be appointed and recalled by the President of the Council of Ministers on recommendation of the minister responsible for transport sector. The CAA Chairman exercises his functions through the Civil Aviation Authority which is a state budgetary unit. This new institution will be set up by separation of the Civil Aviation Department from the structure of Ministry of Infrastructure and its fusion with the General Inspectorate of Civil Aviation.

The new CAA will be supervised by the Minister responsible for transport matters.

Mission of Civil Aviation Authority:

“To provide passengers with safe, effective and user-friendly air transport, developing on the basis of legal provisions and regulations including environmental protection issues”

Program of CAA activity for the next 2-3 years:

1. Elaboration and implementation of executive regulations to the new Aviation Act.

2. Poland accession to the Joint Aviation Authorities (JAA), European Organisation of the Safety of Air Navigation (EUROCONTROL) and European Aviation Safety Agency (EASA).

3. Implementation of the European Community technical provisions and standards (Joint Aviation Requirements – JARs) to the Polish legal system.

4. Poland accession to the European Common Aviation Area Agreement and implementation of the acquis communautaire in the field of civil aviation.

5. Implementation of the civil – military system of the Polish air space management as an element of the creation of the “Single Sky” in Europe.

6. Elaboration of the legal regulations concerning the restructuring and commercialisation of the Polish State Enterprise “Polish Airports” and the change of the ownership structure in the regional airports’ partnership companies.

7. Elaboration of a Strategic and Business Plan for the Civil Aviation (Authority).

8. Elaboration of the concept of the civil airports network and ground air services facilities in Poland.

9. Creation of a team of experts which will work on the localization of the second airport in Warsaw and which will develop action plan of this team.

10. Realisation of the Action Plan elaborated after Audit mission conducted in Poland within the framework of ICAO (Universal Safety Oversight Programme)

11. Elaboration and implementation of a training programme for CAA staff.

Prompt implementation of the EU requirements is expected to be performed by the Civil Aviation
Authority. These objectives require reinforcement of existing administrative structures in order to speed up the implementation process. In the scope of twinning it is intended to take advantage of the EU experts’ experience and knowledge concerning the organisational structure of the new institution, defining tasks of particular divisions, preparation of Strategic Plan for Polish civil aviation. The assistance will be also needed as far as the purchase of new technical equipment (computerised systems, software etc.) for the Civil Aviation Authority is concerned.

The project constitutes an important part of tasks connected with the implementation of the *acquis communautaire* in particular the Joint Aviation Requirements and concerns competence training and purchase of necessary equipment.

II. Creation of the institutional basis in Poland for application of the rules included in the new Community regulations for the railway sector.

Coming into force of the Law of 8 December 2000 amending the Law on higher education, the Law on higher vocational schools, the Law on railway transport and the Law on tourism services, as well as the Law – Civil Procedure Code, the Law on Common Courts system and the Law on governmental administration system – in regard to adjustment to the EU legislation, obliges the Minister of Infrastructure to perform the activities in the scope of rail transport market regulation.

As provided in the article 8, passage 1 of the a.m. Law, till the moment of establishment of the Rail Transport Office, these tasks should be performed by the unit separated in the Ministry of Infrastructure. The tasks of rail transport market regulator were determined in the article 8 of the a.m. Law. They cover:

- Approving the charges for access to the rail lines,
- Giving opinions on the projects of investment plans concerning the rail lines of national importance,
- Agreeing the plans of cancellation of the rail lines or their parts,
- Co-ordination of the timetables for the rail transport,
- Controlling the equality of access to the rail lines by the rail carriers,
- Sentencing the financial retributions for:
  a) using by the rail management the charges for giving access to the rail lines that were not approved by the Minister responsible for transport or higher then approved ones,
  b) not ensuring by the rail management the equal access to the rail lines for the rail carriers,
- Co-operation with the relevant institutions in the scope of:
  a) counteracting the monopolistic practices of the rail managements and rail carriers,
  b) modelling the rail transport system,
- Collecting and processing the information concerning the rail transport market.

On the 26 February 2001 the European Parliament adopted the „rail directives package” that includes:


First of the a.m. Directives, in chapter V, article 10, passage 5, provides the obligation of establishment of the control body as a body controlling the freedom of the access to the rail lines, referring, as concerns the rules, to the Directive 2000/14/EC. Directive 2000/14/EC in the article 30 confirms the obligation of establishment of the control body (regulator), precising the scope of its responsibilities. This scope is quite different from the scope of responsibilities mentioned at the beginning of this point, that was introduced earlier by the Polish legislation. The Directive allows that regulatory function is performed by the minister relevant for transport.

3.2 Linked activities

1. Air sub-project can make use of the results of the earlier PHARE projects:
   - PHARE SCR-E/110249/SV/PL - 5.2 “Harmonisation of Polish Transport, Nuclear Safety and Forestry Legislation to the Acquis Communautaire”;
   - PHARE Multi-Country Transport Programme B5-98-023 - Air Sector Modernisation "Analysis and Guide to Acquis Communautaire and Air Transport Law in the EU".
   The fruits of above mentioned projects are exploited in the process of preparation of the draft of new Aviation Act and related executive regulations.

2. As regards railway sector, in the framework of Phare 2001 programme, there will be a project “Polish Railways restructuring” (PL0001.03) realised in the Ministry of Infrastructure. The objective of this project is to provide the advisor for the minister responsible for transport to ensure continues up-to date advisory.
support in the matters of preparing and conducting the process of restructuring and privatisation of Polish railways. That should be underlined that these two Phare projects (PL0001.03 and Phare 2002) will cover different activities and are independent from each other.

3.3 Results

I. Reinforcement of Civil Aviation Authority with a view to implementing EU legislation and standards in the field of civil aviation

- Elaborated a Strategic and Business Plan for the Civil Aviation (Authority),
- Reinforced administrative capacity of Civil Aviation Authority in order to create the conditions for implementation of EU standards and regulations in the field of civil aviation,
- Enforced executive procedures defining responsibilities of Civil Aviation Authority in the field of aviation safety,
- Computerised system of the Polish Civil Aircraft State Register in place,
- Improved qualifications of CAA staff in the area of realisation of provisions of the EU standards and regulations in the field of civil aviation,
- The new institution - CAA provided with necessary highly developed technical equipment for several divisions: Polish Civil Aircraft State Register, Technical Documentation Unit and Technical Library, Operational Division, Aviation Personnel Division, Licence Division, Airport and Air Traffic Division.
- Implemented information system concerning aviation infrastructure (airports, air traffic management, air carriers operating to/from Poland).

II. Creation of the institutional basis in Poland for application of the rules included in the new Community regulations for the railway sector.

1. Elaborated and implemented conceptions of: location of the institution of rail transport regulator, organisational structure of the regulator together with the specification of the scope of responsibilities on the particular appointments, the scope of responsibilities and powers of the office of regulator with indication of its role in the transport system of the country;
2. Elaborated proposals (expert appraisements in the form of reports and descriptions) for the methods of regulator’s activities in a different, specific scopes of its responsibilities together with description of the internal, domestic interactions between the regulatory office and other participants of the rail transport system in Poland, with the special stress on the role of the regulator in shaping the charges for the access to the rail infrastructure;
3. Personnel of the Ministry of Infrastructure and PLK, of future rail regulator and of the rail management trained in the field of the different scopes of activities and the procedures of the regulator; In this case, rail management includes management personnel of all concessioned Rail Boards: (1) Polish State Railways (PSR) Broad-gauge metallurgic line Ltd with the head office in Zamosc, (2) PSR Fast City Railway Ltd in Trójmiasto with the head office in Gdynia, (3) PSR Warsaw Light Railway Ltd with the head office in Grodzisk Mazowiecki, (4) PSR Polish State Railways Joint-stock Company with the head office in Warsaw, (5) Jastrzebska Railway Company with the head office in Jastrzebie Zdrój, (6) Sand-mine Szczakowa plc with the head office in Jaworzno, (7) Sand-mine Maczki-Bór with the head office in Sosnowiec, (8) Sand-mine Kuznica Warezynska plc with the head office in Dabrowa Górnicza, (9) Sand-mine Kotlarnia plc with the head office in Kotlarnia.
4. Office of the regulator equipped with the necessary computer equipment with the sufficient software.

3.4 Activities

I. Reinforcement of Civil Aviation Authority with a view to implementing EU legislation and standards in the field of civil aviation

1. Investment part of the project:
   - computer equipment and software enabling the access to EU, ICAO and ECAC data bases (working papers, legislation, resolution) and ensuring the possibility of fast and easy data interchange between CAA and these organisations,
   - computer equipment and software of appropriate standard enabling creation of electronic data-base for Polish Civil Aircraft State Register, Technical Documentation Division and Technical Library, Operational Division, Aviation Personnel Division, Licence Division, Airport and Air Traffic Division.
Traffic Division.

2. Twinning part of the project:

- seminars (conducted in the form of lectures) – 4 seminars, each for 20 persons (total approx. 80 persons),
- study visits in Member States – 2 study visits, each for 5 persons (total 10 persons),
- secondments abroad – 3 secondments (1 person for 2 weeks each),
- work shops in Poland – 5 trainings, each for 15 persons (total approx. 75 persons)
- elaboration of Strategic Plan for Polish civil aviation
- 1 long-term expert (PAA) with wide experience in civil aviation strategic management, in particular strategic planning, for 12 months,
- 5 short term experts with wide experience in the field of aviation safety, operations, personnel, licensing, airports and air traffic, 3 for one month, 2 for 2 months (total 7 men/months).

II. Creation of the institutional basis in Poland for application of the rules included in the new Community regulations for the railway sector.

1. Investment part of the project:

- Procurement the necessary computer equipment with the sufficient software for the office of rail market regulator.

2. Contract for services for the project:

- Advisory support of the long-, medium- and short-term experts from EU (in total: 18 men/months) should cover preparation of the proposals concerning the Rail Transport Office in the following aspects:
  a) location of this office,
  b) organisational structure of the office with the specification of the scope of responsibilities on the particular appointments,
  c) scope of responsibilities and powers of the office of regulator with indication of its role in the transport system of the country;

- Besides, experts should prepare the proposals of the methods of functioning of the regulator in such specific areas as:
  - examination of the desired and actual accessibility to the rail infrastructure,
  - recording the costs (in the rail management) that could be considered as a basis for setting the charges for access to the infrastructure,
  - the scope of reporting concerning the costs of maintenance and exploitation of the rail infrastructure that will necessary for the regulator,
  - analysing and assessment of the rates of charges for access to the rail lines collected by the rail management,
  - controlling of the application of charges,
  - assessment of adjusting the quantity and the standard of services to the market needs,
  - realisation of the appealing functions of the office (methods, procedures, issues),
  - system of retributions for infringements of the rule of equal access to the rail lines and incorrect charges,
  - assessment of the position of the specific carriers on the rail market (monopoly, dominating position),
  - rules of supervision of the process of granting the routes to the rail carriers, taking into account the priorities and procedure in the conditions of limited capacity,
  - scope and methods of analysing the rail transport market,
  - controlling the agreements on using the lines concluded between the rail carrier and the rail management,
  - rules of co-operation with the state and local administration in the field of transport services in the regions,
  - co-operation in the scope of giving the access for the international traffic

Solutions proposed for application in Polish conditions should be confronted with the previous practice and intentions (in the scope of location and determination of the scope of responsibilities) of the rail market regulatory bodies in the EU countries. It will also be important to obtain indications concerning the specific for the access of the carriers and their organisation in the international haulage.

- Experts should also describe the internal interdependence between the regulatory office and other participants of the rail transport system in Poland with the specific stress on the role of the
office in shaping the charges for access to the rail lines. Some of the experts should be the persons that have been the organisers or fulfilled the management duties in the regulatory body in the EU countries.

- Contractor should also assist in preparation of the specification for the equipment and software necessary for regulatory office activities.

Other activities that should be provided by the contractor:

- seminars for:
  - Ministry of Infrastructure and PLK (together about 20 persons),
  - rail management and rail carriers (3 seminars for 20 persons each);
- study visits (3 visits each for 5 persons (total 15 persons) aimed at discussion on the rail infrastructure management, using the infrastructure for freight and passenger transport);
- presentations and training (on the whole a.m. scope of topics) for the staff of rail market regulator, 4 thematic sessions for 20 persons each).

As provided in the Article 34 of the Act on railway transport of 27 June 1997 (with consequent amendments) the scope of the responsibilities of the President of Rail Transport Office will include approval of the charges for access to the rail lines. Although this delegation may be restrained in the future, the amount of the charges for access to the rail lines will be the subject of intervention of Rail Transport Office. In the circumstances of the free access to the rail lines, the price will be the main instrument of regulation of the structure and the level of provision for the access to the infrastructure. The level of charges depends on the costs incurred by the manager of the infrastructure. The structure of co-financing sources (from national budget, municipalities, local administration, users) of the railway transport has the high influence on the level of these charges. In view of the above mentioned reasons, one of the most important and difficult tasks performed by the control body acting as regulator, will be development of the structure of co-financing. That requires from the advisor working within the scope of this project to elaborate the proposal for co-financing structure of the rail transport adjusted to the actual situation on the Polish market.

4. Institutional Framework

4.1 The Ministry of Infrastructure will be the co-ordinator and the Implementing Authority of the whole project.

The Ministry of Infrastructure is responsible for formulating and implementation of transport policy, especially in regard to the enforcement of acquis communautaire, inter alia in the field of civil aviation, inland and railway administration, as well as issuing required regulations in these areas.

In the field of civil aviation the beneficiaries of the whole subproject, including twinning arrangements will be Civil Aviation Authority.

In the field of railways the beneficiary of the whole subproject will be Ministry of Infrastructure, licensed rail management and rail carriers operating in Poland, including newly established rail infrastructure manager PLK.

4.2 Institutional changes

It is envisaged that planned activities under the project:

1. within the air sector – will improve the institutional structure of Civil Aviation Authority,
2. within the railways sector – will improve the institutional set up in line with directions stipulated in EU legislation.

5. Detailed budget (EURO)

<table>
<thead>
<tr>
<th>INVESTMENT</th>
<th>INSTITUTION BUILDING</th>
<th>TOTAL PHARE</th>
<th>CO-FINANCING</th>
<th>IFI</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Twinning</td>
<td>0</td>
<td>0.5</td>
<td>0</td>
<td>0.125</td>
<td>0.625</td>
</tr>
<tr>
<td>Equipment</td>
<td>0.337</td>
<td>0</td>
<td>0.337</td>
<td>0.075</td>
<td>0.412</td>
</tr>
<tr>
<td>Technical assistance</td>
<td>0</td>
<td>1.963</td>
<td>1.963</td>
<td>0.7</td>
<td>2.663</td>
</tr>
<tr>
<td>Total</td>
<td>3.337</td>
<td>2.8</td>
<td>2.8</td>
<td>0.7</td>
<td>3.7</td>
</tr>
</tbody>
</table>

The Polish authorities assure that the cofinancing is available either through the reserve budget foreseen specifically by the Ministry of Finance for this purpose or through the budget of the relevant Ministry.
6. Implementation arrangements:

6.1 Implementing Agency: Central Financing and Contracting Unit (CFCU)

PAO: Mr Pawel Samecki, Undersecretary of State in the Office of the Committee for European Integration, Al.Ujazdowskie 9, Warsaw, Tel.: 4822 694 7542, 4822 694 71 95, 4822 694 6064. FAX: 4822 694 7194, 4822 625 0380.

CFCU: Foundation „Co-operation Fund”, Górnoslaska 4 a, 00-444 Warsaw, Mr Wojciech Paciorkiewicz, CFCU Director, Tel. +48 22 622 00 31, Fax +48 22 622 95 69.

CFCU will be responsible for contracting all activities under the projects and managing payments relating to performance of these activities. Ministry of Infrastructure will be responsible for overall co-ordination and supervision of all activities undertaken within the project and certification of payment requests. Beneficiary institutions will be responsible for nominating adequate senior officers who will take care of all actions designed for their benefit in order to ensure that those activities are carried out according to plans and achieve results envisaged.

6.2 Twinning

Twinning part of the project will consist of 1 activity under item 3.4. In terms of physical implementation, this activity will be co-ordinated by the long term twinning co-ordinator (senior expert of one of the Member States appointed for 18 months) and senior project officer appointed by Ministry of Infrastructure in close co-operation with senior officers nominated by the beneficiary institutions. They will be supported by a number of short-term experts coming for assignments of 1, 2, 3 or 6 month duration and selected to provide assistance within the specific activity (-ies). All activities will be carried out under the supervision of Ministry of Infrastructure and in close co-operation with CFCU (Central Financing and Contracting Unit) and long term expert (for the twinning part).

The long term twinning co-ordinator and the short term experts will closely collaborate with and act for the benefit of institutions, mentioned under item 4, including the Ministry of Infrastructure as project co-ordinating body.

Twinning will be implemented through different types of activities: studies and analyses of institutional, technical and economical-financial nature, best knowledge exchange (including manuals), secondments, study visits abroad and training provided mainly in Poland (seminars, workshops).

6.3 Non-standard aspects

Handling of tenders and contracts and realisation of the project will be strictly in line with procedures governed by DIS and Practical Guide to Phare, ISPA and Sapard.

6.4 Contracts

Contract 1: Twinning, 0.5M€
Contract 2: Equipment, 0.337M€
Contract 3: TA, 1.963M€.

7. Implementation schedule:

- Start of design of project – June 2002
- Start of tendering – October 2002
- Start of project activity – January 2003
- Completion – July 2004

8. Equal opportunity:

Male and female participation in the project will be based on the relevant standards of the European Union concerning EOE and will be assured by official announcements published in order to recruit the personnel needed for the project completion. The main criterion for staff recruitment will be appropriate qualifications and experience in similar projects, not sex or age. Both men and women will have equal opportunities and salaries.

9. Environment: N/A

10. Conditionality and sequencing:

1. Reinforcement of Civil Aviation Authority with a view to implementing EU legislation and standards in the field of civil aviation
According to the Polish Partner the Aviation Act will be approved by the President of the Republic of Poland by the end of 2001, after which the Aviation Act will enter into force on 1 January 2002. The executive regulations to this Act should enter into force by the end of 2002.

After the entrance of Aviation act there are will be provisions for the establishment of Civil Aviation Authority with its Chairman. This new institution will be set up by separation of the Civil Aviation Department from Ministry of Infrastructure and its fusion with the General Inspectorate of Civil Aviation. The new CAA will be supervised by Minister responsible for infrastructure matters. This Chairmen will be appointed by the President of the Council of Ministers.

During the phase of project implementation the Strategic Plan for Polish Civil Aviation will be elaborated. In order to enhance the knowledge of civil aviation administration, best knowledge exchange, secondments, study visits abroad and training provided mainly in Poland will be carried out.

The adoption of the Aviation Act is a prerequisite for the start of the project. Any activity under twinning may be started only after the Aviation Act has been adopted.

II. Creation of the institutional basis in Poland for application of the rules included in the new Community regulations for the railway sector.

1. Issuing the Regulation of the Minister of Infrastructure on the conditions of the access to the rail infrastructure – 6 September 2001.
3. Issuing by the Minister of Infrastructure the Regulation on the access to the rail infrastructure and level of charges for the use of railway infrastructure – 30.06.2002 r., coming into force – 31.07.2002.
4. Elaboration of the charges for the access to the rail infrastructure – August 2002.
5. Establishment of the rail market regulator office – 1 January 2003. (or the actual moment of Poland’s accession to the EU).
7. Completion of the experts assignment and trainings in the framework of the project – June 2004.

ANNEXES TO THE PROJECT FICHE:

1. Annex 1 – Logical framework matrix of the project,
2. Annex 2 - Detailed implementation, contracting and disbursement schedule,
**Annex 1: Logframe planning matrix for programme**

<table>
<thead>
<tr>
<th>LOGFRAME PLANNING MATRIX FOR PROGRAMME</th>
<th>Date of drafting</th>
<th>Contracting deadline: 31/07/2004&lt;br&gt;Disbursement deadline: 31/07/2005</th>
<th>Planning period</th>
<th>Programme number: 2002/000-196.01.02</th>
<th>Implementation of EU legislation in civil aviation and railway sector</th>
<th>Total budget 3.7M€&lt;br&gt;Phare budget 2.8M€</th>
</tr>
</thead>
<tbody>
<tr>
<td>Overall Objectives</td>
<td>Objectively Verifiable Indicators</td>
<td>Sources of Verification</td>
<td></td>
<td>Overall Objectives</td>
<td>Objectively Verifiable Indicators</td>
<td>Sources of Verification</td>
</tr>
<tr>
<td>Implementation and enforcement of <em>acquis communautaire</em> in the field of civil aviation to the Polish legal system. Creation of the institutional basis in Poland for application of the rules included in the new Community regulations for the railway sector called “the rail package”, especially enabling implementation to the Polish legislation of the rules contained in the Directives 2001/12/WE, 2001/13/WE, 2001/14/WE.</td>
<td>Polish legislation harmonized to EU legislation in the field of civil aviation; Civil Aviation Authority’ staff trained; Civil Aviation Authority properly equipped; Improved aviation safety. Polish legislation harmonized to EU legislation in the field of railways; Rail market regulator, Ministry of Infrastructure and PLK staff trained; Office of the rail market regulator properly equipped.</td>
<td>International and local statistics, Results of analysing and research. Consultants; recommendations; Progress report on Poland’s Application for membership of the EU. Reports after completion of the project.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Project purpose</td>
<td>Objective Verifiable Indicators</td>
<td>Sources of Verification</td>
<td>Assumptions</td>
<td>Project purpose</td>
<td>Objective Verifiable Indicators</td>
<td>Sources of Verification</td>
</tr>
<tr>
<td>Strengthening of administration capacity in order to implement and enforce <em>acquis communautaire</em> in the field of civil aviation. Implementation of the EU standards and legislation in the field of civil aviation into the Polish legal system and creation of conditions for practical application of the law. Development of system for issuing of operating licences and permissions concerning economic activities in air transport sector as well as system for issuing crew member certificates. Reinforcement of the civil aviation administration responsibilities in the supervision of civil aviation safety in terms of monitoring the compliance of rules and regulations governing civil aviation safety issues in particular Joint Aviation Requirements (JAR-s). Elaboration of a Strategic and Business Plan for the Civil Aviation (Authority). Strengthening of the Technical Documentation Section and Technical Library. Modernisation of the Polish Civil Aircraft State Register. Development of the information system concerning aviation infrastructure (airports, air traffic management, air carriers operating to/from Poland). Strengthening of administration capacity in order to implement and enforce the new legal “rail package” of the European Union by creating the framework for functioning of</td>
<td>Reinforced administrative capacity of Civil Aviation Authority; Enforced executive procedures; Computerized system of the Polish Civil Aircraft State Register in place; Improved qualifications of CAA staff; Elaborated a Strategic and Business Plan for the Civil Aviation (Authority). Strengthened administration capacity in order to implement and enforce the new legal “rail package” of the EU (e.g. the number of the employees trained, equipment provided). EU standards and legislation in the field of railways implemented into the Polish legal system for the rail market regulator functioning; Actual separation of the rail infrastructure management from the passenger and freight transport activities; non-discriminating access of the carriers to the rail lines actually ensured and systems for controlling the application of this principle established and operating.</td>
<td>Consultants reports; Strategic plans and programmes; Environmental surveys; International and local statistics, Progress report on Poland’s Application for membership of the European Union.</td>
<td>Signature of the Aviation Act; Creation of Civil Aviation Authority 2002. Computerized system in place. Risks: Lack of signature of the Aviation Act; Lack of establishment of the Civil Aviation Authority. Amendment of the Act on Rail Transport Regulation on access to rail infrastructure and charges for use railway infrastructure; establishment of rail transport regulator. Risks: Lack of the above mentioned Act and Rail transport regulator. transport regulator.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
the rail market regulator in Poland; Determination of the functions and structure of rail market regulator in Poland and elaboration of the procedures of co-operation with the institutions and economic entities existing in the rail market; Implementation of the EU standards and legislation in the field of railways by: ensuring the non-discriminating access of the carriers to the rail lines and controlling the application of this principle, full separation of the rail infrastructure management from the economic activities covering the passenger and freight transport; reinforcement of the railway administration in the field of assessment and control of the appropriateness of the relations in the rail transport market and regularity of the activity of the whole rail transport system.

<table>
<thead>
<tr>
<th>Results</th>
<th>Objective Verifiable Indicators</th>
<th>Sources of Verification</th>
<th>Assumptions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elaborated a Strategic and Business Plan for the Civil Aviation (Authority), Reinforced administrative capacity of Civil Aviation Authority in order to create the conditions for implementation of EU standards and regulations in the field of civil aviation, Enforced executive procedures defining responsibilities of Civil Aviation Authority in the field of aviation safety, Computerised system of the Polish Civil Aircraft State Register in place, Improved qualifications of CAA staff in the area of realisation of provisions of the EU standards and regulations in the field of civil aviation, The new institution - CAA provided with necessary highly developed technical equipment for several divisions: Polish Civil Aircraft State Register, Technical Documentation Unit and Technical Library, Operational Division, Aviation Personnel Division, Licence Division, Airport and Air Traffic Division. Implemented information system concerning aviation infrastructure (airports, air traffic management, air carriers operating to/from Poland). Elaborated and implemented conceptions of: location of the institution of rail transport regulator, organizational structure of the regulator together with the specification of the scope of responsibilities on the particular appointments, the scope of responsibilities and powers of the office of regulator with indication of its role in the transport system of the country; Elaborated proposals (expertise in the form of reports and descriptions) for the methods of regulator's activities in a different, specific scopes of its</td>
<td>Reinforced administrative capacity of Civil Aviation Authority; Enforced executive procedures; Computerized system of the Polish Civil Aircraft State Register in place; Improved qualifications of CAA staff; Elaborated a Strategic and Business Plan for the Civil Aviation (Authority). Implemented organizational structure and the scope of responsibilities and rights of the rail transport regulator; enforced methods and executive procedures for rail transport regulator, activities; clearly described role of the rail transport regulator in the transport system and its interactions with the other participants of the system, including its role in shaping the charges for the access to the rail infrastructure; improved qualifications of the staff of Ministry of Infrastructure and PLK, of future rail regulator and of the rail managements in the field of scopes of activities and the procedures of the regulator (the number of the employees trained); the necessary technical equipment delivered</td>
<td>Monitoring and evaluation reports, Results of measuring and tests, Strategic plans and programmes, Environmental surveys, Experts’ reports.</td>
<td>Twinning agreement signed on time, The assistance of EU experts of the sufficient experience provided, Support of the management of the institution, Good co-operation with all involved parties, Further development of qualifications, Staff burdened with new duties, Resistance to changes, Financial and human resources for systems' maintenance allocated, Proper maintenance of the equipment and its effective utilisation.</td>
</tr>
</tbody>
</table>
responsibilities; Prepared description of the internal, domestic interactions between the regulatory office and the other participants of the rail transport system in Poland, with the special stress on the role of the regulator in shaping the charges for the access to the rail infrastructure; Personnel of the Ministry of Infrastructure, PLK, of future rail regulator and of the rail managements trained in the field of the different scopes of activities and the procedures of the regulator; Office of the regulator equipped with the necessary computer equipment with the sufficient software.

<table>
<thead>
<tr>
<th>Activities</th>
<th>Means</th>
<th>Assumptions</th>
</tr>
</thead>
</table>
| Elaboration of a Strategic and Business Plan for the Civil Aviation (Authority); Purchase and installation of the highly developed technical equipment; Training of the CAA’ staff; Advisory activities of EU experts. Properly equipped and well trained staff of the new institution will be able to perform its tasks effectively. a) Preparation of the proposals concerning the rail transport regulator in the field of: location of this office, organizational structure of the office with the specification of the scope of responsibilities on the particular appointments, scope of responsibilities and powers of the office of regulator with indication of its role in the transport system of the country; b) Preparation of the proposals of the methods of functioning of the regulator in such areas as: examination of the desired and actual accessibility to the rail infrastructure, recording the costs (in the rail managements) that could be considered as a basis for setting the charges for access to the infrastructure, the scope of reporting concerning the costs of maintenance and exploitation of the rail infrastructure that will necessary for the regulator, analysing and assessment of the rates of charges for access to the rail lines collected by the rail managements, controlling of the application of charges, assessment of adjusting the quantity and the standard of services to the market needs, realization of the appealing functions of the office (methods, procedures, issues), system of retributions for infringements of the rule of equal access to the rail lines and incorrect charges, assessment of the position of the specific carriers on the rail market (monopoly, dominating position), rules of supervision of the process of granting the routes to the rail carriers, taking into account the priorities and procedure in the seminars study visits in Member States-secondments abroad work shops in Poland PAA with wide experience in civil aviation strategic management, in particular strategic planning, for 12 months, short term experts.
conditions of limited capacity, scope and methods of analysing the rail transport market, controlling the agreements on using the lines concluded between the rail carrier and the rail management, rules of co-operation with the state and local administration in the field of transport services in the regions, co-operation in the scope of giving the access for the international traffic

<table>
<thead>
<tr>
<th>Preconditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>The adoption of the Aviation Act is a prerequisite for the start of the aviation sub-project.</td>
</tr>
<tr>
<td>Amendment of the Act on Rail Transport.</td>
</tr>
<tr>
<td>Issuing by the Minister of Infrastructure the Regulation on the access to the rail infrastructure and level of charges for the use of railway infrastructure.</td>
</tr>
</tbody>
</table>

### Annex 2: Implementation, contracting and disbursement schedules

<table>
<thead>
<tr>
<th>IMPLEMENTATION SCHEDULE OF THE PROGRAMME</th>
<th>Date of drafting</th>
</tr>
</thead>
<tbody>
<tr>
<td>Programme Title</td>
<td>30 October 2001</td>
</tr>
<tr>
<td>Implementation of EU legislation in the field of civil aviation and railway sub-sector</td>
<td>Planning period</td>
</tr>
<tr>
<td>September 2002 – July 2004</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>PLANNED</th>
<th>Thousand Euro</th>
</tr>
</thead>
<tbody>
<tr>
<td>Implementation</td>
<td>D</td>
</tr>
<tr>
<td>Contracting</td>
<td>2.5</td>
</tr>
<tr>
<td>Disbursement</td>
<td>0.4</td>
</tr>
</tbody>
</table>

Legend: D- design of project / C- tendering and contracting / I- contract implementation and payment