2012 REPORT ON RAILWAY SAFETY IN POLAND

RAIL TRANSPORT OFFICE

Warsaw, September 2013

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Contents

A. Scope of the report

Pursuant to Article 16 of Directive 2004/49/EC on safety on the Community's railways, each Member State shall establish a body to implement all of the tasks of a national safety authority for the rail sector specified in the Directive. In Poland, pursuant to Article 10(1) of the Act on Rail Transport of 28 March 2003, this function was assigned to the President of the Rail Transport Office.

In order to ensure the transparency of safety-related actions, knowledge of national legal requirements, changes to the structure of the rail sector and the possibility of comparing the level of safety in individual Member States, national safety authorities are required to publish Annual Safety Reports.

Annual Safety Reports are drawn in all Member States of the European Union based on a single template, and their scope is limited to the requirements specified in the Safety Directive. As a general rule, reports, therefore, do not include information on other tasks implemented by national safety authorities which arise directly from the relevant provisions of national legislation. The method of presenting information in reports, including, in particular, the scope of the safety statistics provided, is based on the requirements of Community law, and does not include all occurrences that took place within the territory of a given Member State; only occurrences that are classified as significant accidents are included.

In terms of the subject of this report, it covers the national public rail network, managed by eight infrastructure managers, and a functionally separate network managed by two infrastructure managers. The report does not, however, include narrow-gauge rail systems, in-factory rail transport, tram transport, cable transport or cable railway transport systems, or the Warsaw metro system. The Warsaw metro was included in previous safety reports; however, due to changes to the Act on Rail Transport of 28 March 2003, it has been excluded from the scope of the requirements of the Safety Directive and is not included in this report.

A key section of this report was prepared based on data given to the President of the Rail Transport Office by rail enterprises and infrastructure managers in their annual safety reports. The data obtained was supplemented with data obtained by the President of the UTK from other sources, including, in

particular, data collected in the Register of Rail Occurrences kept by the President of the UTK, which constitutes one of the key tools for the ongoing monitoring of safety levels in the rail sector.

The report will be made available to all interested parties in the official journal of the minister responsible for transport matters and on the European Railway Agency's website (www.era.europa.eu), on which annual reports prepared by all Member States that have their own rail systems are published. The data in the report will be used by the Agency to prepare the 'Biennial report on the safety of the railway system in the European Union'.

B. Introduction

1. Introduction to the report

This report contains structured information on the safety of the national railway system in 2012 within the scope and order specified in Community law and the European Railway Agency's guidelines. Pursuant to Article 18 of Directive 2004/49/EC *on safety on the Community's railways*, the report covers, in particular, data and information on:

- the safety of the national railway system expressed as common safety indicators (CSIs);
- changes to national legal requirements as regards the safety of railway systems;
- changes in safety certification and authorisation of entities of the rail sector;
- experiences resulting from supervision of entities of the rail sector.

The report is based mainly on data given to the President of the Rail Transport Office by rail operators and infrastructure managers in annual safety reports, and also based on data obtained by the President of the UTK from other sources, and also on analysis of information obtained as a result of supervision carried out in 2012 in the rail sector.

The year 2012 was a special period for the national rail sector. On the one hand, there was an intensification of investment and organisational activities related to the preparation of this branch of transport for the efficient and safe provision of transport services during the EURO 2012 European Championship in football, which was jointly hosted by Poland and Ukraine. On the other hand, it was a year in which a tragic accident occurred on the Sprowa – Starzyny section near the town of Szczekociny in which 16 persons were killed and 61 were seriously injured.

Both of the aforesaid occurrences had a significant impact on the functioning of the rail sector in Poland in 2012, including on the supervisory activities carried out by the President of the Rail Transport Office, on the preventive measures initiated by government administration, including, in particular, by the State Commission for Investigation of Railway Accidents, which fulfils the role of national investigation body, and also on legislative measures as regards the rail sector. Coordination of these measures was carried out at the level of the minister responsible for transport matters, with

the participation of a specially appointed Safety Team composed of representatives of rail operators, managers from separate sectors of rail infrastructure, and the public administration.

Irrespective of the aforesaid conditions, in this report the President of the Rail Transport Office focuses on presenting objective and thorough information on the level of safety of the national rail system in 2012, and the trends that are emerging based on an analysis of statistical data from previous years. Before publishing this report, the President of the UTK revised the data from previous years, and in particular that related to historic, imprecise application of some definitions by entities from the rail sector, which resulted in incorrect classification of some types of occurrences.

Currently, in the opinion of the President of the UTK, the biggest problem for enterprises functioning in the rail sector is the gathering of data from the precursors of accidents and data used to calculate the economic costs of the effects of accidents. These difficulties are also generated by the system of double reporting in safety functioning in the Polish system, on the one hand, based on national requirements (accidents and serious accidents), whose analysis is presented within the assessment of the safety of the rail sector addressed to the minister responsible for transport, and on the other hand, based on European requirements (significant accidents), whose analysis constitutes the basis for preparation of this report.

Measures aimed at standardising the process of gathering statistical data that are initiated this year will be implemented by the President of the UTK in the coming years as well.

2. Information on the structure of the rail sector

The current structure of the national rail market is the result of liberalisation measures related to the implementation of Community law aimed at building an open and competitive European rail sector, and related restructuring measures, whose objective was to prepare Polskie Koleje Państwowe to function in new organisational conditions that assume the coexistence of many competing enterprises. As part of the measures commenced at the end of 2000 and beginning of 2001, rail transport-related activities were separated from the management of rail lines, and the way to creating independent commercial companies that can provide services on an open market was provided. During the past decade, as part of the national system, eight rail infrastructure managers began operations providing rail infrastructure to rail operators and two managers operating a network functionally separate from the rest of the system. A key role in infrastructure management is fulfilled by PKP Polskie Linie Kolejowe S.A., which manages 96.2% of the rail infrastructure in Poland (19 191.37km). A schematic map of the main railway lines is shown in Annex A.1 broken down into:

- A.1.a Public railway network in Poland;
- A.1.b Classification yards in the public railway network in Poland;
- A.2 Network functionally separate from the public rail network in Poland.

A detailed list of rail infrastructure managers and licensed rail operators that in 2012 provided services using this infrastructure is presented in Annex A.2. This annex is broken down into four separate sections:

- A.2.1.a. Infrastructure managers that are part of the public rail network;
- A.2.1.b. Infrastructure managers that are part of the functionally separate network;
- A.2.2.a. Rail operators functioning as part of the public rail network;
- A.2.2.b. Rail operators functioning as part of the functionally separate network.

2.1 Public rail network

In 2012, the public network in Poland was managed by eight rail infrastructure managers.

The total length of **railway lines** in operation at the end of 2012 was **19 960.88km** (a decrease of 105.19km compared with 20 066.07km at the end of 2011), including:

- 8 703.72km of double-track lines, a decrease of 7.13km compared with 8 710.85 at the end of 2011;
- 11 257.16km of single-track lines, a decrease of 98.06km compared with 11 355.22 at the end of 2011.

The majority of the railway lines in this system is managed by PKP Polskie Linie Kolejowe S.A., which takes in rail track with a total length of 19 191.37km, constituting 96.2% of all track.

The total length of **all track** in this system was **38 447.59km** (a decrease of 383.66km compared with the total length of track being 38 831.25km at the end of 2011), including:

- mainline track and main principal track at operating points – **28 664.59,** a decrease of 65.47km compared with 28 730.06 at the end of 2011;
- other track – 9 783km, a decrease of 318.19km compared with 10 101.19 at the end of 2011.

Track with a length of **25 058.43km**, i.e. 65.6% of all track, is electrified (3kV, DC). There was a decrease of 15.31km compared with 2011, at the end of which there was 25 073.74km of electrified track.

The main reason for the change in the length of rail track in operation was the adaptation of the infrastructure for changing transport needs. In addition, in the case of PKP PLK S.A., local railway lines were closed due to technical reasons and a lack of funding for upgrades. For PMT Linie Kolejowe sp. z o.o., the reported increase in railway lines from 3.7km to 39.95km is associated with winning local government tenders for managing railway lines.

The total number of level crossings in service at the end of 2012 was **14 357** (a decrease of 161 compared with 14 518 at the end of 2011), including:

- active level crossings – a decrease of one, from 5 409 at the end of 2011 to **5 408** at the end of 2012, with:
  - automatic user-side warning – an increase of 13 from 1 282 at the end of 2011 to **1 295** at the end of 2012;
  - automatic user-side protection – none;
  - automatic user-side protection and warning – an increase of 22 from 389 at the end of 2011 to **411** at the end of 2012;
  - automatic user side protection and warning, and rail-side protection – an increase of 28 from 416 at the end of 2011 to **444** at the end of 2012;
  - manual user-side warning – a decrease of 14 from 52 at the end of 2011 to **38** at the end of 2012;
  - manual user-side protection – a decrease of 60 from 1 718 at the end of 2011 to **1 658** at the end of 2012;
  - manual user-side protection and warning – an increase of 10 from 1 552 at the end of 2011 to 1 562 at the end of 2012;

- passive level crossings – a decrease of 160 from 9 109 at the end of 2011 to **8 949** at the end of 2012.

The main reason for the quantitative changes was the elimination of level crossings and passages at railway level crossings, replacing them with viaducts (footbridges) or tunnels. The reconstruction of level crossings and further equipping them with additional safety devices has resulted in changes to classifications of level crossings from a given category to a higher one.

The total number of signalling devices at the end of 2012 was **54 230** (an increase of 451 compared with 53 779 at the end of 2011).

Detailed information on rail infrastructure can be found in Annex 'A.2.1.a. Infrastructure managers that are part of the general railway system in Poland'.

Please note that the 'Railway track (main track)' section contains data for the following track groups:

- total length of mainline and main principal track at operating points,
- total length of other tracks.

2.2 Networks functionally separate from the rest of the railway system

The network that is functionally separate from the rest of the railway system in Poland is managed by two rail infrastructure managers and is designated for conducting metropolitan passenger transport (one of them is used exclusively by a German rail operator). As explained in the introduction, the metro network was not included in the 2012 report. In order to determine trends, the length of railway line and length of track was compared with that in 2011 not including the metro network.

At the end of 2012, the total length of railway line in operation had not changed compared with 2011, and amounted to 40.32km, including:

- 25.1km of double-track lines,
- 15.22km of single-track lines.

The total length of track in this system did not change compared with 2011 and amounted to 68.48km, including:

- mainline track and main principal tracks at operating points – 65.14km,
- other track: 3.34km.

Track with a length of 64.2km, i.e. 93.8% of all track, are electrified (0.65DC).

The total number of level crossings in operation at the end of 2012 did not change compared with 2011, and amounted to **40**:

- active level crossings – **11**,
- passive level crossings – **29**.

The total number of signalling devices at the end of 2012 also remained unchanged at **94**.

Detailed information regarding rail infrastructure can be found in Annex 'A.2.1.b. Infrastructure

managers that are part of the functionally separate network'.

2.3 Transport services

In 2012, passenger and goods transport services on the public rail network were rendered by 63 licensed rail operators. In addition, as part of the network functionally separate from the rest of the system and designated for conducting metropolitan passenger transport, services were rendered by one national rail operator that obtained a licence to conduct rail transport services of persons in Poland, and one foreign rail operator that had a licence issued by a competent German authority. For a list of licensed rail operators in Poland, please see annexes A.2.2.a and A.2.2.b. hereto respectively.

2.4 Summary – overall analysis of trends in safety development, certification

In 2012, the President of the UTK issued 11 part A safety certificates and seven part B certificates (including two amended certificates) to licensed rail operators. In total, from the beginning of the safety certification process, pursuant to Directive 2004/49/EC *on safety on the Community's railways*, until the end of 2012, the President of the UTK issued 80 part A certificates (including one amended certificate) and 73 part B certificates (including four amended certificates).

The year 2013 will bring new challenges in safety certification related to the process of renewal of these documents, because the first safety certificate was issued by the President of the UTK for a period of five years on 30 December 2008. As part of this process, the President of the UTK will place special emphasis not only on the assessment of the conformity of safety management systems with legal requirements, but also on the verification of the efficient implementation of these systems by rail operators. These measures will be implemented using a common safety method for assessing conformity (Commission Regulation (EU) No 1158/2010), which was not used, in practice, in the first period of certification.

In 2012, the President of the UTK did not receive any requests for the issue of new safety authorisations for rail infrastructure managers. At the same time, during the period in question, changes were made to the safety authorisations of two infrastructure managers (respectively a single change for one manager and two changes for a second manager). In general, from the commencement of the process of issuing safety authorisation pursuant to Directive 2004/49/EC until the end of 2012, the President of the UTK issued 12 safety authorisations, including four amended authorisations. The process for the renewal of safety authorisations will commence in 2015 and will be implemented taking account of the relevant, common safety method (Commission Regulation (EU) No 1169/2010).

C. Organisation

1. Introduction

The President of the Rail Transport Office performs the function of the national safety authority within the Polish rail system. In addition to the aforesaid function, the President of the UTK also performs the function of rail market regulator within the meaning of Directive 2001/14/EC, and of the body supervising observance of passenger rights in rail transport pursuant to Regulation (EC) No 1371/2007. The President of the UTK is also the body competent to issue licences to rail drivers and certificates to entities responsible for maintenance.

Furthermore, the President of the UTK performs a range of additional tasks arising directly from national legislation, including tasks related to the system of internal rules and regulations, railway siding safety, and cable and cable railway transport systems.

In accordance with the nature of this report, as was indicated in the introduction, the scope of this report is limited only to the tasks arising from Community law assigned to the competence of the President of the UTK as the national safety authority.

The President of the UTK is appointed by the President of the Council of Ministers at the request of the minister responsible for transport matters (currently, this is the Minister for Transport, Construction and Maritime Economy).

The structure of the UTK includes the following organisational units (as at 31 December 2012):

1) Office of the President
2) Administration and Finance Office
3) International Cooperation Office

4) Passenger Rights Department
5) Rail Market Regulation Department
6) Department of Supervision
7) Rail Safety Department
8) Department of Technical Permits and Interoperability.

The UTK also includes regional offices with headquarters in:

1) Warsaw
2) Lublin
3) Kraków
4) Katowice
5) Gdańsk
6) Wrocław
7) Poznań.

As part of the Office, the tasks of the national safety authority are implemented, in particular, by the Rail Safety Department (certification processes, vehicle registration, train driver licensing and reporting), the Department of Technical Permits and Interoperability (activities related to commissioning of vehicles, buildings and devices) and the Supervision Department, in cooperation with regional offices as regards supervision of rail sector entities. Communication with Community institutions and partners from different Member States was coordinated in 2012 by the International Cooperation Office.

The tasks executed by the President of the UTK as part of fulfilling the function of the national safety authority can be classified into the following areas:

1) issuing authorisations to entities and approving internal documents,
2) monitoring the level of safety of entities and of the rail system,
3) supervision of entities operating in the rail sector,
4) improving safety of the rail sector.

At the end of 2012, the Rail Transport Office employed 195 employees in all units and including all functions performed by the President of the Rail Transport Office (safety authority, regulatory body and body supervising observance of passenger rights).

The total budget of the Rail Transport Office for 2012 amounted to approx. PLN 20 million.

2. Organisation of the Rail Transport Office and its relations with other organisations

A simplified organisational chart of the Rail Transport Office can be found in annex B.1, while annex B.2 contains a chart demonstrating the basic relations between the President of the Rail Transport Office and other national organisations.

D. Railway safety progress

1. Initiatives for maintaining and improving safety

1.1. Safety measures introduced as a result of previous accidents and occurrences

A Rail Safety Team was appointed at Member State level. Representatives of the Ministry of Transport, Construction and Maritime Economy, of the Rail Transport Office, rail operators and infrastructure managers, and of rail trade union organisations participate in the work of this team.

The team prepared the underlying assumptions of the rail safety package, which includes the tasks that should be implemented to increase the level of rail transport safety. The package was developed taking into account, among other things, the results of post-accident investigations run by the State Commission for Investigation of Railway Accidents (PKBWK) to date. The task of the team also included monitoring the implementation of elements of the safety package.

Some of the tasks that were included in the safety package were referred via the Rail Transport Office to sector entities. The recommendations concerned:

1) The introduction of a total prohibition of the use of mobile phones via the GSM network while performing official duties related to managing rail traffic, shunting, operation of railway sidings and maintenance of rail infrastructure. Such devices may not be used by staff driving on railway lines. This prohibition does not apply to extraordinary situations , i.e. emergency calls to emergency services, the police, etc.
2) The separation of functions of persons running training and testing as regards competence in positions directly connected to rail traffic safety and driving rail vehicles.

3) The holding of additional training (in addition to that previously recommended by the Chairman of the PKBWK) in rail driver teams and train dispatchers of at least eight hours by the end of 2012, with particular emphasis on mental and physical aspects (human factor).
4) Reminding about the obligation to install recording devices – digital cameras or video recorders – in newly built rail vehicles in operation.

The entities reported that three of the above recommendations concerning the prohibition of the use of mobile phones, the separation of training functions and testing functions, and conducting additional training had been implemented. As regards the recommendations concerning the installation of cameras, some of the entities submitted legal comments regarding the validity of implementing the recommendation.

Furthermore, while implementing the objectives set for the national investigating body, in 2012 the Chairman of the State Commission for Investigation of Railway Accidents issued one instruction and one recommendation following investigations into two significant accidents which the President of the UTK forwarded to the interested entities for implementation.

Safety-related actions taken in Poland during the year as a result of a previous accident or occurrence are listed in the table below.

Previous accidents/occurrences constituting the reason for taking a given action			**Safety-related actions provided by relevant decisions**
Date	**Place**	**Description of occurrence**	
12 August 2011	at Baby station, at km 128.615 on line No 001	Train on the Warszawa Wschodnia – Katowice route; while entering Baby station from mainline track No 2 on an S10 permission signal at the entry semaphore at a speed exceeding the speed limit (moving at V=113.1km/h where the speed limit was 40km/h) there was a derailment and the carriage directly behind the locomotive was overturned.	PKBWK Report No PKBWK/1/2012 of 31 July 2012 on the investigation of a serious accident The post-accident recommendation of the Chairman of the PKBWK focused, in particular, on the introduction of appropriate changes to instruction Ir-1 or related provisions (additionally advising train drivers of changes to the incoming track at a station), improving work discipline as regards the prohibition of mobile phone use by traction vehicle drivers with the exception of emergency situations, the prohibition of unauthorised persons being in traction vehicle cabins and the implementation of responsibilities related to handing over tachograph card and time sheets immediately upon completing a shift. Furthermore, the recommendation
			referred to the necessity of introducing procedures for informing about changes to timetables, mandatory

			procedures for time synchronisation in recording systems, and improving the honesty with which medical documents are completed by medical examiners (as regards information about the need to wear corrective eyewear by rail vehicle drivers).
3 March 2012	on the Sprowa – Starzyny section at km 21.250 on line No 64	As a result of the Starzyny signal box train dispatcher dispatching on a substitute signal onto mainline track No 1SS in the opposite direction to the main direction instead of onto track No 2SS on an incorrectly set up and unsecured route, and the Sprowa signal box train dispatcher dispatching on a substitute signal onto occupied mainline track No 1SS, there was a collision of two express trains. The accident involved the following trains: TLK 31100 'Brzechwa' of PKP Intercity S.A. on the Przemyśl Główny – Warszawa Wschodnia route and interREGIO 13126 'Jan Matejko' of Przewozy Regionalne sp. z o.o. on the Warszawa Wschodnia – Kraków Główny route. As a result of the collision, the electric locomotive of the TLK train was destroyed, and two of its carriages derailed. As regards the train of Przewozy Regionalne, the locomotive and one carriage derailed.	PKBWK-076-83/RL/R/12 of 14 March 2012 As a recommendation, the Chairman of the PKBWK ordered rail sector entities to implement temporary solutions aimed at increasing the level of safety of the rail system until the introduction of the specified legal solutions as part of the amendment of the Ordinance of 18 July 2005 on general conditions for managing rail traffic and signalling devices. These solutions were related in particular to the implementation of requirements for marking rail vehicles and sections in the event of travel in the opposite direction to the main direction, solutions aimed at synchronisation of system times in recording devices with real time, carrying out inspections of recording devices and radio-communications devices, and verification of the regulations of stations and other traffic posts.

In each case after receipt of the Final Findings Reports (PUKs), the infrastructure managers and rail operators implemented their recommendations, which were the result of railway accident investigation teams' assessments. In addition, in accordance with the recommendations, all accidents were discussed with train teams at periodic training. The fact that these discussions were carried out was recorded in periodic training journals.

1.2. Safety (or voluntary) measures introduced for reasons other than previous accidents and occurrences

In order to improve the technical parameters of lines that also affect the improvement of rail traffic safety, infrastructure managers are carrying out a series of upgrades to rail infrastructure. The largest national infrastructure manager, PKP Polskie Linie Kolejowe S.A., is implementing a large-scale programme of modernisation and upgrades of railway lines. The scope of the Company's individual investment projects usually covers the complete replacement of rail superstructure, railway traffic control devices and electrical power engineering (contact and non-contact) devices, and also upgrading level crossings or getting rid of them, replacing them with bridges and underpasses. Replacing old, worn-out and damaged elements of rail infrastructure and technical devices with new elements and devices that are manufactured using modern technologies enables significant improvement of the operational parameters of railway lines (mainly maximum permitted speeds), while at the very least maintaining and usually improving the level of traffic safety. New turnouts are under construction – in 2012, 481 were built. It is expected that the risk of occurrences and traffic problems caused by poor technical condition and/or infrastructure failure will be lower on rail line sections after modernisation or upgrade.

As part of the modernisation and upgrade of rail lines that is underway, PKP Polskie Linie Kolejowe S.A. is reconstructing rail crossings, equipping them with additional user protection and/or warning devices, and in many cases is eliminating level crossings, replacing them with viaducts (footbridges) or tunnels. Construction of bridges and underpasses is the most expensive, yet, without doubt, the only completely effective method of eliminating the risk of accidents at rail crossings. In 2012, the following took place:

- renovation and upgrade of level crossings as regards superstructure – a total of 239,
- construction of automatic crossing signalling devices at level crossings – a total of 94.

PKP LHS sp. z o.o. is also carrying out a number of investments to improve the state of rail infrastructure. In 2012, on the line managed, the Company replaced 9 291 timber sleepers, 6 984 linear metres of tracks, four turnouts, and carried out ongoing repairs to track and track beds and renovation of engineering structures (four viaducts), which enabled compliance with the timetabled speed and increased the capacity of the LHS line.

A priority for rail operators as regards improvement of safety in 2012 was improving the technical level of rail vehicle repairs carried out, and improving the skills of traction teams as regards driving traction vehicles by monitoring-training drives carried out by train driver instructors and inspectors. The refurbishment of traction vehicles basically took place through upgrades to rolling stock, which constitutes an economical alternative to the purchase of new vehicles with the same parameters. Rail operators also stated that they were upgrading goods wagons and passenger carriages.

A significant initiative aimed at increasing rail safety is the signing of the 'Memorandum on cooperation to combat theft and destruction of infrastructure' by Urząd Telekomunikacji Elektronicznej (Office of Electronic Communications), Urząd Regulacji Energetyki (Energy Regulatory Office) and the Rail Transport Office. The aim of this agreement is for government administration bodies and enterprises from the rail, telecommunications and energy industries to cooperate in combating infrastructure theft.

Examples of other voluntary safety-related activities introduced by infrastructure managers and the largest rail operators that were included in the annual 'Safety reports' submitted to the UTK, implemented for reasons other than previous accidents or occurrences, are listed in the table below.

Area concerned	Reasons for implementation of the activity	Safety-related activities provided for by relevant decisions
Rail transport safety	Increase in train traffic safety and increase their frequency of services.	Reconstruction of the rail traffic control system at Gdynia Chylonia station – replacing obsolete control devices with modern ones enabling control and management of train traffic *(PKP Szybka Kolej Miejska w Trójmieście sp. z o.o.)*
	Ongoing implementation of measures preventing cases of employee intoxication	Compliance with internal procedures as regards monitoring sobriety of employees at work and dealing with employees found intoxicated in the workplace *(PKP PLK S.A)*
	Prevention	Development and distribution of posters with information and instructions regarding the use of the 'SZ' subsidiary signal, at block posts, as part of the 'Safety is paramount' project *(PKP PLK S.A)*
		Development and distribution of posters with information and instructions regarding the use of the Radio Stop button, at block posts, as part of the 'Safety is paramount. If you see a threat, respond immediately – use the Radio Stop' project. *(PKP PLK S.A)*
		The film 'Safety on railways' demonstrating procedures and systems responsible for the safety of train movement *(PKP PLK S.A)*
		Development and implementation of the 'Programmes for improving rail traffic safety for 2013' *(infrastructure managers and rail operators)*
		Planned purchase of train-dispatcher simulators (project is in the process of being planned). The project creating an Ośrodek Szkolenia Kadr PKP Polskie Linie Kolejowe S.A. (PKP Polskie Linie Kolejowe S.A. Team Training Centre) was transformed into an undertaking under which it is expected that train-dispatcher simulators will be purchased and that there will be the possibility to expand the vocational training division, in particular as regards the work of train dispatchers *(PKP PLK S.A)*
	Theft and destruction	Continued cooperation with the Rail Protection Service (SOK) as regards stolen or damaged elements of rail infrastructure *(PKP PLK S.A)*
Technical condition of rail infrastructure	Plan for maintenance, diagnostic and supervisory activities	Upgrades as part of financial resources owned: ▪ replacing sleepers, track, turnouts, damaged signalling devices, ▪ cleaning ballast, tamping track and turnouts, supplementing aggregate, ▪ repairing tracks and turnouts (vertical wear). *(infrastructure managers)*

	Driving on rail lines to check signal visibility, set indicators and check for shrubs or trees obstructing railway corridors	Assessment of the technical condition of a line as regards train traffic management safety; detected cases of poor rail superstructure condition were immediately eliminated *(PKP PLK S.A)*
Safety at level crossings	Accidents at level crossings due to failure to exercise due care and failure to comply with road signs, and light and sound signals by level-crossing users	Continuation of the social campaign 'Safe crossing – stop and live' *(PKP PLK S.A)*
	Eliminating threats	Additional inspections of rail vehicles Installing signage at rail crossings and level crossings with stickers with the number of the crossing/passage, emergency phone number and contact details of a Company employee in case of an emergency *(PKP PLK S.A)*
Eliminating passages in prohibited places	Eliminating threats	Campaign 'Zero tolerance for crossing tracks in prohibited places' *(PKP PLK S.A)*
Maintaining a high level of rail vehicle driver qualifications	Prevention	Running training, discussing accidents that have occurred at training and periodic training *(infrastructure managers and rail operators)*
Raising awareness and a culture of safety among employees	Prevention	Promoting an attitude focused on safety as an absolute priority among employees. To this end, the 'Rail Employee Ten Commandments' was included in the guide 'PKP PLK S.A Safety Management System (SMS) in a Nutshell', which is distributed to all employees. *(PKP PLK S.A)*
Upgrade of traction vehicles	Improvement of rail traffic safety, reliability and convenience of services	Upgrade of locomotives, e.g.: increasing reliability of work through construction of dual air compressor systems and converters, equipping with ETCS devices enabling driving at a speed of over 160km/h, *(approx. 20 rail operators)* Equipping all train locomotives with escape hoods necessary for transport of dangerous goods *(CTL LOGISTICS sp. z o.o.)*
Upgrade of passenger carriages	Improvement of safety of rail traffic and passengers	Upgrade of passenger carriages through, e.g.: installation of an emergency brake override system, construction of an anti-fire installation, installation of air-conditioning, replacing entry doors with sliding plug doors, construction of air brake pneumatic panels, use of bogies and monoblock bogies with disc brakes, etc. *(approx. 10 rail operators)*
Purchase of technical rescue vehicles	Improvement of emergency rescue operations	Purchase of general-purpose rail tractors that act as auxiliary technical rescue vehicles, which will improve rail infrastructure maintenance work and will enable much quicker emergency rescue operation without involving heavy cranes

		(PKP LHS sp. z o.o.)
Maintenance of traction vehicles	Compliance with the requirement of conducting effective supervision of the timeliness of traction vehicle maintenance	Introduction of automatic monitoring (EKL application) of the correct operation of traction vehicles as regards compliance with provisions arising under maintenance system documentation (DSU) related to the timeliness of periodic inspections *(PKP CARGO S.A)*
Railway accident investigation teams' work	Difficulties in clearly determining causes of rail occurrences	Developing and issuing to all relevant employees didactic resources in the form of a book: 'Defects in materials that affect rail traffic safety' and 'Guidelines for inspection and testing of tracks and turnouts after rail accidents' *(PKP Cargo S.A)*

2. Detailed analysis of data trends

This chapter presents an analysis of accidents based on CSI indicators for only those 'significant accidents' that meet the criteria of definitions sourced from Community law. This analysis also includes 'serious accidents' whose definition arises from national law, but which are included in the definitions of a 'significant accident'.

In addition, it must be highlighted that in the 'Assessment of the state of rail traffic safety' report given to the minister responsible for transport matters pursuant to national law, an analysis was conducted of all rail occurrences that took place in Poland in 2012.

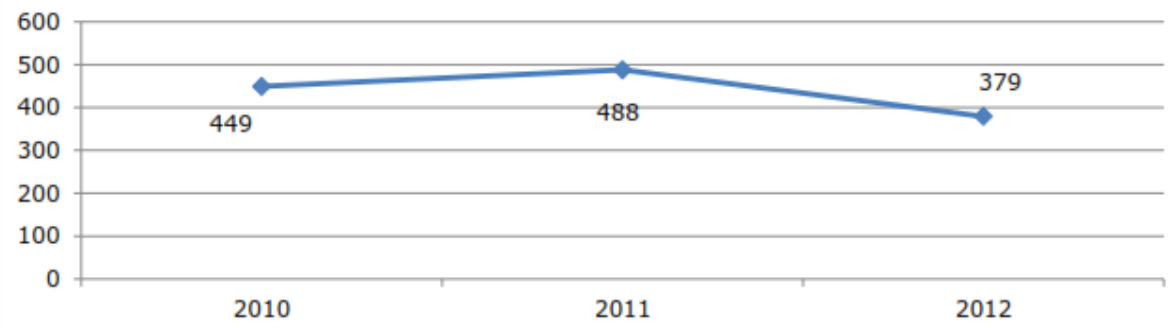
2.1. Number of accidents

a) Public network

Accident	2010	2011	2012	Change 2010/2011	Change 2011/2012
Train collisions	4	8	6	+100%	-25.0%
Train derailment	17	23	17	+35.3%	-26.1%
Occurrences at level crossings	86	86	77	0%	-10.5%
Occurrences involving persons caused by rolling stock in motion	334	366	275	+9.25%	-24.9%
Rail vehicle fire	0	0	0	---	---
Others	7	5	4	-28.6%	-20%
Total	**449**	**488**	**379**	**+8.7%**	**-22.3%**

Suicides	44	28	80	-36.4%	+185.7%

Significant accidents on the public network



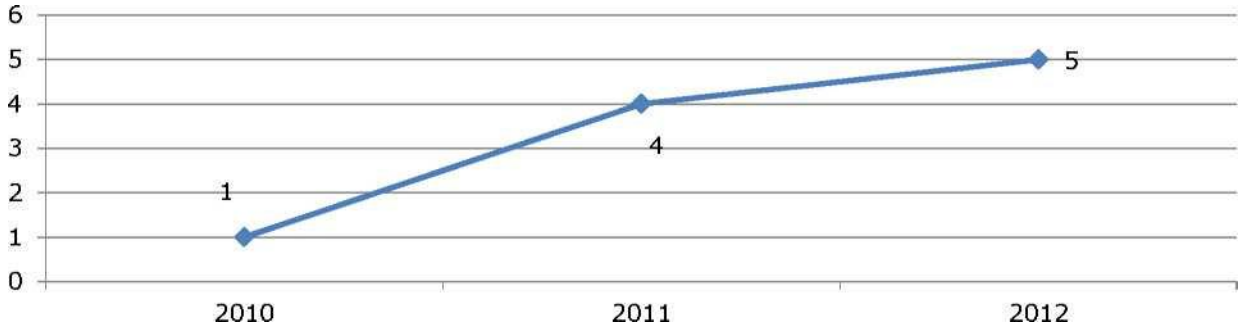
The number of significant accidents that took place in 2012 on the public network decreased by 22.3% compared with 2011, i.e. from a total of 488 in 2011 to 379 in 2012 (a decrease of 109). A decrease in the number of significant accidents was recorded in all categories. These changes should be considered as natural fluctuations.

In statistical terms, there was a significant, almost three-fold increase in the number of suicides, from 28 in 2011 to 80 in 2012 (there were also two suicide attempts recorded). Data in this regard reflects the intensified activities of public prosecutors in classifying acts as suicide. Rulings of public prosecutors constitute the basis for including suicides in rail statistics.

b) Functionally separate network

Accident	2010	2011	2012	Change 2010/2011	Change 2011/2012
Train collisions	0	0	0	---	---
Train derailments	0	0	0	---	---
Occurrences at level crossings	0	2	1	---	-50%
Occurrences involving persons caused by rolling stock in motion	1	2	4	+100%	+100%
Rail vehicle fire	0	0	0	---	---
Others	0	0	0	---	---
Total	**1**	**4**	**5**	**+300%**	**+25%**

Significant accidents on the separate network



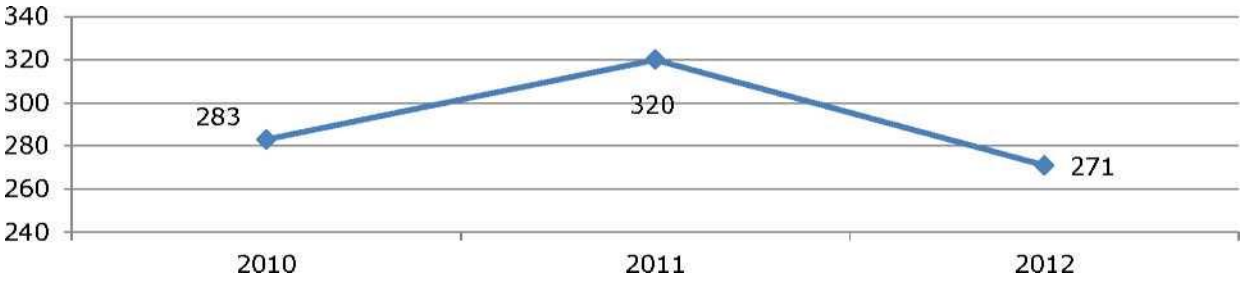
The number of significant accidents that took place in 2012 on the separate network increased by 25% compared with 2011, i.e. from a total of four in 2011 to five in 2012 (an increase of one). In the category 'occurrences involving persons caused by rolling stock in motion', there was a 100% increase, from two in 2011 to four in 2012; however, there was a 50% decrease in the category 'occurrences at level crossings', from two in 2011 to one in 2012. These changes constitute natural fluctuations due to the overall low number of occurrences, which, in turn, translates into significant changes in percentage representation.

2.2. Number of fatalities

a) Public network

Accident	2010	2011	2012	Change 2010/2011	Change 2011/2012
Train collisions	0	0	16	---	---
Train derailments	0	2	0	---	-100%
Occurrences at level crossings	55	62	61	+12.7%	-1.6%
Occurrences involving persons caused by rolling stock in motion	228	251	194	+10.1%	-22.7%
Rail vehicle fire	0	0	0	---	---
Others	0	5	0	---	-100%
Total	**283**	**320**	**271**	**+13.1%**	**-15.3%**

Number of fatalities in significant accidents on the public network



The number of fatalities from serious accidents that took place in 2012 on the public network decreased by 15.3% compared with 2011, i.e. from a total of 320 in 2011 to 271 in 2012 (49 victims less). During 2012, there were 16 fatalities in the 'train collission' category. All of these were victims of a single accident near Szczekociny that occurred on 3 March 2012 at 20:55 on the Sprowa – Starzyny section on track No 1 at km 21.259 on rail line No 64 Kozłów – Koniecpol on the terrain of infrastructure manager PKP PLK S.A.

Compared with 2011, in 2012 there were no fatalities in the 'train derailments' and 'others' categories. A decrease of 22.7% was recorded in the category 'occurrences involving persons caused by rolling stock in motion' – from 251 in 2011 to 194 in 2012, and a slight decrease of 1.6% in the category 'occurrences at level crossings'.

Quantitative changes in the number of fatalities broken down into individual categories are as follows:

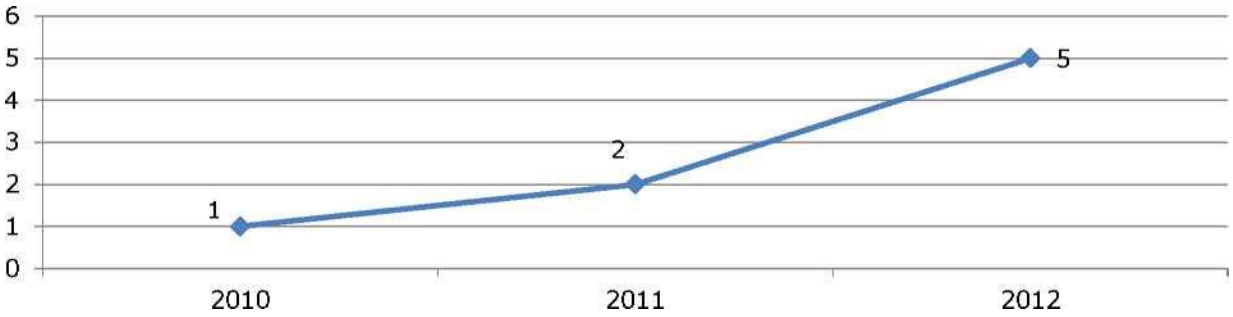
- Passengers: an increase of 50.0% (from 10 in 2011 to 15 in 2012)
- Employees: an increase of 650.0% (from two in 2011 to 15 in 2012)
- Users of level crossings: an increase of 1.7% (from 60 in 2011 to 61 in 2012)
- Unauthorised persons: a decrease of 26.2% (from 244 in 2011 to 180 in 2012)
- Others: (4 in 2011 and none in 2012).

The increase in the number of fatalities among passengers and employees was undoubtedly affected by the accident on the Sprowa – Starzyny section, in which 11 passengers and five employees died. The other employee fatalities are six persons who did not exercise due care while working (shunters, points operators) and four persons who were employees of subcontractors. The other changes that occurred in 2012 were natural fluctuations.

b) Functionally separate network

Accident	2010	2011	2012	Change 2010/2011	Change 2011/2012
Train collisions	0	0	0	---	---
Train derailments	0	0	0	---	---
Occurrences at level crossings	0	0	1	---	---
Occurrences involving persons caused by rolling stock in motion	1	2	4	+100%	+100%
Rail vehicle fire	0	0	0	---	---
Others	0	0	0	---	---
Total	**1**	**2**	**5**	**+100%**	**+150%**

Number of fatalities in significant accidents on the separate network



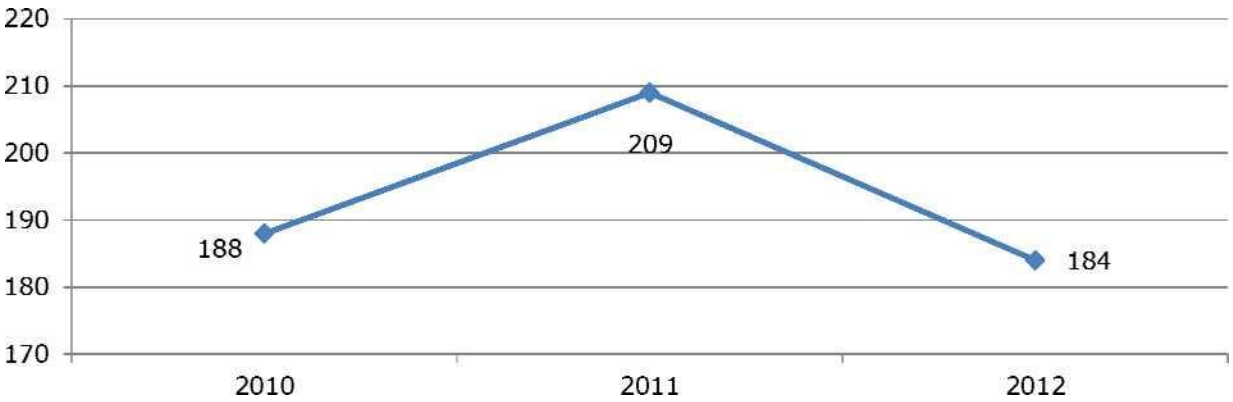
The number of fatalities in significant accidents on the separate network in 2012 increased by 150% compared with 2011, i.e. from a total of two in 2011 to five in 2012 (an increase of three). In the category 'occurrences involving persons caused by rolling stock in motion' there was a 100% increase – from two in 2011 to four in 2012. There was also one fatality in 2012 in the 'occurrences at level crossings' category. These changes constitute natural fluctuations.

2.3. Number of seriously injured persons

a) Public network

Accident	2010	2011	2012	Change 2010/2011	Change 2011/2012
Train collisions	13	6	61	-53.8%	+916.7%
Train derailments	0	34	0	---	-100%
Occurrences at level crossings	56	51	36	-8.9%	-29.4%
Occurrences involving persons caused by rolling stock in motion	118	116	85	-1.7%	-26.7%
Rail vehicle fire	0	0	0	---	---
Others	1	2	2	+100%	0%
Total	**188**	**209**	**184**	**+11.2%**	**-11.9%**

Number of seriously injured persons in significant accidents on the public network



The number of seriously injured persons in significant accidents that took place in 2012 on the public network decreased by 11.9% compared with 2011, i.e. from a total of 209 in 2011 to 184 in 2012 (a decrease of 25 seriously injured persons). The largest increase, i.e. of 916.7% (from six seriously injured persons in 2011 to 61 in 2012) was recorded in the category 'train collisions'. These are the persons who were seriously injured in a single accident near Szczekociny, on the Sprowa – Starzyny section.

Compared with 2011, in 2012 there were no seriously injured persons in the category 'train derailments'. It must be highlighted that last year, all 34 persons who were classified under this

category were injured in a single accident on 12 August 2011 on the Warszawa – Katowice line at Baby station.

In the other categories, the changes are natural fluctuations.

Quantitative changes among the number of seriously injured persons broken down into individual categories are as follows:

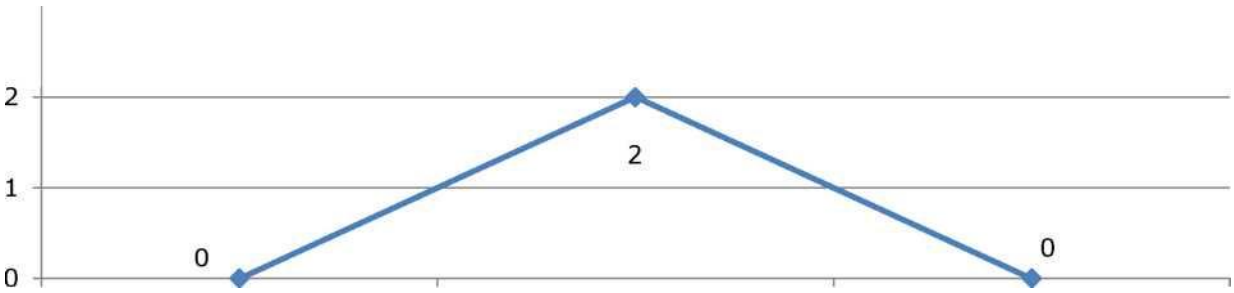
- Passengers: an increase of 36.2% (from 58 in 2011 to 79 in 2012)
- Employees: a decrease of 54.5% (from 11 in 2011 to five in 2012)
- Users of level crossings: a decrease of 21.7% (from 46 in 2011 to 36 in 2012)
- Unauthorised persons: a decrease of 32.3% (from 93 in 2011 to 63 in 2012)
- Others: no change (one in 2011 and one in 2012).

The increase in seriously injured persons among passengers was undoubtedly affected by the accident near Szczekociny, in which 59 passengers were injured. In this accident, two employees were injured, but in spite of that in 2012 there was a decrease in injuries to employees. The other changes that took place in 2012 are natural fluctuations.

b) Functionally separate network

Accident	2010	2011	2012	Change 2010/2011	Change 2011/2012
Train collisions	0	0	0	---	---
Train derailments	0	0	0	---	---
Occurrences at level crossings	0	2	0	---	-100%
Occurrences involving persons caused by rolling stock in motion	0	0	0	---	---
Rail vehicle fire	0	0	0	---	---
Others	0	0	0	---	---
Total	**0**	**2**	**0**	---	**-100%**

Number of persons injured in significant accidents on the separate network



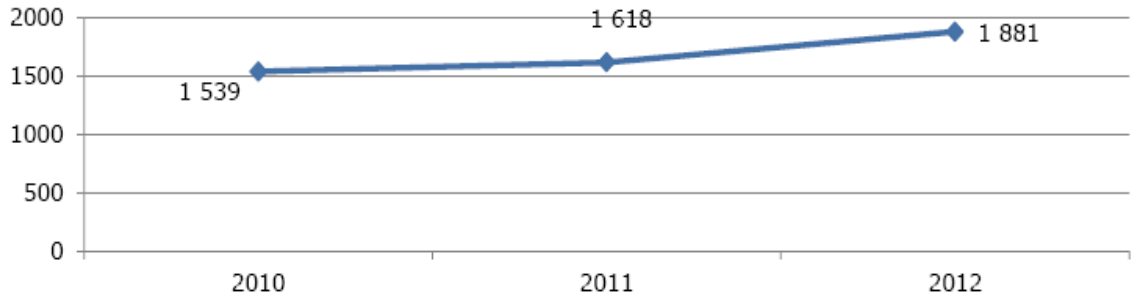
The number of persons injured in significant accidents in 2012 on the separate network decreased by 100% compared with 2011. In 2011, there were two injured persons in the category 'occurrences at level crossings'; in 2012 there were no injuries in significant accidents on the separate network. These changes are natural fluctuations.

2.4. Number of occurrences preceding accidents

a) Public network

Preceding occurrence	2010	2011	2012	Change 2010/2011	Change 2011/2012
Fractured rails	1 461	1 564	1 800	+7.0%	+15.1%
Track irregularities	23	20	53	-13.0%	+165%
Signalling defects	16	0	5	-100%	---
Signals passed at danger (SPAD)	13	29	16	+123.1%	-44.8%
Fractured wheels in rail vehicles	23	3	3	-87%	---
Fractured axles in rail vehicles	3	2	4	-33.3%	+100%
Total	**1 539**	**1 618**	**1 881**	**+5.1%**	**+16.3%**

Occurrences preceding accidents



Quantitative changes to the number of preceding occurrences during 2012 compared with 2011 are natural fluctuations.

With regard to preceding occurrences, in 2010 there was a correction introduced to the 'signals passed at danger (SPAD)' area. The inaccurate data resulted from a misinterpretation of records, i.e. all recorded emergency signals were taken into consideration, also including unconfirmed indications by rolling stock emergency detection equipment.

b) Functionally separate network

Preceding occurrence	2010	2011	2012	Change 2010/2011	Change 2011/2012
Fractured rails	0	0	0	---	---
Track irregularities	0	0	0	---	---
Signalling defects	0	0	0	---	---
Signals passed at danger (SPAD)	0	0	0	---	---
Fractured wheels in rail vehicles	0	0	0	---	---
Fractured axles in rail vehicles	0	0	0	---	---
Total	**0**	**0**	**0**	**---**	**---**

3. Results of safety recommendations

As part of the supervisory competence of the President of the UTK, ongoing monitoring activities are conducted to verify whether rail sector entities are implementing the recommendations issued by the Chairman of the State Commission for Investigation of Railway Accidents after significant occurrences that took place on the national rail network. In practice, the monitoring is carried out by employees of the Department of Supervision and employees of the UTK's regional offices during standard proceedings including test drives or monitoring-checking activities. In addition, thorough verification activities are carried out by employees of the Rail Safety Department, who periodically obtain information on the method of implementation of the recommendations of the Chairman of the PKBWK by individual enterprises, and on the stage of their implementation.

3.1. Recommendation related to the accident on the Sprowa – Starzyny section

This recommendation was issued on 14 March 2012, before the proceedings were completed to take the necessary actions to improve rail traffic safety.

The implementation of conclusions that were systemic in nature contained in the recommendation, including, in particular, those related to the necessity of changing legislation, was carried out by the safety team, which was created under the minister responsible for transport. From March 2012, the team developed proposed changes to the Ordinance of 18 July 2005 on *general conditions for managing rail traffic and signalling devices*, taking account of the records arising under the recommendation of the Chairman of the PKBWK. The agreed version of the Ordinance was passed on to the Ministry of Transport, Construction and Maritime Economy after public consultation.

In addition, rail entities forwarded to the President of the UTK information on the implementation of the other recommendations, demonstrating that they have taken actions to regularly synchronise internal time systems in their devices with real time, that they have inspected devices recording conversations and events on mobile connections (announcements and radio-communications), and also that they have notified about verification of technical regulations of stations and other traffic posts with an analysis of responsibilities of employees of these posts in the event of a situation not described in the provisions.

Monitoring the implementation of recommendations:

Matters concerning verification of the technical regulations of stations and other traffic posts, and inspection of radio-communications devices were carried out during scheduled inspections conducted by UTK Regional Offices.

During inspections of infrastructure managers, as regards threats to the safety and health of employees, one of the areas checked was the correctness of rail traffic management.

During analysis of the provisions of temporary train traffic management regulations it was found that they had been developed correctly in terms of content.

In order to verify the correct conduct of employees of signalling posts as regards rail traffic management during track closures, traffic posts were inspected and no irregularities were found.

3.2. Post-accident recommendation related to the accident at Baby station

This recommendation was included in Report No PKBWK/1/2012 of 31 July 2012, and was directed to infrastructure managers, rail operators, the Railway Medical Research Centre and to the President of the Rail Transport Office.

Those entities that were recipients of the recommendation, as well as other rail operators and infrastructure managers as far as their operations were concerned, informed the President of the UTK of the extent of their implementation. The information provided shows that appropriate procedures have been developed and implemented, including those on forwarding an internal train timetable current for the given day to train teams, reading temporary regulations on train traffic management during works, and a method for delivering written orders to train teams. In addition, the enterprises confirmed implementation of the prohibition on holding conversations on mobile phones while on duty (apart from exceptional circumstances), putting in order the rules for being in a train driver's cabin, and timely handing over of tachograph cards and time sheets.

Monitoring the implementation of recommendations:

Inspections carried out showed that the recommendations had been implemented.

E. Important changes to legislation

1. Transposition of the Safety Directive

Directive 2004/49/EC *on safety on the Community's railways* was incorporated into national legislation by way of the Act of 22 July 2006 *on changes to the rail transport act* (Journal of Laws of 2006, No 144, item 1046) and the implementing regulations. Since then, the rail transport act has been amended on several occasions, including in relation to the entry into force of further legislation at EU level.

One of these amendments concerned the implementation of Directive 2008/110/EC of 16 December 2008 *amending Directive 2004/49/EC on safety on the Community's railways*, which was incorporated into national legislation by way of the act *on changes to the rail transport act* of 16 September 2011 (Journal of Laws of 2011, No 230, item 1372), which entered into force on 28 January 2012.

The changes contained in this amendment related to expanding the list of entities released from the obligation of obtaining a safety authorisation or safety certificate, and also set out the conditions that must be satisfied by an entity responsible for rail vehicle maintenance (ECMs), and defined the method for issuing a certificate for such an entity by the President of the UTK.

Furthermore, acts with direct applicability issued at European level also constitute an element of the national legal system insofar as regards safety:

- Commission Regulation (EU) No 1077/2012 on a common safety method for supervision by national safety authorities after issuing a safety certificate or safety authorisation – applied

directly from 7 June 2013;

- Commission Regulation (EU) No 1078/2012 of 16 November 2012 on a common safety method for monitoring to be applied by railway undertakings, infrastructure managers after receiving a safety certificate or safety authorisation, and by entities in charge of maintenance – applied directly since 7 June 2013.

2. Transposition of the Railway Interoperability Directive

Directive 2008/57/EC *on the interoperability of the rail system within the Community* was transposed into national law through the issue of an act *on changes to the act on rail transport* of 16 September 2011 (Journal of Laws of 2011, No 230, item 1372), which entered into force on 28 January 2012 – the same act as mentioned previously. In addition, pursuant to new authorisations included in the aforesaid act, the following ordinances were issued:

- Ordinance of the Ministry of Transport, Construction and Maritime Economy of 6 September 2012 *on the national rail vehicle register* (Journal of Laws of 2012, item 1063), which entered into force on 10 October 2012;
- Ordinance of the Ministry of Transport, Construction and Maritime Economy of 7 August 2012 *on the scope of the tests necessary to obtain licences for the use of specific buildings or installations designed for rail traffic operation and types of railway vehicles* (Journal of Laws of 2012, item 918), which entered into force on 11 August 2012;
- Ordinance of the Ministry of Transport, Construction and Maritime Economy of 7 August 2012 *on the licences for exploitation of specific buildings or installations designed for rail traffic operation and types of railway vehicles* (Journal of Laws of 2012, item 919), which entered into force on 11 August 2012;
- Ordinance of the Ministry of Transport, Construction and Maritime Economy of 7 August 2012 *on the list of specific buildings or installations designed for railway traffic operation and types of railway vehicles for which licences for exploitation are issued* (Journal of Laws of 2012, item 911), which entered into force on 11 August 2012;
- Ordinance of the Ministry of Transport, Construction and Maritime Economy of 2 May 2012 *on the interoperability of the rail system* (Journal of Laws of 2012, item 492), which entered into force on 11 August 2012.

3. Transposition of the Inland Transport of Dangerous Goods Directive

Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008 *on the inland transport of dangerous goods* and Directive 2010/35/EC of the European Parliament and of the Council of 16 June 2010 *on transportable pressure equipment* were transposed into national law by the act of 19 August 2011 *on the transport of dangerous goods*[11] and the following ordinances issued pursuant to authorisations provided for by the aforesaid act:

[1] The act enters into force on 1 January 2012, except:

1) Article 124, which enters into force on the date of announcement;
2) Articles 131 and 132, which enter into force two months after the date of announcement

- Ordinance of the Ministry of Transport, Construction and Maritime Economy of 13 April 2012 *on transportable pressure equipment*, which entered into force on 28 April 2012. This Ordinance regulates the procedures for the assessment of transportable pressure equipment conformity; procedures for reassessment of transportable pressure equipment conformity; procedures for periodic, intermediate and unscheduled testing; dangerous goods not in Class 2 transported in transportable pressure equipment; the method for marking transportable pressure equipment, mark of conformity П;
- Ordinance of the Ministry of Transport, Construction and Maritime Economy of 25 April 2012 *on the technical conditions for tracks for emergency withdrawal of damaged rail wagons transporting dangerous goods* (Journal of Laws of 2012, item 508), which entered into force on 26 May 2012;
- Ordinance of the Ministry of Transport, Construction and Maritime Economy of 4 June 2012 *on the checklist form and inspection report form* (Journal of Laws of 2012, item 655), which entered into force on 30 June 2012;
- Ordinance of the Ministry of Transport, Construction and Maritime Economy of 14 August 2012 *on the form for the annual report on operations as regards the transport of dangerous goods, and its conduct* (Journal of Laws of 2012, item 966), which entered into force on 12 September 2012.

F. Safety certification and authorisation

1. National legislation

1.1. Date on which the issuance of safety certificates commenced, in accordance with Article 10 of Directive 2004/49/EC:

The first part A safety certificate was issued by the President of the UTK on 30 December 2008, the first part B safety certificate was issued on 6 February 2009.

The process of issuing safety certificates is carried out pursuant to the act of 28 March 2003 on rail transport (Journal of Laws of 2007, No 16, item 94, as amended) and implementing regulations, including:

- Ordinance of the Minister of Transport of 5 December 2006 *on the means of obtaining a safety certificate* (Journal of Laws, No 230, item 1682) – binding as of 29 December 2006;
- Ordinance of the Minister of Transport of 12 March 2007 *on the conditions and procedure for issuing, renewing, amending and revoking safety authorisations and safety certificates (Journal of Laws, No 57, item 389)* – binding as of 17 April 2007;
- Ordinance of the Minister of Transport of 19 March 2007 *on the rail transport safety management system* (Journal of Laws, No 60, item 407, as amended) – binding as of 21 April 2007.

1.2. The commencement date for issuing safety authorisations in accordance with Article 11 of Directive 2004/49/EC:

The President of the Rail Transport Office issued the first part A safety authorisation on 6 September 2010 and the first part B safety authorisation on 28 December 2010.

The issuance of safety certificates is regulated by the Rail Transport Act of 28 March 2003 (Journal of Laws of 2007, No 16, item 94, as amended) and implementing regulations, including:

- Ordinance of the Minister of Transport of 12 March 2007 on the conditions and procedures for issuing, extending, amending and revoking safety authorisations and safety certificates (Journal of Laws, No 57, item 389) – binding as of 17 April 2007;
- Ordinance of the Minister of Transport of 19 March 2007 on the rail transport safety management system (Journal of Laws, No 60, item 407, as amended) – binding as of 21 April 2007.

Furthermore, by means of an order of the President of the UTK of 31 July 2009, a template was introduced for safety authorisation applications, as referred to in Article 4(18)(b) of the Rail Transport Act and Directive 2004/49/EC, as well as a template for part A and B safety authorisations. The templates were published on the Rail Transport Office's website together with a recommendation for maintaining the sequence of stages in the safety authorisation issuance process for rail infrastructure managers.

1.3. Accessibility to national legislation regarding safety and other significant national legislation for rail undertakings and infrastructure managers

National legislation available on the websites of the Sejm of the Republic of Poland, the Ministry of Transport, Construction and Maritime Economy and of the Rail Transport Office. The internal regulations of the national rail infrastructure manager (PKP PLK S.A.), which rail operators are obliged to comply with, are available in electronic format on the manager's website at www.plk-sa.pl, and may be printed or viewed.

Available national safety legislation has not thus far been classified in accordance with the requirements of Article 8 of Directive 2004/49/EC *on safety on the Community's railways*. The provisions in question are available only in Polish.

2. Numerical data

In 2012, 14 applications were filed for the issue of part A safety certificates (13 applications for issue and one application for amendment of a certificate) and 11 applications regarding a part B safety certificate (eight applications for issue and three applications for amendment of a certificate).

In 2012, 11 part A safety certificates were issued (including one amended one – the application was received in 2011) and seven part B safety certificates (including two amended ones).

In total, 80 part A safety certificates (including one amended one) and 73 part B certificates (including four amended ones) were issued up to the end of 2012.

The difference between the number of applications filed in 2012 and part A and B certificates issued is a result of operators lodging applications for part B safety certificates at the end of the year.

The difference between the number of part A and B certificates issued in 2008-2012 is a result of rail

operators failing to lodge an application for the issuance of a part B safety certificate in seven instances.

In 2012, six applications were filed for amendments to safety authorisations. All were approved.

A fee was charged for issuance or amendment of a safety certificate in 2012 pursuant to:

- Ordinance of the Minister of Infrastructure of 29 February 2008 on duties performed by the President of the UTK for which fees are charged, the amount of such fees and the means of charging them (Journal of Laws, No 47, item 276). The amount of the fee depends on the time spent verifying and analysing the application. The minimum fee for an amendment is PLN 3 000, while the maximum fee is PLN 10 000; for the issue of a new safety certificate the fee is PLN 7 000, with the maximum fee being the PLN equivalent EUR 5 000 calculated by applying the average exchange rate announced by the National Bank of Poland on the date of issue of the document;
- Ordinance of the Minister of Transport, Construction and Maritime Economy of 2 May 2012 on duties performed by the President of the Rail Transport Office for which fees are charged, the amount of such fees and the means of charging them (Journal of Laws, item 559). The amount of the fee depends on the time spent verifying and analysing the application. The minimum fee for an amendment is PLN 2 000, while the maximum fee is PLN 5 000; for the issue of a new part A safety certificate the fee is PLN 7 000, with the maximum fee being the PLN equivalent of EUR 5 000 calculated by applying the average exchange rate announced by the National Bank of Poland on the date of issue of the document. The minimum fee for the issue of a new part B safety certificate is PLN 4 000, while the maximum fee is EUR 5 500 calculated by applying the average exchange rate announced by the National Bank of Poland on the date of issue of the document.

In 2012, the fees for issue and amendment of safety certificates contributed PLN 207 944.90 to the state budget.

3. Procedural aspects

3.1. Part A safety certificates

3.1.1. In 2012, one application was filed for amendment of a part A safety certificate. It was processed in 2013. The President of the UTK did not issue an updated/amended part A safety certificate for the rail operator.

3.1.2. In 2012, no cases of failing to meet the average four-month deadline for issuing part A certificates were reported (with the exception of those referred to in Annex E, after receipt of all required information), as provided for in Article 12(1) of Directive 2004/49/EC on safety on railways.

3.1.3. In 2012, the Rail Transport Office did not receive any applications from other national safety authorities for verification/obtaining access to information regarding part A of certificates of a rail operator that had obtained it in the given country but was applying for part B of the certificate in another Member State.

3.1.4. In 2012, no cases were considered as regards matters related to mutual recognition of part A of a certificate valid throughout the Community.

3.1.5. In 2012, PLN 158 944.90 was contributed to the state budget from the issue of part A

certificates.

3.1.6. In 2012, no problems were noted with the use of the uniform part A safety certificate format.

3.1.7. In 2012, no problems were noted during the use of procedures concerning part A safety certificates, although the findings of inspections conducted by authorised employees of the Rail Transport Office associated with the degree of implementation of the 'Safety Management System' (SMS) showed a varying degree of 'SMS' implementation due to varying degrees of understanding and involvement by the rail operator. The only 'SMS' implementations carried out to standard were executed exclusively by entities that involved personnel at every level in the implementation of the 'Safety....', starting with the management through to the lowest-ranking employees;

3.1.8. In 2012, rail operators applying for part A of the certificate did not report any problems to the President of the UTK.

3.1.9. Rail carriers could express their opinions regarding the procedures and practices applied by the Rail Transport Office in writing (letters, e-mails, etc.) and by telephone. Rail operators were able to submit written complaints.

3.2. Part B safety certificates

3.2.1. In 2012, three applications were filed for amendment of a part B safety certificate.

3.2.2. In 2012, no cases of exceeding the average four-month deadline for issuing part B certificates were reported (with the exception of those referred to in Annex E, and after receipt of all required information), as provided in Article 12(1) of Directive 2004/49/EC on safety on railways.

3.2.3. In 2012, PLN 49 000 was contributed to the state budget from the issue of part B certificates.

3.2.4. In 2012, no problems/difficulties were noted during the application of procedures regarding part B certificates.

3.2.5. In 2012, rail operators applying for part A of the certificate did not report any problems to the President of the UTK.

3.2.6. Rail carriers could express their opinions regarding the procedures and practices applied by the Rail Transport Office in writing (letters, e-mails, etc.) and by telephone. Rail operators were able to submit written complaints. In 2012, no such complaints were received.

3.3. Safety authorisations

3.3.1. In 2012, six applications were filed for updating/amending safety authorisations. The amendments related to the list of railway lines they manage and the size of infrastructure managed (in km).

3.3.2. In this case, the average time between rail operators delivering documents and information to the President of the Rail Transport Office and the issue of a safety authorisation did not exceed the four months provided for by Article 12(1) of Directive 2004/49/EC.

3.3.3. There were no problems noted during the application of procedures regarding safety authorisations.

3.3.4. Infrastructure managers applying for safety authorisations did not report any problems to the President of the Rail Transport Office. Any questions or concerns of infrastructure managers regarding documents to be attached to applications for safety authorisations were addressed

as required by employees of the Rail Transport Office, providing comprehensive information during telephone conversations, via e-mail, and also in person.

3.3.5. Rail operators could express their opinions regarding the procedures and practices applied by the Rail Transport Office in written form (letters, e-mails, etc.) and by telephone. Rail operators were able to submit written complaints. No complaints were lodged with the Rail Transport Office in 2012.

3.3.6. A fee was charged for amendments to safety authorisations, pursuant to the Ordinance of the Minister of Infrastructure of 29 February 2008 on duties performed by the President of the UTK for which fees are charged, the amount of such fees and the means of charging them (Journal of Laws, No 47, item 276). The amount of the fee depends on the time spent verifying and analysing the application. The minimum fee for an amendment is PLN 2 000, while the maximum fee is PLN 5 000.

In 2012, the fees for amendment of safety authorisations contributed PLN 12 000, i.e. EUR 4 000, to the state budget.

G. Supervision of rail sector entities

1. Description of supervision of rail enterprises and infrastructure managers

The activities of the national safety authority in the broad scope of supervision are based on verification of compliance with relevant requirements by rail sector entities. The supervision carried out covers, in particular, the implementation of various monitoring, inspecting and auditing activities.

The rules of the supervision exercised by the President of the UTK specify two fundamental legal acts, i.e. the act of 2 July 2004 *on freedom of economic activity* and the Ordinance of the Minister of

Transport of 12 March 2007 *on the manner in which the President of the Rail Transport Office performs inspections*. These acts clearly specify the manner of conduct of the UTK as regards inspections carried out, accompanying documents, and impose some restrictions on inspectors.

A key role as part of the UTK's supervisory activities is played by the inspectors of the seven regional offices, the activities of which are coordinated by the Department of Supervision. Inspections are carried out based on written authorisation to conduct an inspection issued by the President of the UTK.

After presenting official ID and the authorisation, inspection activities are carried out in the presence of persons who are employees of the entity being inspected (rail operator or infrastructure manager), appointed by the manager of the entity being inspected or person authorised by them. The inspector determines the facts based on evidence gathered and presents the results of the inspection in an inspection report.

An assessment of the activities of the entity being inspected arising from the findings in the inspection report is presented in a post-inspection statement. If any irregularities are found, the post-inspection statement presents comments and conclusions, together with an indication of a deadline for the inspected entity to eliminate them.

1.1 Audits, inspections and checklists

In 2012, the President of the Rail Transport Office carried out a total of 886 inspections. The inspections covered the full scope of issues specified in the act of 28 March 2003 *on rail transport* and concerned, among others: rail traffic safety, regulations of rail transport, observance of passenger rights and inspection of finished goods. Scheduled inspections were carried out based on 'Themes for inspections for 2012 in rail traffic safety' developed by the Department of Supervision, which included topics reported by individual departments and offices, and regional offices of the Rail Transport Office.In 2012, Rail Transport Office employees carried out a total of 628 inspections as regards the state of safety on railways, of which:

- 222 inspections were of infrastructure managers,
- 282 inspections were of rail operators.

The remaining inspections were of other rail entities.

The inspections were of entities possessing safety certificates (as 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*).

As part of the inspections conducted, checks were carried out, including in terms of:

- possession of a complete set of conformity certificates for putting rail traffic control structures and devices into operation and conformity certificates for putting types of rail vehicles into operation;
- possession of valid railworthiness certificates for rail vehicles in operation;
- satisfaction of technical requirements regarding the use and maintenance of rail vehicles and elements of rail infrastructure;
- possession of internal regulations laying down the rules and requirements for safe conduct of rail traffic and the maintenance of rail infrastructure;
- whether employees employed in posts directly connected with the conduct and safety of railway traffic and driving rail vehicles satisfy the requirements laid down in legislation;

- ensuring the safety of transport of dangerous goods by rail;
- safety of conducting rail traffic during modernisation work conducted by infrastructure managers;
- implementation of post-inspection recommendations and remedial measures by railway accident investigation teams and instructions and recommendations issued by the Chairman of the State Commission for Investigation of Railway Accidents – in particular after accidents at level crossings.
- the level of implementation and compliance by rail operators with procedures contained in the 'Safety Management System':
  - - submission by rail operators of all the required forms arising under the 'Safety Management System' document, in particular the 'Threats Register';
  - - the results of occupational and industrial (operational) periodic assessments conducted by a rail operator.

Furthermore, in connection with Poland co-hosting the European Football Championship, in the period preceding and during the UEFA EURO 2012 Football Championship, there were 148 inspections and 1 448 monitoring-checking activities (that did not meet the criteria of an inspection within the meaning of the Ordinance of the Minister of Transport of 12 March 2007 *on the manner in which the President of the Rail Transport Office performs* inspections) carried out; a total of 1 684 irregularities were found. The irregularities identified during monitoring-checking activities were recommended for elimination by the rail entities responsible; 244 recommendations covering all irregularities found were issued in this regard.

Given that the vast majority of monitoring-checking activities took place on the day before, during and the day after matches (a total of 20 days), on average, 47 inspection activities were carried out per one calendar day.

As a result of inspections carried out (including test drives) and monitoring-checking activities on lines, and at stations, station buildings and rail stops, the Office contributed to improving the preparation of rail transport for the UEFA EURO 2012 Championship through activities affecting rail entities, so that they:

- developed procedures for conduct in crisis (including emergency) situations;
- improved the image of railways as regards station buildings, passenger stops, information for travellers at stations, station buildings and on trains;
- improved the safety and comfort of travel on passenger trains;
- analysed safety procedures of rail traffic management.

Inspection activities were carried out at 48 station buildings and passenger stops, seven parking compounds and four railway line sections. There were 76 irregularities found – these were recommended for immediate elimination.

a) Use of checklists

Checklists were used during inspections as regards the safety of transport of dangerous goods. As of 30 June 2012, the Ordinance of the Minister of Transport, Construction and Maritime Economy of 4 June 2012 *on the checklist form and inspection report form*, Annex 3 of which contains the detailed scope of inspections (checklist form template) as regards the transport of dangerous goods by rail, entered into force.

b) Audits and inspections conducted by national safety authorities and/or third parties

In the 2012 reporting period, the President of the Rail Transport Office did not conduct any audits. The 466 audits presented in the CSI spreadsheet (code: A01 and A02) concern internal audits conducted by rail operators and infrastructure managers.

c) Personnel of national safety authorities

At total of 51 employees participated in supervisory activities carried out by Regional Offices of the Rail Transport Office in 2012; this constituted 26.2% of total employment and 73.9% when taking into account only persons working at specific Regional Offices. When including Directors of Regional Offices of the Rail Transport Office who also participated in inspection activities, this was 84.1%.

d) Economic aspects (costs etc.)

In 2012, the costs associated with inspections carried out by Rail Transport Office employees totalled to PLN 334 642.23 (EUR 81 855.64). This amount consisted of the costs of business trips.

1.2 Problematic areas to be included in further supervisory activities

The inspections carried out in 2012 made it possible to identify the following areas of higher risk:

- incorrect functioning of rail traffic management devices, resulting in the necessity of managing rail traffic on unplanned routes – together with the conduct of service personnel in such situations;
- incorrect functioning of line block devices – together with the conduct of service personnel in such a situation;
- long-term (in extreme cases lasting many years) failures of infrastructure;
- failure to comply with road traffic laws in the vicinity of level crossings;
- failure of rail operators and infrastructure managers to comply with the Maintenance System Documentation (DSU) for rail vehicles owned.

Given the above, this year inspections are being carried out within the indicated areas, including reassessment of the areas of higher risk.

Furthermore, the inspections carried out in 2012 concerning the degree of implementation of the 'Safety Management Systems' (SMSs) indicated that these systems were not implemented in their entirety or substantially. A correctly implemented SMS should be characterised by the use of tools related to constant improvement (audits, inspections, improving activities) and be based on a proactive approach to the issue of safety. The fundamental element of each well-functioning Safety Management System is a tool for the assessment of the risks associated with threats identified and the implementation of appropriate risk-management measures.

In the light of the above, the President of the Rail Transport Office included an increased number and change in the formula used for inspecting the degree of implementation of Safety Management Systems in the inspection schedules for 2013. As of 2013, inspections are carried out as audits and last 3-4 days, depending on the type and size of the entity, which allows such audits to be carried out in the majority of entities on the rail market. An analysis of the results of these inspections will be one of the elements allowing the identification of areas of higher risk across the entire railway system.

1.3 Annual safety reports of entities

The following entities were obliged to submit safety reports for 2012 to the President of the UTK, in accordance with the requirements set out in Article 17(a)(4) of the rail transport act:

- eight infrastructure managers of the general rail networks and two infrastructure managers of the separate network;
- 63 rail operators conducting transport activities in 2012 on the general rail network (from among 67 rail operators possessing a part B safety certificate) and one rail operator of the separate network.

Seven entities failed to submit annual '2012 safety reports' within the deadline, i.e. by the end of the second quarter of 2012. The President of the Rail Transport Office has initiated administrative proceedings against these entities.

1.4 Inspections of rail enterprises and infrastructure managers in 2012

Inspections	Holders of safety certificates, part A	Holders of safety certificates, part B	Safety authorisation holders	Other actions	Total
Scheduled	9		5	-	**14**
Unscheduled*	0		0	-	**0**
Conducted	9		5	-	**14**
	Rail operator holding a safety certificate (Directive 2001/14/EC)		Infrastructure manager holding a safety certificate (Directive 2001/14 /EC)	Other actions	
Scheduled	0		0	0	**-**
Unscheduled*	0		0	0	**-**
Conducted	**0**		**0**	**0**	**-**

* inspections that required immediate action and about which the rail entities were not previously notified.

1.5 Audits of rail enterprises and infrastructure managers in 2012

Audits	Holders of safety certificates, part A	Holders of safety certificates, part B	Safety authorisation holders	Other actions	Total
Scheduled	0	0	0	-	**0**
Unscheduled*	0	0	0	-	**0**
Conducted	**0**	**0**	**0**	**-**	**0**

* audits that required immediate action and about which the rail operators were not previously notified.

1.6 Remedial measures and activities taken following audits or inspections

In 2012, the President of the UTK issued 20 administrative decisions against rail operators and rail infrastructure managers, including:

- three withdrawing rail vehicles from operation;
- nine ordering elimination of irregularities;
- one imposing a fine;
- one restricting rail traffic;
- six decisions amending, repealing or maintaining previously issued decisions in force.

1.7 Complaints filed by infrastructure managers against rail enterprises, related to the conditions contained in part A or B of the certificate

In 2012, the UTK did not receive any complaints from infrastructure managers against rail enterprises.

1.8 Complaints filed by rail enterprises against infrastructure managers related to conditions in authorisations

In 2012, the UTK did not receive any complaints from rail enterprises against infrastructure managers.

H. Application of CSM as regards risk evaluation and assessment

An analysis of the safety reports submitted by rail enterprises and rail infrastructure managers, in the section on practical application of the requirements of Commission Regulation (EC) No 352/2009 on the adoption of a common safety method on risk evaluation and assessment, shows that in 2012, there was low awareness among rail sector entities of the significance of risk assessment during the safety management process.

In the opinion of the President of the UTK, this state of affairs is based on several fundamental conditions:

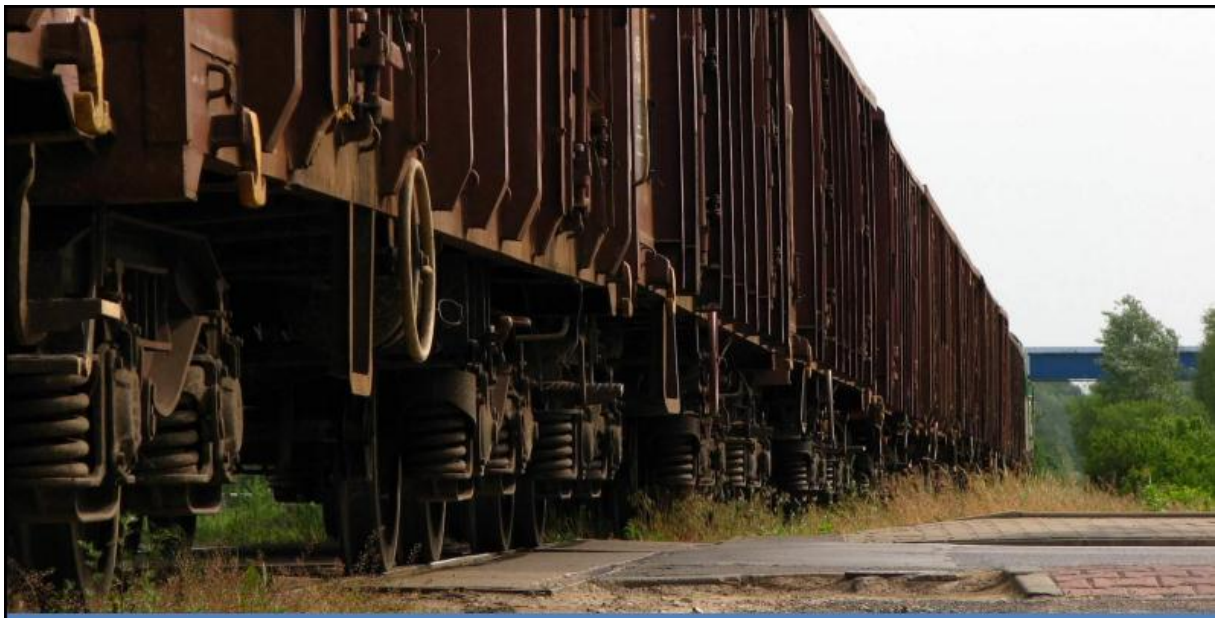
- Traditionally basing the safety system on legislation
- Lack of rail sector tradition of applying management systems
- Lack of grounding units conducting assessments in national legislation
- Insufficient practical knowledge on methods for estimating risk, and responsibility.

Significant problems for rail sector entities are also generated by the understanding of the concept of ‘significant change’ and the application of the methodology adopted in Regulation 352/2009 for assessment of the significance of change based on six criteria defined.

In 2012, the low level of awareness in terms of the requirements of the aforesaid regulation translated into unsatisfactory effects of the application of the common safety method as regards risk assessment in practice. The vast majority of entities notified in reports submitted that the changes they were implementing were not classified as significant changes. In the case of identification of significant changes (several cases), enterprises made significant errors in the practical application of the risk assessment process, not ensuring, e.g., independence of the assessing unit verifying the correctness of the application of the risk assessment process in relation to the team that was responsible for risk

management as part of the change being implemented. In addition, the information contained in the reports was highly partial, which did not allow a deeper analysis in this report.

The practical problems identified by the President of the UTK in risk assessment, risk management, and monitoring effectiveness of managements systems and thus, de facto, the application of common safety methods, lead to the reflection that before the anticipated future migration to a system based on a single safety certificate, there will need to be significant work carried out in the area of awareness – both at national and European level – and a process to verify the actual ability of rail enterprises and infrastructure managers to manage safety independently will need to be carried out.



I. Deviations from ECM certification

Article 14(a)(8) of the railway safety directive provides that Member States may, in specific cases, make a different decision on the method of implementation of responsibilities related to specification of an entity responsible for maintenance, and its certification, other than provided for in applicable European legislation. Deviations of this type should be implemented together with registration of rail vehicles and during the process of the issuance of safety certificates and authorisations.

In Poland, the aforesaid matter is governed by regulations at national level, i.e. in Article 23(j)(7) of the act *on rail transport*. Pursuant to the provisions of this article, the tasks of the entity in charge of rail vehicle maintenance (ECM) for rail vehicles that:

1) are registered in a country that is not a Member State of the European Union and maintained in accordance with the regulations applicable in that country;
2) are used on railway lines with a track width different to the track width of the main railway network in the Republic of Poland, and for which compliance with the conditions specified in item 2 is ensured by way of international agreements with countries that are not Member States of the European Union;
3) are entered into the register of monuments or inventory of museum objects and military rail vehicles and special rail vehicles, the transport of which requires a permit from the President of the UTK

are implemented by the rail operator moving these wagons within the territory of the Republic of Poland.

Given the above, the Rail Transport Office does not issue exceptions in this regard, because such exceptions apply to the aforesaid categories of wagons pursuant to the same act, and do not require any additional permits.

J. Priorities of the national safety authority

The measures classified as priorities by the Rail Transport Office, to be implemented in 2013, were, first and foremost, strengthening the process of supervision over the level of safety of the rail system in Poland through intensifying audit and inspection activities related to the functioning of safety management systems and maintenance management systems.

The aforesaid priority is also linked to actions aiming to increase the efficiency of the supervision work of the Rail Transport Office by increasing the qualifications of UTK employees, in particular those associated with supervision activities. Supervision activities will also be improved through the use of updated electronic databases, increase of mobility of inspection teams and the development of cooperation with outside entities through commissioning of tests.

More and more emphasis will be placed also on adapting certification and supervisory procedures to Community rules specified in common safety methods, and increasing awareness of market entities in terms of requirements related to rail transport safety.

K. Sources of information

This Report was developed based on source data from:

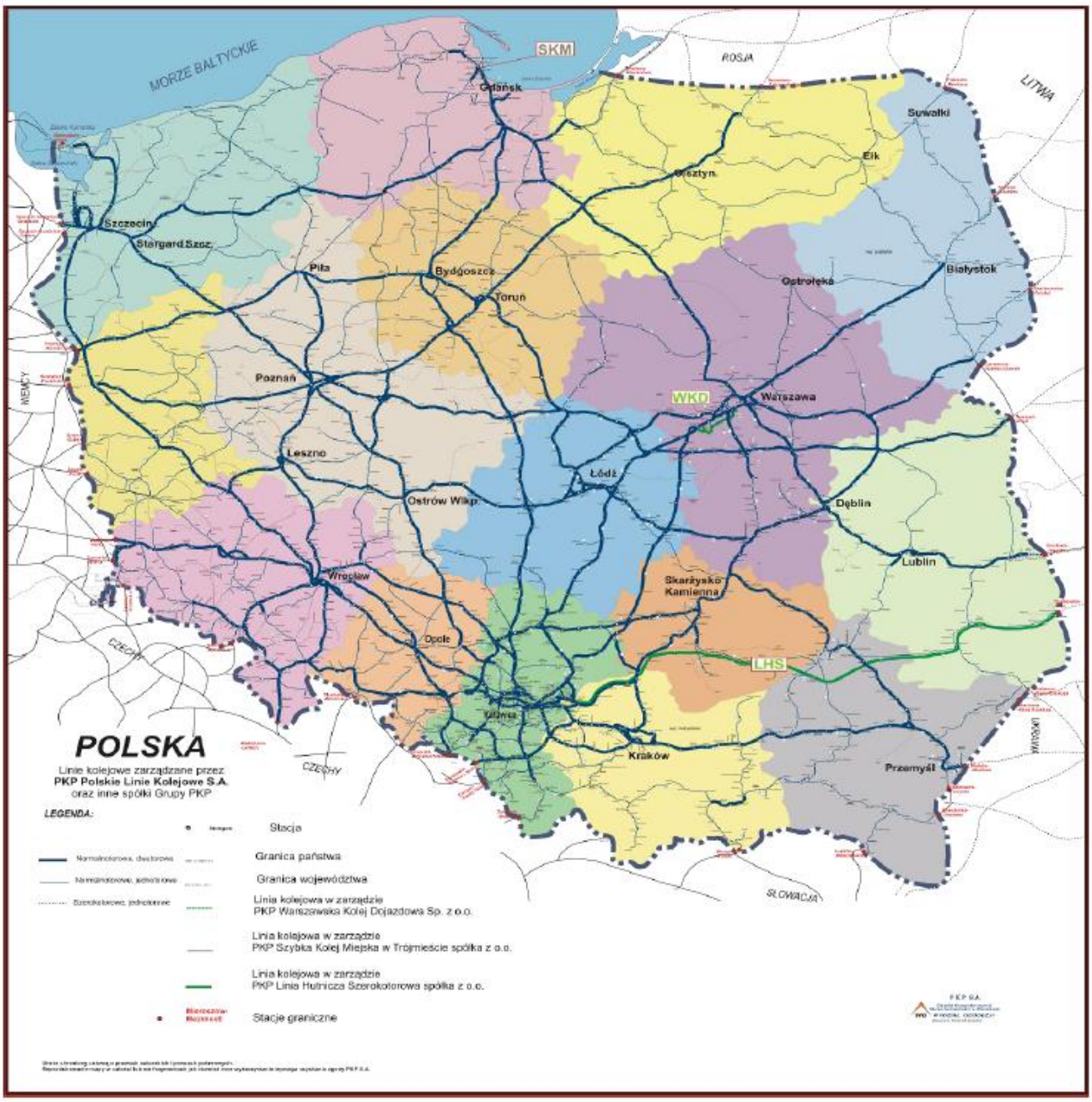
1) '2012 Safety reports' submitted to the President of the Rail Transport Office by rail operators and infrastructure managers. The reports were verified with the 'Rail occurrence register' kept, on an ongoing basis, by the President of the UTK, in which all occurrences are recorded based on 'notifications of accidents'.
2) Own sources: protocols and reports on inspections carried out by UTK employees, materials of individual departments and offices of the UTK ('Rail occurrence register', 'Register of issued certificates and authorisations').

L. Annexes

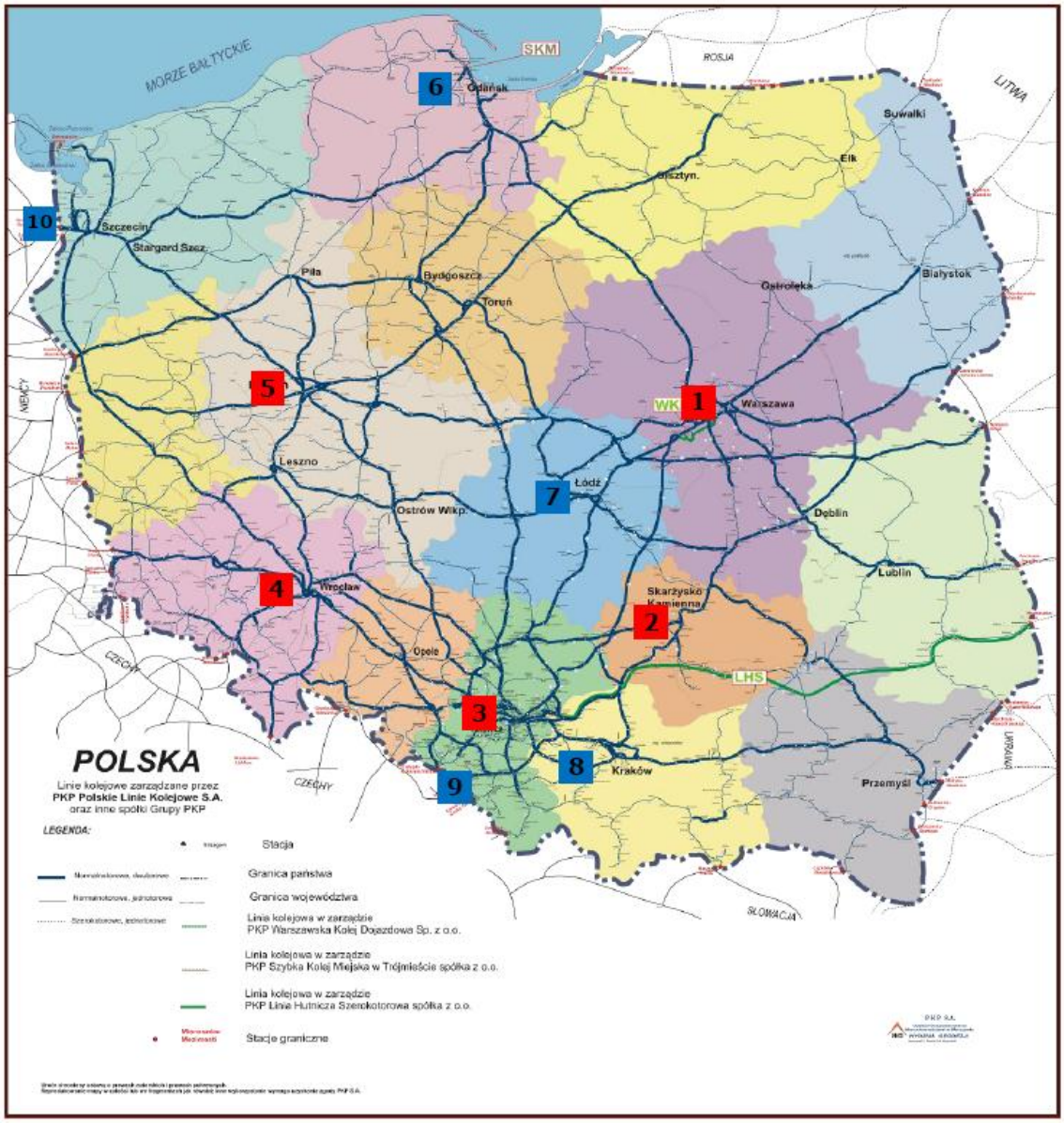
ANNEX A
Information on the structure of the railway network

A.1.a Network map

(public rail network)



A.1.b Classification yards in the public rail network in Poland



Main classification yards:

1. Warszawa Praga
2. Skarżysko Kamienna
3. Tarnowskie Góry
4. Wrocław Brochów
5. Poznań Franowo

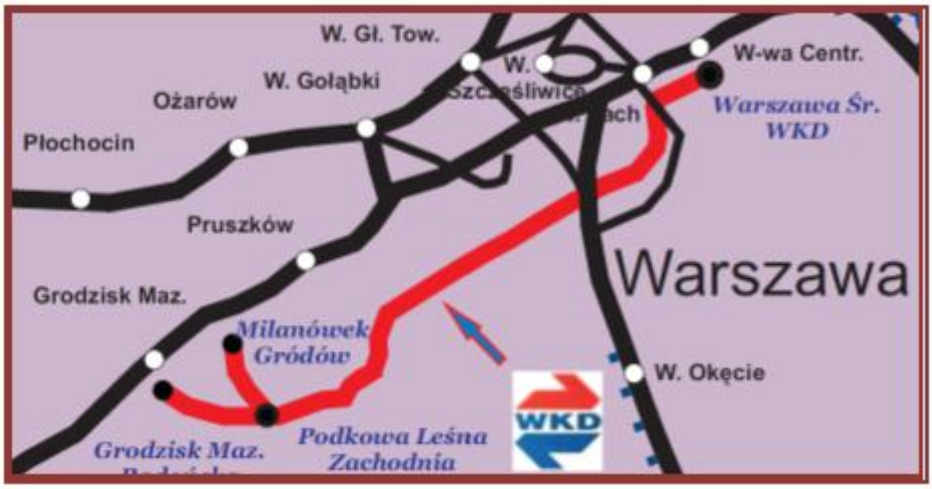
Other classification yards:

6. Zajączkowo Tczewskie
7. Łódź Olechów
8. Kraków Prokocim
9. Zabrzeg Czarnolesie
10. Szczecin Port Centralny

A.1.2 Network functionally separate from the public railway network in Poland

(designated for conducting metropolitan passenger transport)

Railway line managed by Usedomer Bäderbahn Polska sp. z o.o. (UBB Polska)



Railway line managed by Warszawska Kolej Dojazdowa sp. z o.o.

A.2.1.a Infrastructure managers in the public railway line network

No	Name	Address	Web address of site/network report	Safety Authorisation (Directive 2004/49/EC)		Date of commencement of operations	Railway tracks				Length of railway lines				Electric traction		Number of level-crossings and pedestrian crossings (LC) [units]	Number of signalling devices [units]	ATP equipment used
				number	date		Length of mainline and main tracks	Total length of other tracks [km]	Total length of railway tracks [km]	Width of tracks [mm]	dual track [km]	single track [km]	Total length of railway lines [km]	High speed (HSL) [km]	Length [tkm]	Voltage (DC) [kV]			
1	PKP Polskie Linie Kolejowe S.A.	03-734 Warszawa, ul. Targowa 74	www.plk-sa.pl	**Part A:** PL2120100003 **Part B:** PL2220100001	30.12.2010 30.12.2010	01.10.2001	27 620.80 148.00	9 180.21 127.52	36 801.01 275.52	1 435 1 520	8 577.44 0.00	10 465.93 148.00	19 043.37 148.00	0.00 0.00	24 889.00 24.00	3 3	13 830 34	52 229 357	
2	PKP Linia Hutnicza Szerokotorowa sp. z o.o.	22-400 Zamość, ul. Szczebrzeska 11	www.lhs.com.pl	**Part A:** PL2120100004 **Part B:** PL2220100004	31.12.2010 31.12.2010	01.07.2001	0.00 394.65	28.81 141.55	28.81 536.20	1 435 1 520	0.00 0.00	0.00 394.65	0.00 394.65	0.00 0.00	0.00 0.00	0 0	3 243	10 246	
3	PKP Szybka Kolej Miejska w Trójmieście sp. z o.o.	81-002 Gdynia, ul. Morska 350A	www.skm.pkp.pl	**Part A:** PL2120100002 **Part B:** PL2220100002	29.12.2010 30.12.2010	01.07.2001	62.16	20.51	82.67	1 435	31.08	0.00	31.08	0.00	68.75	3	5	274	
4	CTL Maczki - Bór S.A.	41-208 Sosnowiec, ul. Długa 90	www.ctl.eu	**Part A:** PL2120110002 **Part B:** PL2220110000	24.01.2011 28.02.2011	28.02.2011	51.12	36.24	78.47	1 435	8.90	33.32	42.22	0.00	0.00	0	28	152	
5	Jastrzębska Spółka Kolejowa sp. z o.o.	44-330 Jastrzębie Zdrój, ul. Towarowa 1	www.jsk.pl	**Part A:** PL2120110001 Amendment to Part A: PL2120120001 **Part B:** PL2220110001 Amendment to Part B: PL2220120001	10.01.2011 Amended on 28.06.2012 04.04.2011 Amended on 28.06.2012	01.04.1998	55.20	113.24	168.45	1 435	12.15	30.90	43.05	0.00	35.41	3	28	391	
6	'Kopalnia Piasku Kotlarnia - Linie Kolejowe' sp. z o.o.	47-246 Kotlarnia, ul. Dębowa 3	www.kotlarnia.com.pl	**Part A:** PL2120100001 **Part B:** PL2220100003	28.12.2010 31.12.2010	01.01.2004	165.90	20.50	177.40	1 435	50.36	64.30	114.66	0.00	0.00	0	97	169	
7	PMT Linie Kolejowe sp. z o.o.	59-300 Lubin, Owczary 79d	www.pmtlk.pl	**Part A:** PL2120110003* Amendment 3 to Part A: PL2120120002 **Part B:** PL2220110003* Amendment 3 to Part B: PL2220120002	08.09.2011 Amended on 28.11.2012 08.09.2011 Amended on 28.11.2012	01.05.2009	39.95	1.78	42.33	1 435	0.00	39.95	39.95	0.00	2.19	3	32	14	
8	Infra Silesia S.A.	44-251 Rybnik , ul. Kłokocińska 51	www.infrasilesia.pl/	**Part A:** PL2120110000 **Part B:** PL2220110002	05.01.2011 04.04.2011	01.01.2005	127.70	112.63	245.85	1 435	23.80	80.10	103.90	0.00	39.08	3	59	388	

Subtotal	28 121.95	9 513.92	37 624.99	**1 435**	8 703.72	10 714.51	19 418.23	0.00	25 034.43		14 082	53 627	
	542.65	269.08	811.73	**1 520**	0.00	542.65	542.65	0.00	24.00		277	603	
Total	**28 664.59**	**9 783.00**	**38 447.59**		**8 703.72**	**11 257.16**	**19 960.88**	**0,00**	**25 058.43**		**14 359**	**54 230**	

*- first amendment of safety authorisation (part A – PL2120100000 of 06 September 2010, part B – PL2220100000 of 28 December 2010)

- second amendment of safety authorisation (part A – PL2120120000 of 27 June 2012, part B – PL2220120000 of 27 June 2012)

A.2.1.b Infrastructure managers in the functionally separate network

No	*Name*	*Address*	Web address of site/network report	*Safety certificate (Directive 2001/14/EC) and Directive 2004/49/EC)*		*Date of commencement of operations*	*Railway tracks*			*Total length of railway lines*			*Electric traction*		*Number of level-crossings (LCs) [units]*	*Number of signalling devices [units]*	*ATP equipment used*
				number	*date*		*Total length of mainline and main tracks [km]*	*Total length of other tracks [km]*	*Gauge [mm]*	*dual track [km]*	*single track [km]*	*High speed (HSL) [km]*	*Length [km]*	*Voltage (DC) [kV]*			
1	Warszawska Kolej Dojazdowa sp. z o.o.	05-825 Grodzisk Mazowiecki, ul. Batorego 23	www.wkd.com.pl	194/ZI/11	22.12.2011	01.07.2001	63.70	3.10	1 435	25.10	13.78	--	64.20*	0.65	40	94	--
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	1 435	--	1.44	--	0.00	-	1	4	--
Total							**65.14**	**3.34**		**25.10**	**15.22**	**--**	**64.2**		**41**	**98**	**--**
							68.48			**40.32**							

* the difference in electric traction track length compared with the previous year is due to the previous year's incorrect calculation

A.2.2.a Rail operators operating in the public rail network

**) In accordance with the Guidelines for drafting the Annual KWB Report – data concerning columns 11-21 of this annex*

are presented as a collective list under the table

No	Name	Address	Website	Safety Certificate (Directive 2004/49EC)		Amendments to certificates		Date of commencement of business	Type of transport
				Number	Date	Number	Date		
1	2	3	4	7	8	9	10	11	12
1	PKP INTERCITY S.A.	00-848 Warszawa, ul. Żelazna 59A	www.intercity.pl	**Part A:** PL1120100037 **Part B:** PL1220100039	15.12.2010 31.12.2010			01.09.2001	pas.
2	PKP Szybka Kolej Miejska w Trójmieście sp. z o.o.	81-002 Gdynia, ul. Morska 350A	www.skm.pkp.pl	**Part A:** PL1120100043 **Part B:** PL1220100036	29.12.2010 30.12.2010			01.07.2001	pas.
3	PKP CARGO S.A.	02-021 Warszawa, ul. Grójecka 17	www.pkp-cargo.pl	**Part A:** PL1120090001 **Part B:** PL1220100001	25.06.2009 22.04.2010			01.10.2001	goods pas.
4	PKP CARGO SERVICE sp. z o.o.	02-021 Warszawa, ul. Grójecka 17	www.pkpcs.pl	**Part A:** PL1120110010 **Part B:** PL1220110022	14.10.2011 06.12.2011			01.11.2011	goods
5	PKP Linia Hutnicza Szerokotorowa sp. z o.o.	22-400 Zamość, ul. Szczebrzeska 11	www.pkp-lhs.pl	**Part A:** PL1120100048 **Part B:** PL1220100040	31.12.2010 31.12.2010			01.07.2001	goods
6	PKP Energetyka S.A.	00-681 Warszawa, ul. Hoża 63/67	www.pkpenergetyka.pl	**Part A:** PL1120090000 **Part B:** PL1220100000	09.04.2009 09.02.2010			01.03.2010	goods
7	CTL Express sp. z o.o.	00-807 Warszawa, Al. Jerozolimskie 96	www.ctl.pl	**Part A:** PL1120100020 **Part B:** PL1220100028	18.11.2010 28.12.2010			01.07.2006	goods
8	CTL Logistics sp. z o.o.	00-807 Warszawa, Al. Jerozolimskie 96	www.ctl.pl	**Part A:** PL1120100000 **Part B:** PL1220100006	09.02.2010 23.11.2010			01.11.2008	goods
9	CTL Kargo sp. z o.o.	72-010 Police ul. Kuźnicka 1	www.ctl.pl	**Part A:** PL1120100012 **Part B:** PL1220100010	16.08.2010 24.11 .2010			01.10.2010	goods
10	CTL Kolzap sp. z o.o.	24-110 Puławy Al. Tysiąclecia Państwa Polskiego 13	www.ctl.pl	**Part A:** PL1120100009 **Part B:** PL1220110012	28.06.2010 18.02.2011			26.11.2011	goods
11	CTL Rail sp. z o.o.	40-202 Katowice, ul. Roździeńskiego 190 B	www.ctl.pl	**Part A:** PL1120100008 **Part B:** PL1220100012	28.06.2010 08.12.2010			02.03.2004	goods
12	CTL Reggio sp. z o.o.	24-110 Puławy, Al. 1000-lecia Państwa Polskiego 13	www.ctl.pl	**Part A:** PL1120100006 **Part B:** PL1220100014	28.06.2010 09.12.2010			09.07.2006	goods
13	CTL Train sp. z o.o.	41-208 Sosnowiec, ul. Długa 90	www.ctl.pl	**Part A:** PL1120100016 **Part B:** PL1220100023	26.10.2010 23.12.2010			01.06.2005	goods
14	X-Train sp. z o.o.	81-335 Gdynia, ul. Janka Wiśniewskiego 20	www.ctl.pl	**Part A:** PL1120100007 **Part B:** PL1220100013	28.06.2010 09.12.2010			15.09.2004	goods
15	DB SCHENKER RAIL POLSKA S.A.	41-800 Zabrze, ul. Wolności 337	www.rail.dbschenker.pl	**Part A:** PL1120100013 **Part B:** PL1220100011	10.09.2010 24.11.2010	**Part A:** PL1120110012 **Part B:** PL1220110021	18.11.2011 18.11.2011	20.06.1998 08.10.2006	goods pas.
16	DB SCHENKER RAIL	47-225 Kędzierzyn - Koźle,	www.dbschenker.pl	**Part A:**	29.12.2010			15.06.2002	goods

	SPEDKOL sp. z o.o.	ul. Szkolna 15		PL1120100044 **Part B**: PL1220110005	26.01.2011				
17	Arriva PCC sp. z o.o.	00-739 Warszawa, ul. Stępińska 22/30	http://www.arriva.pl	**Part A:** PL1120100001 **Part B**: PL1220100002	24.03.2010 28.06.2010			28.09.2010	pas.
18	CEMET S.A.	01-756 Warszawa, ul. Przasnyska 6A	www.cemet.pl	**Part A:** PL1120100030 **Part B:** PL1220100025	08.12.2010 23.12.2010			22.06.2007	goods
19	Dolnośląskie Linie Autobusowe sp. z o.o.	51-162 Wrocław, ul. Jana Długosza 60	www.dla.com.pl	**Part A:** PL1120110024 **Part B:** PL1220120038	01.12.2010 31.12.2010			27.05.2005	pas.
20	Dolnośląskie Przedsiębiorstwo Napraw Infrastruktury Komunikacyjnej DOLKOM sp. z o.o.	50-502 Wrocław, ul. Hubska 6	www.dolkom.pl	**Part A:** PL1120100025 **Part B:** PL1220100033	01.12.2010 28.12.2010			20.07.2007	goods
21	Euronaft Trzebinia sp. z o.o.	32-540 Trzebinia, ul. Fabryczna 22	www.euronaft-trzebinia.pl	**Part A:** PL1120100005 **Part B:** PL1220100004	28.06.2010 15.09.2010			09.07.2004	goods
22	EXTRAIL sp. z o.o.	893 Warszawa ul. Bukowiecka 92 03	extrail.com.pl	**Part A:** PL1120100010 **Part B:** PL1220100007	28.06.2010 23.11.2010			29.09.2011	goods
23	Freightliner PL sp. z .o.o.	02-797 Warszawa Al. Komisji Edukacji Narodowej 36 lok. 200	www.freightliner.pl	**Part A:** PL1120100036 **Part B:** PL1220100016	14.12.2010 15.12.2010			08.10.2005	goods
24	GATX Rail Poland sp. z o.o.	01-208 Warszawa, ul. Przyokopowa 31	www.gatx.eu	**Part A:** PL1120100045 **Part B:** PL1220110009	29.12.2010 11.02.2011			01.03.2002	goods
25	Hagans Logistic sp. z o.o.	87-100 Toruń, Plac Fryderyka Skarbka 4	www.hagans.pl	**Part A:** PL1120100035 **Part B:** PL1220100018	13.12.2010 17.12.2010			12.12.2006	goods
26	ITL Polska sp. z o.o.	50-075 Wrocław, ul. Krupnicza 13 lok. 103	www.itlpolska.com.pl	**Part A:** PL1120080001 **Part B:** PL12200900	30.12.2008 06.02.2009			11.12.2006	goods
27	Kolej Bałtycka S.A.	70-807 Szczecin, ul. Stacyjna 3	www.kolejbaltycka.pl	**Part A:** PL1120110002 **Part B:** PL1220110010	05.01.2011 11.02.2011			05.05.2004	goods
28	Koleje Czeskie sp. z o.o.	00-131 Warszawa ul. Grzybowska 4/3	www.kolejeczeskie.pl	**Part A:** PL1120110007 **Part B:** PL1220110020	15.04.2011 08.09.2011			03.03.2011	goods
29	„Koleje Mazowieckie – KM' sp. z o.o.	03-802 Warszawa, ul. Lubelska 1	www.mazowieckie.com.pl	**Part A:** PL1120100023 **Part B:** PL1220100020	29.11.2010 02.12.2010			01.01.2005	pas.
30	Koleje Dolnośląskie S.A.	59-220 Legnica, ul. Wojska Polskiego 1/5	www.kolejedolnoslaskie.eu	**Part A:** PL1120090001 **Part B:** PL1220090001	21.05.2009 07.09.2009	**Part B:** PL122000001 8	29.07.2011	01.10.2009	pas.
31	Koleje Śląskie sp. z o.o.	40-040 Katowice ul. Wita Stwosza 7	www.kolejeslaskie.com	**Part A:** PL1120100032 **Part B:** PL1220110000	09.12.2010 10.01 .2011			01.10.2011	pas.
32	Koleje Wielkopolskie sp. z o.o.	61-897 Poznań, ul. Składowa 5	www.koleje-wielkopolskie.com.pl	**Part A:** PL1120110006 **Part B:** PL1220110017	03.03.2011 17.03.2011			01.06.2011	pas.
33	Kopalnia Piasku „Kotlarnia' S.A.	47-246 Kotlarnia, ul. Dębowa 3	www.kotlarnia.com.pl	**Part A:** PL1120100046 **Part B:** PL1220100037	29.12.2010 30.12.2010			01.06.1995	goods
34	Lotos Kolej sp. z o.o.	80-716 Gdańsk, ul. Michałki 25	www.lotoskolej.pl	**Part A:** PL1120090003 **Part B:** PL1220100005	19.10.2009 04.11.2010			01.01.2003	goods
34	Lubelski Węgiel Bogdanka S.A.	21-013 Puchaczów Bogdanka	www.bogdanka.eu	**Part A:** PL1120100040	22.12.2010			22.03.2005	goods

				Part B: PL1220100024	23.12.2010				
36	Łódzka Kolej Aglomeracyjna sp. z o.o.	90-752 Łódź	-	**Part A:** PL1120120005 **Part B:** PL1220120003	24.08.2012 25.10.2012			09.06.2013	pas.
37	„MAJKOLTRANS' sp. z o.o.	50-503 Wrocław, ul. Paczkowska 26	www.majkoltrans.pl	**Part A:** PL1120110004 **Part B:** PL1220110013	10.02.2011 18.02.2011			15.08.2009	goods
38	NBE RAIL POLSKA sp. z o.o.	01-460 Warszawa ul.Górczewska 124	www.nbe-rail-polska.com	**Part A:** PL1120110011 **Part B:** PL1220120000	08.11.2011 24.02.2012			25.01.2012	goods pas.
39	ORLEN KolTrans sp. z o.o.	09-411 Płock, ul. Chemików 7	www.orlenkoltrans.pl	**Part A:** PL1120100028 **Part B:** PL1220100027	06.12.2010 28.12.2010			13.12.2000	goods
40	PHILIP sp. z o.o.	45-081 Opole ul. Piastowska 3	www.grupajd.com/	**Part A:** PL1120100015 **Part B:** PL1220110002	20.10.2010 12.01.2011			12.04.2011	goods
41	PHU 'LOKOMOTIV' Bronisław Plata	33-386 Podegrodzie Podegrodzie 383	www.lokomotiv.net.pl	**Part A:** PL1120100041 **Part B:** PL1220110001	28.12.2010 12.01.2011			03.03.2011	goods
42	Pol-Miedź-Trans sp. z o.o.	59-301 Lubin ul. Marii Skłodowskiej-Curie 190	www.pmtrans.com.pl	**Part A:** PL1120100011 **Part B:** PL1220100009	28.06.2010 23.11 .2010			01.04.2002 22.05.2009	goods pas.
43	Pomorskie Przedsiębiorstwo Mechaniczno-Torowe sp..z o.o.	80-051 Gdańsk, ul. Sandomierska 17	www.pmtrans.com.pl www.ppmt.com.pl	**Part A:** PL1120100019 **Part B:** PL1220100030	10.11.2010 28.12.2010			17.05.2005	goods
44	Przedsiębiorstwo Napraw Infrastruktury sp. z o.o.	03-816 Warszawa ul. Chodakowska 100	www.pni.net.pl	**Part A:** PL1120100017 **Part B:** PL1220100026	04.11.2010 23.12.2010			01.02.2007	goods
44	Przedsiębiorstwo Napraw i Utrzymania Infrastruktury Kolejowej w Krakowie sp. z o.o.	30-566 Kraków ul. Prokocimska 4	www.pnuikkrakow.pl/	**Part A:** PL1120100003 **Part B:** PL1220100003	24.03.2010 15.09.2010			28.09.2010	goods
45	Przedsiębiorstwo Robót Kolejowych i Inżynieryjnych S.A.	50-950 Wrocław, ul. Kniaziewicza 19	www.prkii.com.pl	**Part A:** PL1120100049 **Part B:** PL1220110004	31.12.2010 25.01.2011			01.12.2001	goods
46	Przedsiębiorstwo Robót Komunikacyjnych w Krakowie S.A.	30-048 Kraków, ul. Czapińskiego 3	www.prk.krakow.pl	**Part A:** PL1120100047 **Part B:** PL1220110008	30.12.2010 02.02.2011			01.10.2004	goods
47	Przedsiębiorstwo Transportu Kolejowego KOLTAR sp. z o.o.	33-101 Tarnów, ul. Kwiatkowskiego 8	www.koltar.pl	**Part A:** PL1120100040 **Part B:** PL1220100029	22.12.2010 28.12.2010			22.09.2005	goods
48	Przedsiębiorstwo Usług Kolejowych KOLPREM Sp z o.o.	41-308 Dąbrowa Górnicza, Al. J. Piłsudskiego 92	www.kolprem.pl	**Part A:** PL1120100034 **Part B:** PL1220100032	10.12.2010 28.12.2010			25.06.2004	goods
49	„Przewozy Regionalne' sp. z o.o.	03-414 Warszawa, ul. Wileńska 14a	www.przewozyregionalne.pl	**Part A:** PL1120100038 **Part B:** PL1220100031	17.12.2010 28.12.2010			01.10.2001	pas.
50	Rail Polska sp. z o.o.	00-790 Warszawa, ul. Willowa 8/10 lok.11	www.railpolska.pl	**Part A:** PL1120100026 **Part B:** PL1220100022	01.12.2010 23.12.2010			26.10.2004	goods
51	STK sp. z o.o.	53-609 Wrocław, ul. Fabryczna 10	www.stk.wroc.pl	**Part A:** PL1120100022 **Part B:** PL1220100021	29.11 .2010 22.12 .2010	**Part B:** PL1220120001	28.08.2012	14.04.2005	goods
52	S&K Train Transport sp. z o.o.	65-034 Zielona Góra, ul. Boh. Westerplatte 9	www.sk-train.pl	**Part A:** PL1120110005 **Part B:** PL1220110015	18.02.2011 02.03.2011			01.06.2011	goods
53	Szybka Kolej Miejska sp. z o.o.	02-017 Warszawa Al. Jerozolimskie 125/127,	www.skm.warszawa.pl	**Part A:** PL1120100033 **Part B:** PL1220100019	10.12.2010 20.12.2010			03.10.2005	pas.

54	TABOR SZYNOWY OPOLE S.A.	45-332 Opole ul. Rejtana 7	www.taborszynowy.com.pl	**Part A:** PL1120100027 **Part B:** PL1220110014	01.12.2010 24.02.2011			28.04.2011	goods
55	TORPOL S.A.	61-052 Poznań ul. Mogileńska 10G	www.torpol.pl	**Part A:** PL1120100014 **Part B:** PL1220110006	16.09.2010 31.01.2011			30.03.2011	goods
56	TRANSCHEM sp. z o.o.	87-810 Włocławek ul. Toruńska 153	www.transchem.com.pl	**Part A:** PL1120100004 **Part B:** PL1220100015	28.06.2010 15.12.2010			03.02.2011	goods
57	Transoda sp. z o.o.	88-101 Inowrocław, ul. Fabryczna 4	www.transoda.com.pl	**Part A:** PL1120110000 **Part B:** PL1220110003	05.01.2011 12.01.2011			01.07.2002	goods
58	WISKOL Sołtys Waldemar, Sołtys Jarosław sp.j.	26-052 Sitkówka, Nowiny, ul. Zakładowa 19	www.wiskol.pl	**Part A:** PL1120110009 **Part B:** PL1220110019	20.04.2011 03.08.2011			19.09.2011	goods
59	Zakład Przewozów i Spedycji SPEDKOKS sp. z o.o.	42-523 Dąbrowa Górnicza, ul. Koksownicza 1	www.spedkoks.pl	**Part A:** PL1120100018 **Part B:** PL1220100017	04.11.2010 16.12.2010			01.01.2001	goods
60	Zakład Robót Komunikacyjnych – DOM w Poznaniu sp. z o.o.	60-715 Poznań, ul. Kolejowa 4	www.zrk-dom.pl	**Part A:** PL1120110003 **Part B:** PL1220110007	13.01.2011 02.02.2011			18.08.2011	goods
61	Zakłady Inżynierii Kolejowej Leśkiewicz, Kosmala sp.j.	27-600 Sandomierz, ul. Retmańska 11 A	www.ziksandomierz.pl	**Part A:** PL1120100030 **Part B:** PL1220100035	08.12.2010 29.12.2010	**Part B:** PL1220120006	29.11.2012	01.01.2003	goods
62	Zakłady Naprawcze Lokomotyw Elektrycznych S.A. w Gliwicach	44-100 Gliwice, ul. Chorzowska 58	www.znle.pl	**Part A:** PL1120110001 **Part B:** PL1220110011	05.01.2011 16.02.2011			16.02.2011	goods
63	Zakłady Naprawcze Taboru Maszyn i Urządzeń 'TABOR' M. Dybowski Spółka jawna	39-200 Dębica ul. Sandomierska 39	www.tabor-debica.pl/	**Part A:** PL1120100021 **Part B:** PL1220100034	25.11.2010 29.11.2010	**Part A:** PL1120110001 **Part B:** PL1220110011	05.01.2011 16.02.2011	01.01.2011	goods

	Number of locomotives	number of power cars / traction units	Number of carriages		Number of drivers	Number of on-board personnel responsible for safety	Level of passenger carriage			Level of goods carriage		
			passenger	goods			Passengers (thousand)	passenger-km (million)	train-km (million)	Tons (thousand)	ton-km (million)	train-km (million)
	11	12	13	14	15	16	17	18	19	20	21	22
TOTAL	**3 109**	**1 428**	**2 211**	**81 298**	**12 155**	**5 918**	**266 140.282**	**17 737.830**	**142.045**	**231 437.022**	**49 079.348**	**76.242**

A.2.2.b Rail operators operating in the functionally separate network

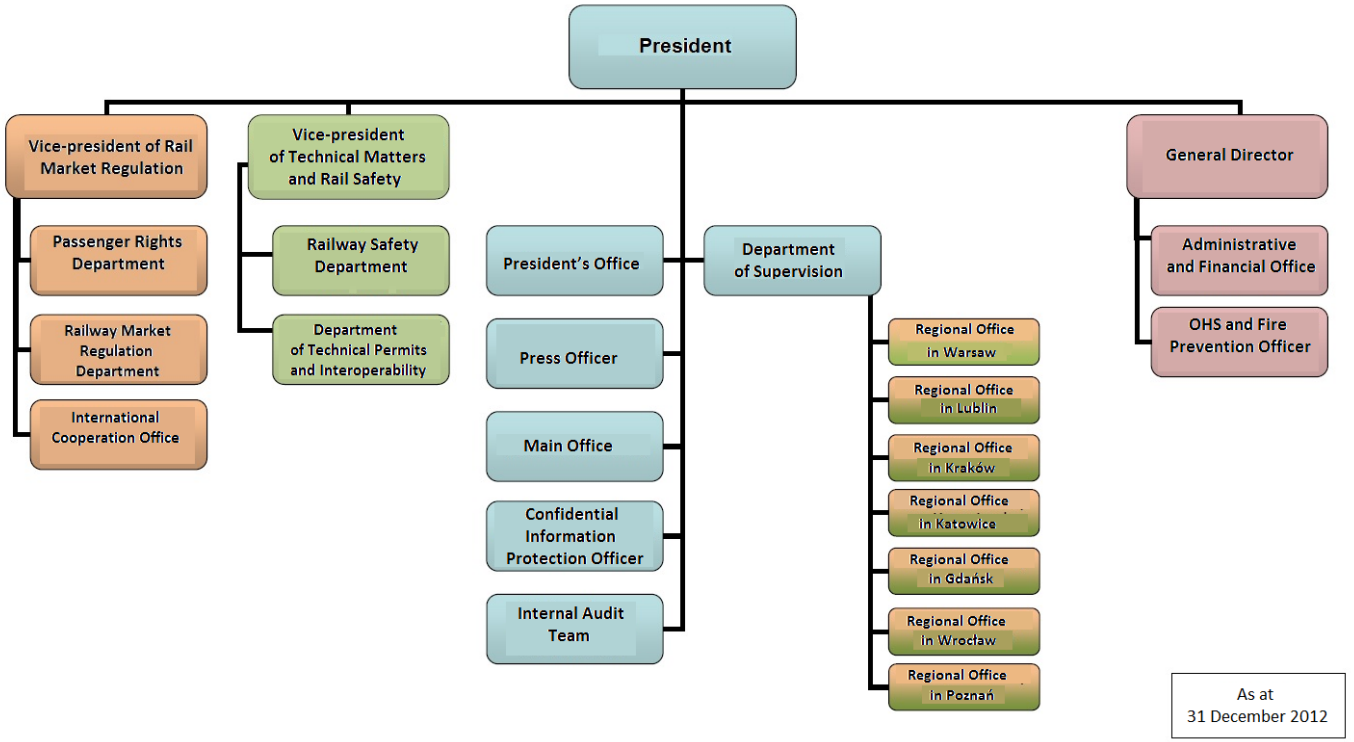
**) In accordance with the Guidelines for drafting the Annual KWB Report, data concerning columns 11-21 of this annex*

are presented as a collective list under the table.

No	Name	Address	Website	Safety certificate (Directive 2001/14/EC)		Safety certificate (Directive 2004/49/EC)		Date of commencement of business	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,. Batorego 23	www.wkd.com.pl	193/PK/11	22.12.2011	--	--	01.07.2001	passenger suburban

	Number of locomotives	number of power cars / traction units	Number of carriages		Number of drivers	Number of on-board personnel responsible for safety	Level of passenger carriage			Level of goods carriage		
			passenger	goods			Passengers (thousand)	passenger-km (million).	train-km (million)	Tons (thousand)	tons-km (million)	train-km (million)
	11	12	13	14	15	16	17	18	19	20		21
TOTAL	**0**	**82/40**	**240**	**--**	**45**	**0**	**7 099.197**	**111.273**	**1.146**	**--**	**--**	**--**

ANNEX B.1 Organisational chart of the Rail Transport Office



Prezes: President

Wiceprezes ds. Regulacji Rynku Kolejowego: Vice-president of Rail Market Regulation

Departament Praw Pasażerów: Passenger Rights Department

Departament Regulacji Rynku Kolejowego: Railway Market Regulation Department

Biuro Współpracy Międzynarodowej: International Cooperation Office

Wiceprezes ds. Techniki i Bezpieczeństwa Ruchu Kolejowego: Vice-president of Technical Matters and Rail Safety

Departament Bezpieczeństwa Kolejowego: Railway Safety Department

Departament Zezwoleń Technicznych i Interoperacyjności: Department of Technical Permits and Interoperability

Biuro Prezesa: President's Office

Rzecznik Prasowy: Press Officer

Kancelaria Główna: Main Office

Stanowisko ds. Ochrony Informacji Niejawnych: Confidential Information Protection Officer

Wieloosobowe Stanowisko ds. Audyt Wewn.: Internal Audit Team

Departament Nadzoru: Department of Supervision

Oddział Terenowy w Warszawie: Regional Office in Warsaw

Oddział Terenowy w Lublinie: Regional Office in Lublin

Oddział Terenowy w Krakowie: Regional Office in Kraków

Oddział Terenowy w Katowicach: Regional Office in Katowice

Oddział Terenowy w Gdańsku: Regional Office in Gdańsk

Oddział Terenowy we Wrocławiu: Regional Office in Wrocław

Oddział Terenowy w Poznaniu: Regional Office in Poznań

Dyrektor Generalny: General Director

Biuro Administracyjno-Finansowe: Administrative and Financial Office

Stanowisko ds. BHP oraz Ppoż: OHS and Fire Prevention Officer

As at 31 December 2012

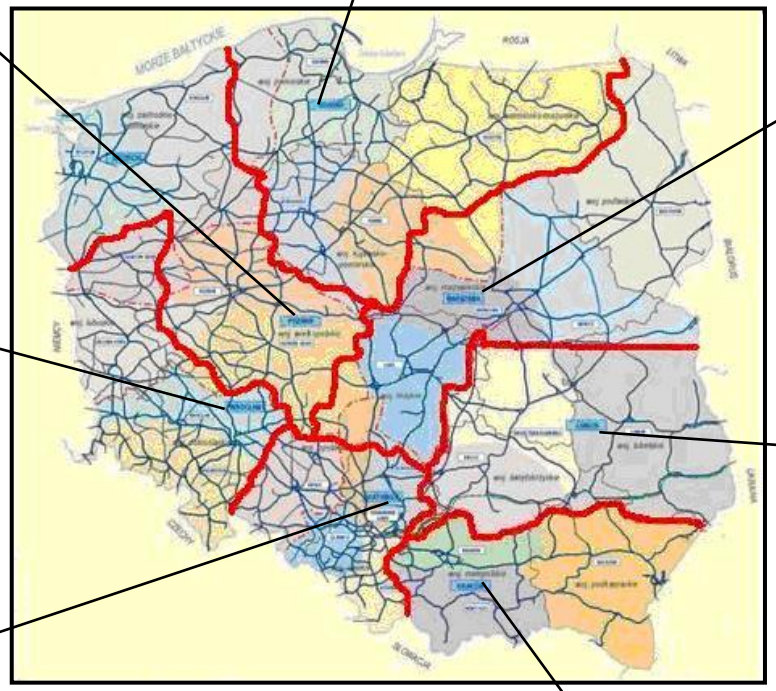
ANNEX B.1.1 Areas of operation of the regional offices of the Rail Transport Office

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 Warszawa

Regional Office in Wrocław

ul. Joannitów 13, 50-950 Wrocław

Regional Office in Lublin

ul. Okopowa 5, 20-022 Lublin

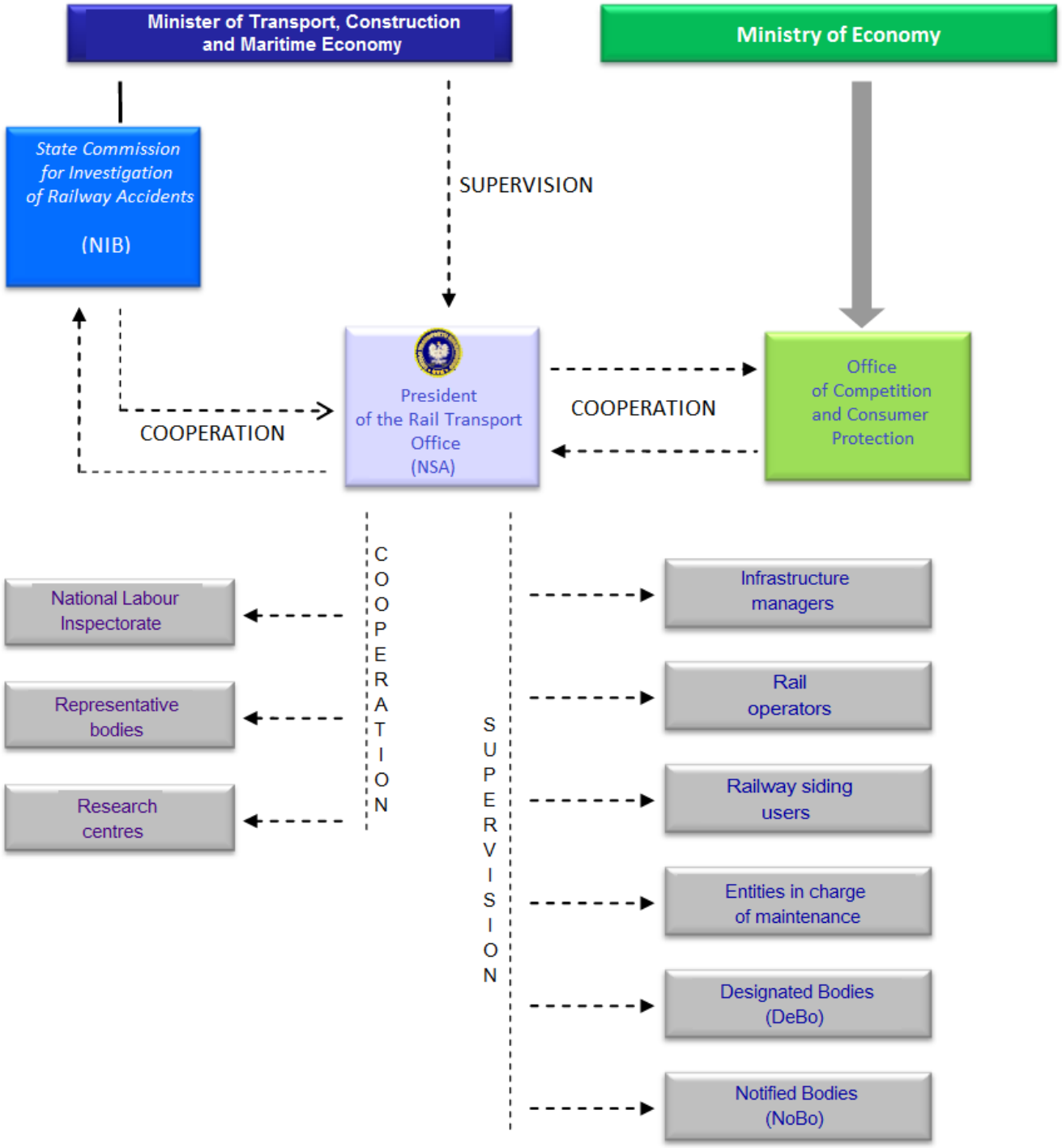
Regional Office in Katowice

ul. Przemysłowa 10, 40-202 Katowice

Regional Office in Kraków

Rondo Mogilskie 1, 31-516 Kraków

ANNEX B.2 Rail Transport Office relations with other national bodies



Minister Transportu, Budownictwa i Gospodarki Morskiej: Minister of Transport, Construction and Maritime Economy

Ministerstwo Gospodarki: Ministry of Economy

Państwowa Komisja Badania Wypadków Kolejowych (NIB): State Commission for Investigation of Railway Accidents (NIB)

Prezes Urzędu Transportu Kolejowego: President of the Rail Transport Office (NSA)

Urząd Ochrony Konkurencji i Konsumentów (UOKiK): Office of Competition and Consumer Protection

NADZÓR: SUPERVISION

WSPÓŁPRACA: COOPERATION

WSPÓŁPRACA: COOPERATION

NADZÓR: SUPERVISION

WSPÓŁPRACA: COOPERATION

Państwowa Inspekcja Pracy: National Labour Inspectorate

Organizacje reprezentatywne: Representative bodies

Ośrodki naukowe: Research centres

Zarządcy infrastruktury: Infrastructure managers

Przewoźnicy kolejowi: Rail operators

Użytkownicy bocznic kolejowych: Railway siding users

Podmioty odpowiedzialne za utrzymanie (ECM): Entities in charge of maintenance

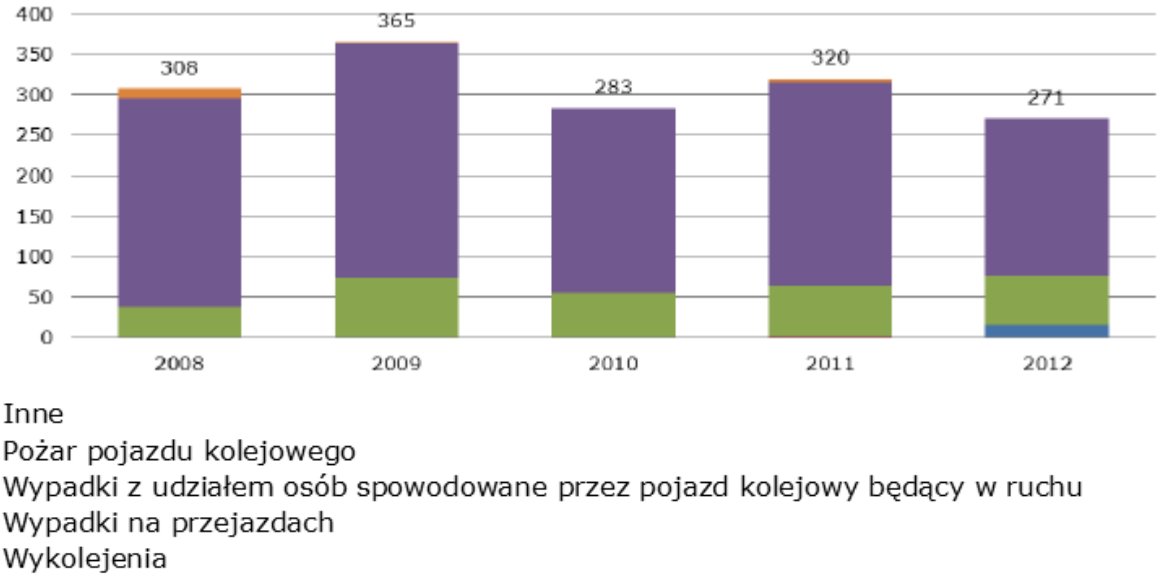
Jednostki wyznaczone (DeBo): Designated Bodies

Jednostki notyfikowane (NoBo): Notified Bodies (NoBo)

ANNEX C – Data concerning CSIs and definitions applied

C.1 Data concerning CSIs

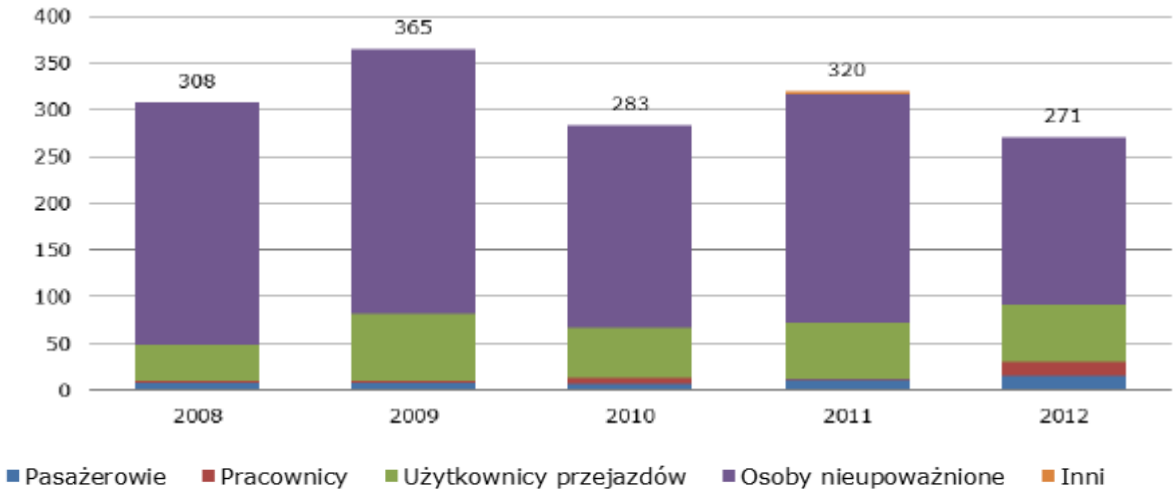
1.1 Fatalities broken down into accident types



Inne	Other
Pożar pojazdu kolejowego	Rail vehicle fire
Wypadki z udziałem osób spowodowane przez pojazd kolejowy będący w ruchu	Accidents involving persons caused by rolling stock in motion
Wypadki na przejazdach	Accidents at level crossings
Wykolejenia	Derailments

Year	Collisions	Derailments	Accidents at level crossings	Accidents involving persons caused by rolling stock in motion	Rail vehicle fire	Others	Total
2008	0	0	39	257	0	12	308
2009	0	0	74	289	0	2	365
2010	0	0	55	228	0	0	283
2011	0	2	62	251	0	5	320
2012	16	0	61	194	0	0	271

1.2 Fatalities broken down into categories of persons



Pasażerowie	Passengers
Pracownicy	Employees
Użytkownicy przejazdów	Users of level crossings
Osoby nieupoważnione	Unauthorised persons
Inni	Others

Year	Passengers	Employees	Users of level crossings	Unauthorised persons	Others	Total
2008	8	1	39	260	0	308
2009	8	1	73	283	0	365
2010	7	6	54	216	0	283
2011	10	2	60	244	4	320
2012	15	15	61	180	0	271

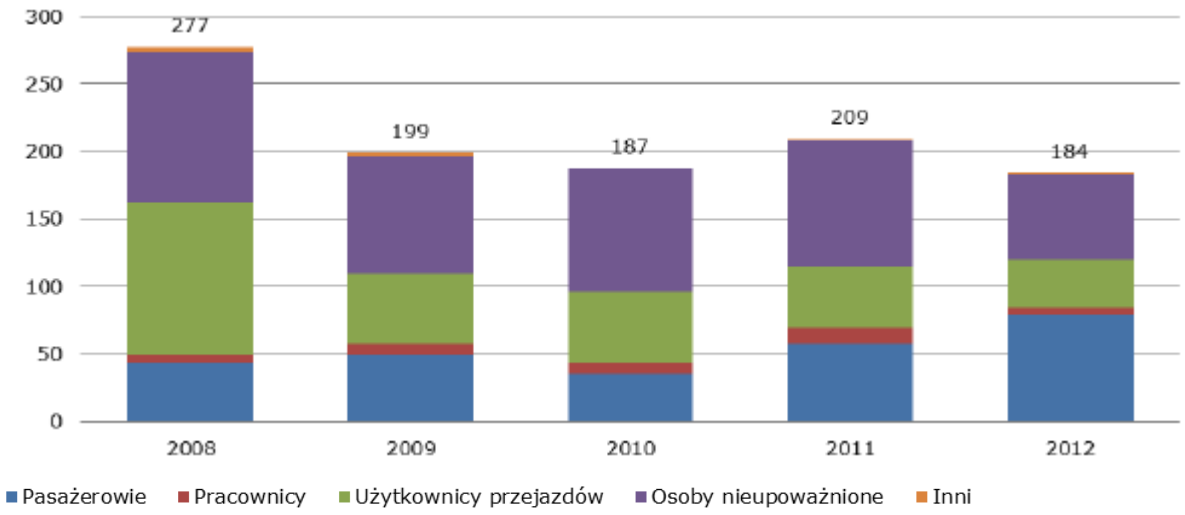
1.3 Persons seriously injured broken down into types of accidents

Razem
Inne
Pożar pojazdu kolejowego
Wypadki z udziałem osób spowodowane przez pojazd kolejowy będący w ruchu
Wypadki na przejazdach
Wykolejenia

Razem	Total
Inne	Other
Pożar pojazdu kolejowego	Rail vehicle fire
Wypadki z udziatem osób spowodowane przez pojazd kolejowy będący w ruchu	Accidents involving persons caused by rolling stock in motion
Wypadki na przejazdach	Accidents at level crossings
Wykolejenia	Derailments

Year	Collisions	Derailments	Accidents at level crossings	Accidents involving persons caused by rolling stock in motion	Rail vehicle fire	Others	Total
2008	6	0	104	105	0	62	277
2009	1	0	76	114	0	8	199
2010	13	0	59	114	0	1	187
2011	6	34	51	116	0	2	209
2012	61	0	36	85	0	2	184

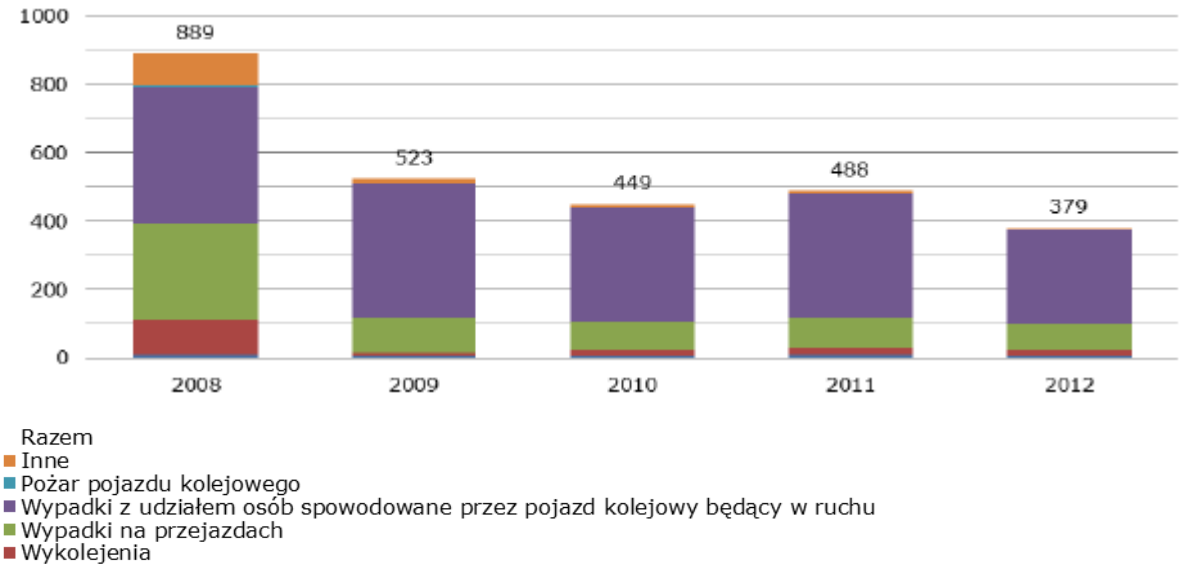
1.4 Persons seriously injured broken down into categories of persons



Pasażerowie	Passengers
Pracownicy	Employees
Użytkownicy przejazdów	Users of level crossings
Osoby nieupoważnione	Unauthorised persons
Inni	Others

Year	Passengers	Employees	Users of level crossings	Unauthorised persons	Others	Total
2008	44	5	113	111	4	277
2009	49	9	51	88	2	199
2010	35	9	52	91	0	187
2011	58	11	46	93	1	209
2012	79	5	36	63	1	184

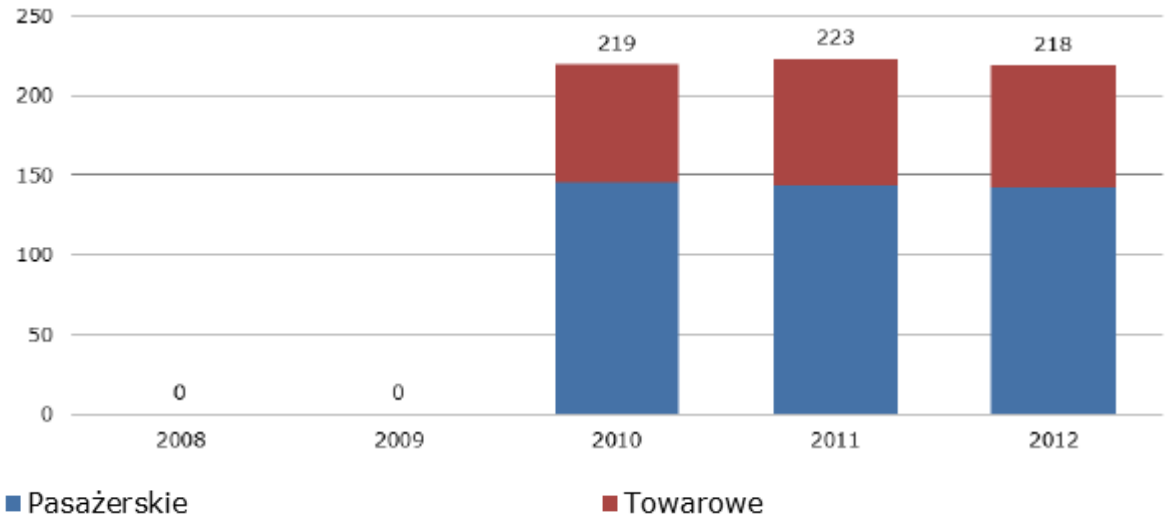
1.5 Number of rail accidents



Razem	Total
Inne	Others
Pożar pojazdu kolejowego	Rail vehicle fire
Wypadki z udziałem osób spowodowane przez pojazd kolejowy będący w ruchu	Accidents involving persons caused by rolling stock in motion
Wypadki na przejazdach	Accidents at level crossings
Wykolejenia	Derailments

Year	Collisions	Derailments	Accidents at level crossings	Accidents involving persons caused by rolling stock in motion	Rail vehicle fire	Others	Total
2008	8	105	278	397	9	92	889
2009	4	12	98	397	0	12	523
2010	4	17	86	335	0	7	449
2011	8	23	86	366	0	5	488
2012	6	17	77	275	0	4	379

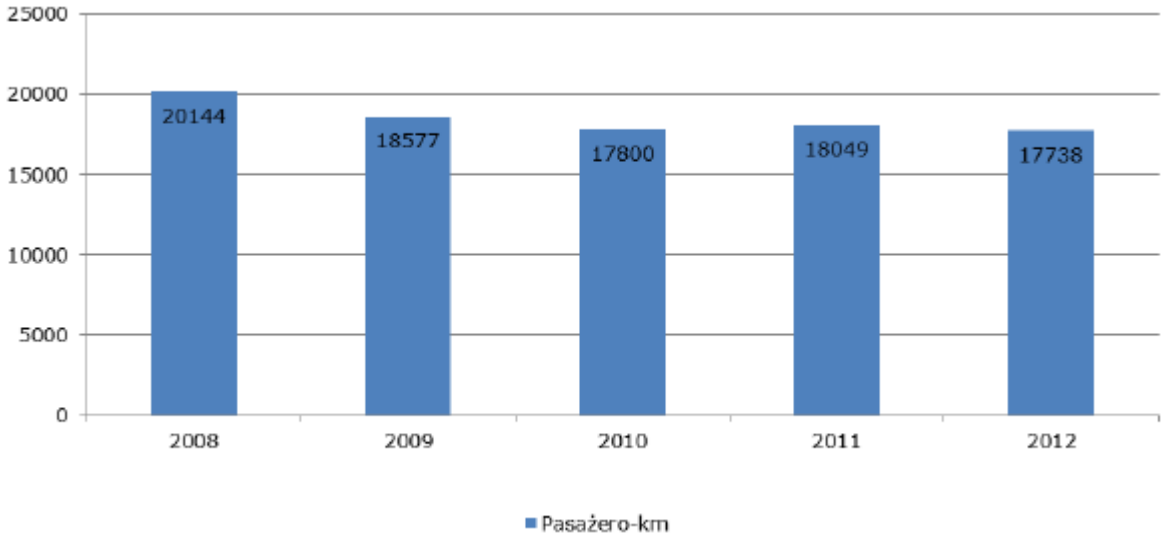
2.1 Number of train-kilometres (million)



Pasażerskie	Passenger
Towarowe	Goods

Year	Passenger	Goods	Total
2008	-	-	-
2009	-	-	-
2010	146	73	219
2011	143	80	223
2012	142	76	218

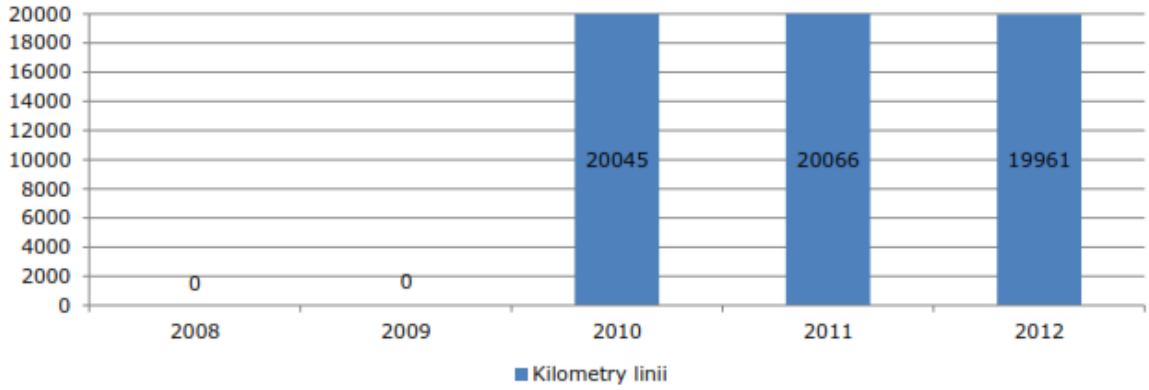
2.2 Number of passenger-kilometres (million)



Pasażero-km: Passenger-km

Year	Passenger-kms
2008	20 144
2009	18 577
2010	17 800
2011	18 049
2012	17 738

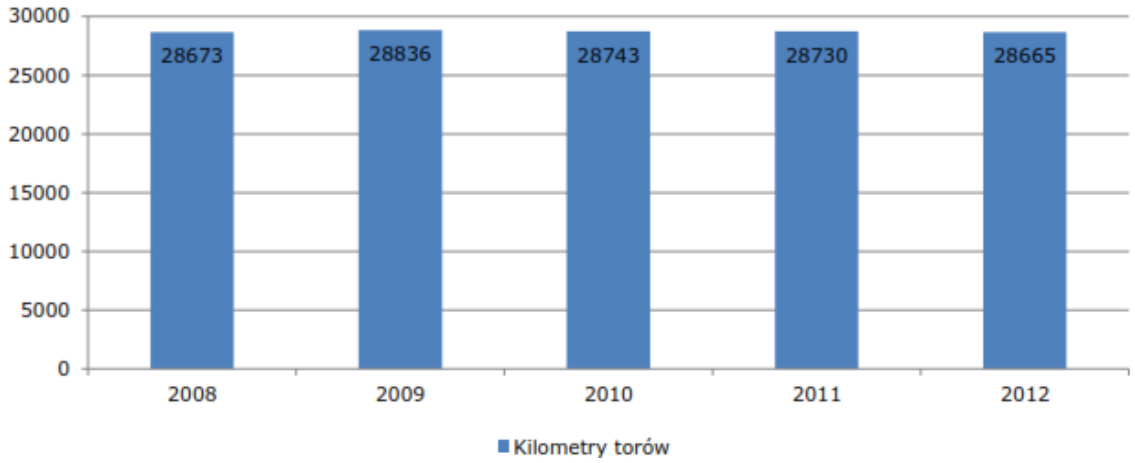
2.3. Number of kilometres of lines



Kilometry linii: Kilometres of lines

Year	Kilometres of lines
2008	-
2009	-
2010	20 045
2011	20 066
2012	19 961

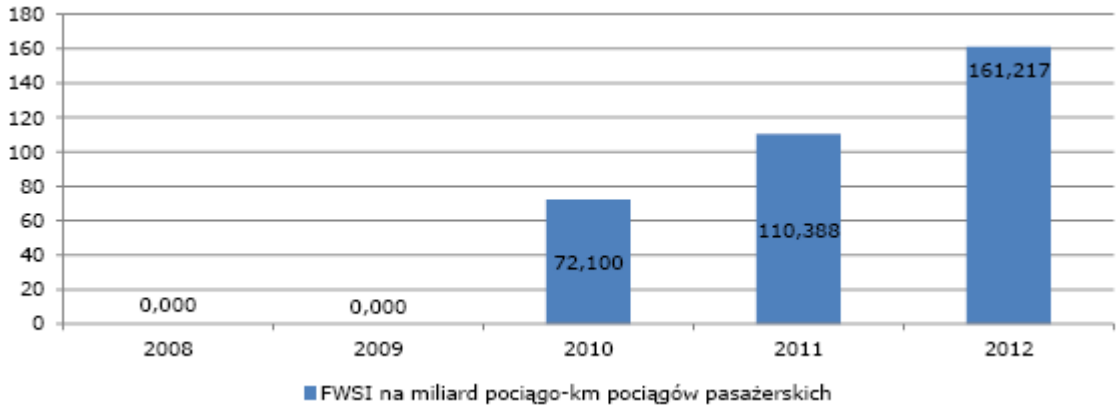
2.4. Number of track kilometres



Kilometry torów: Track kilometres

Year	Track kilometres
2008	28 673
2009	28 836
2010	28 743
2011	28 730
2012	28 665

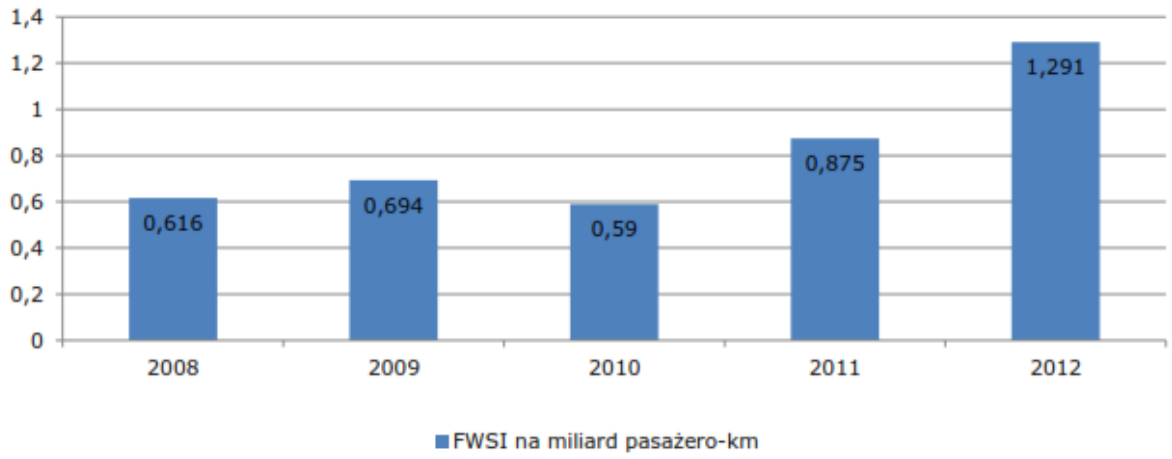
3.1. Passenger fatalities and weighted serious injuries (FWSIs) per billion train-kilometres of passenger trains (CST 1.1)



FWSI na miliard pociągo-km pociągów pasażerskich: FWSIs per billion train-km of passenger trains

Year	Passenger fatalities	Seriously injured persons	Number of train-km (millions)	FWSIs per billion train-km of passenger trains
2008	8	44	-	.
2009	8	49	-	.
2010	7	35	145.631	72.100
2011	10	58	143.132	110.388
2012	15	79	142.045	161.217

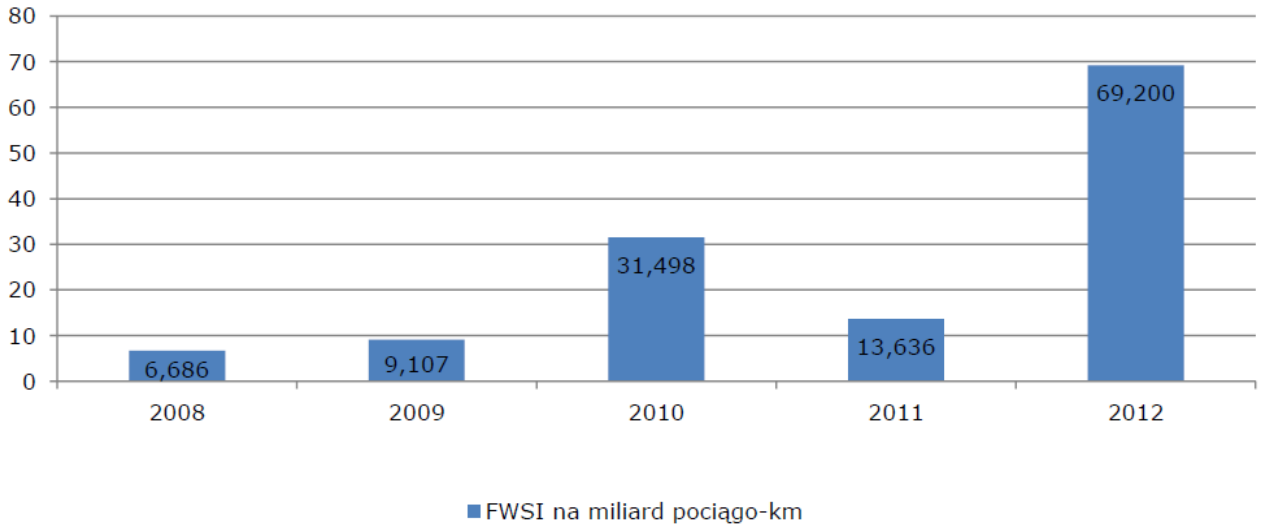
3.2. Passenger fatalities and weighted serious injuries (FWSIs) per billion passenger-kilometres (CST 1.2)



FWSI na miliard pasażero-km: FWSIs per billion passenger-km

Year	Passenger fatalities	Seriously injured persons	Number of passenger-km (million)	FWSIs per billion passenger-km
2008	8	44	20 144.000	0.616
2009	8	49	18 576.900	0.694
2010	7	35	17 799.959	0.590
2011	10	58	18 049.198	0.875
2012	15	79	17 737.830	1.291

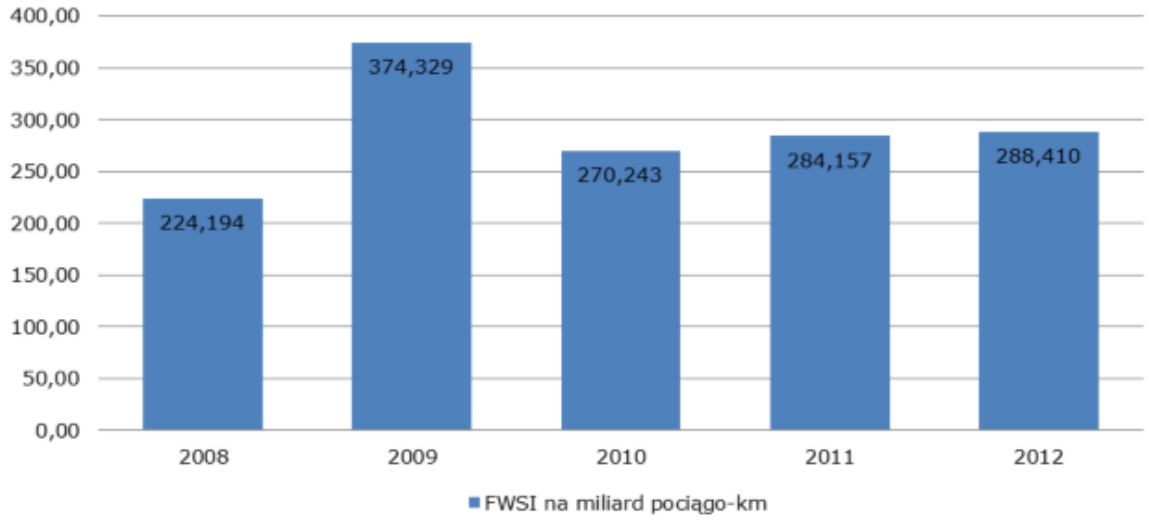
3.3. Employee fatalities and weighted serious injuries (FWSIs) per billion passenger-kilometres (CST 2)



FWSI na miliard pociągo-km: FWSIs per billion train-km

Year	Employee fatalities	Seriously injured persons	Number of train-km (millions)	FWSIs per billion train-km
2008	1	5	224.359	6.686
2009	1	9	208.640	9.107
2010	6	9	219.062	31.498
2011	2	11	227.339	13.636
2012	15	5	223.987	69.200

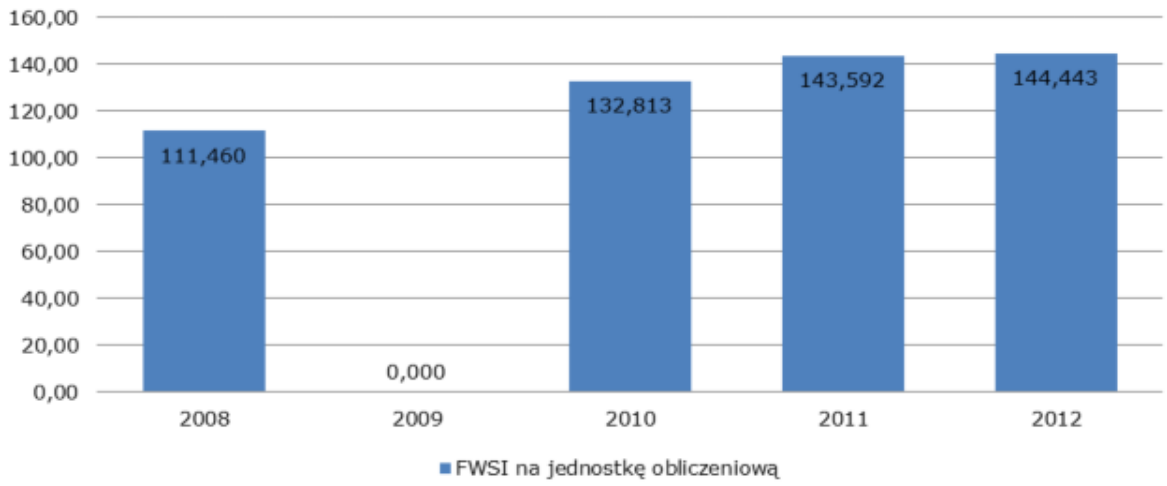
3.4. Number of level-crossing user fatalities and weighted serious injuries (FWSIs) per billion train-kilometres (CST 3.1)



FWSI na miliard pociągo-km: FWSIs per billion train-km

Year	Level-crossing user fatalities	Seriously injured persons	Number of train-km (millions)	FWSIs per billion train-km
2008	39	113	224.359	224.194
2009	73	51	208.640	374.329
2010	54	52	219.062	270.243
2011	60	46	227.339	284.157
2012	61	36	223.987	288.410

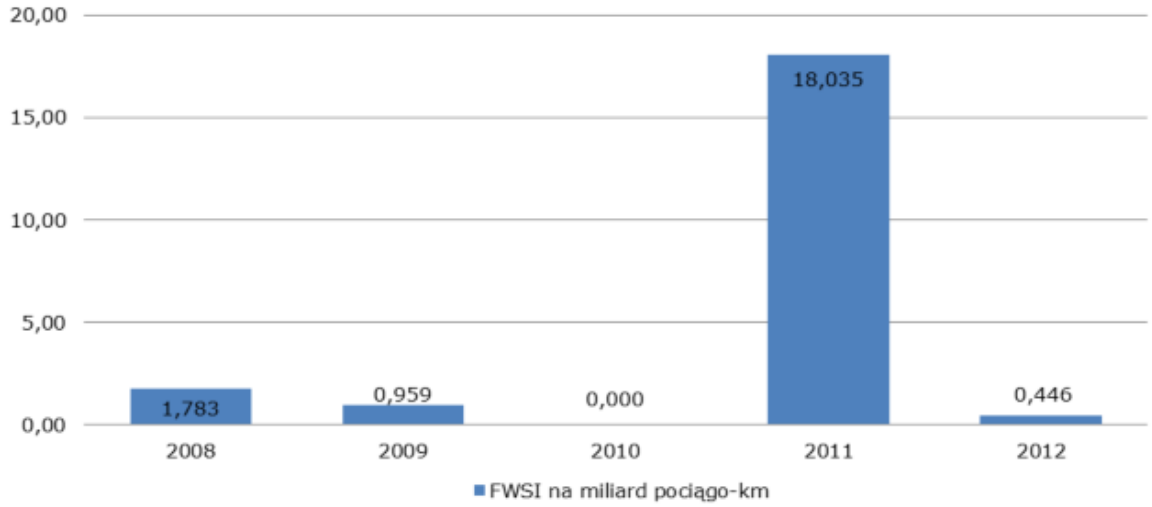
3.5. Level-crossing user fatalities and weighted serious injuries (FWSIs) per billion train-kilometres/kilometres of track *number of level crossings (CST 3.2)



FWSI na jednostkę obliczeniową: FWSIs per measurement unit

Year	Level-crossing user fatalities	Seriously injured persons	Number of train-km (millions)	Number of track km	Number of active and passive level crossings	FWSIs per measurement unit
2008	39	113	224.359	28 672.900	14 255	111.460
2009	73	51	208.640	28 835.740	.	.
2010	54	52	219.062	28 743.020	14 126	132.813
2011	60	46	227.339	28 730.060	14 518	143.592
2012	61	36	223.987	28 664.590	14 356	144.443

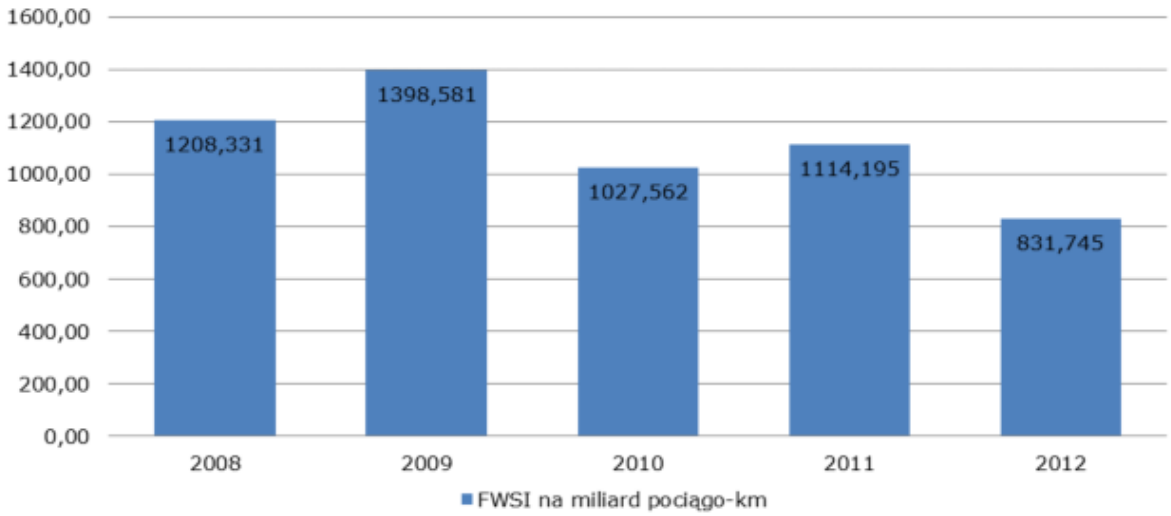
3.6. Number of fatalities and weighted serious injuries (FWSIs) among persons in the category ‘others’ per billion train-kilometres (CST 4)



FWSI na miliard pociągo-km: FWSIs per billion train-km

Year	Fatalities in the category ‘others’	Seriously injured persons	Number of train-km (millions)	FWSIs per billion train-km
2008	0	4	224.359	1.783
2009	0	2	208.640	0.959
2010	0	0	219.062	0.000
2011	4	1	227.339	18.035
2012	0	1	223.987	0.446

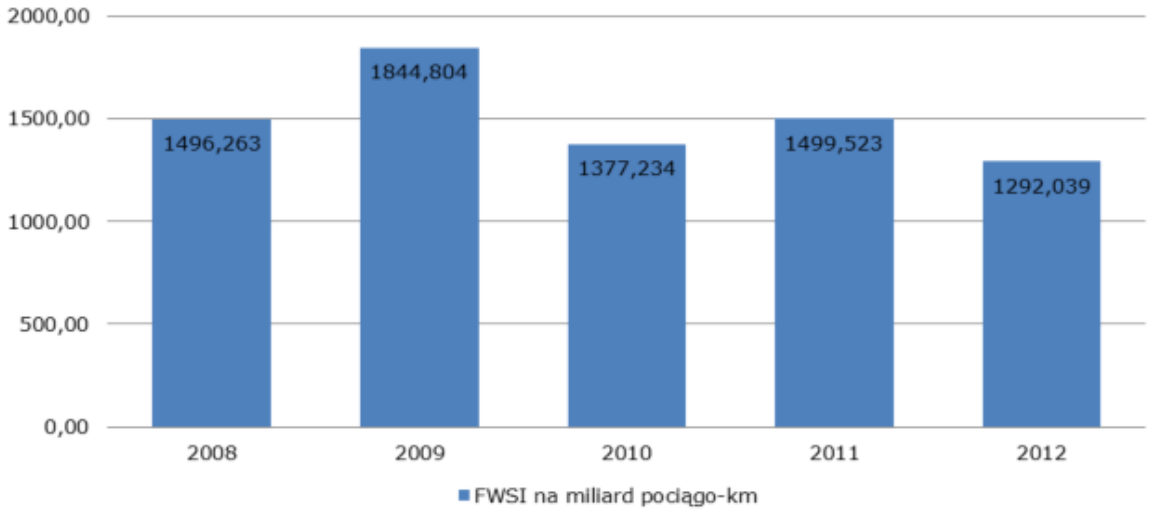
3.7. Unauthorised person fatalities and weighted serious injuries (FWSIs) per billion train-kilometres (CST 5)



FWSI na miliard pociągo-km: FWSIs per billion train-km

Year	Unauthorised person fatalities	Seriously injured persons	Number of train-km (millions)	FWSIs per billion train-km
2008	260	111	224.359	1 208.331
2009	283	88	208.640	1 398.581
2010	216	91	219.062	1 027.562
2011	244	93	227.339	1 114.195
2012	180	63	223.987	831.745

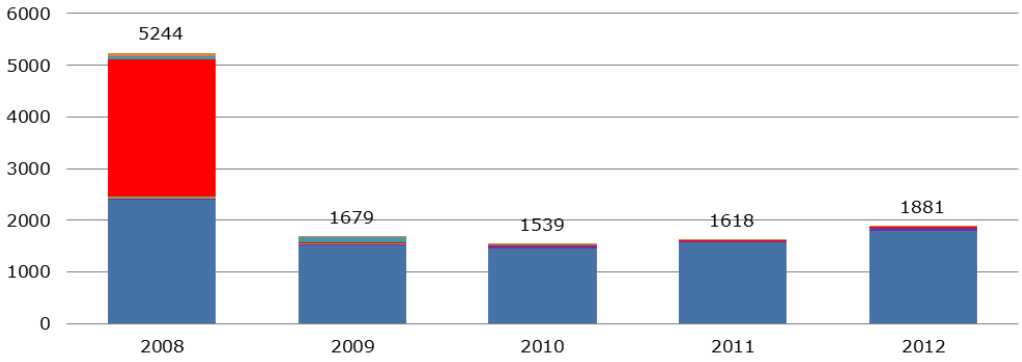
3.8. All fatalities and serious injuries (FWSIs) per billion train-kilometres (CST 6)



FWSI na miliard pociągo-km: FWSIs per billion train-km

Year	All fatalities	Seriously injured persons	Number of train-km (millions)	FWSIs per billion train-km
2008	308	277	224.359	1 496.263
2009	365	199	208.640	1 844.804
2010	283	187	219.062	1 377.234
2011	320	209	227.339	1 499.523
2012	271	184	223.987	1 292.039

4.1. Occurrences preceding accidents broken down into types

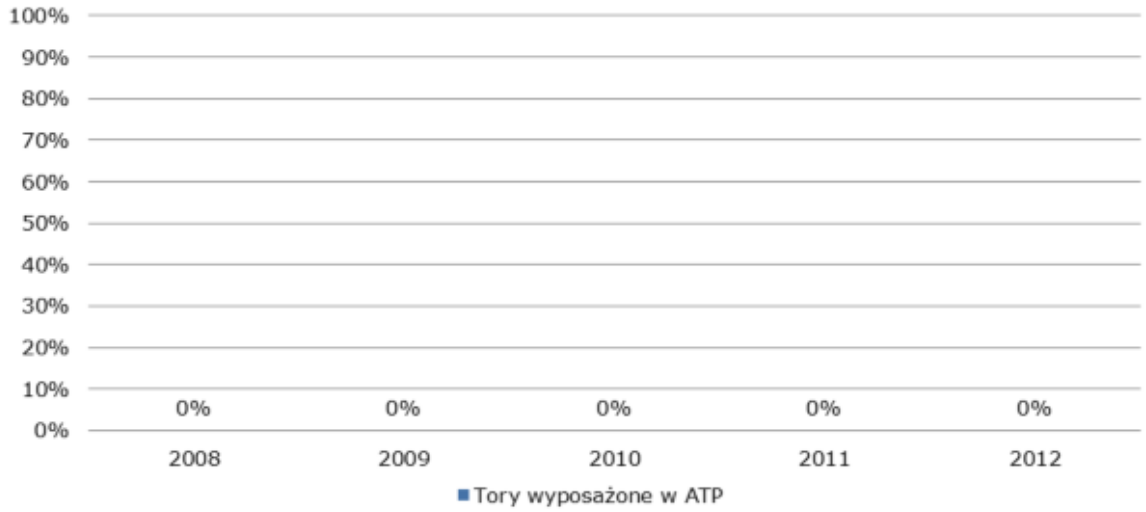


Razem
Pęknięcia osi w użytkowanym taborze kolejowym
Pęknięcia kół w użytkowanym taborze kolejowym
Przypadki minięcia sygnału informującego o niebezpieczeństwie
Defekty sygnalizacji
Odkształcenia torów

Razem	Total
Pęknięcia osi w użytkowanym taborze kolejowym	Broken axles in rail vehicles
Pęknięcia kół w użytkowanym taborze kolejowym	Broken wheels in rail vehicles
Przypadki minięcia sygnału informującego o niebezpieczeństwie	Signals passed at danger
Defekty sygnalizacji	Wrong-side signalling failure
Odkształcenia torów	Track buckling

Year	Broken rails	Track buckling	Wrong-side signalling failure	Signals passed at danger	Broken wheels in rail vehicles	Broken axles in rail vehicles	Total
2008	2 396	19	52	2 653	57	67	5 244
2009	1 506	22	21	13	105	12	1 679
2010	1 461	23	16	13	23	3	1 539
2011	1 564	20	0	29	3	2	1 618
2012	1 800	53	5	16	3	4	1 881

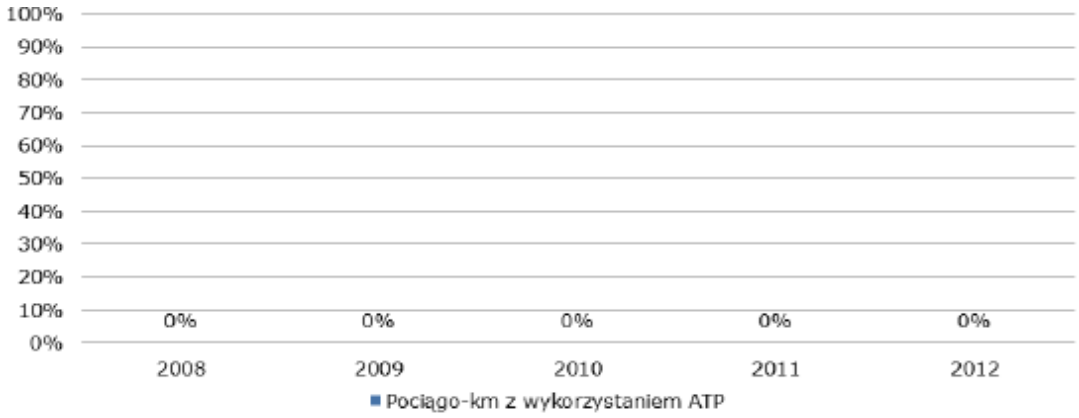
5.1 Percentage of track equipped with automatic train protection (ATP) devices



Tory wyposażone w ATP: Tracks equipped with ATP

Year	Track equipped with ATP
2008	-
2009	-
2010	-
2011	-
2012	-

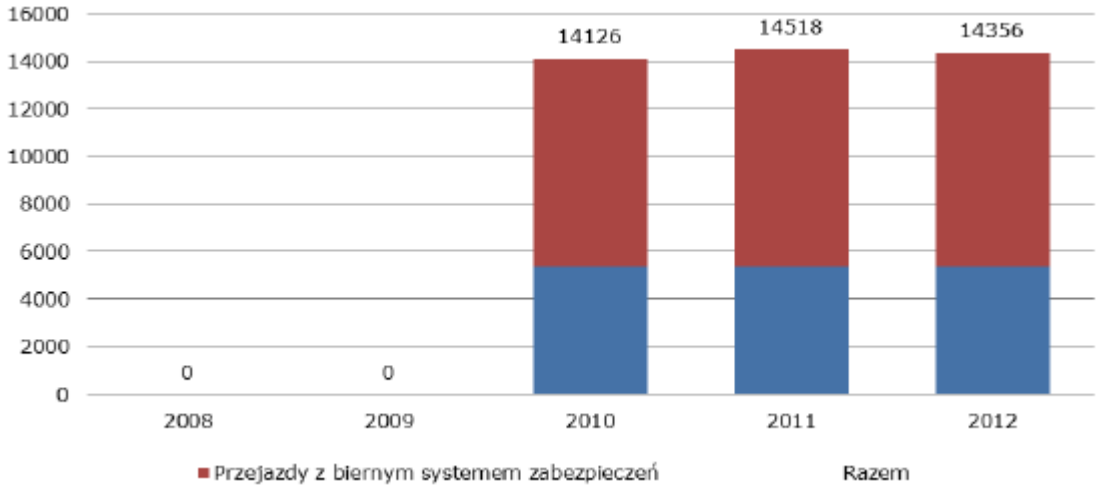
5.2. Percentage of train-kilometres using operational automatic train protection (ATP) systems



Pociągo-km z wykorzystaniem ATP: Train-km using ATP

Year	Train-km using ATP
2008	-
2009	-
2010	-
2011	-
2012	-

5.3. Number of rail vehicles broken down into types



Przejazdy z biernym systemem zabezpieczeń	Passive level crossings
Razem	Total

Year	Active level crossings	Passive level crossings	Total
2008	-	-	-
2009	-	-	-
2010	5 388	8 738	14 126
2011	5 409	9 109	14 518
2012	5 408	8 948	14 356

C.2 Definitions used in the annual report

The definitions used in this report are those from the Ordinance of the Minister of Infrastructure of 20 July 2010 *on common safety indicators (CSIs)* – Journal of Laws, No 142, item 952. These definitions are consistent with Annex I to Directive 2004/49/EC amended by Directive 2009/149/EC:

1. Indicators relating to accidents:

Serious accident – means any accident involving at least one rail vehicle in motion:

- with at least one killed or seriously injured person, or
- resulting in significant damage to rolling stock, tracks, other installations or the environment, i.e. damage valued at at least EUR 150 000, or
- extensive disruption to traffic, i.e. suspension of rail traffic on a main railway line for at least six hours,

accidents in workshops, warehouses and depots are excluded (definition consistent with Directive 2004/49/EC).

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 designation from an initial fixed point to a terminal fixed point. A single locomotive, i.e. a locomotive travelling by itself, is also defined as a train.

Collision of trains, including collisions with obstacles within the clearance gauge – a collision, impact or contact between two trains or with:

- shunting rolling stock, or
- objects on tracks or in their vicinity, except for objects lost on level crossings by vehicles or level-crossing users.

Train derailment – an accident during which there is a loss of contact between the rolling surface of a railway vehicle wheel and the rolling surface of the rail head.

Level crossing accidents – accidents at level crossings involving at least one rail vehicle and at least one road vehicle, other users crossing a level-crossing, such as pedestrians or other objects and elements temporarily present on or near the track, lost on level crossings by vehicles or level-crossing users.

Accidents to persons caused by rolling stock in motion – accidents in which at least one person is hit by a rail vehicle or fitting thereof, which has become separated from the vehicle; includes persons who have fallen from a railway vehicle and persons who have fallen or who are hit by an object during train travel.

Fires in rolling stock– fires or explosions in a rail vehicle (including their load) when they are running between the departure station and the destination as well as during re-marshalling operations.

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.

Employees and staff of subcontractors – means any person whose employment is in connection with a railway and is at work at the time of the accident. It includes the crew of the train and persons handling rolling stock and infrastructure installations.

Level crossing users – means all persons using a level crossing to cross the railway line by any mean of transport or on foot.

Unauthorised persons– means any person present on railway premises where such presence is forbidden, with the exception of level crossing users.
Others – means all persons not defined as 'passengers', 'employees' including the 'staff of subcontractors', 'level crossing users' or 'unauthorised persons on railway premises'.

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

Seriously injured person – means any person injured who was hospitalised for more than 24 hours as a result of an accident, excluding attempted suicides.

2. Indicators relating to dangerous goods:

Accident involving the transport of dangerous goods – means any accident or incident that is subject to reporting in

accordance with RID section 1.8.5.

3. Indicators relating to suicides:

Suicide – means an act to deliberately injure oneself the aim of which is death, as recorded and classified by the competent Authority.

4. Indicators relating to precursors of accidents:

Broken rails – the breakage of a rail across its entire section or cracked along a length of over 50 mm or to a depth of 10mm

Track buckling – faults of a rail surface or section and buckling, requiring rail traffic to be suspended or restricted in terms of speed in order to maintain rail traffic safety.

Wrong side signalling failure – means any failure of a signalling system (either to infrastructure or to rolling stock),

resulting in signalling information less restrictive than that demanded.

Broken wheels and broken axles – breakage across the entire section, posing a risk of accident (derailment or collision).

Signal Passed at Danger (SPAD) – means any occasion when a train or any part of a train proceeds beyond its authorised movement. Unauthorised movement means to pass:

- a 'Stop' signal on a signalling device, if an ATC or ATP-class train transport safety control system ('BKJP') is not operational,
- a point on a route specified by mileage in a written order or stated orally during shunting at a station,

- a ‘Stop’ signal on indicators, apart from buffer stops or hand signals (made by hand or acoustically), except cases where an unattended train or parts thereof passed a ‘Stop’ signal without supervision and cases in which, for any reason, the ‘Stop’ signal did not appear on the signalling device in time to allow the driver to stop the train.

5. Common methodologies to calculate the economic impact of accidents:

Cost of damage to environment – means costs that are to be met by railway operators/infrastructure managers in order to restore the environment to its state before the railway accident

Cost of material damage to rolling stock or infrastructure – means the cost of providing new rolling stock or infrastructure, with the same functionalities and technical parameters as that damaged beyond repair, and the cost of restoring repairable rolling stock or infrastructure to its state before the accident, including costs related to leasing rolling stock, as a consequence of damage in the accident.

Cost of delays as a consequence of accidents – it is impossible to determine this value due to the inability to determine the preferences referred to in the draft HEATCO – Developing Harmonised European Approaches for Transport Costing and Project Assessment.

The Value of Preventing a Casualty – it is impossible to determine this value due to the impossibility of specifying the preferences referred to in the draft HEATCO – Developing Harmonised European Approaches for Transport Costing and Project Assessment.

6. Indicators relating to technical safety of infrastructure and its implementation:

Automatic Train Protection (ATP) system – means a safe system that at set points enforces train driver obedience to signals including automatic stop at signals.

Level crossing – means any level intersection between a railway and a public or private road or passage for persons, animals, vehicles or machinery, excluding passages between platforms within stations, as well as passages over tracks for the sole use of employees.
Active level crossing – means a level crossing where the crossing users are protected from or warned of the approaching train by the activation of physical devices or fixed equipment respectively.

Passive level crossing – means a level crossing without any form of warning or protection system activated when it is unsafe for the user to traverse the crossing.

7. Indicators relating to the management of safety

Audit – means a systematic, independent and documented process for obtaining audit evidence and evaluating it objectively to determine the extent to which audit criteria are fulfilled, carried out in accordance with the management system.

8. Definitions of the scaling bases:

Train-km – means the unit of measure representing the movement of a train over a distance of one kilometre.

Passenger-km – means the unit of measure representing the transport of one passenger over a distance of one kilometre.

Length of railway lines in use – the length of railways lines in use measured in kilometres; for multiple-track railway lines, only the distance between origin and destination is to be counted.

Length of rail tracks – means the length of railway lines in use measured in kilometres, with each track of a multiple-track railway line being counted.

In 2012, the average exchange rate published by the National Bank of Poland as at 31 December 2012 was PLN 4.0882 : EUR 1.

C.3 Abbreviations

CSI	Common Safety Indicator
ERA	European Railway Agency
LC	Level crossing
mln	10^6
bln	10^9
NSA	National Safety Authority
RS	Rolling stock
RU	Railway undertaking
IM	Infrastructure manager

ANNEX D – Important amendments to legislation and ordinances				
	Legal basis	**Date of entry into force**	**Reason for introduction (please state whether this is a new provision or an amendment to an existing provision)**	**Description**
General national railway safety provisions				
Provisions on the national safety authority	Act on amending the rail transport act of 16 September 2011 (Journal of Laws of 2011, No 230, item 1372)	28.01.2012	The act aims to transpose Directives 2008/57/EC, 2009/131/EC and 2008/110/EC into national legislation.	Introducing an amendment to the introduction to calculation in Article 10(1), resulting in the President of the UTK being appointed as the national safety authority and national rail transport regulator within the meaning EU legislation. Addition of paragraph I(a) to Article 13, clarifying the tasks of the President of the UTK as regards supervision of entities whose operations affect rail traffic safety and rail operation safety, and expanding these tasks to include issuing and revoking certificates for entities in charge of maintenance (ECMs) of goods wagons. The drafted provision aims to create legal instruments in the area of safety of the rail system and goods wagon maintenance system. Introduction of a change in Article 13(2) clarifying the tasks of the President of the UTK as regards keeping the national rail vehicle register, matters related to consideration of applications for issuing, amending or revoking vehicle keeper markings (VKMs) and forwarding information in this regard to the European Railway

				Agency, issuing and amending European vehicle numbers (EVNs), deregistration of rail vehicles and amending other register data in the national rail vehicle register, issuing permits for commissioning of structural subsystems and rail vehicles and consideration of applications for derogation from application of the TSL. The amendment aims to unify, within the European Union, the keeping of the rail vehicle registers, rail vehicle markings, and procedures for commissioning structural subsystems and rail vehicles. The new paragraph 7(c) in Article 13 obliges the President of the UTK to notify the European Commission if they find that European specifications in force do not meet the essential requirements regarding the interoperability of the rail system. The draft provision is aimed at ongoing monitoring of existing European specifications, so as to specify, at the stage at which they are implemented, any inconsistencies resulting in failure to meet the essential requirements regarding the interoperability of the rail system. The provision referring to Article 17(a)(6)(1)(d) regards the obligation of the President of the UTK to include in annual safety reports information on the certificates of the entity in charge of maintenance (ECM) of rail vehicles, issued pursuant to Article 23(j)(8) of the act. Article 25(h) gives the President of the UTK authority to authorise units seeking notification, in accordance with the act on the conformity assessment system.

				Article 25(k) gives the President of the UTK authority to conduct periodic inspections of commissioned structural subsystems and specifies the procedure for renovating or upgrading a structural subsystem.
Provisions on the notified authorities, surveyors, third parties, registration and research bodies, etc.	Act on amending the rail transport act of 16 September 2011 (Journal of Laws of 2011, No 230, item 1372)	28.01.2012	The act aims to transpose Directives 2008/57/EC, 2009/131/EC and 2008/110/EC into national legislation.	The new Articles 23(a)-23(i) introduce the procedure for issuing a European vehicle number (EVN), registering a vehicle in the national rail vehicle register (NVR), and commissioning rail vehicles. After the act enters into force, in order to be commissioned, a rail vehicle must obtain a permit from the President of the UTK for commissioning of a rail vehicle. This does not include rail vehicles that have obtained such a permit in another Member State of the European Union and if the rail vehicle conducts cross-border services pursuant to bilateral international agreements to which the Republic of Poland is a party. The articles specify the documents to be submitted together with an application for a commissioning permit, and deadlines within which the President of the UTK must issue a permit. In addition, new provisions specify the criteria that decide which commissioning procedure is to be applied in the given case. The new Article 25(g)(a) introduces an obligation for the President of the UTK to keep the national rail vehicle register. The scope of data in this register includes the European vehicle number (EVN), references to the European Register of Authorised Types of Vehicles referred to in Article 34 of Directive 2008/57/EC. This register should also contain data identifying the rail vehicle keeper and information on the entity in charge of maintenance (ECM) of rail vehicles. This is aimed at

				facilitating the procedures and helping to specify the types of rail vehicles commissioned within the European Union. Furthermore, the draft provision introduces a delegation of legislative powers to issue an ordinance specifying the method for keeping the national rail vehicle register.
	Ordinance of the Ministry of Transport, Construction and Maritime Economy of 6 September 2012 on the national rail vehicle register (Journal of Laws of 2012, item 1063).	10.10.2012	This Ordinance is the implementation of the authorisation arising under Article 25(g)(a)(4) of the act of 28 March *on rail transport*. The necessity of issuing the ordinance in question arises also from the issue, by the European Commission, of Directive of the European Parliament and of the Council 2008/57/EC of 17 June 2008 on the interoperability of the rail system within the Community (OJ L 191 of 18 July 2008, p. 1). The issue of the ordinance in question enables full transposition of the aforementioned directive into national legislation as regards the national rail vehicle register.	The Ordinance specifies: 1) the method for keeping the national rail vehicle register, including the method for issuing a European vehicle number, amending register data and the method for deleting a rail vehicle from this register; 2) a template for the national rail vehicle register and its functional and technical description, including a description of the format of the data and the requirements for its functioning; 3) a template of an application for: a) issuing a European vehicle number (EVN) for a rail vehicle commissioned for the first time within the territory of the Republic of Poland, b) amending register data in the national rail vehicle register (NVR) for the rail vehicle registered therein, c) withdrawing a rail vehicle registered in the national rail vehicle register from operation; 4) a template for reports on: a) the issue of a European vehicle number (EVN) for the rail vehicle referred to in item 3(a), b) the amendments to register data referred to in item 3(b),

				c) withdrawing the rail vehicle referred to in item 3(c) from operation, d) registration of a rail vehicle if the reasons referred to in Article 23(a)(1)(3) of the act on rail transport of 28 March 2003 (the 'Act') cease.
National railway safety provisions				
Provisions on national safety objectives and methods	NO CHANGE			
Provisions on requirements regarding safety management systems and safety certificates for rail operators	act on amending the rail transport act of 16 September 2011 (Journal of Laws of 2011, No 230, item 1372)	28.01.2012	The amendment is due to the transposition of Article 1(7) of Directive 2008/110/EC	New wording of Article 18(b)(1) of provisions regarding safety certificates.
Provisions on requirements regarding safety management systems and safety authorisation for infrastructure managers	New wording of Article 18(b)(1) of provisions regarding safety certificates.	28.01.2012	The amendment is due to the transposition of Article 1(1) of Directive 2008/110/EC	The amendment of Article 18(2) refers to broadening the list of entities exempt from obtaining safety authorisations, i.e. infrastructure managers whose networks are functionally separate from the rest of the railway system and are entered into the register of monuments or inventory of museum objects, tourist lines used to conduct recreational or special transport, including narrow-gauge railways, and also rail operators conducting transport services on these lines.
Provisions on requirements regarding entities in possession of	Act on amending the rail transport act of 16 September 2011 (Journal of Laws of 2011, No 230,	28.01.2012	New provision	Article 66(1)(5) imposes sanctions on a rail vehicle keeper who has not informed the President of the UTK of all changes to data related to the rail vehicle registered in the national rail vehicle register as regards data included

carriages	item 1372)			in this register.
Provisions on entities in charge of maintenance	Act on amending the rail transport act of 16 September 2011 (Journal of Laws of 2011, No 230, item 1372)	28.01.2012	New provision constituting the transposition of Article 1(8) of Directive 2008/110/EC	Article 23(j) specifies the conditions that entities in charge of maintenance (ECMs) of rail vehicles are to meet, and the method for the President of the UTK issuing certificates for such entities.
Provisions on requirements for repair workshops	NONE			
National safety provisions for rail operators* and safety provisions for other rail entities	Act of 19 August 2011 on transport of dangerous goods (Journal of Laws of 2011, No 227, item 1367)	1.01.2012	This act implements Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008 on the inland transport of dangerous goods (OJ L 260 of 30 September 2008, p. 13), Commission Directive 2010/61/EU of 2 September 2010 adapting for the first time the Annexes to Directive 2008/68/EC of the European Parliament and of the Council on the inland transport of dangerous goods to scientific and technical progress (OJ L 233 of 3 September 2010, p. 27), Directive 2010/35/EU of the European Parliament and of the Council of 16 June 2010 on transportable pressure equipment and repealing Council Directives 76/767/EEC, 84/525/EEC,	The act specifies the rules of operating a business in national and international transport by road, rail or inland shipping of dangerous goods, and the bodies and units carrying out tasks related to such transport.

			84/526/EEC, 84/527/EEC and 1999/36/EC (OJ L 165 of 30 June 2010, p. 1) and Council Directive 95/50/EC of 6 October 1995 on uniform procedures for checks on the transport of dangerous goods by road (OJ L 249 of 17 October 1995, p. 35, OJ Special Edition in Polish, Ch. 7, vol. 2, p. 282).	
	Ordinance of the Ministry of Transport, Construction and Maritime Economy of 25 April 2012 on the technical conditions for tracks for emergency withdrawal of damaged rail wagons transporting dangerous goods (Journal of Laws of 2012, item 508	26.05.2012	This is a new act. The implementing act for the act of 19 August 2011 on transport of dangerous goods (Journal of Laws, No 227, item 1367 and No 244, item 1454), in accordance with the new statutory power contained in Article 106(1)(2) of this act.	The Ordinance specifies: the technical conditions for tracks and parking places for emergency withdrawal of damaged rail wagons transporting dangerous goods.
	Ordinance of the Ministry of Transport, Construction and Maritime Economy of 4 June 2012 on the checklist form and inspection report form (Journal of Laws of 2012, item 655).	30.06.2012	This Ordinance implements Council Directive 95/50/EC of 6 October 1995 on uniform procedures for checks on the transport of dangerous goods by road (OJ L 249 of 17 October 1995, p. 35, OJ Special Edition in Polish, Ch. 7, vol. 2, p. 282).	The Ordinance specifies: a template for the checklist form and inspection report in transport of dangerous goods by rail or inland shipping; the method and scope of completing the checklist and inspection report.
	Ordinance of the Ministry of Transport, Construction and	12.09.2012	The implementing act to the act of 19 August 2011 on transport of	The Ordinance specifies the template for the form for the annual report on operations as regards transport of

	Maritime Economy of 14 August 2012 on the form for the annual report on operations as regards the transport of dangerous goods, and how to complete it (Journal of Laws of 2012, item 966).		dangerous goods. Issued pursuant to the authorisation of Article 41(3) of the aforementioned act.	dangerous goods.
	Ordinance of the Ministry of Transport, Construction and Maritime Economy of 13 April 2012 on transportable pressure equipment	28.04.2012	This Ordinance implements Directive 2010/35/EU of the European Parliament and of the Council o 16 June 2010 on transportable pressure equipment and repealing Council Directives 76/767/EEC, 84/525/EEC, 84/526/EEC, 84/527/EEC and 1999/36/EC (OJ L 165 of 30 June 2010, p. 1).	The Ordinance specifies: procedures for assessment of transportable pressure equipment conformity; procedures for reassessment of transportable pressure equipment conformity; procedures for periodic, intermediate and unscheduled testing; dangerous goods not in Class 2 transported in transportable pressure equipment; the method for marking transportable pressure equipment; mark of conformity П.
Provisions on requirements for authorisation to put into operation and maintain new and significantly refurbished rolling stock, including provisions concerning the exchange of	NO CHANGE			

rolling stock between railway operators, the registration system and requirements regarding testing procedures				
Common rules for the functioning of the railway network, including provisions concerning the signalling process and traffic management	Act on amending the rail transport act of 16 September 2011 (Journal of Laws of 2011, No 230, item 1372)	28.01.2012	The act is aimed at the transposition of Directives 2008/57/EC, 2009/131/EC and 2008/110/EC into national legislation.	Article 25(t) introduces a delegation of legislative powers to the minister responsible for transport to issue an ordinance that will specify a list of relevant national technical specifications and standardising documents whose application will enable the meeting of essential requirements concerning the interoperability of the rail system in cases of derogation from the TSI or in relation to open points and specific cases for which it is necessary to apply technical provisions not contained in the relevant TSI. The provision in question is introduced to ensure safe and uninterrupted train traffic in the rail system, and compliance with European Union legislation. The new Article 25(t)(a) introduces a delegation of legislative powers to the minister responsible for transport to issue an ordinance that will specify a list of interoperability constituents for subsystems, essential requirements concerning interoperability of the rail system for subsystems and interoperability constituents, procedures for assessment of compliance of subsystems and the content of an EC declaration of verification of subsystems, procedures for assessment of conformity or suitability for use of interoperability constituents and the content of an EC declaration of conformity or suitability for use of interoperability constituents, a list of the parameters of a rail vehicle to be inspected to commission rail vehicles that do not comply with the TSI.

				The provision in question is introduced to ensure safe and uninterrupted train traffic in the rail system, and compliance with European Union legislation.
	Ordinance of the Ministry of Transport, Infrastructure and Maritime Economy of 6 September 2012 amending the Ordinance on the general conditions for managing rail traffic and signalling devices (Journal of Laws of 2012, item 1042).	5.11.2012	Issued pursuant to Article 17(7) of the act of 28 March 2003 on rail transport (Journal of Laws of 2007, No 16, item 94, as amended).	Introduced changes to the Ordinance of the Minister of Infrastructure on the general conditions for managing rail traffic and signalling devices resulting from the need to introduce indicator W6b and a new indicator – W27a – and clarifies and updates some provisions.
Regulations on the requirements for additional external operating rules (company principles) that must be set by infrastructure managers and rail companies	Act on amending the rail transport act of 16 September 2011 (Journal of Laws of 2011, No 230, item 1372)	28.01.2012	The purpose of the provision is to transpose Article 35(1) of Directive 2008/57/EC on the interoperability of the rail system within the Community; The act is aimed at transposing Directives 2008/57/EC, 2009/131/EC and 2008/110/EC into national legislation.	The new provision of Article 32 adds section Ia), which introduces the obligation of including in regulations developed by infrastructure managers a link to the website with access to the register of the infrastructure it manages. In Article 25(g), infrastructure managers are required to keep a register of the infrastructure they manage. Furthermore, the provision introduces a delegation of legislative powers to issue an ordinance specifying the method for keeping an infrastructure register.
	Ordinance of the Ministry of Transport, Construction and Maritime Economy on the rail infrastructure register (Journal of Laws of 2012, item 1055).	9.10.2012	Act issued pursuant to the authorisation of Article 25(g)(4) of the act of 28 March 2003 on rail transport	The Ordinance specifies:) the method for infrastructure managers keeping a register of rail infrastructure that forms part of the rail system, hereinafter referred to as the 'RINF', including the method for inputting register data, amending register data, and deleting data from the register;) a functional and technical description of the RINF, requirements concerning its functioning and a template of

				the RINF, including a description of the format of the data.
Regulations on the requirements made of staff performing key safety activities, including selection criteria, health, professional training and qualifications	Ordinance of the Ministry of Transport, Construction and Maritime Economy of 29 May 2012 on obtaining a certificate of a consultant in safety of transport of dangerous goods (Journal of Laws of 20 June 2012, item 691).	1.07.2012	Implementing act to the act of 19 August 2011 on transport of dangerous goods (Journal of Laws, No 227, item 1367 and No 244, item 1454).	The Ordinance specifies: 1) the conditions, format and manner for conducting an exam for consultants specialising in the safety of road transport, rail transport, and inland shipping transport of dangerous goods, hereinafter referred to as 'consultants'; 2) the makeup of the examination board, manner of its operation and how it is to be appointed, qualifications required of persons on the board and the manner of setting their remuneration; 3) the manner of issuing certificates for consultants specialising in safety of transport of dangerous goods, hereinafter referred to as the 'consultant certificates', and their duplicates; 4) the conditions for and method of storing documentation concerning exams and consultant certificates issued, their renewal and issue of their duplicates; 5) template of a consultant certificate and how it is to be completed; 6) fees for consultant exams; 7) fees for issuing a duplicate consultant certificate and method of payment. The Ordinance is aimed at unifying the rules for examining candidates for consultants specialising in

				transport of dangerous goods in rail, road and inland shipping transport.
Provisions on investigations of accidents and incidents, including recommendations	NO CHANGE			
Provisions on requirements as regards national safety indicators, including the means of collecting and analysing them	NO CHANGE			
Provisions on requirements regarding authorisation to put infrastructure into commission (rails, bridges, tunnels, power engineering, ATC, radio, signalling devices, locks, railway level-crossings, platforms, etc.)	Act on amending the rail transport act of 16 September 2011 (Journal of Laws of 2011, No 230, item 1372)	28.01.2012	Provisions of Article 25(c)(a)-25(c)(c) and Article 25(e) arise directly from Directive 2008/57/EC.	The provisions of Article 25(c)(a)-25(c)(c) and Article 25(e) introduce an obligation to carry out a procedure to assess the conformity of a subsystem or interoperability constituent before it may be commissioned for a rail system, enable a notified certifying body to issue an EC verification certificate for a subsystem and an EC conformity certificate or suitability for use certificate for an interoperability constituent, specify the rules for conducting procedures for assessment of conformity of interoperability constituents and structural subsystems. Furthermore, Article 25(e) introduces an obligation to obtain, from the President of the UTK, a permit for the commissioning of a structural subsystem prior to commissioning it; The amendment of Article 25(r) imposes an obligation for cooperation between manufacturers or their authorised representatives, investors, importers, keepers,

				infrastructure managers, rail operators and notified certifying body, notified inspecting body and notified laboratory, and the President of the UTK as regards presenting all necessary documents, materials and information required to establish whether a subsystem meets the essential requirements regarding interoperability of the rail system and rail safety.
	Ordinance of the Ministry of Transport, Construction and Maritime Economy of 7 August 2012 on the scope of the tests necessary to obtain licences for the use of specific buildings or installations designed for rail traffic operation and types of railway vehicles (Journal of Laws of 2012, item 918).	11.08.2012	Aimed at implementing the statutory power of Article 23(7)(2) of the act of 28 March 2003 on rail transport.	The Ordinance specifies the scope of necessary tests to obtain licences for exploitation of specific buildings or installations designed for railway traffic operation and types of railway vehicles.
	Ordinance of the Ministry of Transport, Construction and Maritime Economy of 7 August 2012 on operating licences (Journal of Laws of 2012, item 919)	11.08.2012	The Ordinance is aimed at implementing the statutory power of Article 23(7)(1) of the act of 28 March 2003 on rail transport. It replaces the applicable Ordinance of the Minister of Infrastructure of 30 April 2004 on licences for the exploitation of specific buildings and installations designed for railway traffic operation, and types of railway vehicles (Journal of Laws, No 103, item 1090, as amended).	The Ordinance specified: 1) the conditions, manner for issuing and revoking exploitation licences for types of: a) buildings designed for railway traffic operation, b) installations designed for railway traffic operation, c) railway vehicles; 2) the period of validity and templates for exploitation licences; 3) organisational units authorised to carry out tests required to obtain exploitation certificates, hereinafter referred to as ‘authorised units’.

	Ordinance of the Ministry of Transport, Construction and Maritime Economy of 7 August 2012 on the list of specific buildings or installations designed for railway traffic operation and types of railway vehicles for which licences for exploitation are issued (Journal of Laws of 2012, item 911).	11.08.2012	The Ordinance is aimed at implementing the statutory power of Article 23(7)(3) of the act of 28 March 2003 on rail transport. It replaces the applicable Ordinance of the Minister of Infrastructure of 26 September 2003 on the list of buildings and installations designed for railway traffic operation, and types of rail vehicles (Journal of Laws, No 175, item 1706, as amended).	The Ordinance specifies the type of buildings and installations designed for railway traffic operation, and the types of railway vehicles for which exploitation licences are issued.
	Ordinance of the Ministry of Transport, Construction and Maritime Economy of 2 May 2012 on the interoperability of the railway system (Journal of Laws of 2012, item 492).	11.08.2012	The Ordinance is aimed at implementing the statutory power of Article 25(t)(a)(1) of the act of 28 March 2003 on rail transport. It replaces the applicable Ordinance of the Minister of Infrastructure of 29 June 2004 on essential requirements regarding railway interoperability and procedures for assessment of conformity for the trans-European high-speed system (Journal of Laws, No 162, item 1697, as amended), and the Ordinance of the Minister of Transport of 5 September 2006 on the essential requirements regarding railway interoperability and procedures for assessment of conformity for the trans-European conventional rail system (Journal of Laws, No 171, item 1230, as	The Ordinance specifies: 1) a list of interoperability constituents for subsystems of the rail system; 2) the essential requirements regarding the interoperability of the rail system for subsystems and interoperability constituents; 3) procedures for assessment of conformity of subsystems and the content of the EC declaration of verification for subsystems; 4) procedures for assessment of conformity or suitability for use of interoperability constituents and the content of an EC declaration of conformity or suitability for use of an interoperability constituent; 5) a list of parameters for a rail vehicle to be checked in order to commission rail vehicles that do not comply with the technical specifications for interoperability, hereinafter referred to as the 'TSIs'; 6) the entities appointed to carry out tests of

			amended).	subsystems that do not comply with the TSIs, hereinafter referred to as ‘appointed entities’.

ANNEX E: Numerical data regarding the state of safety certification and authorisation

E.1. Safety certificates in accordance with Directive 2004/49/EC

E.1.1 Number of Part A safety certificates issued in the reporting period and previous years, which were still valid at the end of 2012

	Total number of safety certificates	**Number of Part A safety certificates in ERADIS**
Number of **Part A** safety certificates issued in the reporting period and previous years, which were still valid at the end of 2012	80	80

E.1.2 Number of Part B safety certificates issued in the reporting period and previous years by a given Member State, which were still valid at the end of 2012

		Total number of safety certificates	**Number of Part B safety certificates in ERADIS**
Number of **Part B** safety certificates issued in the reporting period and previous years by a given Member State, which were still valid at the end of 2012	in Poland	73	72
	in another Member State	0	0

E.1.3 Number of new applications for Part A safety certificates submitted by rail enterprises in 2012

		P	**O**	**N**
Number of new applications for **Part A** safety	new certificates	13	0	0

certificates submitted by rail enterprises in 2012	updated/amended certificates	0	0	1
	renewed certificates	0	0	0

E.1.4 Number of new applications for Part B safety certificates submitted by rail enterprises in 2012

			P	O	N
Number of new applications for **Part B** safety certificates submitted by rail enterprises in 2012	For which Part A was issued in Poland	new certificates	8	0	0
		updated/amended certificates	3	0	0
		renewed certificates	0	0	0
	For which Part A was issued in another Member State	new certificates	0	0	0
		updated/amended certificates	0	0	0
		renewed certificates	0	0	0

P – Application accepted, certificate already issued

O – Application rejected, certificate was not issued

N – Case in progress, no certificate yet issued

E.1.5 Number of Part A safety certificates withdrawn during this reporting year

	Total number of safety certificates withdrawn in 2012	**Number of withdrawn safety certificates in ERADIS (that were withdrawn in 2012)**
Number of **Part A** safety certificates withdrawn during this reporting year	0	0

E.1.6 Number of Part B safety certificates withdrawn during this reporting year

	Total number of safety certificates withdrawn in 2012	**Number of withdrawn safety certificates in ERADIS (that were withdrawn in 2012)**
Number of **Part B** safety certificates withdrawn during this reporting year	0	0

E.1.7 List of countries in which rail enterprises seeking a Part B safety certificate in a Member State obtained a Part A certificate

Name of rail enterprise	**Member State in which Part A of the safety certificate was issued**
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E.2. Safety authorisations in accordance with Directive 2004/49/EC

E.2.1 Number of valid safety authorisations issued in the reporting year and previous years, which were still valid at the end of 2012

	Total number of safety authorisations
Number of valid safety authorisations issued in the reporting year and previous years, which were still valid at the end of 2012	8

E.2.2 Number of applications for safety authorisations submitted in 2012 by infrastructure managers

		P	O	N
Number of applications for safety authorisations submitted in 2012 by infrastructure managers	new authorisations	0	0	0
	updated/amended authorisations	0	0	0
	renewed authorisations	0	0	0

P – Application accepted, authorisation already issued

O – Application rejected, authorisation was not issued

N – Case in progress, no authorisation yet issued

E.2.3 Number of safety authorisations withdrawn in this reporting year

Number of safety authorisations withdrawn in this reporting year	0

E.3 Procedural aspects – part A safety certificates

	New	Updated/amended	Renewed
Average time between receipt of an application with all necessary information, and the final issue of a **Part A** safety certificate for a rail enterprise in 2012	less than three months	less than three months	---

E.4 Procedural aspects – part B safety certificates

		New	Updated/ amended	Renewed
Average time between receipt of an application with all necessary information, and the final issue of a **Part B** safety certificate for a rail enterprise in 2012	For which Part A was issued in Poland	less than three months	less than three months	---
	For which Part A was issued in another Member State	---	---	---

E.5 Procedural aspects – safety authorisations

	New	Updated/amended	Renewed
Average time between receipt of an application with all necessary information, and the final issue of a safety authorisation for a rail enterprise in 2012	---	less than four months	---