

# **Report on the activities of the Transport Authority as a body supervising passenger rights in the Slovak Republic;**

Within the meaning of Article 32(3) of Regulation (EU) 2021/782 on  
rail passengers' rights and obligations  
(hereinafter referred to as „Regulation“)

Period: 2023 - 2024

## I. Information of the national system

### **As a passenger rights supervisory authority, the Transport Authority:**

- supervises compliance with the rights and obligations of rail passengers under special regulations
- consult rail passenger users
- handles complaints and suggestions in the field of passenger rights
- performs professional supervision of passenger rail transport in the territory of the Slovak Republic and checks compliance with the obligations of carriers, in particular the operational obligation, the tariff obligation, compliance with the transport schedule and the timetable, and imposes fines for breach of these obligations

Within the organisational structure of the Transport Authority, the enforcement of this Regulation is under the competence of the Regulatory Section and no specific staff is directly assigned to the exercise of that competence.

The Transport Authority is a budgetary organisation linked to the state budget through a chapter of the Ministry of Transport of the Slovak Republic, while no separate budget is reserved for the performance of the activities of the Passenger Rights Supervisory Authority.

## II. Use of derogations – rail market developments

Exemptions are granted to the extent in accordance with the Regulation and are published on the Rail Market Monitoring (RMMS) website - [https://transport.ec.europa.eu/transport-modes/rail/market/rail-market-monitoring-rmms\\_en](https://transport.ec.europa.eu/transport-modes/rail/market/rail-market-monitoring-rmms_en) and on the website of the Ministry of Transport of the Slovak Republic - <https://www.mindop.sk/ministerstvo-1/doprava-3/zeleznicna-doprava/odbor-zeleznicnej-a-kombinovanej-dopravy/prava-a-povinnosti-cestujucich-v-zeleznicnej-doprave/oznamenie-o-udeleni-vynimky-z-nariadenie-europskeho-parlamentu-a-rady-eu-2021-782-z-29-aprila-2021-vestnik>.

On the basis of an evaluation and an assessment of the technical and financial difficulty of complying with the provisions of the Regulation, as well as with a view to gradually unifying market conditions, the Ministry of Transport of the Slovak Republic decided to grant exemptions from the application of certain provisions of the Regulation to the following extent:

- **exemption from the application of the Regulation to services operated exclusively for historical or touristic purposes for an unlimited period, except for the mandatory provisions of the Regulation referred to in Article 2(2) of the Regulation, namely Articles 13 and 14;**
- exemption from the application of Articles 19, 20(2)(a) and (b) and 30(2) of the Regulation to domestic (long-distance) rail passenger services for the period from 4.12.2024 to 3.12.2029;

- **exemption from the application of the Regulation to urban and suburban rail services of unlimited duration, except for** the mandatory provisions of the Regulation referred to in Article 2(8) of the Regulation, namely Articles 5, 11, 13, 14, 21, 22, 27 and 28;
- exemption from the application of Articles 12(1) and 18(3) of the Regulation to regional rail services for the period from 7.6.2023 to 7.6.2028;
- **exemption from the application of the other provisions of the Regulation to regional rail services for an unlimited period,** except for the mandatory provisions of the Regulation for regional services referred to in Articles 5, 6, 11, 12 (except paragraph 1), 13, 14, 21, 22, 23, 24, 25, 26, 27 and 28.

The Ministry of Transport of the Slovak Republic decided to grant the exemptions in question mainly on the basis that carriers operating on our transport market are not yet ready to comply with all the provisions of the Regulation, while the transitional period for which exemptions are granted should serve to increase their compliance with the Regulation.

### **III. Complaints handling procedure**

#### **Procedure for handling complaints by the Transport Authority:**

In case of violation of the rights, the passenger lodges a complaint with the carrier, who is obliged to reply within 1 month. In justified cases, he must be informed that he will receive a reply no later than 3 months from the date of receipt of the complaint.

If the carrier has not replied within 1 month or the passenger has received an unsatisfactory reply, the passenger may lodge a complaint directly with the Transport Authority within three months of being informed of the rejection of the original complaint or of the expiry of the deadline for handling the complaint by the carrier.

The Transport Authority, as a national authority, is responsible for the enforcement of the Regulation in relation to passengers in the following areas:

- non-discrimination in transport conditions and ticketing, excluding social tariffs
- liability for passengers and baggage
- the rights of passengers in the event of an accident resulting in death, injury or loss of or damage to luggage;
- compensation for cancellations or delays
- information to passengers in an accessible form and in a timely manner
- assistance for passengers with disabilities and reduced mobility
- responsibility for the personal safety of passengers
- supervising the handling of complaints.

By purchasing the ticket, the passenger at the same time accesses the terms and conditions of the carrier, which includes its transport rules. Based on this, the Transport Authority also takes into account the transport rules when dealing with complaints and at the same time evaluates the conformity of the transport rules with the Regulation.

Handling passenger complaints through alternative dispute resolution:

[Slovenská obchodná inšpekcia](#)

[Spoločnosť ochrany spotrebiteľov \(S.O.S\)](#)

[Združenie na ochranu práv občana - AVES](#)

Detailed information on alternative dispute resolution procedures can be found at the following link:

[https://ec.europa.eu/consumers/odr/main/?event=main.adr.show2.](https://ec.europa.eu/consumers/odr/main/?event=main.adr.show2)

Decisions issued by the Transport Authority shall be binding.

The complaint form can be found on the website of the Transport Authority:

[https://drahy.nsaf.sk/regulation-on-zeleznicnych-drahach/right-and-obligations-passengers/right-passengers/.](https://drahy.nsaf.sk/regulation-on-zeleznicnych-drahach/right-and-obligations-passengers/right-passengers/)

Passengers shall be adequately informed of the possibility of lodging a complaint with the carrier, the infrastructure manager or, where appropriate, the Transport Authority on their website or by means of information published at railway stations or directly on board trains. Evaluating the extent to which passengers are aware of their rights is not within the discretion of the Transport Authority.

The complaint handling procedure, which is in accordance with Article 28(2) of Regulation is published on the website of the Transport Authority under the following link:

[https://drahy.nsaf.sk/regulation-on-zeleznicnych-drahach/right-and-obligations-passengers/right-passengers/.](https://drahy.nsaf.sk/regulation-on-zeleznicnych-drahach/right-and-obligations-passengers/right-passengers/)

#### **IV. Complaints statistics**

The complaints addressed by the Transport Authority in the period covered by this activity report concerned the following areas:

##### **Year 2023**

Complaint No. 1 – Complaint about the amount of the refund due to the delay of the train.

Complaint No. 2 – Review of the terms and conditions of the customer account.

Complaint No. 3 – Rejected compensation amounting to 25% of the total fare.

Complaint No. 4 – Request for reimbursement when moving to another railway station, due to a change in the train's departure point.

Complaint No. 5 – Reimbursement of fares for cancelled service.

##### **Year 2024**

Complaint No. 1 – Failure to provide information on delayed and cancelled services.

Complaint No. 2 – Right to reimbursement due to train delay.

Complaint No. 3 – Complaint and enquiry about 'high' prices for cross-border journeys.

Complaint No. 4 – Right to reimbursement due to train delay.

Complaint No. 5 – Low temperature on board.

Complaint No. 6 – Difficult transfer between train connections.

Complaint No. 7 – Request to reschedule the ticket to a later date if a train is delayed.

Table 4.1 – Statistical data on complaints submitted to the NEB

Year	Number of complaints	Reason for complaint						
		Contract of carriage, information and tickets (Chapter II)	RU liability for passengers and their luggage (Chapter III)	Delays, missed connections and cancellations (Chapter IV)	Persons with disabilities and persons with reduced mobility (Chapter V)	Safety, complaints and quality of service (Chapter VI)	Information to passengers on their rights (Chapter VII, Article 30)	Other
From 1 January to 31 January December 2023	5	4		1				
From 1 January to 31 January December 2024	7	1		3		1	1	1

## **V. Penalties**

### **Information on the rules on penalties**

**National legislation deals with the area of penalties as follows:**

**In the period up to 31 December 2023,** art. 43(10)(c) of Act No 514/2009 on rail transport, was in force, under which the supervisory authority was to impose a fine of up to 1 000 EUR on a railway undertaking for failure to comply with a passenger's right.

**In the period from 1 January 2024,** art. 41(1)(r) of Act No 332/2023 on public passenger transport, under which the supervisory authority shall impose a fine of between 100 EUR and 5 000 EUR for failure to comply with passenger rights.

### **Information and statistics on sanctions**

During the reporting period, the Transport Authority did not impose any sanctions.

## **VI. Measures taken to implement and monitor the Regulation**

**The basic tool of the activity is the performance of supervision by authorized employees.**

**Implementation and monitoring of Chapter V on accessibility and information, as well as Articles 23 and 24 on assistance and the conditions under which it is provided:**

The Transport Authority carries out supervision in this area and monitors non-discriminatory access rules directly at railway stations, together with the provision of information by the railway undertaking or station manager, not only in a targeted manner, but also as part of the performance of other supervisions and inspections.

### **In the period up to 06.06.2023:**

In accordance to Articles 21 and 22 of Regulation (EC) No 1371/2007 of the European Parliament and of the Council of 23 October 2007 on rail passengers' rights and obligations, State professional supervision took place at the railway stations Spišská Nová Ves and the Margecany.

In accordance to Article 22(3) of Regulation (EC) No 1371/2007 of the European Parliament and of the Council of 23 October 2007 on rail passengers' rights and obligations, State professional supervision took place at Ťahanovce railway station.

### **In the period from 07.06.2023:**

In accordance to Article 21 of Regulation, supervision of access rules in relation to the transport of persons with disabilities has been carried out with a focus on ensuring the provision of boarding aids (lifting platforms for persons with reduced mobility). The Transport Authority checks the provision of information for passengers as well as for PRM on the websites of

railway undertakings and station manager. The accessibility of stations shall be assessed in accordance with Commission Regulation (EU) No 1300/2014 of 18 November 2014 on the technical specifications for interoperability relating to accessibility of the Union's rail system for persons with disabilities and persons with reduced mobility.

**In 2024, the following supervisions were carried out:**

Withing the meaning of Article 23 of Regulation, supervision took place at Železničná spoločnosť Slovensko a.s. on trains IC and EX 621 Tatran.

In accordance to Articles 23 and 24 of Regulation and supervisions took place at the Rimavská Sobota, Zvolen and Bratislava – Petržalka railway stations.

No serious misconduct was found on the part of the railway undertakings or station manager in conjunction with Articles 23 and 24 during the controlled period.

**Implementation and monitoring of Article 26 on disability training:**

The Transport Authority informed the railway undertakings by letter of this new obligation and the first supervision in this area will be carried out in 2025.

**Implementation and monitoring of Articles 18, 19 and 20 on compensation and re-routing, compensation and assistance in the event of cancellation or delay of departure :**

Articles 18, 19 and 20 referred to above concern derogations issued by the Ministry of Transport of the Slovak Republic in the field of national transport.

**Implementation and monitoring of Article 30 on passenger rights information:**

The Transport Authority monitored and controlled the railway undertakings and their transport rules published on their websites on an ongoing basis.

**Implementation and monitoring of Article 33 on the handling of complaints:**

The Transport Authority carried out supervision and monitored websites in the area of monitoring the complaint-handling mechanisms of individual railway undertakings.



## **VII. Conclusion and evolution observed since previous reporting**

During the reporting period, the Transport Authority has consistently fulfilled its role as the national authority responsible for the enforcement of rail passenger rights under Regulation. Within its remit, it ensured supervision, carried out monitoring of compliance with railway undertaking's obligations and provided methodological and advisory support to stakeholders.

During the reporting period, a number of supervision were carried out, which were carried out in full compliance with the provisions of Regulation, in particular with regard to the chapters on the rights of passengers with disabilities and reduced mobility, passenger information as well as complaint handling. These supervisions confirmed the compliance of the railway undertakings and the station manager with their obligations and serious misconduct was not identified.

Several provisions of Regulation are currently subject to exemptions at national level. The granted derogations reflect the current state of technical readiness and financial capacity of railway undertakings in Slovakia, as well as the state of railway infrastructure. At the same time, the Transport Authority considers these exemptions to be a temporary solution that should not jeopardise the long-term objective of aligning national practices with EU requirements.

The activities of the Transport Authority showed a slight increase in the number of complaints received from passengers in the reporting period. Transport Authority consider these developments to reflect a growing public awareness of their rights, as well as an improved awareness of the possibilities of protecting passenger rights through the national enforcement body.

Some systemic challenges were also identified, such as the lack of communication of smaller railway undertakings with the station manager despite its active initiative. The Transport Authority plans to pay increased attention to this area in the coming period.

The report presents a summary of the findings with a view to ensuring the effective and proportionate application of Regulation in the circumstances of the Slovak Republic. The Transport Authority will continue to fulfil its tasks in protecting passenger rights and strengthening public confidence in rail transport, with an emphasis on transparency, accessibility and quality of service. In this context, based on the experience of application practice in the Slovak Republic, the Transport Authority will prepare a legislative proposal to amend national legislation so that the application of Regulation can be carried out more efficiently.