The Chairman
Railway Transport Office

RAILWAY SAFETY

IN POLAND

REPORT FOR 2009

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CONTENTS

A.1. SCOPE OF THE REPORT

The annual safety report prepared by the National Safety Authority – Urząd Transportu Kolejowego (Railway Transport Office), ('RTO') – contains information on:

a) the railway structure with a list of railway infrastructure managers (Annex A.2.1.) and a list of railway carriers (Annex A.2.2.);
b) important changes in legislation and regulations associated with railway safety, and introduced in 2009 (Annex D);
c) state of railway safety, including aggregation of safety indicators – CSI (Annex C, CSI annexes and CSI-Charts annexes) at Member State level;
d) outcomes and experiences associated with monitoring infrastructure managers, and railway carriers.

This report also includes the RTO's activity in conducting tasks in compliance with the safety policy.

A.2. EXECUTIVE SUMMARY

1. Introduction.

The purpose of this annual report on railway safety is to meet requirements of article 18 of the Directive 2004/49/EC of the European Parliament and of the Council of 29 April 2004 *on safety on the Community's railways* as well as article 17a of the Act of 28 March 2003 on Railway Transport (consolidated text published in Journal of Laws of 2007 No 16, item 94, as amended).

The annual report, published in the Official Journal of the Minister responsible for transport matters, is the source of information above all for different entities registered in Poland and member states, which conduct business activity in rail transport sector. In addition, this information may be used by the representatives of business, politics and media as well as the whole society.

In the annual report the safety indicators have been presented in **2 groups, i.e.:**

a) **General rail system in Poland (the generally accessible network of railway lines**)
b) **Metro networks as well as the networks functionally separated from the rest of the railway system and designed to provide suburban passenger transport**.

The obligated entities delivered their reports within statutory time-limits, i.e. by the end of June of this year.

As for the group of the general rail system, eight infrastructure managers have submitted their reports. Due to the merger of two infrastructure managers and establishment of one entity as of 18 March 2010, the new entity made one annual report. Moreover, 48 railway carriers providing rail transport services on this network and 1 carrier, which started its activity in 2010, i.e. after obtaining the safety certificate, have also submitted annual reports.

As for the second group, the reports have been submitted by 3 infrastructure managers, including 2 entities conducting transport activity on this network as well.

The most frequent problems encountered during gathering data for the reports:

- division of persons injured in accidents, i.e. into 'unauthorised persons' and 'other persons', still creates many difficulties for the investigation commissions,
- Taking into consideration accidents that occur during shunting and technological rides, for which the **unit 'train*km' is not used**, gives contaminated results for the safety indicators calculated in units 'piece/mln train*km';
- Statistics, provided by the Central Statistical Office in Poland, concerning data on the railway network (form TK-5 'Tabular Summary of Data on Railway Network') **takes into account only constructional lengths of tracks, i.e. without the lengths of crossovers (switches)**. This is not justified because crossovers ensure continuity of the rail lines and are counted in the length of rail lines that are made available to the rail carriers. **In this report the total length of main line tracks** and the length of the main principal tracks at the 'operating points' (traffic stations and dispatching points), which constitute extension of main line tracks **have been taken into account**;
- Implementation of the requirement to use additional division of the railway accidents for statistical purposes, i.e. introduction of the 'significant accidents', still creates difficulties. So far, the infrastructure managers presented their accident statistics for GUS purposes in accordance with the national requirements, i.e. not in compliance with definitions given in the Regulation (EC) No 91/2003 of the European Parliament and of the Council of 16 December 2002 on rail transport statistics. However, because the Ordinance of the Minister of Infrastructure of 20 July 2010 on common safety indicators - CSI (Journal of Laws No 142, item. 952), has entered into force, the statistics for 2010 will take into account proper qualification of the significant accidents;
- Imprecise definition of 'total number of work hours' in the Annex CSI (code R04) raises doubts when one entity conducts several activities (e.g. fuel production, sales and rail transport);

- Imprecise definition (or too general translation) of data related to ‘the number of engine cars (wagons) / electric multiple units (MU) raises doubts as to the proper qualifications of the engine cars;
- Imprecise definition (or too general translation) of information in the table ‘Number of precursors and Train*Km’ of the Annex CSI-Charts causes different interpretations. In the annex CSI the incidents and near-misses are divided into 6 types. The annex CSI-Charts contains the similar division. In this report information in the annex CSI-Charts takes into account only **incidents and near-misses.**

2. Information on the structure of the railway system

2.1. In 2009 the general railway system in Poland included the network of railway lines managed by 9 railway infrastructure managers. At the end of 2009 the total length of railway lines in service was **20 105.3 km**, including:

- 8 730.5 km of 2-track lines,
- 11 374.8 km of 1-track lines.

The basic network of railway lines in this system is managed by PKP Polskie Linie Kolejowe S.A. (Polish Railway Lines), i.e. the railway lines the length of which is equal to 19 336 km, which constitutes 96% of all lines.

The length of the operated railway lines, as compared to 2008, increased by 146.4 km, i.e.:

- the length of 2-track lines increased by 17 km,
- the length of 1-track lines increased by 129.4 km.

The total length of all tracks on this system is **38 829.6 km**, including:

- Main line tracks and main principal tracks at operating points – **28 835.7** km, an increase of 163 km,
- Other tracks – 9 993.9 km, a decrease of 99 km as compared to 2008.

25 225 km long tracks, i.e. 65 % of all tracks, are electrified (3kV, DC). As compared to 2008, the length of the electrified tracks decreased by 97 km.

2.2. The network of railway lines separated from the rest of the system and intended only to provide urban and sub-urban passenger transport in Poland is managed by 3 railway infrastructure managers. At the end of 2009 the total length of railway lines in service was 62.4 km, of which:

- 47.2 km of 2-track lines,
- 15.2 km of 1-track lines.

The total length of tracks in this system was 144.5 km, of which:

- Main line tracks and main principal tracks at the operating points – 108.9 km,
- The rest of tracks – 35.7 km.

The 121.7 km long tracks, i.e. 84.3 % of all tracks, are electrified (0.65 and 0.75 kV, DC).

The length of railway tracks and lines in service on this network has not significantly changed as compared to 2008.

The schematic diagram of the main railway lines in Poland is presented in the **Annex A.1.a.** and the present shunting yards and manoeuvre stations are shown in the **Annex A.1.b.** The schematic layout of the railway lines separated from the rest of the system is shown in the **Annex A.1.c.**

The list of the infrastructure managers on the general railway system is presented in the **Annex A.2.1.a.** The list of the managers of infrastructure of the network of the railway lines separated from the rest of the system was presented in the **Annex A.2.1.b.** The schematic presentation of the seats of entities was shown in the **Annex A.2.1.c.**

In 2009, 48 licensed railway carriers provided passenger and freight transport on the network of the general rail system in Poland, whereas 2 licensed railway carriers provided passenger transport on the network of railway lines separated from the rest of the system.

The list of the licensed railway carriers providing passenger and freight transport on the general railway system was shown in the **Annex A.2.2.a.** The list of the licensed railway carriers providing transport of persons and goods on the network of the railway lines separated from the rest of the system was given in the **Annex A.2.2.b.**

3. General analysis of trends in the safety development and certification

3.1. The number of railway incidents (accidents and serious accidents) that occurred on the network of railway lines of the **general railway system** in 2009, as compared to the previous year, **decreased** from 889 to 843, i.e. by 45, which is 5 %.

The number of collisions decreased from 8 to 18, i.e. by 10, the increase of 125 %, whereas the number of derailments decreased from 105 to 63, i.e. by 42, the decrease of 60 %.

The number of level crossing accidents slightly increased as compared to the previous year, i.e. from 278 to 288 – the increase of 3.5 %, as well as the number of the accidents to persons caused by rolling stock in motion, i.e. from 397 to 400 – the increase of 0.7 %.

The number of the accidents of the 'Other' category, in which all accidents that occurred during technological and manoeuvre rides and in the sidings with participation of railway carriers were taken into account, decreased from 92 to 71 – the decrease of 29 %.

The total number of **persons seriously injured** in the occurred accidents, decreased as compared to the previous year from 277 persons to 199 persons, i.e. the decrease of 14 %.

The significant decrease in the number of the **seriously injured persons** took place with respect to the level crossing accidents, i.e. from 104 to 76 – the decrease of 37 %, whereas the number of injured persons in the accidents caused by rolling stock in motion increased from 105 to 119 – the increase of 12 %. The unauthorised persons constitute the vast majority of the seriously injured persons (45 % of all injured persons) and the users of the level crossings (25 % of all injured persons).

The total number of **killed persons** as a result of the occurred accidents **significantly increased** as compared to the previous year, i.e. from 308 to 365 – the increase of 15.6 %. The number of casualties among the level crossing users significantly increased, i.e. from 39 to 73 – the increase of 53 %. The number of persons killed by the vehicle in the move also increased, i.e. from 257 to 292 – the increase of 12 %. The unauthorised persons (78 % of all killed persons) and the users of the level crossings (20 % of all killed persons) create the significant majority of those killed in accidents.

As for the near-misses, the number of broken wheels on the railway vehicles in service significantly increased which has been found during examination of vehicles. It was necessary to exclude these vehicles from the trains, which caused train delays. As compared to the previous year, the number of these incidents increased by 84 %, i.e. from 57 to 105.

The number of broken axes on the railway vehicles in service decreased significantly, i.e. from 67 to 12 – the decrease of 82 %.

The number of train*km decreased, as compared to 2008, from 224.4 mln train*km to 208.6 mln train*km. The number of passenger*km decreased as well, i.e. from 20.1 billion passenger*km to 18.6 billion passenger*km.

3.2. In 2009 the total number of rail incidents (accidents and serious accidents) that occurred on the network **functionally separated from the rest of the system** and intended to provide urban and sub-urban passenger transport increased, as compared to the previous year, from 9 to 20, i.e. by 11 – the increase of 122 %. The mentioned incidents resulted only from accidents at the level crossings.

Nobody was significantly injured or killed during these railway incidents.

The summary of all railway incidents, victims and incurred costs was presented in the **Annexes 'CSI'** and **'CSI-Charts'** (diagrams) for two groups of the railway system in Poland including tables and charts for those groups. The definitions used in this report are given in the **Annex C**.

Because the Commission published Regulation (EC) No 352/2009 on adoption of a common safety method on risk evaluation and assessment on 29 April 2009, the entities had not been obliged to report their experiences connected with application of CSM for assessment and methods of risk evaluation in 2009.

As for significant technical modifications of vehicles, which are defined in Art.2 letter c) of the Directive 2008/57/EC, and of structural subsystems, when required by provisions of Art. 15 par. 1 of the mentioned Directive or TSI, the regulation shall be applied from **19 July 2010.**

The whole Regulation shall enter into force as of **1 July 2012**.

Taking the above into consideration, in 2009 the entities were not obliged to report their experiences connected with application of CSM for risk evaluation and methods of risk assessment.

In accordance with provisions of the last amendment to the act on the rail transport, the infrastructure managers and railway carriers holding valid safety certificates (issued on the basis of the Directive 2001/14/EC) are obliged to apply to the President of RTO (Rail Transport Office) for issuance of the safety authorisation or the safety certificate by 30 June 2010. **The validity of the safety certificates, mentioned above, expires on 31 December 2010**.

In 2009, the following safety certificates were issued:

- part A for 4 national railway carriers,
- part B for 2 national railway carriers,

In 2009, no safety authorisation was issued for the railway infrastructure manager.

4. Outcome of safety recommendations

In view of completion of railway commission proceedings related to the occurred railway incidents and on the basis of Art. 281 par. 8 of the Act of 28 March 2003 on Rail Transport (Journal of Laws No 16, item 94, as amended) as well as in connection with revealed irregularities which create a direct risk to the railway traffic safety, the Chair of PKBWK

(State Commission for Railway Accident Investigation) issued in total 9 recommendations in 2009 concerning improvement of the safety of the railway traffic, i.e.:

- 6 recommendations were directed to 4 railway carriers,
- 3 recommendations were directed to the establishments carrying out repairs of railway vehicles.

The recommendations issued in 2009 were, among others, related to:

- Observance of rules of correct completion of the document 'The certificate of the technical operability (fitness) of the railway vehicle',
- Systematic checking of the technical operability of oil shock absorbers in series ET22 locomotives while carrying out maintenance and repair works,
- More detailed specification of the content of the order for axles in wheel and axle sets by adding description of necessary operations for technological treatment of axles for wheels and axle sets with indication of the up-to-date drawings and conditions of the axle production in the light of the standards and regulations being in force, ensuring of commission supervision over acceptance of the axle and wheel sets, ensuring of the durable protection of axle against mechanical damages during transport between production establishments (the manufacturing works and the workshop mounting axles in the locomotives).

The President of RTO, in agreement with Art. 28l par. 9 of the Act on the Rail Transport supervises, within the field of its competence, implementation of the post-accident recommendations issued by the Commission.

The inspection performed by the authorised employees of RTO at the Electric Locomotives Repair Works (Zakład Naprawczy Lokomotyw Elektrycznych) has shown that the recommendations issued by the State Commission for Railway Accidents Investigation have been fully implemented.

As for the recommendations advising entities to immediately start control and preventive activities in the area of systematic checking of the technical operability of oil shock absorbers in series ET22 locomotives while performing maintenance and repair works, in particular checking the oil level – the adequate activities have been started by the railway carrier. The railway carrier undertook to check in detail, during periodical overhauls, the technical condition of hydraulic shock absorbers in all ET22 series locomotives in service. Moreover, the members of acceptance commission have been obliged to enforce the fulfilment of the obligations concerning checking of damping characteristics of hydraulic shock absorbers by executors of the periodic repairs. The control of these recommendations is carried out continuously by the employees of RTO.

In connection with recommendations and guidelines of the European Railway Agency and the European Commission after the accident at Viareggio (Italy) and the cases of breaking the axles of wheel and axle sets in Poland – the President of RTO sent to all actors of the rail market the recommendation by way of the letter of 9 October 2009 stressing the short time limit of its implementation.

As a result of the audit performed by the employees of RTO in 3 railway vehicle repair workshops it was found that:

- Procedures of production of new axles have been re-established (to the large extent),
- Registration system for operations connected with production and maintenance of wheel and axle sets has been tighten up.

In addition the owners of railway vehicles have been obliged to maintain wheel and axle sets in the proper technical condition and to keep detailed records concerning the age of wheel and axle sets used in the electric MU.

Other activities still to be carried out in 2010 are the following:

- to determine the age and the technical condition of wheel and axle sets in other railway vehicles, and in particular in freight wagons;
- to introduce the register of the wheel and axle sets in order to enable tracking of their use;
- to persuade scientist communities connected with the railway transport to develop effective methods of assessment of suitability of wheel and axle sets for further service;
- to determine the final time limit for withdrawing the wheel and axle sets from service.

Control activities carried out by the authorised employees of RTO are not limited only to the field determined by the recommendations issued by the State Commission for Railway Accidents Investigation, but also cover significantly larger field specified first of all by the Act of 28 March 2003 on Railway Transport and regulations connected with implementation of this Act.

The field of the audit is adapted each time to the type, the field and the nature of the activities of the audited entity. It should be clearly stressed that audit actions are of continuous character and were performed not only in 2009 but also are continued in 2010.

5. Supervision of railway carriers and infrastructure managers.

The Railway Transport Office (UTK), as the national safety authority, performs supervision of railway carriers and infrastructure managers. Within the field of the supervision activities the inspections are carried out by the President of RTO.

The employees of The Railway Transport Office perform planned inspections on premises of railway carriers or infrastructure managers using the checklists which include 140 points in total.

The number of questions included in a given checklist depends on both the type, size and the field of activities conducted by the controlled entity (railway carrier / infrastructure manager) and the subject field of a given inspection.

In 2009 the employees of the Railway Transport Office performed in total 164 inspections concerning the safety conditions on railway system, of which:

- 61 inspections at railway infrastructure managers,
- 103 inspections at railway carriers.

In 2009 the Railway Transport Office did not perform any audit. In the second half of the year the setting up of the team to perform audits was started.

In this connection the authorized employees of RTO performed inspections of entities that held 'Safety Certificates' and 'Safety Certificates' (referred to in Art. 32 of the Directive 2001/14/EC of the European Parliament and of the Council of 26 February 2001 on the allocation of railway infrastructure capacity and levying of charges for the use of railway infrastructure and safety certification allocation.

The field of the performed inspections included, among other things, checking whether these entities:

- Hold the required set of the certificates allowing to place a given type of constructions and devices intended for conducting railway traffic in service as well as certificates allowing the given type of railway vehicle to be put in service:
- hold valid certificates of technical operability for the railway vehicles in service;
- meet technical requirements concerning use and maintenance of railway vehicles and the elements of the railway infrastructure;
- have internal regulations specifying the principles and requirements concerning safe conducting of the railway traffic and maintenance of the railway infrastructure;
- ensure safety of transport of dangerous goods carried by railway,
- ensure safety of conducting railway traffic in the course of modernization works performed by infrastructure managers,

- implement post-inspection recommendations and preventive measures indicated by railway commissions as well as recommendations issued by the State Commission for Railway Accident Investigation – in particular after accidents that occurred at the level crossings and ;
- in addition whether personnel employed at posts directly connected with conducting and safety of railway traffic as well as conducting railway vehicles meets requirements defined in the regulations.

6. FINAL CONCLUSIONS – PRIORITIES

The Railway Transport Office – the national safety authority – adopted the following priority actions to be performed in 2009:

1) Continuation of control and preventive actions to maintain the adequate level of the railway traffic safety in view of the deterioration of the condition of the railway infrastructure resulting, among others, from the lack of possibility to perform the necessary repairs.
2) Continuation of the activities in the area of safety certification and authorization for maintaining the positive trend of improvement of the safety conditions, in particular with respect to the rolling stock.
3) Support for activities aiming at better organization of supervision over design, construction and placing in service of the railway infrastructure in the part related to: tracks, systems of the traffic control, power supply, etc.

B. INTRODUCTION

1. Introduction to the report

The purpose of this annual report on railway safety is to meet the requirements of Article 18 of Directive 2004/49/EC of the European Parliament and of the Council of 29 April 2004 on safety on the Community's railways and Article 17a paragraph 6 of the Railway Transport Act of 28 March 2003 (consolidated text published in the *Journal of Laws* of 2007, No 16, item 94, as amended).

The annual report, published in the *Journal of Laws* of the Minister for Transport, is the ultimate source of information for different bodies registered in Poland and the Member States which conduct business in the rail transport sector. In addition, this information may be used by the representatives of business, politics, and media, as well as society as a whole.

The safety annual report aims at assessment in the field of common safety requirements at the level of Member States and the EU.

Based on the information on the safety indicators developed by the regulated bodies, the annual report contains safety indicators (CIS) which constitute the basis for conducting analysis and comparison between 2009 and the 2006-2008 reporting period, both at the level of the national safety authorities and the European Railway Agency.

In this annual report, the safety indicators have been presented in **2 groups**, i.e.:

a) **overall railway system** in Poland (the generally accessible network of railway lines);

b) **metro network** as well as **networks functionally separated from the rest of the railway system** and designed to provide suburban passenger transport

All regulated bodies delivered their reports within the statutory time limit i.e. by the end of June 2009.

In the case of the overall rail system, the reports were submitted by 8 infrastructure managers. Due to the merger of two infrastructure managers and establishment of one body as of 18.03.2010, the new body prepared one annual report. In addition, annual reports were submitted by 48 railway carriers which provided transport services on this network and by 1 carrier who started to operate in 2010, i.e. after the certificate of safety was granted.

As for the second group, the reports were submitted by 3 infrastructure managers, of which 2 bodies provided transport services on this network as well.

Although the report for 2009 is the forth consecutive report , preparation of the report is still very difficult for many bodies.

The most frequent problems encountered while gathering data for the reports:

- it is still difficult for accident investigation teams to make the distinction between people injured in accidents, i.e. ‘unauthorised persons’ and ‘third parties’;
- taking into account the accidents which occurred during shunting and technical test rides, **for which the train-km unit does not apply**, results in determination of incorrect safety indicators measured in ‘unit/million train-km’;
- statistics from the Central Statistical Office in Poland relating to data on the railway network (Form TK-5 Tabular data on the rail network) **takes into account only the constructional length of tracks, i.e. without the length of crossovers (junctions).** This is unfounded because crossovers ensure continuity of railway lines and create the part of the length of railway lines provided for railway carriers. This report takes into consideration the total length of tracks and main principal tracks at the ‘operating

points' (traffic posts and dispatcher points), which are an extension of mainline tracks;

- implementation of the requirement to apply an additional division of railway accidents, i.e. introducing 'significant accidents', is still difficult. So far the infrastructure managers have presented the accident statistics to the Central Statistical Office in Poland according to a national definition, which was inconsistent with the definitions set out in the Regulation (EC) No 91/2003 of the European Parliament and the Council of 16 December 2002 on rail transport statistics. Due to the fact that the Ordinance of the Minister of Infrastructure entered into force on 20 July 2010 on common safety indicators (CSI) (*Journal of Laws*, No 142, Item 952), the 2010 statistics will take into account the correct qualification of significant accidents;
- imprecise definition of 'total number of working hours' in the CSI annex (R04 code) raises doubts in case of several business activities carried out by one body (e.g. fuel production, sales and railway transport);
- imprecise definition of '*number of engine wagons/multiple units*' raises doubts with respect to correct classification of engine wagons;
- imprecise (or too general translation) definition of information in the table 'Number of precursors and Train*Km' of the CSI – Charts annex led to diverse interpretations. In the CSI annex incidents and near-misses are divided into six types. The CSI – Charts annex contains a similar division. In this report, information in the CSI – Charts annex takes into account only i**ncidents and near-misses.**

2. Information on the structure of the railway network

In this report, as in the report for 2008, in Annex 'A.2.1.a – Infrastructure managers of the overall railway network' and Annex 'A.2.1.b – Infrastructure managers of the underground and networks functionally separated from the rest of the network' 'Railway tracks (main lines)', includes two types of tracks:

- total length of main line tracks and main principal tracks at operating points;
- total length of other tracks.

2.1. The overall railway system in Poland includes the network of railway lines managed by 9 railway infrastructure managers in 2009. The total length of operational railway lines at the end of 2009 was **20 105.3 km**, of which:

- 8 730.5 km of double-track lines;
- 11 374.8 km of single-track lines.

The basic railway network in this system is managed by PKP Polskie Linie Kolejowe S.A. (Polish Railways), i.e. the lines with a length of 19 336 km, which constitutes 96% of all lines.

The length of operational railway lines as compared to 2008 increased by 146.4 km, i.e.:

the length of double-track lines increased by 17 km

the length of single-track lines increased by 129.4 km.

The total length of tracks in this system was **38 829.6 km**, including:

- main line tracks and main principal tracks at operating points – **28 835.7** km, increase by 163 km in relation to 2008;
- other tracks – 9 993 km, decrease by 99 km in relation to 2008

Tracks of 25 225 km, i.e. 65% of all tracks, are electrified (3kV, DC). In relation to 2008, the length of electrified tracks decreased by 97 km.

2.2. The networks of railway lines separated from the rest of the system and intended only to provide urban and suburban passenger transport in Poland is managed by 3 railway infrastructure managers. At the end of 2009 the total length of operational railway lines was 62.4 km, of which:

- 47.2 km of double-track lines;
- 15.2 km of single-track lines.

The total length of tracks in this system was 144.5 km, of which:

- main line tracks and main principal tracks at operating points – 108.9 km;
- other tracks – 35.7 km.

121.7 km of tracks; i.e. 84.3% of all tracks, are electrified (0.65 and 0.75 kV, DC).

The length of the operated tracks and railway lines in this line did not change significantly as compared to 2008.

A schematic diagram of the main railway lines in Poland is presented in **Annex A.1.a.**, and the current shunting and marshalling yards are shown in **Annex A.1.b.** A schematic diagram of railway lines separated from the rest of the system is presented in **Annex A.1.c.**

The list of infrastructure managers in the overall railway network is set out in **Annex A.2.1.a.** The list of infrastructure managers of railway networks separated from the

overall network is set out in **Annex A.2.1.b.** The schematic presentation of the registered offices of the bodies is shown in **Annex A.2.1.c.**

In 2009, 48 licensed railway carriers provided passenger and freight transport on the network of the overall rail system in Poland, whereas on the networks of railway lines separated from the rest of the system, passenger transport was provided by 2 licensed railway carriers.

A list of licensed rail carriers providing passenger and freight transport in the overall railway network is set out in **Annex A.2.2.a.** The list of licensed rail carriers providing passenger and freight transport on the networks of railway lines separated from the overall network is shown in **Annex A.2.2.b.**

3. Summary – general analysis of trends in safety development and certification

On the basis of accident statistics, it was found that the number of railway incidents (accidents and serious accidents) that occurred on the railway network of **the overall railway system** in 2009 decreased from 889 to 843, i.e. by 45, or 5%.

The overall number of railway incidents (accidents and serious accidents) and their effects in 2009 as compared to the previous year, which occurred on **networks functionally separated from the overall network** and designed to provide urban and suburban passenger transport increased from 9 to 20 cases, i.e. by 11 cases, an increase of 122%.

A detailed trend analysis is set out **in section D, paragraph 2,** and **in Annex C.**

In association with the publication of 29 April 2009 of Commission Regulation (EC) No 352/2009 on the *adoption of a common safety method on risk evaluation and assessment*, in 2009 bodies were not obliged to report their experiences associated with the application of the CSM when assessing risk and using risk assessment methods.

Pursuant to the provisions of the last amendment to the Railway Transport Act, infrastructure managers and railway carriers who hold important safety certificates (issued pursuant to Directive 2001/14/EC) are obliged to apply to the RTO Chairman for a safety authorisation or safety certificate before 30 June 2010. **The validity of the above-mentioned safety certificates expires on 31 December 2010.**

In 2009 the following safety certificates were issued:

- part A for 4 national railway carriers;
- part B for 2 national railway carriers.

In 2009 no safety authorisation for a railway infrastructure manager was issued.

C. ORGANISATION

1. Introduction

The CHAIRMAN of the Railway Transport Office (RTO) is the National Safety Authority with registered offices in Warsaw, at ul. Chałubińskiego 4.

The requirement to create an independent authority to monitor railway traffic techniques and safety and to regulate the railway market is a consequence of implementing EU regulations in the Republic of Poland, in particular Article 10(7) of Directive 2001/12/EC, and Articles 30 and 31 of Directive 2001/14/EC, which define the obligation to establish such authority as well as its basic responsibilities.

2. Organisation of the Railway Transport Office and association with other bodies

The organisational structure and duties of the Railway Transport Office have not changed since 2006.

An organisational chart – connections between national safety authorities and other national bodies, as well as employment in individual RTO organisational units, is set out in **Annex B.1.** Areas of operations of RTO Regional Departments are set out in **Annex B.2.**

D. RAILWAY SAFETY DEVELOPMENT

1. Initiatives aimed at maintaining and improving safety

The organisation of the system which ensures the safety of railway traffic in Poland results in the division of obligations and responsibilities for safety among railway infrastructure managers, railway companies, and railway siding users.

Pursuant to Article 5 of the Railway Transport Act of 28 March 2003 (consolidated text published in the *Journal of Laws* of 2007, No 16, item 94, as amended) an infrastructure manager is responsible for maintaining the railway infrastructure in a state which ensures safety of railway traffic. In compliance with Article 17 of this Act, managers, railway companies, and siding users, are obliged to fulfil technical and organisational requirements, which ensure:

- safety of railway traffic;
- safe operation of railway vehicles.

Railway traffic safety means a set of activities, including: development and implementation of manuals to regulate procedures at the workplace, selection and assurance of highly qualified personnel, maintenance of railway infrastructure, technical equipment,

and rail vehicles, supervision and management of teams of workers carrying out activities relating to railway traffic. Taking action to improve railway traffic safety is one of the most important duties of the management and teams working within the railway bodies' organisational units.

Examples of safety-related actions which have been undertaken in Poland during the year and which have resulted from an accident or a preceding incident are shown in Table D.1.1. Actions taken for other reasons are set out in Table D.1.2.

Table D.1.1 – Examples of safety-related actions undertaken as a result of accidents / preceding incidents

Accidents / preceding incidents, which stimulated the action			Description of action taken to improve safety
Date	Location	Description of the incident	
15.02. 2009	Line no. 139, Katowice – Zwardoń – Border crossing, Pszczyna station	During the ride of a passenger train, a derailment of the EP09 locomotive occurred as a result of a break of the axle of the third wheelset.	1. All wheelsets of the EP09 locomotive were inspected. 2. 26 EP09 locomotives were withdrawn from operation. 3. Technical Conditions for Production and Acceptance (WTWiO) for axle forging and wheelset axles were updated. 4. In the internal regulations an additional provision was made which prohibited welding, surfacing and spraying methods during repair of axles. 5. A regular replacement of the wheelset axles is carried out.
04.08. 2009	Line no. 001 Warsaw Centr. – Katowice, Będzin – Sosnowiec Gł. section	During the ride of a passenger train, a derailment of the EP09 locomotive occurred as a result of a break of the axle of the first wheelset.	
06.04. 2009	Unguarded crossing of D category, line no. 404, Białogard – Karlino section, km 65,781	When approaching a crossing, the truck driver showed carelessness and failed to follow road signs. As a result, he ran into a passing passenger train and caused its derailment.	1. Speed limit up to 20 km/h was introduced for trains. 2. Speed limit up to 50 km/h was introduced for road vehicles. 3. A crossing was marked with an additional warning sign 'Caution-Accidents'. 4. The plans for 2010 included an automatic level crossing signalling system (SSP).
30.08. 2009	Line no. 003, Łowicz Główny station km 80,791	After ignoring a signalling device indicating a 'stop' signal, a light engine entered guarded crossing of A category with open gates, which in consequence led to a collision with a road vehicle.	1. During periodic instruction meetings with traction teams, the rules for making entries in railway vehicle logs and work sheets were discussed. 2. Locomotive drivers were obliged to have a shortened timetable. 3. Locomotive drivers were also obliged to strictly follow the procedures for route knowledge.
15.09. 2009	Line no.008, Warszawa Zach. – Kraków Gł, Kozłów station km 262,530	Collision of a train with a railway motor trolley WM15 and a flat car at the fouling point, which resulted in derailment due to faulty operation of the switch isolated section.	1. Quality controls were carried out relating to technical operation of railway traffic control devices with particular attention paid to inspection of sensors' sensitivity. 2. Employees were trained in keeping documentation of diagnostic

			activities and control of facility maintenance. Procedures as well as formal requirements for isolated track and switch circuits were discussed. Training included checking the coordination of the surface of a rail head and the conditions for fixing rail bonds in these circuits.
13.10. 2009	Line No.271, Wrocław Gł. – Poznań Gł. Szewce station	During arrival at the station of a passenger train, a derailment of a EP07 locomotive and 12 wagons occurred as a result of excessive speed. At the same time, a locomotive driver was under the influence of alcohol.	An obligation of sobriety inspection was introduced with regard to traction and conductor crews coming to work.
25.05. 2009	Line no. 131 Chorzów Batory – Trzew, Tarnowskie Góry station, track no. 336, km 36,770	During shunting work there was a derailment of a wagon with the first trolley to the left in the rolling direction as a result of H-336 target brake wear.	Brake shoes at H-336 target brake were replaced.
27.10. 2009	Line no. 137, Katowice – Legnica, Rogoźnica station	A locomotive driver of a freight train drove next to a station entry semaphore signalling ‘Stop’ and hit the side of a shunting train set. As a result of the collision, there was a derailment of 3 coal wagons.	During the periodical instruction meetings, the circumstances and the causes of the collision were discussed.
20.12. 2009	Line no. 131 Chorzów Batory – Tczew, Terespol Pom. – Laskowice Pom. section, track no. 2, km 416,749	A derailment of a wagon occurred during a train operation as a result of four cracks of the rail in the right railway section of a total length of 2.13 m.	The plans for 2010 include the repair of the track no. 2 at km 416,000 – 418,00 and stress regulation of the track.
06.06. 2009	Line no. 120 Hurko – Krówniki, Hurko – Krówniki section, km 0,200	A locomotive one-axle derailment occurred during the train operation caused by improper track inclination due to track soaking.	An emergency track repair was carried out. An accident information bulletin was prepared.

Table D.1.2 – Examples of safety activities undertaken for other reasons

Description of areas relating to the action	*Description of reasons for the action*	*Description of activities to improve safety*
Improving safety at railway crossings	Number of accidents caused exclusively by drivers of passenger vehicles as a result of not observing due caution while crossing railway crossings.	Intensification of information and demonstration media-related campaigns **'Safe crossing – stop and live'**, directed at drivers of passenger cars when crossing railway lines, and having the aim of increasing awareness of the risks and their effects which may occur at crossings.
	Number of accidents at unguarded railway crossings.	Additional inspections of A,B,C and D railway crossings based on the principles specified in Decision No 44 of the President of The Board of PKP PLK SA as of 30 April 2008.
	Elimination of risks at railway crossings for crossing users.	1. Line no. 133 reconstruction of traffic safety equipment at the crossings at km 48.841 due to the change of category from C to B. 2. Modification of visibility triangles at 853 crossings.
	Technical progress – improvement of safety level.	Goleniów station – installation of EBILOCK 950 STC computer equipment. Within the framework of this modernisation, 3 level crossings were rebuilt on line 401 and 1 crossing on line 402, i.e. a change of category from D to C.
Princidention	Analysis of the causes of railway accidents and incidents, preliminary loss estimation and drawing of conclusions aimed at preventing railway accidents in the future.	Compliance with the Regulation of the Minister of Infrastructure on serious accidents and incidents on railway lines as of 30 April 2007, *Journal of Laws*, No 89, item 593.
Wagon mileage meters in kilometres	Adjustment to statutory requirements	Assembling mileage meters – stage: testing meters, selection of suppliers.
Locomotive monitoring	Need to monitor the parameters of locomotive operation.	Introduction of a monitoring system for diesel locomotives.
Modernisation of traction vehicles	Improving railway traffic safety, reliability and service comfort.	1. Continuation of modernisation of ET22 locomotive (first stage includes modernisation of 28 units). In 2009 the following activities were carried out: 17 modernisations (change of type from 201E to 201/Em) and 25 revision repairs, during which locomotives were equipped with devices for lubricating the edges of wheelsets. 2. Start of modernisation of the SU45 locomotive – ultimately for 20 units. In 2009 1 modernisation was carried out (change of type from 301Db to 301 Db). 3. Continuation of modernisation of the ST44 locomotive In 2009, 3 modernisations were carried out

		(change of type from M62 to M62Ko).
Railway transport safety	Increasing the safety of passengers using underground transport.	Installation of monitors in underground stations which enable drivers to observe passengers getting in and out of trains, development of closed-circuit television.

2. Analysis of data trends

2.1. The number of railway incidents (accidents and serious accidents) in 2009 which occurred on the railway network of **the overall railway system** in relation to the previous year **decreased** from 889 to 843 incidents, i.e. by 45 incidents, which constitutes a 5% decrease.

The number of collisions increased from 8 to 18 incidents, i.e. by 10 collisions, an increase of 125%, while the number of derailments decreased from 105 to 63, i.e. by 42 incidents, which constitutes a 60% decrease.

The number of accidents at crossings slightly increased compared to the previous year, i.e. from 278 to 288, i.e. a 3.5% increase; the number of accidents with human involvement caused by a moving railway vehicle also increased, from 397 to 400, which constitutes a 0.7% decrease.

The number of accidents in the 'Other' category, including all accidents which occurred during shunting and technological rides and at sidings involving railway carriers, decreased from 92 to 71 incidents – a decrease by 29%.

The overall number of p**ersons suffering from serious injuries** as a result of accidents decreased in relation to the previous year, from 277 to 199, which constitutes a 14% decrease.

The number of seriously injured persons at level crossings decreased significantly, i.e. from 104 to 76 cases, which constitutes a 37% decrease; during the accidents caused by moving vehicles, the number of injured persons increased from 105 to 119, which constitutes a 12% increase. Unauthorised persons (45% of all persons injured) and level crossing users (25% of all the injured) constituted the majority of the seriously injured.

The overall **number of accident fatalities** in relation to the previous year **significantly increased**, i.e. from 308 to 365, an increase of 15.6%. The number of level crossing users killed significantly increased, i.e. from 39 to 73, which constitutes an increase of 53%. The number of fatalities caused by a moving vehicle also increased, i.e. from 257 to 292, which

constitutes an increase by 12%. Unauthorised persons (78% of all persons killed) and level crossing users (20% of all persons killed) constituted the majority of fatalities.

As for the avoided accidents, there was a significant increase in the number of fractured wheels in the operated railway vehicles which were detected during the inspections of the vehicles. It made it necessary to withdraw them from trains, and at the same time caused train delays. Compared to the previous years, there was an increase of 84%, i.e. from 57 to 105 cases.

There was a significant decrease of fractured axles in operated railway vehicles, i.e. from 67 units to 12 units, which constituted a decrease of 82%.

In relation to 2008, the number of train-kilometres decreased from 224.4 million train-km to 208.6 million train-km. There was also a decrease of passenger-kilometres, i.e. from 20.1 billion passenger-km to 18.6 million passenger-km.

2.2. The overall number of railway incidents (accidents and serious accidents) and their effects in 2009 in comparison to the previous year that occurred in the network functionally separated from the rest of the system and intended for urban and suburban passenger traffic increased from 9 cases to 20 cases, i.e. by 11 cases, which constituted a 122% increase. The incidents which occurred were caused by accidents at level crossings.

During these incidents there were no seriously injured persons or fatalities.

A statement of railway incidents, fatalities and costs is set out in the **CSI annexes** and in the **CSI – Charts (diagrams) annexes** for two railway system groups in Poland, including tables and charts for these groups. The definitions used in this report are set out in **Annex C**.

3. Results of safety recommendations

As a result of completion of Railway Commission proceedings following railway incidents, on the basis of Article 28l, paragraph 8 of the Act of 28 March 2003 on Railway Transport (*Journal of Laws*, No 16, item 94, as amended) in association with the confirmed inconsistencies constituting a direct threat to rail traffic safety, the Chairman of PKBWK (Państwowa Komisja Badań Wypadków Kolejowych – State Commission of Rail Accident Investigation) issued 9 recommendations concerning the improvement of railway traffic safety in 2009, i.e.

- 6 recommendations addressed to 4 railway carriers;
- 3 recommendations addressed to the railway vehicle repair and maintenance unit.

The recommendations issued in 2009 referred to:

- compliance with the rules of filling in the ‘Technical efficiency certificate for a railway vehicle’;
- regular inspection of technical condition of oil shock absorbers in ET22 locomotives during maintenance and repair procedures;
- specifying the content of the order for wheelset axles by including a description of the wheelset axles necessary to carry out technological processing, with updated drawings and conditions of axle manufacturing under binding norms and regulations, ensuring administrative supervision of axle and wheelset commissioning, ensuring constant axle protection against mechanical damage during transport between different units (manufacturing unit and unit where axles are installed in the locomotives).

The Chairman of RTO, pursuant to Article 28l, paragraph 9 of the Railway Transport Act, monitors as part of his or her responsibilities, the implementation of post-accident recommendations issued by the Commission.

The inspection carried out by the competent employees of the Railway Transport Office in Zakład Naprawczy Lokomotyw Elektrycznych (Electric Locomotive Maintenance Workshop) showed that the recommendations issued by Państwowa Komisja Badania Wypadków Kolejowych (State Commission of Rail Accident Investigation) had been fully implemented.

Following the recommendation on performing immediate inspection and preventive actions in order to check the technical condition of oil shock absorbers in ET22 locomotives regularly during maintenance, including in particular the oil level check, actions were taken by the railway carrier. The railway carrier undertook to check thoroughly the technical condition of the hydraulic shock absorbers during periodical inspections in all operated ET22 locomotives. In addition, commissioners were obliged to demand control of the shock absorption of the hydraulic shock absorbers during periodical repairs / In addition, the commissioners were obliged to strictly enforce the acceptance of temporary repair contractors to verify the characteristics of hydraulic dampers. The execution of these recommendations is constantly reviewed by the employees of the RTO.

In relation to the recommendations and the guidelines of the European Railway Agency and the European Commission after the accident which took place in Viarregio, Italy and the cases of twisting wheelset axles in Poland, the Chairman of the Railway Transport Office issued a recommendation letter of 9 October 2009 to all railway market participants to be executed urgently.

As a result of inspections carried out by the employees of the RTO, the following was found in 3 maintenance workshops:

- the procedures for manufacturing new axles were re-established (to a considerable degree);
- the system of registering activities relating to manufacture and maintenance of wheelsets was tightened up.

In addition, railway vehicle owners were obliged to keep wheelsets in proper technical condition and to keep a record of the age of wheelsets in electric multiple units.

Further activities for 2010 still to be introduced:

- defining the age and the technical condition of wheelsets in other railway vehicles, in freight wagons in particular;
- introduction of a wheelset register in order to monitor the course of their operation;
- persuading representatives of railway scientific environment to develop efficient methods of assessing the further usability of wheelsets on academic circles connected with railway transport / persuade the scientific railway transport community to develop efficient methods to assess the suitability of wheelsets for further exploitation;
- defining time limits for using wheelsets.

Inspections performed by authorised employees of the Railway Transport Office are not only limited to the field covered by the recommendations of Państwowa Komisja Badania Wypadków Kolejowych (State Commission of Rail Accident Investigation), but they cover a wider field set out first and foremost in the Railway Transport Act of 28 March 2003 and executive regulations to this act.

The field of the inspection is each time adjusted to the type, field and nature of the activity of the inspected body. It should be explicitly emphasised that inspections were performed on a regular basis not only in 2009, but also in 2010.

E. MPORTANT CHANGES IN LEGISLATION AND REGULATIONS

1. State of progress in implementing Directive 2004/49/EC of the European Parliament and of the Council of 29 April 2004

Directive 2004/49/EC was introduced in Poland through the provisions of the Railway Transport Act of 28 March 2003 *(Journal of Laws of 2007, No 16, item 94,* as amended).

In 2009, in relation to the publication of Directive 2008/110/EU of the European Parliament and of the Council of 16 December 2008 amending Directive 2004/49/EC on safety on the Community's railways, there was the transposition into Polish law of its

provisions through the Regulation of the Minister of Infrastructure of 18 August 2009 on common safety indicators (*Journal of Laws*, No 142, item 1159) which entered into force on 17 September 2009. This regulation was abolished on the basis of section 4 of the regulation of the Minister of Infrastructure of 20 July 2010 on common safety indicators (CSI) (*Journal of Laws*, No 142, item 952), which implemented Commission Directive 2009/149/EC of 27 November 2009 within the scope of its regulation, amending Directive 2004/49/EC of the European Parliament and of the Council on common safety indicators and common methods to calculate accident costs (*Official Journal*, L 313, 28.11.2009). This regulation specifies common safety indicators (CSI), which the Chairman of the Railway Transport Office included in the annual safety report, based on indicators received from railway companies and managers, as well as associated breakdown and calculation methods.

2. Progress in transposition of Directive 2007/59/EC of the European Parliament and of the Council of 23 April 2007 and Directive 2007/58/EC of the European Parliament and of the Council of 23 October 2007

The transposition of Directive 2007/59/EC of the European Parliament and of the Council is in progress. On 31 December 2009 an act of 25 June 2009 entered into force, amending the Railway Transport Act (*Journal of Laws*, No 214, item 1658).

The amendment of the act was issued in association with the publication of three legal acts, forming the so-called third railway package:

- Regulation (EC) No 1371/2007 of the European Parliament and of the Council of 23 October 2007 on rail passengers' rights and obligations (*Official Journal*, L 315, 3.12.2007),
- Directive 2007/58/EC of the European Parliament and of the Council of 23 October 2007 amending Council Directive 91/440/EEC on the development of the Community's railways and Directive 2001/14/EC on the allocation of railway infrastructure capacity and the levying of charges for the use of railway infrastructure (*Official Journal*, L 315, 3.12.2007),
- Directive 2007/59/EC of the European Parliament and of the Council of 23 October 2007 on the certification of train drivers operating locomotives and trains on the railway system in the Community (*Official Journal*, L 315, 3.12.2007).

The solutions contained in this act include:

1) opening up the international passenger railway transport market, including a right which enables passengers to board and leave a train at any station situated on an international route, including stations located within the same Member State, providing the possibility

to introduce limits on such transport, when the economic balance of national public services is threatened;

2) creation of a system which recognises train drivers' professional qualifications – procedures and terms of issuing licences, certificates, training and exams;
3) ensuring monitoring of compliance with Regulation (EC) No 1371/2007 on rail passengers' rights and obligations;
4) imposing on the Chairman of the Railway Transport Office new duties relating to monitoring of compliance with regulations associated with passengers' rights; issuing licences and certificates to locomotive drivers; and in the field of access to railway infrastructure for carriers with registered offices outside Poland.

Executing the following amendment of the Railway Transport Act in relation to the opening of the railway market, the Minister of Transport issued a regulation of 30 December 2009 on access to railway infrastructure of railway carriers which have their registered offices in other Member States of the European Union or in a Member State of the European Free Trade Association (EFTA) (*Journal of Laws* of 2010, No 2, item 7) which entered into force on 16 January 2010. This regulation defines the criteria of defining a planned passenger transport of persons as an international service as well as the criteria for determining whether planned international connection disturbs the economic balance of services provided on the basis of public service contracts. In addition, it defines the method of issuing decisions by the Chairman of the Railway Transport Office limiting railway carrier's access to railway infrastructure.

The aforementioned amendments of the Railway Transport Act also implement the procedures, which enter into force on 4 December 2010, imposing on the competent minister of transport the obligation to specify by way of a regulation:

1) procedures for issuing, prolongation of validity, suspension and cancellation of a driver's licence, updating data included in the licence, issuing licence duplicates;
2) health, physical and mental requirements that must be met by persons applying for a locomotive driver's licence;
3) rules for evaluation of physical and mental capacity of persons applying for a locomotive driver's licence, and the capacity assessment procedure;
4) templates for documents confirming physical and mental capacity of persons applying for a locomotive driver's licence;
5) the field of knowledge and skills covered by the training and examination necessary for obtaining a licence;

6) templates for documents confirming the qualifications of persons applying for a locomotive driver's licence:
7) detailed requirements concerning railway companies which apply for the registration in the list of bodies entitled to train and organise examinations for persons applying for a locomotive driver's licence and certificate;
8) a template of a locomotive driver's licence;
9) procedure of keeping the register of drivers' licences.

The aforesaid regulations have not yet been issued.

The provisions of Regulation (EC) No 1371/2007, pursuant to Article 37, entered into force 24 months after publication in the Official Journal of the European Union, i.e. on 4 December 2009. Regulation (EC) No 1371/2007 binds and applies directly in all Member States.

The elements which '*implement*' the regulation into the Polish legal system are:

1) addressing (Article 14a implemented into the Railway Transport Act) the Chairman of the Railway Transport Office as a competent body for monitoring of respecting passengers' rights; Article 14a(3) implements particular protection of the disabled and persons with a limited movement ability by imposing on the Chairman of the Railway Transport Office the obligation to monitor whether railway carriers, infrastructure managers, railway station owners or their managers fulfil the obligations resulting from the provisions of the regulation;
2) obligation to take into consideration the requirements of Regulation (EC) No 1371/2007 in the terms and conditions of insurance agreements (new paragraph 8 in Article 47);
3) exemption from the application of the provisions of Regulation (EC) No 1371/2007 in cases which are specified by the regulation.

Important changes in national legislation in 2009, which apply to this report, have been listed in **Annex D**.

Furthermore, Annex D also refers to changes in legislation and regulations, which have already occurred in 2009.

F. PROGRESS IN ISSUED SAFETY CERTIFICATIONS AND AUTHORISATIONS

1. National regulations – dates of commencement – availability:

1.1. Issuing safety certifications pursuant to Article 10 of Directive 2004/49/EC

The issuing of safety certificates is regulated by The Railway Transport Act of 28 March 2003 (Journal of *Laws of 2007*, No 16, item 94, as amended) and the following executive regulations:

- the Ordinance of the Minister of Transport of 5 December 2006 on methods of obtaining safety certificates (*Journal of Laws*, No 230, item 1682) – binding since 29.12.2006;
- the Ordinance of the Minister of Transport of 12 March 2007 on terms and method of issuing, extending, changing, and suspending safety authorisations and safety certificates (*Journal of Laws*, No 57, item 389) – binding since 17.04.2007;
- the Ordinance of the Minister of Transport of 19 March 2007 on the safety management system in railway transport (*Journal of Laws*, No 60, item 407, as amended) – binding since 21.04.2007.

1.2. Granting safety authorisationS pursuant to Article 11 of Directive 2004/49/EC

The issuing of safety certificates is regulated by The Railway Transport Act of 28 March 2003 (*Journal of Laws* of 2007, No 16, item 94, as amended) and the following executive regulations:

- the Ordinance of the Minister of Transport of 12 March 2007 on terms and method of issuing, extending, changing, and suspending safety authorisations and safety certificates (*Journal of Laws*, No 57, item 389) – binding since 17.04.2007;
- the Ordinance of the Minister of Transport of 19 March 2007 on the safety management system in railway transport (*Journal of Laws*, No 60, item 407 as amended) – binding since 21.04.2007.

Moreover, the Regulation of the Chairman of the RTO of 31 July 2009 introduces an application template for granting a safety authorisation, as referred to in Article 4, paragraph 18(b) of the Railway Transport Act and Directive 2004/49/EC and a template for a safety authorisation – partS A and B. The templates were published on the website of the Railway Transport Office, together with the recommendations to follow specified stages in the process of granting a safety authorisation for the railway infrastructure manager.

1.3. Access to national safety regulations or other significant national regulations for railway companies and infrastructure managers

National regulations are available on the website of Sejm RP (Parliament of the Republic of Poland), Ministry of Infrastructure, and the Railway Transport Office.

2. Numerical data:

In 2009, 27 applications for a safety certificate, part A and 7 applications for issuing a certificate, part B were submitted.

Until the end of 2009, 4 certificates with part A and 2 certificates with part B were issued. Other applications for safety certificates at the end of 2009 were being verified and awaited opinions.

In 2009, 3 applications for safety authorisation with part A and 2 applications for authorisation with part B were issued.

In 2009 no safety authorisation was issued.

Numerical data referring to safety certifications and authorisations were set out in **Annex E.**

3. Procedural aspects:

3.1. Safety certification, part A:

In 2009 there were no changes/updates made to any certifications, part A referring to safety.

A fee is charged for the issue of safety certification pursuant to the Ordinance of the Minister of Infrastructure of 29 February 2008 on duties performed by the Chairman of the Railway Transport Office for which fees apply, as well as the amounts of these fees, and methods of payment (*Journal of Laws*, No 47, item 276). The amount of the fees depends on the amount of working time spent on the verification and analysis of the application, a minimum fee is PLN 7 000, but a maximum fee is the PLN equivalent of EUR 5 000.

3.2. Safety certification, part B:

In 2009 there were no changes/updates made to any certifications, part B referring to safety.

No foreign railway company applied to the Railway Transport Office for a safety certification, part B in 2009.

A fee is charged for the issue of a safety certification pursuant to the Ordinance of the Minister of Infrastructure of 29 February 2008 on duties performed by the Chairman of the Railway Transport Office for which fees apply, as well as the amounts of these fees, and methods of payment (*Journal of Laws*, No 47, item 276). The amount of the fees depends on the amount of working time spent on the verification and analysis of the application, a minimum fee is PLN 7 000, but a maximum fee is the PLN equivalent of EUR 5 000.

3.3. Safety authorisations:

In 2009 no safety authorisation was issued.

Payment of fees for the issue or change of a safety certification by the National Safety Authority is regulated by the Ordinance of the Minister of Infrastructure of 29 February 2008 on duties performed by the Chairman of the Railway Transport Office, for which fees apply, as well as the amounts of these fees, and methods of payment (*Journal of Laws*, No 47, item 276). The amount of the fees depends on the amount of working time spent on the verification and analysis of the application, a minimum fee is PLN 7 000, but a maximum fee is the PLN equivalent of EUR 5 000.

G. SUPERVISION OF RAILWAY CARRIERS AND INFRASTRUCTURE MANAGERS

1. Description of supervision of railway carriers and infrastructure managers

The Railway Transport Office, as national safety authority, exercises supervision of railway carriers and infrastructure managers. The RTO Chairman carries out inspections as part of his supervision responsibilities. Within the supervision, controls (inspections) are performed by the Chairman of the Railway Transport Office.

The manner of carrying out inspections is defined by the Minister of Transport in the regulation of 12 March 2007 on inspection methods carried out by the RTO Chairman (*Journal of Laws*, No 57, item 388). Inspections are performed by Railway Transport Office employees subject to a written authorisation to carry out the inspection, issued by the RTO Chairman.

Upon presentation of the work ID and authorisation, the inspection is carried out in the presence of the inspected body's employees (railway carrier or infrastructure manager) assigned by the inspected body's manager or by a person authorised by the manager. The Inspecting Officer establishes facts based on the evidence gathered, and then presents the results of the inspection in an inspection report.

The assessment of the operations of the inspected body, based on the details contained in the inspection report, is described in a post-inspection presentation. In the event of demonstrated inconsistencies, the post-inspection presentation will contain comments and conclusions, including a due date for removing these inconsistencies by the inspected body.

1.1. Utilising control, inspection and audit lists

The Railway Transport Office employees who conduct the planned inspections of railway carriers or infrastructure managers may utilise the inspection lists, which contain a total of 140 separate points.

The number of questions contained in a given inspection list depends on the type, size, and business capacity of the inspected body (infrastructure manager or railway carrier), and also on the given inspection's field.

1.2. Audits/inspections carried out by the employees of the national safety bodies and/or third parties

In 2009, the Railway Transport Office employees conducted a total of 164 inspections with respect to rail safety, which consisted of:

- 61 inspections of railway infrastructure managers,
- 103 inspections of rail carriers.

In 2009, the Railway Transport Office did not carry out any audit. In the second half of the year, the formation of the audit team was started.

Therefore, the authorised employees of the RTO carried out inspections which covered the bodies holding 'Certyfikaty Bezpieczeństwa' [safety certificates] and 'Świadectwa bezpieczeństwa' [safety certificates] (referred to in Article 32 of Directive 2001/14/EC of the European Parliament and of the Council of 26 February 2001 on the allocation of railway infrastructure capacity and the levying of charges for the use of railway infrastructure and safety certification).

Among other things, the following issues were checked as part of the inspections:

- possession of full certification permitting the use of the type of buildings and equipment designed for railway traffic, and licences permitting the use of railway-type vehicles;
- possession of technical performance certification for the use of railway vehicles;
- meeting technical requirements in reference to the use and maintenance of railway vehicles and railway infrastructure elements;
- possessing internal regulations which specify the rules and requirements of safe railway traffic and railway infrastructure maintenance;
- meeting regulation requirements by personnel employed in positions directly associated with railway traffic and traffic safety and by railway vehicle drivers;

- ensuring safety of railway transport of dangerous goods;
- railway traffic safety while infrastructure managers carry out modernisation works;
- execution of post-inspection recommendations and preventive means set out in the reports following accidents and recommendations issued by the State Commission of Rail Accident Investigation – in particular following accidents which occurred at railway crossings.

1.3. Personnel of National Safety Authorities able to conduct audits (number, % of involved employees of the national safety bodies)

A total of 56 Railway Transport Office employees took part in conducting inspections in 2009, which constituted 32.56% of the overall human resources of the Office. It should be noted that inspections are mainly carried out by Regional Office employees.

1.4. Economic aspects of audits (costs, etc.)

In 2009 the costs associated with inspections carried out by RTO employees amounted to a total of PLN 324 824 (EUR 79 067). The above amount consists of business trip costs and employees' salaries.

1.5. Significant issues

It has become increasingly common for railway carriers to equip traction vehicles with telemetric equipment, allowing continuous monitoring of the most significant parameters of these vehicles' operation.

2. Filing of annual safety reports by all infrastructure managers and railway companies pursuant to Article 9(4) of Directive 2004/49/EC on railway safety

Pursuant to the requirements defined in Article 17a(4) of the Railway Transport Act, the following employees were obliged to file safety reports for 2009 to the Chairman of the Railway Transport Office:

- 9 infrastructure managers of the overall railway system;
- 48 railway carriers, which provided transport in the overall railway network in 2009;
- 3 infrastructure managers in the railway networks separated from the rest of the system;
- 2 railway carriers in the railway networks separated from the rest of the system.

In the case of the overall rail system, reports were submitted by 8 infrastructure managers.

Due to the merger of two infrastructure managers and the establishment of one body as of 18.03.2010, the new body prepared one annual report. In addition, annual reports were submitted by 48 railway carriers which provided transport services on this network and by 1 carrier which started its activity in 2010, i.e. after the safety certificate had been granted.

In the second group, the reports were submitted by 3 infrastructure managers, including 2 bodies providing railway transport within this network at the same time (joint reports).

All bodies submitted 'Safety reports for 2009' by the due date, i.e. before the end of the 2nd quarter of 2010.

3. Number of audits/inspections to which railway companies / infrastructure managers were subjected to in 2009					
		Holding safety certificates, part A	Holding safety certificates, part B	Holding safety authorisation	Other activities
	planned	3	0	0	0
	taken	3	0	0	0
		Railway carrier holding a safety certificate (Directive 2001/14/EC)		Infrastructure manager holding a safety certificate (Directive 2001/14/EC)	Other activities
	planned	98		61	0
	taken	100		61	0

The planned inspections were conducted on the basis of the 'Annual Inspection Plan for 2009' prepared by the Departament Nadzoru Eksploatacyjnego i Bezpieczeństwa Ruchu (Department of Operations Monitoring and Traffic Safety), which contained issues reported by individual Departments, Offices, and Regional Departments of the Railway Transport Office.

The unplanned inspections were conducted by authorised employees of the Railway Transport Office after receiving information regarding threats to railway traffic safety.

4. Number of audits of railway companies /infrastructure managers in 2009		Holding safety certificates, part A	Holding safety certificates, part B	Holding safety authorisation	Other activities
	planned	0	0	0	0
	taken	0	0	0	0
		Railway carrier holding a safety certificate (Directive 2001/14/EC)		Iinfrastructure manager holding a safety certificate (Directive 2001/14/EC)	Other activities
	planned	0	0	0	0
	taken	0	0	0	0

5. Summary of inspection outcomes (amendment, cancellation, suspension, important warning, etc.) and actions taken in relation to safety aspects resulting from audits/inspections

A summary of control (inspection) outcomes carried out by the RTO employees on railway carriers and infrastructure managers takes place at meetings organised by the RTO management. Ongoing traffic safety matters are reviewed, but discussions are mainly focused on methods of executing decisions aimed at further increasing the level of railway safety. The following topics are discussed:

- extent of following post-inspection recommendations issued by the RTO Chairman to the railway carriers and railway infrastructure managers;
- monitoring of the execution of post-accident commission recommendations and conclusions aimed at preventing incidents from occurring in the future, or at limiting their effects;
- monitoring of railway carriers and infrastructure managers meeting the criteria defined by the safety certification.

In 2009 there were two cases of direct threat to railway traffic safety which made the Chairman of the Railway Transport Office issue two administrative decisions addressed at one railway carrier: one decision to withdraw a 3E-100 diesel locomotive from operation and one decision to limit the operation of a TEM2 locomotive.

6. Complaints lodged by infrastructure manager(s) against railway companies relating to the conditions of part A / part B of the certificate

In 2009 no complaint was submitted to the Railway Transport Office by an infrastructure manager against railway undertakings.

7. Complaints made by railway company(ies) against infrastructure manager(s) relating to the conditions of the authorisation

In 2009 no complaint was submitted to the Railway Transport Office by railway companies against infrastructure managers.

H. REPORTING RELATING TO THE APPLICATION OF CSM FOR RISK ASSESSMENT

Commission Regulation (EC) No 352/2009 of 24 April 2009 on the adoption of a common safety method on risk evaluation and assessment as referred to in Article 6(3)(a) of Directive 2004/49/EC of the European Parliament and of the Council, was published on 29 April 2009.

In the field of significant technical changes related to vehicles which are specified in Article 2(c) of Directive 2008/57/EC and structural subsystems if required by the provisions of Article 15(1) of the said directive or TSI, the regulation will apply as of **19 July 2010**.

The full regulation will apply as of **1 July 2012**.

Therefore, in 2009 the bodies were not obliged to report their experiences relating to CSM application when assessing risk and methods of risk calculations.

The bodies obliged to develop 'Safety Management Systems' (SMS) take into account the requirements specified in Commission Regulation (EC) No 352/2009.

For a better understanding and application of the said regulation, documents drawn up by the European Railway Agency were published on the website of the Railway Transport Office:

- '**Guidelines** for application of the provisions of Commission Regulation No 352/2009 of 24 April 2009 on the adoption of a common safety method on risk evaluation and assessment, as referred to in Article 6(3)(a) of Directive 2004/49/EC of the European Parliament and of the Council',

- ‘**Examples** of risk evaluation and possible auxiliary tools for the regulation on adoption of a common safety method on risk evaluation and assessment, as referred to in Article 6(3)(a) of Directive 2004/49/EC of the European Parliament and of the Council.’

I. FINAL CONCLUSIONS – PRIORITIES

The Railway Transport Office – the national safety authority – adopted the following priority actions for 2009:

4) Continuing inspections and preventive actions with the aim of maintaining the correct level of railway traffic safety in relation to the deteriorating state of the railway infrastructure as a result of the inability to carry out necessary repairs, among other things.
5) Continuing activities associated with safety certification and authorisation to maintain the positive trend in improving the level of safety, in particular with reference to railway rolling stock.
6) Supporting activities aimed at organising supervision of the design, construction, and handover of railway infrastructure operation, partially relating to: tracks, traffic steering systems, electrical power, etc.

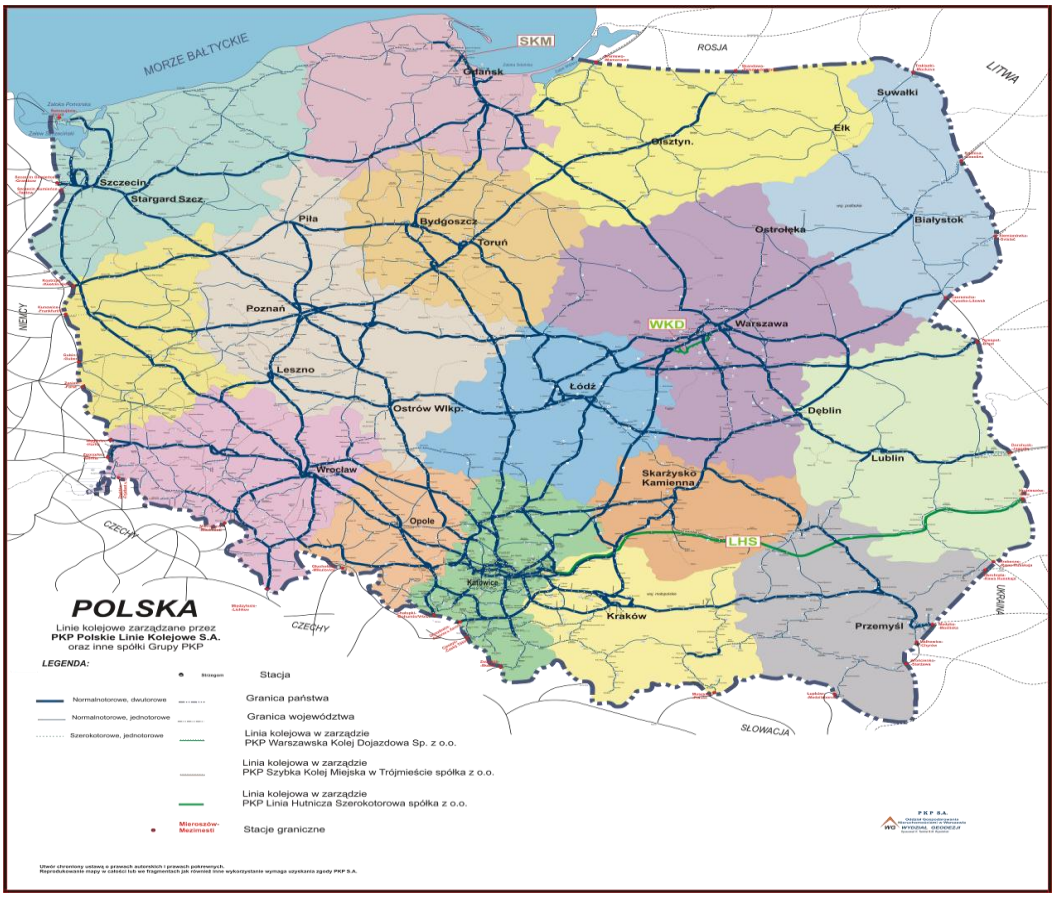
J. SOURCES OF INFORMATION

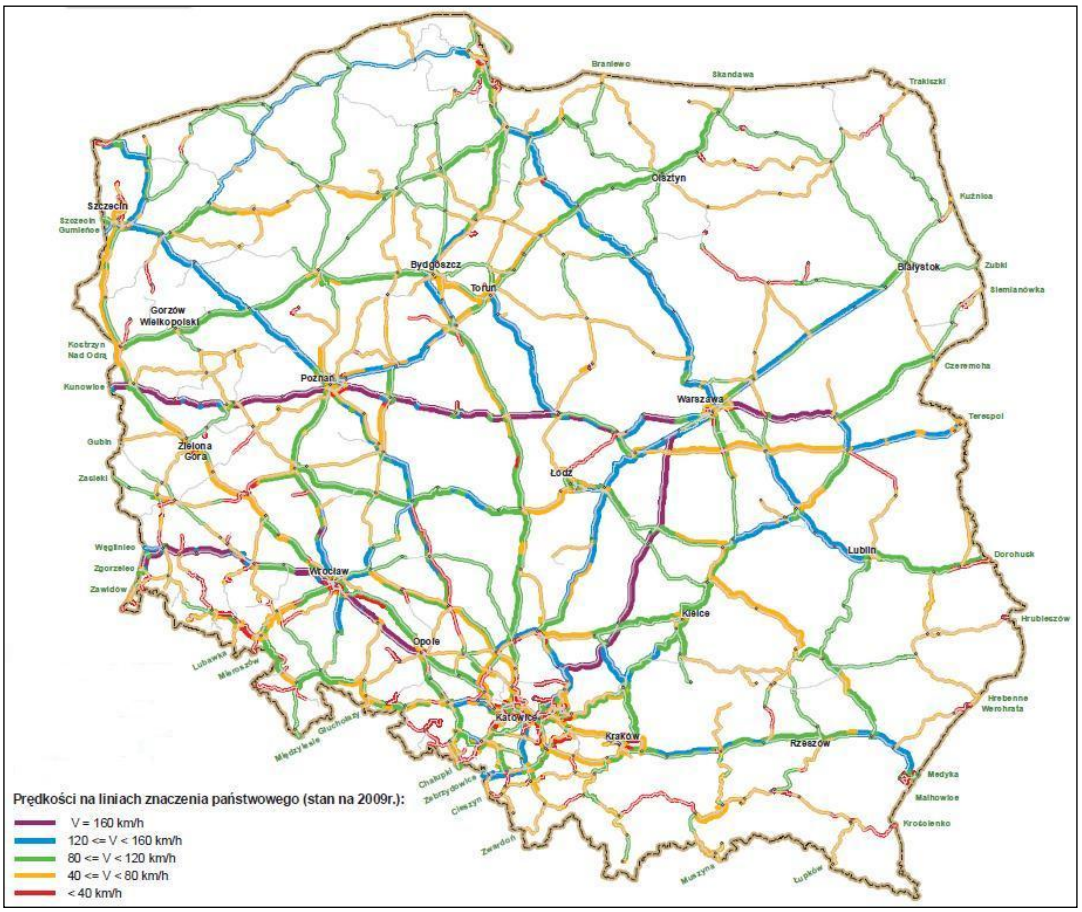
The above ‘Report’ was developed on the basis of source information contained in:

1) ‘Reports on safety for 2009’ submitted to the Chairman of the Railway Transport Office by the railway carriers and railway infrastructure managers;
2) own sources: annual reports on inspections carried out by the Railway Transport Office; materials held by individual offices and Railway Transport Office Divisions;
3) national regulations and legal provisions: statutes and regulations.

ANNEXES

ANNEX A.1.a. – Railway network in Poland





ANNEX A.1.b. – Marshalling and shunting yards on the Polish railway network

AGC – main international railway lines:	E-20, E-30, E-59, E-65, E-75
AGTC – important international combined transport lines:	CE-20, CE-30, CE-59, CE-65, CE-75

ANNEX A.1.c. – Railway networks separated from the rest of the Polish railway network

ANNEX A.2.1.a. – Infrastructure managers of the overall railway network

No.	Name	Address	Website address/ Network statement	Safety certificate (Directive 2001/14/EC)		Safety authorisation (Directive 2004/49/EC)		Date of business start-up	Railway tracks			Total length of railway lines			Electric traction		Number of level crossings (LC) [units][pcs]	Number of signalling devices [units][pcs]	ATP equipment used
				number	as of	number	as of		Total length of mainline tracks and main tracks[km]	Total length of other tracks[km]	Track width[mm]	2-track [km]	1-track [km]	High-speed (HSL) [km]	Length [tkm]	Voltage (DC) [kV]			
1	PKP Polskie Linie Kolejowe S.A.	03 - 734 Warsaw, ul. Targowa 74	www.plk-sa.pl	003/ZI/04 104/ZI/06	10.02.2004 22.12.2006	--	--	01.10. 2001	27771.00	9322.00	1435	8583.00	10605.0	0.0	25032.58	3	13664	62330	
									148.00	115.00	1520	0.0	148.00	0.0	24.37	3	34	446	
2	PKP Linia Hutnicza Szerokotorowa Sp. z o.o.	22 - 400 Zamość, ul. Szczebrzeska 11	www.lhs.com.pl	064/ZI/05 101/ZI/06	29.08.2005 22.12.2006	--	--	20.11. 2001	2.42	26.61	1435	0.0	2.42	0.0	--	--	3	10	
									394.65	104.62	1520	0.0	394.65	0.0	--	--	243	243	
3	PKP Szybka Kolej Miejska w Trójmieście Sp. z o.o.	81 - 002 Gdynia, ul. Morska 350A	www.skm.pkp.pl	017/ZI/04 108/ZI/06	16.03.2004 22.12.2006	--	--	01.07. 2001	62.16	20.51	1435	31.08	0.0	0.0	68.75	3	1	235	
4	CTL Maczki – Bór Sp. z o.o.	41 - 208 Sosnowiec, ul. Długa 90	www.ctlmaczki.pl	064/ZI/06	30.05.2006	--	--	05.05. 1990	75.93	53.83	1435	18.43	39.07	0.0	--	--	22	152	
5	Jastrzębska Spółka Kolejowa Sp. z o.o.	44 - 310 Jastrzębie Zdrój, ul. Leśna 4	www.jsk.pl	019/ZI/04 098/ZI/06	01.04.2004 22.12.2006	--	--	01.04. 1998	43.35	99.75	1435	11.60	20.15	0.0	25.78	3	20	350	
6	Jastrzębska Spółka Węglowa S.A. Kopalnia Węgla Kamiennego 'BUDRYK'	43 - 178 Ornontowice, ul. Zamkowa 10	www.jsw.pl	044/ZI/07	10.08.2007	--	--	09.12. 2007	9.63	12.02	1435	0.0	9.63	0.0	8.50	3	12	41	
7	'Kopalnia Piasku Kotlarnia – Linie Kolejowe' Sp. z o.o.	47 - 246 Kotlarnia, ul. Dębowa 3	www.kotlarnia.com.pl	032/ZI/04 121/ZI/06	16.06.2004 22.12.2006	--	--	01.01. 2004	167.60	21.60	1435	50.36	66.9	0.0	--	--	90	186	
8	**Infra Silesia S.A.** (as of 18.03.2010) PCC Śląskie Linie Kolejowe Sp. z o.o.	44 - 251 Rybnik 9, ul. Kłokocińska 51		012/ZI/06	20.02.2006	--	--	01.10. 2003	161.00	218.00	1435	36.00	89.00	0.0	65.16	3	74	536	
	Przedsiębiorstwo Transportu Kolejowego INFRASTRUKTURA S.A, a change of name of the company into DB INFRASTRUKTURA as of 23.06.2010			024/ZI/05 117/ZI/06	04.04.2005 22.12.2006			01.01. 2005											

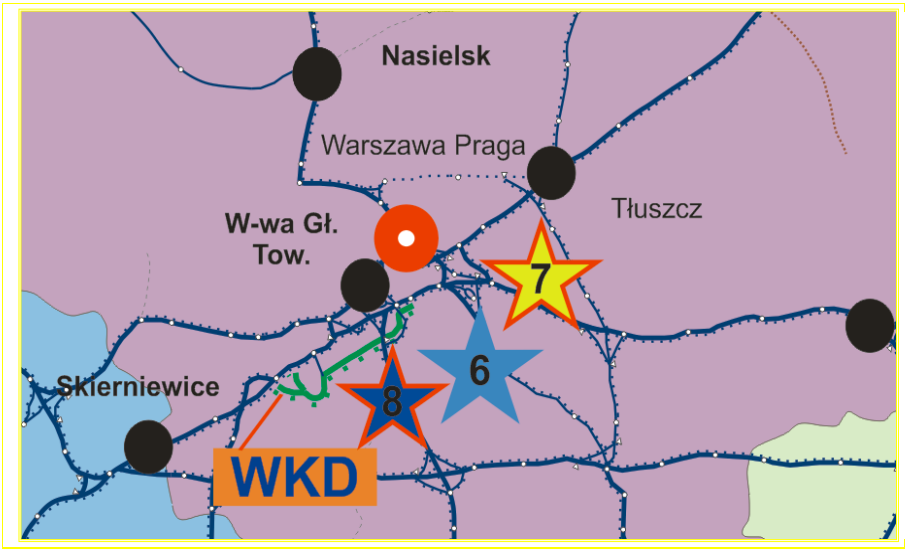
Total	28293.09	9774.32	1435	8730.47	10832.2	--	25200.8		13886	63840	
	542.65	219.62	1520	0.0	542.65	--	24.40		277	689	
Total	**28835.7**	**9993.9**		**8730.5**	**11374.8**	**--**	**25225.1**		**14163**	**64529**	

ANNEX A.2.1.b – Infrastructure managers of the underground and networks functionally separated from the overall network and intended to provide local, urban and suburban passenger transport in Poland

No.	*Name*	*Address*	*Website address/ Network statement*	*Safety certificate (Directive 2001/14/EC and Directive 2004/49/EC)*		*Date of business start-up*	*Railway tracks*			*Total length of railway tracks*			*Electric traction*		*Number of level crossing (LC)[units][pcs]*	*Number of signalling device [units][pcs]*	*ATP equipment used*
				number	*as of*		*Total length of mainline tracks and main tracks [km]*	*Total length of other tracks [km]*	*Gauge [mm]*	*2-track [km]*	*1-track [km]*	*High-speed lines (HSL) [km]*	*Length [tkm]*	*Voltage (DC) kV]*			
1	Warszawska Kolej Dojazdowa Sp. z o.o.	05 - 825 Grodzisk Mazowiecki, ul. Batorego 23	www.wkd.com.pl	029/ZI/04 110/ZI/06	02.06.2004 22.12.2006	01.07. 2001	63.70	3.10	1435	25.10	13.78	–	69.70	0.65	39	94	–
2	Metro Warszawskie Sp. z o.o.	02 - 798 Warsaw, ul. Wilczy Dół 5	www.metro.waw.pl	132/ZI/06	22.12.2006	07.01. 2003	43.74	32.32	1435	22.12	0.00	–	52.00	0.75	10	225	–
3	Usedomer Bäderbahn Polska Sp. z o.o. (UBB Polska)	72 - 600 Świnoujście, ul. Wybrzeże Władysława IV 22	www.ubb-online.com	036/ZI/08	15.09.2008	20.09. 2008	1.44	0.24	1435	–	1.44	–	0.00	-	0	4	–
						Total	**108.88**	**35.66**		**47.22**	**15.22**	**–**	**121.7**		**49**	**323**	**–**
							144.54			**62.44**							

ANNEX A.2.1.c – Infrastructure managers in Poland – registered offices of the bodies

1.	**CTL Maczki-Bór Sp. z o.o.,** Sosnowiec, ul. Długa 90
2.	**Jastrzębska Spółka Kolejowa Sp. z o.o.,** Jastrzębie Zdrój, ul. Leśna 4
3.	**Jastrzębska Spółka Węglowa S.A.,** Ornontowice, ul. Zamkowa 10
4.	**Kopalnia Piasku Kotlarnia – Linie Kolejowe Sp. z o.o.,** Kotlarnia, ul. Dębowa 3
5.	**Infra SILESIA S.A.,** Rybnik 9, ul. Kłokocińska 51



6.	**PKP Polskie Linie Kolejowe S.A. ,** Warsaw, ul. Targowa 74
7.	**Metro Warszawskie Sp. z o.o.,** Warsaw, ul. Wilczy Dół 5
8.	**Warszawska Kolej Dojazdowa Sp. z o.o.,** Grodzisk Mazowiecki, ul. Batorego 23

9.	**PKP Linia Hutnicza Szerokotorowa Sp. z o.o.,** Zamość, ul. Szczebrzeska 11

10.	**PKP Szybka Kolej Miejska w Trójmieście Sp. z o.o.,** Gdynia, ul. Morska 350A**.**

11.	**Usedomer Bäderbahn Polska Sp. z o.o. (UBB Polska),** Świnoujście, ul. Wybrzeże Władysława IV 22

ANNEX A.2.2.a – Railway carriers providing railway transport in 2009 in the overall railway network in Poland

**) In accordance with the Guidelines for the preparation of the annual KWB Report, data associated with columns 11-21 of this annex have been presented below the table in a form of a summary report.*

No.	*Name*	*Address*	*Website*	*Safety certificate (Directive 2001/14/EC)*		*Safety certificate (Directive 2004/49 EC)*		*Date of business start-up*	*Type of transport*
				Number	*Date*	*Number*	*Date*		
1	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*
1	PKP Przewozy Regionalne Sp. z o.o. Change of the name as of 07.12.2009 into: 'Przewozy Regionalne' Sp. z o.o.	02 - 021 Warsaw, ul. Grójecka 17; as of 09.11.2009 change of the address into: 03 - 414 Warsaw, ul. Wileńska 14a	www.przewozyregionalne.pl	006/PK/04 102/PK/06	25.02.2004 22.12.2006			01.10.2001	passenger
2	PKP INTERCITY S.A.	02 - 021 Warsaw, ul. Grójecka 17	www.intercity.pl	014/PK/04 106/PK/06	16.03.2004 22.12.2006			01.09.2001	passenger
3	PKP Szybka Kolej Miejska w Trójmieście Sp. z o.o.	81 - 002 Gdynia, ul. Morska 350A	www.skm.pkp.pl	016/PK/04 107/PK/06	16.03.2004 22.12.2006			01.07.2001	passenger
4	'Koleje Mazowieckie – KM' Sp. z o.o.	03 - 802 Warsaw, ul. Lubelska 1	www.mazowieckie.com.pl	016/PK/05	01.03.2005			01.01.2005	passenger
5	Szybka Kolej Miejska Sp. z o.o.	03 - 808 Warsaw, ul. Mińska 25 room 618	www.skm.warszawa.pl	062/PK/05 123/PK/06	29.08.2005 22.12.2006			03.10.2005	passenger
6	Dolnośląskie Linie Autobusowe Sp. z o.o.	50 - 126 Wrocław, ul. Krakowska 71/73	www.dla.com.pl	050/PK/06 34/TSI/06	16.05.2006 01.09.2006			27.05.2005	passenger
7	Koleje Dolnośląskie S.A.	59 - 220 Legnica, ul. Wojska Polskiego 1/5	www.kolejedolnoslaskie.eu	–	–	**Part A** PL112009002; **Part B:** PL122009001	21.05.2009; 07.09.2009	01.10.2009	passenger
8	PKP CARGO S.A.	02 - 021 Warsaw, ul. Grójecka 17	www.pkp-cargo.pl	015/PK/04 105/PK/06	16.03.2004 22.12.2006	**Part A** PL112009001	25.06.2009	01.10.2001	freight
9	PKP Linia Hutnicza Szerokotorowa Sp. z o.o.	22 - 400 Zamość, ul. Szczebrzeska 11	www.pkp-lhs.pl	063/PK/05 100/PK/06	29.08.2005 22.12.2006			01.07.2001	freight
10	PKP Energetyka S.A.	00 - 681 Warsaw, ul. Hoża 63/67				**Part A:** PL112009000	09.04.2009	01.03.2010	freight
11	CTL Express Sp. z o.o.	00 - 609 Warsaw, Al. Armii Ludowej 26 zchange of the address as of 15.12.2009 into: 02 - 672 Warsaw, ul. Domaniewska 46	www.ctl.pl	115/PK/06	22.12.2006			01.07.2006	freight

12	CTL Logistics Sp. z o.o.	00 - 609 Warsaw Al. Armii Ludowej 26 change of the address as of 15.12.2009 into: 02 - 672 Warsaw, ul. Domaniewska 46	www.ctl.pl	021/PK/05	16.03.2005			01.11.2008	freight
1	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*
13	CTL Rail Sp. z o.o.	40 - 202 Katowice, ul. Roździeńskiego 190 B	www.ctl.pl	019/PK/05	16.03.2005			02.03.2004	freight
14	CTL Reggio Sp. z o.o.	24 -110 Puławy, Al. 1000-lecia Państwa Polskiego 13		021/PK/06 116/PK/06	27.02.2006 22.12.2006			10.07.2006	freight
15	CTL Train Sp. z o.o.	41 - 208 Sosnowiec, ul. Długa 90	www.ctl.pl	020/PK/05	16.03.2005			01.06.2005	freight
16	GreenChip Cargo Sp z o.o. *(under liquidation)*	00 - 609 Warsaw, Al. Armii Ludowej 26	www.ctl.pl	018/PK/05	16.03.2005			23.08.2005	freight
17	X-Train Sp. z o.o.	81 - 335 Gdynia, ul. Janka Wiśniewskiego 20	www.ctl.pl	048/PK/05 113/PK/06	07.07.2005 22.12.2006			15.09.2004	freight
18	PCC KOLCHEM Sp. z o.o. as of 01.12.2009 change of the name: DB SCHENKER RAIL KOLCHEM Sp. z o.o.	56 - 120 Brzeg Dolny, ul. Sienkiewicza 4	www.kolchem.pl	092/PK/06	31.08.2006			19.10.2004	freight
19	PCC Rail COALTRAN Sp. z o.o. as of 24.09.2009 change of the name DB SCHENKER RAIL COALTRAN Sp. z o.o.	03 - 216 Warszawa, ul. Modlińska 15		007/PK/05	10.02.2005			28.02.2004	freight
20	PCC RAIL S.A. as of 06.11.2009 until 09.11.2009 change of the company name into: DB SCHENKER RAIL POLSKA Sp. z o.o.	43 - 602 Jaworzno, ul. Bukowska 12	www.dbschenker.pl	044/PK/06	08.05.2006			20.06.1998	freight passenger
21	PCC RAIL RYBNIK S.A. as of 20.10.2009 change of the company name into: DB SCHENKER RAIL RYBNIK S.A.	44 - 251 Rybnik ul. Kłokocińska 51	www.dbschenker.pl	015/PK/05	01.03.2005			01.01.1994 08.10.2006	freight passenger
22	PCC SPEDKOL Sp. z o.o. as of 25.09.2009 change of the company name into: DB SCHENKER RAIL SPEDKOL Sp. z o.o.	47 - 225 Kędzierzyn - Koźle, ul. Szkolna 15	www.dbschenker.pl	022/PK/04 003/PK/07	16.04.2004 19.03.2007			15.06.2002	freight

23	Przedsiębiorstwo Transportu Kolejowego Holding S.A. As of.2010 change of the company name into DB SCHENKER RAIL ZABRZE SA.	41 - 800 Zabrze, ul. Wolności 337	www.dbschenker.pl	009/PK/05	10.02.2005			02.01.2007	freight
24	CEMET S.A.	01 - 756 Warsaw, ul. Przasnyska 6A	www.cemet.pl	001/PK/07	19.03.2007			22.06.2007	freight
25	Dolnośląskie Przedsiębiorstwo Napraw Infrastruktury Komunikacyjnej DOLKOM Sp. z o.o.	50 - 502 Wrocław, ul. Hubska 6	www.dolkom.pl	005/PK/07	19.03.2007			20.07.2007	freight
26	Euronaft Trzebinia Sp. z o.o.	32 - 540 Trzebinia, ul. Fabryczna 22	www.euronaft-trzebinia.pl	030/PK/04 120/PK/06	15.06.2004 22.12.2006			09.07.2004	freight
1	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*
27	Freightliner PL Sp. z .o.o.	02 - 797 Warszawa Al. Komisji Edukacji Narodowej 36 lok. 200	www.freightliner.pl	071/PK/06	30.06.2006			08.10.2005	freight passenger
28	GATX Rail Poland Sp. z o.o.	01 - 831 Warsaw, ul. Twarda 30	www.gatx.eu	005/PK/04 002/PK/05	25.02.2004 01.02.2005			01.03.2002	freight
29	Hagans Logistic Sp. z o.o.	87 - 100 Toruń, Plac Fryderyka Skarbka 4	www.hagans.pl	045/PK/07	10.08.2007			12.12.2006	freight
30	ITL Polska Sp. z o.o.	50-075 Wrocław, ul. Krupnicza 13 room 103				**Part A** PL112008001; **Part B:** PL12200900	30.12.2008 06.02.2009	01.07.2006	freight
31	Kolej Bałtycka S.A.	70 - 676 Szczecin, ul. Merkatora 11 change of the company address into: 70 - 807 Szczecin, ul. Stacyjna 3	www.kolejbaltycka.pl	013/PK/05	01.03.2005			05.05.2004	freight
32	Kopalnia Piasku 'Kotlarnia' S.A.	47 - 246 Kotlarnia, ul. Dębowa 3	www.kotlarnia.com.pl	036/PK/04 077/PK/06	28.06.2004 17.08.2006			01.06.1995	freight
33	Lotos Kolej Sp. z o.o.	80 - 716 Gdańsk, ul. Michałki 25	www.lotoskolej.pl	045/PK/04	02.12.2004	**Part A** PL11200900 03	19.10.2009	01.01.2003	freight
34	Lubelski Węgiel Bogdanka S.A.	21 - 013 Puchaczów	www.bogdanka.lublin.pl	008/PK/05	10.02.2005			22.03.2005	freight
35	'MAJKOLTRANS' Sp. z o.o.	50 - 503 Wrocław, ul. Paczkowska 26	www.majkoltrans.pl	020/PK/09	23.07.2009			15.08.2009	freight
36	Nadwiślański Zakład Transportu Kolej. Sp. z o.o.	43 - 225 Wola, ul. Przemysłowa 6	www.nztk.pl	010/PK/05	10.02.2005			01.07.1995	freight
37	ORLEN KolTrans Sp. z o.o.	09 - 411 Płock, ul. Chemików 7	www.orlenkoltrans.pl	017/PK/05	01.03.2005			13.12.2000	freight
38	Pol - Miedź - Trans Sp. z o.o.	59 - 301 Lubin ul. Marii Skłodowskiej - Curie 190	www.pmtrans.com.pl	011/PK/05	01.03.2005			01.04.2002 22.05.2009	freight passenger
39	Pomorskie Przedsiębiorstwo Mechaniczno-Torowe Sp. .z o.o.	80 - 051 Gdańsk, ul. Sandomierska 17	www.ppmt.com.pl	40/PK/05 125/PK/06	14.06.2005 22.12.2006			17.05.2005	freight

40	Przedsiębiorstwo Napraw Infrastruktury Sp. z o.o.	03 - 816 Warsaw ul. Chodakowska 100	www.pni.net.pl	126/PK/06	22.12.2006			01.02.2007	freight
41	Przedsiębiorstwo Robót Kolejowych i Inżynieryjnych S.A.	50 - 950 Wrocław, ul. Kniaziewicza 19	www.prkii.com.pl	038/PK/04 111/PK/06	28.06.2004 22.12.2006			01.12.2001	freight
42	Przedsiębiorstwo Robót Komunikacyjnych w Krakowie S.A.	30 - 048 Kraków, ul. Czapińskiego 3	www.prk.krakow.pl	042/PK/04 112/PK/06	23.08.2004 22.12.2006			01.10.2004	freight
43	Przedsiębiorstwo Transportu Kolejowego KOLTAR Sp. z o.o.	33 - 101 Tarnów, ul. Kwiatkowskiego 8	www.koltar.pl	027/PK/05	19.04.2005			22.09.2005	freight
44	Przedsiębiorstwo Usług Kolejowych KOLPREM Sp z o.o.	41 - 308 Dąbrowa Górnicza, Al. J. Piłsudskiego 92	www.kolprem.pl	069/PK/05	01.09.2005			25.06.2004	freight
45	Rail Polska Sp. z o.o.	00 - 790 Warsaw, ul. Willowa 8/10 room 11	www.railpolska.pl	022/PK/05 118/PK/06	04.04.2005 22.12.2006			26.10.2004	freight
1	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*
46	RCO S.A *(under liquidation).*	70 - 533 Szczecin, ul. Nowy Rynek 2	www.rco.com.pl	022/PK/05 99/PK/06	20.01.2006 22.12.2006			01.08.2007	freight
47	STK Sp. z o.o.	53 - 326 Wrocław, ul. Buska 5a	www.stk.wroc.pl	054/PK/05 029/PK/07	12.08.2005 20.06.2007			14.04.2005	freight
48	Transoda Sp. z o.o.	88 - 100 Inowrocław, ul. Fabryczna 4		012/PK/04 119/PK/06	04.03.2004 22.12.2006			01.07.2002	freight
49	Zakłady Inżynierii Kolejowej Leśkiewicz, Kosmala Sp.j.	27 - 600 Sandomierz, ul. Retmańska 11 A	www.ziksandomerz.pl	014/PK/05	01.03.2005			01.01.2003	freight

	Number of locomotives	*Number of engine wagons/multiple units*	*Number of wagons*		*Number of locomotive drivers*	*Board crew responsible for safety*	*Passenger transport volume*			*Freight transport volume*		
			passenger	*freight*			*thousand passenger*	*billion passenger - km*	*million train-km*	*thousand tons*	*million tkm (gross)*	*million train-km*
	11	*12*	*13*	*14*	*15*	*16*	*17*	*18*	*19*	*20*	*21*	*22*
TOTAL	**3 558**	**233 / 1264**	**3 025**	**85 611**	**14 046**	**7 104**	**276 682**	**18 577**	**141 612**	**242 833**	**43 599.7**	**67 043**

ANNEX A.2.2.b – Railway carriers

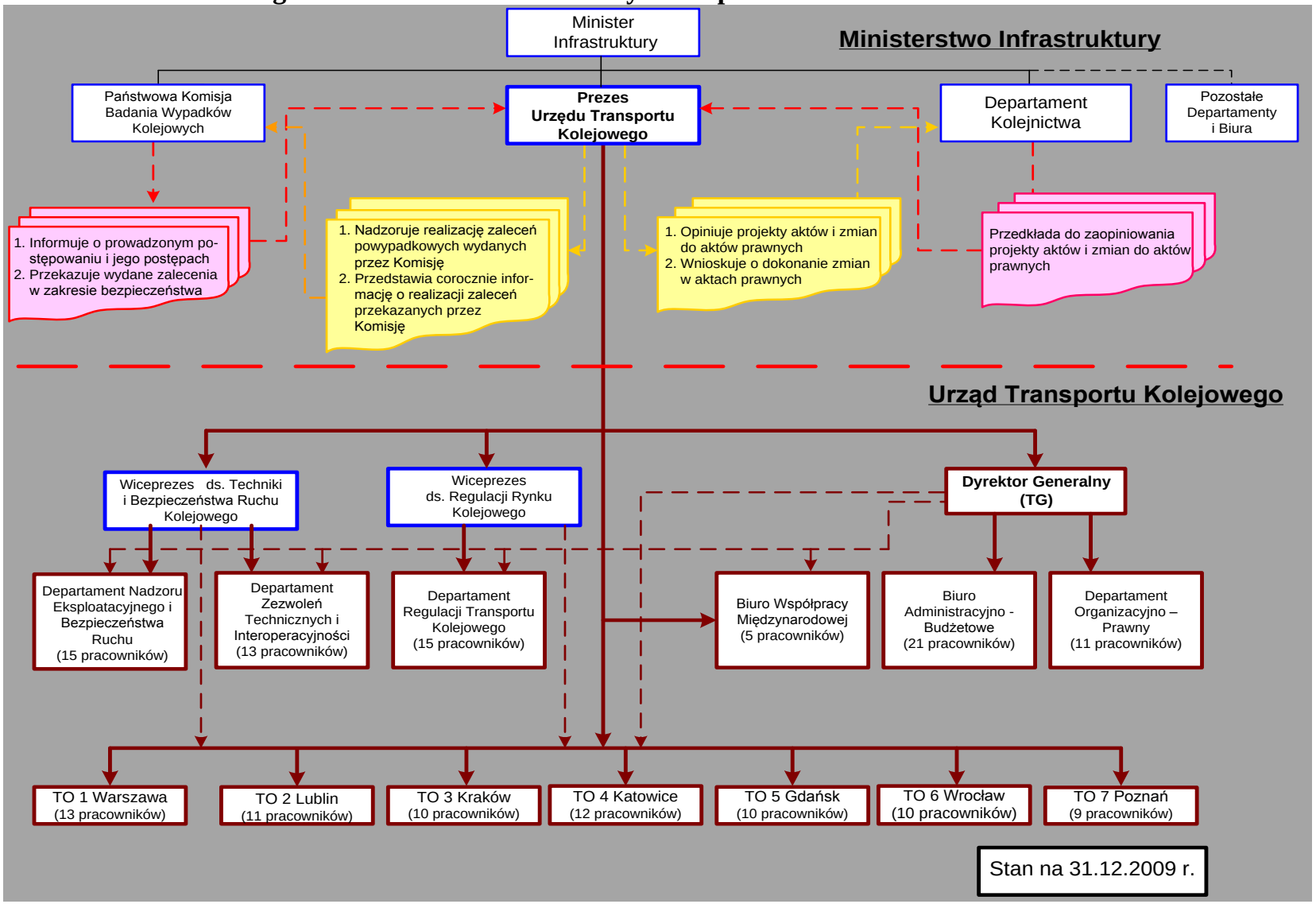
Urban and suburban passenger transport services for the underground and networks functionally separated from the overall network

**) In accordance with the Guidelines for the preparation of the annual KWB Report, data associated with columns 11-21 of this annex have been presented below the table in a form of a summary report.*

No.	Name	Address	Website	Safety certificate (Directive 2001/14/EC)		Safety certificate (Directive 2004/49/EC)		Date of business start-up	Type of transport
				Number	Date	Number	Date		
1	2	3	4	5	6	7	8	9	10
1.	Warszawska Kolej Dojazdowa Sp. z o.o.	05 - 825 Grodzisk Mazowiecki, ul. Batorego 23	www.wkd.com.pl	028/PK/04 109/PK/06	02.06.2004 22.12.2006	–	–	01.07. 2001	passenger – suburban
2.	Metro Warszawskie Sp. z o.o.	02 - 798 Warsaw, ul. Wilczy Dół 5	www.metro.waw.pl	131/PK/06	22.12.2006	–	–	07.01. 2003	passenger – urban

	Number of locomotives	number of engine wagons/multiple units	Number of wagons		Number of locomotive drivers	Board crew responsible for safety	Passenger transport volume			Freight transport volume		
			passenger	freight			thousand passenger	billion passenger - km	million train-km	thousand tons	million tkm	million train-km
	11	12	13	14	15	16	17	18	19	20		21
TOTAL	**3**	**266 / 72**	**306**	–	**189**	**1**	**134 868**	**1,059**	**5,494**	–	–	–

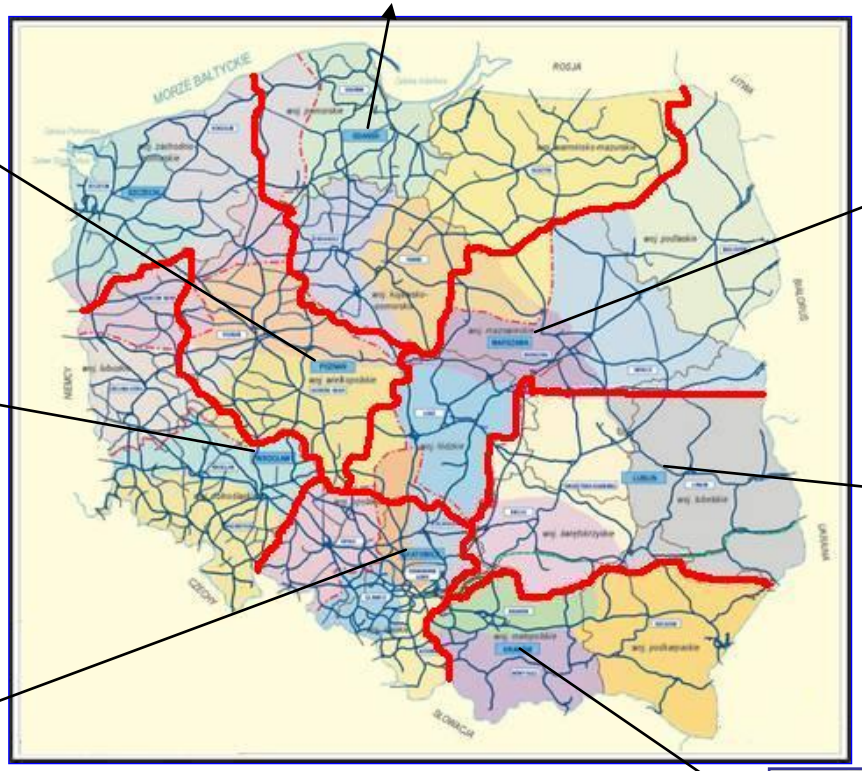
ANNEX B.1 – Organisation chart of the Railway Transport Office in relation to other national bodies



ANNEX B.2. – Areas of operation of the regional offices of the Railway Transport Office

Regional Office in Gdańsk
ul. Dyrekcyjna 2/4, 80-958 Gdańsk

Regional Office in Poznań
Al. Niepodległości 8, 61–875 Poznań



Regional Office in Warsaw
ul. Hoża 86, 00-682 Warsaw

Regional Office in Wrocław
ul. Joannitów 13, 50–950 Wrocław

Regional Office in Lublin
ul. Okopowa 5, 20-022 Lublin

Regional Office in Katowice
ul. Przemysłowa 10, 40-202 Katowice

Regional Office in Krakow
ul. Mogilska 1, 31-516 Kraków

ANNEX C – CSI data – definitions

1. CSI data

1.a. General railway accidents statement for <u>the overall network</u> in Poland, compared to 2008

		Accidents and serious accidents		Fatalities as a result of		Seriously injured as a result of	
		2008	**2009**	2008	**2009**	2008	**2009**
1.	Train collisions	8	**18**	0	**0**	6	**1**
2.	Train derailments	105	**63**	0	**0**	0	**0**
3.	Incidents on level crossings	278	**288**	39	**73**	104	**76**
4.	Incidents involving persons caused by a railway vehicle in motion	397	**400**	257	**292**	105	**119**
5.	Fire of a railway vehicle	9	**3**	0	**0**	0	**0**
6.	Other	92	**71**	12	**0**	62	**3**
	TOTAL	**889**	**843**	**308**	**365**	**277**	**199**

1.b. General statement of railway incidents on the network functionally separated from the rest of the system, designed for urban and suburban passenger transport, compared to 2008

		Accidents and serious accidents		Fatalities as a result of		Seriously injured as a result of	
		2008	**2009**	2008	**2009**	2008	**2009**
1.	Train collisions	0	**0**	0	**0**	0	**0**
2.	Train derailments	0	**0**	0	**0**	0	**0**
3.	Incidents on level crossings	8	**20**	0	**0**	1	**0**
4.	Incidents involving persons caused by a railway vehicle in motion	1	**0**	0	**0**	1	**0**
5.	Fire of a railway vehicle	0	**0**	0	**0**	0	**0**
6.	Other	0	**0**	0	**0**	0	**0**
	TOTAL	**9**	**20**	**0**	**0**	**2**	**0**

2. Definitions contained in Regulation (EC) No 91/2003 of the European Parliament and of the Council of 16 December 2002 on rail transport statistics (Official Journal, L 14, 21.1.2003, p. 1)

- **'person killed'** means any person killed immediately or dying within 30 days as a result of an accident, excluding suicides;
- **'person seriously injured'** means any person injured who was hospitalised for more than 24 hours as a result of an accident, excluding attempted suicides;
- **'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 shall be 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'** means an act to deliberately injure oneself resulting in death, as recorded and classified by the competent national authority;
- **'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 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 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 shall be taken into account.

3. National definitions used in the annual report

Pursuant to the amendment of the Railway Transport Act, with effect from 21.08.2006 and the Ordinance of Minister of Transport of 30 April 2007 *on serious accidents, as well as railway accidents and incidents*, the following definitions apply:

a) **'serious accident'** means an accident caused by a train collision, derailment, or other similar incident
   - with a minimum of **1** fatality or a minimum of **5** seriously injuried persons (hospitalised for more than 24 hours) or
   - causing significant damage to the railway vehicle, the railway infrastructure or environment, whose value can be immediately assessed by an accident investigation commission for a minimum amount of EUR 2 million;
   - which has an obvious effect on railway safety regulations or safety management.

b) **'accident'** means an unintentional, sudden incident or series of incidents with the involvement of a railway vehicle, leading to negative consequences for human health, property or the environment; the following incidents, in particular, are considered accidents:
   - collisions,
   - derailments,
   - incidents at crossings,
   - incidents with human involvement, caused by a moving railway vehicle,
   - railway vehicle fire

Pursuant to the Ordinance of the Minister of Transport of 30 April 2007 o*n serious accidents, railway accidents and incidents*, the following definitions apply:

a) **'fatality'** means a person who has lost life in a serious accident or as a result of it, suffered injuries causing death within 30 days of the accident (excluding suicides); definition compliant with the definition referred to in Regulation No 91/2003 (EC);

b) **'a seriously injured person'** means a person who as a result of accident has suffered from organ disorders o, or disorder of health, and as a result was hospitalised for over 24 hours, excluding attempted suicides. Definition compliant with definition referred to in the Regulation (EU) No 91/2003.

Pursuant to the Ordinance of the Minister of Infrastructure of 18 July 2005 *on general terms of railway traffic operation and signalling system*, the following definitions apply:

'train' means **a composition of wagons or other railway vehicles** joined with an active traction vehicle or **a traction vehicle** with signals and ready to ride, or being in operation.

'total train weight' means the total mass of railway vehicles including the load.

Pursuant to the Ordinance of the Minister of Transport of 30 May 2006 *on terms of access and use of the railway infrastructur*e, the following definition applies:

'train-kilometre' means the distance of one kilometre travelled by a train.

Pursuant to the Ordinance of the Minister of Infrastructure of 19 December 2007 o*n information regarding common safety indicators*, the following definitions apply:

'emergency signal' means a substitute signal, a 'Stop' signal with free interval on an automatic block system, no semaphore, no lights on a light semaphore; in this report, the following aspects were considered – emergencies reported by the detection devices for rolling stock emergencies (DSAT) and confirmed;

'fractured rails' means a break through the whole cross-section and deficits on a length of over 50 mm or at a depth of 10 mm;

'other persons' means persons unauthorised to be present at the place of the incident;

'unauthorised persons' means not passengers or personnel, but authorised to be present at the place of the incident;

'train-km' means the distance of 1 km travelled by a train or locomotive operating by itself.

Pursuant to the Ordinance of Minister of Infrastructure of 19 December 2007 *on information regarding common safety indicators*, the following cost calculation rules apply:

a) expenses caused by incidents are calculated as a difference between the amount covering the losses and costs born as a result of the incident (which could have been avoided) and the amount of a related compensation;
b) costs which could have been avoided are considered to be all costs which would not have been incurred had the incident not taken place (i.e. the cost of using additional equipment, and labour hire to remove the effects of the incident, as well as compensation paid out to natural and legal persons). Losses directly caused by the effects of the incident are also

considered as losses (i.e. as a result of a loss or damage to tangible assets), as well as indirect effects (i.e. loss of income due to interrupted traffic);

c) income received by a body reporting the information regarding insurance payouts and compensation is taken into account as part of received compensation, not including income from the incident reporting body's own insurance;

d) expenses incurred as a result of the incident provided by the Chairman of the Railway Transport Office constitute an expense amount expressed in PLN by the railway infrastructure managers and railway carriers, following conversion into euro, **by applying the average exchange rate published by Narodowy Bank Polski (National Bank of Poland) for the year, in which this information applies.**

In 2009, the average exchange rate provided by the Narodowy Bank Polski as of 31.12.2009 was PLN 4 1082 for EUR 1.

In this report, data concerning avoided accidents (code: IO5, IO6) were presented according to the following rules:

'fractured wheels' means the number of cracks detected during inspections of railway vehicles,

'fractured axles' means the number of cracks detected during inspections of railway vehicles and during the test with the flaw detector.

Annex D – Important changes in legislation and regulations

	Legal base	**Date of entering into force**	**Reasons for implementation** (it must be stated if the provision is new or an amendment to the existing one)	**Description**
National railway safety regulations				
Regulations relating to the national safety authority	Act of 19 December on amendment of the act on freedom of business activity and on amendment of some acts (*Journal of Laws* of 2009, No 18, item 97)	7 March 2009	This act, within its regulation, implements provisions referring to the mode and rules for inspections specified in Chapter 5 of the act of 2 July 2004 on freedom of business activity (unified text: *Journal of Laws* of 2007, No 155 item 1095, as amended).	Amendment to the act provides more detailed rules for inspections by the Chairman of the Railway Transport Office and persons authorised by him in writing.
	Act of 25 June 2009 on the amendment of railway transport act *(Journal of Laws*, No 214, item 1658)	31 December 2009	This act, within its regulation, implements the following provisions: - Directive 2007/58/EC of 23 October 2007, amending Council Directive 91/440/EC on the development of the Community's railways and Directive 2001/14/EC of the European Parliament and of the Council on the allocation of railway infrastructure capacity and the levying of charges for the use of railway infrastructure (OJ, L 135, 3.12.2007); - Directive 2007/59/EC of 23 October 2007 on the certification of train drivers operating locomotives and trains on the railway system in the Community (OJ, L 135, 3.12.2007).	Amendment of the act imposes new tasks on the Chairman of the Railway Transport Office connected with: - supervision of compliance with regulations referring to passengers' rights, - issuing, prolongation of validity, suspension and cancellation of a driver's licence, updating data included in the licence, issuing licence duplicates and keeping a register of such documents; - supervision of ensuring non-discriminatory access to railway infrastructure for railway carriers, including carriers with a headquarters in one of the Member States.

Regulations on notified bodies, experts, third parties, bodies responsible for registration, testing, etc.	N/A			
National railway safety regulations				
Regulation on national objectives and methods in the area of safety	N/A			
Regulations on requirements regarding safety management and safety authorisation for infrastructure managers Requirements related to repair workshops	The Ordinance of the Minister of Infrastructure's regulation of 22 May 2009, amending the regulation on the railway transport safety management system (*Journal of Laws*, No 91, item 744)	30 June 2009	Amendment to the excising regulation.	Regulation implements amendment of one of the conditions for issuing network safety certificate for a railway carrier.
Regulation requirements in reference to wagon owners	The Ordinance of the Minister of Infrastructure of 19 June 2009 amending the regulation on registering and labelling of railway vehicles (Journal of Laws, No 105, item 872)	17 June 2009	Regulation requirements implement the Commission Decision of 9 November 2007 adopting common specification for the national register of railway vehicles specified in Article 14 section 4 and 5 of Directive 96/48/EC and 2001/16/EC (Official Journal L 305 of 23.11.2007)	Regulation defines the method of registering railway vehicles, including national register of railway vehicles and railway vehicle labelling, including underground vehicles. It introduces the definition of a railway vehicle holder and imposes the obligation to keep a national register of railway companies on the Chairman of the Railway Transport Office (NVR).
Regulations referring to requirements for maintenance workshops.	N/A			
Regulation requirements in reference to the field of authorisation of introducing for use, and maintenance of a new and considerably rebuilt rolling stock, including regulations on the exchange of rolling stocks between railway companies, on the registration system, and requirements regarding testing procedures	Regulation of the Minister of Infrastructure of 19 June 2009 amending the regulation on registering and labelling of railway vehicles (Journal of Laws, No 105, item 872)	17 June 2009	Regulation requirements implement the Commission Decision of 9 November 2009 adopting common specification for the national register of railway vehicles specified in Article 14 section 4 and 5 of Directive 96/48/EC and 2001/16/EC (Official Journal L 305 of 23.11.2007)	Regulation defines the method of registering railway vehicles, including national register of railway vehicles and railway vehicle labelling, including underground vehicles. It introduces the definition of a railway vehicle holder and imposes the obligation to keep a national register of railway companies on the Chairman of the Railway Transport Office (NVR).
Common rules for railway network functioning, including regulations related to signalling and traffic management procedures	Regulation of the Minister of Transport of 27 February 2009 on conditions of access and use of railway infrastructure (Journals of Laws, No 35, item 274)	13 March 2009.	This regulation implements the provisions of Directive 2001/14/EU of the European Parliament and of the Council of 26 February 2001 on allocation of railway capacities, the levying of charges for the use of railway infrastructure and granting safety certification.	The regulation specifies: 1) the conditions of granting access and using railway infrastructure by railway carriers 2) methods for lodging and reviewing applications regarding the assignment of train paths; 3) the type of additional and auxiliary services provided by the infrastructure manager;

				4) the way of conduct in case of insufficient capacity of railway infrastructure; 5) detailed rules for establishing rates for using railway infrastructure, including main charge and additional charges and for the rules for increasing charges and granting concession; 6) field of issues which require, in particular, regulations in a form of a contract for using allocated train paths and a framework contract; 7) the way of developing the regulation by the infrastructure manager; 8) forms of cooperation for managers when the railway infrastructure which they manage enables mutual exchange of trains, due to a connection of railways managed by them.
	Regulation of the Minister of Transport of 30 December 2009 on access to railway infrastructure by railway carriers who have their registered office in a different Member State of the European Union or in a Member State of the European Free Trade Association (EFTA) (Journals of Laws of 2010, No 2, item *7)*	16 January 2010	Regulation implements Directive 2007/58/EC of the European Parliament and of the Council of 23 October 2007 amending Council Directive 91/440/EEC on development of the Community's railways an directive 2001/14/EC on the allocation of railway infrastructure capacity and the levying of charges for the use of railway infrastructure and safety certification (Official Journal EU L 135 of 03.12.2007),	This regulation specifies the criteria based on which it will be determined, if a planned transport of persons is an international service as well as the criteria based on which it will be analyzed, if the planned international connection disturbs the economic balance of services provided based on contracts for rendering public services, as well as the field of information, railway carriers' applications and the bodies concluding contracts for rendering public services in the railway line and the method of issuing decisions by the Chairman of the Railway Transport Office limiting railway carrier's access to railway infrastructure.
Regulation requirements concerning additional internal operations regulations (company regulations), which must be established by infrastructure managers and railway	NO AMENDMENTS			
Regulation requirements in reference to personnel carrying out duties of critical significance regarding safety, including selection criteria, state of health, as well as professional training and certification	act of 25 June 2009 on the amendment of railway transport act *(Journal of Laws, No 214, item 1658)*	4 December 2010	This act implements the provisions of Directive 2007/59/EC of 23 October 2007 on the certification of train drivers operating locomotives and trains on the railway system in the Community (Official Journal EU L 315 of 03.12.2007).	This act implements the obligation to possess a locomotive driver's certificate and specifies the method of issuing such certificates, as well as defines the method nad terms of conducting trainings and examinations necessary to obtain a locomotive driver's certificate, taking into account the necessity to provide the possibility to extend the field of the certificate to other railway lines and categories of rights, including periodical knowledge and drivers' skills tests, necessary to keep the certificate valid.

Regulations concerning investigations of accidents, serious accidents, and incidents, including recommendations	NO AMENDMENTS			
Regulation requirements regarding national safety indicators, including the methods of gathering and analysing this data	Ministry of Transport's regulation of 18 August 2009 on common safety indicators (CSI) (Journal of Laws, No 142, Item 1159)	17 September 2009	A new regulation which within its field implements Directive 2004/49/EC of the European Parliament and Council of 29 April 2004 on safety of the Community's railways and amends Council Directive 95/18/EC on granting licences to railway undertakings and Directive 2001/14/EC on the allocation of railway infrastructure capacity and the levying of charges for the use of railway infrastructure and safety certification.	The regulation defines common safety indicators (CSI), which the Chairman of the Railway Transport Office included in the annual safety report, based on indicators received from railway companies and managers, as well as associated breakdown and calculation methods.
	Ministry of Transport's regulation of 20 July 2010 on common safety indicators (CSI) (*Journal* of Laws, No 142, item *952).*	24 August 2010.	The regulation within its field implements the Commission Directive 2009/149/EC of 27 November 2009 amending Directive 2004/49/EC of the European Parliament and of the Council relating to safety indicators and common accident costs calculation (Official Journal EU L 313 of 28.11.2009) Pursuant to § 4 of this regulation, the Regulation of the Minister of Infrastructure of 18 August 2009 on common safety indicators (CIS) becomes null and void.	
Regulation requirements concerning authorisations for introducing infrastructure (railway tracks, bridges, tunnels, electricity, ATC, radio, signal-systems, railway crossings, platforms, etc.) into operation.	The regulation of the Minister of Infrastructure of 14 May 2009 amending the regulation on issuing type approvals for buildings and devices for providing railway transport and for a given type of a railway vehicle. (Journal of laws, No 78, item 654)	9 June 2009	Amendment to the existing regulation.	The Regulation amends the conditions for issuing type approvals for buildings and devices for providing railway transport and for a given type of a railway vehicle. It also amends the conditions for granting type approvals for the types that were used and operated in the country before 14 November 1997.

ANNEX E – Safety certification and authorisation – numerical data

E.1. Safety certification pursuant to Directive 2001/14/EC

Number of safety certificates issued pursuant to Directive 2001/14/EC, received in 2009 by licensed railway companies registered:	in Poland	1
	in other Member States	0

E.2. Safety certification pursuant to Directive 2004/49/EC

		New certificates	Updated/ amended	Renewed
E.2.1. Number of valid safety certificates, **part A**, received in 2009 by railway companies registered:	in Poland	4	0	0
	in other Member States	0	0	0

		New certificates	Updated/ amended	Renewed
E.2.2. Number of valid safety certificates, **part B**, received in 2009 by railway companies registered:	in Poland	2	0	0
	in other Member States	0	0	0

			A	R	P
E.2.3. Number of applications for safety certificates, **part A,** submitted in 2009 by railway companies registered:	in Poland	new certificates	2	0	25
		updated/amended certificates	0	0	0
		renewed certificates	0	0	0
	in other Member States	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 in 2008 by railway companies registered:	in Poland	new certificates	0	0	7
		updated/amended certificates	0	0	0
		renewed certificates	0	0	0
	in other Member States	new certificates	0	0	0
		updated/amended certificates	0	0	0
		renewed certificates	0	0	0

A – an application was approved, a certificate was issued
R – an application was rejected, a certificate was not issued
P – in progress, so far a certificate has not been issued

E.2.5. A list of countries in which railway companies applying for part B of the safety certificate in the country were granted part A of the certificate

In 2009 no railway company from other countries applied for this document.

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

	New certificates	Updated/amended	Renewed
E.3.1. Number of valid authorisations in the field of safety possessed in 2009 by infrastructure managers registered in a given Member State	0	0	0

		P	O	N
E.3.2. Number of applications for authorisation in the field of safety possessed in 2009 by infrastructure managers registered in a given Member State	new authorisation	0	0	3
	updated/amended authorisations	0	0	0
	renewed authorisation	0	0	0

P – an application was approved, an authorisation was issued
O – an application was rejected, authorisation was not issued
N – in progress, so far an authorisation has not been issued

E.4. Procedural aspects – safety certificates, part A

		New certificates	Updated/amended	Renewed
Average time after receiving all necessary information between the receipt of a motion and final delivery of a safety certificate, **part A**, in 2009 for railway companies possessing:	a licence issued by a given Member State	about 1 month (26 days)	–	–
	a licence issued by a given Member State	–	–	–

E.5. Procedural aspects – safety certificates, part B

		New certificates	Updated/amended	Renewed
Average time after receiving all necessary information between the receipt of a motion and final delivery of a safety certificate, **part B**, in 2009 for railway companies possesing:	a licence issued by a given Member State	about 7 days	–	–
	a licence issued by a given Member State	–	–	–

E.6. Procedural aspects – safety authorisation

	New certificates	Updated/amended	Renewed
Average time after receiving all necessary information between the receipt of a motion and final delivery of a safety authorisation in 2009 for infrastructure managers	– –	– –	– –