

JSC "LatRailNet" and Lithuanian Transport Safety Administration on 20 February 2018 have signed agreement Nr. 8.1.1/10-2018 on cooperation in the allocation of infrastructure capacity on more than one network.

Agreement is concluded pursuant to the Article 40 of Directive 2012/34/EU of the European Parliament and of the Council of 21 November 2012 establishing a single European railway area, the Railway Law of the Republic of Latvia, Cabinet Regulation No. 472 of the Republic of Latvia of July 15, 2016 "Regulations on Capacity allocation of Public-use Railway Infrastructure", LRN Regulation No. JALP-7.6/01-2016 of 6 September 2016 "Public-use railway infrastructure capacity allocation scheme", Rules on public infrastructure capacity allocation, confirmed on 2004-05-19 by the decision No. 611 of the Government of the Republic of Lithuania.

I. Subject of the agreement

1. Parties agree on cooperation in the allocation of public-use railway infrastructure (hereinafter – infrastructure) capacity on more than one network in the Republic of Latvia and in the Republic of Lithuania for international passenger transportation.

2. Capacity allocation is provided to the applicants with commercial interest in procuring infrastructure capacity within the public-use rail networks of the Republic of Latvia and the Republic of Lithuania as indicated in the network statements of PLC "Latvijas dzelzceļš" and AB "Lietuvos geležinkeliai".

II. Capacity allocation

3. Requests for capacity on the territory of Latvia shall be completed in the form specified in Annex 1 to this Agreement. Requests for capacity on the territory of Lithuania shall be completed in the form specified in Annex 2 to this Agreement. An applicant has to submit a request for capacity, not more than 12 months in advance (appr. mid of December) of the entry into force of the working timetable.

Each Party to this Agreement, having received an application for allocation of capacity on more than one network for international passenger transportation on its territory shall timely inform about this request another Party.

4. Parties insure that the provisional international train paths have been established not later than 11 months before (appr. mid of January) changing of the working timetable. Before this time Parties examine:

4.1. the relevancy of submitted information (if there are any inaccuracies, additional information is requested);

4.2. the information about possible capacity restrictions;

4.3. the proposals for changes in scheduled traffic speed, if exist;

4.4. the proposals for changes in scheduled traffic periodicity;

4.5. the proposals for numbers of wagons in a train;

4.6. the possibility of requested service facilities.

5. Parties shall hold a joint consultation on the provisional working timetable, inviting the infrastructure managers involved and the licensed railway undertakings designated by the applicant not later than 15 May.

6. Upon the request of the relevant government authorities, Parties and other statutory entities (if necessary):

6.1. temporarily suspend rail traffic in whole or in part;

6.2. temporarily suspend baggage acceptance or accept it only under certain conditions.

7. Parties have the right to introduce the restrictions mentioned in the Article 6 of the Agreement, where they are necessary in the context of conditions which the infrastructure managers can not eliminate and the elimination of which is not dependent on them. The Party is obliged to immediately inform the other Party about the restrictions imposed.

III. Other questions

8. All information related to the Agreement that is not publicly accessible shall be considered confidential and may be disclosed to third parties during or after the termination of the Agreement only with the written consent of the other Party, except as provided for in the legislation of the Republic of Latvia or legislation of the Republic of Lithuania.

9. Disputes arising between the Parties within capacity allocation procedure shall be resolved in accordance with the dispute resolution procedure within 10 working days specified in the Capacity Allocation Scheme or in the relevant regulatory body.

10. All amendments to this Agreement shall be made in writing and shall become an integral part of this Agreement.

11. The Agreement is drawn up in two identical copies, each on 6 (six) pages incl. two annexes. Each Party has its own copy of this Agreement.

12. The Agreement shall enter into force on the date of its mutual signature and be valid for an indefinite period. Either Party may terminate this Agreement upon the Agreement of other Party in written.

13. Each Party provide this Agreement to the infrastructure manager for publication within 30 days after entering into force of the Agreement. If one or both infrastructure managers are not agree to publish the Agreement, then Parties agree on other publication form.

14. If there is any inconsistency between the provisions of this Agreement and those in any national law, the terms of national law will prevail.

15. If there are any inconsistencies among translated texts of the Agreement, the text written in English prevails.

16. This Agreement is accompanied by:

Annex 1 – capacity request in the Republic of Latvia on a single page;

Annex 2 – capacity request in the Republic of Lithuania on a two pages.

CAPACITY REQUEST

No.	Name of the infrastructure section ¹	Number of trains ²	Final destination ³	Travelling frequency ⁴	Type of traction unit (series) ⁵	Train weight and length ⁶	Speed limits of traction unit ⁷	Dislocation of traction unit ⁸	Work of locomotive crews ⁹	Additional preparation operations ¹⁰	Additional train maintenance sites ¹¹	Special passing conditions ¹²	Official means of communication ¹³

1 - must indicate the name of an infrastructure section according to the one mentioned in the infrastructure network report. Carriers, which have a changing number of trains within the limits of a single section, must divide said section in subsections according to stations in which number of trains changes;

2 - must indicate the estimated number of trains per day on average;

3 - must indicate the estimated distribution of trains over the final stations of the route by indicating the desired stops for each train for passengers transportation;

4 - must indicate travelling frequency or train movement conditions for a season, months or days of the week, as well as add the preferred time of train movement between the final stations of the section, if it is essential;

5 - must indicate the type of traction unit (series);

6 - must indicate the planned train weight and length (in physical units), which can be pulled by the respective traction unit within the applied infrastructure section (subject to all restrictions). In order to determine the length of passenger trains, the number of wagons must be identified;

7 - must indicate the highest possible speed of the traction unit within the infrastructure station (subject to all restrictions);

8 - must indicate the permanent location and turn-around point of traction units within the infrastructure section;

9 - must indicate the working order for locomotive crews at the particular train route, including at the turn-around points (also including information about whether any rest is provided for at those points);

10 - must indicate operations required to prepare a traction unit for movement (adding a breakdown by type of operation and the required time);

11 - must indicate the planned locations of technical service sites along the route (if required);

12 - must indicate special conditions affecting the time and conditions of train movement (if any), adding a detailed explanation;

13 - must indicate the official means of communication used with the applicant (contact information).

In addition the applicant must indicate the approximate time of train dispatch or arrival within the route of train movement, if it is relevant to the applicant, or include a note that the train path allocation can happen operationally.

(MODEL APPLICATION FORM)

(name of the entity submitting the application)

(legal person's code, contact person's telephone and fax numbers, e-mail address)

Lithuanian Transport Safety Administration

**APPLICATION
FOR THE ALLOCATION OF PUBLIC RAILWAY INFRASTRUCTURE CAPACITIES
FOR PASSENGER TRAINS**

_____Nr. _____
(date)

1. Type of application (please tick as appropriate):

For the Working Timetable	„Last minute“ (ad-hoc) application
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2. Application period (please specify):

Period of the Working Timetable - (years)

3. Characteristics of passenger train and route:

Item No	Train route (departure and destination stations)	Train type (please tick as appropriate)				Periodicity of the train (please specify: daily, on working days, on even days month and etc.)	Start and end dates of the train operation of the train	Preferred time of departure from departure station (hours and minutes)	Stops and preferred duration of stops (minutes) *	Maximum length of the train (m)		Gross weight of the train (t)	Rolling stock traction unit series	Rolling stock traction unit force factor
		International passenger train	Local passenger train	Other passenger trains	Locomotives without wagons					On weekdays	On weekends and public holidays			
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
1.														
2.														

* stops and their preferred duration for each route may be indicated in separate annexes

(head of undertaking or authorised person)

signature

(name, surname)

(prepared by: name and telephone No)

Amendments to legal acts:

1. Order No V-101 of 2 July 2014 of the Head of the State Railway Inspectorate under the Ministry of Transport and Communications “On the Amendment to Order No V-304 of 16 May 2011 of the Head of the State Railway Inspectorate under the Ministry of Transport and Communications “On the Requirements for the Content of the Application for the Allocation of Public Railway Infrastructure Capacity” (the Register of Legal Acts, 2014, No 2014-09813).