



ρυθμιστική αρχή  
σιδηροδρόμων

regulatory  
authority  
for railways



ΕΛΛΗΝΙΚΗ ΔΗΜΟΚΡΑΤΙΑ  
HELLENIC REPUBLIC

A large, circular, blurred image of a train in motion, showing motion blur on the tracks and the train itself, is positioned in the center of the cover. The train is moving from left to right. The background is a gradient of orange and blue.

# Annual Report 2013

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## President's message

The transfer of the competencies of the National Railway Safety Authority from the Greek Ministry of Infrastructure, Transport and Networks to RAS, which took place near the end of 2013, has been the most significant development for RAS. We are convinced that, given the technical rail experience of the staff members of RAS, this wise selection of YPYMEDI will result in substantial synergies in a sector which is especially crucial, such as is the safety in railways. A competence relevant to safety is also the monitoring of interoperability, together with the final placing into service of the new or rehabilitated rail sub-systems (infrastructure, energy, track side / on board control, command and signaling, rolling stock, administering of circulation, maintenance, telematics applications for passenger and freight transport services).

RAS has already taken part in the plenary of the National Railway Safety Authorities of the European Member States in Lille, France, under the presidency of the European Rail Agency (ERA). It was there that it was agreed upon with the competent ERA's director that a first workshop would take place in Athens with basic presentations from ERA's staff members, specialized in the sector of safety, in which, except for RAS' staff members, staff members of YPYMEDI (the Ministry of Infrastructure, Transport and Networks), OSE, ERGOSE, STASY, TRAINOSE, EESSTY (the entity in charge of maintenance of the rolling stock) would participate, too. It has also been planned that RAS's staff members will travel to the United Kingdom in order to practice themselves in monitoring and supervising techniques that the British Railway Regulatory Authority (ORR) has established since long ago.

We believe that the role of the National Railway Safety Authority in approving of the Safety Management Systems (SMSs) of the interested parties in railway, supervising the correct application of the SMSs', identifying potential gaps and suggesting ameliorative actions is especially crucial for the continuous safeguarding of the strong comparative advantage of railway which occurs in the field of transport.

As far as it is concerned with the railway market, there has been no significant task rise, neither have new entrants occurred in it.

The rail connection with the freight port of Pireaus (at Ikonion) has recently started operating, ameliorative interventions in it are due to follow and the completion of the marshalling yard and of the freight center of Thriasion, the rehab of the freight terminal at Thessaloniki's port and the procurement of the project of the final phase of the works necessary to complete the axis Tithorea-Domokos and Kiato-Rododafni have all started and are now in progress.

On completion of the above mentioned projects, railway market in Greece will become more attractive, so that new entrepreneurs which will exploit the significant advantages of railways in conjunction with intermodal transports may become active.

We believe that RAS has contributed significantly to the existing legislative framework and the established processes, so that any prospective railway undertaking which is interested in entering the railway market can get access to it easily, simply and fast, as well as being free from the risk of facing adverse or discriminative treatment, while carrying out its task.

Vasileios Tsiamantis  
President

# 1 Railway Market – Interested Parties

The main participants in the railway services market are the railway infrastructure manager, the railway undertakings and the body which is responsible for the maintenance of the rolling stock. The European rail policy aims at the development of a single European rail area by means of bodies that have already been established. The final terminus is the creation of an effective open railway market, the elimination of administrative and technical barriers, the safeguarding of equal terms of competition and the safety assurance in the sector of railway transport.

At this point the basic competencies of the Regulatory Authority of Railways are getting involved. These competencies are:

- The assurance of fair and undiscriminating access to the national railway infrastructure and relevant services.
- The development and enhancement of the global safety of the entire railway system.
- The monitoring of the compliance of the basic interoperability elements of the railway system with the main requirements of the existing legislation.

Thereafter a brief reference is made to railway transport work and to the most significant bodies and railway market participators in Europe and in Greece.

## 1.1 Greece

### 1.1.1 The Regulatory Authority of Railways (RAS)

In parallel to the competencies already provided for by the Greek and the European legislation for regulatory bodies in railway transports, RAS has been entrusted with the competencies of the National Safety Agency (NSA) for railway transport since October 2013 in accordance with L. 4199/2013 (Gov. Gazette No 216 A'). By taking under consideration the evolution of the European legislation, as well as the general technical and scientific development, and giving priority to the prevention of accidents and the maximization of safety, RAS compiles, updates, modifies safety standards, supervises the competent bodies assigned with the application and keeping of the existing legislation and imposes penalties to those bodies that do not comply with the legislation. The enactment, application and enforcement of safety standards are assured in an open and undiscriminating way towards developing a single European railway transport system. RAS also ensures that the measures taken to develop and enhance railway safety have taken under consideration the need for systematic approach of the European Union railway systems by introducing common interoperability elements.

### 1.1.2 The Railway Infrastructure Manager

OSE S.A. holds exclusively the responsibility of doing the work of the National Railway Infrastructure Manager. It is responsible for building new infrastructure and for maintaining and administering the existing infrastructure.

ERGOSE S.A., which is responsible for the project management of the works of the investment plan of OSE, in particular of those which are partly subsidized by European Union programs.

GAIAOSE S.A. has belonged until recently to the OSE Holding Group as a subsidiary company providing services related to the development, administration and exploitation of the real estate of OSE. GAIAOSE S.A. was split up from the mother company OSE S.A. by means of L. 4111/2013 (G.G. No 18 A/25-1-2013).

By means of the joint Ministerial Decision 1661/14-08-2013 (G.G. No 1993 B') the sector of the rolling stock maintenance was also split up from OSE Holding Group and was merged with the incorporated company with the commercial name "Greek Company in charge of maintenance of the rolling stock" and the distinctive title "EESSTY".

The active railway network with a total length of exploited line of 2.554 km is geographically divided into five main axis:

- The main axis of Piraeus-Athens-Thessaloniki-Idomeni with its branches (Inoi-Chalkida, Palaiofarsalo-Kalambaka, Larisa-Volos);
- The West Macedonia axis;
- The East Macedonia-Thrace axis;
- The Peloponnese network
- The line of the Suburban Railway of Attica (SKA-International Airport El. Venizelos, SKA-Kiato).

### 1.1.3 Railway Undertakings

TRAI NOSE S.A (the incumbent railway undertaking) has a dominant role over railway transport services, passenger and freight ones, in the Greek railway market. As far as it is concerned with passenger transport, TRAI NOSE S.A. operates by performing suburban, provincial and long distance train runs.

STASY S.A. (metro transport services) uses the part of the railway infrastructure for its suburban line between the Doukissis Plakentias Station and the Terminal of the "Eleftherios Venizelos" Athens International Airport.

### 1.1.4 Competent Body in charge of maintenance of the rolling stock

The "Greek Company in charge of maintenance of the rolling stock" with the distinctive title "EESSTY, was established in Mars 2013 and is now busy in the maintenance and normal operation of the railway rolling stock aiming at assuring the

safe and reliable operation of the railway system. It was originally part of the OSE S.A. Holding Group, but later it splintered off from it and is now operating as a fully independent company with its own organizational structure and own administration, in compliance with the provisions set in the Greek and European legislation.

### 1.1.5 Railway transport work

The railway transport work performed in Greece over the last five years is presented in the following table (\*):

Transport work	2008	2009	2010	2011	2012
Passenger-kilometers (in thousands)	1.657.313	1.466.700	1.382.908	957.969	851.340
Revenues from passengers (in thousands €)	70.578	73.120	78.236	62.023**	68.740**
Ton-kilometers (in thousands)	785.692	562.580	615.720	351.885	282.719
Revenues from freight (in thousands €)	34.106	23.626	23.244	22.199	20.050

\* Source: official data from OSE for the year 2008, from TRAINOSE for the years 2009-2011, from TRAINOSE – STASY for the year 2012.

\*\* Moreover, in the years 2011 – 2012, TRAINOSE collected from the government an amount of 50 million per year within the framework of Public Service Obligation (PSO) as compensation for loss-producing passenger routes.

## 1.2 Europe

According to the Annual Market Monitoring Report compiled by IRG-Rail for 2012, the number of railway undertakings which are active in passenger and freight services in Europe is shown in Figure1 below.

The railway passenger market is still dominated by incumbent operators, while the market share of incumbent operators in freight services, too, remains large despite any market liberalization.

The market share of incumbent operators versus private competitors per transport volume is shown in Figures 2 and 3 below.

Finally, the passenger and freight volumes in Europe, in passenger-km and ton-km, are shown in Figures 4 and 5 below.

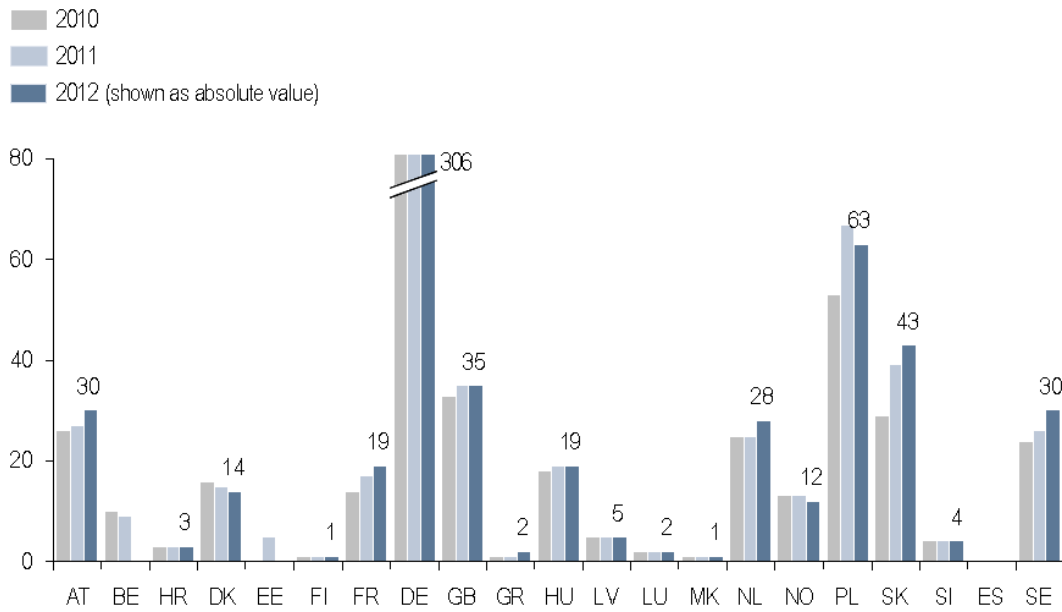


Figure 1: Number of Railway Undertakings for years 2010-2012

LEGEND

AT = AUSTRIA, BE = BELGIUM, HR = CROATIA, DK = DENMARK, EE = ESTHONIA, FI = FINLAND, FR = FRANCE, DE = GERMANY, GB = GREAT BRITAIN, GR = GREECE, HU = HUNGARY, LV = LATVIA, LU = LUXEMBURG, MK = FYROM, NL = NETHERLANDS, NO = NORWAY, PL = POLAND, SK = SLOVAKIA, SI = SLOVENIA, ES = SPAIN, SE = SWEDEN

Percentage of passenger kilometers in 2012

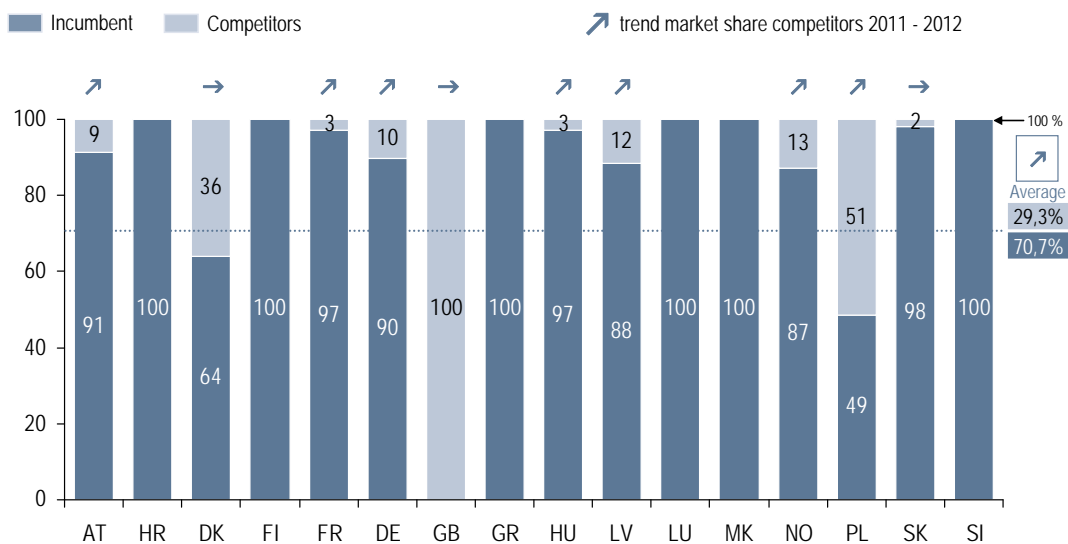


Figure 2: Market share of incumbent vs private passenger railway undertakings



Percentage of net tonne kilometers in 2012

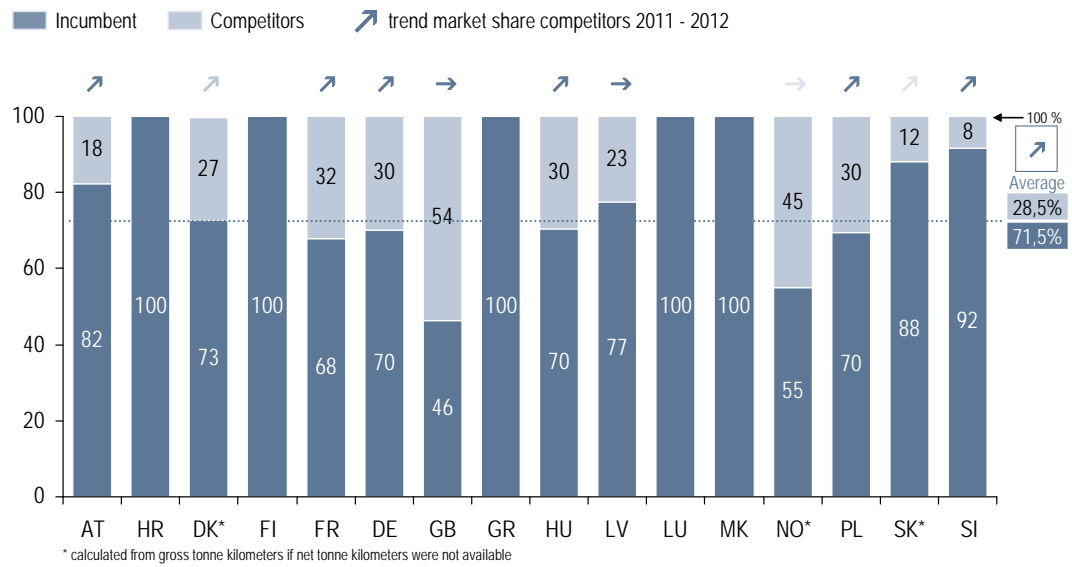


Figure 3: Market share of incumbent vs private freight Railway Undertakings

Billion passenger kilometers in 2012

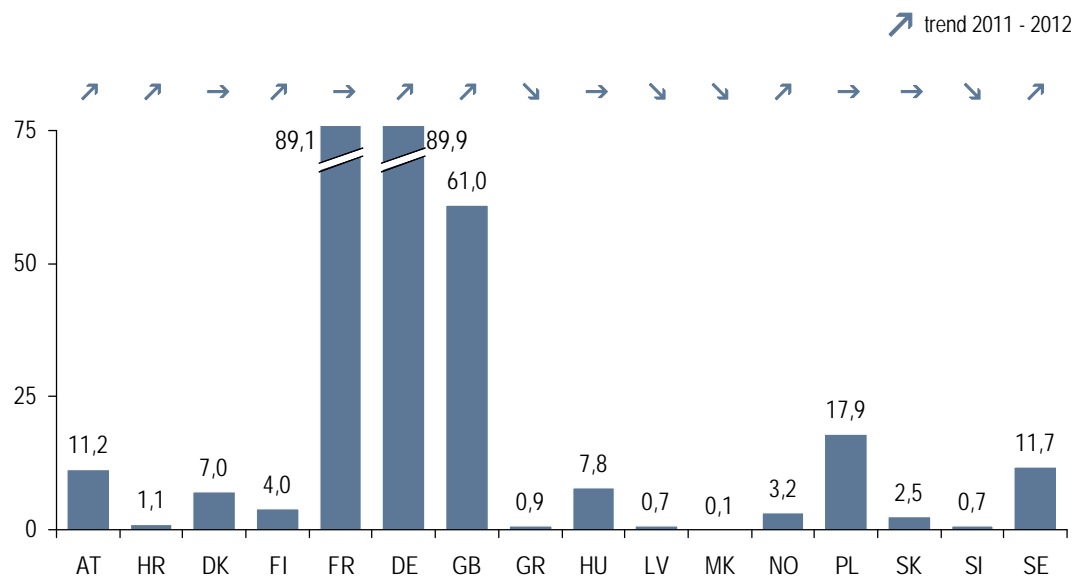


Figure 4: Transport volume in passenger-km

Billion net tonne kilometers in 2012

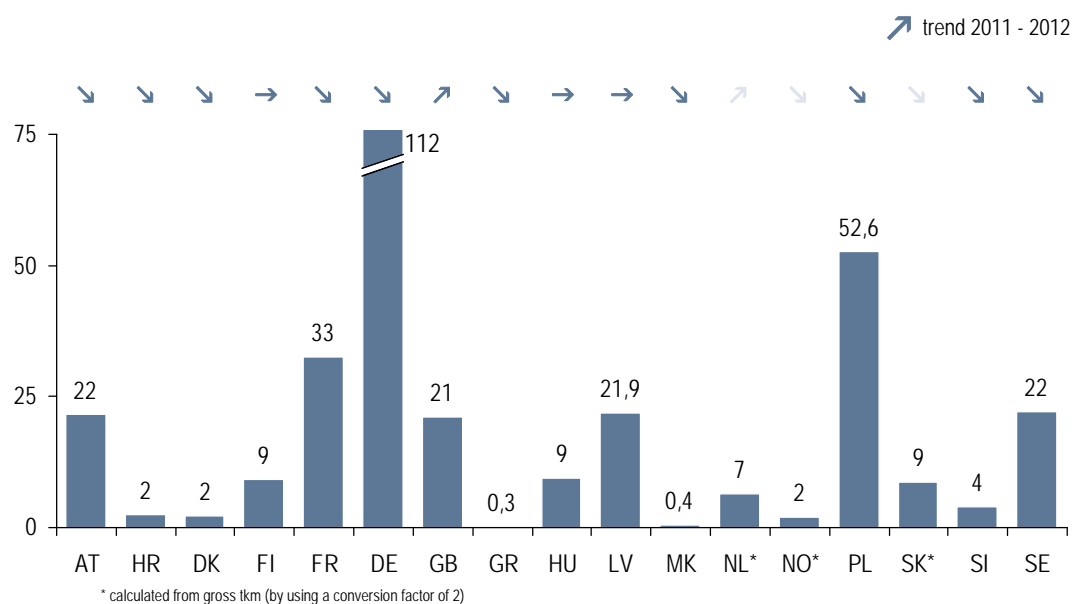


Fig.5: Transport volume in tonne-km(net)

### 1.2.1 European Railway Agency (ERA)

Building of a modern and safe railway network is one of the main priorities that have been set by EU. Railways must become more competitive and must offer high quality services without being limited by national borders.

The European Railway Agency (ERA) was established under Regulation 881/2004 to help create an integrated railway area by enhancing safety and interoperability.

ERA aims at promoting safe and compatible railway systems within EU. With its headquarters in Valenciennes (France) ERA contributes to the harmonization of European railway systems, thus rendering the railway safer and capable of crossing national borders non-stop. Since 2006 ERA has been working towards the development of sustainable common standards, as well as common safety targets, along with suitable monitoring systems. It is in close cooperation with the railway industry, national authorities, EU and other bodies. ERA is also responsible to care for establishing common signaling standards all over Europe.

In this context, ERA also plays the role of System Authority for the European Rail Traffic Management System (ERTMS), which has been developed to become the single European technical and functional standard for the automatic train protection (European Train Control System – ETCS) and the telecommunications (Global System for Mobile communication – Rail - GSM-R).

### 1.2.2 NSA Network

This is an advisory body which is made up of the National Safety Authorities of Member States and coordinated by ERA, in order to provide return of experience

derived from applying the normative and technical framework (Interoperability and Safety Directives, Technical Specifications for Interoperability).

### 1.2.3 Directorate General for Transport and Mobility (DG-MOVE)

As one of the European Commission's General Directorates DG MOVE deals with transport (air, rail, road, sea and inland waterways). Rail market regulation falls within the responsibilities of Unit B2 (Single European Rail Area).

### 1.2.4 The European Network of Railway Regulatory Bodies (ENRRB)

The establishment of the European Network of Railway Regulatory Bodies (ENRRB) is provided for in Article 57(1) of Directive 2012/34/EU (Recast). Through ENRRB, the European Commission seeks regular feedback from the rail sector of each individual member-state in what concerns the acceptance of the EU legislative initiatives, market development, various emerging matters which need legislative arrangements etc. To achieve this, ENRRB is structured in Working Groups for specific fields (freight corridors, economic equilibrium etc).

In essence ENRRB functions as a statutory consultant to the European Commission in what concerns market liberalization, as well as a forum for the exchange of views and the coordination of actions among Regulatory Bodies.

It is to be noted that the ENRRB comprises the Regulatory Bodies of all Member States (with the exception of Malta and Cyprus, which have no railways), contrary to IRG-Rail which only admits Regulatory Bodies which are totally independent from any other administrative entity in their respective country.

RAS is an active member of the European Network of Railway Regulatory Bodies (ENRRB).

### 1.2.5 The Independent Regulators' Group – Rail (IRG-Rail)

The Independent Regulators' Group – Rail or IRG-Rail, which has been set up and operates exclusively under the own initiative of its members, aims at establishing a single, competitive and sustainable European rail market. Through IRG-Rail, national regulatory bodies share information and best practices in order to facilitate their work and to develop common approaches about handling various issues.

IRG-Rail aims at clarifying and particularizing EU legislation concerning regulatory bodies.

RAS is one of the 25 currently prescribed members of IRG-Rail.

### 1.2.6 The International Liaison Group of Government Railway Inspectorates (ILGGRI)

It is an informal communication platform among independent European railway inspectorates and their representatives with the purpose of sharing knowledge and

experience in various matters of common interest, staying updated about developments in safety from the point of view of the Authorities and cooperating with and supporting the European Railway Agency.

The International Liaison Group of Government Railway Inspectorates (ILGGRI) aspires to become an efficient forum for European Safety Authorities providing consultation on railway issues regarding health, safety and interoperability.

### 1.2.7 The European Rail Freight Association (ERFA)

The European Rail Freight Association or ERFA aims at promoting European rail freight services and at supporting relevant interested parties through the full liberalization of the rail market. More specifically:

- It supports the development of a financially attractive environment fostering efficient European rail freight transportation along the supply chain
- It improves the competitiveness of rail freight compared to other transport modes mainly through a proper legal and political framework
- It enhances operational conditions for rail freight within the European rail network
- It brings down legal and physical barriers in cross-border and international freight services
- It develops rail freight services through liberalization for a fully transparent, independent and open market.
- It fosters interoperability and the definition of common safety standards

### 1.2.8 Other Bodies

#### 1.2.8.1 International Union of Railways (UIC)

International Union of Railways or UIC is an international association in the transport sector and consists of 199 members from all five continents.

UIC admits as its members integrated railway organizations, infrastructure managers, operators of railway or intermodal services, locomotive and rolling stock leasing companies, service companies (catering services, sleeping cars, public services, shipping services etc.)

The mission of UIC is to promote rail transport worldwide and to respond to the challenges put forward by the need for mobility and sustainable development.

UIC's objectives are to facilitate the exchange of best practices among its members (benchmarking), to support members in their efforts to develop new businesses and new fields of activities, to suggest innovative ways for improving technical and environmental performance, to foster interoperability and to establish new international railway standards (including standards which are common in other transport modes, too)

### 1.2.8.2 The Rail Net Europe (RNE)

The Rail Net Europe or RNE was established by a large number of European infrastructure managers and capacity allocation bodies, in order to facilitate and accelerate the access of railway undertakings in the European rail network. An indirect goal is to enhance the quality and efficiency of international rail traffic. RNE members apply harmonized procedures in administering international rail capacity to the benefit of the overall rail sector.

With the support of EU RNE has developed model IT systems to facilitate cross-border traffic. The most important ones are:

- Path Coordination System (PCS) for establishing international routes
- Train Information System (TIS) for real-time monitoring of a train path;
- Charging Information System (CIS) for calculating railway infrastructure access charges.

RNE has also developed a template for the Network Statement as well as several guidelines on procedures for the rail freight corridors established under Regulation 913/2010.

### 1.2.8.3 South East European Transport Axis Cooperation (SEETAC)

The activities of SEETAC are funded by the South East Europe (SEE) project and aim at overcoming barriers in cross-border traffic and at harmonizing transportation modes across participating states. It deals equally with administrative issues, such as the lack of bilateral institutional and legal framework at border crossings, as well as with functional ones, such as common safety rules, environmental norms and the harmonization of transportation modes.

A focused effort concerns the alignment of infrastructure and relevant procedures in western Balkan countries (Albania, former Yugoslav States) with those in EU, to allow for an easier integration, as soon as these states are admitted in EU.

### 1.2.8.4 Community of European Railway and Infrastructure Companies (CER)

CER is an association of 70 companies, mainly railway undertakings and integrated or not fully separated railway organizations from the EU, the EEA and western Balkans. It has a multi-disciplinary range of activities and is lobbying at European bodies with documented arguments at many levels. It is active in the following three domains:

- Railway infrastructure
- Freight services
- Passenger services

CER carries out and publishes studies on issues related to the above three domains, cooperates with other bodies of the railway sector, makes its views public in the media in a consistent way, always in view of promoting the advantages of railway as a mean of transport. In this context RAS has already exploited the conclusions of a CER report on the implementation process of Regulation 1371/2007 about the rights and obligations of railway passengers.

#### 1.2.8.5 Intergovernmental Organization for International Rail Transport (OTIF)

OTIF (Organisation Intergouvernementale pour les Transports Internationaux Ferroviaires) is an international organization with its premises in Bern, Switzerland. Established in 1893 as "Office central des transports internationaux par chemins de fer", it was renamed OTIF in 1985. The main objective of OTIF is to develop and support contract templates for the international transportation of passengers and freight by rail. The set of these contracts, known as COTIF, consists of the following:

- CIM for freight transport
- CIV for passenger transport
- CUV for wagon keepers
- RID for dangerous goods (as a sub-case of CIM)
- CUI for infrastructure managers
- APTU for the technical specifications of rolling stock
- ATMF for the authorization of placing rolling stock in service

OTIF comprises 48 states from Europe, the North Africa and the Middle East, most of which have ratified the COTIF contracts. Greece is also a member of OTIF and has ratified the COTIF contracts, too.

## 2 Activities of RAS in 2013

The major activities of RAS in Greece and in Europe during the year 2013 follow below.

### 2.1 Greece

The activities of RAS in Greece are mainly carried, mainly, in the framework of performing its duties as Regulatory Body for rail transport, as Licensing Body responsible for issuing licenses of railway undertakings, as National Body responsible for the Enforcement of the Regulation (EC) 1371/2007 on rail passengers' rights and obligations and as National Safety Authority for railways. These activities are focused on actions relative to legal and regulatory matters, i.e. the licensing of railway undertakings, the checking of TRAINOSE, STASY and OSE on various issues, the preparation and the checking of financial statements etc. A detailed description of these activities is given below.

#### 2.1.1 Legal and Regulatory Actions

##### **Completed actions:**

- RAS has prepared and submitted to the Ministry of Infrastructure, Transport and Networks recommendations for modifications / additions to the national Law 3891 / 2010 (Government Gazette of the Hellenic Republic No A' 188) concerning mainly the powers of RAS for conducting hearings, issuing its Hearing Regulation and issuing & publishing regulatory or individual administrative acts which regulate all procedures and issue related to its responsibilities. These additions among others were included in Law 4199 / 2013 (Government Gazette No A' 216) published on 11-10-2013. By the same Law RAS was also entrusted with the tasks of:
- The National Safety Authority for railways as this is provided for in the Presidential Decree 160/2007 (Government Gazette No A' 201), in the Presidential Decree 104/2010 (Government Gazette No A' 181) and in Law 3911 / 2011 (Government Gazette No A' 11).
- The "Competent Authority" as this is provided for in the Regulation concerning the international carriage of dangerous goods by rail (RID) foreseen in the joint Ministerial Decision 35043/2524/2010 (Government Gazette No B' 1385).
- The "Competent Authority" for railways and trains, as this is provided for in the joint Ministerial Decision D13/0/121/2007 (Government Gazette No B' 53). This Decision is related to measures against the emission of gaseous and particulate pollutants from internal combustion engines to be installed in non-road mobile machinery, foreseen in Directive 97/68/EC.

The above mentioned duties were previously executed by the Railway Safety Department of the Ministry of Infrastructure, Transport and Networks. In November

2013 staff members of the Railway Safety Department of the Ministry made a relevant presentation informing the personnel of RAS about their new duties.

By the same law 25 staff positions of RAS were transferred to the new established Regulatory Authority for Passenger Transport Services, bringing the number of staff positions of RAS down to 25 positions out of the 50 initially constituted.

- The Hearing Regulation of RAS was issued and it was published in the Government Gazette of the Hellenic Republic No B' 3080 / 04-12-2013.
- After a relevant request of the Ministry of Infrastructure, Transport and Networks, RAS has prepared and submitted comments on the proposed draft of the Joint Ministerial Decision related to medical issues concerning the certification of train drivers operating locomotives and trains on the railway system in the Community, as provided for in Article 92 of national Law 4199 / 2013 (Government Gazette of the Hellenic Republic No A' 216).

**Actions under development:**

- In the framework of its new expanded responsibilities in the sectors of railway safety and interoperability of railway subsystems, RAS submitted to the Minister of Infrastructure, Transport and Networks a revised draft of its Internal Regulation (according to paragraph 1 of article 31 of national Law N.3891 / 2010), in order that it would be adopted in a joint Ministerial Decision of the Minister of Administrative Reform and e-Government and the Minister of Infrastructure, Transport and Networks.

**2.1.2 Licensing of Railway Undertakings**

RAS grants licenses to interested railway undertakings (see paragraph 8 of article 28 of national Law 3891 / 2010), in accordance with the provisions of the Presidential Decree 41 / 2005 and the Ministerial Decision F.4/oik. 1594/107 (Government Gazette of the Hellenic Republic No B' 56 / 25-01-2012). Since 2012 RAS has granted two licenses to the railway undertakings TRAINOSE S.A. and STASY S.A.

**2.1.3 Checking and interventions to Railway Undertaking TRAINOSE S.A.**

**Separation of Accounts between rail freight transport services and passenger transport services**

During the first half of the year 2013 a detailed checking on the completion of TRAINOSE's current system for separation of accounts was performed by RAS. The resulting findings were recorded in a report produced by RAS and forwarded to TRAINOSE.

**Rail passengers' rights and obligations**

Within the framework of its competencies as the National Body responsible for the Enforcement of the Regulation (EC) 1371/2007 on rail passengers' rights and obligations:



- RAS has received and furthermore handled complaints submitted by TRAINOSE's passengers. At first RAS has sent them to TRAINOSE in order that they could be handled and then it monitored the proper handling of them;
- Following a prior remark to TRAINOSE on the lack of a functional statistical system to monitor the handling of passengers' complaints, RAS has invited TRAINOSE to notify to RAS a detailed description of its complaint handling mechanism that has to be put into operation in compliance with the relevant provisions set in Regulation (EC) No 1371/2007.
- RAS took part in an event held on 27 June 2013 in Piraeus Port Authority on «Communication campaign for the rights of passengers» with the participation of Mr. Fotis Karamitsos, who is the Deputy in the Directorate General for Mobility and Transport of the European Commission and he is also the Director responsible for Logistics, Maritime and Land Transport and Passenger Rights.
- RAS has pointed out in a letter addressed to OSE and TRAINOSE their obligation for establishing access rules for the transport of disabled persons and persons with reduced mobility, with the cooperation and the active involvement of the disabled persons and persons with reduced mobility representing organizations.

#### 2.1.4 Checking and interventions to the railway undertaking STASY S.A.

##### **Safety Certification and Track Access Contract**

RAS has officially informed STASY S.A. of its obligation to get a safety certificate in order to be able then to conclude a track access contract with OSE.

#### 2.1.5 Checking and interventions to Infrastructure Manager OSE S.A.

##### **Network Statement**

Being the only Railway Infrastructure Manager in Greece, OSE SA has the obligation to develop and publish a network statement annually on its website in compliance with the provisions set in Article 11 of Presidential Decree 41/2005, aiming at giving a detailed description of the network and of the services which are available to railway undertakings which are potentially interested in providing transport services in the railway network. The network statement, the relevant procedures of expressing interest to OSE on the part of the railway undertakings in order that they can be allocated infrastructure capacity and the relevant agreements between infrastructure manager and the railway undertakings are all of particular importance for railway market transparency and the equal treatment of its players without discrimination.

In the framework of exercising its regulatory competencies RAS has firstly pointed out officially to OSE the significant delay in the publication of the Network Statement for the years 2013 and 2014 and has then checked the network statement published in 2013, notifying the resulting findings in writing to OSE.

### **Performance Scheme**

RAS has sent letters to the Infrastructure Manager OSE SA, noting the pending completion of the performance scheme and also asked OSE to inform RAS of the implemented performance scheme together with its detailed description. OSE SA conformed to this.

Within a related audit conducted by RAS OSE SA presented its performance scheme (according to Article 19 of Presidential Decree 41/2005) as well as the operating model used in monitoring. The findings of this audit were recorded in the RAS auditors' written report and were sent to OSE SA in a letter, so that OSE SA would conform with the requirements set by RAS.

### **Safety Authorization of the Infrastructure Manager**

On undertaking its new duties as the National Safety Authority, RAS has assessed the Safety Management System (SMS) Manual of OSE SA, which had initially been submitted to the Railway Safety Department of the Ministry. RAS also considered the comments of the Ministry on this. Then RAS submitted additional comments to OSE SA and now the OSE's application for Safety Authorization alongside with the required supporting documents integrating comments made by both bodies (the Ministry, originally, and then RAS) is expected to be submitted to RAS until 15 May 2014.

### **Certification and recognition of OSE's training center by the National Organization for the Certification of Qualifications & Vocational Guidance (EOPPEP)**

Taking into account the expiration date of the transition period set in paragraph 2b of Article 30 of national law 3911 / 2011 (Official Gazette of Hellenic Republic A' 12), i.e. 29.10.2013, RAS has officially pointed out to OSE its direct responsibility / obligation for the operation of a certified training center, recognized by EOPPEP, specifically for the training of train drivers and train driver candidates. In the same letter RAS underlined the problems in the rail market arising because of the lack of OSE's training center. A license for level 2 throughout life continuous education was already granted to OSE's training center by EOPPEP at the beginning of 2014, while the certification of the training center itself, as well as of its relevant training programs on the part of EOPPEP is still pending.

### **Licensing and certification of train drivers**

In the context of implementation of a training program at OSE's training center in Rendi for Assistant Train Driver candidates of TRAINOSE SA has RAS carried out audits to ensure compliance with the requirement of the relevant legislation regarding the training of Assistant Train Driver candidates.

### **Training of the personnel of the infrastructure manager and the railway undertakings performing crucial safety tasks**

Within the scope of article 13 of Presidential Decree 160/2007, RAS has officially requested from OSE to prepare and submit the relevant training program and examination program for approval by RAS. RAS has also approved of the implementation of the training program "Basic Training of Staff for control and movement of trains" of TRAINOSE and of the relevant examination program.

### **Track Access Agreement**

In compliance with the provisions of the European and Greek legislation, railway undertakings which use the railway infrastructure capacity must conclude an agreement with the infrastructure manager.

To conclude such an agreement, railway undertakings need to possess a license and a safety certificate. After completion of the process of granting a license and a safety certificate to TRAINOSE, RAS officially pointed out to OSE SA and TRAINOSE SA about their obligation to proceed immediately with signing this agreement.

### **Updating of the data of the National Vehicle Register (NVR)**

Acting as National Safety Authority RAS has officially reminded OSE of its obligation, as a Keeper, to apply for a change in the vehicle registration regarding the Entity in Charge of Maintenance (ECM) for the total rolling stock.

#### **2.1.6 Multiannual Contract between the State and the Infrastructure Manager OSE SA**

In accordance with the provisions set in the European Directives and in the Greek legislation, the Greek State and the Infrastructure Manager should conclude a multi-annual contract that will define their mutual obligations, i.e. of the Infrastructure Manager, on the one hand, to maintain the railway network and to manage the railway traffic and of the State, on the other hand, to financially support the Infrastructure Manager. The incentives given for the reduction of the costs of the infrastructure use and the mechanism for the transfer of the benefit from this reduction to the end user have to be included in this contract.

It is to be highlighted that according to the national Law 4199 / 2013, RAS has undertaken the responsibility for the monitoring and supervising of the correct application of this multi-annual contract, as well as the mediating between the parties of the multi-annual contract in the event of any dispute. RAS has already expressed its view on a first draft of this contract.

#### **2.1.7 Assignment and Checking of Financial Statements**

RAS issues Financial Statements for every administrative year and these Financial Statements are checked by a company of certified auditors / accountants, in accordance with the provisions set in paragraph 3 of article 29 of national Law 3891 / 2010. The approved Financial Statements are published in the Government Gazette of the Hellenic Republic and uploaded in the website of RAS. They are

also submitted to the Minister of Infrastructure, Transport and Networks and the President of the Hellenic Parliament.

The Financial Statements of the year 2012 were produced in April 2013, were approved of by the Plenary of RAS, were published in the Government Gazette of the Hellenic Republic No 2966 / 23-05-2013 and were submitted to the Minister of Infrastructure, Transport and Networks and to the President of the Hellenic Parliament.

### 2.1.8 Collaboration with the Ministry of Infrastructure, Transport and Network

#### **National Safety Rules**

RAS has actively participated in workshops with the Ministry of Infrastructure, Transport and Networks / and other involved parties regarding the notification of the national safety rules to the European Railway Agency (ERA). In this concept RAS has submitted relevant proposals and suggestions.

#### **Traffic Safety of trains and Infrastructure Security**

RAS has participated in meetings with the Ministry of Infrastructure, Transport and Networks / Civil Defense Department and other involved parties regarding the preparation and the improvement of the existing plans on Traffic Safety of trains and on Infrastructure Security.

#### **Actions on crisis management of railway accidents and incidents**

RAS has participated in meetings organized by the Office of the Minister of Infrastructure, Transport and Networks on the control, protection and management of the railway infrastructure, the rolling stock and the rail systems, in order to improve the total safety of railway transport.

### 2.1.9 JASPERS Project

The JASPERS initiative (Joint Assistance to Support Projects in European Regions – <http://www.jaspers-europa-info.org/>) is a EU activity aiming at supporting Member States in preparing and implementing co-funded projects in an efficient way.

Within this framework a cooperation has been inaugurated among the following bodies:

- Ministry of Infrastructure, Transport and Networks
- Railway Safety Department of the Ministry of Infrastructure, Transport and Networks
- Intermediate Managing Authority of the Ministry of Transport, Infrastructures and Networks
- OSE
- ERGOSE (project management subsidiary of OSE)
- RAS

The objective of this cooperation is meeting the interoperability requirements of railway projects and infrastructures in Greece, in compliance with the provisions of the European legislation.

This project is carried out by a specialized consultant (Mott MacDonald), which is also a Notified Body (NoBo) and is funded by the EU with no additional cost for Member States.

In accordance with its new competencies defined in L.4199/2013 RAS will be actively involved in the procedures for assuring the keeping of the interoperability requirements. In this context RAS is already working with the above bodies focusing on the following targets:

- Classification of projects implemented in the railway network
- Designating and highlighting those projects, which are subject to certification of conformity with the Technical Specifications for Interoperability (TSI) depending on the period of construction. Ensuring that a derogation from the applicable TSIs is granted for other projects.
- Involving a Notified Body (NoBo) to verify the conformity of the structural subsystems with the TSIs. The certificates issued by the NoBos shall be submitted to RAS along with the relevant Technical Files in order that RAS may grant after checking the authorization for placing these subsystems in service.

## **2.2 Europe**

RAS's main activities in Europe were focused on developing cooperation with DG-MOVE, IRG-Rail and ERA, as well as participating in other European bodies/entities of railway interest. A more detailed description of these activities follows.

### **2.2.1 Cooperation with DG-MOVE**

Since it was established, RAS has been having a close contact with the Directorate General for Mobility and Transport (DG-MOVE) about issues related to the Rail Market in Greece.

RAS has participated with representatives in working meetings with other regulatory authorities, which were held by, were presided over by, or followed an invitation from DG-MOVE, as well as in one-day and multiple-day conferences and workshops relevant to its activities. In particular RAS has participated:

- 1 In three (3) meetings of the European Network of Railway Regulatory Bodies (ENRRB) of the Member States of the EU, being represented by its President. These meetings were held in Brussels, Belgium (13 & 14 Mars 2013), in Le Mans, France (2 & 3 July 2013) and in Brussels, Belgium (25 & 26 November 2013). These meetings were under the auspices and were presided over by the Directorate General for Mobility and Transport (DG-MOVE). The European Network of Railway Regulatory Bodies (ENRRB) of the Member States of the EU

was established within the new Directive 2012/34 (the Recast) and is the evolution of the Working Group of the Railway Regulatory Bodies (RRBs), which had been active until the issue of the new Directive 2012/34. The answers of the participating Regulatory Bodies on questionnaires which had been previously distributed by the DG-MOVE were presented and discussed at round tables at these meetings, so that the current developments in the railway market of each Member State could be recorded.

- 2 In a meeting of the Working Group of the European Network of Railway Regulatory Bodies (ENRRB) of the Member States of the EU on 15 February 2013 under the auspices of the European Commission, with the framework of operation of the European Rail Freight Corridors (RFCs) being its main issue.
- 3 In a meeting of the Working Group of the European Network of Railway Regulatory Bodies (ENRRB) in Brussels on 29 April 2013 under the auspices of the European Commission, with the oncoming Implementing Regulation on a potential compromise of the Economic Equilibrium of Public Service Contracts (PSCs) as a consequence of a new international passenger service being its main issue.
- 4 In the meeting of the Regulatory Bodies for Railways, which are members of the Independent Regulators' Group for Railways (IRG-Rail), which was held by the European net of infrastructure managers Rail Net Europe (RNE) on 31 October 2013 in Vienna, Austria.

The main issues of the meeting were the presentation of the revised RNE's strategy, its activities concerning the Rail Freight Corridors (RFCs) and the development and updating of the information technology (IT) systems of RNE.

- 5 In a meeting of the National Enforcement Bodies (NEBs) referred to in Regulation 1371/2007, represented by its Vice-President. The main issue of the meeting was the rights and obligations of railway passengers and the meeting was organized and presided over in Brussels on 14 October 2013 by the Directorate General for Mobility and Transport (DG-MOVE) of the European Commission.
- 6 In a joint working group meeting of CER – CIT and the National Enforcement Bodies (NEBs) referred to in Regulation 1371/2007T, being represented by its Vice-President. The meeting was held in Brussels on 15 October 2013
- 7 In a SERAC (Single European Rail Area) Working Group meeting on the issue of a potential compromise of the Economic Equilibrium of Public Service Contracts (PSCs) as a consequence of a new international passenger service, which was held in the Directorate General for Mobility and Transport (DG-MOVE)' offices in Brussels on 11 October 2013, the meeting being presided over by the Directorate General for Mobility and Transport (DG-MOVE) of the European Commission.

The main issue of the meeting was the drafting of the Implementing Regulation provided for in Directive 2012/34/EU (Recast) on the issue of a potential

compromise of the Economic Equilibrium of Public Service Contracts (PSCs) as a consequence of a new international passenger service.

- 8 In the 1st meeting of the SERAC (Single European Rail Area) Working Group for Rail Freight Corridors, which was held in Brussels on 10 April 2013 and presided over by the Directorate General for Mobility and Transport (DG-MOVE) of the European Commission.
- 9 In the 27th meeting of the SERAC (Single European Rail Area) Working Group for Rail Market Monitoring Scheme / RMMS), which was held in DG-MOVE' offices in Brussels on 26 April 2013 and presided over by the Directorate General for Mobility and Transport (DG-MOVE) of the European Commission
- 10 In a meeting, which was held by the regulatory bodies of Rail Freight Corridor 7 (RFC7) in Budapest on 12 September, with the objective of making an agreement on the issue of dealing with complaints which will be submitted to the Regulatory Bodies concerning issues of the Corridor. This agreement would clarify the role and competencies of each regulatory body involved in these cases.

### 2.2.2 Cooperation with IRG-Rail

Positions of the IRG-Rail are decided upon at its Plenary Assembly. Since it confederated with IRG-Rail, RAS has been represented at all Plenary Assembly meetings by its President and at all working group meetings by staff members of its. More specifically:

- 1 On 24 April 2013 the Plenary Assembly of the members of IRG-Rail was held in London, United Kingdom. RAS was represented by its President. The Plenary Assembly took place at the offices of ORR (the Railway Regulatory Authority of the United Kingdom), which chairs the IRG-Rail for 2013. The main issue at the Plenary Assembly was the discussion and adoption of the Position Paper of IRG-Rail on the 4<sup>th</sup> Railway Package, which is under consultation.

The specific Position Paper had been elaborated by the relevant IRG-Rail Working Group. After analytical discussion, exchange of opinions and final modifications, the final Position Paper of IRG-Rail was unanimously adopted. Presentations of issues of interest to the regulatory authorities of Germany (allocation of capacity to sorting-out stations) and of Sweden (application of ERTMS and resulting cost for the railway undertakings) were also made.

- 2 On 14 & 15 October 2013 the Plenary Assembly of the members of IRG-Rail was held in York, United Kingdom, and RAS was represented by its President. The regulatory bodies of Austria, Belgium, Bulgaria, Croatia, Denmark, Estonia, Finland, Former Yugoslav Republic of Macedonia (FYROM), France, Germany, Hellas (Greece), Hungary, Kosovo, Latvia, Luxembourg, the Netherlands (Holland), Norway, Poland, Slovakia, Slovenia, Spain, Sweden, Switzerland and the United Kingdom signed a MoU (memorandum of understanding) on cooperation within IRG-Rail.

Since 2013 there have been the following four IRG-Rail's Working Groups:

- The new working group for access to railway infrastructure (Access Working Group) in order to replace the former Rail Freight Corridor Working Group;
- The new working group for Emerging Legislative Proposals in the Railway Sector (Legislative Proposals Working Group), in which the former Working Group for the Economic Equilibrium and the Principal Purpose of international passenger services, as well as the former Working Group for the Recast of the 1<sup>st</sup> Railway Package, were all merged;
- The working group for market monitoring (Market Monitoring Working Group);
- The working group for charges for the use of the railway infrastructure (Charges Working Group).

Represented by its staff members, RAS has participated in various meetings, as well as relevant workshops, of these working groups. More specifically:

- With regard to the Access Working Group RAS has participated in a working group meeting that was held by RAS in Athens, Greece, on 26 April 2013 and in a working group meeting that was held in Madrid, Spain, on 23 July 2013 on the administration of issues of the European rail freight corridors provided for in Regulation 913/2010.

The results of the meetings of this working group were recorded in the following document:

IRG–Rail Preliminary Guidelines on the monitoring of rail freight corridors on 14-15 October 2013.

- With regard to the Legislative Proposals Working Group RAS has participated in two working group meetings, the first in Bonn, Germany, on 17 January 2013, and the second in Paris, France, on 26 February 2013.

The results of the meetings of this working group were recorded in the following two documents:

- 1 Position Paper on the European Commission's Proposals for a Fourth Railway Package on 24 April 2013;
  - 2 Position Paper on the ongoing negotiations within the European Parliament with regard to a Fourth Railway Package on 14-15 Οκτωβρίου 2013.
- With regard to the working group for market monitoring (Market Monitoring Working Group) RAS has participated in a working group meeting that was held by RAS in Athens, Greece, on 27 March 2013.

The results of the meetings of this working group were recorded in the following two documents:

- 1 Position Paper on the upcoming draft implementing act on Rail Market Monitoring, and on basic principles of market monitoring on 14-15 October 2013 and



2 IRG-Rail Guidelines on market monitoring on 14-15 October 2013.

- With regard to the working group for charges for the use of the railway infrastructure (Charges Working Group) RAS has participated in a working group meeting that was held in Paris on 13 April 2013.

The results of the meetings of this working group were recorded in the following document:

Position paper on the European Commission's upcoming draft implementing act on the modalities for the calculation of the cost that is directly incurred as a result of operating the train on 14-15 October 2013.

All documents mentioned above can be found in the following address <http://www.irg-rail.eu/public-documents/2013/>.

There is also an Advisory Steering Committee of the Chair of IRG-Rail.

The above mentioned working groups will continue to cooperate with the relevant European institutions, in particular with DG-MOVE.

Since the regulatory bodies of the Member States of EU will have to cooperate closely within the framework of the European Network of Railway Regulatory Bodies, which was established by Directive 2012/34/EU (Recast of the 1<sup>st</sup> Railway Package), the role of IRG-Rail has become definitive and therefore the closest possible cooperation of national regulatory bodies with IRG-Rail has become absolutely essential.

### 2.2.3 Participation in events of other European entities of railway interest

- 1 RAS participated in the 1<sup>st</sup> Economic Conference of ARAF, the Rail Regulatory Authority of France, which was held on 13 May 2013 at the conference center Cap 15 Salon Newport, in Paris, France.
- 2 RAS participated in "Asset Management Global Seminar", which was held by UIC on 3 & 4 October 2013 at its central offices in Paris, with the contribution of a special task force consisting of representatives of 9 European countries, who were experts in Asset Management in railways. Railway Asset Management is referred to as being the optimal administration of all assets of railway infrastructure managers in order that optimization of performance and operational cost is achieved, without any safety standards yielding to discounts.

The main purposes of the seminar were:

- Exchange of information between the task force of experts and other experts;
- Comparative assessment of cost in relation to performance (cost-benefit comparisons);
- Exchange of best practices;
- Reorganization / reengineering of the Infrastructure Managers by means of the development of various strategies on administering assets.

All information about the seminar, together with the presentations made, can be found in the address <http://www.uic.org/spip.php?article3133>

- 3 RAS participated in a one-day conference of the European University Institute / Florence School of Regulation, which was held in Florence on 29 November 2013 on the issue of regulating the railway sector. This one-day conference included in its agenda, among other issues, the variant national concepts of regulation in comparison with the integrated European legislation about regulation.

The conference was organized in such a way that both the views of the regulatory body of each Member State and the views of an appropriate representative of the relevant railway market of each Member State could be consecutively presented.

