

APPROVED
by the Executive Board of the
Joint Stock Company LatRailNet
in a meeting held on 29 September 2017,
min. no. JALP-1.2/39-2017
in Riga

REGULATIONS

29 September 2017

Nr.JALP-7.6/04-2017

Amendments to the JSC LatRailNet 30 June 2017 regulations Nr.JALP-7.6/03-2017 “The public-use railway infrastructure network performance scheme”

1. Amend the JSC LatRailNet regulations No.JALP-7.6 / 01-2017 of 30 June 2017 “The public-use railway infrastructure network performance scheme” as follows:

1.1. express Paragraph 2.2 in the following edition:

“2.2. performer of the essential function – the performer of the essential functions of the infrastructure manager declared in the railway infrastructure network statement, JSC LatRailNet, that in accordance with the Railway Law is responsible for decision-making on infrastructure charging and on the allocation of railway infrastructure capacity, including the definition and the assessment of availability of the railway infrastructure and the assignment of train paths;”;

1.2. express Paragraph 6 in the following edition:

“6. During the negotiation provided by the draft of the amendments to the Chapter “Network performance supporting charges” of the Charging Scheme and Paragraph 5 of the Scheme the infrastructure manager, the performer of the essential function and applicants agree on the following main parameters of the Scheme (hereinafter – the parameters of the Scheme) and if necessary on amendments to the Scheme:

6.1. a list of causes to be recorded;

6.2. the units of measurement of the causes to be recorded (delay time on the section of the line or on the route, the number of train paths, the assessment of the condition of a rail line, the number of non-dispatched wagons in a station, the number of non-provided traction, etc.);

6.3. the allowed thresholds of causes – the maximum (minimum) number of occurrences in a time period (day, month, year, etc.) or a functional period (along the allocated train path, during the technological process etc.), as well as the intervals or circumstances where related financial value of cause/effect appears and/or changes;

6.4. the financial values of penalties for actions which disrupt the operation of the railway network, compensations to those who suffer losses from disruption and bonuses (charge reductions to applicants with better-than-planned performance of the parameters specified in the Scheme).”;

1.3. express Paragraph 8 in the following edition:

“8. The infrastructure manager maintains the records of the parameters of the Scheme according to the internal legal act, that is considered as a document regarding the use of the railway infrastructure which in accordance with Article 5(2¹) of the Railway Law is publicly available on the infrastructure manager's website on the internet. As delays are considered:

8.1 for trains that are sent according to the annual working timetable:

8.1.1. the time difference between the main accounting document referred to in Paragraph 9 of the Scheme and:

8.1.1.1. the actual time when the train is dispatched;

8.1.1.2. the actual arrival time of the train at the final station;

8.1.2. the deviation from the working timetable in intermediate stations;

8.2 for trains train paths of which are assigned within the operational railway infrastructure allocation procedure:

8.2.1. the time difference between the main accounting document referred to in Paragraph 9 of the Scheme and:

8.2.1.1. the actual time when the train is dispatched;

8.2.1.2. the actual arrival time of the train at the final station;

8.2.2. the deviation from the train pass time on a specific railway section within the annual working timetable.

The delays are attributed to the classes or subclasses of the causes if they exceed the limit allowed in the Charging Scheme.”;

1.4 express Paragraph 14 in the following edition:

“14. Network disruption causes are recorded within 5 working days. When determining the causes of delays mentioned in the Annex to the Cabinet regulations, it is assumed that:

14.1. the cause of Sub-paragraph 1.2 is attributed to the infrastructure manager if within the railway infrastructure the train is assembled by an operator of a service facility, which is also the infrastructure manager;

14.2. the cause of Sub-paragraph 1.3 is attributed to the performer of the essential functions if the train path is not assigned in time or the operational railway infrastructure capacity allocation procedure has not been followed, in other operational cases it is attributed to the infrastructure manager;

14.3. the cause of Sub-paragraph 1.4 is attributed to the performer of the essential functions;

14.4. if a delay occurs due to the quality of the railway infrastructure (the working capacity indicated in the railway infrastructure network statement, such as speed, permissible axle load or train length, is reduced), then it is attributed to the whole class of causes of delays referred to in Paragraph 2 without decoding;

14.5. the cause of Sub-paragraph 3.1 is attributed only to delays at the final station in passenger traffic and at the arrival station of a railway section in freight traffic if they occur due to the fact that a technological break exceeds the time declared in the procedure established by the performer of the essential functions;

14.6. the cause of Sub-paragraph 3.2 is attributed only to delays at the final station in passenger traffic and at the final station of a railway section in freight traffic, if they occur due to the fact that a technological break is not announced in the order specified by the performer of the essential functions;

14.7. the causes of the sub-paragraph 3.3 are attributed only to delays at the final station in passenger traffic and at the final station of a railway section in freight traffic, if they are related to technological limitations exceeding the duration announced in the order specified by the performer of the essential functions - the capacity allocation body;

14.8. the cause of Sub-paragraph 4.1 is attributed to a delay, if international train traffic has been accepted on the railway network with delay;

14.9. the cause of Sub-paragraph 4.2 is attributed to a delay, if international train traffic is not accepted on the next railway network;

14.10. the cause of Sub-paragraph 5.1 is attributed to a delay if the train departure from an intermediate station is delayed by a railway undertaking;

14.11. the cause of Sub-paragraph 5.2 is attributed to a delay, if a train set is suspended at the request of a railway undertaking;

14.12. the causes of Sub-paragraphs 5.3, 5.4 and 5.5 are attributed to delays if relevant operations were not carried out due to the fault of an operator of a service facility, which is also the infrastructure manager;

14.13. if the delay has been caused by the rolling stock of a railway undertaking, it is attributed to the whole class of causes of delays referred to in Paragraph 6 without decoding;

14.14. the class of causes of delays referred to in Paragraph 7 are attributed only if the delay is caused by an intentional activity of the railway undertaking.”;

1.5 express Paragraph 15 in the following edition:

“15. A capacity allocation dispatcher and a railway transportation dispatcher promptly examine the results of the attribution of the parameters of the Scheme and inform the railway undertaking, which has caused the delay exceeding the limits of the allowed delays by the official electronic means of communication. Railway undertakings have the right to request and receive from the infrastructure manager the results of the attribution of the parameters of the Scheme attributed to them and to network users working on their behalf. The operational information is not a subject of the dispute settlement procedure mentioned in Chapter V of the Scheme.”.

2. The performer of the essential functions publishes the amendments on its website and submits them to the infrastructure manager for inclusion in the railway infrastructure network statement.

3. The amendments enter into force upon their publication and are applied as soon as the Charging Scheme enters into force.

JSC LatRailNet
Director of Legal and
Administrative Affairs

J.Šulcs