



*Federal Public Service
Mobility and Transport*

NSA Annual Safety Report 2008

Belgium

Federal Public Service Mobility and Transport
DIRECTORATE-GENERAL FOR LAND TRANSPORT
DEPARTMENT FOR RAILWAY SAFETY AND INTEROPERABILITY
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A.1. SCOPE OF THE REPORT

The present report relates the activities of the Belgian National Safety Authority (NSA) during the year 2008. This report is intended to comply with article 18 of the EU Safety Directive (EU2004/49), transposed into Belgian legislation by the law of 19 December 2006 (article15). This report was written by the Department for Railway Safety and Interoperability (DRSI).

The DRSI is a department of the Directorate-general for Land Transport, which is part of the Federal Public Service Mobility and Transport. By the royal decree of 16 January 2007, the DRSI has been appointed as NSA (National Safety Authority).

The report contains all the items mentioned in article 18 of the European Safety Directive and has been based on the most recent guideline distributed in September 2009 by the European Railway Agency.

A.2. SUMMARY

The annual report provides an overview of the activities of the Department for Railway Safety and Interoperability, acting as National Safety Authority and gives information on the evolution of the National Railway Network and the Railway Operators. This Annual Report describes the safety evolution on the National Railway Infrastructure using the historical National Safety Indicators.

In the year 2008 the Belgian NSA has delivered the safety authorisation to Infrabel, the infrastructure manager for the entire Belgian railway network. This authorisation confirms the acceptance of its safety management system; and the acceptance of the provision it made for the safe design, maintenance and operation of the railway infrastructure, and also the maintenance and the operating of the traffic control and signalling system.

During the year 2008, the Belgian NSA has delivered its first safety certificate based on the Safety Directive. Most railway operators have been using the safety certificate based on the first railway package. A lot of demands for a safety certificate based on the second railway package have been received in the last weeks of 2008.

The limited staff of the Belgian NSA has limited the number of audits and inspections during the year 2008. The staff has not been extended in the year 2008.

The appreciation of the safety evolution is based on the historical indicators. Safety indicators based on the items defined in the annex I of the Safety Directive only exist for the year 2008, no analysis on evolution is possible.

B. INTRODUCTORY SECTION

1. Introduction to the report

The DRSI started its activities as NSA on 2 February 2007. The year 2008 is the first complete year that DRSI has been in function as NSA. The report contains data concerning activities mentioned in the Safety Directive. Just like in the two previous reports, the railway operators using a certificate based on the legislation of the first railway package are mentioned.

The figures in this report concerning the safety indicators are still based on the historical national definitions. Safety Indicators based on the classification of the annex I of the safety directive exist only for the year 2008. They will be communicated to the Agency outside of the report.

The DRSI will send this report to the European Railway Agency. This report, together with its French and Dutch translation, will be published on the website of the Federal Public Service Mobility and Transport.

The DRSI will also provide a printed version for limited distribution among the national stakeholders and other interested persons.

2. Railway Structure Information (Annex A)

- Network map

The attached map has been made available by the Belgian infrastructure manager INFRABEL.

Remark: double track lines are counted twice.

- List of Railway Undertakings and Infrastructure Managers

The information relative to the certificates and authorisation delivered in application of the second railway package is own information.

The information concerning the certificates delivered under the first railway package is information that has been delivered to the DRSI by the Ministry.

3. Summary – General Trend Analysis (e.g. trends in the development of railway safety, certification etc.)

In general the safety level on the Belgian railway was roughly maintained. Nevertheless the SPADs (Signals Passed at Danger) remain problematic, for which adequate solutions are being looked for. Five serious railway accidents have occurred, causing 1 fatality and 46 injures. It is yet too early to determine the results of the safety recommendations established in 2008 by the investigation body.

Several new rules were taken up in Belgian law, amending or executing the existing legislation transposing the safety or interoperability directives.

Through the transposition of the second railway package, three training centers for train drivers were recognized in Belgium: these training facilities should cover the needs for the Belgian network.

Concerning the delivery of safety certificates, some candidates were still authorised based on the first railway package. In 2008, the three first safety certificates part A based on the second railway package were delivered to Belgian railway undertakers. Also the first safety certificate part B was delivered and several other candidate railway undertakers have engaged the procedure to obtain the safety certificate part B.

By lack of staff, the DRSI has only performed controls and some inspections on certifications and applications of safety rules.

C. ORGANISATION

1. Introduction to the organisation

The DRSI is a section of the Directorate-general for Land Transport, which is part of the Federal Public Service Mobility and Transport.

The DRSI is entrusted by the law of 19 December 2006 on safety of the railway exploitation (article 12), with the following tasks:

- bringing into service the structural subsystems of the railway system;
- authorising the placing into service of new and substantially altered rolling stock that is not yet covered by a TSI;
- supervising that the interoperability constituents are in compliance with the essential requirements;
- issuing, renewing, amending, adding, withdrawing of safety certificates (railway undertakings) and safety authorisations (infrastructure manager);
- giving advice on the operational rules developed by the infrastructure manager (also in the Royal Decree of 16 January 2007 defining the procedure for approval and publication of the national safety rules);
- participating in the developing of the national safety rules (Also in the Royal Decree of 16 January 2007 enumerating the safety requirements for management systems, staff and rolling stock);
- developing the national vehicle register (NVR) in accordance with the common specifications, the attribution of the alphanumeric code to the vehicles, and introducing the data in the NVR (this item is also related to the Royal Decree of 28 December 2006 on the Interoperability of the Trans-European high speed network and on the conventional railway system);
- controlling the application of the national safety rules;
- following up the measures taken as a result of recommendations made by the investigators of accidents and incidents.
- supervising the organisations who provide training facilities,
- and issuing licences for train drivers and train crew.

The DRSI as national safety authority also contributes to the Working Parties of the ERA, and provides the answer to the questionnaires sent by the ERA.

The DRSI is responsible for the transposition and application of the international regulations concerning RID (including controlling and reporting on accidents).

The DRSI represents Belgium in the meetings of the Railway Interoperability and Safety Committee (the Committee mentioned in art. 29 of 2008/57/EC).

The DRSI also represents Belgium in the working parties on safety and interoperability of the European Commission and in the working parties of the OTIF (especially the working groups on dangerous goods and tank freight wagons).

The organisational structure of the DRSI is set up as follows.

Director of the DRSI, directly supported by an administrative and communicative staff and a legal expert (total of 6 persons);

Safety Unit : Head of the Unit, with staff in charge of safety certificates (issuing and following-up), controlling the application national safety rules, developing safety rules, drivers licences and certificates train crew (issuing and following-up), supervision of training centres, follow-up of safety policy RU (total of 9 persons);

Infrastructure Unit (for bringing into service of the subsystems - INF, ENE, CCS): Head of the Unit, with staff in charge of issuing safety authorisations and follow-up, interoperability issues on infrastructure, energy and ERTMS. (total of 4 persons);

Rolling Stock Unit: bringing into service of all types of rolling stock, monitoring and supervising rolling stock of all infrastructure users, interoperability issues on rolling stock (ERTMS, Rolling Stock, Freight wagons, Noise,...), RID, Cross acceptance of Rolling Stock, VKM, NVR, inspection of tram/metro and historical rolling stock. (total 7 persons).

On 31 December 2008, the DRSI counted a total of 26 persons. All experts are in charge of several tasks.

2. Organisational flow

Annex B

D. THE DEVELOPMENT OF RAILWAY SAFETY

1. Initiatives to maintain/improve safety performances

Table D.1.1 - Safety measures triggered by accidents/precursors to these

Accidents/precursors which triggered the measure			Safety measure decided
Date	Place	Description of the event	
29/01/2008	Houyet	Derailment of a freight train on a main line	To be decided
03/03/2008	Gembloux	Accident at a level crossing	To be decided
03/07/2008	Hermalle-Sous-Huy	Frontal collision between a passenger train and a freight train	To be decided
25/10/2008	Walcourt	Employee involved in a collision	To be decided
14/11/2008	Diegem	Cornering between a work train and a passenger train	To be decided

Table D.1.2 - Safety measures with other triggers

Safety measure decided	Description of the trigger of the measures
None	

2. Detailed data trend analysis

Important remark: national definitions have been applied for the determination of the figures for the Belgium CSI statistics.

Over the last three years we observed the following trends in the field of railway safety:

The average of the total number of accidents/MLN train*km has increased, the last two years the rise of the number of accidents is insignificant.

The average expressed in the number/MLN train*km of:

- . collisions of trains remains stable, the trend shows a yearly variable average;
- . derailments of trains is still increasing, the trend shows a yearly increasing average;
- . level-crossing accidents slightly decreased, the trend shows a yearly variable average (*);

- . person-related accidents caused by rolling stock in motion slightly decreased, the trend shows a yearly variable average;
- . fires in rolling stock slightly increased, the trend shows a yearly variable average;
- . other accidents is not representative (the number of cases is 0 or 1).

The average of the total number of fatalities/MLN train*km has strongly decreased the last year, but the trend shows a yearly variable average.

The average expressed in the number/MLN train*km of:

- . passengers killed decreased, the trend shows a yearly variable average;
- . employees killed decreased over the last two years;
- . level-crossing users killed decreased over the last year, the trend shows a yearly variable average;
- . unauthorised persons killed slightly increased, the trend shows a stable average;
- . others killed is not representative (the number is 0 or 1).

The average of the total number of injures/MLN train*km has strongly decreased the last year, however the three years trend is inconsistent.

The average expressed in the number/MLN train*km of:

- . passengers injured strongly decreased over the last year, the trend shows a yearly variable average;
- . employees injured very strongly increased, caused by a low number in 2006;
- . level-crossing users injured slightly decreased, the trend shows a yearly variable average (*);
- . unauthorised persons injured strongly decreased, the trend shows a yearly variable average;
- . others injured very strongly decreased, caused by a high number in 2006.

The average of the total number of precursors/MLN train*km has very strongly increased, caused by a high number only the last year:

The average expressed in the number/MLN train*km of:

- . broken rails strongly increased, the trend shows a yearly variable average;
- . track buckles is not representative (the number is 0 or 1);
- . wrong-side signalling failures is not representative (the number is 1);
- . signals passed at danger strongly increased, the trend shows a yearly strongly increasing average;
- . broken wheels is very low and not representative (the number is 0 or 1);
- . broken axles is not representative (the number of cases is 0).

The cost of all accidents and safety hours is not yet available: this problem will be solved with the implementation of the future recommendation for the revision of the Annex 1 of Directive 2004/49/EC.

Technical safety of infrastructure and its implementation, management of safety(**):

- . the percentage of tracks with Automatic Train Protection has increased, as a result of the bringing into service from the high speed line from Antwerp to the border with the Netherlands equipped with ERTMS;

- . the percentage of train*km with Automatic Train Protection: no changes in 2008, no trains in 2008 on the new high speed line;
- . the number of level crossings slightly decreased;
- . the number of track Km slightly increased due to the new high speed line;
- . the total number of level crossing per track Km slightly decreased;
- . the percentage of level crossings with automatic or manual protection is stable;
- . the number of audits: 0.

(*) numbers relative to figures per 100km and per LC.

(**) figures delivered by the infrastructure manager Infrabel.

No grave accident in 2008 has had a major influence on these Belgium CSI statistics.

At first sight, we can observe a decreasing safety level, but to deduct a defecting safety trend on a three year basis is delicate. Therefore an average of minimum four, or better five years as requested in the Decision 2009/460/EC will be required before making a conclusive judgment about the Belgian railway safety level.

3. Results of safety recommendations

Concerning the outcome of safety recommendations resulting from the investigation of accidents in the year 2008, it is too early to get a conclusive analysis.

The recommendations concerning the accidents which were mentioned in our annual report 2007 have conducted to an action plan of the infrastructure manager to realize improvements in the field of:

- a process-oriented approach of actions;
- the separation of safety functions and tasks;
- the standardization of the rules for controls and the rules for the implementation of tests.

The realisation of the action plan of the infrastructure manager is supervised by the National Safety Authority up to on the moment that all presented modifications are realised entirely.

E. IMPORTANT CHANGES IN LEGISLATION AND REGULATION

The transposition of the second railway package has been explained in the annual report of 2007. The Safety Directive was implemented by the law of 19 December 2006 on safety of the railway exploitation. The law was published on 23 January 2007 in the Belgian Official Journal (“Moniteur belge” – “Belgisch Staatsblad”), and entered into force on 2 February 2007, with the same day an important number of Royal Decree to execute the law came into force. The Interoperability Directive has been transposed by the Royal Decree of 28 December 2006 on Railway Interoperability.

This legislation and the implementation decrees for the transposition of the second railway package are still in force and have been completed with:

- Royal Decree of 18 January 2008: relating to the supply of training services for train drivers and the crew;
- Ministerial Decree of 20 June 2008: adopting the national technical specifications for rolling stock on the Belgian railway network;
- Royal Decree of 31 July 2008: recognition of the company Dillen & Lejeune Cargo NV for providing training facilities for train drivers;
- Ministerial Decree of 30 October 2008: definition of the way to introduce a demand for authorisation to place a structural subsystem constituting the rail system into service; relating to the methods of introduction of the request for authorisation of the placing into service of a structural subsystem constituting the trans-European high speed network or the conventional railway system;
- Ministerial Decree of 30 October 2008: definition of the way to introduce a demand to be recognised as a designated body, in order to verify the national rules in force for subsystems by lack of TSI or in cases of derogation of the TSI, for the trans-European high speed network or conventional railway system.
- Ministerial Decree of 30 October 2008: definition of the way to introduce a demand to be recognised as a notified body, in order to carry out the assessment of the conformity or suitability for use of the interoperability constituents, or to be responsible for the EC verification of a subsystem of the European high speed network or conventional railway system;
- Royal Decree of 7 November 2008: bringing into application the regulating 2005/47/EC on certain aspects of the working conditions for mobile workers engaged in cross-border services in the railway sector;
- Ministerial Decree of 14 November 2008: regarding the recognition of the company Trainsport NV for providing training services for train drivers and crew.
- Ministerial Decree of 14 November 2008: regarding the reduction of the duration of training of train drivers and crew to the company Trainsport NV;
- Royal Decree of 14 November: regarding the recognition of the company Crossrail Benelux for providing training services for train drivers (replacement of Royal Decree of 31 July 2008 – see above);
- Law-programme of 22 December 2008, articles 25 – 31: introducing some retributions for services provided by the National Safety Authority (the necessary Royal Decree to execute this law is not yet published at the time of publication of this report).

During the year 2008 a great number of operating rules have been reviewed and got positive advice from the National Safety Authority. They are enumerated in annex D.

F. THE DEVELOPMENT OF SAFETY CERTIFICATION AND AUTHORISATION

1. National legislation – starting dates – availability

- 1.1. Starting date for issuing Safety Certificates according to Article 10 of Directive 2004/49/EC (Part A and Part B)

The starting date is the day the law on safety of the railway exploitation came into force: 2 February 2007.

- 1.2. Starting date for issuing Safety Authorisations according to Article 11 of Directive 2004/49/EC

The starting date is the day the law on safety of the railway exploitation came into force: 2 February 2007.

- 1.3. Availability of national safety rules or other relevant national legislation to Railway Undertakings and Infrastructure Managers.

The national safety rules are officially published in the Belgian Official Journal (“Moniteur belge” – “Belgisch Staatsblad”). They are permanently consultable on the website of the Federal Public Service Mobility and Transport, part RAIL.

The national safety rules concerning the safe exploitation of the railway system (the operating rules) are published on a special website of the infrastructure manager (INFRABEL), the railway undertakings and candidate undertakings can obtain access to this website www.railaccess.be.

2. Numerical data (*Annex E*)

3. Procedural aspects

3.1. Safety Certificates Part A

- 3.1.1. Reasons for updating/amending Part A Certificates (e.g. variation in type of service, extent of traffic, size of company).

No cases in 2008.

- 3.1.2. Main reasons if the mean issuing time for Part A Certificates (restricted to these mentioned in Annex E and after having received all necessary information), was more than the 4 months foreseen in Article 12(1) of the Safety Directive.

No cases in 2008.

- 3.1.3. Overview of the requests from other National Safety Authorities to verify/access information relating the Part A Certificate of a Railway Undertaking that has been certified in your country, but applies for a Part B certificate in the other Member State.

No cases in 2008.

- 3.1.4. Summary of problems with the mutual acceptance of the Community wide valid Part A Certificate.

No cases in 2008.

3.1.5. NSA Charging fee for issuing a Part A Certificate :

1,017.93 Euro/Part A Certificate (based on Royal Decree of 16.01.2007 art.33 §2, on safety authorisations and on the safety certificates, the placing into service of rolling stock and the annual safety report).

3.1.6. Summary of the problems with using the harmonised formats for Part A Certificates, specifically in relation to the categories for type and extent of service.

No cases in 2008.

3.1.7. Summary of the common problems/difficulties for the NSA in application procedures for Part A Certificates.

No cases in 2008.

3.1.8. Summary of the problems mentioned by Railway Undertakings when applying for a Part A Certificate.

No cases mentioned in 2008.

3.1.9. Feedback procedure (e.g. questionnaire) that allows railway undertakings to express their opinion on issuing procedures/practices or to file complaints.

A feedback procedure does not exist. Every railway undertaking can contact the NSA to express its opinion. No feedback received in 2008.

3.2. Safety Certificates Part B

3.2.1. Reasons for updating/amending Part B Certificates (e.g. variation in type of service, extent of traffic, lines to be operated, type of rolling stock, category of staff, etc.).

No cases in 2008.

3.2.2. Main reasons if the mean issuing time for Part B Certificates (restricted to these mentioned in Annex E and after having received all necessary information), was more than the 4 months foreseen in Article 12(1) of the Safety Directive.

No cases in 2008.

3.2.3. NSA Charging fee for issuing a Part B Certificate :

The Royal Decree foresees a total amount of 98,229.82/year Euro that will be distributed over all holders of a Safety Certificate Part B depending on their number of train x km.

3.2.4. Summary of the problems with using the harmonised formats for Part B Certificates, specifically in relation to the categories for type and extent of service.

No cases in 2008.

3.2.5. Summary of the common problems/difficulties for the NSA in application procedures for Part B Certificates.

No cases in 2008.

- 3.2.6. Summary of the problems mentioned by Railway Undertakings when applying for a Part B Certificate.

No cases mentioned in 2008.

- 3.2.7. Feedback procedure (e.g. questionnaire) that allows Railway Undertakings to express their opinion on issuing procedures/practices or to file complaints.

Every railway undertaking can contact the NSA to express its opinion. No feedback received in 2008.

3.3. Safety Authorisations

- 3.3.1. Reasons for updating/amending Safety Authorisations.

No cases in 2008.

- 3.3.2. Main reasons if the mean issuing time for Safety Authorisations (restricted to these mentioned in Annex E and after having received all necessary information), was more than the 4 months foreseen in Article 12(1) of the Safety Directive.

No cases in 2008.

- 3.3.2. Summary of the regular problems/difficulties in application procedures for Safety Authorisations.

No cases in 2008.

- 3.3.3. Summary of the problems mentioned by Infrastructure Managers when applying for a Safety Authorisation.

The infrastructure manager has introduced his demand for safety authorisation on 3 February 2007 (legal obligation, there was no transition period). The NSA has declared the demand as incomplete. The infrastructure manager needed the rest of the year to complete his demand. The DRSI could only restart the examination in the beginning of 2008 and issued the safety authorisation on May 22nd, 2008.

- 3.3.4. Feedback procedure (e.g. questionnaire) that allows Infrastructure Managers to express their opinion on issuing procedures/practices or to file complaints.

The infrastructure manager can contact the NSA to express its opinion. No feedback received in 2008.

- 3.3.5. NSA Charging fee for issuing a Safety Authorisation.

The Royal Decree foresees a total charge of 98,229.82 Euro/year.

G. SUPERVISION OF RAILWAY UNDERTAKINGS AND INFRASTRUCTURE MANAGERS

1. Description of the supervision of Railway Undertakings and Infrastructure Managers

- 1.1. Audits/Inspections/Checklists

- Audits/inspections carried out by the NSA staff/third parties/both.

The Belgian NSA carried out 0 audits and 2 inspections in 2008:

- . one inspection on the safety authorisation: the control of the orders of passing present in the boxes of the stop signals;
- . one inspection on the safety certification: to the composition of the international freight trains.

- NSA manpower available (Number, % of NSA staff involved)

3,4 persons full time equivalents of the 14 qualified persons available were involved in the inspections.

Economical aspects (Costs...)

For the year 2008, the total costs for 3,4 FTE qualified persons was 1,697,610.7 Euro.

1.2. Vigilance aspects/Sensitive points to follow-up by the NSA

For the safety authorisation, the inspection did not reveal major problems. As for the inspection concerning the safety certificate, it is particularly necessary to supervise the the exchange between the railway undertakings and the infrastructure manager of information regarding the composition of trains (an important number of incorrect messages has been detected).

2. Description of the coverage of the legal aspects within the annual reports from the Infrastructure Managers and Railway Undertakings – Availability of the annual reports before 30 June (according to Article 9(4) of the Railway Safety Directive)

The DRSI received the annual report in time from the infrastructure manager (Infrabel) and from the following railway undertakers:

- NMBS/SNCB
- DLC/Crossrail Benelux NV
- SNCF
- Rail4Chem Benelux B.V./Veolia Rail Nederland
- TrainsporT AG

No activity and no report from ERS, ACTS and CFL Cargo.

INSPECTIONS		Issued Safety Certificates Part A	Issued Safety Certificates Part B	Issued Safety Authorisations	Other Activities Safety certificate 2001/14
3. Number of inspections of RUs/IMs for 2008	planned	0	1	1	0
	unplanned	0	0	0	0
	carried out	0	1	1	0

AUDITS		Issued Safety Certificates Part A	Issued Safety Certificates Part B	Issued Safety Authorisations	Other Activities Safety certificate 2001/14
4. Number of audits of RUs/IMs for 2008	planned	0	0	0	0
	unplanned	0	0	0	0
	carried out	0	0	0	0

5. Summary of the relevant corrective measures/actions (amendment, revocation, suspension, important warning, etc.) related to safety aspects following these audits/inspections.

The NSA invited the concerned railway undertakings and infrastructure manager to take the necessary corrective measures. A follow-up will be organized to control the application of these measures.

6. Short summary/description of the complaints from IM(s) concerning RU(s) related to conditions in their Part A/Part B Certificate.

There were no complaints in 2008.

7. Short summary/description of the complaints from RU(s) concerning IM(s) related to conditions in their authorisation.

There were no complaints in 2008.

H. REPORTING ON THE APPLICATION OF THE CSM ON RISK EVALUATION AND ASSESSMENT

CSM published in 2009, there is no application for 2008.

I. NSA CONCLUSIONS ON THE REPORTING YEAR – PRIORITIES

In the year 2008 there was an increasing number of accidents, fatalities and precursors, the number of injures is decreasing, important is the increasing of the number of signals passed at danger. Nevertheless the Belgian safety level is still high. The main objective of the DRSI is to maintain this high level.

The Ministerial Decree of 20 June 2008, adopting the national technical specifications for rolling stock on the Belgium railway network, contains the possibility of installation of a new system for a better supervision to keep the vigilance of the train drivers. This system called TBL1+ is based on the eurobalises on the track and the euro antenna on the train. The system controls the speed of the train at the distance of 300 meters from a closed signal, and causes a stop when passing a signal at danger. The infrastructure manager has starting installation of the eurobalises. The technical description for the railway operators is available, and already two suppliers can provide the on board assembly. In attendance of the installations of ECTS, the use of the TBL1+ must decrease in the next years the number of signals passed at danger.

In the year 2008, the DRSI has delivered the safety authorisation for the infrastructure manager and the first safety certifications based on the safety directive. The DRSI has treated an increasing number of demands for bringing into service rolling stock and infrastructure projects.

The new tasks following the transposition of the directives of the third railway package and the technical package will increase the need to extend the staff of the National Safety Authority. The necessary legal base to improve the resources for the National Safety Authority has to be made during the year 2009.

Disposing of the necessary human resources is the most important challenge of the DRSI. The imposed follow-up of all legal prescriptions necessitates the recruitment of staff either from the SNCB-Group or from the public function. As both the European Commission and the European Railway Agency are located in the vicinity of our Department, they are, especially in the field of contracting qualified personnel, big competitors who can often offer much better conditions to the applicants.

J. SOURCES OF INFORMATION

- Publications in the Belgian Official Journal
- Own information
- Data received from the infrastructure manager and the railway undertakings
- The investigation body

K. ANNEXES

ANNEX A: Railway Structure Information

ANNEX B: Organisation chart(s) of the National Safety Authority

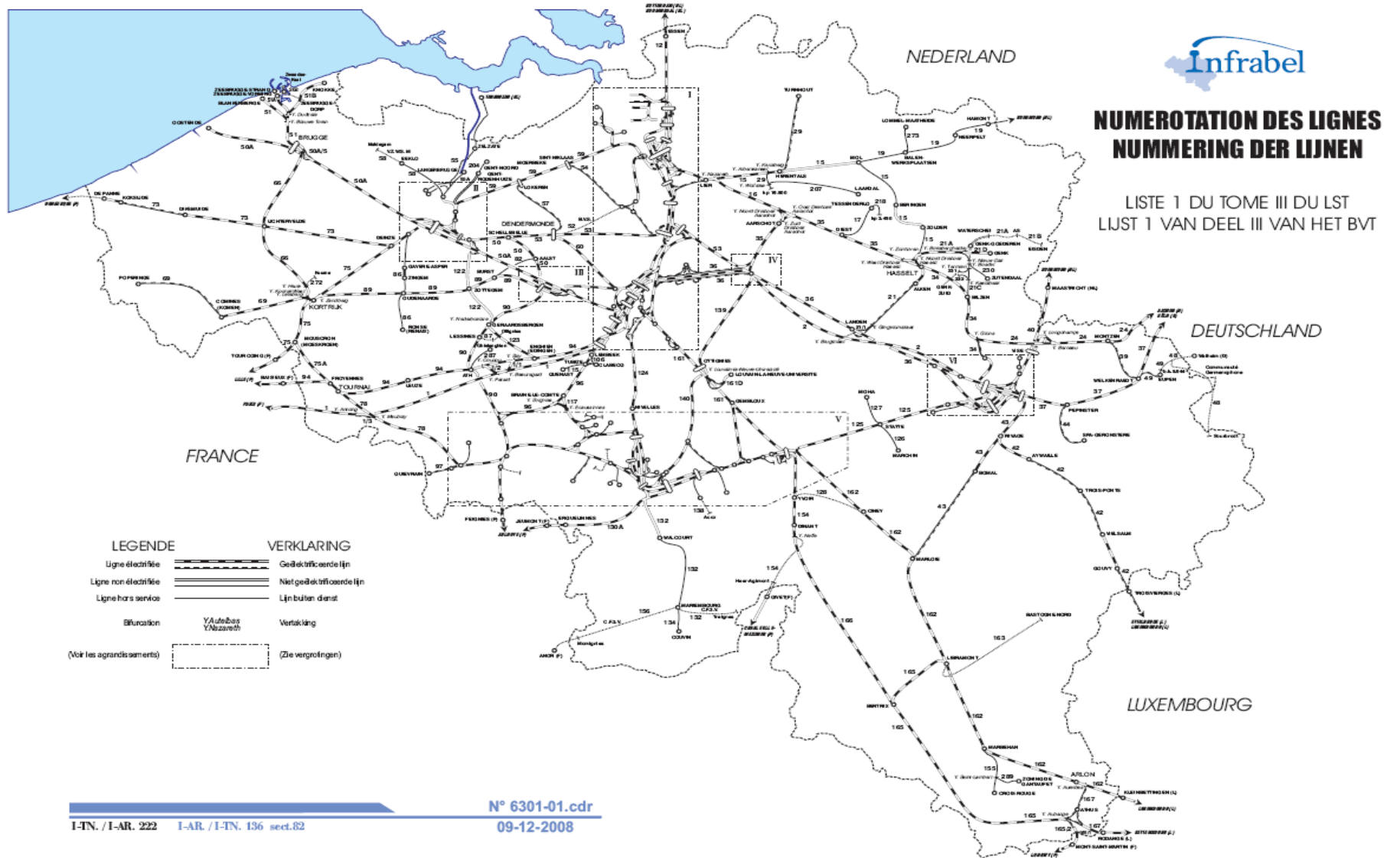
ANNEX C: CSIs data – Definitions applied

ANNEX D: Important changes in legislation and regulation

ANNEX E: The development of safety certification and authorisation – Numerical Data

ANNEX A: Railway Structure Information

A.1. Network map



A.2. List of Railway Undertakings and Infrastructure Managers

Infrastructure Manager (as per 31 December 2008)

Name: **Infrabel**
Address: Barastraat 110, B-1070 Brussels
Website: www.railaccess.be

Railway Undertakings (as per 31 December 2008)

a. transport of passengers and freight

Name: **NMBS** – Nationale Maatschappij der Belgische Spoorwegen
SNCB – Société nationale des Chemins de fer belges
Address : Frankrijkstraat 85, B – 1060 Brussels
Website: www.nmbs.be; www.sncb.be
Safety Certificate 2001/14/EC : C001-2
Valid till: 26 February 2010
Safety Certificate A: BE 11 2008 0001
Valid till: 29 June 2011

b. transport of freight

- . Name: **DLC N.V.** Dillen & Le Jeune Cargo(that became CROSSRAIL Benelux NV in 2008)–
Address: Velodroomstraat 121, B - 2850 Boom
Website: www.dlcargo.com/www.crossrail.ch
Safety Certificate: 2001/14/EC : C002-4
Valid till: 10 January 2009
Safety Certificate A: BE 11 2008 0003
Valid till: 19 October 2011
- . Name: **SNCF** Société Nationale des Chemins de fer français
Address: 34 rue du Commandant Mouchotte, F- 75699 Paris Cedex 14
Website: www.sncf.com
Safety Certificate B: BE 11 2008 0001
Valid till: 7 April 2011
- . Name: **Rail4Chem Benelux B.V** (taken over by Veolia Cargo in 2008)
Address: Albert Plesmanweg 103 b/c, NL – 3088 GC Rotterdam
Website: www.rail4chem.com/www.veolia-cargo.com
Safety Certificate: 2001/14/EC : C004-1
Valid till: 17 September 2009
Safety Certificate A: NL 11 2007 1080
Valid till: 5 December 2010
- . Name: **Trainsport AG**
Address: Betriebszentrum E40, B – 4730 Lichtenbusch/Raeren
Website: www.trainsport.com
Safety Certificate: 2001/14/EC : C005-1
Valid till: 10 December 2009
Safety Certificate A: BE 11 2008 0002
Valid till: 29 September 2011
- . Name: **ERS Railways B.V.**
Address: Albert Plesmanweg 61 K-L, NL – 3088 GB Rotterdam
Website: www.ersail.com
Safety Certificate: 2001/14/EC : C006
Valid till: 8 February 2010
- . Name: **ACTS Nederland B.V.**
Address: Parallelweg 21, NL – 5201 AC 's-Hertogenbosch

Website: www.acts-nl.com
Safety Certificate: 2001/14/EG : C007
Valid till: 22 January 2011

- . Name: **CFL Cargo SA**
Address: Place de la Gare 9, L- 1616 Luxembourg
Website: www.cfl.lu
Safety Certificate: 2001/14/CE : C008
Valid till: 21 May 2011

A.2.1. Infrastructure Manager(s)

Name	Address	Website/Network Statement Link	Safety Authorisation (Number/Date)	Start date commercial activity	Total Track Length/Gauge	Electrified Track Length/Voltages	Total Double/Simple Track Length	Total Track Length HSL	ATP equipment used	Number of LC	Number of Signals
NV/SA Infrabel	110 rue Bara, 1070 Bruxelles	www.infrabel.be	BE 21 2008 001	01/01/2005	6282 km	2955 km / 25kV AC / 3 kV DC	Double: 2,769 km Simple: 744 km	244 km	TBL, ETCS, TVM	2110	-

A.2.2. Railway Undertaking(s)

Name	Address	Web site	Safety Certificate 2001/14/EC (Number/Date)	Availability period of the Safety Certificate	Safety Certificate A-B 2004/49/EC (Number/Date)	Traffic Type (Freight,...)	Number of Locomotives (*)	Number of Railcars/Multiple Unit-sets (*)	Number of Coaches/Wagons (*)	Number of train drivers/safety crew (*)	Volume of passenger transport (*)	Volume of freight transport (*)
NMBS/SNCB	See A.2.a.	See A.2.a.	2001/14/EC : C001-2 04/11/2004	27-02-2007 until 26-02-2010	Safety Certificate A from 30/06/2008 until 29/06/2011	Passengers and freight						
DLC (that became CROSS RAIL Benelux NV in 2008)	See A.2.b.	See A.2.b.	2001/14/EC : C002-4 18/08/2008	01-01-2007 until 10-10-2009	Safety Certificate A from 20/10/2008 until 19/10/2011	Freight						
SNCF FRET	See A.2.b.	See A.2.b.			Safety Certificate B from 08-04-2008 until	Freight						

					07-04-2011							
Rail4Chem Benelux BV (taken over by Veolia Cargo in 2008)	See A.2.b.	See A.2.b.	2001/14/EC : C004-1 08/11/2005	18-09-2006 until 17-09-2009	Not applicable for 2008	Freight						
Trainsport AG	See A.2.b.	See A.2.b.	2001/14/EC : C005-1 12/12/2003	14-02-2007 until 10-1-2009	Safety Certificate A from 30/09/200/ until 29/09/2011	Freight						
Ers Railways BV	See A.2.b.	See A.2.b.	2001/14/EC : C006 08/02/2007	08-02-2007 until 08-02-2010	Not applicable for 2008	Freight						
ACTS	See A.2.b.	See A.2.b.	2001/14/EC : C007 23/01/2008	23-01-2008 until 22-01-2011	Not applicable for 2008	Freight						
CFL Cargo	See A.2.b.	See A.2.b.	2001/14/EC : C008 05/12/2006	22/05/2008 until 21-05-2011	Not applicable for 2008	Freight						

(*) economic sensible information for publication

Abbreviations: HSL = High Speed Line (Definition acc. Directive 96/48/EC)
ATP = Automatic Train Protection
LC = Level Crossing

ANNEX B: Organisation chart(s) of the National Safety Authority

B.1. Chart: Internal organisation

B.2. Chart: Relationship with other National Bodies

ANNEX B: Organisation chart(s) of the National Safety Authority

Chart: Internal organisation

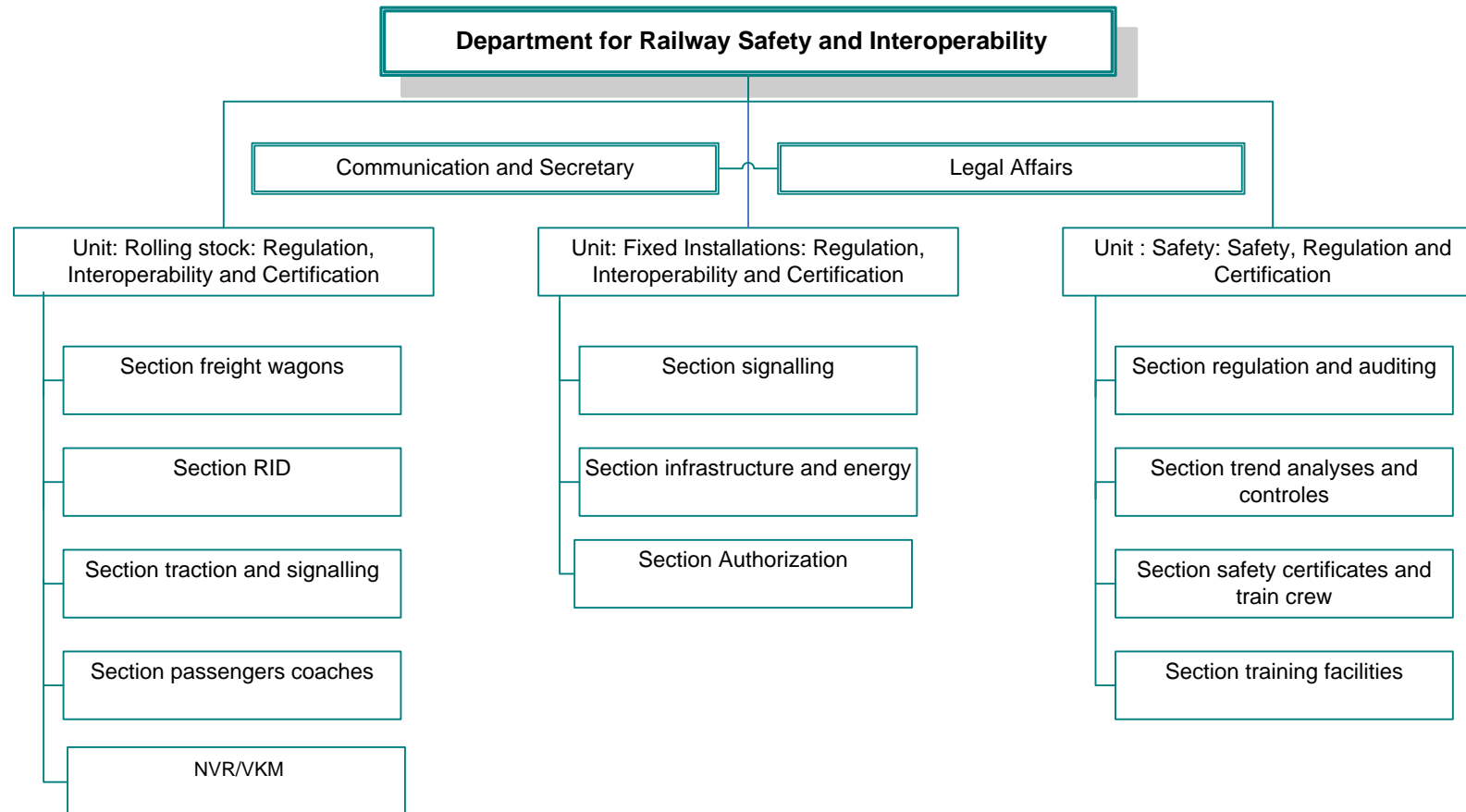
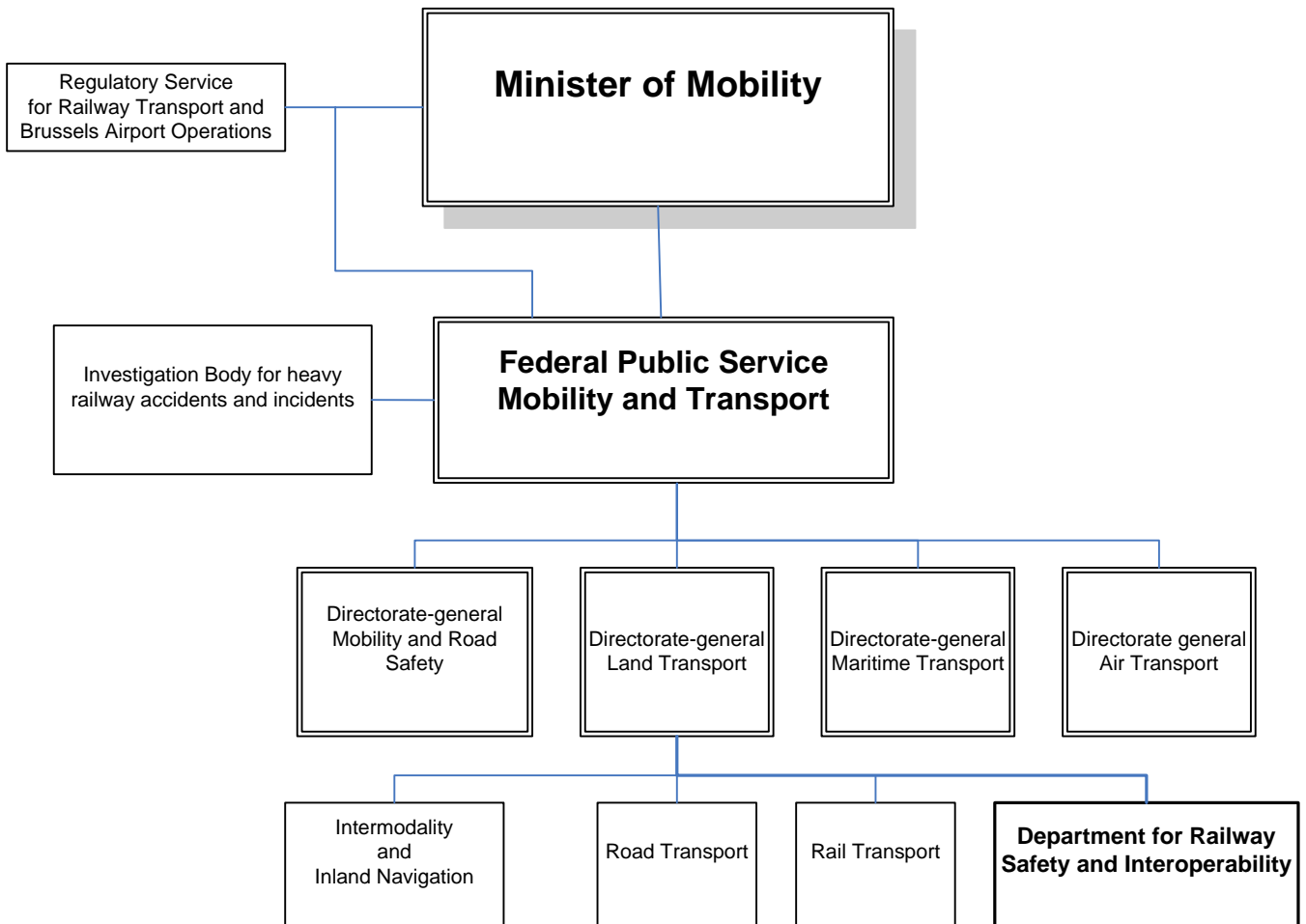


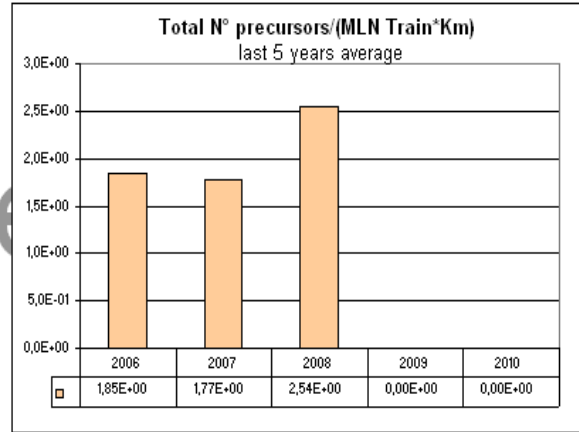
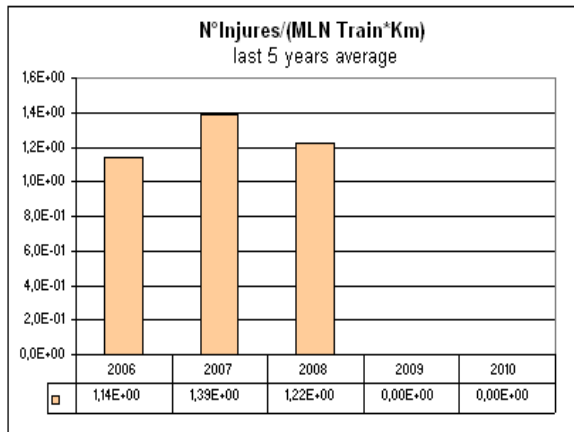
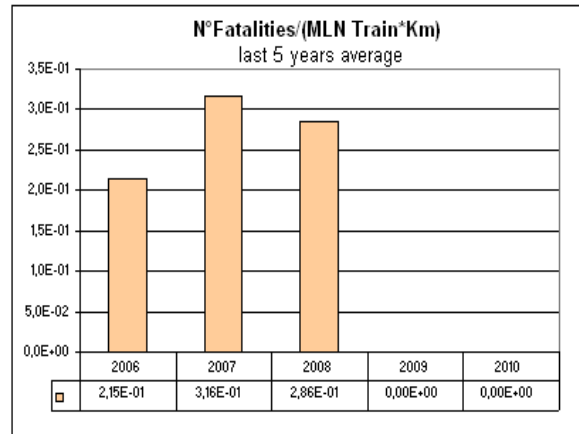
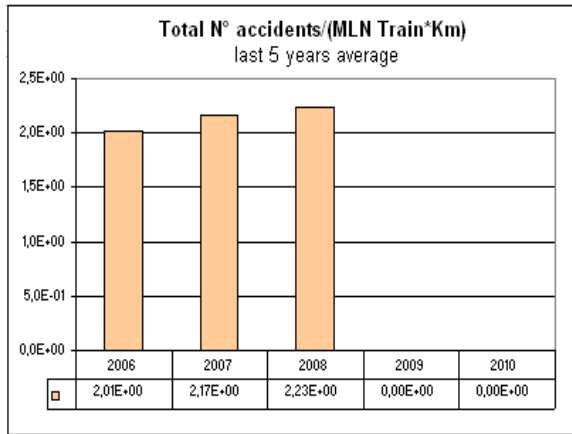
Chart: Relationship with other National Bodies



ANNEX C: CSIs data – Definitions applied

C.1. CSIs data¹

Performances at a glance



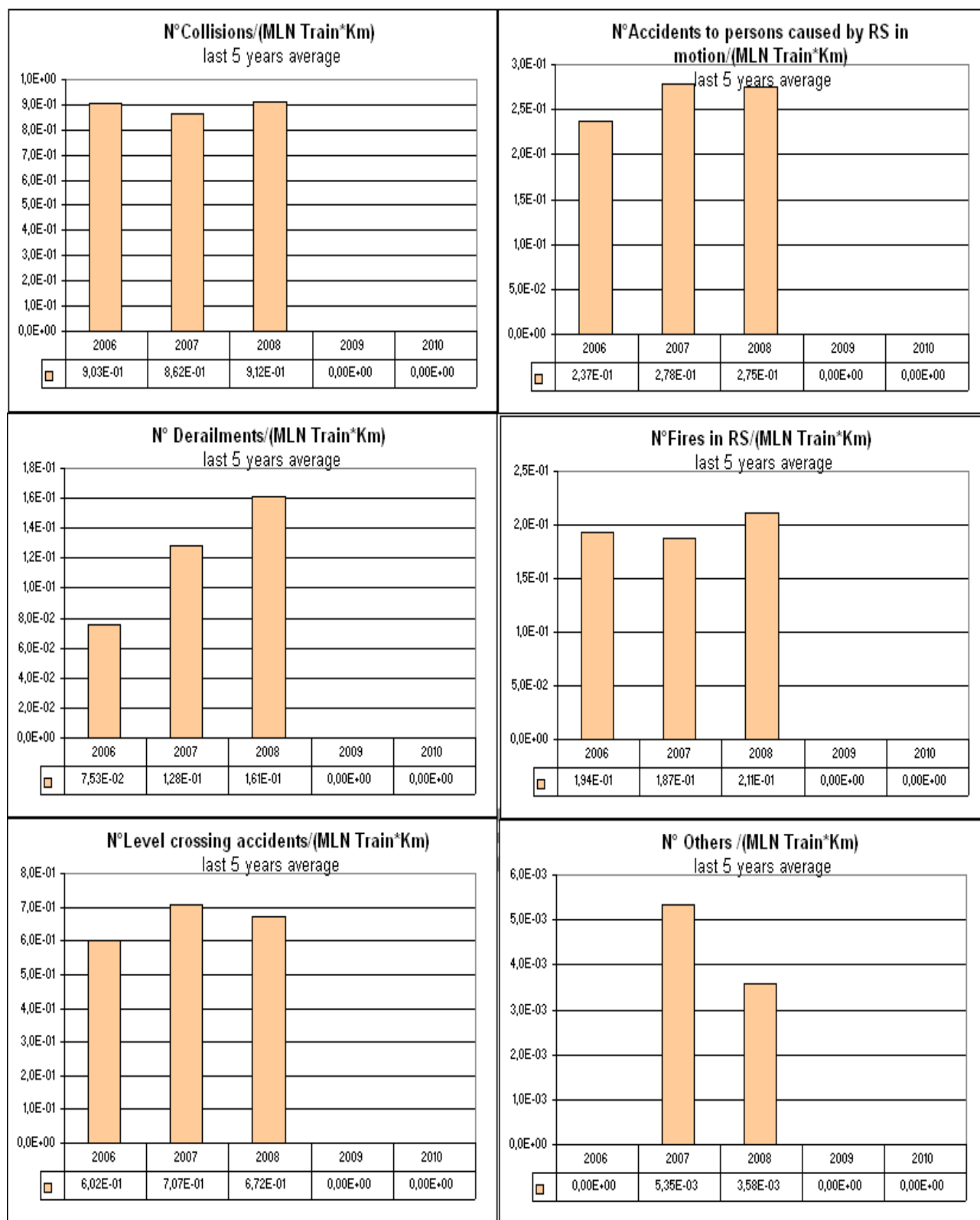
2007 report: values related to 2006.

2008 report: values related to the average between 2006 and 2007.

2009 report: values related to the average among 2006, 2007 and 2008.

2010 report: values related to the average among 2006, 2007, 2008 and 2009.

Accidents divided by type



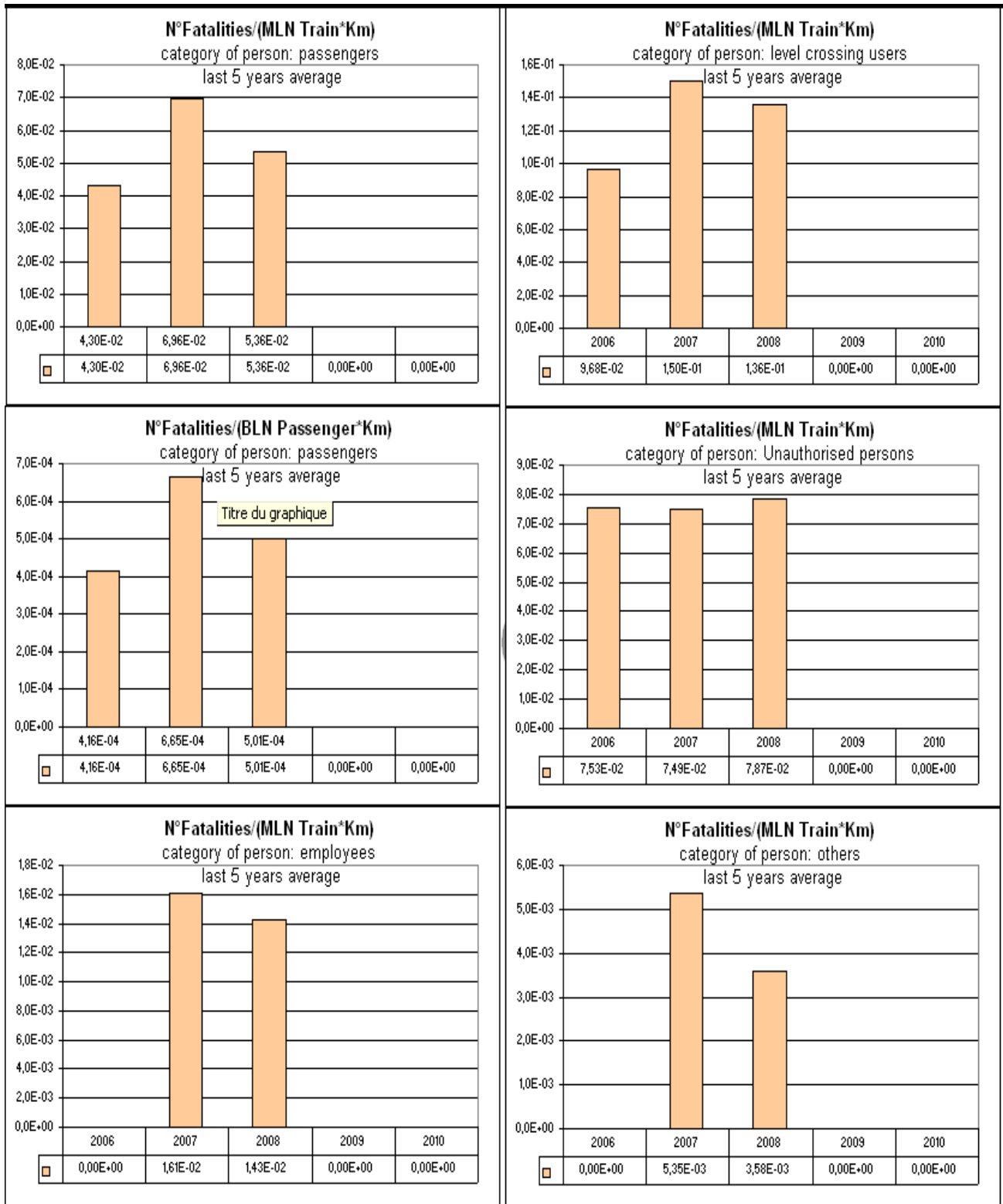
2007 report: values related to 2006.

2008 report: values related to the average between 2006 and 2007.

2009 report: values related to the average among 2006, 2007 and 2008.

2010 report: values related to the average among 2006, 2007, 2008 and 2009.

Fatalities divided by category of people involved



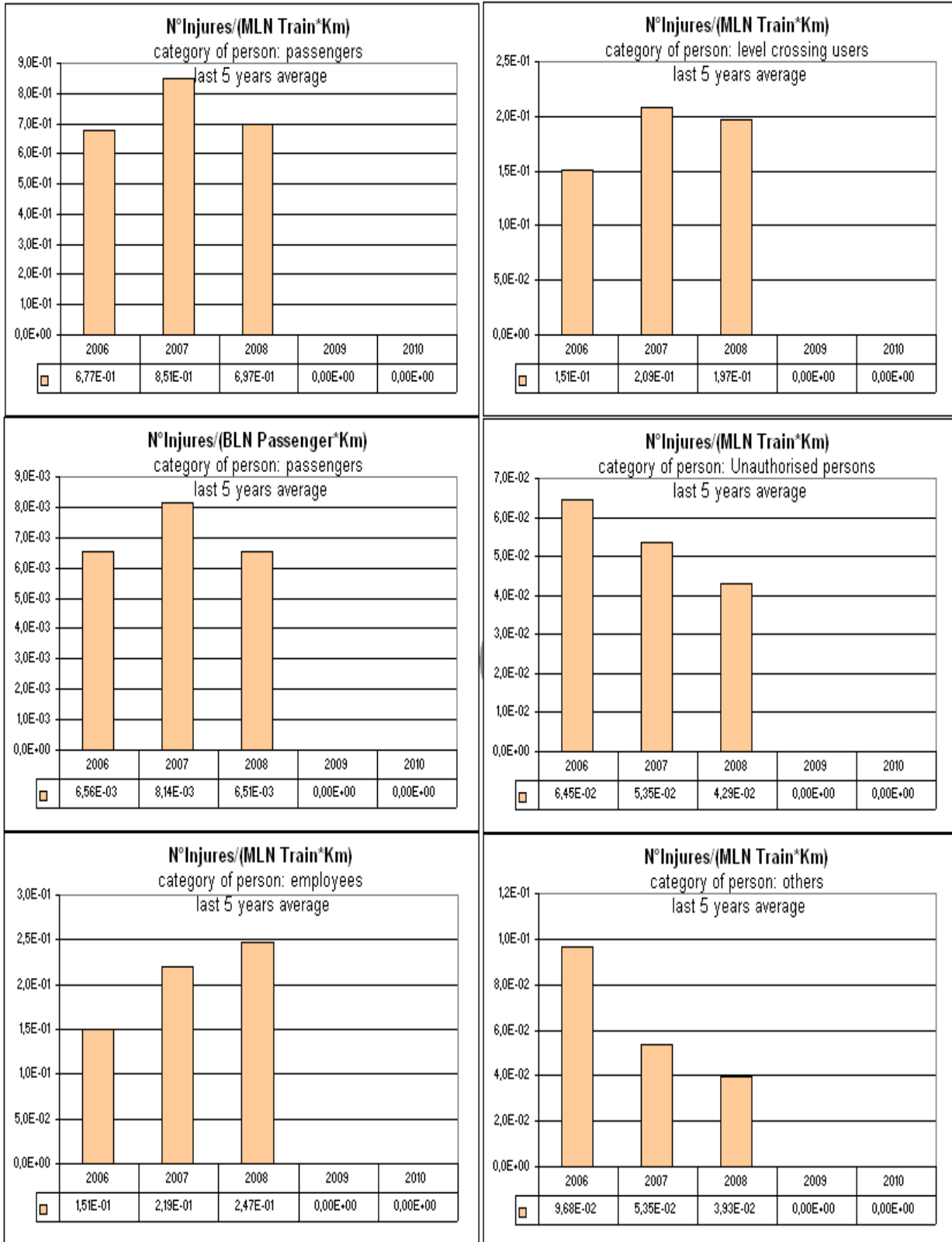
2007 report: values related to 2006.

2008 report: values related to the average between 2006 and 2007.

2009 report: values related to the average among 2006, 2007 and 2008.

2010 report: values related to the average among 2006, 2007, 2008 and 2009.

Injures divided by category of people involved



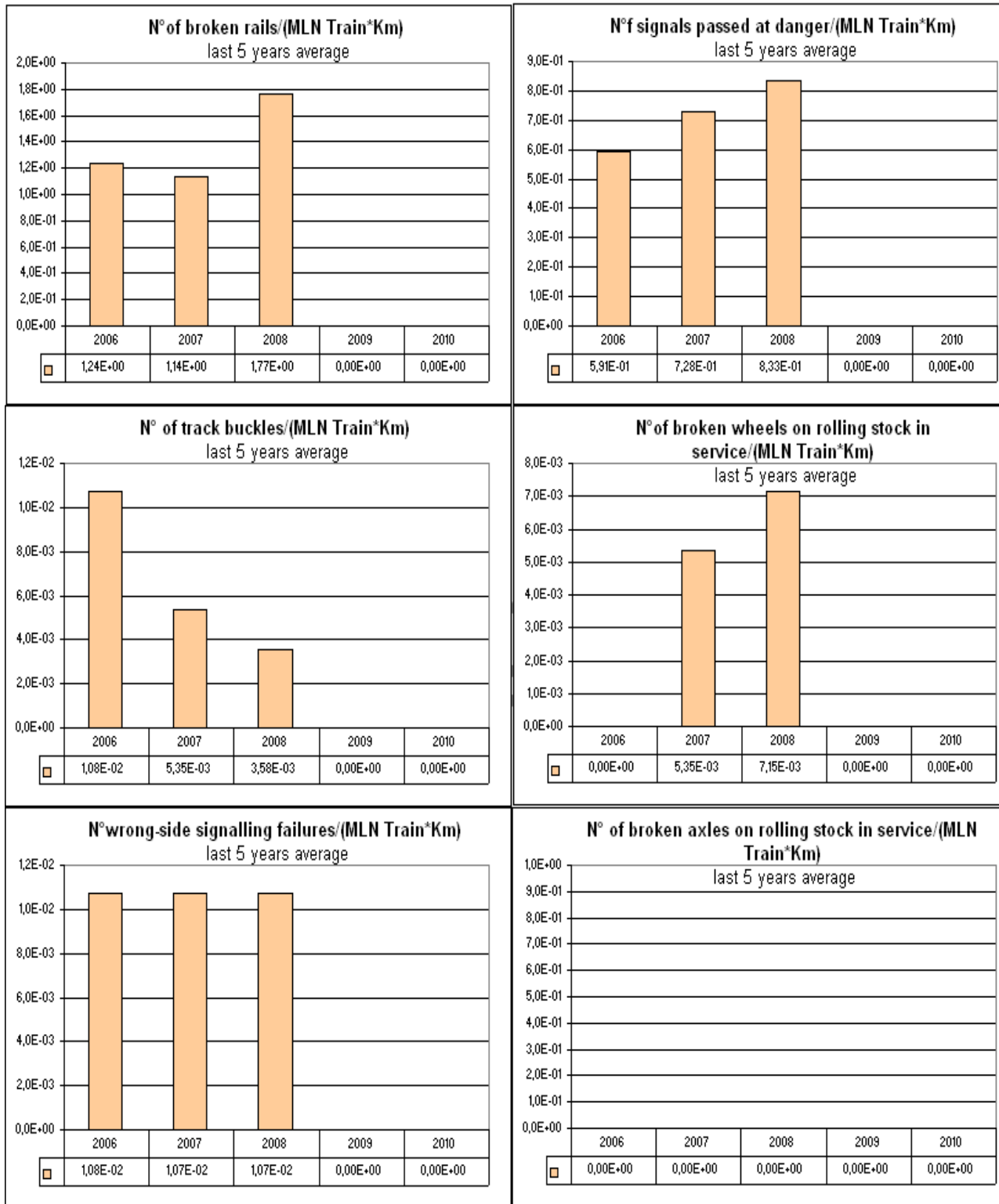
2007 report: values related to 2006.

2008 report: values related to the average between 2006 and 2007.

2009 report: values related to the average among 2006, 2007 and 2008.

2010 report: values related to the average among 2006, 2007, 2008 and 2009.

Precursors to accidents



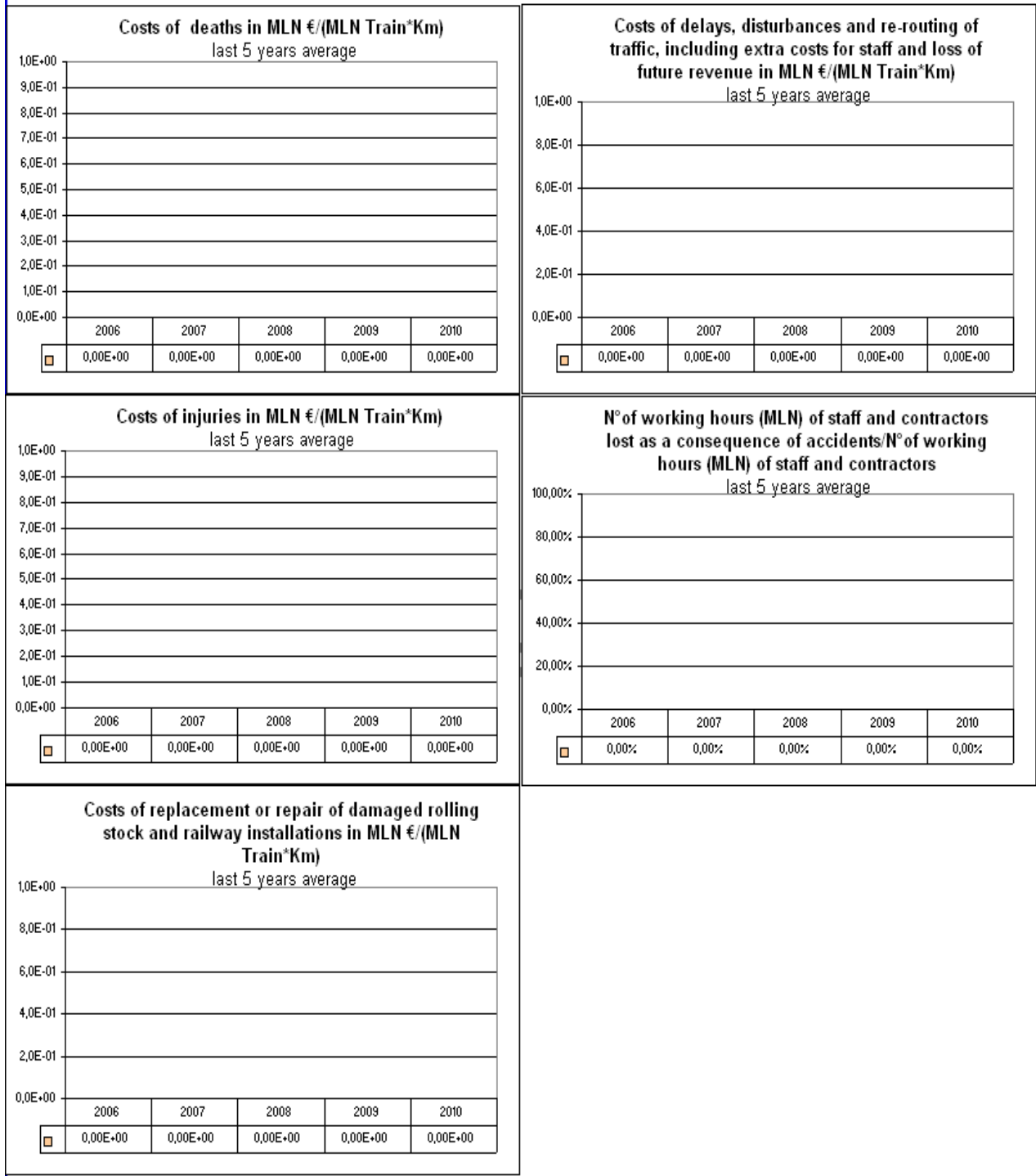
2007 report: values related to 2006.

2008 report: values related to the average between 2006 and 2007.

2009 report: values related to the average among 2006, 2007 and 2008.

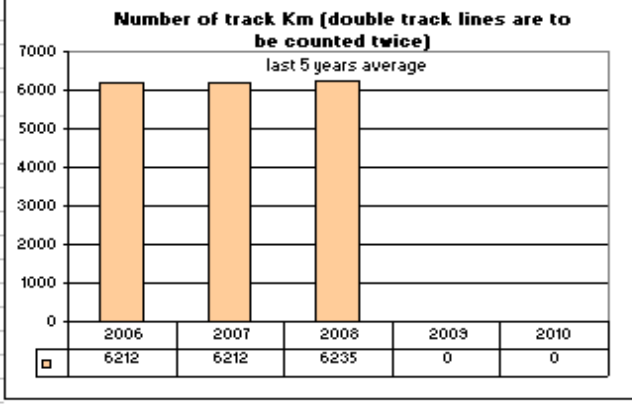
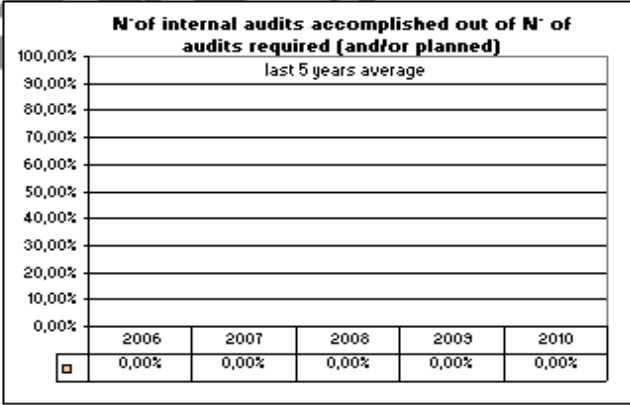
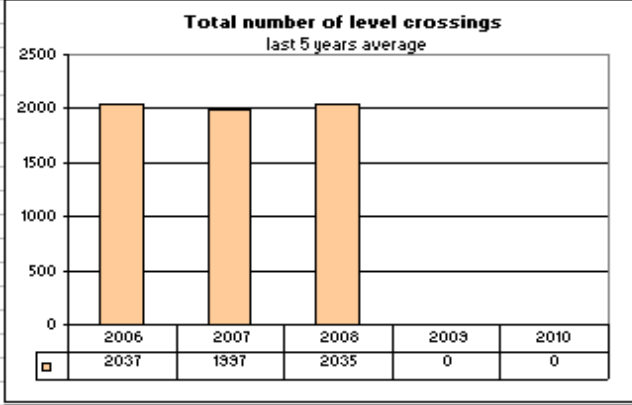
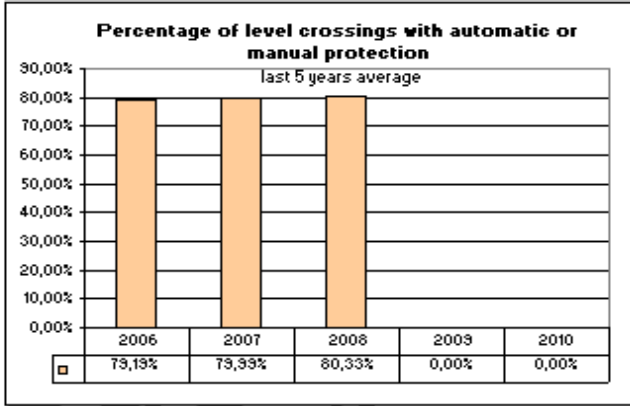
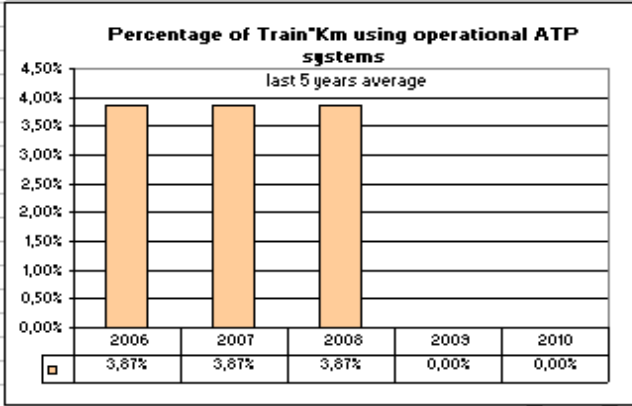
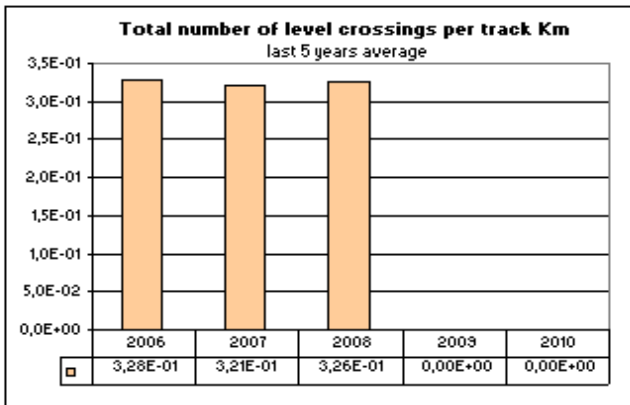
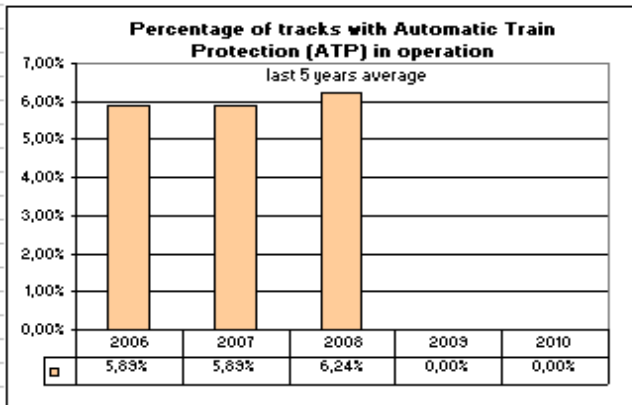
2010 report: values related to the average among 2006, 2007, 2008 and 2009.

Cost of all accidents, number of working hours of staff and contractors lost as a consequence of accidents



2007 report: values related to 2006.
 2008 report: values related to the average between 2006 and 2007.
 2009 report: values related to the average among 2006, 2007 and 2008.
 2010 report: values related to the average among 2006, 2007, 2008 and 2009.

Technical safety of infrastructure and its implementation, management of safety



2007 report: values related to 2006.

2008 report: values related to the average between 2006 and 2007.

2009 report: values related to the average among 2006, 2007 and 2008.

2010 report: values related to the average among 2006, 2007, 2008 and 2009.

C.2. Definitions used in the annual report (Regulation 91/03)

deaths (killed person)

any person killed immediately or dying within 30 days as a result of an injury accident, excluding suicides

injuries (seriously injured person)

any person injured who was hospitalized for more than 24 hours as a result of an accident, excluding attempted suicides

passenger-km

the unit of measure representing the transport of one passenger by rail over a distance of one kilometre. Only the distance on the national territory of the reporting country shall be taken into account

rail passenger

any person, excluding members of the train crew, who makes a trip by rail. For accident statistics, passengers trying to embark/disembark onto/from a moving train are included

suicide

an act to deliberately injure oneself resulting in death, as recorded and classified by the competent national authority

significant accident

any accident involving at least one rail vehicle in motion, resulting in at least one killed or seriously injured person, or in significant damage to stock, track, other installations or environment, or extensive disruptions to traffic. Accidents in workshops, warehouses and depots are excluded

train

one or more railway vehicles hauled by one or more locomotives or railcars, or one railcar traveling alone, running under a given number or specific designation from an initial fixed point to a terminal fixed point. A light engine, i.e. a locomotive traveling on its own, is not considered to be a train

train*Km

the unit of measure representing the movement of a train over one kilometre. The distance used is the distance actually run, if available, otherwise the standard network distance between the origin and destination shall be used. Only the distance on the national territory of the reporting country shall be taken into account

C.3. Abbreviations

CSI	Common Safety Indicator
ERA	European Railway Agency
LC	Level Crossing
MLN	10 ⁶
BLN	10 ⁹
NSA	Network Safety Authorities

RS	Rolling Stock
RU/IM	Railway Undertaking and Infrastructure Manager
NVR	National Vehicle Register
VKM	Vehicle Keeper Marker

ANNEX D: Important changes in legislation and regulation

	Legal reference	Date legislation comes into force	Reason for introduction (Additionally specify new law or amendment to existing legislation)	Description
General national railway safety legislation				
Legislation concerning notified bodies, assessors, third parties bodies for registration, examination, etc.	<p>Law of 19.12.2006 on the safety of railway exploitation.</p> <p>Ministerial Decree of 30 October 2008 on the way to introduce a demand to be recognized as a designated body, in order to verify the national rules in force for subsystems by lack of TSI or in cases of derogation of the TSI, for the trans-European high speed network or conventional railway system.</p>	<p>02.02.2007</p> <p>07.12.2008</p>	<p>Transposing the interoperability directive amending the existing legislation</p>	<p>Application of the safety directive in Belgian legislation.</p> <p>Introduction of the demand to be recognized as a designated body</p>
Legislation concerning notified bodies, assessors, third parties bodies for registration, examination, etc.	<p>Law of 19.12.2006 on the safety of railway exploitation.</p> <p>Ministerial Decree of 30 October 2008 on the way to introduce a demand to be recognized as a notified body, in order to carry out the assessment of the conformity or suitability for the use of the interoperability constituents, or to be responsible for the EC verification of a subsystem of the European high speed network or conventional railway system.</p>	<p>02.02.2007</p> <p>07.12.2008</p>	<p>Transposing the interoperability directive amending the existing legislation.</p>	<p>Application of the safety directive in Belgian legislation.</p> <p>Introduction of the demand to be recognized as a notified body</p>
Legislation concerning mobile workers	Royal Decree of 7 November 2008 transposing the directive 2005/47/EC on certain aspects of the working conditions for mobile workers engaged in cross-border	20.11.2008	Transposing the directive for mobile workers.	Transposition of the directive 2005/47/EC relative to the agreement between the CER (Community of the European Railway) and the ETF (European Transport Workers

	Legal reference	Date legislation comes into force	Reason for introduction (Additionally specify new law or amendment to existing legislation)	Description
	services in the railway sector.			Federation) on certain aspects of the working conditions for mobile workers engaged in cross-border services in the railway sector.
Law-programme concerning the national safety authority	Law-programme of 22.12.2008 introducing some retributions for services provided by the National Safety Authority..		Transposing the safety directive, amending the existing legislation	Law-programme of 22.12.2008 (art. 25-31) introducing some retributions for services provided by the National Safety Authority (the necessary Royal Decree to execute this law is not yet published at the time of publication of this report).
National rules concerning railway safety				
Rules concerning requirements on staff executing safety critical tasks, including selection criteria, medical fitness and vocational training and certification as far as they are not yet covered by a TSI.	Royal Decree of 18 January 2008 concerning the supply of training services for train drivers and train crew.	23.01.2008	Transposing the safety directive, amending the existing legislation	Royal Decree concerning the supply of training services for train drivers and train crew.
Rules concerning requirements for the authorisation of placing in service and maintenance of new and substantially altered rolling stock that is not yet covered by a TSI. The notification shall include rules for exchange of rolling stock between railway undertakings, registration systems and requirements on testing procedures.	Ministerial Decree of 20 June 2008 adopting the national technical specifications for rolling stock on the Belgian railway network.	28.08.2008	Requirements for rolling stocks	Ministerial Decree adopting the national technical specifications for rolling stock on the Belgian railway network.

	Legal reference	Date legislation comes into force	Reason for introduction (Additionally specify new law or amendment to existing legislation)	Description
Rules concerning requirements on staff executing safety critical tasks, including selection criteria, medical fitness and vocational training and certification as far as they are not yet covered by a TSI.	Royal Decree of 31 July 2008 concerning the recognition of the company Dillen & Lejeune Cargo NV for providing training facilities for train drivers.	09.09.2008	Transposing the safety directive, amending the existing legislation	Royal Decree concerning the recognition of the company Dillen & Lejeune Cargo NV for providing training facilities for train drivers.
Rules concerning requirements for the authorisation of placing in service and maintenance of new and substantially altered rolling stock that is not yet covered by a TSI. The notification shall include rules for exchange of rolling stock between railway undertakings, registration systems and requirements on testing procedures.	Ministerial Decree of 30 October 2008 concerning the procedure for introducing a request for authorisation for placing in service a structural subsystem constituting the trans-European high-speed network or the conventional railway system.	07.12.2008	Transposing the interoperability directive amending the existing legislation.	Ministerial Decree concerning the procedure to introduce the request for the designation of bodies charges it to carry out the procedure of checking of conformity to the norms and technical specifications in use of the subsystems in the case of the application of the national rules in use in case of missing TSI or in case of derogation on them as part of the interoperability of the high-speed or conventional trans-European railway system.
Rules concerning requirements on staff executing safety critical tasks, including selection criteria, medical fitness and vocational training and certification as far as they are not yet covered by a TSI.	Ministerial Decree of 14 November 2008 concerning the recognition of the company Trainsport NV for providing training services for train drivers and train crew.	13.12.2008	Transposing the safety directive, amending the existing legislation	Ministerial Decree concerning the recognition of the company Trainsport NV as body charged with providing training services for train drivers and train crew.
Rules concerning requirements on staff executing safety critical tasks, including selection criteria, medical fitness and vocational training and	Ministerial Decree of 14 November 2008 concerning the reduction of the duration of trainings of train drivers and train crew to the company Trainsport NV.	13.12.2008	Transposing the safety directive, amending the existing legislation	Ministerial Decree concerning the reduction of the duration of trainings to be given by the Trainsport NV as part of its agreement as body charged with providing training services for train drivers and train crew.

	Legal reference	Date legislation comes into force	Reason for introduction (Additionally specify new law or amendment to existing legislation)	Description
certification as far as they are not yet covered by a TSI.				
Rules concerning requirements on staff executing safety critical tasks, including selection criteria, medical fitness and vocational training and certification as far as they are not yet covered by a TSI.	Ministerial Decree of 14 November 2008 concerning the recognition of the company Crossrail Benelux for providing training services for train drivers (replacement of the Royal Decree of 31 July 2008 – see above).	13.12.2008	Transposing the safety directive, amending the existing legislation	Ministerial Decree concerning the recognition of the company Crossrail Benelux for providing training services for train drivers (replacement of the Royal Decree of 31 July 2008 – see above).
Rules concerning existing national safety targets and safety methods.	None			
Rules concerning requirements on safety management systems and safety certification of railway undertakings.	None			
Rules laying down requirements on additional internal operating rules (company rules) that must be established by infrastructure managers and railway undertakings.	None			
Rules concerning the investigation of accidents and incidents.	None			
Regulation				
Operating rules	BE-99-2008-01	(*)	Safety directive updating previous operating rules	Operating and operations process. Specific instructions concerning the safety at work.

	Legal reference	Date legislation comes into force	Reason for introduction (Additionally specify new law or amendment to existing legislation)	Description
	BE-99-2008-02	(*)	Safety directive updating previous operating rules	Operating and operations process. Attendance.
	BE-99-2008-03	(*)	Safety directive updating previous operating rules	.Control operations and signalling. Railway lines with a train control system – ETCS .Railway lines with train control system – railway lines with stop signals Book 6: . Operating and operations process/Signalling . Specific instructions on railway lines with train control system and stop signals Infrastructuur/General information
	BE-99-2008-04	(*)	Safety directive updating previous operating rules	Operating and operations process/ Trains / Instructions for trains
	BE-99-2008-05	(*)	Safety directive updating previous operating rules	Operating and operations process/General information/Train control
	BE-99-2008-06	(*)	Safety directive updating previous operating rules	.Control operations and signalling/Railway lines with lateral signalling . Operating and operations process/Signalling – in specific situations on railway lines with lateral signalling
	BE-99-2008-07	(*)	Safety directive updating previous operating rules	Operating and operations process/Operating – Oversignalling of communications
	BE-99-2008-08	(*)	Safety directive updating previous operating rules	Operating and operations process/Operating – The switching
	BE-99-2008-09	(*)	Safety directive updating previous operating rules	

	Legal reference	Date legislation comes into force	Reason for introduction (Additionally specify new law or amendment to existing legislation)	Description
	BE-99-2008-10	(*)	Safety directive updating previous operating rules	Operating and operations process/Operating – Measures to take in case of accident, nuisance, incident or in danger situations
	BE-99-2008-11	(*)	Safety directive updating previous operating rules	Operating and operations process/Operating – Oversignalling of communications
	BE-99-2008-12	(*)	Safety directive updating previous operating rules	Operating and operations process/General information/Train control
	BE-99-2008-13	(*)	Safety directive updating previous operating rules	Control operations and signalling/Driving assistance
	BE-99-2008-14	(*)	Safety directive updating previous operating rules	Energy/Fixed installation of the electric traction
	BE-99-2008-15	(*)	Safety directive updating previous operating rules	Operating and operations process/Trains – Instructions for trains
	BE-99-2008-16	(*)	Safety directive updating previous operating rules	Operating and operations process/Operating – Measures to take in case of accident, nuisance, incident or in danger situations
	BE-99-2008-17	(*)	Safety directive updating previous operating rules	Operating and operations process/Operating – Operating instructions for the railway lines
	BE-99-2008-18	(*)	Safety directive updating previous operating rules	Control operations and signalling/"ERTMS key management"- Procedure for obtaining a key KMAC to ERTMS drive on network level 2 Belgian
	BE-99-2008-19	(*)	Safety directive updating previous operating rules	Operating and operations process/Railway lines with train control system – railway lines with train control system and lateral signalling
	BE-99-2008-20	(*)	Safety directive updating previous operating rules	Operating and operations process/Signalling - Specific instructions on railway lines with a

	Legal reference	Date legislation comes into force	Reason for introduction (Additionally specify new law or amendment to existing legislation)	Description
				train control system

(*) The regulation enters into force on the date determined by the infrastructure manager in close consultation with the railway undertakers

ANNEX E: The development of safety certification and authorisation – Numerical Data

E.1. Safety Certificates according to Directive 2001/14/EC

Number of Safety Certificates issued according to Directive 2001/14/EC, held by railway undertakings in year 2008 being licensed	in your Member State	2
	in another Member State	0

E.2. Safety Certificates according to Directive 2004/49/EC

		New	Updated / amended	Renewed	
E.2.1. Number of valid Safety Certificates Part A held by Railway Undertakings in the year 2008 being registered	in your Member State	3	0	0	
	in another Member State	0	0	0	
		New	Updated / amended	Renewed	
E.2.2. Number of valid Safety Certificates Part B held by Railway Undertakings in the year 2008 being registered	in your Member State	1	0	0	
	in another Member State	0	0	0	
			A	R	P
E.2.3. Number of applications for Safety Certificates Part A submitted by Railway Undertakings in year 2008 being registered	in your Member State for	new certificates	3	0	1
		updated / amended certificates	0	0	0
		renewed certificates	0	0	0
	in another Member State for	new certificates	-	-	-
		updated / amended certificates	-	-	-
		renewed certificates	-	-	-
			A	R	P
E.2.4. Number	in your Member	new certificates	1	3	5

of applications for Safety Certificates Part B submitted by Railway Undertakings in year 2008 being registered	State for	updated / amended certificates	0	0	0
		renewed certificates	0	0	0
	in another Member State for	new certificates	-	-	-
		updated / amended certificates	-	-	-
		renewed certificates	-	-	-

A = Accepted application, certificate is already issued

R = Rejected applications, no certificate was issued

P = Case is still pending, no certificate was issued so far

E.2.5. List of countries where RUs applying for a Safety Certificate Part B in your Member State have obtained their Safety Certificate Part A

France (SNCF Fret)

E.3. Safety Authorisations according to Directive 2004/49/EC

	New	Updated / amended	Renewed		
E.3.1. Number of valid Safety Authorisations held by Infrastructure Managers in the year 2008 being registered in your Member State	1	0	0		
			A	R	P
E.3.2. Number of applications for Safety Authorisations submitted by Infrastructure Managers in year 2008 being registered in your Member State	new authorisations		0	0	0
	updated / amended authorisations		0	0	0
	renewed authorisations		0	0	0

A = Accepted application, authorisation is already issued

R = Rejected applications, no authorisation was issued

P = Case is still pending, no authorisation was issued so far

E.4. Procedural aspects – Safety Certificates part A

		New	Updated / amended	Renewed
Mean time after having received all necessary information between the receipt of an application and the final delivery of a Safety Certificate Part A in year 2008 for Railway Undertakings holding	a licence released by your Member State	Avery of 80 working days	0	0
	a licence released by another Member State	-	-	-

E.5. Procedural aspects – Safety Certificates part B

		New	Updated / amended	Renewed
Mean time after having received all necessary information between the receipt of an application and the final delivery of a Safety Certificate Part B in year 2008 for Railway Undertakings holding	a licence released by your Member State	0	0	0
	a licence released by another Member State	-	-	-

E.6. Procedural aspects – Safety Authorisations

		New	Updated / amended	Renewed
Mean time after having received all necessary information between the receipt of an application and the final delivery of a Safety Authorisation in year 2008 for Infrastructure Managers holding	a licence released by your Member State	Avery of 21 working days	0	0
	a licence released by another Member State	-	-	-