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# Annual Report 2010

of the Belgian  
Safety Authority





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# A/ Preface

## 1/ Scope of the Report

This report describes the activities of the Belgian Safety Authority in 2010. It was prepared 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 Royal Decree of 16 January 2007, the DRSI has been appointed as the National Safety Authority (NSA). As such the DRSI was assigned the tasks laid down in Article 16 of the Railway Safety Directive 2004/49/EC: in particular overseeing safety of the railway system and the certification and supervision of the entities in charge of maintenance. Under Directive 2007/59/EC, the DRSI is also responsible for all the tasks with regard to the certification of train drivers on the railway system of the Community.

The requirements of Article 18 of the Railway Safety Directive are fulfilled by the publication of this report. The report is based on the template developed by the European Railway Agency, and contains all the items indicated in Article 18 of the Railway Safety Directive.



This annual report summarizes the activities of the Department for Railway Safety and Interoperability acting as Safety Authority. It provides information on the evolution of the safety indicators, the development of the national railway network and on the railway operators active on the Belgian railway network. This annual report covers the year 2010. The major train accident in Buizingen on 15 February 2010, with 19 fatalities, has had an exceptional impact on the indicators for fatalities and serious injuries. The final report of the Investigation Body has not yet been published, and therefore it is not possible to discuss the Body's recommendations.

The annual reports from 2006 to 2009 describe the evolution of safety based on historical national safety indicators. These data were collected by NMBS/SNCB-Holding, which has all the historical data of the former NMBS/SNCB. The data for 2010 reported in the present annual report are based on the common indicators (Directive 2009/149/EC). All data related to accidents and incidents are now collected and made available by the Investigation Body.

The dramatic accident in Buizingen and the transition from historical national indicators to common indicators have strongly influenced the evolution of a number of safety indicators. For these indicators it is therefore difficult to carry out a trend analysis. The number of signals passed at danger (SPAD) in 2010 remained, however, problematic.

Unlike in previous years, the number of track kilometres equipped with automatic train protection (ATP) did not increase further. The installation of the European Train Control System (ETCS), together with the existing lateral signals on the conventional railway network, is also being prepared. On the Antwerp - Luxembourg - Basel freight axis, installation of the European system as prescribed in Decision 2009/561/EC is still planned.

In 2010, the DRSI delivered two safety certificates, Part A based on the second railway package, and nine safety certificates Part B. At the end of 2010 all the rail operators active on the Belgian railway network were in possession of a safety certificate complying with Directive 2004/49/EC.

The infrastructure manager has accelerated the installation of the TBL1+ system. The NSA has accepted the proposed on-board installation, and the ERA has granted an NID\_STM number to TBL1+. The historical operator has begun installing the TBL1+ on the trains. At the end of 2010, 1635 signals were equipped with TBL1+ (in 2009 there were 631) and 25% of the domestic passenger trains were equipped with TBL1+.

The National Vehicle Register, as established by Decision 2007/756/EC, is now fully operational. Since the beginning of March 2010, all vehicles approved for both national and international traffic have been registered in the NSA register.

The limited staff in the Belgian NSA has not allowed the number of audits and inspections during 2010 to be significantly increased. Only one staff member was added in 2010. This made it impossible to carry out significantly more checks on compliance with national safety regulations.

# B/Introduction

## 1/ Introduction to the report

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The DRSI began its activity as a Safety Authority on 2 February 2007. This means that 2010 was the third full year in which the DRSI served as National Safety Authority. The report contains data on all the activities mentioned in the Safety Directive. On 31 December 2010, all 11 active railway companies operating in Belgium had safety certificates based on the Railway Safety Directive (2004/49/EC).

The safety indicators for 2010 are based on data from the Investigation Body's database. Incidents and accidents were analysed and - as far as possible - compared with data from reports from the infrastructure manager and railway undertakings. Starting from the present report, these safety indicators are based on the definitions of Directive 2009/149/EC (amending the Safety Directive with regard to the establishing of Common Safety Indicators CSI).

The serious accident that occurred on 15 February 2010 in Buizingen has clearly had a significant impact on some of these indicators, and prevents any representative trend analysis of certain data.

The DRSI will send a copy of this report to the European Railway Agency. This report is available in English, Dutch and French and can be consulted on the website of the Federal Public Service Mobility and Transport.

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

## 2/ Information on the Railway Structure (Annex A)

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### Network map

The attached map has been made available by the Belgian infrastructure manager INFRABEL. Data on the railway structure and on the number of train kilometres are also from Infrabel.

Note: Double track lines are counted twice to establish the number of train kilometres.

### List of Railway Undertakings and Infrastructure Managers

Data on the certificates and authorisations delivered under the second railway package are internal information.



3/

## Summary

# Overall trend analysis

(e.g. trends in railway safety, certificates, etc.)

The dramatic accident in Buizingen had the effect of focusing considerable public attention in 2010 on the safety of the Belgian railway system. The previous reports have already highlighted the problem of the number of signals passed at danger (SPAD) and in 2010 that number has risen further. The Safety Authority has urged the main operator repeatedly to take the necessary measures. The measures taken to improve the supervision of train drivers are, however, clearly insufficient. After the accident in Buizingen the infrastructure manager and the NMBS/SNCB have accelerated the installation of the TBL1+ system.

In accordance with Regulation 653/2007/EC, all active railway undertakings hold safety certificates that are based on the requirements from the Railway Safety Directive. During 2010, two new Part A Safety Certificates were delivered and two were amended (due to changes in the organisation or activity). In addition, six new Part B Safety Certificates were delivered: three of these have a Part A delivered in a country other than Belgium. Besides the NMBS/SNCB, Eurostar International Ltd. now also has a Part B Safety Certificate for passenger traffic in Belgium.

The Investigation Body published, in 2010, two reports on two accidents that took place in 2008. The investigation reports of two other accidents in 2008, and of the accidents in 2009 and 2010 are not yet available. What is already established is that the infrastructure manager and the railway undertakings have, based on their own investigations, already taken measures to avoid similar accidents in the future. Following the transposition of Directives 2008/57/EC (Railway Interoperability), 2007/59/EC (certification of train drivers) and the changes to the Railway Safety Directive via Directives 2008/110/EC (entities in charge of maintenance) and 2009/149/EC (Common Safety Indicators), much legislative work has been undertaken. To complement the transposition of the Railway Safety Directive, legislative initiatives have been taken to ensure the independence and functioning of the Safety Authority and the Investigation Body. The rules for rolling stock have also been updated in accordance with the Railway Interoperability Directive.

The supervision of the infrastructure manager and the railway undertakings by means of controls, inspections and audits have been increased to a very limited extent.



# C/Organisation

## 1/Presentation of the organisation

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

The Railway Operational Safety Act of 19 December 2006 (Article 12) assigned to the DRSI the tasks that are defined in Article 16 of the Railway Safety Directive. The legislation on interoperability and the Royal Decree assign certain additional tasks to the Safety Authority. The overall package of tasks is described below. Following the transposition of the Directive for the certification of train drivers, the DRSI became the competent authority in this matter.

The DRSI represents Belgium at the meetings of the Railway Interoperability and Safety Committee (Article 29 of Directive 2008/57/CE on the interoperability of the railway network in the European Union) and the working groups of the European Commission.

On 31 December 2010 there were 28 people working at the DRSI. These experts are responsible for different tasks. The DRSI is structured as follows:

### **Director of the DRSI:**

directly assisted by an administration and communications team and a legal expert (in total 6 persons).

Principal tasks:

- ◆ general management of the National Safety Authority, participation in the governance of the federal public service;
- ◆ all administrative tasks of the Safety Authority;
- ◆ all publications, such as the annual report, the website, and other legal publications;
- ◆ legal support in the implementation of national and European legal requirements;
- ◆ participation in the activities of the Network of Safety Authorities;
- ◆ participation in meetings of the Railway Interoperability and Safety Committee;
- ◆ quality control of the execution of the planning of audits, inspections and controls;
- ◆ supervision of the respect for legal terms;
- ◆ budget control.

### **Safety Unit:**

Head of the Unit and staff (total of 11 persons):

Principal tasks:

- ◆ delivery, renewing, adapting, extending and revoking of safety certificates for the railway undertakings;
- ◆ delivery of driver permits under the second railway package and certificates for other train crew;
- ◆ preparing for the delivery of driver authorisations (under the third railway package);
- ◆ developing a national framework for safety regulations;
- ◆ approving the operating rules established by the infrastructure manager;
- ◆ monitoring the national safety level based on indicators and trend analyses by NMBS/SNCB-Holding (NMBS/SNCB Group) and the Investigation Body;
- ◆ monitoring the measures taken in response to recommendations by the Investigation Body;
- ◆ drawing up and monitoring the Safety Authority's timetable for controls, inspections and audits;
- ◆ monitoring railway undertakings' safety policies;
- ◆ supervising the training and examination centres (second railway package);
- ◆ participation in working groups of the European Railway Agency for the evaluation of risks, effectiveness, recognition of schools and examiners, certification, reporting and regulation.



### **Infrastructure Unit:**

Head of Unit and staff (total of 5 persons):

Principal tasks:

- ◆ authorising the placing into service of the subsystems for infrastructure, energy, control, command and signalling (track side);
- ◆ follow-up on the application of the safety rules by the infrastructure manager;
- ◆ helping prepare national and international technical rules for the infrastructure;
- ◆ checking whether interoperability constituents meet the conformity requirements;
- ◆ helping to prepare the infrastructure register (European Railway Agency working group);
- ◆ participating in European Railway Agency working groups on infrastructure, energy and the signalling and control system.

### **Rolling Stock Unit:**

Head of Unit and staff (total of 6 persons):

Principal tasks:

- ◆ authorising the placing into service of rolling stock of every kind;
- ◆ checking whether interoperability constituents meet the conformity requirements;
- ◆ helping to develop national and international technical regulations for rolling stock;
- ◆ designing and developing a database and classification of national rules for mutual recognition, as described in the Railway Interoperability Directive;
- ◆ developing a National Vehicle Register (NVR) under the common specifications, assigning an alphanumeric code to vehicles, entering and adapting data in the NVR, acting as national representative for the VKM register (Vehicle Keeper Marking);
- ◆ transposing and implementing the international rules for the international carriage of dangerous goods, carrying out checks and reporting accidents;
- ◆ supervising braking tests on tram and subway tracks;
- ◆ controlling the use of historical rolling stock on the national railway network;
- ◆ certification and supervision of the entities responsible for maintenance:
  - follow-up on auto-certification;
  - certification pursuant to the Memorandum of Understanding (MoU), as transposed into Belgian legislation (Royal Decree of 21.12.2010). The certification under the Commission rules will take effect during 2011;
  - monitoring the operation of these entities.
- ◆ participating in the working groups of the European Railway Agency on all types of rolling stock, mutual recognition, the European register of authorised types of vehicles (ERATV) and of electromagnetic compatibility (EMC).

As Security Authority, the DRSI regularly participates in the working groups of the European Railway Agency and answers the questionnaires of the European Railway Agency.

The DRSI represents Belgium in the working groups on safety and interoperability of the European Commission and in working groups of the Organisation for International Carriage by Rail (OTIF) in particular in matters concerning dangerous goods and tank wagons.

2/

# Organisation chart

(Annex B)



# D/ Evolution of railway safety

## 1/ Initiatives to improve safety performance

Table D.1.1  
Safety measures taken in response to previous accidents or incidents

Accidents / precursors forming the basis of the measures			Safety measures
Date	Place	Description	
14/11/2008	Diegem	Lateral collision between a freight train and a passenger train	The Investigation Body is undertaking an investigation.
23/05/2009	Dinant	Accident at the departure of a passenger train	The Investigation Body is undertaking an investigation.
15/11/2009	Jemelle	Death of a staff member	The Investigation Body is undertaking an investigation.
19/11/2009	Bergen	Derailment	The Investigation Body is undertaking an investigation.
15/02/2010	Buizingen	Collision between two passenger trains	The Investigation Body is undertaking an investigation.
15/09/2010	Arlon	Collision between two passenger trains	The Investigation Body is undertaking an investigation.

Table D.1.2  
Safety measures resulting from other incidents

Safety Measure	Description of the incident
None	



## 2/ Detailed trend analysis

Until 2009, the historical definitions of the former NMBS/SNCB were used for defining safety indicators. These were based on data from NMBS/SNCB Holding. The Royal Decree of 5 July 2010 charged the Investigation Body with both compiling information on accidents and incidents into a database and undertaking trend analysis.

Since 2010 the Safety Authority has received statistics from the Investigation Body. The safety indicators mentioned in the annual reports of the infrastructure manager and railway undertakings are based on data from the updated Annex I of the Safety Directive. For 2010 the figures of the Investigation Body and the sum of the data of the infrastructure manager and railway undertakings differ in places. The DRSI has no direct access to the data managed by the Investigation Body, but has asked to verify these differences. If this leads to corrections, these figures will be adjusted.

The severe accident in Buizingen had a major impact on the figures for 2010, with a heavy imprint on the conclusions of the trend analysis for the past five years. As indicated in Article 3 and Annex 2 of the Commission's decision 2009/460/EC from 5 June 2009 concerning the establishment of common safety methods in order to evaluate whether the safety objectives have been reached, and as stated in Article 6 of the Directive 2004/49/EC of the European Parliament and of the Council, a serious accident like that in Buizingen is better not included in any trend analysis.

Directive 2009/149/EC of 27 November 2009, amending Railway Safety Directive 2004/49/EC on Common Safety Indicators and common methods to calculate accident costs, introduced a new obligation for Member States to report the indicator for dangerous goods. Also since recently, Member States have been required to report briefly on the relative number of passenger train kilometres in the category of severely injured and deceased passengers. For this reason, no trend analysis of these new indicators can be done in this annual report.

Directive 2009/149/EC imposes, in addition to new and more precise common definitions, also methods for calculating the economic impact of accidents. The new definition of these indicators differs significantly from the historical or Eurostat definition, therefore giving different results than previous years. For the indicators showing the economic impact of accidents, the new concept of Value of Preventing a Casualty (VPC) has been introduced. A trend analysis that makes a comparison with previous years is therefore not representative and has not been performed in this report.

## 3/ Results of the safety recommendations

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The time that elapses between an accident and the implementation of safety measures intended to prevent the occurrence of a similar accident in the future depends on the nature of the incident. Where the cause is easy to determine and the measures to be taken are limited in size and cost, it is obvious that the infrastructure manager and/or the railway undertakings will introduce these measures immediately. In more complex cases it may take longer for the new measures to be implemented. First of all an investigation must be conducted, then an analysis is carried out and recommendations are formulated. All parties involved need to evaluate these proposals, by the Investigation Body, which can be put into practice only in the final stage.

The Investigation Body is still working on the investigation of the accident in Diegem (December 2008) and of the accidents in 2009 and 2010. At the time of writing of this report in July 2011, no reports on these were therefore available.

From the annual reports received by the DRSI, we can deduce that the following measures were taken immediately:

- accident at Jemelle (15/11/2009): NMBS/SNCB adapted the marshalling process;
- accident in Mons (19/11/2009): Infrabel has signalled the zone with a speed limit of 160 km/h to 60 km/h in two steps. Each step has an announcement signal with crocodile to enhance the driver's vigilance;
- accident in Arlon (15/9/2010): Infrabel adjusted the ground signal and the NMBS/SNCB adjusted the operating rules in Arlon station.

Following the accident at Dinant (23/5/2009), the NMBS/SNCB and Infrabel are developing a new departure procedure. The Safety Authority has, in a letter of 7/7/2011, again urged the CEOs concerned into activate their concertation.

The investigation into the accident in Buizingen is still ongoing.

# E/ Major adjustments to legislation and regulations

The transposition of the Directive on the certification of train drivers and of the new Railway Interoperability Directive as well as the amendments to the Railway Safety Directive have led to the amendment of several Acts and the amendment and promulgation of new implementing Decrees for these Acts.

## Legislative changes

The Act of 19 December 2006 on the operational safety of the railways was adjusted as follows:

- by the Act of 26 January 2010: implementation of the Directive on the certification of train drivers of locomotives and trains on the European Community' railway network (Directive 2007/59/EC) and modifications to the Railway Safety Directive (Directive 2008/110/EC) with the introduction of the definition of entity in charge of maintenance and the adjustment regarding authorization for the deployment of rolling stock;
- by the Railway Safety Act of 26 January 2010 and of the Judicial Code on the procedure for appeal against certain decisions of the Authority for supervision and the Safety Authority;
- by the Royal Decree of 25 June 2010, the Common Safety Indicators and methods of to calculate accident costs (transposal of Directive 2009/149/EC);
- the Act of 26 January 2010 on the interoperability of the rail system within the European Community, transposing Directive 2008/57/EC. This replaces the Royal Decree of 28 December 2006 on the interoperability of the trans-European high-speed trains and normal rail traffic.

## Implementing Decrees

The Royal Decree of 17 June 2010 establishing the amount that holders of a safety authorisation and holders of a Part B safety certificate using the Belgian railway network need to contribute to the financing of the Investigation Body and of the partial financing of the Safety Authority. This decree came into force on 1 January 2010.

The Royal Decree of 25 June 2010 amending the Royal Decree of 16 January 2007 and laying down certain rules for investigations into railway incidents and accidents. In this way, information on accidents and incidents is passed on to the Investigation Body to enable it to update its database with these data.

The Ministerial Decree of 30 July 2010 on the application of the requirements for vehicles using railway tracks. Notwithstanding the application of technical specifications for interoperability, this safety rule applies to any authorization to place into service of rolling stock, before making use of the Belgian railway infrastructure.

The Royal Decree of 21 December 2010 establishes the measures that the Safety Authority must take if the EC declaration of conformity procedure is not followed or in the case of a non-conformity of the interoperability constituents with the essential requirements.



## Miscellaneous changes

The amendment of the Act of 29 December 2010 is due to the intervention of the European Commission and is intended to ensure the independence of the Safety Authority vis-à-vis the NMBS/SNCB. This amendment to the law provides that the management of the Safety Authority must, no later than 18 months after the entry into force of the Act of 29 December 2010 containing various provisions, no longer have any ties with NMBS/SNCB Holding and no longer enjoy the rights and benefits of a permanent staff member of NMBS/SNCB Holding. This law also authorises the King to define the content of the term "management" of the Safety Authority by means of a decision of the Council of Ministers.

During the year 2010, a great number of operating rules were reviewed and received the assent of the National Safety Authority. These are listed in Annex D.

Remark concerning the budget fund of the Safety Authority and the Investigation Body:

The funding of the Safety Authority is composed of:

- a fee for the authorisation of putting into service, the delivery of safety authorisations and certifications, keeping the National Vehicle Register and maintaining the National Train Drivers and Other Train Crew database;
- an overall contribution for its supervisory work and for promoting, strengthening and developing the safety regulatory framework.

For the Investigation Body provision is made only for overall funding.

The general contribution for both funds comes from the infrastructure manager (30%) and the railway undertakings (70%).

The amount of the general contribution is to be set by Royal Decree. For 2011, the amount was set by the Royal Decree of 21 January 2011. This amount makes it possible to increase the number of employees in the Safety Authority to 35 FTEs. This general contribution also permits the development of an IT application for the train driver authorisation register (register mentioned in Article 22 of 2007/59/EC). A further increase of the budget is planned, but no governmental decision had been made yet in August 2011.



# F/ Development of safety certification and authorisations



# 1/ National legislation start and expiry dates

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- 1.1 Start date for the delivery of safety certificates in conformity with Article 10 of Directive 2004/49/EC (Part A and Part B).

The start date is the day the Railway Operational Safety Act came into force, i.e. 2 February 2007.

- 1.2 Start date for the delivery of safety authorisations in conformity with Article 11 of Directive 2004/49/EC.

The start date is the day the Railway Operational Safety Act came into force, i.e. 2 February 2007.

- 1.3 Making the national safety rules or other relevant legislation available for consultation by the railway undertakings and infrastructure managers.

The national safety rules are officially published in the Belgian Official Journal (Moniteur belge/ Belgisch Staatsblad). These can be consulted at all times via the website of the Federal Public Service Mobility and Transport, under the heading "SPOOR" (rail).

The national rules on railway operational safety are published on a secured website of the infrastructure manager (INFRABEL). Railway undertakings and candidate RUs may access to this website via [www.railaccess.be](http://www.railaccess.be).

# 2/ Numerical data

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(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, size of traffic, size of company).

Name change of the railway undertaking (SNCF Fret Benelux N.V. to CapTrain Belgium N.V.)

- 3.1.2. Main reasons for the mean delivery time for Part A Certificates (restricted to those mentioned in Annex E and after receiving all necessary information) being longer than the 4 months defined in Article 12(1) of the Railway Safety Directive.

Not applicable.

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

Not applicable.

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

Not applicable.

- 3.1.5. Fee paid to the DRSI for delivering a Part A Certificate:

EUR 5.000 per Part A Certificate (based on Article 33, (1) of the 19/12/2006 Railway Operational Safety Act).

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

Not applicable.

- 3.1.7. Summary of common problems/difficulties encountered by the DRSI with the application procedures for Part A certificates.

Not applicable.

- 3.1.8. Summary of the problems mentioned by railway undertakings when applying for Part A Certificates.

Not applicable.

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

Not applicable.





## 3.2. Part B Safety Certificates

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

- expansion of the number of lines to be operated;
- change in the type of rolling stock used;
- adaptations to the context of legislative changes;
- adaptation of the organisation chart of the undertaking;
- change in dangerous goods safety adviser;
- change of name of the railway undertaking.

3.2.2. Main reasons for the mean delivery time for Part B Certificates (restricted to those mentioned in Annex E and after receiving all necessary information) being longer than the 4 months defined in Article 12(1) of the Safety Directive.

Not applicable.

3.2.3. Fee paid to the DRSI for delivering a Part B Certificate:  
depending on the type and the volume of the transport, this fee varies from EUR 2.000 to 20.000 per Part B Certificate (based on Article 33, (1) of the Act of 19/12/2006 Railway Operational Safety Act).

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

Not applicable.

3.2.5. Summary of common problems/difficulties encountered by the DRSI with the application procedures for Part B certificates.

Not applicable.

3.2.6. Summary of the problems mentioned by railway undertakings when applying for Part B Certificates.

Not applicable.

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

Not applicable.



### 3.3. Safety Authorisations

3.3.1. Reasons for updating/amending safety authorisations.

No single case in 2010.

3.3.2. Main reasons for a delay in the delivery of safety authorisations (only those listed in Annex E and, after receiving all necessary information) of longer than the four months provided for in Article 12, paragraph 1 of the Railway Safety Directive.

No single case in 2010.

3.3.3. Summary of regularly occurring problems or difficulties in the context of application procedures for safety authorisations.

No single case in 2010.

3.3.4. Summary of problems identified by the infrastructure managers in their applications for safety authorisations.

No single case in 2010.

3.3.5. Feedback procedure (such as a questionnaire) to enable the infrastructure to express its opinion on the procedures and practices involved in the delivery of certificates, or which it can use to lodge a complaint.

No single case in 2010.

3.3.6. Contribution payable to the DRSI for delivering a safety authorisation.  
As from 2010, an amount of EUR 25.000 has to be paid for every Safety Certificate (based on Article 33, subsection 2 of the 19 December 2006 Railway Operational Safety Act).



# G/ Supervision of railway undertakings and infrastructure managers

## 1. Description of the supervision of railway undertakings and infrastructure managers.

### 1.1. Audits / Inspections / Checklists

The supervision of the railway undertakings and the infrastructure manager takes place at 3 levels:

- audits on the organisation (by consultants who were instructed by the DRSI);
- monitoring of the application of safety management systems mentioned in the application files for safety certificates and safety authorisations (by the DRSI staff);
- controls of the correct application of the operational rules (DRSI staff).

Audits/inspections conducted by Safety Authority staff, by a third party, or by both:

- . 1 audit of train driver training;
- . 9 inspections of the infrastructure manager and railway undertakings (Infrabel (x4) / SNCF / Captrain / NMBS/SNCB (x2) / Crossrail). Particular attention was paid to the certification of safety personnel and the coupling and uncoupling of passenger trains;
- . 587 inspections of the operational safety requirements (with 149 violations identified), 761 rolling stock inspections (100 infringements), 46 infrastructure controls.

Personnel resources deployed by the DRSI: of the 15 qualified staff available, 5.27 FTEs were engaged in monitoring.

Economic aspects: in 2010 the wages, social security contributions and operational costs of these 5.27 FTEs amounted in total to EUR 521 982.

### 1.2. Items for attention

- certification of the safety staff of the railway undertakings and the infrastructure manager, including subcontractors.
- transfer of information on the composition of the train by the railway undertakings to the infrastructure manager.

**2. Description of the handling of legal issues in the annual reports by the infrastructure managers and railway undertakings, providing annual reports by 30 June (pursuant to Article 9, paragraph 4 of the Safety Directive)**

The DRSI received an annual report from the infrastructure manager (INFRABEL) on 29 June 2011 and from the following railway undertakings:

- CapTrain Belgium nv received on 30-03-2011
- Veolia Cargo Nederland B.V. was regrouped under CapTrain Belgium nv. The annual report of Veolia Cargo Nederland B.V. was integrated in the annual report of CapTrain Belgium nv.
- SNCF-E.P.I.C. received on 20-05-2011
- TrainsporT .A.G. received on 24-06-2011
- Eurostar International Ltd received on 01-07-2011
- DB Schenker Rail Nederland nv received on 07-07-2011
- NMBS received on 20-07-2011
- ERS Railways B.V. received on 05-08-2011

As of 31.08.2011, no report had been received from the following Railway Undertakings:

- Crossrail Benelux nv
- Rotterdam Rail Feeding nv
- Euro Cargo Rail S.A.S.

The following undertakings that have a Part B Safety Certificate did not undertake any railway activity in 2010, and therefore did not supply any report to the DRSI:

- Railtraxx B.V.B.A. received its Safety Certificate on 13-12-2010
- NMBS Logistics nv received its Safety Certificate on 21-12-2010

**3. Number of inspections of the infrastructure manager, railway undertakings and training centres in 2010**

<b>Inspections</b>		Number of Part A Safety Certificates issued	Number of Part B Safety Certificates issued	Number of Safety Authori- sations issued	Other activities Safety Certificate 2001/14
<b>Number of inspections</b>	planned	1	4	4	
	not planned				
	carried out	1	4	4	

**4. Number of audits of the infrastructure manager/railway undertakings in 2010**

<b>Audits</b>		Number of Part A Safety Certificates issued	Number of Part B Safety Certificates issued	Number of Safety Authori- sations issued	Other activities Safety Certificate 2001/14
<b>Number of audits</b>	planned			1	1
	not planned				
	carried out			1	1

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

None

**6. Brief summary of the complaints by the infrastructure manager against the railway undertakings relating to the conditions stated in their Part A/B certificates.**

None

**7. Brief summary of the complaints by the railway undertakings against the infrastructure manager relating to the conditions stated in their authorisations.**

None



# H/ Report on the application of the CSM on risk analysis and assessment

Not applicable in 2010



# I/ Decisions of the DRSI: Priorities

The serious accident at Buizingen on 15 February 2010, with a total of 19 victims, has overshadowed the year 2010. At the time of preparation of this report in July 2011 the judicial services had not delivered any final conclusion, and the report of the Investigation Body was not yet available. Consequently, no recommendations and actions have yet been defined in order to avoid similar accidents in the future.

The accident most certainly drew the attention of policy makers to the safety of railway operations, with the Belgian Parliament establishing a special commission to examine the safety of rail traffic.

As a member of the Federal Public Service Mobility and Transport, the DRSI was twice summoned to explain its activities and findings in relation to the development of railway operational safety. The European Railway Agency (ERA) also undertook an audit of the DRSI at the request of the parliamentary commission. This audit has shown that the Safety Authority carries out its functions, such as certification and authorising the placing into service of equipment, in accordance with European regulations. The recommendations that the European Railway Agency then formulated, focused on a necessary extension of the monitoring of the infrastructure manager and the railway undertakings by the Safety Authority. In order to extend its supervisory activity, the Safety Authority must first increase its manpower. In early 2011, the budgetary resources for this were established in a Royal Decree. The recruitment process has now started and the staff complement will be extended at the end of 2011. Once these new employees have received the necessary training, the DRSI will be able to expand its supervisory tasks.

The present safety unit will then be split into a certification unit and a monitoring unit. In this way the recommendations of the European Railway Agency will be fulfilled and the Safety Authority will prepare for new tasks arising from the transposition of the Directive on the certification of train drivers and the adaptation of the Railway Safety Directive.

The Directive on the certification of train drivers indicates the DRSI as the competent unit, which implies a number of new tasks. In 2010 the Safety Authority began preparing for these tasks. This work will continue in 2011.

We can draw only limited conclusions on the evolution of the safety level of the Belgian railways. Until 2009, the indicators were based on the old definitions of the former NMBS/SNCB. Since 2010, common indicators have been in use (included in Directive 2009/149/EC). Moreover, figures from NMBS/SNCB-Holding are no longer used, but analysis is based instead on information from the database of the Investigation Body. Certain indicators are thus defined in a totally different way. This means that for several indicators it is impossible to discern clear trends or developments. Additionally, the serious accident at Buizingen has heavily impacted on the indicators for the number of fatalities and injuries.

The problem of signals passed at danger has already received special attention in earlier annual reports and remains an issue. The infrastructure manager and NMBS/SNCB have adapted their investment plan to introduce TBL1+ more rapidly. The DRSI has also undertaken a somewhat greater number of controls and inspections. As already mentioned in this annual report, the DRSI will be able to significantly increase these efforts only once the necessary staff have been recruited and trained. In 2010, the workforce expanded by only one employee.

# I/ Decisions of the DRSI: Priorities

2010 saw a particularly large number of legislative changes. The Safety Authority made available to the Federal Public Service Mobility and Transport the knowledge and insight acquired from participating in working groups of the European Railway Agency, for developing the new legislation. The new Railway Interoperability Directive was transposed into Belgian law and the law on operational safety was updated and extended following the introduction of entities in charge of maintenance and with the transposing of the Directive on the certification of train drivers. Several royal decrees were published in the first half of 2011, and others are to follow.

Meanwhile the European Commission has itself published a number of implementing measures and recommendations regarding, inter alia, authorisations for placing new equipment into service. There are also decisions concerning the recognition of the entities in charge of maintenance and the training of future train drivers. Additional national regulations will also be needed in the future. Legislative initiatives have also been launched to ensure the independence of the DRSI vis-à-vis the NMBS/SNCB Group and to make it possible to appeal Safety Authority decisions.

For the Safety Authority it is essential to have a clear and comprehensive legal framework in place with all the necessary rules relating to infrastructure, authorisations for placing equipment into service, certification, rolling stock and safety personnel. Conversations with colleagues from foreign safety authorities show that many countries battle with similar problems. Moreover, the number of players has considerably increased. Apart from the infrastructure manager and railway undertakings, there are also the vehicle holders, maintenance entities, manufacturers, training centres, psycho-medical centres, notified bodies, safety assessors, and the Investigation Body. The complete reorganisation of the railway landscape and the continuous adaptation and enlargement of the European Directives, Decisions and Regulations demand a special adaptation of national legislation. A period of consolidation of European legislation is absolutely vital in order to achieve a uniform implementation and application within the Community.

## J/ Information sources

- Publications in the Belgian Official Journal
- Internal information
- Data from the infrastructure manager and the railway undertakings
- The Investigation Body

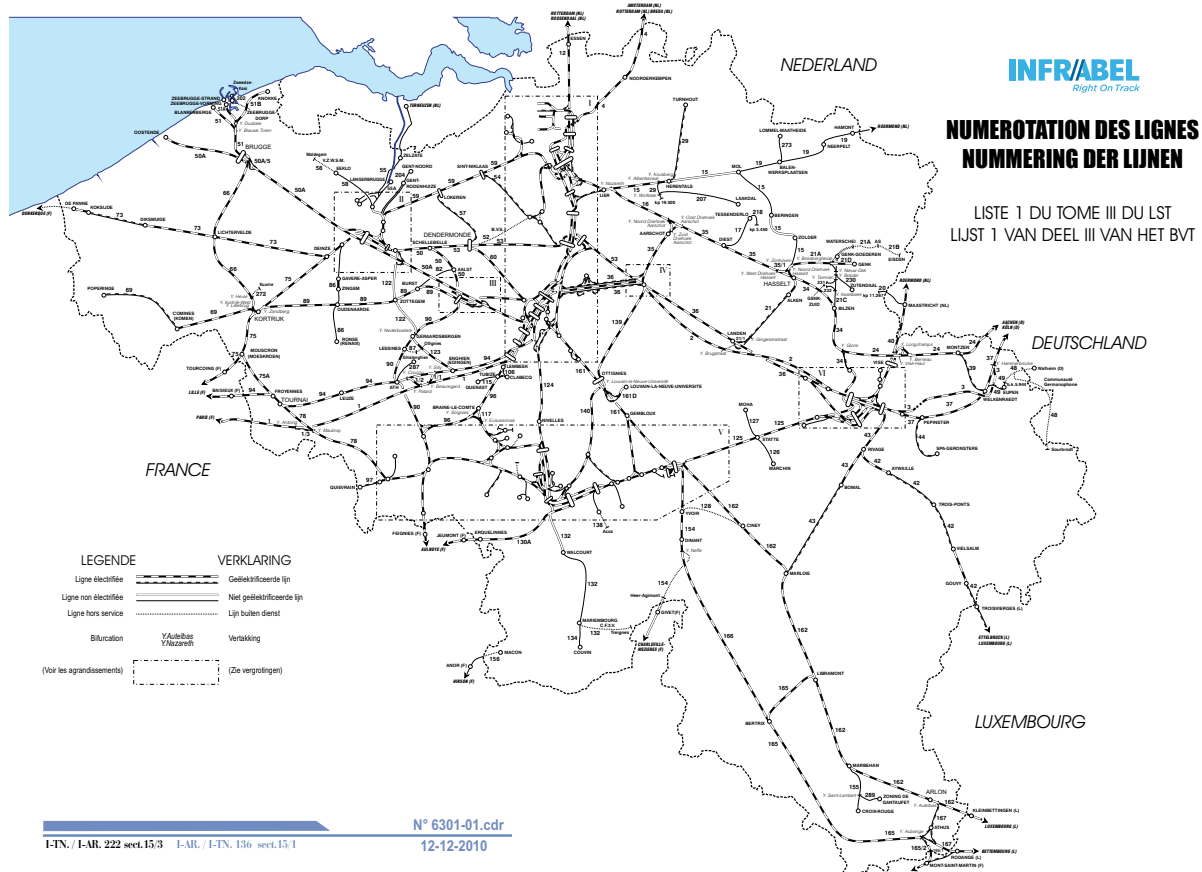
# K/ Annexes



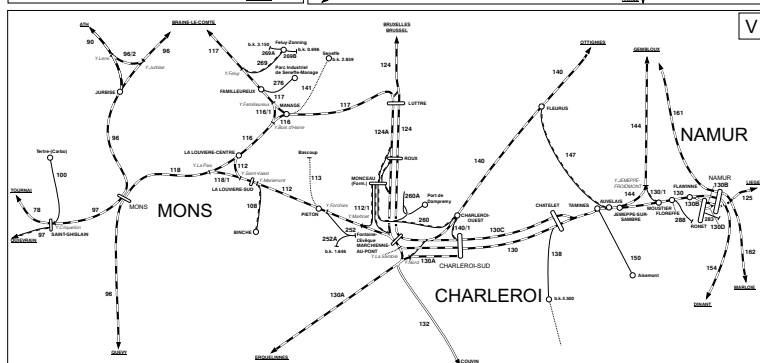
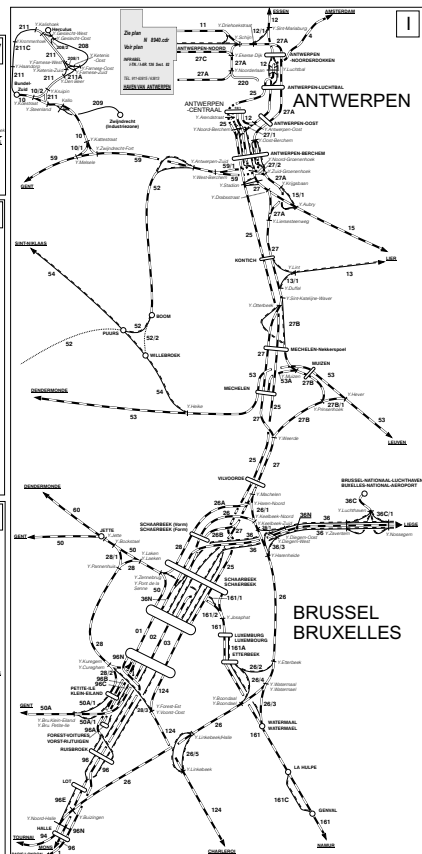
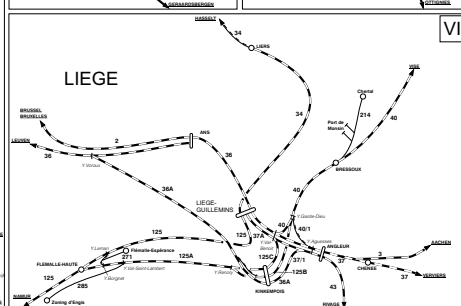
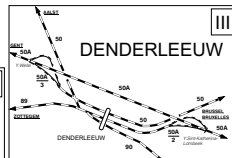
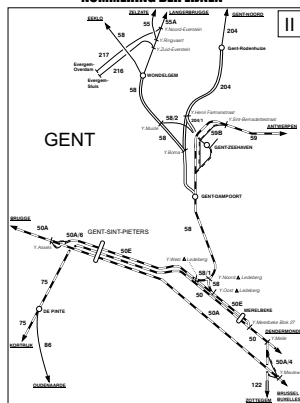
ANNEX A: Information about the Railway Structure (Annex A)  
ANNEX B: Organisation chart of the Safety Authority and the FPS Mobility and Transport  
ANNEX C: Common Safety Indicators - figures - Definitions used  
ANNEX D: Major adjustments to legislation and regulations  
ANNEX E: Development of safety certification and authorisation - Numerical Data

# Annex A: Information about the Railway Structure

## A.1. Network map



**LISTE 1 DU TOME III DU LST**  
**LIJST 1 VAN DEEL III VAN HET BVT**  
AGRANDISSEMENTS / VERGROTINGEN  
**NUMEROTATION DES LIGNES**  
**NUMMERING DER LIJNEN**



## A.2. List of Railway Undertakings and Infrastructure Managers

Infrastructure Manager (at 31 December 2010)

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

### Railway Undertakings (at 31 December 2010)

#### a. Passenger traffic

Name: **NMBS - Nationale Maatschappij der Belgische Spoorwegen**  
**SNCB - Société nationale des Chemins de fer belges**  
Address: Hallepoortlaan 40, B-1060 Brussels  
Website: www.NMBS/SNCB.be; www.sncb.be  
Part A safety certificate: BE 11 2008 0001  
Expires: 29 June 2011.  
Part B Safety Certificate: BE 12 2009 0006  
Expires: 12 May 2012.

Name: **Eurostar International Ltd**  
Address: Times House Bravingtons Walk 5, NL - London N1 9AW  
Website: www.eurostar.com  
Safety certificate A: UK 11 2009 0083  
Expires: 18 April 2012.  
Safety certificate B: BE 12 2010 0005  
Expires: 17 August 2013.

#### b. Freight traffic

Name: **CFL Cargo S.A.**  
Address: Boulevard J.F. Kennedy 11, L - 4170 Esch-sur-Alzette  
Website: www.cfl.lu  
Safety certificate: 2001/14/EC: C008 (1st railway package)  
Expires: 21 May 2011 (expired on 1 January 2011, based on Art. 6, Regulation 653/2007/EC)

Name: **SNCF - Société nationale des chemins de fer français E.P.I.C.**  
Address: 24, rue Villeneuve, FR - 92583 Clichy cedex  
Website: www.sncf.com  
Safety certificate A: FR 11 2007 0001  
Expires: 28 June 2012.  
Safety certificate B: BE 12 2008 0001  
Expires: 07 April 2011.

Name: **Crossrail Benelux N.V.**  
Address: Luchthavenlei 7A, B - 2100 Deurne  
Website: www.crossrail.ch  
Safety certificate A: BE 11 2008 0003  
Expires: 19 October 2011.  
Safety certificate B: BE 12 2010 0006  
Expires: 9 January 2012.

Name: **Trainsport A.G.**  
Address: Betriebszentrum Lichtenbusch E40, B - 4730 Raeren  
Website: www.trainsport.com  
Safety certificate A: BE 11 2008 0002  
Expires: 29 September 2011.  
Safety certificate B: BE 12 2010 0007  
Expires: 15 January 2012.

Name: **Veolia Cargo Nederland B.V. (Acquired by CapTrain Belgium)**  
Address: Albert Plesmanweg 103 b/c, NL - 3088 GC Rotterdam  
Website: www.veolia-cargo.com  
Safety certificate A: NL 11 2007 1080  
Expires: 5 December 2010.  
Safety certificate B: BE 12 2009 0003  
Expires: 8 March 2012.

Name: **DB Schenker Rail Netherlands N.V.**  
Address: Moreelsepark 1, NL - 3511 EP Utrecht  
Website: [www.rail.dbschenker.nl](http://www.rail.dbschenker.nl)  
Safety certificate A: NL 11 2007 1054  
Expires: 15 November 2009.  
Safety certificate B: BE 12 2009 0005  
Expires: 26 April 2012.

Name: **CapTrain Belgium N.V.**  
Address: Italiëlei 2, 3rd floor, PO Box 3, B - 2000 Antwerp  
Website: [www.captrain.be](http://www.captrain.be)  
Safety certificate A: BE 11 2010 0001  
Expires: 13 August 2012.  
Safety certificate B: BE 12 2010 0002  
Expires: 3 December 2012.

Name: **ERS Railways B.V.**  
Address: Postbus 59018, NL - 3008 PA, Rotterdam  
Website: [www.ersrail.com](http://www.ersrail.com)  
Safety certificate A: NL 11 2008 0883  
Expires: 29 March 2010.  
Safety certificate B: BE 12 2010 0001  
Expires: 1 March 2013.

Name: **Euro Cargo Rail S.A.S.**  
Address: 25-29, Place de la Madeleine, F - 75008 Paris  
Website: [www.eurocargorail.com](http://www.eurocargorail.com)  
Safety certificate A: FR 11 2010 0003  
Expires: 2 November 2010.  
Safety certificate B: BE 12 2010 0003  
Expires: 31 May 2013.

Name: **Rotterdam Rail Feeding B.V.**  
Address: Europaweg 855, NL - 3199 LD Rotterdam  
Website: [www.railfeeding.nl](http://www.railfeeding.nl)  
Safety certificate A: NL 11 2009 1993  
Expires: 1 May 2012.  
Safety certificate B: BE 12 2010 0004  
Expires: 15 August 2013.

Name: **Railtraxx B.V.B.A.**  
Address: Van Geertstraat 81, B - 2140 Antwerp  
Website: [www.railtraxx.com](http://www.railtraxx.com)  
Safety certificate A: BE 11 2010 0002  
Expires: 25 April 2013.  
Safety certificate B: BE 12 2010 0008  
Expires: 12 December 2013.

Name: **NMBS/SNCB Logistics N.V.**  
Address: SNCB Logistics S.A.  
Address: Hallepoortlaan 40, B - 1060 Brussels  
Website: [www.b-rail.be](http://www.b-rail.be)  
Safety certificate A: BE 11 2010 0004  
Expires: 30 August 2013.  
Safety certificate B: BE 12 2010 0009  
Expires: 20 December 2013.

Name: **SNCB - Société nationale des Chemins de fer belges**  
**NMBS - Nationale Maatschappij der Belgische Spoorwegen**  
Address: 85, Rue de France, B-1070 Brussels  
Website: [www.b-rail.be](http://www.b-rail.be)  
Safety certificate A: BE 11 2008 0001  
Expires: 29 June 2011.  
Safety certificate B: BE 12 2009 0006  
Expires: 12 May 2012.



## A.2.1. Infrastructure Manager

Name	Address and website	Safety Authorization (number / date)	Start date commercial activity	Total track length/gauge	Electrified track length/Voltage	Total track length single/double	Total length HSL	ATP-used system	Number of LC	Number of signals
NV/SA Infrabel	Barastraat 110, 1070 Brussels	BE 21 2008 001	01/01/2005	6344 km	25 kV: 834 km 15 kV: 10 km 3 kV: 4880 km	Dubbel: 5608 km Simpel: 736 km	427 km	TBL, ETCS, TVM	1902	-

## A.2.2. Railway Undertakings

	Address and website	Safety certificate 2001/14/EC (number / date)	Availability period of the safety certificate	Safety certificate Part A-2001/49/EC (number / date)	Safety certificate Part B-2001/49/EC (number / date)
<b>CFL Cargo SA</b>	See A.2.b.	C008	From 22/05/2008 to 31/12/2010		
<b>Veolia Cargo Nederland BV</b>	See A.2.b.				BE 12 2009 0003 from 09/03/2009 to 08/03/2012
<b>Crossrail Benelux BV</b>	See A.2.b.			BE 11 2008 0003 from 20/10/2008 to 19/10/2011	BE 12 2010 0006 from 02/09/2009 to 09/01/2012
<b>Trainsport A.G.</b>	See A.2.b.			BE 11 2008 0002 from 30/09/2008 to 29/09/2011	BE 12 2010 0007 from 04/10/2010 to 15/01/2012
<b>SNCF E.P.I.C.</b>	See A.2.b.				BE 12 2008 0001 from 08/04/2008 to 07/04/2011
<b>DB Schenker Rail Nederland N.V.</b>	See A.2.a.				BE 12 2009 0005 from 27/04/2009 to 26/04/2012
<b>NMBS/SNCB N.V.</b>	See A.2.b.			BE 11 2008 0001 from 30/06/2008 to 29/06/2011	BE 12 2009 0006 from 13/05/2009 to 12/05/2012
<b>CapTrain Belgium N.V.</b>	See A.2.b.			BE 11 2010 0001 from 14/08/2009 to 13/08/2012	BE 12 2010 0002 from 04/12/2009 to 03/12/2012
<b>ERS Railways B.V.</b>	See A.2.b.				BE 12 2010 0001 from 02/03/2010 to 01/03/2013
<b>Euro Cargo Rail SAS</b>	See A.2.b.				BE 12 2010 0003 from 01/06/2010 to 31/05/2013
<b>Rotterdam Rail Feeding B.V.</b>	See A.2.b.				BE 12 2010 0004 from 16/08/2010 to 15/08/2013
<b>Eurostar International Ltd</b>	See A.2.b.				BE 12 2010 0005 from 18/08/2010 to 17/08/2013
<b>Railtraxx B.V.B.A</b>	See A.2.b.			BE 11 2010 0002 from 26/04/2010 to 25/04/2013	BE 12 2010 0008 from 13/12/2010 to 12/12/2013
<b>NMBS Logistics N.V.</b>	See A.2.b.			BE 11 2010 0004 from 10/12/2010 to 30/08/2013	BE 12 2010 0009 from 21/12/2010 to 20/12/2013



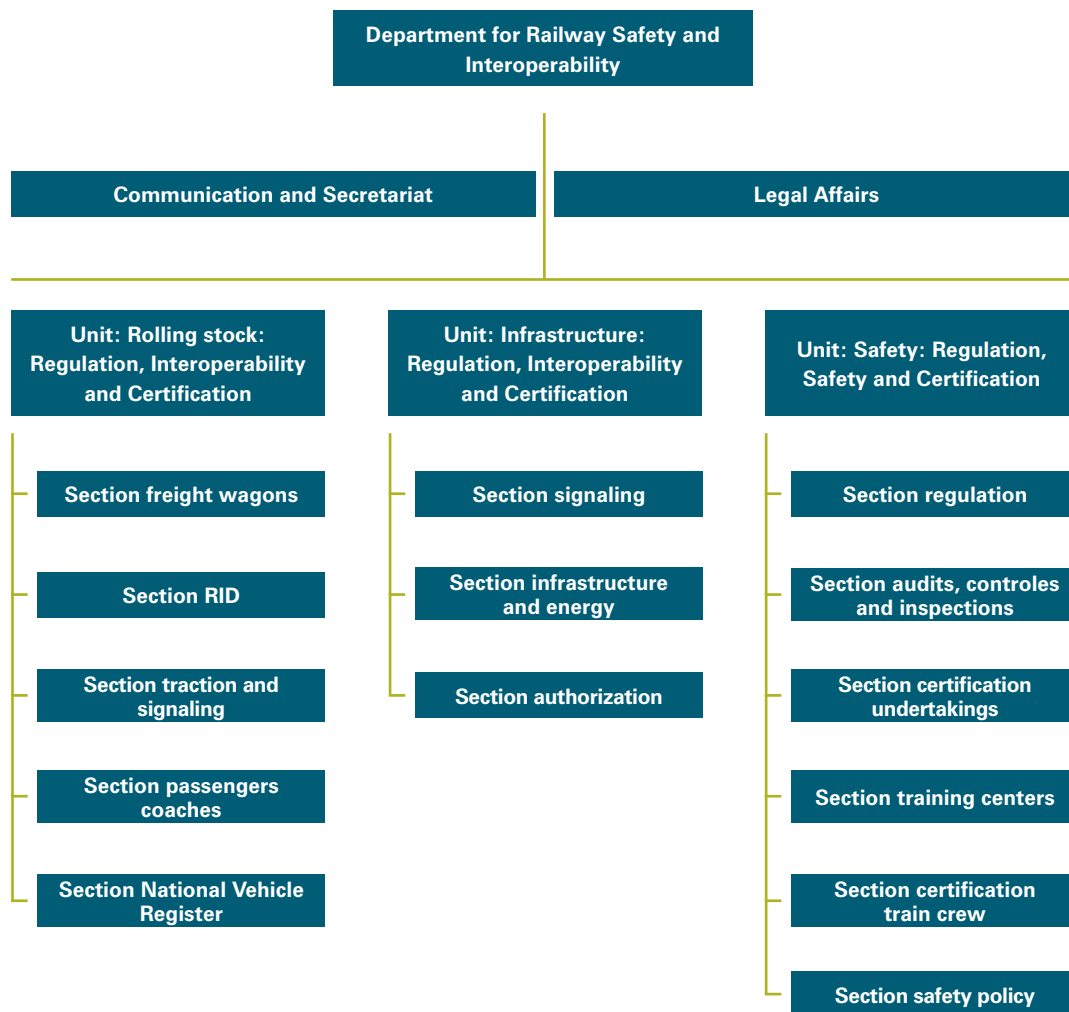
	Traffic type (freight ,...)	Number of locomotives (*)	Number of electric railcars/ multiple unit sets (*)	Number of coaches / wagons (*)	Number of train drivers / safety crews (*)	Volume of passenger traffic (*)	Volume of freight (*)
<b>CFL Cargo SA</b>	Freight						
<b>Veolia Cargo Nederland BV</b>	Freight						
<b>Crossrail Benelux BV</b>	Freight						
<b>Trainsport A.G.</b>	Freight						
<b>SNCF E.P.I.C.</b>	Freight						
<b>DB Schenker Rail Nederland N.V.</b>	Freight						
<b>NMBS/SNCB N.V.</b>	Passengers and freight						
<b>CapTrain Belgium N.V.</b>	Freight						
<b>ERS Railways B.V.</b>	Freight						
<b>Euro Cargo Rail SAS</b>	Freight						
<b>Rotterdam Rail Feeding B.V.</b>	Freight						
<b>Eurostar International Ltd</b>	Passenger						
<b>Railtraxx B.V.B.A</b>	Freight						
<b>NMBS Logistics N.V.</b>	Freight						

(\*) Sensitive economic information

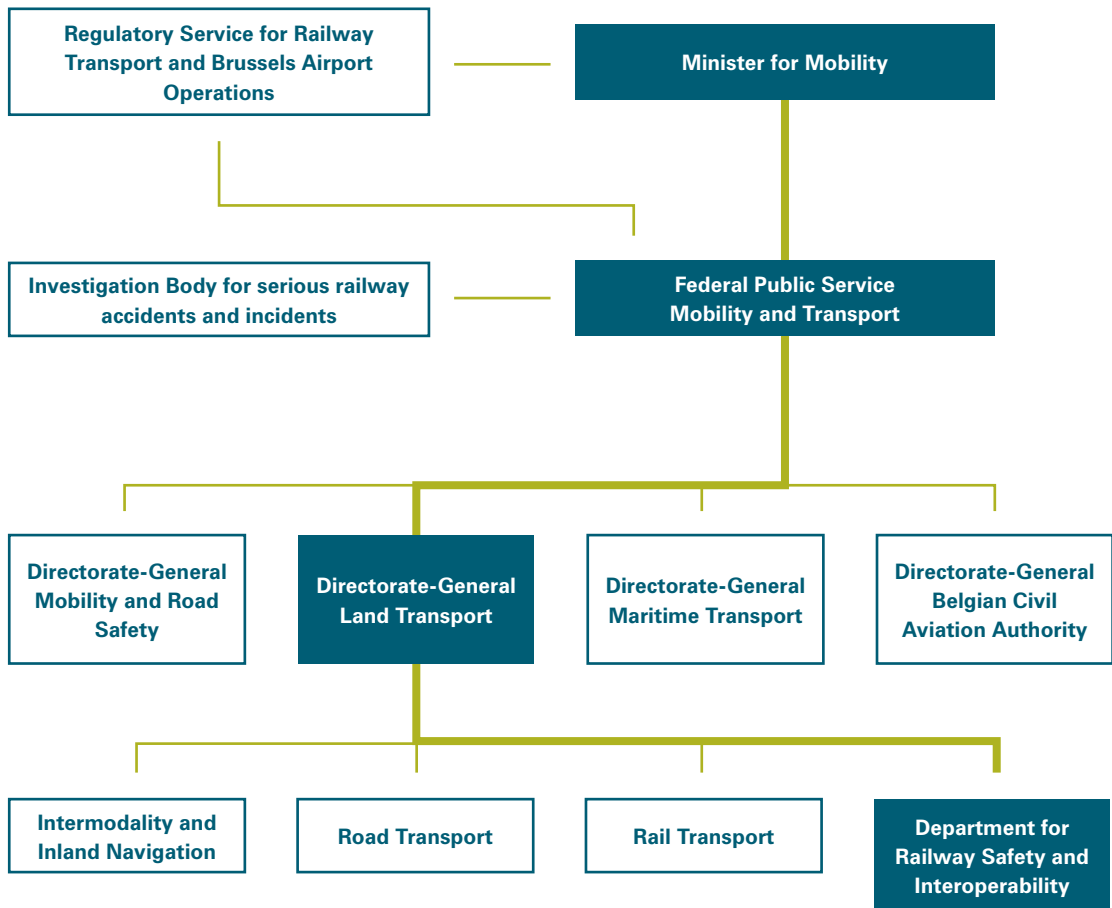
Abbreviations: HSL = High Speed Train (definition according to Directive 96/48/EC)  
 ATP = Automatic Train Protection  
 LC = Level Crossing

# Annex B: Organisation Chart of the National Safety Authority

B.1. Table: Internal organisation



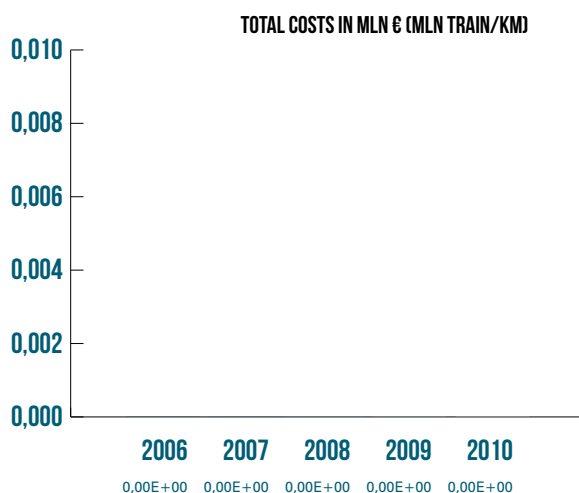
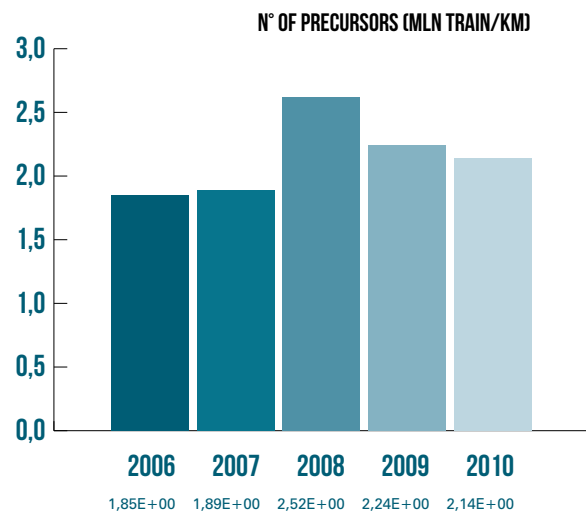
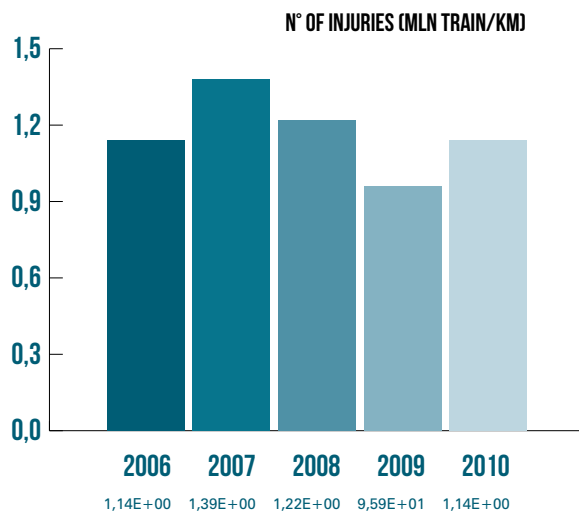
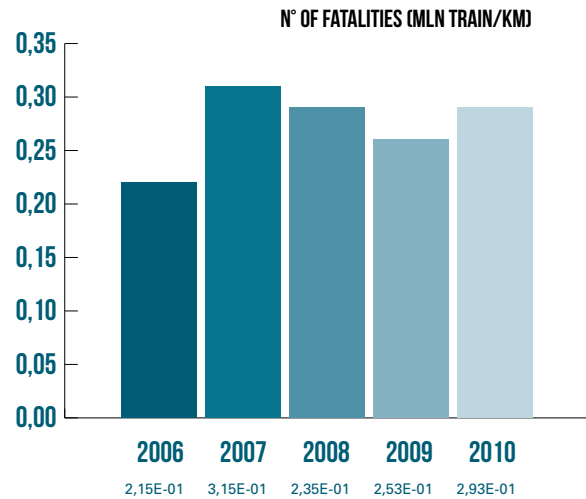
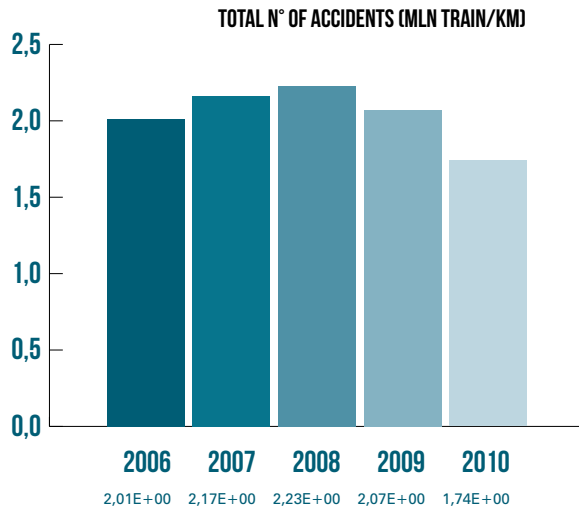
B.2. Table: Relationship with other National Bodies



# Annex C: Common Safety Indicators - Figures - Definitions used

## C.1. CSI Data

Performances at a glance



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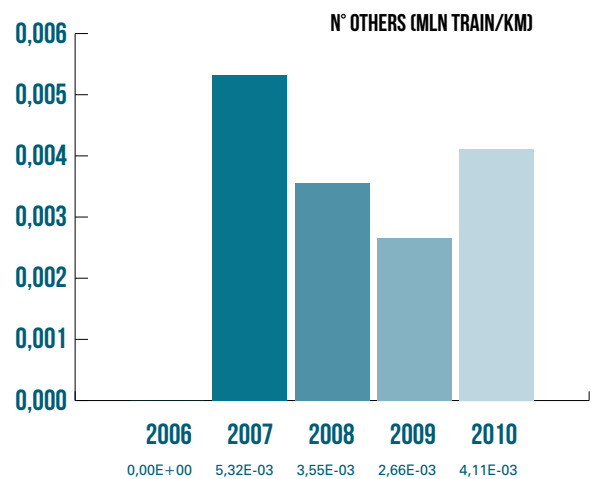
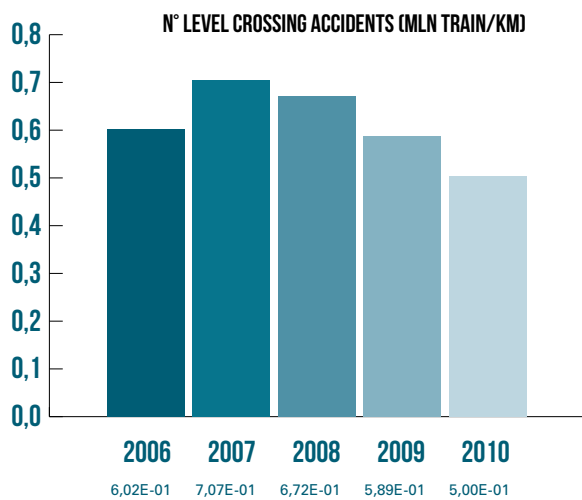
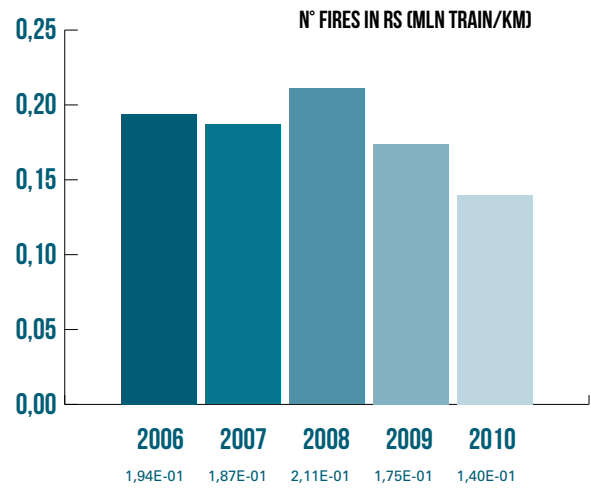
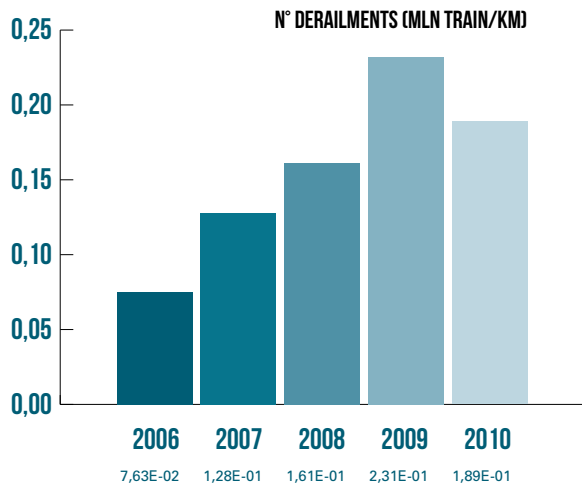
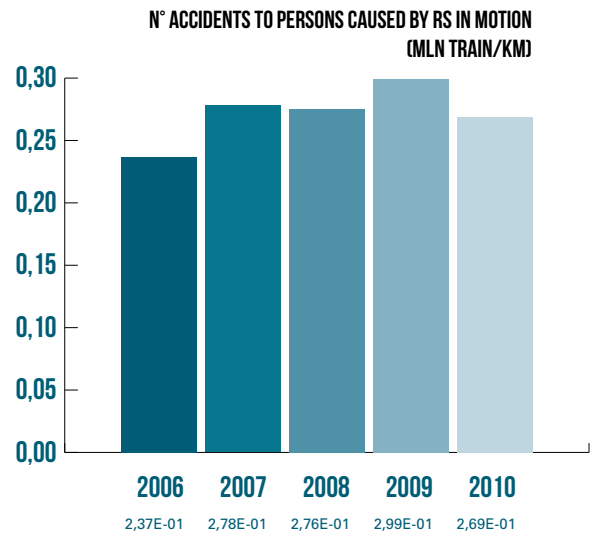
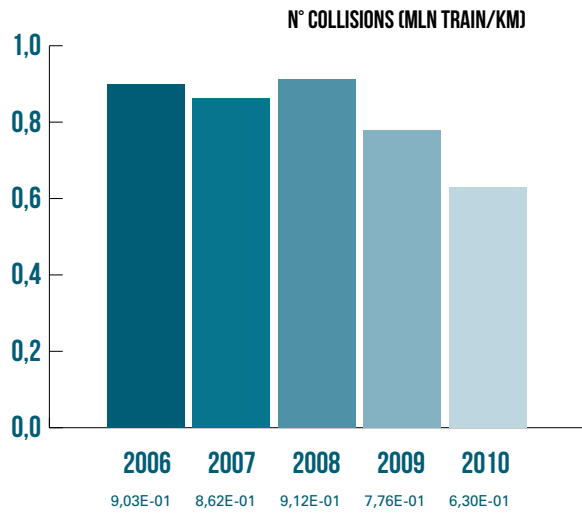
2007: values relative to the average of 2006 and 2007.

2008: values relative to the average of 2006, 2007 and 2008.

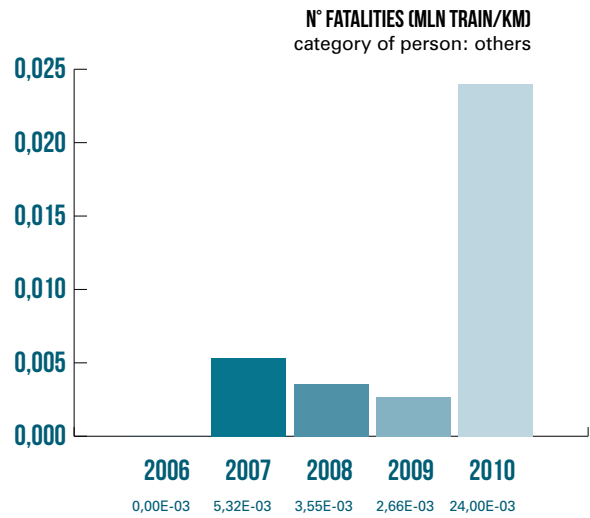
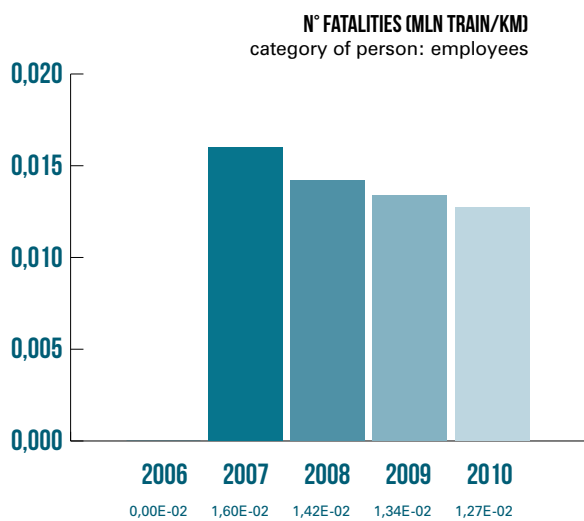
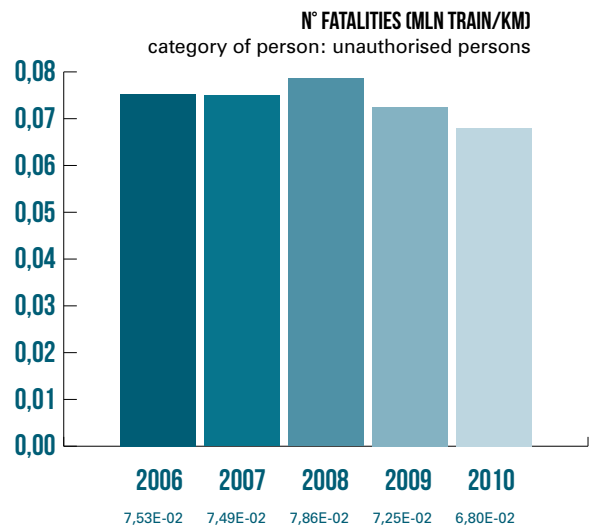
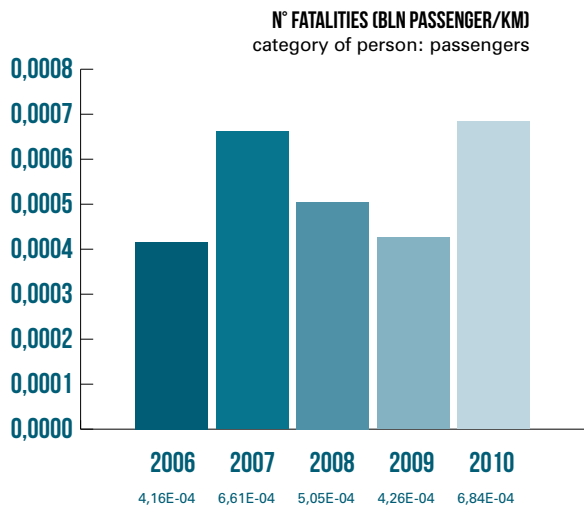
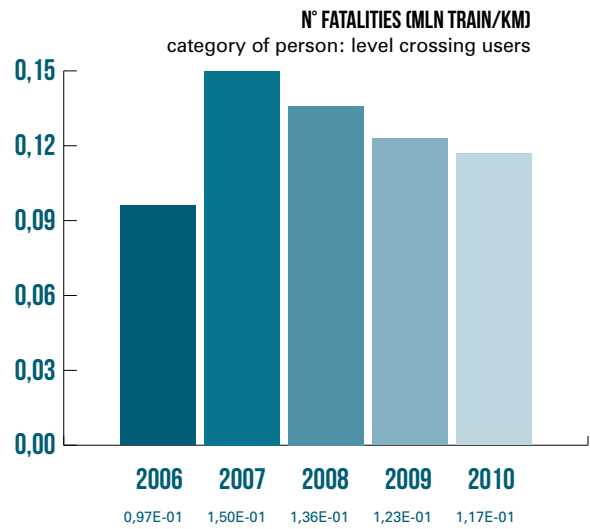
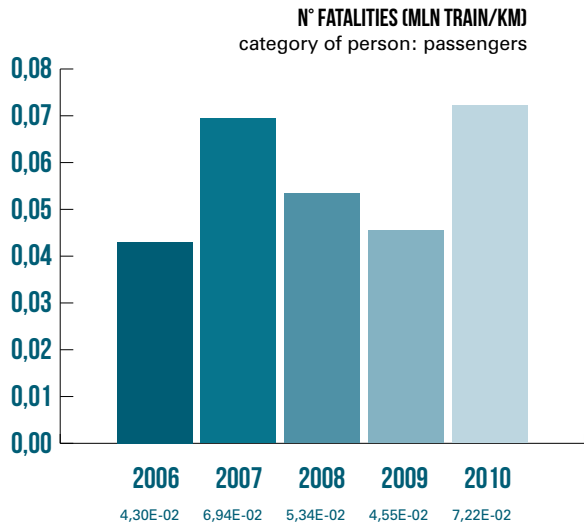
2009: values relative to the average of 2006, 2007, 2008 and 2009.

2010: values relative to the average of 2006, 2007, 2008, 2009 and 2010.

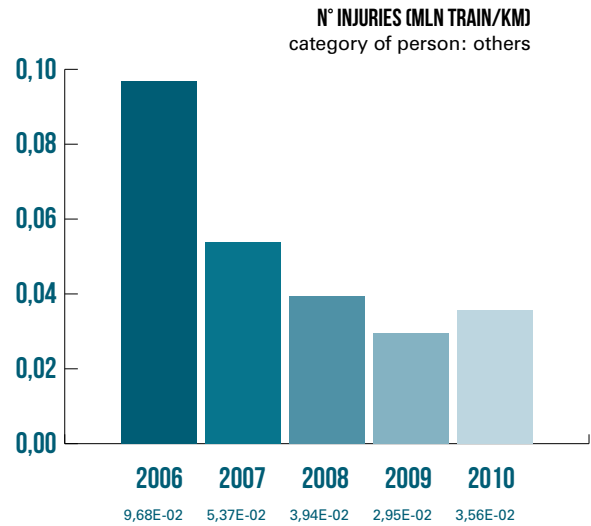
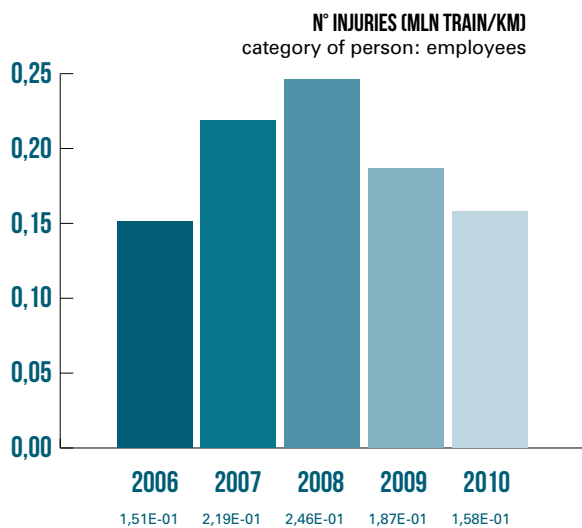
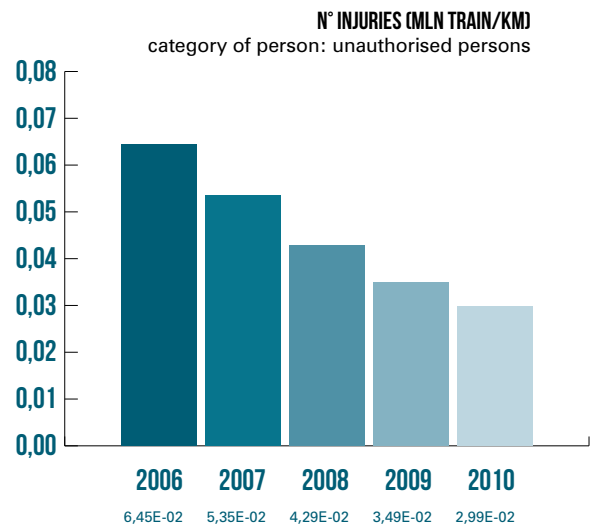
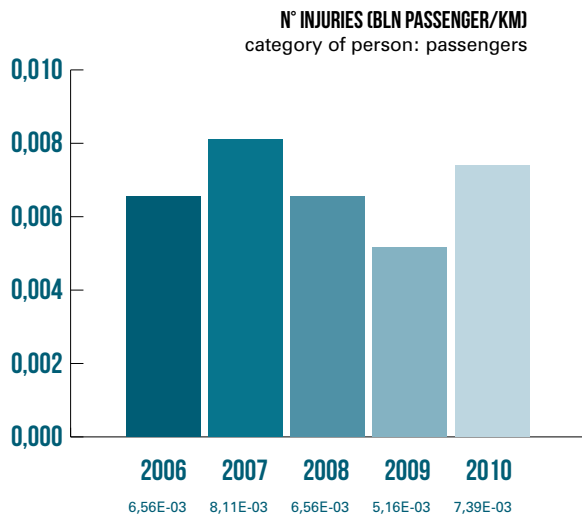
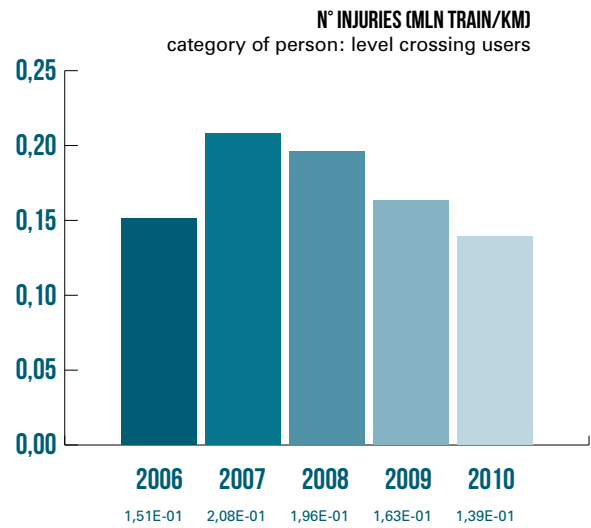
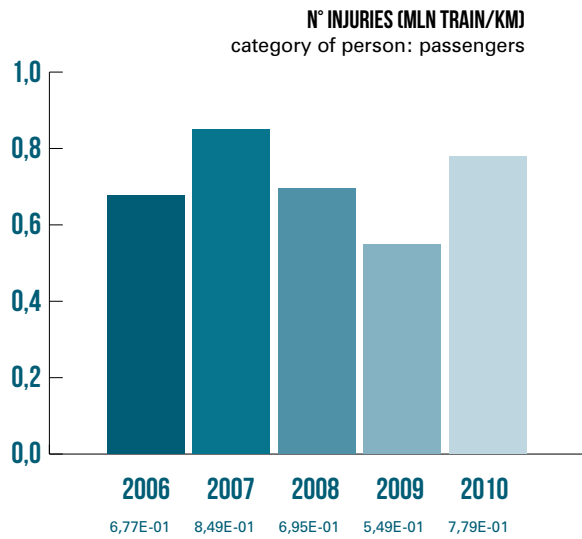
Accidents by type



Fatalities by category of persons involved

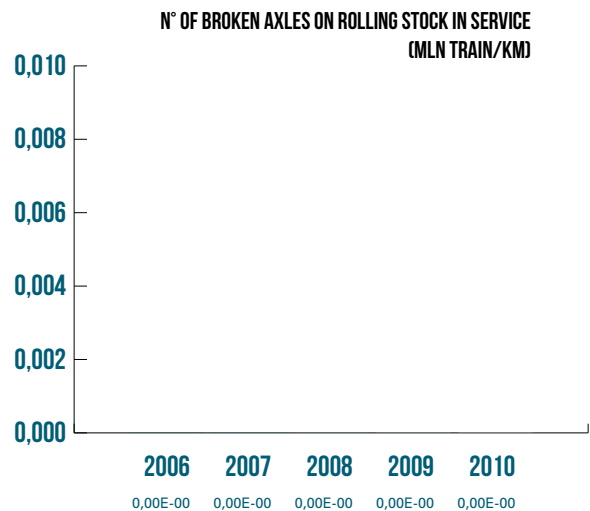
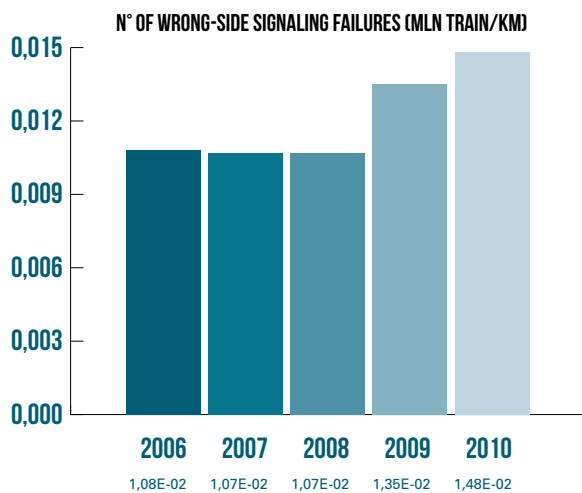
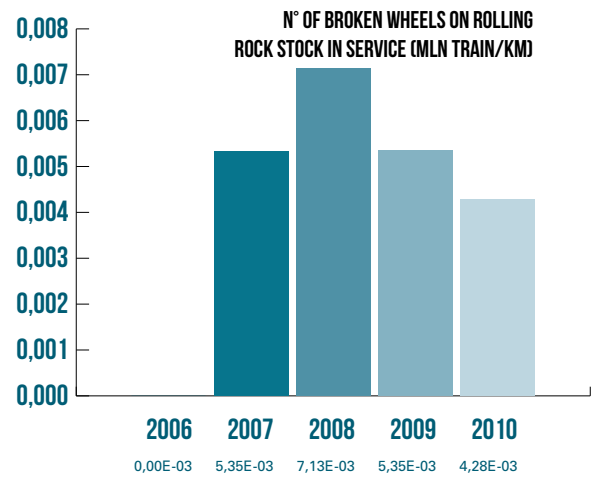
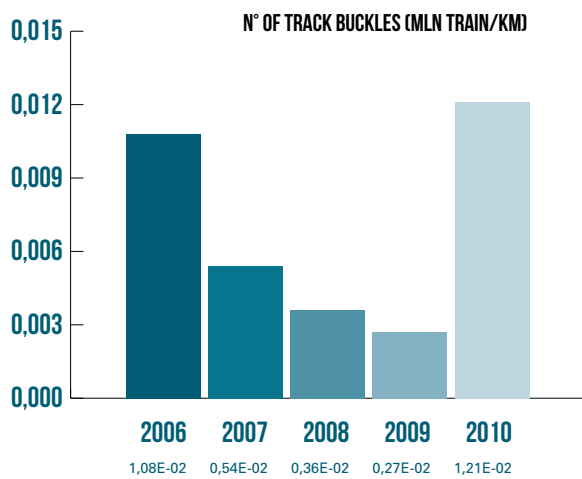
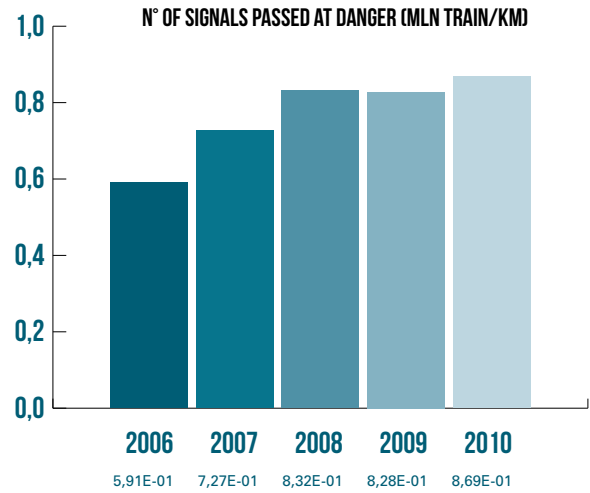
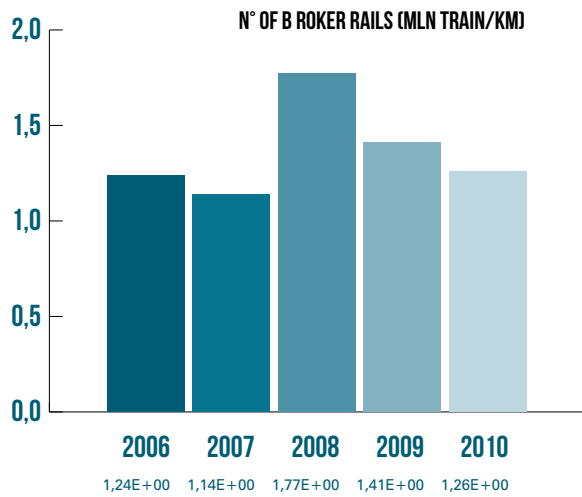


Injuries by category of persons involved

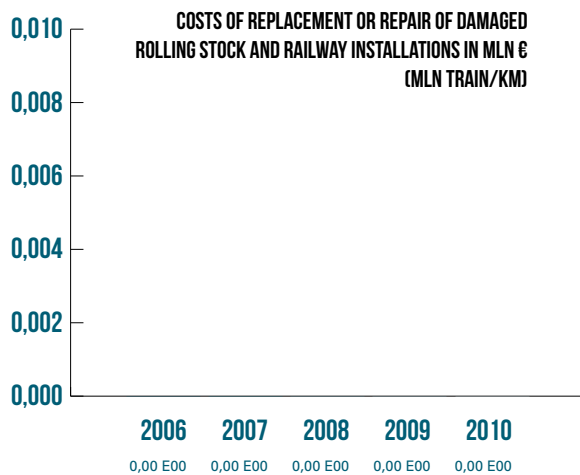
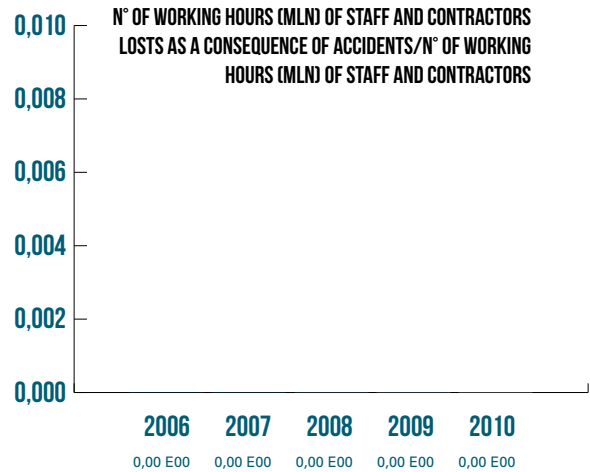
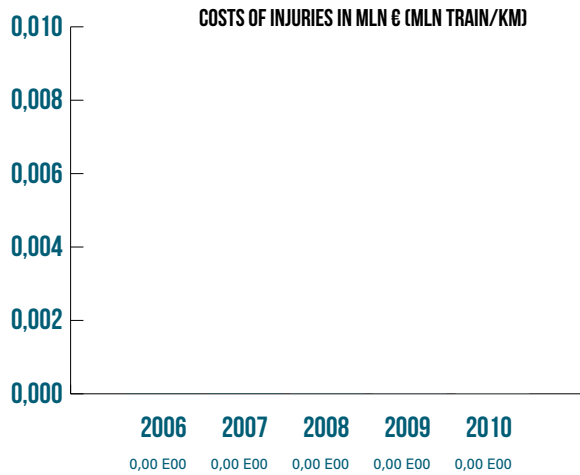
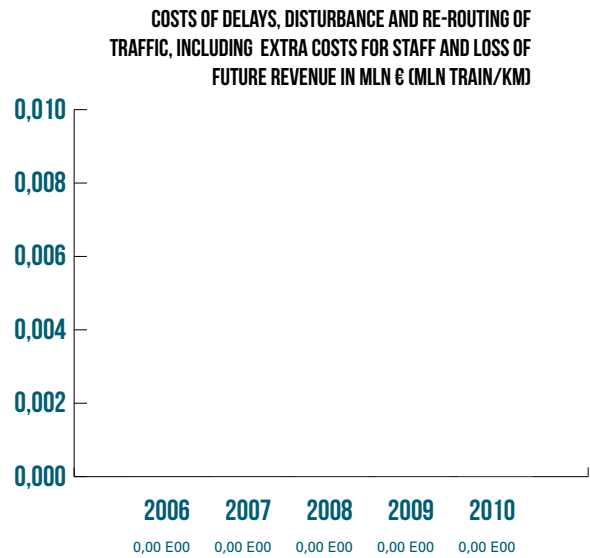
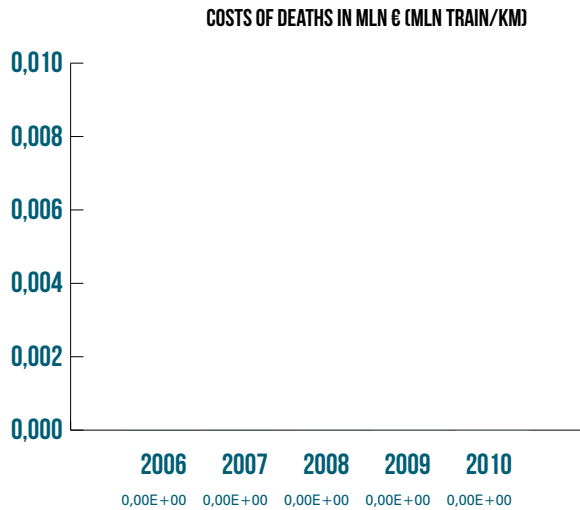




Precursors to accidents

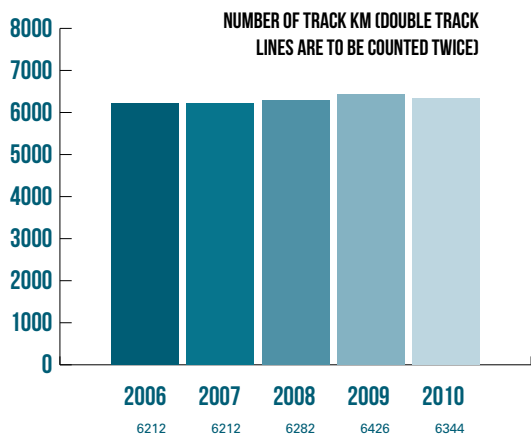
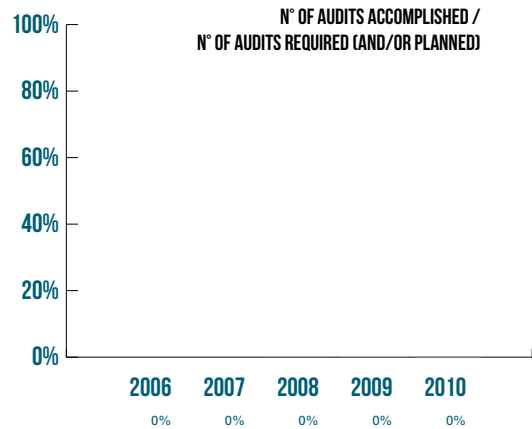
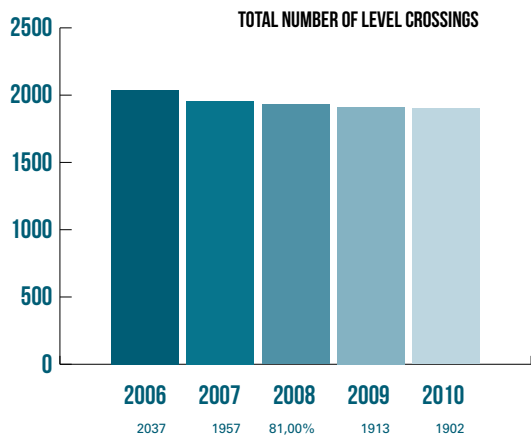
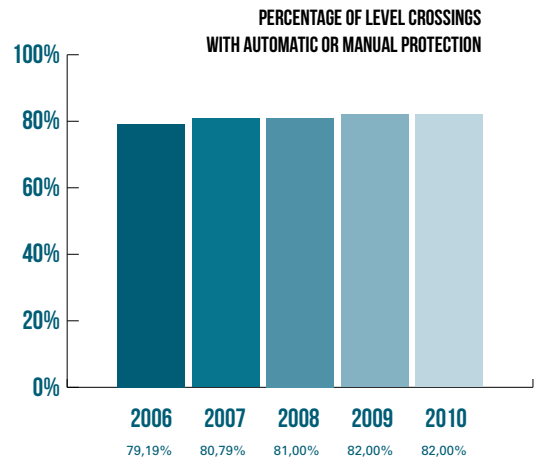
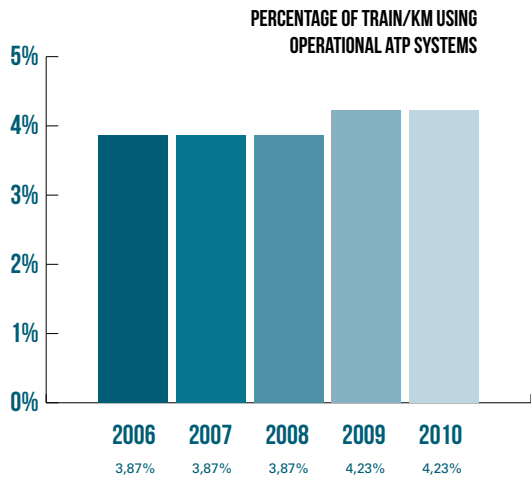
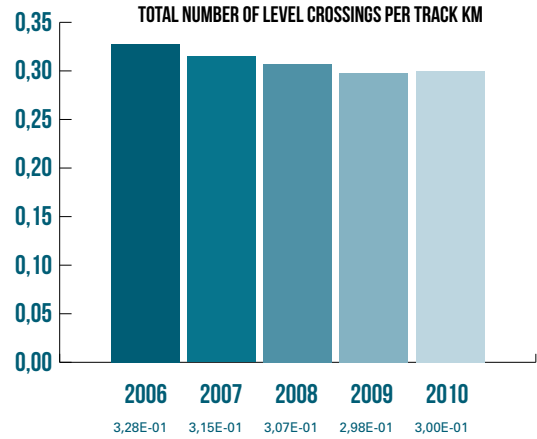
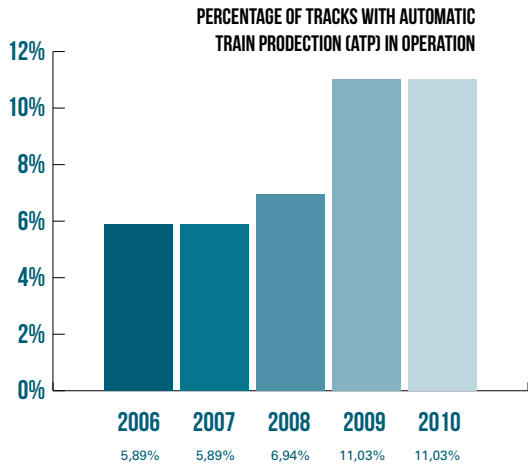


Cost of all accidents, number of staff and contractor working hours lost as a consequence of accidents.



2006: values 2006.  
 2007: values relative to the average of 2006 and 2007.  
 2008: values relative to the average of 2006, 2007 and 2008.  
 2009: values relative to the average of 2006, 2007, 2008 and 2009.  
 2010: values relative to the average of 2006, 2007, 2008, 2009 and 2010.

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2006: values 2006.  
 2007: values relative to the average of 2006 and 2007.  
 2008: values relative to the average of 2006, 2007 and 2008.  
 2009: values relative to the average of 2006, 2007, 2008 and 2009.  
 2010: values relative to the average of 2006, 2007, 2008, 2009 and 2010.



## C.2. Definitions used in this annual report

a) For the period 2006-2009 (Regulation 91/03):

**fatalities (persons killed):**

any person killed outright or dying within 30 days as a result of a railway accident, excluding suicides.

**injuries (seriously injured persons):**

any person hospitalized for more than 24 hours as a result of injuries sustained in an accident, excluding attempted suicides.

**passenger-km:**

the unit of measurement 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 is taken into account.

**rail passenger:**

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

**suicide:**

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

**serious 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 the 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 travelling 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 travelling on its own, is considered to be a train.

**train-kilometre:**

the unit of measurement 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.

b) From 2010: Common Safety Indicators

The definitions of the Common Safety Indicators, as provided in Directives 2004/49/EC and 2009/149/EC, were transposed into national law in December 2009.

The CSI figures given in annual safety reports that we have received from the infrastructure manager and the railway undertakings follow the definitions in the above-cited Directives.

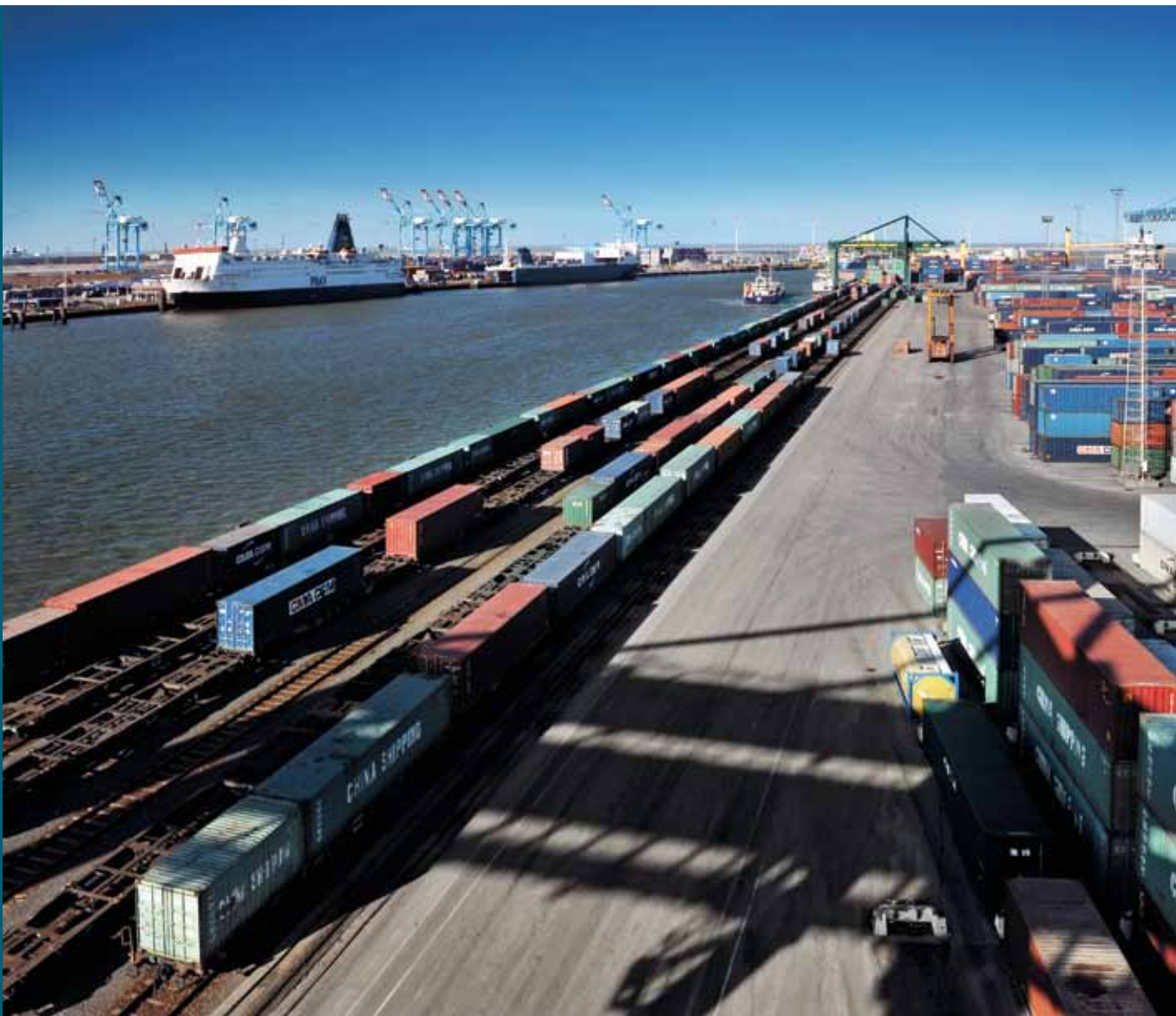
The abrupt transition from national to Common Safety Indicators has led to large differences in the figures, because these have been calculated using other definitions.

This change will therefore be noticeable from 2011 onwards in the determining of the safety targets (CSTs).

For the preparation of trend analysis there will also be a break in the figures, with two or three years needed before new trend analyses can be made.

### C.3. Abbreviations

ETCS	European Train Control System
ERTMS	European Railways Traffic Management System
ECM	Entity in charge of maintenance
CSI	Common Safety Indicator
LC	Crossing
mln	10 <sup>6</sup>
bln	10 <sup>9</sup>
NSA	National Safety Authority
RS	Rolling Stock
RU / IM	Railway Undertaking / Infrastructure Manager
NVR	National Vehicle Register
VKM	Vehicle Keeper Marker



# Annex D:

## Important changes in legislation and regulations

General national railway safety legislation	Legal reference	Date legislation takes effect	Reason for the introduction (specifying whether new law or amendment to existing legislation)	Description
Programme Act on the National Safety Authority.	The Act of 29 December 2010 containing various provisions. Article 18 concerning the procedures for the transfer of staff from the NMBS/SNCB Group to the Safety Authority is adjusted with regard to senior management of the safety authority.	29.12.2010	Legislative change: intervention by the European Commission with the aim of ensuring the independence of the Safety Authority vis-à-vis the NMBS/SNCB group.	This article stipulates that senior management of the Safety Authority may have no further connection of any kind with NMBS/SNCB-Holding no later than 18 months after the entry into force of the Act of 29 December 2010 containing various provisions. This means that they no longer enjoy the rights and benefits granted to the statutory employees of NMBS/SNCB Holding.
Act amending the Railway Operational Safety Act.	The Act of 26 January 2010 amends the Act of 19 December 2006 (This act transposes Directive 2004/49/EC).	19.02.2010	Adaptation of the legislation transposing Directives 2008/110/EC and 2007/59/EC.	This amendment sets the provisions concerning the bodies in charge of maintenance into Belgian law. This amendment is the transposal of the Directives on the certification of train drivers operating locomotives and trains on the Community railway system.
Act amending the Railway Operational Safety Act.	The Act of 26 January 2010 amends the Act of 19 December 2006 with the introduction of an additional Article 14/5.	19.02.2010	Amendment of the Act to effect the further transposal of Directive 2004/49/EC, in particular Article 17 (3).	The amendment of the Railway Operational Safety Act and of the Judicial Code sets out the legal means for appeal against certain decisions of the Safety Authority. (** slightly adapted)
Act amending the Railway Operational Safety Act.	The Act of 26 January 2010 amends the Act of 19 December 2006 with the introduction of additional Articles 14/6 and 14/7.	19.02.2010	Amendment of the Act for the further transposal of Directive 2004/49/EC, in particular Article 17 (3).	The amendment of the Railway Operational Safety Act and of the Judicial Code, setting out the legal means for appeal against certain decisions of the Safety Authority. (** slightly adapted)
Act on the interoperability of the railway system within the European Community.	The Act of January 26, 2010 on the interoperability of the railway system within the European Community.	19.02.2010	Transposition of Directive 2008/57/EC on the interoperability within the Community.	This law transposes Directive 2008/57/EC into Belgian law.

<b>General national railway safety legislation</b>	<b>Legal reference</b>	<b>Date legislation takes effect</b>	<b>Reason for the introduction (specifying whether new law or amendment to existing legislation)</b>	<b>Description</b>
Royal Decree on the supervision of the EC declarations of conformity and the placing on the market of interoperability constituents.	Royal Decree of 21 December 2010.	31.12.2010	Further transposal of Directive 2008/57/EC, in particular Articles 10 to 12.	This Decree lays down the measures which the Safety Authority may take in the event of non-compliance with the EC conformity procedure, or of failure by interoperability constituents to meet the essential requirements and their possible withdrawal from the market.
Royal Decree establishing the contribution of the infrastructure manager and the railway undertakings to the costs of the Safety Authority.	Royal Decree of 17 June 2010.	01.01.2010	The financing of the Safety Authority is legally established by Royal Decree.	This Royal Decree determines the contributions for the calendar year 2010.
<b>National rules concerning rail safety</b>	<b>Legal reference</b>	<b>Date legislation takes effect</b>	<b>Reason for the introduction (specifying whether new law or amendment to existing legislation)</b>	<b>Description</b>
Regulations concerning national safety indicators and how they are collected.	Royal Decree of 25 June 2010 amending the Act of 19 December 2006.	05.07.2010	This Royal Decree transposes Directive 2009/149/EC.	Annex I describing the safety indicators is replaced by a new annex in line with the Directive. In this way the CSIs become the safety indicators generally used in Belgium from 2010 onwards.
Rules concerning existing national safety targets and safety methods.	Royal Decree of 25 June 2010 amending the Royal Decree of 13 November 2009.	05.07.2010	This RD adapts the national regulations according to Regulation 352/2009/EC.	For the application of the safety methods, the national risk assessment process is replaced by the common safety methods.
Rules concerning the investigation of accidents and incidents, including the recommendations.	Royal Decree of 25 June 2010 amending the Royal Decree of 16 January 2007.	05.07.2010	The acquisition of a number of functions of the B-Holding by the Investigation Body.	The Investigation Body will set up a database of all investigations, of analyses of accidents and incidents, and of the conclusions, and will manage the database itself.
Rules for safety management systems and for the safety certification of railway undertakings.	Royal Decree of 25 June 2010 amending the Royal Decree of 16 January 2007 concerning safety authorisations and safety certificates.	05.07.2010	Adaptation of the Royal Decree as a result of the amendment by Act of 6 May 2009 of the Act of 19 December 2006.	The approval of B-Holding, a member of the NMBS/SNCB Group, should no longer be solicited when applying for a safety certificate. Structuring of the reporting of incidents and accidents to the Investigation Body.

<b>National rules concerning rail safety</b>	<b>Legal reference</b>	<b>Date legislation takes effect</b>	<b>Reason for the introduction (specifying whether new law or amendment to existing legislation)</b>	<b>Description</b>
Rules governing rolling stock.	Ministerial Decree of 30 July 2010.	17.09.2010	Establishing national rules for rolling stock for those cases in which no technical specifications for rolling stock apply.	The old rules have been adapted and ranked as stated in Directive 2009/131/EC.
Rules for the owners of railway vehicles.	Royal decree of 21 December 2010 concerning the bodies responsible for the maintenance of railway vehicles.	7.02.2011	Further implementation of Directive 2008/110/EC	This Royal Decree provides a legal basis for the rules contained in the Memorandum of Understanding concerning the bodies in charge of maintenance (pending publication of the Regulation of the European Commission).
<b>General operating rules of the railway network, including rules relating to signalling and traffic procedures</b>	<b>Legal reference</b>	<b>Date legislation takes effect</b>	<b>Reason for the introduction (specifying whether new law or amendment to existing legislation)</b>	<b>Description</b>
	VVESI 2.1 - Fixed electric traction installations.	14/10/2010	Adaptation of the operating rules.	Introduction of fixed installations for 3kV power supply for vehicles.
	VVESI 3.2 - Assistance with driving.	14/10/2010	Adaptation of the operating rules.	Deleted conditions for driving assistance systems. Deleted concepts related to vigilance. Transfer to VVESI 5.5 of measures to be taken: - in the event of a disruption of the emergency button - upon establishing an incident which occurs several times (crocodile or beacon).
	VVESI 4.1 - Conditions applicable to trains.	26/07/2010	Adaptation of the operating rules.	Replaces the regulation of the first railway package The placing of dangerous goods in the installations Bi-flash lamp Non-covered garages Interruption of the IOT Repeal of the rules for the infrastructure manager only.
	VVESI 4.4 - Exceptional transport and loads.	12/02/2010	Adaptation of the operating rules.	Replaces the regulation of the first railway package.
	VVESI 5.2 - Operating rules for main lines	16/02/2010	Adaptation of the operating rules.	Elimination of the notion of "optional trains". Harmonization of the terminology with the European rules (in Dutch only).



<b>General operating rules of the railway network, including rules relating to signalling and traffic procedures</b>	<b>Legal reference</b>	<b>Date legislation takes effect</b>	<b>Reason for the introduction (specifying whether new law or amendment to existing legislation)</b>	<b>Description</b>
	VVESI 5.5 - Measures to be taken in the event of delays, incidents, emergencies, accidents or abnormal situations.	22/11/2010	Adaptation of the operating rules.	Transfer of the measures to be taken when the emergency button is missing or damaged, and upon establishing an incident that occurs repeatedly (crocodile or a TBL+1 beacon) and adaptation of form E361. Account is taken of the specific characteristics of stopping points for trains that run irregularly.
	VVESI 6.0 - ARS rules which remain in application.	25/08/2010	Adaptation of the operating rules.	This rule has been established because of: * the introduction of a new S422 form "clearance to drive past" that is delivered on the spot * the abolition of procedure S380 "points to be checked on request". This rule is published on a temporary basis in order to accelerate the application of the above-mentioned adjustments. Following publication of VVESI 6.1, which relates to SPADs and which is currently under review, the present rule will be deleted.
	VVESI 6.2 - Special measures on lines with signal boxes.	26/07/2010	Adaptation of the operating rules.	This abolishes forms S678 and S681. The corresponding procedures are applied with E370.
	VVESI 7.3 - Special occupational safety rules.	08/12/2010	Adaptation of the operating rules.	Adding provisions to protect the personnel of the infrastructure service who are present on the rail network. Abolition of the use of S427 by the infrastructure service. Adding provisions to protect DRSI members when auditing the facilities of the infrastructure manager. Adding rules for the transferring of flammable liquids or gases.
	VVESI 7.4 - Coordination of works and traffic.	03/12/2010	Adaptation of the operating rules.	Integration of rules relating to Temporary Speed Restriction Reports. Updating of the terminology.

# Annex E: Development of safety certification and authorisation Numerical Data

## E.1. Safety certificates pursuant to Directive 2001/14/EC

Number of Safety Certificates issued according to Directive 2001/14/EC in the year 2010.	in Belgium	0
	in another Member State	0

## E.2. Safety certificates pursuant to Directive 2004/49/EC

		<b>New</b>	<b>Updated/amended</b>	<b>Renewed</b>
E.2.1. A number of valid Part A Safety Certificates held by railway undertakings that were registered in 2010	in Belgium	2	2	0
	in another Member State	-	-	-
E.2.2. A number of valid Part B Safety Certificates held by railway undertakings that were registered in 2010	in Belgium	6	3	0
	in another Member State	-	-	-

			<b>A</b>	<b>R</b>	<b>P</b>
E.2.3. Number of applications for Part A Safety Certificates submitted in 2010 by registered railway undertakings	in Belgium	New certificates	2	0	0
		Updated / amended certificates	2	0	0
		Renewed certificates	0	0	0
	in another Member State	New certificates	-	-	-
		Updated / amended certificates	-	-	-
		Renewed certificates	-	-	-
.2.4. Number of applications for Part A Safety Certificates submitted in 2010 by registered railway undertakings	in Belgium	New certificates	6	2	0
		Updated / amended certificates	3	0	0
		Renewed certificates	0	0	0
	in another Member State	New certificates	-	-	-
		Updated / amended certificates	-	-	-
		Renewed certificates	-	-	-

A = Accepted application, the certificate was delivered.

R = Rejected application, no certificate was delivered.

P = The case is still pending, no certificate has been delivered so far.

E.2.5. List of countries where railway undertakings applying for a Part B Safety Certificate in Belgium have obtained a Part A Safety Certificate.

- France
- Netherlands
- United Kingdom

### E.3. Safety authorisations pursuant to Directive 2004/49/EC

	<b>New</b>	<b>Updated/amended</b>	<b>Renewed</b>	
E.3.1. Number of valid Safety Authorisations held by infrastructure managers being registered in Belgium in 2010.	0	1	0	
<b>A</b> <b>R</b> <b>P</b>				
E.3.2. Number of applications for Safety Authorisations applied for in 2010 by infrastructure managers being registered in Belgium.	New authorisations	0	0	0
	Updated / amended authorisations	0	0	1
	Renewed authorisations	0	0	0

A = Accepted application, the authorisation was delivered.

R = Rejected application, no authorisation was delivered.

P = The case is still pending, no authorisation has been delivered so far.



#### E.4. Procedural Aspects - Part A Safety Certificates

		New	Updated/amended	Renewed
Mean time after receiving the necessary information between the receipt of an application and the delivery of a Part A Safety Certificate issued in 2010 for railway undertakings.	Authorisation delivered by Belgium	Average 44 working days	Average 14 working days	-
	Authorisation delivered by another Member State	-	-	-

#### E.5. Procedural Aspects - Part B Safety Certificates

		New	Updated/amended	Renewed
Mean time after receiving the necessary information between the receipt of an application and the delivery of a Part B Safety Certificate in 2010 for railway undertakings.	Authorisation delivered by Belgium	Average 56 working days	Average 36 working days	-
	Authorisation delivered by another Member State	-	-	-

#### E.6. Procedural aspects - Safety Authorisations

		New	Updated/amended	Renewed
Mean time, after receipt of the necessary information between the receipt of an application and the delivery of a Safety Authorisation in 2010 for the infrastructure manager.	Authorisation delivered by Belgium	Average 21 working days	Average 21 working days	0
	Authorisation delivered by another Member State	-	-	-