

NEW CHALLENGES FOR RAILWAY AUTHORITIES OF THE WESTERN BALKANS

Budapest, Hungary

16 October 2018

**CLEANING OF
NATIONAL RULES
EXPERIENCES OF THE
REPUBLIC OF SLOVENIA**

BORIS ŽIVČIČ

in the name of
**MINISTRY OF INFRASTRUCTURE
OF THE REPUBLIC OF SLOVENIA**

And as representative of the
**AGENCY FOR RAILWAY TRANSPORT
OF THE REPUBLIC OF SLOVENIA -
NATIONAL SAFETY AUTHORITY -**

NATIONAL RULES

- *National safety and technical rules - Essential tool for safe and efficient railway transport at the time being,*
- *National safety and technical rules as barrier to efficient, interoperable railway transport in modern world.*

***NATIONAL SAFETY AND TECHNICAL RULES - ESSENTIAL TOOL
FOR SAFE AND EFFICIENT RAILWAY TRANSPORT***

- **Why National Safety and Technical rules**
- **What the National Safety and Technical rules regulates**
- **How the National Safety and Technical rules were developed**
- **What were the consequences of the National Safety and Technical Rules on national and international transport**

***NATIONAL SAFETY AND TECHNICAL RULES AS BARRIER
TO EFFICIENT, INTEROPERABLE RAILWAY TRANSPORT***

- **Restructuring of the Railway System from the European prospective,**
- **Responsibilities of main specific stakeholders of the Railway system**
- **Common – European legal framework to minimise the needs of National rules**

***NATIONAL SAFETY AND TECHNICAL RULES AS BARRIER
TO EFFICIENT, INTEROPERABLE RAILWAY TRANSPORT***

- **Reference Document Database developed at the ERA,**
- **Technical specifications of Interoperability**
- **Fourth Railway package – Technical pillar**

NATIONAL RULES IN THE REPUBLIC OF SLOVENIA

STARTING POINT

Implementation of IV. railway package :
September 2016 establishment of 2 working groups



*REFERENCE DOCUMENT DATABASE DEVELOPED AT EUROPEAN UNION
AGENCY FOR RAILWAYS*

- *Public Agency for Railway Transport of the Republic of Slovenia in the role of National Safety Authority actively contribute at management, use and development of the Reference Document Database set up by the European Commissions Decision 2011/155/EU*
- *At the moment there are 192 cleaned rules in the RDD regarding the cross border transport of vehicles in the area of Central and Eastern Europe*
- *The coordination meetings were concluded in 2014 and the conclusions published within RDD in 2015.*

BORIS ŽIVEC
Secretary at
Public Agency for
Railway transport

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TECHNICAL SPECIFICATIONS OF INTEROPERABILITY AS EUROPEAN COMMISSIONS REGULATIONS

- **Member States shall replace National rules (*based on national Technical standards*) with the TSI based rules**
- **TSI OPE 2015/995/EU demands that its requirements are transferred into SMS of Undertakings and infrastructure Managers**
- **Only „open points“ remains in the domain of the National rules**
- **Development and updating based on the recognised needs of the sector aimed to minimisation of the open points**

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FOURTH RAILWAY PACKAGE – TECHNICAL PILLAR

- **Directive EU 2016/798 on Railway Safety requires checking and cancelation of National rules that has not been notified or became redundant for the EU legal framework by the Member States**
- **Member States might introduce National rules in case the TSI do not meet the requirements or in case of urgent preventive measures**
- **Some possible dilemma that might appear during the consideration on cleaning the National rules**

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- **Following the Ministry's attitude and timeline on cleaning the National rules the following concerns were identified at the experts level**
 - **The National rules in its content were composed of the part that by the Rule Management Tool should present a part of the Safety Management Systems as well as the part that shall remain at the national level**
 - **The National legislation required that the precise definition of the Safety Management System shall be defined by the National legislation what present a barrier to cleaning until the legislation was changed**
 - **Besides above mentioned the previous national legislation prolonged the validity of the sectors National rules what only could be changed by the change of the legislation**

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- **Seeking the efficient strategy towards cleaning the National rules, by the new legislation adopted on 17 April and published at 16 June 2018 all the National rules based on previous Railway Safety Act were cancelled,**
- **Aiming to avoid legal vacuum the extension of use of the above mentioned National rules was defined for a limited period of time,**
- **Modern rules for issuing of National rules were defined in line with EU practice and legal framework,**
- **By that legislation the obligation on completion of cleaning and issue of necessary National rules until 16 June 2020 is defined,**
- **The sectors technical and safety rules are transferred into the Safety Management system**

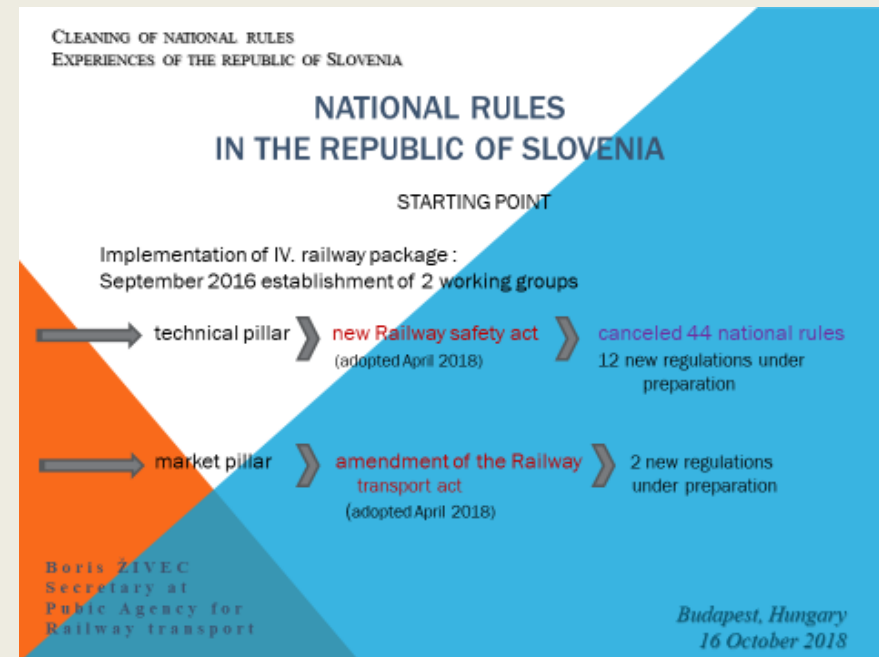
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FOURTH RAILWAY PACKAGE – TECHNICAL PILLAR

Following the commitment of the Republic of Slovenia on the subject of cleaning the National rules the AZP as National Safety Authority has launched an intensive lively debate with the sector on achieving the declared goals and commitments in due time.

Would that also help removing the barriers to efficiency and competitiveness of the Railway transport to Sectors expectations?



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**THANK YOU
FOR YOUR
PATIENCE**

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