

Annual Safety Report 2009

Finnish Transport Safety Agency

Network of National Safety Authorities

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A. NSA Annual Safety Report – Finnish Transport Safety Agency (former Finnish Rail Agency)

This is a report on Finnish railway safety and the Finnish Rail Agency's activities during the year 2009. The report is given to the European Railway Agency as well as to the Finnish Ministry of Transport and to all Finnish railway actors for their information. Finnish Rail Agency merged into Finnish Transport Safety Agency in the beginning of 2010.

A.1 Scope of the report

This report gives a view on the railway safety in the railway system in Finland and activities of the Finnish Rail Agency, Railway Undertaking and Infrastructure Manager during the year 2009.

B. Introductory Section

B.1 Introduction to the report

The purpose of this report is to give information on railway safety and the activities of Finnish Rail Agency, Infrastructure Manager and Railway Undertaking in year 2009.

B.2 Railway Structure Information (Annex A)

The map of the Finnish railway network can be found in Annex A.1.

In year 2009 Finland had one Infrastructure Manager, the Finnish Rail Administration and one Railway Undertaking, VR-Group Ltd, which operates both passenger and freight traffic. Detailed information on Railway Undertaking and Infrastructure Manager is in Annex A.2.

B.3 Summary – General Trend Analysis

When measured by the number of different types of accidents or by the number of fatalities the railway safety has remained about the same level in Finland during the last 10 years.

The number of derailments in rail traffic has decreased to near zero because many of the tracks have been upgraded and therefore the number of buckling of rails caused by the heat has decreased significantly. Only 1 case of rail buckling was reported in 2009.

In 2009 there was two derailments in Finnish train traffic. A freight train derailed in Lahti, March 9th. Another freight train derailed in Toijala June 16th causing large scale damages to ATP appliances and the electrical system. This was the biggest accident in Finnish train traffic in years. Accident Investigation Board of Finland started investigating causes of the accident.

During the last 10 years the number of level crossing accidents in total has varied around 50 per year. In 2009 the number of level crossing accidents was as low as 35. This happened mainly due to significant decrease of accidents in harbour and industry areas. Also the number of level crossings decreased by 149 in 2009 (from 3 525 to 3 376). Number of fatalities and injured in level crossing accidents remained around the same level. During the last ten years the number of fatalities in level crossing accidents has varied from four to twelve. In 2009 there were eleven fatalities. The accidents were scattered around the rail network and there were no specific black spots to be named (Figure 3).

No passengers or employees were killed in Finnish train traffic during 2009 but one employee was killed in an accident that happened during shunting.

Number of wrongly set routes in Finnish train traffic decreased from previous year (2008 116, 2009 102) but did still not match the target set in 2008. In 63 cases the train was directed to an incorrect but free track and did not cause an incident. Other 39 cases did, or could potentially have caused an incident. No accidents occurred because of a wrongly set route in Finnish train traffic during 2009.



Figure 1. Level crossing accidents (purple line), fatalities (blue line) and injuries (red and green line) in level crossing accidents during 2000-2009 on the Finnish rail network.

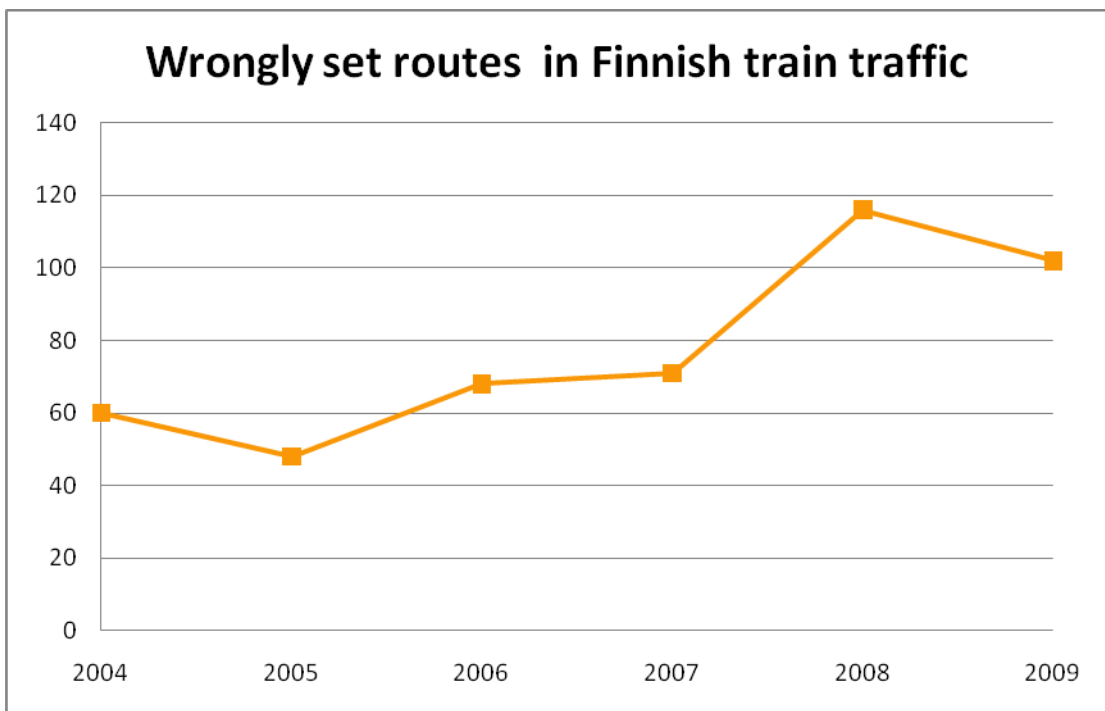


Figure 2. Wrongly set routes in Finnish train traffic during 2004-2009. Some but not all of the increase can be explained through improvement in the flow of information.

Level crossing accidents in year 2009

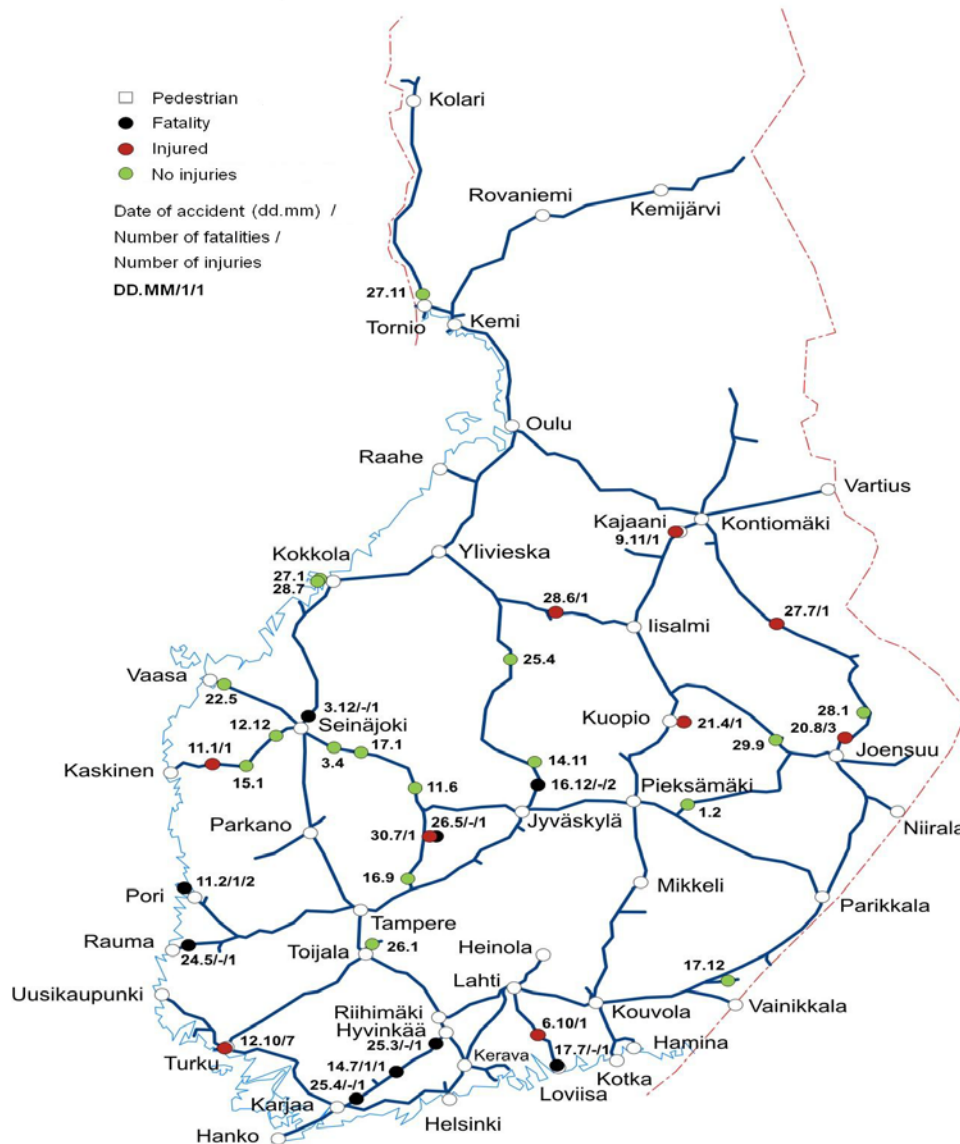


Figure 3. Level crossing accidents in year2009 on the Finnish rail network.

C. Organisation

C.1 Introduction to the organisation

Finnish Rail Agency’s main task as a national safety authority is to reinforce railway safety in Finland. Other tasks include preparation of both EU and national legislation, implementation of TSI’s, technical approval of rolling stock and infrastructure, and issuing Safety Certificates and Safety Authorisations. The Finnish Rail Agency gives instructions for health inspections as well as competence requirements and training for staff working on the railways.

In its organisational structure, the Agency had two departments: the Safety and Interoperability Departments. The Safety department was divided into Safety management functions and Placing into service functions. The Interoperability Department was divided into Interoperability functions and the management of Train driver register. The Regulatory Body is a separate organisational body, as is the Administrative Unit, and the Legal Services Unit. (Annex B)

The Finnish Rail Agency is led by a director general. Mr Kari Alppivuori was appointed as the director general in July, 2006.

The board members included Ms Heidi Niemimuukko Director of the Safety Department, Ms Henrika Räsänen Head of the Legal Services Unit, Mr Markus Pettinen Head of Administration, Ms Katri Myllykoski Communications Manager, Mr Yrjö Mäkelä Director of the Interoperability Department and Mr Taisto Tontti Development Manager.

C.2 Organisational flow – relationship between the NSAs and other national bodies

The Finnish Rail Agency is an independent government agency working under the Ministry of Transport and Communications. It cooperates closely with the Finnish rail sector, the Competition Authority, and The Accident Investigation Board. Relationship Diagram is in Annex B.

D. The development of railway safety

D.1 Initiatives to maintain/improve safety performances

The safety measures taken by the RU and IM were not triggered by accidents or precursors to accidents. These measures were triggered by the NST set earlier by the NSA and by the high number of wrongly set routes especially in maintenance work. One of the IM's key objectives was to better the information flow between maintenance work sites and traffic control. IM also started to collect information on the accidents and incidents from their contractors.

Finnish Rail Agency has set National Safety Targets 2007-2010 for railway stakeholders with the letter dated on January 24th, 2007. The NST are general and qualitative. No quantitative targets have been set. The general long term targets are

- nobody needs to die or be seriously injured in railway traffic or working at railways if they do not violate the rules,
- safety is systematically taken account in all activities and organisations,
- train traffic safety in Finland must remain on the high European level
- no serious damages occur to environment or infrastructure or rolling stock.

The first three long term targets were met during 2009 but the last target was not met. A freight train derailment in Toijala in the summer of 2009 caused serious damages to infrastructure such as the electrical system and ATP devices.

Table D.1.2 - Safety measures with other triggers

Safety measure decided	Description of the trigger of the measures
(IM) Development of Rail Work Site-form	Traffic Controls difficulties in specifying the locations of rail maintenance sites
(IM) Development of limits to traffic –form	Need to ensure track eligibility for traffic especially after rail work
(IM) Improvement of safety training	Need to ensure the safety of rail work personnel Need to improve railway safety
(IM) Improvement of safety directions	Need to improve the safety of rail work sites Need to improve railway safety
(IM) Development of line diagrams	Need to ensure the location of rail work sites.
(IM) Development of safety risk identification method	Need to improve the planning of safety
(IM) Research project on traffic control (Technical Research Institute of Finland)	The high number of wrongly set routes
(IM) Research project on introduction of Esko-system (Finnish institute of Occupational Health)	Need to ensure the safe introduction and use of the Esko-system
(IM) Level crossing safety project	Need to improve the detection of level crossings and reduce the number of level crossing accidents
(IM) Establishment of rail work safety group	Need to improve co-operation between rail work sites and traffic control Need to improve railway- and work safety
(IM) Composing safety training material	Concern on the quality of safety training
(IM) Safety measures on Lahti-Luumäki track	Need to improve rail work safety and train safety Need to reduce the number of incidents
(IM) Unifying safety training facility's approval practices Training institute co-operation	Need to improve the level of safety training Need to unify the level of training
(IM) Development of safety deviation information forms and guides	Need to enhance the collection of safety deviation data
(IM) Level crossing campaign	Concern on level crossing behavior
(IM) Monthly hearings with contractors about route security mistakes	High number of route security mistakes

D.2 Detailed data trend analysis

Finnish Rail Agency has had difficulties making statistical trend analysis of the accident and incident data. This is mainly due to resource problems on keeping the NSA accident and incident database up to date and maintaining robust data quality. Also in most cases the numbers of the accidents and incidents are too small to make reliable statistical analysis. Instead of statistical trend analysis Finnish Rail Agency has compared the numbers of accidents and incidents to the ones from previous years and made visual evaluation on the possible trends.

In 2009 Finland had one major railway accident when a freight train derailed in Toijala June 16th causing large scale damages to ATP appliances and the electrical system. This was the biggest accident in Finnish train traffic in years and it caused delays to both passenger and freight traffic. Accident Investigation Board of Finland started investigating the causes of the accident. There was also one other derailment in normal train traffic that caused damages worth over €150 000 when a freight train derailed in Lahti, March 9th. There weren't any passenger fatalities in Finnish railway traffic.

Similar to previous years the most serious accidents occurred during shunting. One accident led to the death of an employee. Assistant shunter got killed in Kokkola when he was hit by a moving car on January 12th. Another accident caused damages worth over €150 000 in Helsinki when a locomotive was derailed during shunting on January 19th. One other derailment during shunting caused damages worth over €150 000 when 2 freight cars derailed in Lahti also on January 19th.

The total number of significant railway accidents in 2009 was 26. The long time trend of significant accidents is slightly decreasing but it has levelled during last 3 years.

Number of significant railway accidents in Finland:

2006	52
2007	21
2008	27
2009	26

Source: The Finnish Railway Statistics

Most of the decrease in significant railway accidents from the year 2006 to the year 2007 is due to changes in the accident statistics of RU. Before 2007 the number of fires in rolling stock included also the non-significant accidents. The total number of significant railway accidents per million train km has decreased constantly since 2006.

The number of accidents to persons caused by the rolling stock in motion was 10 in 2009. The number of trespasser accidents caused by the rolling stock per million train km decreased from 2008 to 2009 after remaining on the same level between two previous years. The figures are quite low and random variation mainly explains the changes.

Relative number of deaths or serious injuries per million train kilometres also decreased slightly from 2008 to 2009.

Number of deaths or serious injuries per 1 million train km's

2005	0,73
2006	0,70
2007	0,40
2008	0,51
2009	0,48

Source: The Finnish Railway Statistics 2010

Due to regular safety meetings, systematic safety monitoring, and the renewal of communication guidelines in maintenance work by RU and a research on traffic control in maintenance work by the NSA, RU and IM the number of wrongly set routes decreased from previous years 116 to 102 but did not match its target (see D.2). In 2009 particularly high number of wrongly set routes happened due to difficulties in locating rail work sites. This led to directing trains to reserved tracks. Major part of errors in securing route had no risk of incident or accident. In 62

cases the rolling stock was directed to incorrect but clear track. In 6 cases automatic train protection malfunctioned, in 6 cases the track switch was in incorrect position, in 4 cases the necessary notifications were not given, in 3 cases the route was secured to wrong direction and in 3 cases clearance was given without securing the route (no obstacle on route). Most critical wrongly set route took place in Korja, October 1st when a passenger train was directed to track that had a freight train waiting for clearance. Passenger train driver made an emergency braking and the train stopped 150 meters away from the freight train.

In 2009 Accident Investigation Board started 9 B-level (accident or serious incident) investigations and 4 C-level (incident, damage or minor accident) investigations concerning rail accidents or incidents. 8 of the B-level investigations involved fatal level crossing accidents and one freight train derailment. One of the C-level investigations involved a failure in automatic train protection, two involved freight train derailments and one involved an incident arising from a passenger train ending up on the wrong track.

Accident investigation board completed one safety study during 2009 comprehending traffic control safety deviations relating to train number automation.

During the year Accident Investigation Board issued 2 recommendations regarding operating directions to Finnish Rail Agency.

During 2009 IM developed a basic level accident and incident reporting system for their contractors. Before this, IM did not collect the information of accidents and incidents of their contractors. The beginning of information collection had effect on the flow of information and on railway safety. IM was able to monitor the safety of its contractors and through this information it started several projects that improved the track work safety (see table D.1.2). IM collected the information of accidents and incidents from their contractors on excel-sheets and did not yet have a common database for information storage.

Total number of level crossing accidents per year has varied between 44 and 64 for the last 10 years before 2009. In 2009 the number of level crossing accidents decreased especially in harbours and factory areas. The number of level crossing accidents in 2009 was 35 in total. The number of significant level crossing accidents was 12 in 2009 (9 in 2008, 11 in 2007 and 9 in 2006). The percentage of significant level crossing accidents has been around 20% of the total number of level crossing accidents. Due to last year's decrease in the non significant accidents this percentage was as high as 37% in 2009. During track upgrade work mostly in Eastern and Northern Finland the number of level crossings was decreased by 150 in 2009 when the long time average of level crossings taken out of use or replaced with a bridge or a tunnel is around 50 per year.

The number of fatalities in railway accidents was 14 in 2009. Total number of fatalities has remained about on the same level during the last five years (21 in 2008, 18 in 2007, 22 in 2006, 22 in 2005 and 24 in 2004). No up or down going trend can be seen in total number of fatalities in railway accidents. The fatalities caused by railway accidents occur mostly to level crossing users and trespassers. The number of fatalities in level crossing accidents has remained in about ten fatalities during the last ten years (variation between 4 and 12).

The number of serious injuries was 10 in 2009 (6 in 2008, 3 in 2007 and 13 in 2006). The information concerning the condition of a casualty is at this point based on eye witness reports. Thus the numbers cannot be considered fully reliable. The reliable information would only be available directly from the hospitals or police.

During the last ten years the number of track buckles has decreased significantly. Many of the main tracks have been upgraded during this time.

The number of signals passed at danger was 20 in 2009 (30 in 2008, 22 in 2007 and 18 in 2006). Also the numbers per million train km had increased before last year (0.400 in 2009, 0.447 in 2008, 0.387 in 2007 and 0.354 in 2006). One of the biggest problems for Finnish railway safety is the high number of wrongly set routes and of SPAD's. Most of these situations occurred in accordance with maintenance work. However 75% of the wrongly set routes were cases when the train was routed to the wrong but unoccupied track. SPAD's occurred mostly near stations in situations where there were no concrete threats for collisions. Because of that we had a research on the traffic control during the maintenance work starting at the end of 2008. Partly because of this work and its results the number of wrongly set routes decreased to 102 (116 in 2008).

Finland had amendments in national legislation (revision of Railway Act) during 2009 but the work for collecting the information on the costs of all accidents with the method described in the revision of Annex I of the Safety Directive is still ongoing in Finland. Collecting the information of accident costs requires improvement in common instructions for collecting accident information, the quality of accident information and cooperation between multiple parties. Still a lot of work needs to be done before Finland can produce robust information on the costs of all accidents.

At this point we are able to give out an estimate for costs of significant accidents. The costs of significant accidents to environment were 5000 € and to rolling stock 1 022 000 € in 2009 (As reported by Railway Undertaking).

Anne Silla from VTT Technical Research Centre of Finland was working on a study about costs of railway accidents. The publication Evaluation of rail accident costs was released in early 2010 (results were not available in 2009). The study was designed to investigate the methods used to evaluate rail accident costs, the cost components included in the calculations, and the availability and usability of the required information. The aim was to better harmonize the current accident cost calculations used in Finland with new EU regulations. According to these new regulations, accident costs to society should be better incorporated in rail accident calculations. The main research methods were literature research and a workshop bringing railway professionals from different organizations to the same table. Based on the literature review, the accident cost calculations usually include direct and indirect economic costs, the value of a statistical life and partial calculations of the costs to society. It seems that railway stakeholders in Finland are ready to respond to tightening EU requirements. However, requirements from the European Commission should not be seen merely as a burden, given that comprehensive information on the cost components of rail accident cost calculations enable better evaluation of the benefits induced by different safety measures. The Finnish version of the publication can be found on VTT's website (www.vtt.fi/publications).

Total number of working hours of staff and contractors lost as a consequence of accidents is not collected in Finland. We have had discussions on this with RU and IM, and the general estimation was that the number of working hours lost as a consequence of accidents is low.

In 2009 about 83% of state owned tracks were equipped with the ATP. That includes almost all the tracks with passenger traffic or mixed traffic and the main freight traffic lines. The traffic volumes on tracks without ATP are very low. Almost all of the traffic (99% of traffic during 2009) is operated on the ATP lines.

At the end of 2009 there were 3,376 level crossings on the Finnish rail network and 2,929 of these were on the main railways. The number decreased with 150 level crossings from previous year. 743 (22 %) level crossings had warning devices on them. Over 80% of the level crossings are private road crossings which typically are non-paved roads with very low traffic volume (1-10 vehicles per day).

In year 2009 NSA gave regulations about testing safety devices in practice and inspecting the devices to prove that the devices function as supposed to. When amending national regulations NSA respected the requirements of TSI (Technical Specification of Interoperability).

Inspections have revealed that information about the conformity of infrastructures with regulations is not always reliable. There have been situations where the Safety Management System in itself hasn't fully guided the track constructions to a planned outcome. This is why Safety Authority's inspections on the field are still necessary. IM and RU both have a Safety Management System approved by NSA. RU updated its Safety Management System in regard of its new organization but did not update it to meet the Recommendation for Evaluation Criteria by ERA from the year 2007.

During 2009 Finnish competition Authority was involved in a working group that investigated the liberalisation of the Finnish passenger train traffic. According to working group tendering the traffic would be best to start by tendering the Helsinki area commuter traffic entity after the contract with VR-group is due in the end of 2017. The working group finds that the preparations for tendering the traffic entity should start at once.

E. Important changes in legislation and regulation

The Railway Act (555/2006) was amended twice in 2009. In the first amendment (530/2009) the provisions concerning Performance Scheme were included in the Act. Furthermore, the provisions concerning placing into service were amended. The second amendment (1666/2009) was due to the organizational changes the Finnish Rail Agency was going to go through in the beginning of the year 2010. Name of the Finnish Rail Agency was changed into Finnish Transport Safety Agency. At the same time the provision concerning traffic licence was revoked and as a consequence from that the provision concerning the Safety Certificate was amended. Also the regulations given according to the Railway Act (750/2006 and 751/2006) were amended because of the organizational changes. During the year 2009 Finnish Rail Agency was also taking part in the preparatory work for implementing the new interoperability Directive (57/2008/EC) and the amendment to the Safety Directive (2009/149/EC). The new Railway Act is coming into force in 2010.

The Train Driver Regulation was implemented with the Act of Safety Critical Tasks in Railway System (1664/2009) which came into force from the beginning of 2010. At the same time the Act of Safety Critical Tasks in Railway System (1167/2004) was revoked.

Finnish Rail Agency gave 13 NSA regulations in 2010. The regulation (RVI//894/413/2009) implemented the TSI concerning the persons with reduced mobility (2008/164/EC). Furthermore the regulation (RVI/235/410/2009) implemented the TSI concerning the safety in Railway Tunnels (2008/163/EC). Two regulations (RVI/1087/411/2009 and RVI/1050/412/2009) were new and concerned putting in to service of Atonement Data Transfer Module that enables the use of ETCS-locomotive device on a Train Traffic Control track and the use of a 2 W GSM-R walkie-talkie as a cockpit radio. The other nine regulations were merely updates to existing regulations (see more Annex D).

F. The development of safety certification and authorisation

F.1 National legislation – starting dates – availability

1.1 Starting date for issuing Safety Certificates according to Article 10 of Directive 2004/49/EC

The decision of VR Limited Liability Company merging with VR-Group Ltd. was made in 2009. VR Limited Liability Company became a part of VR-Group Ltd. January 1st 2010. Also VR Limited Liability Company's Safety Certificate was endorsed to VR –Group Ltd. first of January 2010 with no significant changes to the certificate.

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

The only Safety Authorisation was issued in 2007 and it's been valid since May 1st 2007.

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

National safety rules and legislation to Railway Undertakings and Infrastructure Managers can be found on the www.finlex.fi website which is maintained by the Finnish ministry of justice and it can be used free of charge.

Further information on the railway safety rules and legislation can be requested from:

rautatiet.saadoskasikirja@trafi.fi

F.2 Numerical data

See Annex E

F.3 Procedural aspects

3.1 Safety Certificates Part A

3.1.1 Reasons for updating/amending Part A Certificates

In 2009 the Finnish Railway Act did not recognize separate Part A and Part B Certificates. This has been changed in the beginning of 2010.

The only case of Safety Certificate amendment was endorsing VR Limited Liability Company's Safety Certificate to VR-Group Ltd. due to a change in their organization.

3.1.2 Main reasons if the mean issuing time for Part A Certificates was more than the 4 months foreseen in Article 12(1) of the Safety Directive

Not applicable: no Safety Certificates were issued in 2009.

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

Not applicable: no Safety Certificates were issued in 2009.

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

The Finnish Railway Act did not recognize separate Part A and Part B Certificate. One Company could not apply for Part B Certificate in another member state because the Finnish Rail-

way Agency could not grant it a separate Part A Certificate. This problem is now fixed with Act 1666/2009 which came into force January 1, 2010.

3.1.5 NSA Charging fee for issuing a Part A Certificate

The fees are collected by the Finnish Rail Agency based on the Ministry of Transport and Communications degree on Finnish Rail Agency's fees (1015/2008) that came in to force on January 1, 2009. The hourly fee for issuing a Safety Certificate was 96 €

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

Finnish Rail Agency did not receive any reports of problems using the harmonized formats for Safety Certificates.

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

The Finnish Rail Agency received 3 applications for Safety Certificates during September – October 2009.

The Agency had some difficulties in assessment work due to lack of resources and the organizational change it was going through.

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

The Finnish Railway Act did not recognize separate Part A and Part B Certificate in 2009. This has been changed in the beginning of 2010.

The companies that started their application process in 2009 were new railway undertakings, who did not have any operation. They did not especially report any problems when applying for a Safety Certificate. However, the Finnish Rail Agency noticed that some of the applying companies found our written instructions hard to understand.

3.1.9 Feedback procedure that allows Railway Undertakings to express their opinion on issuing procedures/practices or to file complaints

Representatives of the Finnish Rail Agency and those of the RU's meet frequently. Feedback is given and received in these occasions. Railway companies are also invited to participate in Finnish Rail Agency's customer research, which is carried out once a year.

Complaints against all Finnish Rail Agency's decisions can be filed to Helsinki Administrative Court

3.2 Safety Certificates Part B

3.2.1 Reasons for updating/amending Part B Certificates

In 2009 the Finnish Railway Act did not recognize separate Part A and Part B Certificates. This has been fixed in the beginning of 2010.

The only case of Safety Certificate amendment was reissuing Safety Certificate to VR-Group ltd due to the change in its organization.

3.2.2 Main reasons if the mean issuing time for Part B Certificates was more than the 4 months foreseen in Article 12(1) of the Safety Directive

Not applicable.

3.2.3 NSA Charging fee for issuing a Part B Certificate

The fees are collected by the Finnish Rail Agency based on the Ministry of Transport and Communications degree on Finnish Rail Agency's fees (1015/2008) that came in to force on January 1, 2009. The hourly fee for issuing a Safety Certificate was 96 €

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

Finland did not use the harmonized formats for Part B certificates.

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

The Finnish Rail Agency received 3 applications for a Safety Certificate during September – October 2009.

The Agency had some difficulties in processing the applications due to lack of resources and the organizational change it was going through.

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

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3.2.7 Feedback procedure that allows Railway Undertakings to express their opinion on issuing procedures/practices or to file complaints

Representatives of the Finnish Rail Agency and those of the RU meet frequently. Feedback is given and received in these occasions. Representatives of the railway companies are invited to participate in Finnish Rail Agency's customer research, which is carried out once a year.

Complaints against all Finnish Rail Agency's decisions can be filed to Helsinki Administrative Court.

3.3 Safety Authorisations

3.3.1 Reasons for updating/amending Safety Authorisations

Not applicable: no such requests were made to the Finnish Rail Agency in 2009.

3.3.2 Main reasons if the mean issuing time for Safety Authorisations was more than the 4 months foreseen in Article 12(1) of the Safety Directive

Not applicable: no such requests were made to the Finnish Rail Agency in 2009

Summary of the regularly problems/difficulties in application procedures for Safety Authorisations

Not applicable: no such requests were made to the Finnish Rail Agency in 2009

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

Not applicable: no such requests were made to the Finnish Rail Agency in 2009

3.3.4 Feedback procedure that allows Infrastructure Managers to express their opinion on issuing procedures/practices or to file complaints

Representatives of the Finnish Rail Agency and those of the Finnish Rail Administration meet frequently and discuss cooperation between the two agencies. Feedback is given and received in these occasions. Representatives of the Finnish Rail Administration are invited to participate in Finnish Rail Agency's customer research, which is carried out once a year.

Complaints against all Finnish Rail Agency's decisions can be filed to Helsinki Administrative Court.

3.3.5 NSA Charging fee for issuing a Safety Authorisation

The fees are collected by the Finnish Rail Agency based on the Ministry of Transport and Communications degree on Finnish Rail Agency's fees (1015/2008) that came in to force on January 1, 2009. The hourly fee for issuing a safety Authorisation was 96 €

G. Supervision of Railway Undertakings and Infrastructure Managers

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

Supervision was carried out following a supervision strategy, which was prepared in 2008. The railway undertakings and the infrastructure manager were informed of the forthcoming supervision.

One (1) employee of the Finnish Rail Agency is responsible for audits. He will invite colleague(s) to join him according to the theme and objectives of the audit.

1.1 Audits/Inspections/Checklists

Targets of supervision included among other things The Safety Management System of stakeholders, condition of infrastructure, transportation of dangerous goods, qualifications, rolling stock and level crossings.

Finnish Rail Agency did not carry out any audits during 2009 but carried out inspections from which it gave out 33 inspection reports. Major part of the inspections concerned transportation of dangerous goods in places such as harbors and industry areas. Agency also carried out smaller inspections concerning private owned tracks, level crossings and museum traffic. No official inspection reports were given out of these inspections.

In 2009 RU carried out 24 of the 26 planned inspections.

IM and RU carried out 2 shared audits. One was Lahti-Luumäki track project and the other Seinäjoki-Oulu track project.

The Lahti-Luumäki track project audit took place on April 2 and the Seinäjoki-Oulu audit on April 23. In both projects the audit group found minor flaws in the required safety documents as they had references to old legislation and regulation.

The Audit group suggested that IM and RU would launch a shared development project that would develop new tools in traffic control, track work, location and traffic planning and also improve the uniform processing of safety deviations.

In 2009 IM was unable to carry out all the audits it had planned for in its Annual Audit Plan (Annex C.1.). Building a new organization took resources away from self-supervision.

		Issued Safety Certificates Part A	Issued Safety Certificates Part B	Issued Safety Authorisations	Other Activities (To specify)
3. Number of inspections of RUs/IMs for 2009	planned	0	0	0	40
	carried out	0	0	0	40

		Issued Safety Certificates Part A	Issued Safety Certificates Part B	Issued Safety Authorisations	Other Activities (To specify)
4. Number of audits of RUs/IMs for 2009	planned	0	0	0	0
	carried out	0	0	0	0

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

NSA observed railway safety in general and did not have any specific sensitive points that it followed-up during 2009.

G.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

The Finnish Railway Act does not include very specific requirements of the contents of the annual reports from the Infrastructure Manager and Railway Undertaking. RU, IM and NSA have agreed on a template that the annual safety report should follow.

RU returned its annual safety report before 30th June but the 2.5 pages thick report had a lot of missing information that was necessary for the NSA. NSA requested for further information over RUs safety report. RU delivered some information on 14th September but not nearly all the information that was requested. RU explained the absence of information with non specific instructions from the NSA and with the fact that in history the amount of information required has not been as large.

IM notified NSA a month in advance that it would not be able to deliver its annual safety report by the end of June. NSA received IMs report on July 6th. IMs report was comprehensive and well put together. NSA still needed some additional information for its annual safety report and IM delivered the requested additional information to NSA on 14th September.

G.3 Summary of the relevant corrective measures/actions related to safety aspects following these inspections

No relevant corrective measures were issued related to inspections by Finnish Rail Administration. The Finnish Rail Administration only gave notes and preferences related to the inspections.

G.4 Short summary/description of the complaints from IM concerning RU related to conditions in their Part A/Part B Certificate

This kind of complaints did not occur during 2009.

G.5 Short summary of the complaints from RU concerning IM related to conditions in their authorisation

This kind of complaints did not occur during 2009.

H. NSA Conclusions – Priorities

Year 2009 was the last year Finnish Rail Agency functioned as an independent organisation. It merged into Finnish Transport Safety Agency in the beginning of 2010.

Major organisational changes shall not affect on the core functions and tasks of Finnish Rail Agency or Finnish Transport Safety Agency's Railway Department in the future.

I. Sources of information

- Accident Investigation Board of Finland Annual Report 2009
- eur-lex.europa.eu
- Finnish Competition Authority Yearbook 2010
- Finnish Rail Administration electrical document management system (RVI Tweb)
- Finnish Railway Statistics 2009
- The Finnish Transport Agency Annual report 2009
- The Finnish Transport Agency Annual Safety report 2009
- The Finnish Transport Agency Annual Safety Report, Request for further information
- Trafi electrical document management system (Trafi Tweb)
- Statistics Finland
- VR Group Ltd Annual Report 2009
- VR Group Ltd Annual Safety Indexes 2009
- VR Group Ltd Annual Safety report 2009
- VR Group Ltd Annual Safety Report, Request for further information
- www.finlex.fi

J. Annexes

ANNEX A: Railway Structure Information

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

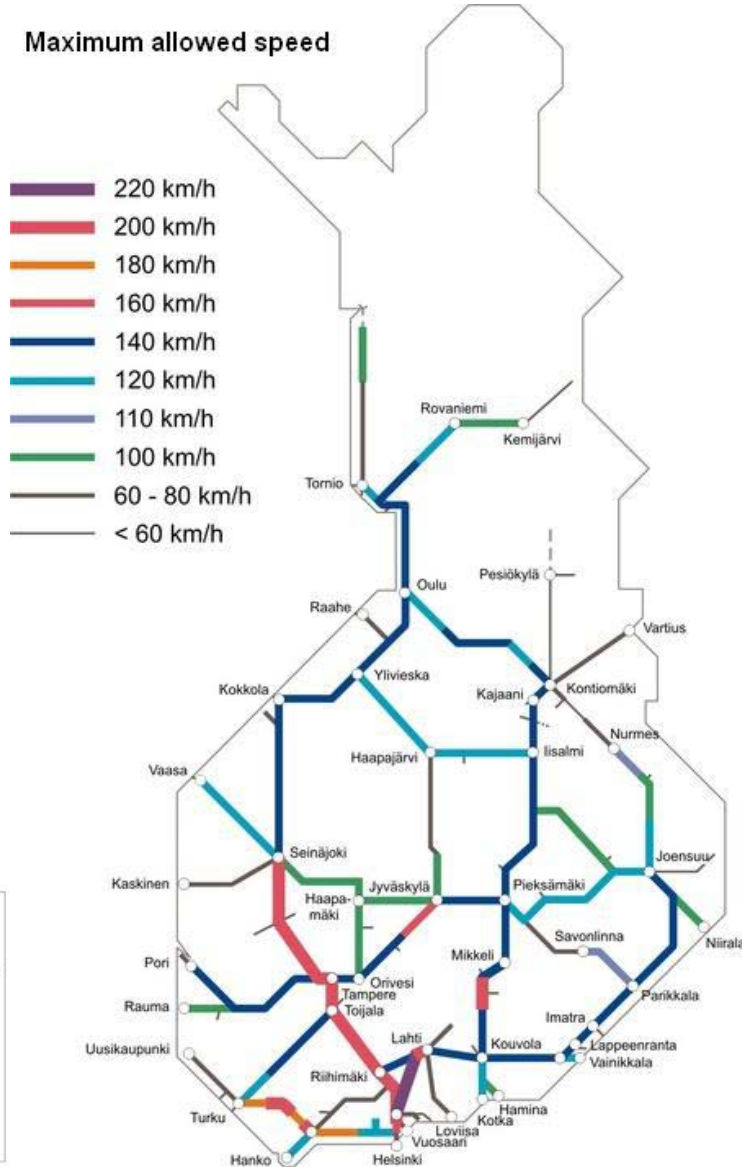
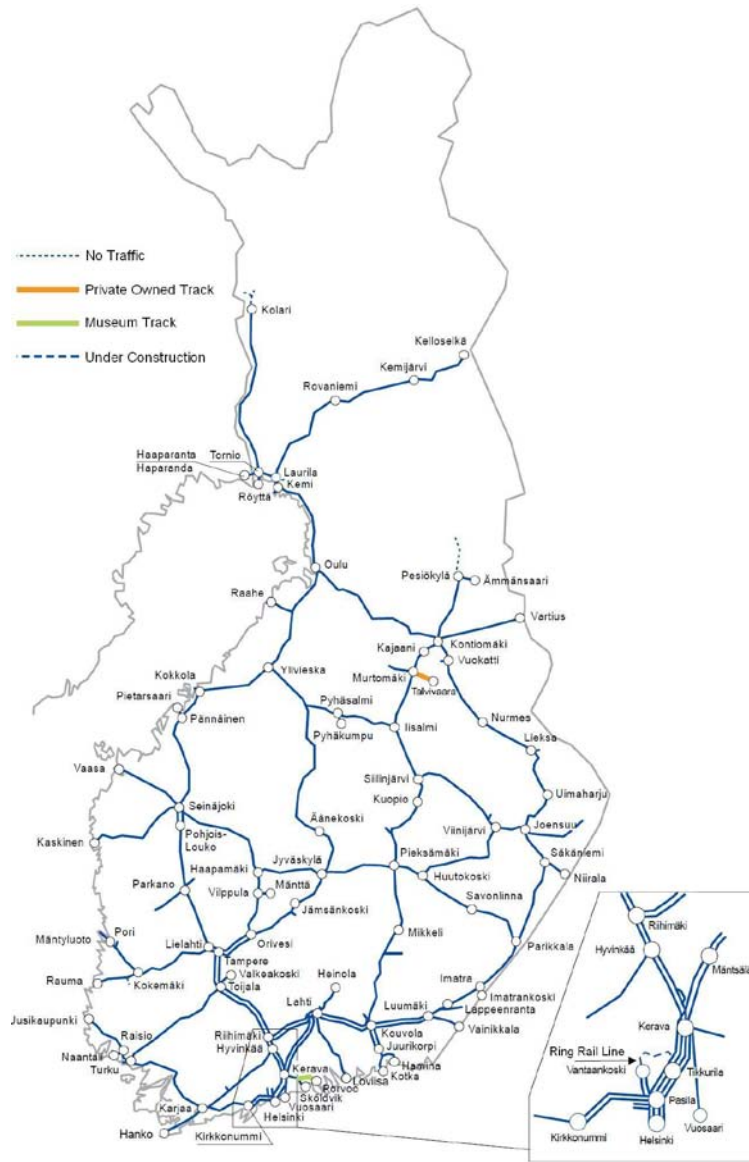
ANNEX C: CSIs data – Definitions applied

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 Finland's railway network map



A.2 List of Railway Undertakings and Infrastructure Managers

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 main (light) signals
Finnish Rail Administration	PO Box 185, FI-00101 Helsinki	www.rhk.fi	RVI/1228/310/2006 April 27th, 2007	January 1 st , 1995	5,919 km/1524 mm	3,067 km/	570 km/5,349 km	0 km	Bombardier	3,376	11,000

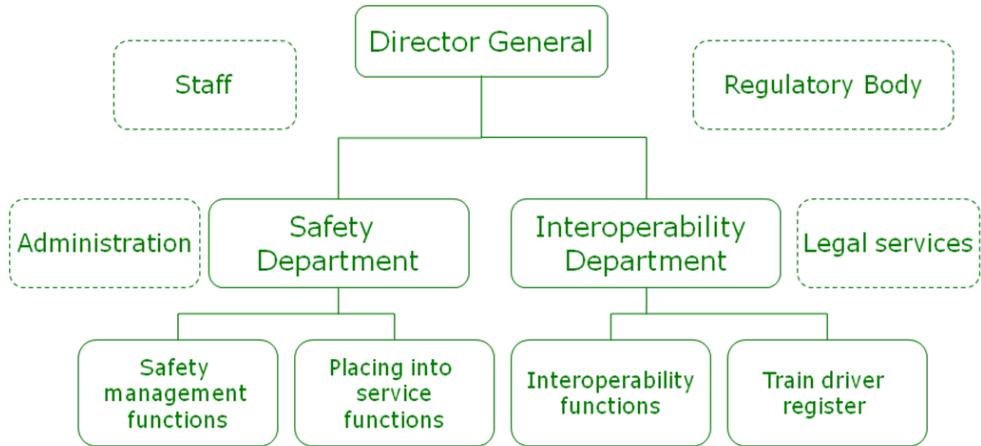
A.2.2 Railway Undertaking(s)

Name	Address	Website	Safety Certificate 2001/14/EC (Number/Date)	Safety Certificate A-B 2004/49/EC (Number/Date)	Start date commercial activity	Traffic Type (Freight,...)	Number of Locomotives	Number of Rail-cars/Multiple Unit-sets	Number of Coaches/Wagons (in commercial traffic)	Number of train drivers/safety crew	Volume of passenger transport	Volume of freight transport
VR Group	PO Box 488, FI-00101 Helsinki	www.vr.fi	RVI/1219 / 310/2006 April 27th, 2007	RVI/1219/ 310/2006 April 27th, 2007	July 1 st , 1995 as VR Group	Freight, passenger	641	390	11,614	1,756/3,600	67,6 million trips	32,900 tons

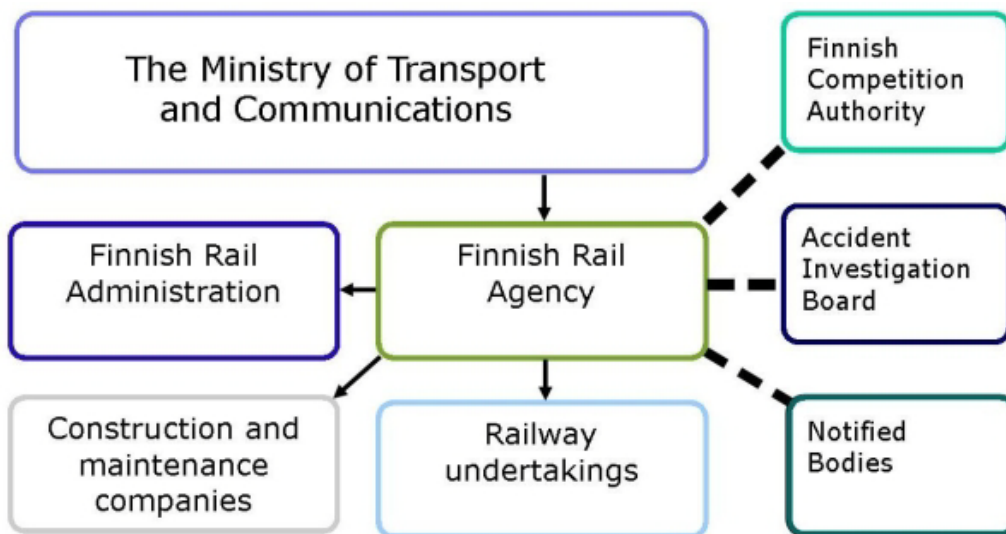
Abbreviations: HSL = High Speed Line (Definition acc. Directive 96/48/EC)
 ATP = Automatic Train Protection
 LC = Level Crossing

ANNEX B: Organisation charts of the National Safety Authority

B.1 Chart: Internal organisation



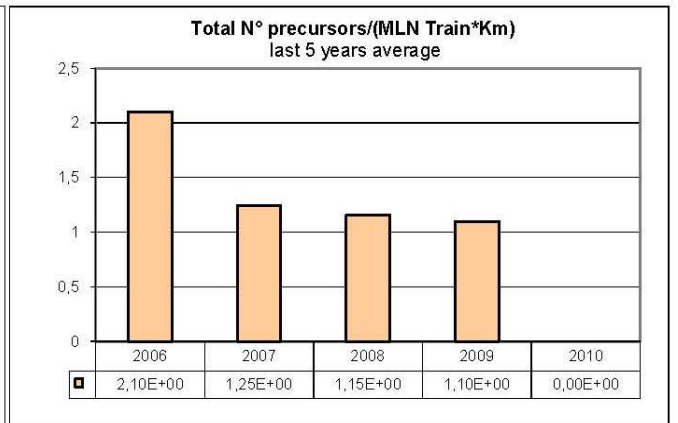
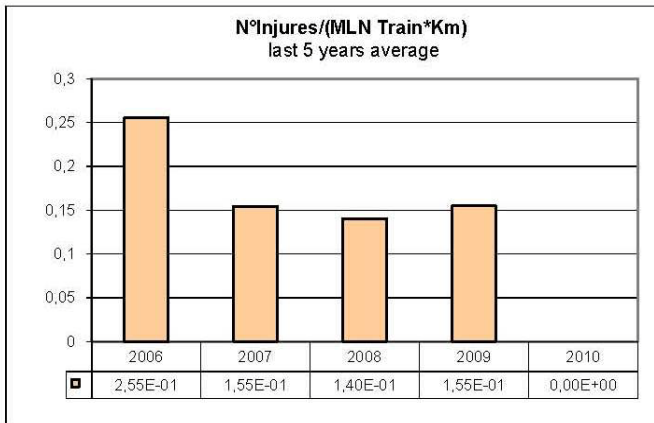
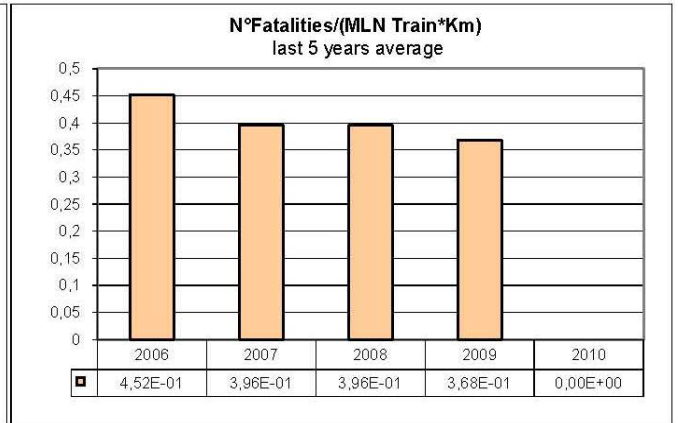
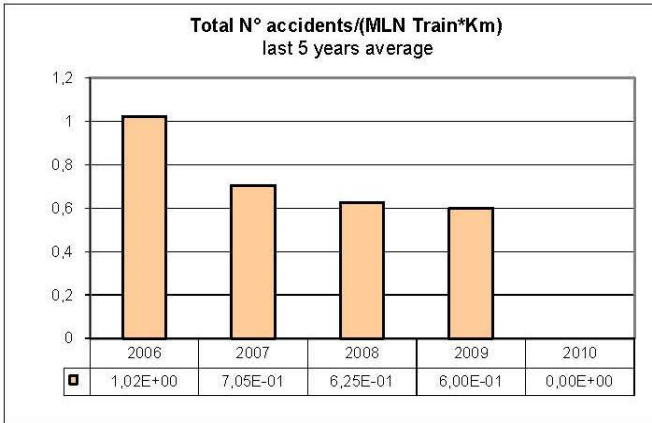
B.2 Chart: Relationship with other National Bodies



ANNEX C: CSIs data – Definitions applied

C.1 CSIs data

Performances at a glance

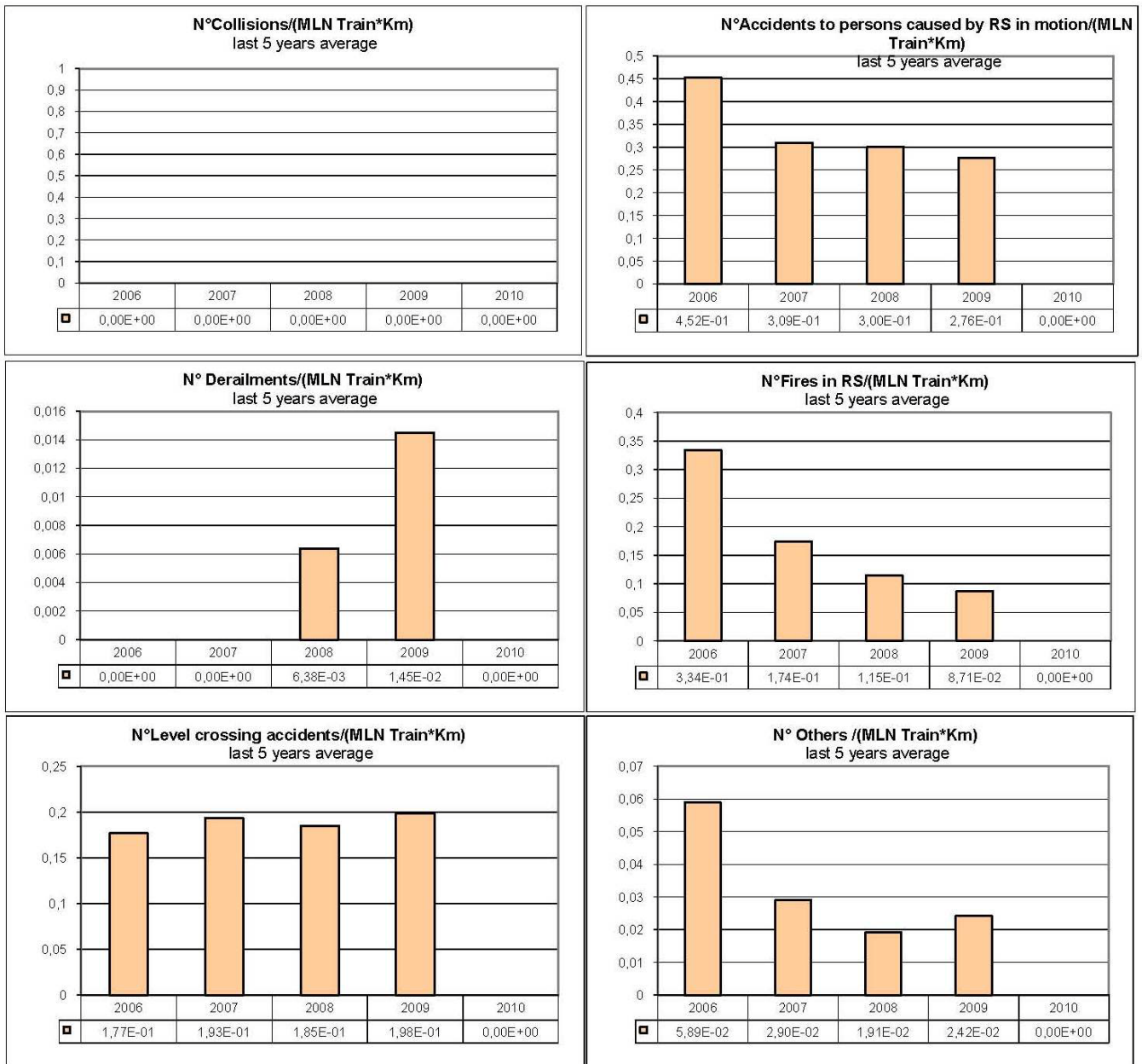


2007 report: values related to 2006.

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

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

Accidents divided by type

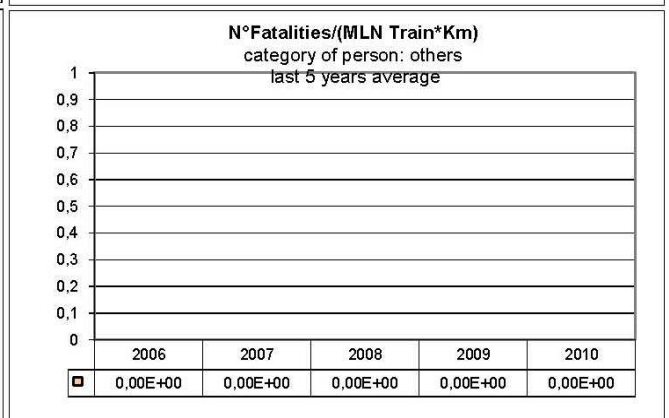
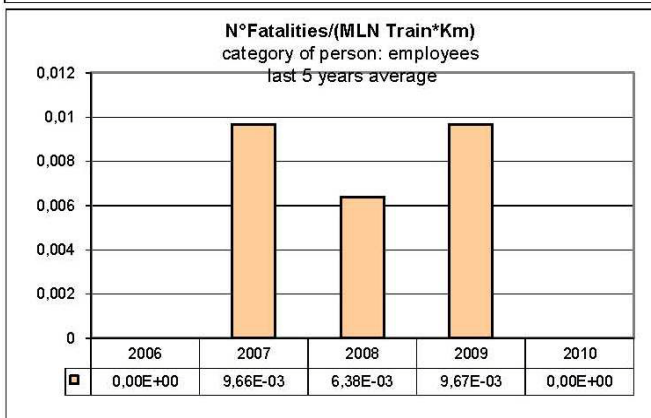
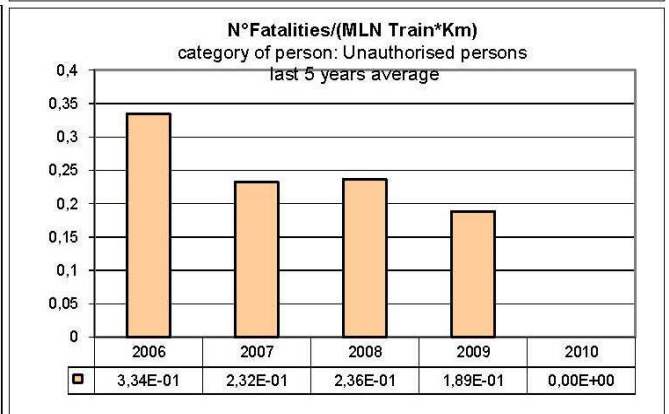
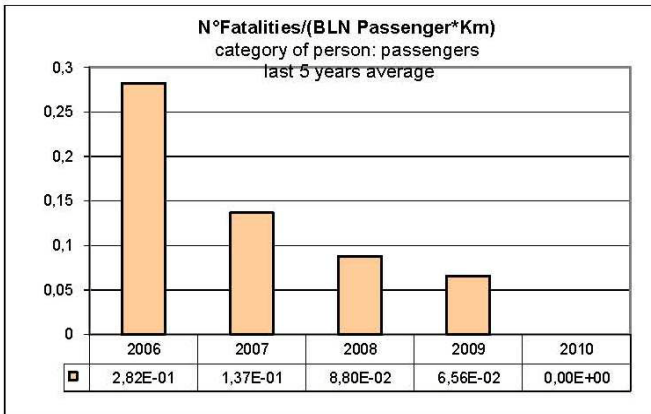
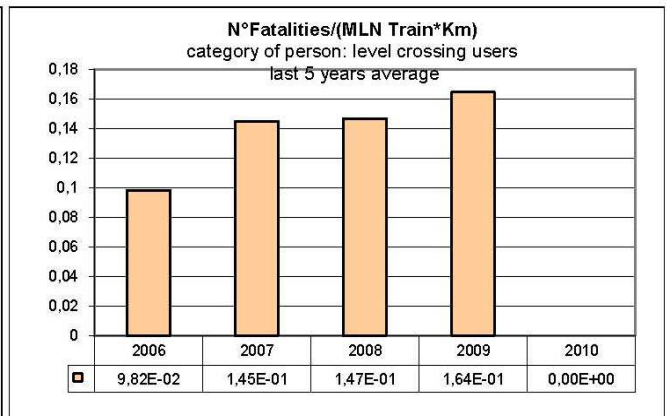
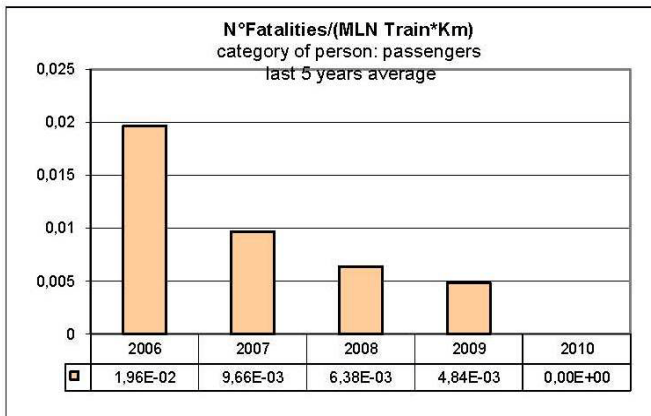


2007 report: values related to 2006.

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

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

Fatalities divided by category of people involved

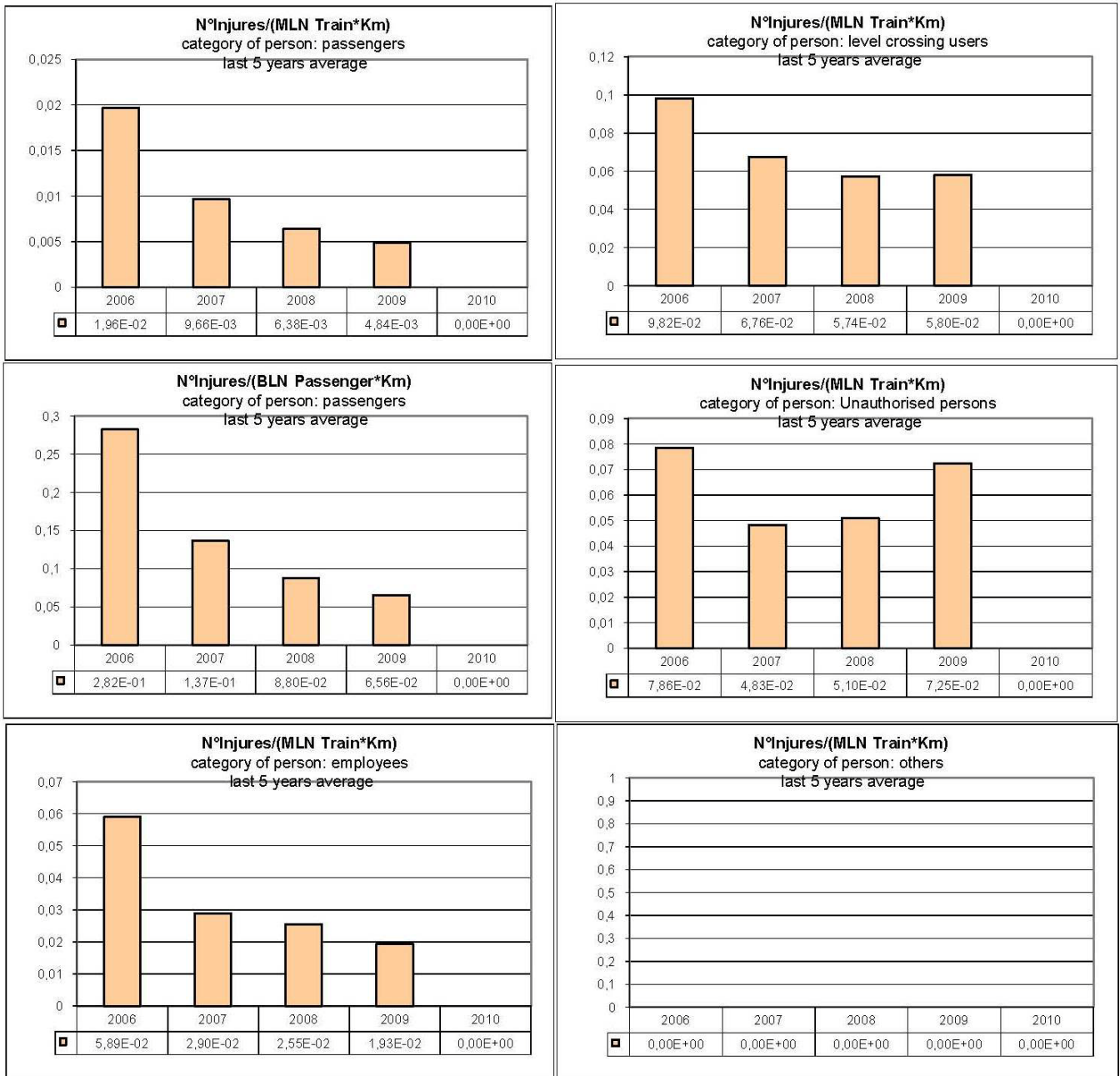


2007 report: values related to 2006.

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

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

Injures divided by category of people involved

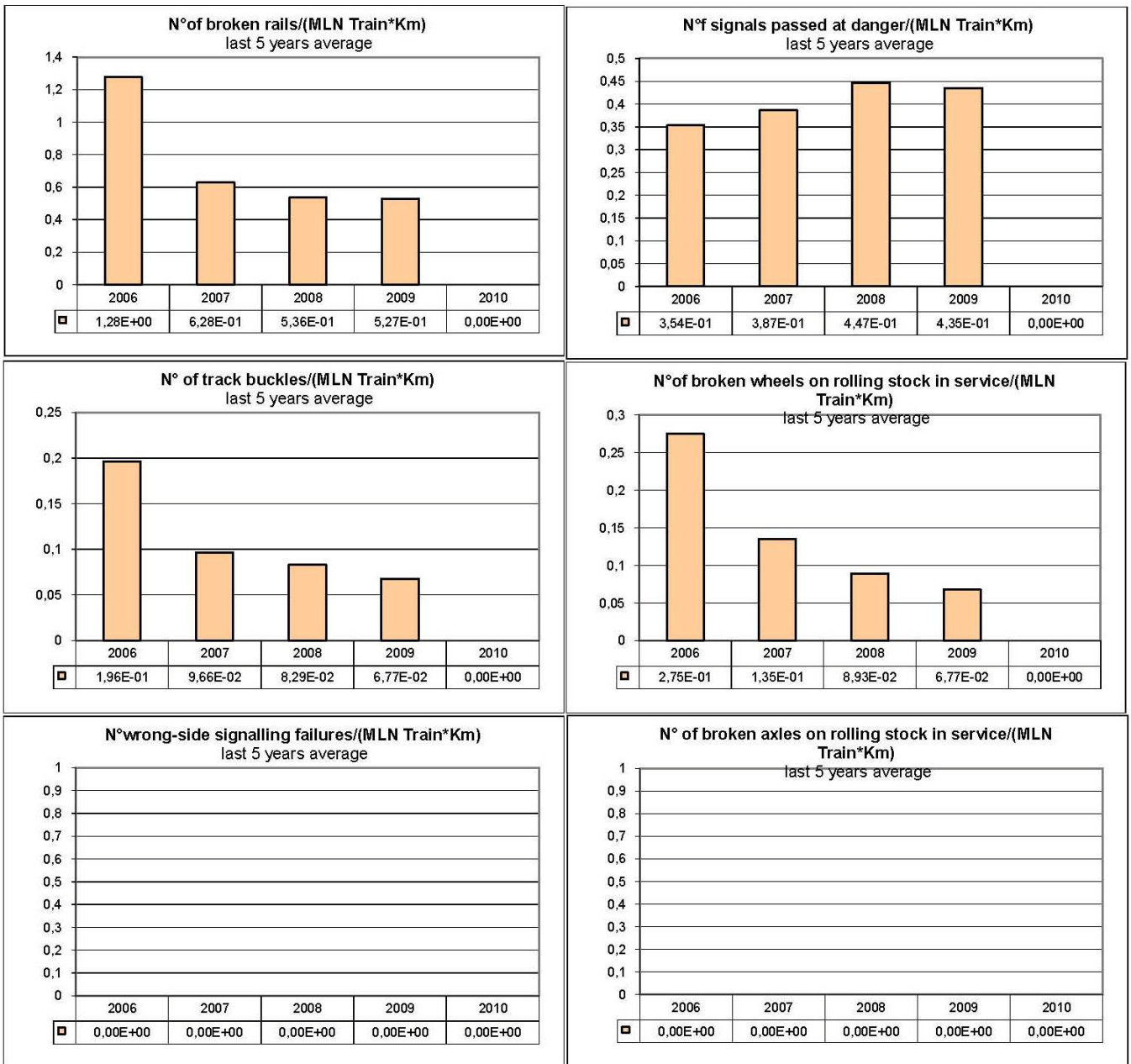


2007 report: values related to 2006.

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

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

Precursors to accidents

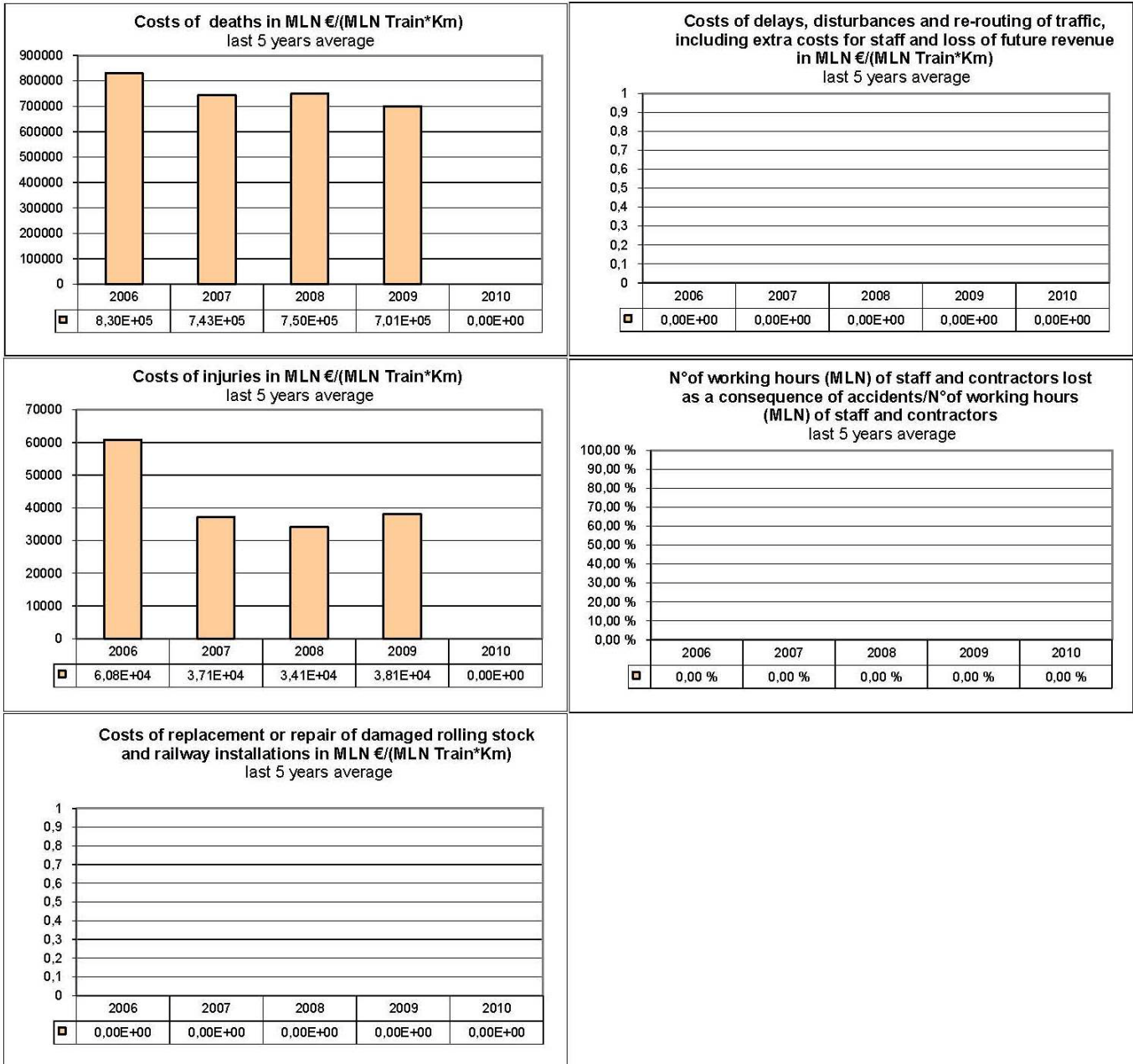


2007 report: values related to 2006.

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

2009 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

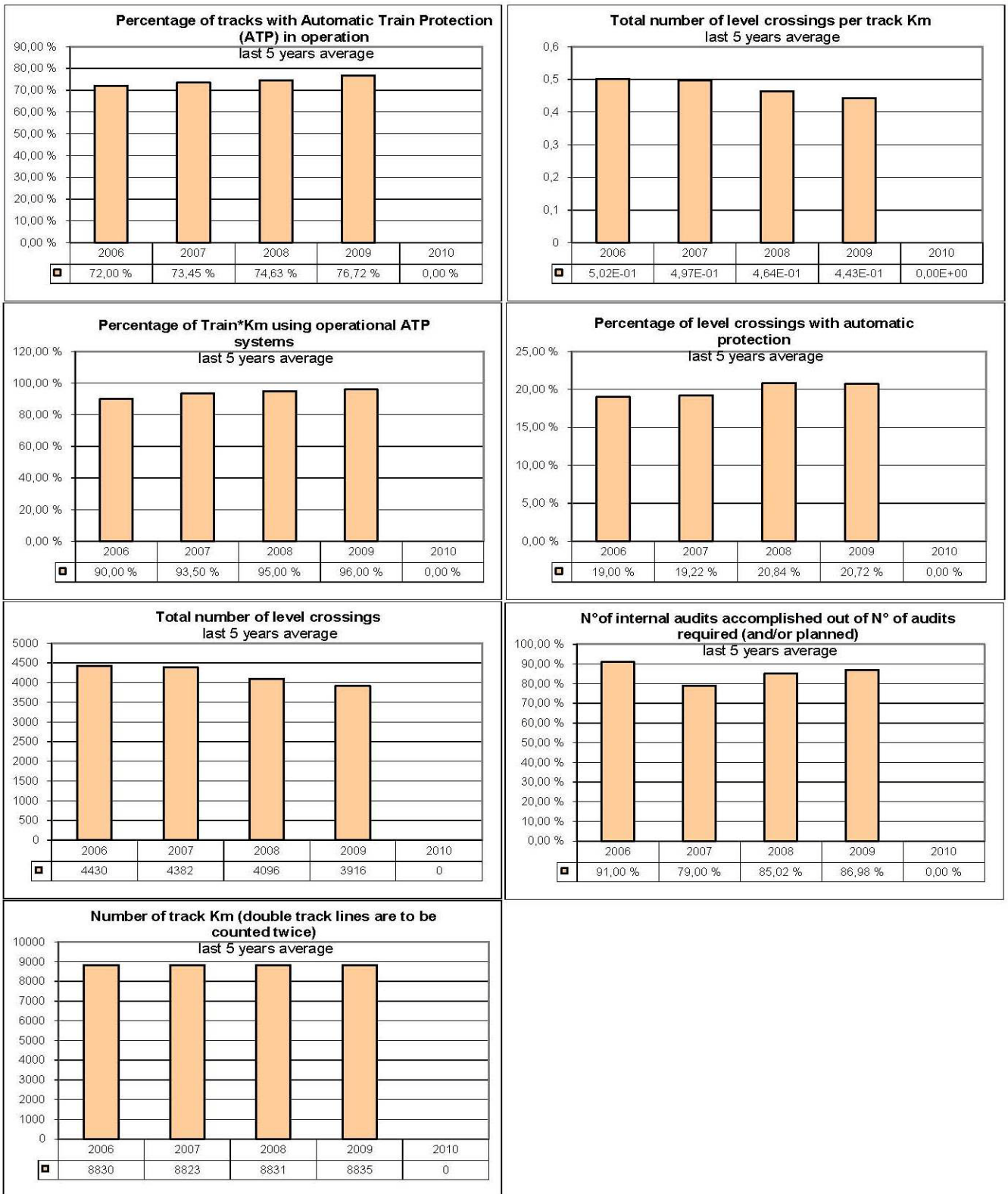


2007 report: values related to 2006.

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

2009 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 among 2006, 2007 and 2008.

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

C.2 Definitions used in the annual report

C.2.1 Definitions in Regulation 91/03 to be applied:

deaths (killed person)

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

The information of a person dying within 30 days from the accident is not available in Finland. The work for making this information available for the NSA is still ongoing and will require teamwork between hospitals, police and the NSA.

injures (seriously injured person)

means any person injured who was hospitalized for more than 24 hours as a result of an accident, excluding attempted suicides. The information of a person being hospitalized for more than 24 hours is not available in Finland. The work for making this information available for the NSA is still ongoing and will require teamwork between hospitals, police and the NSA. At this point the information of person injuring seriously is judged by a train crew eye-witness of the accident such as the train driver.

passenger-km

means 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 is taken into account.

rail passenger

means 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

national definition, an estimate from the RU (VR LTD), based on their information from the police. The police send the NSA information on the accidents investigated as suspected suicides. However we do not get the final information on the cause of the death. The causes of deaths have in the official statistics a class called a suicide done by throwing oneself under a moving vehicle. Most of these suicides are railway suicides but not all. Railway suicides cannot be found in the official death cause statistics as its own class. The NSA will continue the cooperation with the police and Statistics Finland.

significant accident

means 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

means 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

means 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 is taken into account

C.2.2 National definitions

Missing data:

Costs caused by accidents

Costs caused by accidents are not yet collected in Finland. We will concentrate on making a procedure to collect accident costs with the method described in the revision of Annex 1 of the safety directive.

We have made some estimation on costs of deaths and costs of serious injuries. The basic values are estimated for the Ministry of Transport and Communications by the Finnish Road Administration. The values are based on the willingness to pay principle.

Change of GDP 2005 -> 2006 +4.9%, 2006 -> 2007 +4.5%, 2007 -> 2008 +1.0% and 2008 -> 2009 +0,5% (Source: Statistics Finland)

Fatality 2005, basic value: 1 752 000 €
 Fatality 2006: 1 837 848 €
 Fatality 2007: 1 920 551 €
 Fatality 2008: 1 939 757 €
 Fatality 2009: 1 949 456 €

Serious injury 2005, basic value: 227 000 €
 Serious injury 2006: 238 123 €
 Serious injury 2007: 248 839 €
 Serious injury 2008: 251 327 €
 Serious injury 2009: 252 584 €

Costs of replacement or repair of damaged rolling stock and railway installations is not yet collected in Finland. There are some estimates on the costs but they are not systematically made for all accidents. The actual costs can be available several months after the accident and are not always added to the accident statistics.

Costs of delays, disturbances and re-routing of traffic, including extra costs for staff and loss of future revenue is not collected.

Working hours

Total number of working hours of staff and contractors lost as a consequence of accidents is not collected in Finland. We have had discussions on this and the general estimation was just that the number of working hours lost as a consequence of accidents is low.

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

ANNEX D: Important changes in legislation and regulation

	Legal reference	Date legis- lation comes into force	Reason for introduction (Additionally specify new law or amendment to ex- isting legislation)	Description
General national railway safety legislation	NONE			
Legislation concerning the national safety authority	Act on Finnish Railway Agency (1094/2005); Act on Finnish Transport Safety Agency (863/2009); Railway Act (555/2006); Parliament Decree on Interoperability and Safety (750/2006)	1.10.2010		In the beginning of 2010 the Finnish Railway Agency was merged into Finnish Transport Safety Agency which is responsible of the transport safety questions on road, rail, aviation and maritime. Thus the legislation concerning the national safety authority was accordingly amended at the end of the 2009.
Legislation concerning notified bodies, assessors, third parties bodies for registration, examination, etc.	NONE			
National rules concerning railway safety				
Rules concerning national safety targets and methods	NONE			
Rules concerning requirements on safety management systems and safety certification of Railway Undertakings	Act amending the Railway Act (1666/2009)			The 55 § (traffic license for museum trains and for the organisations responsible for track maintenance) was revoked and the 31 § (safety certification of Railway Undertakings) was amended as a consequence from this.
Rules concerning requirements on safety management systems and Safety Authorisation of Infrastructure Managers	NONE			
Rules concerning requirements for wagonkeepers	NONE			
Rules concerning requirements for maintenance workshops	NONE			
Rules concerning requirements for the autorisation of placing in service and maintenance of new and substantially altered rolling stock, including rules for exchange of rolling stock between Railway Undertakings, registration systems and requirements on testing procedures	NONE			

Common operating rules of the railway network, including rules relating to the signalling and traffic procedures Rules laying down requirements on additional internal operating rules (company rules) that must be established by the Infrastructure Managers and Railway Undertakings	NSA regulation (RVI/148/410/2009) concerning the signs of the track.	1.3.2009	Repealed and updated the NSA regulation (RVI/478/410/2008) concerning the signs of the track.	The NSA regulation concerns the signs of the track and the questions relating to their form, nature and positioning. The regulation is repealed by the NSA regulation (RVI/872/410/2009).
	NSA regulation (RVI/873/410/2009) concerning the safety devices in the railway system.	1.11.2009	Repealed and updated the NSA regulation (RVI/362/431/2008) concerning the safety devices in the railway system.	The NSA regulation concerns the basic principles of various safety devices, questions related to signal box and provisions concerning the introduction of a train protection device. Furthermore the regulation includes provisions concerning the positioning of the safety devices.
	NSA regulation (RVI/872/410/2009) concerning the signs of the track.	1.11.2009	Repealed and updated the NSA regulation (RVI/148/410/2009) concerning the signs of the track.	The NSA regulation concerns the signs of the track and the questions relating to their form, nature and positioning.
	NSA regulation (RVI/1050/412/2009) on the use of 2 W GSM-R walkie-talkie as a cockpit radio.	31.12.2009	New regulation.	The NSA regulation concerns the conformity and use of walkie-talkie as a cockpit radio.
	NSA regulation (RVI/376/411/2009) on the electrical system of rolling stock	31.12.2009	Repealed and updated the Finnish Rail Administrations regulations on electrical system of rolling stock.	The NSA regulation includes provisions concerning the use of electrical systems, the responsibilities of users and the safety requirements of various electrical systems in the railway system.
	NSA regulation (RVI/1090/412/2009) on communication in the railway system	31.12.2009	Repealed and updated the NSA regulation (RVI/474/412/2008) on communication in the railway system.	The regulation includes common provisions concerning the communication in the railway system: the language to be used, the speed of the speech and the identification and the recording of the message. The regulation includes also the requirements concerning the forms of the messages and a provision concerning the communication in the state of emergency.
	NSA regulation (RVI/1087/411/2009) on the putting into service and the testing and verification of the Atonement Data Transfer Module	31.12.2009	New regulation.	The regulation includes provisions concerning the requirements of the Module and the interface between the ETCS and the Module. Furthermore, the regulation concerns the testing and verification of the Module.
	NSA regulation (RVI/1091/412/2009) concerning the speed-restriction signal, signals and signs connected to the operation	31.12.2009	Repeals and updates the NSA regulation (RVI/480/412/2008) concerning the speed-restriction signal, signals and signs connected to the operation.	The NSA regulation concerns various sings and signals connected to the operation and their positioning. It includes the requirements for the sings and signals and the information concerning the obligatory nature of the various sings and signals.
	NSA regulation (RVI/1092/412/2009) on operating and track-working in the railway system.	31.12.2009	Repeals and updates the NSA Regulation (RVI/479/412/2008) on operating and track-working in the railway system.	The NSA regulation concerns the operating, shunting and track-working. The regulation includes the requirements for starting the operation, requirements for the speed of the operation and the responsibilities connected to the operation. The regulation includes also provisions concerning the operation in special circumstances as in cases where the train formation breaks in two during the operation.

Finnish Transport Safety Agency

Rules concerning requirements on staff executing safety critical tasks, including selection criteria, medical fitness and vocational training and certification	Act on Safety Critical Tasks in the Railway System (1664/2009)		Implementation of the Train Driver Directive (59/2007/EC). Revokes the act on Safety Critical Tasks in the Railway System (1167/2004).	
Rules concerning the investigation of the accident and incidents including recommendation	NONE			
Rules concerning requirements for national safety indicators including how to collect and analyse the indicators	NONE			
Rules concerning requirements for authorisation of placing in service the infrastructure (tracks, bridges, tunnels, energy, ATC, radio, signalling, interlocking, level crossing, platforms, etc.)	NSA regulation (RVI/235/410/2009) concerning safety in railway tunnels.	1.4.2009	Implementation of TSI concerning the safety in Railway Tunnels (2008/163/EC)	
	NSA regulation (RVI/478/431/2009) on revoking of the Finnish Rail Administrations Regulation on platforms.	25.5.2009	The Finnish Rail Administrations Regulation was revoked due to the implementation the TSI concerning the persons with reduced mobility (2008/164/EC)	
	NSA regulation (RVI/894/413/2009) on accessibility for the persons with reduced mobility	1.12.2009	Implementation of TSI concerning the persons with reduced mobility (2008/164/EC)	
	NSA regulation (RVI/902/431/2009) on the structures of track and the maintenance of track	31.12.2009	Repeals and updates the Finnish Rail Administrations regulations on the structures of track and the maintenance of track.	The NSA regulation concerns various structures of track, the maintenance of the structures, level crossings and gauge.

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 2009	being licensed in your Member State	0
	being licensed 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 2009	being registered in your Member State	0	0	0
	being registered 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 2009	being registered in your Member State	0	0	0
	being registered 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 2009	being registered in your Member State for	new certificates	0	0	3
		updated / amended certificates	0	0	0
		renewed certificates	0	0	0
	being registered in another Member State for	new certificates	0	0	0
		updated / amended certificates	0	0	0
		renewed certificates	0	0	0

			A	R	P
E.2.4. Number of applications for Safety Certificates Part B submitted by Railway Undertakings in year 2009	being registered in your Member State for	new certificates	0	0	3
		updated / amended certificates	0	0	0
		renewed certificates	0	0	0
	being registered in another Member State for	new certificates	0	0	0
		updated / amended certificates	0	0	0
		renewed certificates	0	0	0

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

Finnish Law did not recognize separate Part A and Part B Safety Certificate. This has been changed in the beginning of 2010. All the RUs applying for a Safety Certificate were Finnish companies.

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 2009 being registered in your Member State	0	0	0

		A	R	P
E.3.2. Number of applications for Safety Authorisations submitted by Infrastructure Managers in year 2009 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 2009 for Railway Undertakings	being registered in your Member State	-	-	-
	being registered in 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 2009 for Railway Undertakings	being registered in your Member State	-	-	-
	being registered in 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 2009 for Infrastructure Managers	being registered in your Member State	-	-	-
	being registered in another Member State	-	-	-