Rail Transport Authority
Chairman

REPORT 2010

ON RAILWAY SAFETY IN POLAND

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CONTENTS

A. SCOPE OF THE REPORT

The annual safety report drafted by the national safety authority – the Rail Transport Authority ('RTA'), contains information regarding the following:

a) the railway structure, with a list of railway infrastructure managers (Annexes A.2.1.a, A.2.1.b, A.2.1c) and a list of national carriers (Annexes A.2.2.a, A.2.2.b) with a breakdown into the following:
   - **the general railway system** in Poland (general available network of railway lines),
   - **metro networks and networks functionally separated from the remainder of the railway system** and designated for conducting metropolitan passenger transport;

b) important changes to legislation and regulations concerning rail safety introduced in 2010 (Annex D);

c) the level of safety of railways, including an aggregation of common safety indicators – CSI (Annex C, CSI annexes and CSI-Chart annexes) at Member State level;

d) results and experiences associated with supervising infrastructure managers and railway carriers.

This report also covers the activity of UTK in performing tasks in accordance with safety policy.

B. INTRODUCTION

1. Introduction to the report

The purpose of drafting an annual safety report is to meet the requirements of Article 18 of Directive 2004/49/EC of the European Parliament and of the Council of 29 April 2004 *on safety on the Community's railways* and Article 17a (6) of the Rail Transport Act of 28 March 2003 (consolidated text: Journal of Laws 2007, No 16, item 94, as amended).

The annual report, released by means of publication in the official journal of the Minister of Transport, constitutes a source of information primarily for entities registered in Poland and Member States conducting business in the field of rail transport. Furthermore, the information may be used by union organisations operating within infrastructure managers and railway carriers, and business, politics, science and media representatives as well as society as a whole.

The annual safety report is intended to make an assessment as regards the satisfaction of common safety requirements at the level of Member States and the Community.

On the basis of information regarding safety indicators drafted by the required entities, in the Report 2010 the common safety indicators (CSI) were set in relation to the statistics of **significant**

accidents, i.e. in accordance with the definitions contained in Regulation (EC) No 91/2003 of the European Parliament and of the Council of 16 December 2002 on rail transport statistics and the Ordinance of the Minister of Infrastructure of 20 July 2010 on common safety indicators (CSI) (Journal of Laws, No 142, item 952), which beginning from 2010 harmonised statistical rules regarding safety indicators.

During the reporting period 2006-2009, indicators referred to all **accidents and serious accidents,** i.e. according to national definitions. Hence, it would not be reliable to compare safety indicators for 2010 with the reporting period 2006-2009, either at the level of the national safety authority or the European Railway Agency.

The safety indicators in this annual report are presented in **two groups**, i.e.:

a) **for the general rail system** in Poland (generally available railway line network),
b) **for metro networks and networks functionally separated from the remainder of the railway system** and designated for conducting metropolitan passenger transport.

THE COMMON SAFETY INDICATORS INCLUDED IN THE 'CSI' FORMS FOR THE GENERAL RAILWAY SYSTEM IN POLAND WERE SENT TO THE EUROPEAN RAILWAY AGENCY USING THE ERAIL SYSTEM, WHEREAS THE INDICATORS FOR THE SECOND GROUP WERE INCLUDED IN THIS REPORT.

All statute-bound entities submitted annual reports within the statutory deadline, i.e. by the end of June this year.

9 infrastructure managers from the general railway system group submitted reports. Furthermore, annual reports were submitted by 48 railway carriers conducting passenger transport activity in the reporting period within this network.

3 infrastructure managers from the second group submitted reports, including 2 entities that simultaneously conduct transport activity within this network.

Despite the fact that the Report 2010 is the fifth such report, many entities continued to experience a large number of problems when drafting it.

The problems most often encountered when collecting data and drafting reports:

- implementation of the requirement to make an additional breakdown of railway accidents for statistical purposes, i.e. the introduction of 'significant accidents', transpired to be a difficult task for infrastructure managers and railway carriers to perform, due, among other reasons, to the national definitions adopted by the State Railway Accident Research Committee (as the NIB) concerning: 'serious accident', 'accident' and 'incident', which differ from the definitions required by the European Railway Agency as regards safety

indicators;

- accident committees continued to have many difficulties with applying the breakdown of persons injured during accidents, i.e. ‘unauthorised persons’ and ‘other persons’;
- the imprecise definition of the following categories of incidents: ‘Emergency signals transmitted’ (code I04) and ‘Broken rails’ (code I01) still gives rise to doubts when determining such data;
- very serious difficulties are experienced as regards providing correct data (code R07) in form ‘2010 CSI’: ‘Number of tons-km of a freight train’, as neither in the ‘Template ….’, nor in any other ERA document is there any information about the meaning of ‘gross kilometre tons’ or ‘net kilometre tons’. It would be logical to use ‘gross kilometre tons’, as the transport work of railway carriers (whose trains include empty carriages in their setup) would be included. It should be noted that trains pulling empty carriages are also included in the amount of transport work expressed in train kilometres;
- the inclusion of accidents occurring during manoeuvring works and technological runs, for which **no train kilometre unit arises**, provides a contaminated result for safety indicators calculated in ‘unit / million train km’ units. In this report, the information contains ‘net kilometre tons’;
- the imprecise definition of the length of railway tracks in the guidelines of the European Railway Agency continues to give rise to doubt when determining this data. In this report, the **length of tracks** was included in safety indicators along with the **length of mainline and main principal turnout** at ‘operating points’ (train service stations and dispatch points), which constitute an extension of mainline routes;
- the imprecise definition of data regarding the *‘number of power cars / traction sets’* gives rise to doubts regarding the proper classification of power cars.

2. Information about railway structure

In this report, as in the Report 2009, information about the railway infrastructure is contained in Annex ‘A.2.1.a – Infrastructure managers on the overall railway network in Poland’ and Annex ‘A.2.1.b – Infrastructure managers of a metro rail network and networks functionally separated from the remainder of the system’.

Please note that the heading ‘Railway tracks (main tracks)’ contains data for two groups of tracks:

- the total length of mainline and main principal tracks at operating points,
- total length of other tracks.

2.1. The general railway system in Poland comprises a network of railway lines administered

by 9 railway infrastructure managers in 2010.

The total length of **railway lines** in operation at the end of 2010 was **20.045.16 km** (a reduction of 60.14 km in relation to 2009), including:

- 8 727.47 km of double-track lines, a reduction of 3 km in relation to 2009
- 11 317.70 km of single-track lines, a reduction of 57.12 km in relation to 2009.

The main network of railway lines in this system is administered by PKP Polskie Linie Kolejowe S.A., i.e. railway lines with a length of 19.276 km, which constitutes 96.2% of all lines.

The length of railway lines in operation fell by 33.49 km in relation to 2009.

The entire length of **all tracks** in this system was **38 597.47 km** (a reduction of 232.21 km in relation to 2009), of which:

- mainline tracks and main principal tracks at operating points – **28 743.02** km, a reduction of 92.72 km in relation to 2009;
- other tracks – 9 854.44 km, a reduction of 139.5 km in relation to 2009.

Tracks with a length of 25 189.2 km, i.e. 65% of all tracks, are electrified (3kV, DC). In relation to 2009, there was a reduction of 35.9 km of electrified tracks.

2.2. Metro networks and networks functionally separated from the remaining railway system and designated for conducting municipal passenger transport in Poland are administrated by 3 railway infrastructure managers.

At the end of 2010, the total length of **railway lines** in operation was the same as in 2009, i.e. **62.4** km, of which:

- 47.2 km double-track lines,
- 15.2 km single-track lines.

The total length of **tracks** in this system was also unchanged in relation to 2009 and amounted to **144.5** km, of which:

- mainline tracks and main principal tracks at operating points: **108.9** km,
- other tracks: 35.7 km.

Tracks with a length of 121.7 km, i.e. 84.3% of all tracks, are electrified (0.65 and 0.75 kV, DC).

A schematic diagram of the main railway lines in Poland is shown in **Annex A.1.a.** and the current shunting and turning yards are shown in **Annex A.1.b.** A schematic diagram of **metro networks and networks functionally separated from the remaining railway system** and designated for municipal passenger transport is shown in **Annex A.1.c.**

A list of infrastructure managers in the general railway system is presented in

Annex A.2.1.a. A list of infrastructure managers of metro networks and networks functionally separated from the remaining railway system and designated for municipal passenger transport is shown in **Annex A.2.1.b.** A schematic diagram of the registered offices of these entities is shown in **Annex A.2.1.c.**

In 2010, 48 licensed railway carriers provided passenger and goods transport on the network of the general rail system in Poland, whereas on metro networks and networks functionally separated from the rest of the railway system passenger transport was provided by 2 licensed, national railway carriers.

A list of licensed railway carriers providing passenger and goods transport in the general railway system is presented in **Annex A.2.2.a.** A list of licensed railway carriers providing passenger and goods transport on metro networks and networks functionally separated from the rest of the railway system was presented in **Annex A.2.2.b.**

3. Summary – a general analysis of trends in advances in safety and certification

3.1. General railway system

On the basis of an analysis of accident statistics, the number of **accidents and serious accidents** in 2010 on the rail network of the **general railway system** compared to the previous year **fell by 1.4%,** i.e. from an overall number of 843 in 2009 to 831 in 2010.

As of 2010, a new category of accidents was included in the accident statistics, in accordance with the definition set out in Regulation (EC) No 91/2003 of the European Parliament and of the Council of 16 December 2002 and the Ordinance of the Minister of Infrastructure of 20 July 2010, i.e. **significant accidents.** As of this year, safety indicators were set in relation to the new category of accidents.

In 2010, 449 significant accidents were recorded.

3.2. The metro network and networks functionally separated from the remaining railway system and designated for municipal passenger transport.

The total number of **accidents and serious accidents** in 2010 compared to the previous year on this network **fell by 25%,** i.e. from a total number of 20 in 2009 to 15 in 2010.

In 2010, 1 significant accident was recorded.

A detailed analysis of accident statistics is presented in **part D, section 2 and Annex C.**

In connection with the publication of Commission Regulation (EC) No 352/2009 of 29 April 2009 *on the adoption of a common safety method on risk evaluation and assessment,* in 2010 entities were not required to report their experiences connected with the application of CSM during risk assessment and risk evaluation methods.

In accordance with the terms of the last amendment to the Rail Transport Act, infrastructure managers and rail carriers with a valid safety certificate (issued on the basis of Directive 2001/14/EC) were required to apply to the UTK Chairman for safety authorisation or a safety certificate by 30 June 2010. The validity of the above safety certificates lapsed on 31 December 2010.

In 2010, safety certificates were issued:

- part A for 50 national rail carriers,
- part B for 41 national rail carriers.

In 2010, safety authorisation was issued for 5 infrastructure managers.

C. ORGANISATION

1. Introduction

The national safety authority in Poland is the **CHAIRMAN of the Railway Transport Authority** (UTK) with its registered office in Warsaw at ul. Chałubińskiego 4.

The requirement to establish an independent office to supervise railway technology and safety and regulate the rail market arises from the implementation of European Union law into the legal system of the Republic of Poland, in particular Article 10(7) of Directive 2001/12/EC and Articles 30 and 31 of Directive 2001/14/EC laying down an obligation to appoint an authority and the scope of its basic powers.

2. Organisation of the Rail Transport Authority and its associations with other bodies

The organisational structure of the Rail Transport Authority and its tasks regarding supervision of rail transport safety have not changed considerably since 2006; however, due to the following:

1) the entry into force on 4 December 2009 of Regulation (EC) No 1371/2007 of the European Parliament and of the Council of 23 October 2007 on rail passengers' rights and obligations *(OJ L 315, 3.12.2007)* a Passenger Rights Division was established in the Railway Regulation Department;
2) the entry into force on 31 December 2009 of the Act of 25 June 2009 amending the Rail Transport Act *(Journal of Laws, No 214, item 1658),* transposing into national law Directive 2007/59/EC of the European Parliament and of the Council of 23 October 2007 on the certification of train drivers operating locomotives and trains on the railway system in the Community *(OJ L 315, 3.12.2007)* a Train Driver Licensing Department was established in the Traffic Safety and Operation Supervision Department.

Furthermore, the Rail Transport Authority was delegated tasks arising from the act on the universal obligation to defend the Republic of Poland and the crisis management act. The above was introduced into the Organisational Regulations of the Rail Transport Authority starting from 28 October 2010.

An organisational chart of the relations between the national safety authorities and other national bodies and employment in particular organisational cells of UTK is presented in **Annex B.1.** The areas of operation of UTK Regional Branches are presented in **Annex B.2.**

D. DEVELOPMENT OF RAIL SAFETY

1. Initiatives intended to maintain and improve safety

The organisation of the railway traffic safety system in Poland involves a division of duties and responsibilities for its condition among infrastructure managers, rail carriers and users of railway sidings.

In accordance with Article 5 of the Rail Transport Act of 28 March 2003 (consolidated text: Journal of Laws 2007, No 16, item 94, as amended), the infrastructure manager is obliged to maintain railway infrastructure in a condition ensuring the safety of rail traffic. However, under Article 17 of this Act, managers, rail carriers and sidings users are required to meet technical and organisational requirements ensuring:

- the safety of railway traffic,
- the safe operation of rail vehicles.

Railway traffic safety should be understood to mean a set of actions encompassing: drafting and implementing instructions containing procedures for conduct at a work post, recruitment and care to maintain a high level of staff qualifications, maintenance of rail infrastructure and technical devices, rail vehicles, supervision over work and management of teams of employees performing activities associated with rail traffic. Actions to improve rail traffic safety are one of the main tasks of the management staff and staff in organisational units and cells in all railway undertakings.

Examples of safety-related actions taken in Poland during the year, as a consequence of a previous accident or incident, are set out in table D. 1.1. The steps taken for other reasons are set out in table D. 1.2.

Table D.1.1 – Examples of safety-related actions taken in Poland during the year, as a consequence of a previous accident or incident

Previous accidents / incidents constituting the reason for taking a given action			Description of steps taken to improve safety
Date	Place	Description of event	
17.01. 2010	Line 204 Malbork -Braniewo, route Młynary -Chruściel, km 55.570	As a result of multiple breakages to the rail under passing rolling stock, 12 carriages forming part of train unit 550209 derailed.	1. Thyssen type rails were replaced in the region of the accident. 2. Successive replacement of Thyssen type rails is planned on line 204. 3. More frequent defectoscope tests are planned on line 204 until all rails are replaced.
24.02. 2010	Line 771 Świdnica Przedmieście -Świdnica Miasto, station Świdnica Przedmieście, junction 26	Due to worn out railway turnout sleepers in a junction when shifting a shunting train from track 52 to track 2, all axles of locomotive ST-43 derailed	Due to the degradation of the surface, renovation was included in the 2011 investment plan.
13.04. 2010	Line 356 Poznań Wschód -Bydgoszcz Główna, route Wągrowiec Gołańcz, km 52.346	Due to differences in the rail superelevation during dynamic load 38 mm (compared to the permitted 25 mm), due to the bad technical condition of the rail, the central car (2 axles) of railbus SA 134 from train 77646 derailed.	Line 356 was found to qualify for comprehensive renovation in 2010, however due to lack of funds, no renovation works were started in 2010.
26.05. 2010	Line 273 Wrocław Główny – Szczecin, st. Czerwieńsk, junction 54 *a/b*	Due to movement of points at junction 54 a/b under rolling stock in motion, during a manoeuvring trip from track 7 to track 100 the second car of the fourth carriage behind the locomotive derailed.	1. The employee was withdrawn from his duties and sent for re-examination. 2. The accident was discussed during periodic training sessions for employees.
26.07. 2010	Line 009 Warsaw Wschodnia -Gdańsk Główny, route Mława -Konopki, km 127.882, cat. A level-crossing	As a result of the failure of a level-crossing guard to close level-crossing gates, train 8316 ran into a passenger car.	A new procedure for conduct was developed and implemented: 1. After closing the crossing gates, the level-crossing guard shall state the time of closure to the traffic duty officer at Mława station. 2. The duty officer at Mława station gives a signal for the train to leave only after receiving information from the crossing guard about the time the level-crossing gates were closed.

13.07. 2010	Line 405 Piła – Ustka, route Kępice – Korzybie, km 151.835	Train 89522 on the route Słupsk – Szczecinek was started and left track 2 of Korzybie passing siding joining mainline track 1 Kępice – Korzybie without the required order, leading to a collision on this track at 151.835 km with train 89523 on the route Szczecinek – Słupsk travelling along Kępice passing siding in the direction of Korzybie passing siding. **As a result of the incident, 37 people were injured, 12 of whom were seriously injured**.	The main, temporary preventative measures issued by PKBWK: 1. Immediately restoring complete technical efficiency of rail traffic control devices in the Korzybie passing siding – implemented. 2. Introduction of a duty for a two-person traction service in single-cabin locomotives on the section of the line 405 Słupsk – Szczecinek in both directions for all rail carriers – implemented. 3. Ensuring mobile railway communications system on the 150 MHz band by building retransmission devices from the station Miastko and restoring the Kapsch mobile railway communications system to working order on the 450 MHz band, including urgent startup of the non-operational base station for the Kapsch mobile railway communications system in Korzybie – anticipated completion of the investment in 2011 as regards mobile railway communications system, whilst the Kapsch was definitively turned off. 4. Construction of call registration devices in Słupsk station on channel 6 of the mobile railway communications system on band 150 MHz on the section Słupsk – Miastko – implemented.
08.11. 2010r.	Station Białystok, region of control station ‘Bł 1’, track 1, junction 7	During departure of train 55272 on the route Białystok – Warsaw Praga there was a collision with the locomotive of train 112861 travelling from Płock Trzepowo – Sokółka at the third carriage from the end of train 55272. As a result of the accident, 19 carriages-tanks of train 112861 with dangerous goods caught fire. Furthermore, 2 locomotives from train 11286 control room ‘Bł 1’ caught fire.	Proceedings conducted under the management of the Chairman of the National Rail Accident Investigation Committee are currently under way to determine inter alia the circumstances and causes of the accident.
25.11. 2010	Linia Hutnicza Szerokotorowa, km 379.017 route Zarzecze LHS – Drozdów LHS, cat. A level crossing	At 22.18 commercial train G-11 hit an outsider on a level-crossing, who rushed under the oncoming train. As a result of the incident, one person died at the scene.	1. An information bulletin was drafted for employees of PKP PLH sp. z o.o. 2. The information bulletin was discussed during periodic training.

02.12. 2010r.	Line 009 Warsaw Wschodnia -Gdańsk Główny, route Legionowo – Warsaw Praga, cat. A level-crossing	Due to the premature opening of the level-crossing gates by the crossing guard, train 5302 collided with a tourist bus from Warsaw Metropolitan Transport Enterprise (*Zakład Transportu Miejskiego*)	1. The employee's work and pay conditions were changed 2. Written information about the accident was drafted

Table D.1.2 – Examples of safety actions taken for other reasons

Description of areas which the actions concerned	*Description of the reason for taking the action*	*Description of the actions taken to improve safety*
An improvement of safety on railway level-crossings	The number of accidents caused exclusively by road vehicle drivers due to failure to exercise due care when crossing a level-crossing.	Intensified media information and display campaigns under the title **'Safe crossing – stop and live',** aimed at road vehicle drivers when crossing railway lines, intended to increase awareness about the dangers of level-crossings and their consequences.
	The number of accidents on guarded railway level-crossings	Additional inspections of category A, B, C and D railway vehicles according to the rules laid down in Decision No 44 of the Chairman of the Management Board of PKP PLK S. A. of 30 April 2008.
	Modernisation of line 009 Warsaw Wschodnia Osobowa – Gdańsk Główny	1. Construction of automatic block signalling (ABS) devices on the route: Nasielsk – Świercze – Gąsocin – Ciechanów. 2. Requalification of the level-crossing at km 62.517 from category D to category B. 3. Removal of level-crossings at 63.957, 84.445 and 82.748 km together with construction of road and railway viaducts at these locations.
	Improvement of operation parameters for road transport	Major repair of level-crossing cat. A at km 14.582 of line 61 Kielce – Fosowskie
Preventative action	Research of the reasons for railway accidents and incidents, initial estimate of losses and implementation of conclusions to prevent rail accidents in the future	Observance of the ordinance of the Minister of Infrastructure as regards serious accidents and incidents on railway lines of 30 April 2007 (Journal of Laws, No 89 item 593, as amended).
Kilometre counters in carriages	Adjustment to statutory requirements	Installation of kilometre counters – phase: testing counters, selection of suppliers.
Monitoring of locomotives	Need to monitor the parameters of the work of locomotives	Continuation of the process of implementing a system for monitoring diesel locomotives.
Improvement in safety and conditions for checking-in passengers	Modernisation of the platform at Sopot Wyścigi station	1 Installation of a monitoring system and connecting it to the monitoring centre of the SKM Rail Protection Guard. 2 Installing modern information-reporting devices. 3 Harmonising the height of the grade line on rails 501 and 502.

Modernisation of rail vehicles	Improvement in the safety of rail traffic, reliability and comfort of service	1. Purchase of a wheel rim lubricating system and its installation in 16 locomotives. 2. Replacement of bumpers in 32 carriages – tanks for transporting ethylene oxide with IP250AX bumpers satisfying the requirements laid down in sub-chapter 1.6.3.27 of the Regulations for the International Carriage of Dangerous Goods by Rail (RID).
Safety of rail traffic in the metro	An increase in safety of metro passengers	Cyclical training sessions concerning metro passenger safety, first aid, anti-fire protection and crisis situation actions.

2. An analysis of trends in data concerning accidents and serious accidents

2.1. General rail system

On the basis of an analysis of accident statistics, it can be said that the number of accidents and serious accidents in 2010 on this network **fell by 1.4%** compared to the previous year**,** i.e. from a total of 843 in 2009 to 831 in 2010.

The number of collisions increased by 5.5%, i.e. from 18 to 19, i.e. by 1, whilst the number of train derailments increased by 25.4%, i.e. from 63 to 79, i.e. by 16.

The number of accidents on level-crossings increased by 3.1% in relation to the previous year, i.e. from 288 to 297, an increase of 9.

The number of accidents to persons caused by rolling stock in motion fell by 10.7%, i.e. from 400 units to 357 units – a reduction of 43 units.

In 2010 there was a 100% increase in the number of fires in rail vehicles in relation to the previous year, i.e. from 3 to 6.

The number of accidents in the 'Others' category, which includes all accidents occurring during manoeuvring and technological trips and in sidings, involving rail carriers increased in relation to the previous year by 2.8%, i.e. from 71 to 73 – an increase of 2.

The above changes in 2010 in relation to 2009 constitute natural variations.

The overall number of **seriously injured persons** as a result of accidents in relation to the previous year fell by 5.5%, i.e. from 199 persons to 188 persons.

The considerable fall in the number of seriously injured persons relates to accidents on level-crossings, i.e. from 76 to 56 – a fall of 26%.

The number of seriously injured persons during train collisions increased considerably,

i.e. **1 person in 2009 as opposed to 13 persons in 2010 – during a single collision on 13.07.2010 37 persons were injured, of which 12 were seriously injured.**

A vast majority of seriously injured persons, as in the previous year, were unauthorised persons, including persons crossing tracks in non-designated places (48.4% of all injured persons) and railway level-crossing users (27.6% of all injured persons).

An equally large group of injured persons were passengers (18.6% of all injured persons). The largest number of seriously injured passengers, as in 2009, was recorded in respect of accidents to persons caused by rolling stock in motion (code PS04), including jumping in and out of a moving train. In 2010, a reduction in the number of seriously injured passengers was recorded in accidents on railway level-crossings (code PS03) i.e. 2**0 passengers in 2009** (a passenger train collided with a lorry on a category D crossing)**, as opposed to 0 passengers in 2010.**

In 2010, there was **an increase in** the number of passengers seriously injured during collisions (code PS01), i.e. **0 passengers in 2009, as opposed to 9 passengers in 2010 during a single collision on 13.07.2010**

The overall number of **persons killed** as a result of accidents in relation to the previous year **fell by 22.5%, i.e**. from 365 persons to 283 persons.

There was a significant fall in the number of persons killed during accidents on level-crossings, i.e. from 73 to 55 – a fall of 25%. The number of persons killed due to rolling stock in motion also fell, i.e. from 292 to 228 – a fall of 21.9%.

The vast majority of persons killed were unauthorised persons (216 persons, which represents 76.3% of all persons killed). The other group constitutes rail vehicle users (54 persons, i.e. 19% of all killed).

In relation to the previous year, the number of unauthorised persons killed fell significantly, i.e. from 284 persons to 216 persons – a fall of 23.9%. Similarly, the number of rail vehicle users killed reduced, i.e. from 72 persons to 54 persons – a fall of 25%. However, the number of employees killed increased in relation to the previous year, i.e. by 1 employee to 6 employees (in various accidents).

The above changes in 2010, compared to 2009, constitute natural variations.

In relation to the previous year, the number of **suicides** significantly increased, i.e. by 88% (in 2009, 25 suicides were recorded compared to 47 in 2010).

As regards accidents avoided, significantly fewer cracked wheels in operation were noted among rail vehicles, as identified during vehicle inspections. In relation to the previous year,

there was a significant drop in such instances, i.e. from 105 in 2009 to 23 in 2010. **The difference arises from the fact that in 2009 extraordinary defectoscope tests were performed at vehicle repair points. At a later date, some of the vehicles qualified for deletion from the inventory**. Similarly, there was a significant reduction in the number of cracked axles in operating rail vehicles i.e. from 12 units to 3 units – a fall of 75%.

The number of train kilometres in relation to 2009 increased by 5%, i.e. from 208,643,000 train-km to 219,037,000 train-km.

2.2. The overall number of railway incidents (accidents and serious accidents) in 2010 on **metro networks functionally separated from the remaining railway system and designated for municipal passenger transport,** compared to the previous year, fell from 20 to 15 – a fall of 25%.

In 2010 there was a considerable fall in the number accidents on railway level-crossings, i.e. from 20 in 2009 to 11 in 2011 – a reduction of 45%. However, new categories of accidents were noted, i.e. 3 other accidents and 1 accident to a person due to rolling stock in motion.

As a result of the accident to a person due to rolling stock in motion, 1 person died.

3. Analysis of significant accident data trends

As of 2010, a new category of accident was included in the accident statistics, in accordance with the definition included in Regulation (EC) No 91/2003 of the European Parliament and the European Council of 16 December 2002 and the Ordinance of the Minister of Infrastructure of 20 July 2010, i.e. **significant accidents.** As of this year, the safety indicators were set in relation to the new category of accidents.

During the reporting period 2006-2009, the indicators referred to all **accidents and serious accidents,** i.e. according to national definitions. Hence, it would not be reliable to compare safety indicators for 2010 with the reporting period 2006-2009, either at the level of the national safety authority or the European Railway Agency.

A list of rail events, victims and costs incurred was presented in the '**CSI' annexes and the 'CSI-Chart'** (diagram) annexes of two rail system groups in Poland, comprising tables and charts for these groups.

The definitions used in this report are set out in **Annex C**.

4. Results of safety recommendations

As a result of proceedings completed by rail committees following railway incidents, on the basis of Article 281 (8) of the Rail Transport Act of 28 March 2003 (Journal of Laws, No 16,

item 94, as amended) in connection with irregularities identified, constituting a direct threat to the safety of rail traffic, in 2010 the Chairman of the National Rail Accident Investigation Committee (PKBWK) issued 5 recommendations in total concerning the improvement of rail traffic safety, i.e.:

4.1. Prevention-related temporary instructions dated 30.07.2010 in connection with a serious accident on 13.07.2010 on the Kępice – Korzybie route, km 151.835, line 405:

- restoring rail traffic control devices in Korzybie to working order;
- introducing a two-person traction service in single-cabin locomotives on the section of line 405 Słupsk – Szczecinek in both directions for all rail carriers, including a relevant correction to the Regulations for releasing train routes and official train timetables;
- ensuring a mobile railway communications range on the 150 MHz band, building signal retransmission devices from Miastko station and restoring the Kapsch mobile railway communications system to working order on the 450 MHz band, including urgent startup of the inactive base station for the Kapsch mobile railway communications system in Korzybie;
- conservation of the over-head telecommunication line for the purposes of Kapsch mobile railway communications transmissions and the Traffic Control System including cutting down trees lying in the path of this line;
- construction of call recording equipment in Słupsk station on mobile channel 6 of the mobile railway communications systems on the 150 MHz band on the Słupsk – Miastko section of the line;
- pruning tree branches in the way of rail vehicles and the clearance guage of constructions on the Słupsk – Szczecinek section of line 405 constituting a danger for the train team and travellers during train travel;
- reminding infrastructure managers' employees and carriers' employees about the strict prohibition upon granting and receiving consent for entry onto passing sidings and tracks of line 405 over mobile telephones.

As of 23.08.2010 train traffic was introduced into the Miastko remote traffic control section in station intervals, i.e. between the stations Szczecinek – Miastko and Miastko – Słupsk in accordance with the 'Regulations on the temporary conduct of train traffic on the Miastko remote traffic control section'. Tree branches were cut and a prohibition was introduced on granting and receiving consent for entry onto passing sidings and tracks of line 405 using mobile telephones. The performance of the abovementioned

recommendations was monitored on a constant basis by UTK employees. Furthermore, in 2011 control runs are planned on line 405.

In connection with the circumstances of the accident, an inspection was additionally conducted of infrastructure manager WKD Sp. z o.o. as regards the functioning of KAPSCH type devices. The inspection conducted by UTK employees identified that devices were functioning incorrectly – they had no connection. The company was required to develop and immediately implement an interim rail traffic control regulation until such time as the rail traffic control devices are modified. The recommendation was implemented.

4.2. Recommendations of 29.12.2010 in connection with the accident on 18.8.2010 at Mąkołowiec branch station, km 14.164, line 139:

- PKP PLK S.A. Management Board's consideration of the possibilities of changing the structure of indicator W24 in order to improve light visibility parameters;
- Performing an analysis regarding the possibilities of harmonising the positioning of the signalling device's light chambers with a red and white mast, keeping the division of chambers with the red light in such a way that if a single light below the red light is illuminated independently then the signal is doubtful.

Due to the fact that the deadline for the submission of information by the infrastructure manager regarding decision-taking procedures was set as 31.01.2011, further decisions regarding supervision over their implementation will be taken in 2011.

4.3. Recommendation of 8.8.2010 in connection with the warning issued by the National investigative authority in Austria under the Safety Information System as regards an accident involving the derailment of carriages owned by STVA (France) for hauling passenger cars, which occurred on 30.6.2010 in Austria:

- The Rail Transport Authority caused urgent steps to be taken regarding railway managers and rail carriers conducting passenger car haulage in carriages belonging to a company known as STVA (France) in order for such entities to take the following actions:
  - Check the condition of devices attaching brake cables (lines) to carriages' undercarriages and between 2-axle carriages permanently connected with a screw coupling.
  - Checking the correctness of the horizontal location of the heads for connecting brake vans.
  - Checking whether the minimum clearance of 140 mm has been ensured between the rail head and the screw coupling and between the rail head and the head and suspension of

the brake coupling.

In accordance with the records kept by the Rail Transport Authority, no double-stack carriages are used in Poland for hauling passenger cars, whereby the connection of the main cable between the parts is safeguarded against falling by a line to fixed elements of the screw coupling. In connection with the above, there is no need to implement the inspection in the above respect.

4.4. Recommendations of 1.12.2010 in connection with the accident of 3.10.2010 on line 65, at km 375.711:

For the Management Board of PKP LHS Sp. z o.o. to ensure that rail vehicles in operation and owned or in the Company's possession have had their technical condition confirmed by a technical efficiency certificate after 28 March 2005 and have full data regarding their mileage [km] and validity date recorded in the technical efficiency certificate.

An inspection of the implementation of recommendations shall be conducted in 2011 by UTK employees on an ongoing basis.

4.5. Recommendations of 15.6.2010 contained in the 'Protocol of final findings' arising from the inspection connected with the accident of 4.8.2009 on the route Będzin -Sosnowiec, at km 306.54:

- A document must be drafted in the form of an order specifying the means for performing technical inspections of traction engines and qualified employees responsible for their performance and for issuing a technical efficiency certificate.
- PKP Intercity S.A. shall update DSU for EP 09 (construction changes and condensed time periods) and apply for new certificates to put this type of vehicle into operation and will simultaneously begin operation of this series of locomotives under supervision.
- PKP Intercity S.A. shall increase supervision over the observance of deadlines for maintaining EP 09 series locomotives.

An inspection of the implementation of these recommendations shall be conducted in 2011 by UTK employees on an ongoing basis.

26 EP09 series locomotives were withdrawn from service. Wheelset axles have been successively replaced. PKP Intercity S.A. has updated the DSU and has issued its own Order regarding rail worthiness certificates adopted by Resolution No 119/120 of the Company's Management Board dated 9.2.2010. In an announcement dated 16.7.2010, PKP Intercity S.A. required Plants to perform increased supervision over the observance of deadlines for maintenance activities regarding EP 09 series locomotives as part of level I inspections and periodic repairs.

An inspection of the implementation of these recommendations shall be conducted in 2011 by UTK employees on an ongoing basis.

The supervision activities to be performed by authorised employees of the Rail Transport Authority shall not be limited exclusively to the scope of the recommendations issued by the National Rail Accident Investigation Committee but shall cover a significantly broader scope laid down primarily in the Rail Transport Act of 28 March 2003 and statutory instruments.

The scope of inspections is adjusted on each occasion to the type, scope and character of business of the entity being inspected. It must be stressed that the inspection activities are ongoing, have been conducted in 2010 and shall be continued in 2011.

E. IMPORTANT CHANGES IN LEGISLATION AND LEGAL REGULATIONS

1. Level of progress on the transposal of Directive 2004/49/EC of the European Parliament and the Council of 29 April 2004

Directive 2004/49/EC was transposed into national law by the Rail Transport Act of 28 March 2003 *(Journal of Laws 2007, No 16, item 94, as amended).*

In 2009, in connection with the publication of Directive 2008/110/EC of the European Parliament and of the Council of 16 December 2008 amending Directive 2004/49/EC on safety on the Community's railways, its provisions were transposed into national law via an Ordinance of the Minister of Infrastructure of 18 August 2009 on common safety indicators (Journal of Laws, No 142, item 1159), which entered into force on 17 September 2009. This ordinance was repealed in § 4 of the ordinance of the Minister of Infrastructure of 20 July 2010 on common safety indicators (CSI) *(Journal of Laws, No 142, item 952),* which implemented Commission Directive 2009/149/EC of 27 November 2009 amending Directive 2004/49/EC of the European Parliament and of the Council as regards Common Safety Indicators and common methods to calculate accident costs (Official Journal EU L 313 of 28.11.2009). This ordinance lays down the common safety indicators (CSI) that the Chairman of the Rail Transport Authority includes in the annual safety report, on the basis of indicators received from managers and rail carriers and the means of calculating and listing them.

2. Level of progress on the transposal of Directive 2007/59/EC of the European Parliament and of the Council of 23 October 2007 and Directive 2007/58/EC of the European Parliament and of the Council of 23 October 2007

The transposal of Directive 2007/59/EC of the European Parliament and of the Council is

still being performed. On 31 December 2009 the Act of 25 June 2009 on the Amendment of the Rail Transport Act *(Journal of Laws, No 214, item 1658)* entered into force.

The act was updated in connection with the publication of three items of legislation in the Official Journal of the European Union, forming part of the so-called third railway package:

- Regulation (EC) No 1371/2007 of the European Parliament and of the Council of 23 October 2007 on rail passengers' rights and obligations *(OJ L 315, 3.12.2007),*
- Directive 2007/58/EC of the European Parliament and of the Council of 23 October 2007 amending Council Directive 91/440/EEC on the development of the Community's railways and Directive 2001/14/EC on the allocation of railway infrastructure capacity and the levying of charges for the use of railway infrastructure *(OJ L 315, 3.12.2007),*
- Directive 2007/59/EC of the European Parliament and of the Council of 23 October 2007 on the certification of train drivers operating locomotives and trains on the railway system in the Community *(OJ L 315, 3.12.2007).* The solutions contained in this act cover:
  - ✓ opening up the international rail passenger transport market together with a right to allow passengers to board on any station on an international route and alight at another such station, including at stations in the same Member State, with the possibility of restricting such transport where the economic balance of national public services is at risk,
  - ✓ creating a system of recognising train driver professional qualifications – the procedure and conditions for issuing licences and certificates, training and examinations,
  - ✓ ensuring supervision over the observance of Regulation No 1371/2007/EC as regards passengers' rights and obligations,
  - ✓ imposing new duties upon the Chairman of the Rail Transport Authority associated with supervision over the observance of legal provisions concerning passengers' rights, the issuance of licences and certificates for train drivers and as regards the availability of the rail infrastructure for carriers with their registered office outside the country.

When implementing the amendment to the Rail Transport Act as regards the opening up of the international rail carriage market, the Minister of Transport issued an ordinance dated 30 December 2009 on access to rail infrastructure for rail carriers with their registered office in another European Union Member State or in a Member State of the European Free-Trade Area (EFTA) *(Journal of Laws of 2010, No 2, item 7),* which entered into force on 16 January 2010. This ordinance lays down the criteria on the basis of which it will be determined whether the planned carriage of persons is an international service and the criteria upon the basis of which an analysis will be performed as to whether the planned international connection violates the

economic balance of services performed on the basis of agreements on the provision of public services. Furthermore, it specifies the means by which the UTK Chairman should issue decisions as regards restrictions to access to the rail infrastructure of a rail carrier.

The amendments to the Rail Transport Act which entered into force on 4 December 2010 imposed a duty upon the Minister of Transport to determine the following, among others, by way of an ordinance:

- the means of issuing, extending, suspending and withdrawing licences of train drivers, updating data contained in a licence and issuing replacement licences;
- health, physical and psychological requirements to be met by persons applying for a train driver licence;
- rules for assessing the physical and psychological capacity of the person applying for a train driver licence and the procedure for adjudicating as regards their capacity;
- template documents for confirming the physical and psychological capacity of persons applying for a train driver licence;
- scope of knowledge and skills encompassed by training courses and examinations, necessary to obtain licence;
- template documents confirming the qualifications of persons applying for a train driver licence;
- detailed requirements in relation to businesses applying for an entry on the list of entities authorised to conduct training and examinations of persons applying for a train driver's licence and train driver's certificate;
- template for a train driver's licence;
- means of keeping a register of train driver licences.

The above issues were laid down in detail in the following legislation published in 2011:

- Ordinance of the Minister of Infrastructure of 18 February 2011 on train driver licences *(Journal of Laws, No 66, item 346, as amended);*
- Ordinance of the Minister of Infrastructure of 18 February 2011 on train driver certificates *(Journal of Laws, No 66, item 347);*
- Ordinance of the Minister of Infrastructure of 15 March 2011 on entries on the list of entities authorised to conduct tests in order to assess whether health, physical and psychological requirements for obtaining a train driver licence and train driver certificate have been met *(Journal of Laws, No 66, item 348);*
- Ordinance of the Minister of Infrastructure of 15 March 2011 on the tests necessary to obtain a train driver's certificate and to maintain its validity *(Journal of Laws, No 66, item 349).*

Furthermore, on 6 April 2011 the Ordinance of the Minister of Infrastructure of 18 February 2011 on employees employed on posts directly connected with conducting rail traffic and its safety, driving specific types of rail vehicles and metro rail vehicles *(Journal of Laws, No 59, item 301)* entered into force, replacing the Ordinance of the Minister of Infrastructure of 16 August 2004 on a list of posts directly connected with conducting rail traffic and its safety and the conditions to be met by persons employed on such posts and driving rail vehicles (Journal of Laws, No 212, item 2152, as amended). Please note that, in accordance with Article 3 (1) of the Act of 25 June 2009 amending the Rail Transport Act (Journal of Laws, No 214, item 1658), the terms of the Ordinance of 16 August 2004 (Journal of Laws, No 2123, item 2152, as amended) regarding train drivers shall remain in force until 1 December 2017 at the latest.

In order to perform the tasks laid down in the above legislation concerning train drivers, in 2010 a Train Driver Licensing Department was created in the Operation and Traffic Safety Supervision Department.

In accordance with Article 37 of Regulation No 1371/2007/EC, its provisions entered into force 24 months after publication of the Regulation in the Official Journal of the European Union, i.e. on 4 December 2009. Regulation No 1371/2007/EC is binding in its entirety and has direct effect in all Member States.

The following constitute '*implementing*' elements of the Regulation into Polish law:

1) nomination (Article 14a introduced into the Rail Transport Act) of the UTK Chairman as the competent person as regards supervision over the observance of passengers' rights; Article 14a (3) introduces particular protection for the disabled and persons with reduced mobility by imposing an obligation on the UTK Chairman to inspect compliance with the regulation's obligations by carriers, rail infrastructure managers, owners of railway stations and managers thereof,
2) the obligation to incorporate the requirements of Regulation No 1371/2007/EC in the conditions of insurance contracts (new section 8 in Article 47),
3) exemptions from the terms of Regulation No 1371/2007/EC where the Regulation allows.

In order to perform the tasks set out in Regulation No 1371/2007/EC, in 2010 a Passenger Rights Division was established in the Rail Transport Regulation Department.

Important amendments to national legislation made in 2010, where relevant to this report, are listed in **Annex D.**

Please note that changes to legislation and ordinances made in 2011 were also mentioned in Annex D.

F. STATE OF SAFETY CERTIFICATION AND AUTHORISATION

1. National legislation – date of commencement – accessibility:

1.1. Date on which the issuance of safety certificates commenced, in accordance with Article 10 of Directive 2004/4 9/EC:

The Chairman of the Rail Transport Authority issued the first part A safety certificate on 30 December 2008, whereas the first part B safety certificate was issued on 6 February 2009.

The legislation that governs the issue of safety certificates is the Rail Transport Act of 28 March 2003 *(Journal of Laws 2007, No 16, item 94, as amended)* and statutory instruments, including:

- the ordinance of the Minister of Transport of 5 December 2006 on the means of obtaining a safety certificate *(Journal of Laws, No 230, item 1682)* – binding as of 29.12.2006,
- the ordinance of the Minister of Transport of 12 March 2007 on the conditions and procedure for issuing, extending, amending and withdrawing safety authorisation, safety certificates and safety certificates *(Journal of Laws, No 57, item 389)* – binding as of 17.4.2007,
- the ordinance of the Minister of Transport of 19 March 2007 on the rail transport safety management system *(Journal of Laws, No 60, item 407, as amended)* – binding as of 21.4.2007

1.2. The commencement date for issuing safety authorisation in accordance with Article 11 of Directive 2004/49/EC:

The President of the Rail Transport Authority issued the first part A safety authorisation on 6 September 2010 and the first part B safety authorisation on 28 December 2010.

The issuance of safety certificates is regulated by the Rail Transport Act of 28 March 2003 *(Journal of Laws 2007, No 16, item 94, as amended)* and statutory instruments, including:

- the ordinance of the Minister of Transport of 12 March 2007 on the conditions and procedure for issuing, extending, amending and withdrawing safety authorisation, safety certificates and safety certificates *(Journal of Laws, No 57, item 389)* – binding as of 17.04.2007,
- the ordinance of the Minister of Transport of 19 March 2007 on the rail transport safety management system *(Journal of Laws, No 60, item 407, as amended)* – binding as of 21.4.2007

Furthermore, by means of an order of the UTK Chairman of 31 July 2009 a template was introduced for the safety authorisation application, as referred to in Article 4 (18b) of the Rail

Transport Act and Directive 2004/49/EC, as well as a template for part A and B safety authorisation. The templates were published on the Rail Transport Authority's website together with a recommendation for maintaining the sequence of stages in the safety authorisation issuing process for rail infrastructure managers.

1.3. Accessibility to national legislation regarding safety and other material national legislation for rail undertakings and infrastructure managers:

National legislation is available on the website of the Parliament of the Republic of Poland, Ministry of Infrastructure and Rail Transport Authority. Internal legislation of the main rail infrastructure manager (PKP PLK S.A.), which rail carriers are obliged to observe, is made available in electronic form on the manager's website www.plk-sa.pl, with the option of printing or viewing it.

2. Numerical data:

In 2010, 31 applications for a part A safety certificate and 44 applications for a part B safety certificate were submitted.

By the end of 2010, 50 part A certificates and 43 part B certificates had been issued. The difference between the number of applications for part A certificates and the number of part A certificates actually issued is due to the approval of applications lodged in 2009. In the case of 2 applications, the Rail Transport Authority Chairman refused to issue a part A certificate. The remaining applications for part A and B safety certificates, as at 31.12.2010, were at the verification and opinion stage.

In 2010, 5 applications for safety authorisation were lodged, and all were issued.

The remaining safety authorisation applications as at 31.12.2010 were at the verification and opinion stage.

Numerical data concerning the state of safety certification and authorisation is set out in **Annex E**.

3. Procedural aspects:

3.1. Part A safety certificates:

3.1.1. In 2010, no applications to update or amend a part A safety certificate were lodged.

3.1.2. In no case did the average time between the submission of a complete set of the required documents and information to the Chairman of the Rail Transport Authority by the rail carrier and the issue of a part A safety certificate exceed 4 months – the period provided for in Article 12(1) of Directive 2004/49/EC;

3.1.3. In 2010, the Rail Transport Authority Chairman did not receive a single application from a national safety authority of another Member State concerning a safety certificate;

3.1.4. In 2010 the Rail Transport Authority did not receive any negative signals from rail carriers regarding the mutual recognition of a part A safety certificate in other countries;

3.1.5. A fee is charged for issuing a safety certificate on the basis of the ordinance of the Minister of Infrastructure of 29 February 2008 on activities performed by the UTK Chairman for which fees are charged, the level of such fees and the means of charging them *(Journal of Laws, No 47, item 276).* The level of the fee depends on the amount of time spent on verifying and analysing the application. The minimum fee is PLN 7 000, whereas the maximum fee is the PLN equivalent of EUR 5 000. In 2010, the state budget received PLN 827 680, i.e. EUR 208 994 from fees for issuing part A safety certificates;

3.1.6. In 2010 no problems were noted with the use of the uniform part A safety certificate format;

3.1.7. No problems were noted during the use of procedures concerning part A safety certificates;

3.1.8. Rail carriers unanimously pointed to the absence of legislation laying down detailed requirements in relation to the 'Safety Management Systems' that were drafted. The entry into force on 30 December 2010 of Commission Regulation (EU) No 1158/2010 of 9 December 2010 on a common safety method for assessing conformity with the requirements for obtaining railway safety certificates (OJ L 326, 10.12.2010) only provided minor assistance to applicants, as a vast majority of 'SMS' had already been approved by the Rail Transport Authority Chairman by 30 December 2010.

3.1.9. Rail carriers could express their opinions regarding the procedures and practices applied by the Rail Transport Authority in written form (letters, emails, etc.) and by telephone. Rail carriers were able to submit written complaints.

3.2 Part B safety certificates:

3.2.1. In 2010 no applications to update or amend a part B safety certificate were lodged

3.2.2 In no case did the average time between the submission of a complete set of the required documents and information to the Chairman of the Rail Transport Authority by the rail carrier and the issue of a part A safety certificate exceed 4 months – the

period provided for in Article 12(1) of 2004/49/EC;

3.2.3 A fee is charged for issuing a safety certificate on the basis of the ordinance of the Minister of Infrastructure of 29 February 2008 on activities performed by the UTK Chairman for which fees are charged, the level of such fees and the means of charging them *(Journal of Laws, No 47, item 276).* The level of the fee depends on the amount of time spent on verifying and analysing the application. The minimum fee is PLN 7 000, whereas the maximum fee is the PLN equivalent of EUR 5 000.

In 2010, the state budget received PLN 393 402, i.e. EUR 99 336 from fees for issuing part A safety certificates.

3.2.4 In 2010 no problems were noted with the use of the uniform part B safety certificate format;

3.2.5 No problems were noted during the use of procedures concerning part B safety certificates;

3.2.6 Rail carriers applying for a safety certificate did not report any problems to the Rail Transport Authority Chairman. Employees of the Rail Transport Authority responded to all questions and concerns of rail carriers concerning the documents to be attached to a part B safety certificate application on an ongoing basis, providing exhaustive information;

3.2.7 Rail carriers could express their opinions regarding the procedures and practices applied by the Rail Transport Authority in written form (letters, emails, etc.) and by telephone. Rail carriers were able to submit written complaints. In 2010, not a single complaint was received.

3.3. Safety authorisation:

3.1.1. In 2010 no applications to update or amend safety authorisation were lodged.

3.1.2 In no case did the average time between the submission of a complete set of the required documents and information to the Chairman of the Rail Transport Authority by the rail carrier and the issue of safety authorisation exceed 4 months – the period provided for in Article 12(1) of Directive 2004/49/EC;

3.3.3 No problems were noted during the use of procedures concerning safety authorisation;

3.3.4 Rail carriers mutually pointed to the absence of legislation laying down detailed requirements in relation to the 'Safety Management Systems' that were drafted. The entry into force on 31 December 2010 of Commission Regulation (EU) No 1169/2010 of 10 December 2010 on a common safety method for assessing conformity with the

requirements for obtaining a railway safety authorisation (Official Journal L 327 of 11.12.2010) substantially facilitated the process of drafting 'SMS' by infrastructure managers and the Rail Transport Authority's assessment of the 'SMS' submitted;

3.3.5 Rail carriers could express their opinions regarding the procedures and practices applied by the Rail Transport Authority in written form (letters, emails, etc.) and by telephone. Rail carriers were able to submit written complaints. No complaints were lodged in 2010.

3.3.6 A fee is charged for issuing safety authorisation on the basis of the ordinance of the Minister of Infrastructure of 29 February 2008 on activities performed by the UTK Chairman for which fees are charged, the level of such fees and the means of charging them *(Journal of Laws, No 47, item 276).* The level of the fee depends on the amount of time spent on verifying and analysing the application. The minimum fee is PLN 7 000, whereas the maximum fee is the PLN equivalent of EUR 5 000.

In 2010, the state budget received PLN 94 639.50, i.e. EUR 23 897 for issuing safety authorisations.

G. SUPERVISION OVER RAIL CARRIERS AND INFRASTRUCTURE MANAGERS

1. Description of supervision over rail carriers and infrastructure managers

1.1. Audits/ inspections/ control lists

The Rail Transport Authority, as the national safety authority, exercises supervision over rail carriers and infrastructure managers. As part of that supervision, the UTK Chairman conducts inspections.

The means of performing inspections was laid down by the Minister of Transport in the Ordinance of 12 March 2007 on the manner in which the UTK Chairman performs inspections (Journal of Laws, No 57, item 388, as amended.). Inspections are conducted by Rail Transport Authority employees on the basis of written authorisation to conduct an inspection issued by the UTK Chairman.

After presenting official identification and authorisation, inspection activities are performed in the presence of employees of the entity being inspected (rail carrier or infrastructure managers), as appointed by the head of the entity being inspected or a person authorised thereby. The inspector makes factual findings on the basis of the evidence collected, and the outcomes of inspections are presented in an inspection protocol.

As assessment of the activities of the entity being inspected, made on the basis of the findings in the inspection protocol, is presented in the form of a post-inspection announcement.

In the event that any irregularities are identified, the post-inspection presentation shall include the concerns and conclusions and set a deadline for the inspected entity to remedy them.

- **Use of inspection lists**

Employees of the Rail Transport Authority conducting the planned inspections among rail carriers and rail infrastructure managers shall use inspections lists, which shall include 145 points.

The number of questions contained in the given inspection list shall depend upon the type, size and scope of activity conducted by the entity being inspected (infrastructure manager / rail carrier), and the subject-matter of the given inspection.

- **Audits / inspections conducted by employees of national safety authorities and/or third parties.**

In 2010, Rail Transport Authority employees conducted 263 railway safety inspections, of which:

- 1 audit of a rail infrastructure manager,
- 147 inspections of rail infrastructure managers,
- 116 inspections of rail carriers.

The authorised employees of UTK conducted inspections of entities holding safety certificates and safety certification (as referred to in Article 32 of Directive 2001/14/EC of the European Parliament and of the Council of 26 February 2001 on the allocation of railway infrastructure capacity and the levying of charges for the use of railway infrastructure and safety certification.

The inspections included checks as regards the following, without limitation:

- possession of a complete set of conformity certificates for putting rail traffic control structures and devices into operation and conformity certificates for putting types of rail vehicles into operation;
- possession of valid rail worthiness certificates for the use of rail vehicles;
- satisfaction of technical requirements regarding the use and maintenance of rail vehicles and elements of rail infrastructure;
- internal regulations, laying down the rules and requirements for safe conduct of rail traffic and the maintenance of rail infrastructure;
- whether employees employed on posts directly connected with the conduct and safety of railway traffic and driving rail vehicles satisfy the requirements laid down in

legislation;

- ensuring the safety of rail haulage of dangerous goods;
- safety of conducting rail traffic during modernisation work conducted by infrastructure managers;
- implementation of post-inspection recommendations and remedial measures by railway committees and instructions and recommendations issued by the National Rail Accident Investigation Committee – in particular after railway accidents.

➢ **The available personnel of the national safety authorities that can conduct audits / inspections (number,% of employees of national safety authorities engaged).**

In total 54 UTK employees took part in inspections conducted in 2010, which represents 30.68% of overall employment.

Please note that inspections are mainly conducted by employees of UTK Regional Branches.

➢ **Economic aspects of audits / inspections (costs, etc.).**

In 2010, costs associated with inspections conducted by UTK employees amounted in total to PLN 644 508.79 (EUR 162 742). Costs of business trips and employee wages are included in the above amount.

1.2. Aspects of the vigilance inspection / sensitive points to be supplemented by national safety authorities.

The most urgent task for the Rail Transport Authority in 2011 will be to develop and publish the rules for reporting changes to the 'Safety Management System' made by particular rail carriers and infrastructure managers to the Chairman of the Rail Transport Authority.

2. Description of the scope of application of legal aspects contained in the annual reports of infrastructure managers and rail carriers – availability of annual reports prior to 30 June (in accordance with Article 9(4) of the Railway Safety Directive 2004/49/EC)

In accordance with the requirements laid down in Article 17a (4) of the Rail Transport Act, the following were required to submit safety reports to the UTK in 2010:

- 9 infrastructure managers of the general rail network,
- 48 rail carriers conducting rail transport in 2010 on the general rail network (among the

60 carriers holding a part B safety certificate or safety certification),

- 3 infrastructure managers of a separate network,
- 2 carriers on the separate network.

9 infrastructure managers from the general rail system group submitted reports. Furthermore, annual reports were submitted by 48 rail carriers conducting transport business in 2010.

3 infrastructure managers from the second group submitted reports, including 2 entities simultaneously conducting transport business on this network (joint reports).

All entities submitted annual '2010 Safety reports' within the deadline, i.e. by the end of the 2nd quarter of 2011.

3. Number of inspections, of railway undertakings / infrastructure managers in 2010		Holding part A safety certificates	Holding part B safety certificates	Holding safety authorisation	Other actions
	Planned	4	19	0	0
	Conducted	4	19	0	0
		Rail carrier holding safety certification (Directive 2001/14/EC)		Infrastructure manager holding safety certification (Directive 2001/14/EC)	Other actions
	Planned	93		147	0
	Conducted	93		147	0

Planned inspections were conducted on the basis of an 'Annual Inspection Theme for 2010' developed by the Traffic Operation and Safety Department, which incorporated themes reported by particular Departments, Offices and UTK Regional Branches.

4. Number of audits, conducted regarding rail undertakings / infrastructure managers In 2010		Holding part A safety certificates	Holding part B safety certificates	Holding safety authorisation	Other actions
	Planned	0	0	1	0
	Conducted	0	0	1	0
		Rail carrier holding safety certification (Directive **2001/14/EC**)		Infrastructure manager holding safety certification (Directive **2001/14/EC**)	Other actions
	Planned	0	0	0	0
	Conducted	0	0	0	0

5. Summary of appropriate remedial measures / steps (amendment, cancellation, suspension, important warnings, etc.) concerning safety aspects, adopted as a consequence of audits / inspection

The results of inspections of rail carriers and rail infrastructure managers, conducted by UTK employees are summarised on an ongoing basis. Ongoing matters associated with traffic safety are considered, above all the means of implementing findings regarding a further improvement in the safety of the rail network, e.g. by:

- discussing the level of implementation of post-inspection recommendations issued by the UTK Chairman to rail carriers and rail infrastructure managers,
- inspection of the implementation of recommendations and conclusions of post-accident committees, intended to prevent events occurring in the future or to limit their consequences;
- inspecting whether carriers and infrastructure managers have satisfied the criteria laid down for safety certification.

In connection with irregularities constituting a threat to the safety of rail traffic, in 2010 the Rail Transport Authority Chairman issued 1 decision excluding 3 120A rail vehicles from operation in the case of one rail carrier.

Furthermore, in connection with the remedy of irregularities by one rail carrier, in 2010 the Rail Transport Authority Chairman issued 1 decision setting aside a decision restricting

the operation of 4 TEM2 diesel locomotives.

6. Short summary / description of any complaints made by infrastructure managers against rail carriers associated with the conditions in part A / part B of the certificate

In 2010, no infrastructure manager submitted a complaint to the Rail Transport Authority against rail undertakings.

7. Short summary / description of any complaints made by rail carriers against infrastructure managers associated with the conditions of authorisation

In 2010, no rail undertakings submitted a complaint to the Rail Transport Authority against an infrastructure manager.

H. REPORTING CONCERNING THE USE OF CSM AS REGARDS RISK VALUATION AND RISK ASSESSMENT

1. Experiences of the Rail Transport Authority concerning the application of CSM as regards risk evaluation and assessment

Commission Regulation (EC) No 352/2009 of 24 April 2009 on the adoption of a common safety method on risk evaluation and assessment as referred to in Article 6(3)(a) of Directive 2004/49/EC of the European Parliament and of the Council was published on 29 April 2009

The Regulation has been applied since **19 July 2010 a**s regards significant technological changes concerning vehicles, as defined in Article 2(c) of Directive 2008/57/EC and structural sub-systems, as required by Article 15(1) of the above Directive or TSI.

The regulation shall apply in full as of **1 July 2012.**

In connection with the above, entities were not required in 2010 to report their experiences associated with applying CSM as regards risk assessment and methods of evaluating risk. Please note that 5 rail carriers reported their experiences in this regard. As is apparent from the documents submitted, following an assessment of the potential impact of the change on the safety of the railway system – in accordance with the requirements laid down in Commission Regulation (EC) No 352/2009 of 24 April 2009 (Official Journal L 108 of 29.04.2009), the change was not deemed a 'significant change' for the purposes of Article 4 of the above Regulation.

Furthermore, entities required to draft 'Safety Management System' (SMS) documentation are incorporating into them the requirements concerning risk management set out in Commission Regulation (EC) No 352/2009.

In order to fully understand and properly apply the provisions of the above Regulation in practice, the following documents drafted by the European Railway Agency were published:

- '**Guidance** for use of Commission Regulation No 352/2009 of 24.04.2009 on the adoption of a common safety method on risk evaluation and assessment as referred to in Article 6(3)(a) of Directive 2004/49/EC of the European Parliament and of the Council',
- '**Examples** of risk assessment and possible tools supporting the regulation on the adoption of a common safety method on risk evaluation and assessment as referred to in Article 6(3)(a) of Directive 2004/49/EC of the European Parliament and of the Council'.

2. A procedure (e.g. questionnaire) enabling rail carriers and infrastructure managers to share their experiences concerning EC Regulation No 352/2009 on CSM as regards risk assessment

Each of the 'Safety Management Systems' approved by the Rail Transport Authority Chairman, both in the case of rail carriers and infrastructure managers, contains a form concerning experiences associated with applying CSM as regards risk evaluation and assessment. In connection with the above, both rail carriers and rail infrastructure managers may share their experiences associated with the application of CSM as regards risk evaluation and assessment.

3. Amendment of national safety provisions in order to implement EC Regulation No 352/2009 on CSM as regards risk evaluation

Due to the fact that Commission Regulation (EC) No 352/2009 of 24 April 2009 on the adoption of a common safety method on risk evaluation and assessment as referred to in Article 6(3)(a) of Directive 2004/49/EC of the European Parliament and of the Council (Official Journal L 108 of 29.04.2009) enters into force in full on 1 July 2012, in 2010 there was no need to make amendments.

I. FINAL CONCLUSIONS – PRIORITIES

The Rail Transport Authority, the national safety authority, accepted the following priority actions for 2011:

1) Continuing inspections and preventative actions in order to maintain the proper level of railway safety in connection with the deteriorating state of rail infrastructure arising, inter alia, from the inability of infrastructure managers to perform necessary repairs.
2) Continuing actions regard certification and safety authorisation to maintaining the positive trend of improvement in safety, particular as regards rolling stock.
3) Supporting attempts to organise supervision over design, construction and commissioning of rail infrastructure, as concerns: rails, traffic control systems, power supply, etc.

J. SOURCES OF INFORMATION

The above 'Report' was drafted based on source data contained in:

1) '2010 safety reports' submitted to the Chairman of the Rail Transport Authority by rail carriers and rail infrastructure managers;
2) own sources: Protocols and annual reports on inspections, conducted by employees of the Rail Transport Authority; materials held by particular Departments and Offices of the Rail Transport Authority;
3) National provisions and legislation: acts and ordinances.

ANNEXES

ANNEX A.1.a. –
General railway system in Poland
(generally available railway line network)

ANNEX A.1.b.

Classification and manoeuvring yards on the general railway system network in Poland

At the end of 2010 the following classification yards were used on the railway network in Poland: Skarżysko Kamienna, Tarnowskie Góry and Poznań Franowo.

ANNEX A.1.c.

Metro network and network functionally separated from the rest of the railway network

and designated for conducting metropolitan passenger transport

Metro Line managed by Metro Warszawskie Sp. z o.o.

Railway line managed by Usedomer Bäderbahn Polska Sp. z o.o. (UBB Polska)

Railway line managed by Warszawska Kolej Dojazdowa Sp. z o.o.

ANNEX A.2.1.a –
Rail infrastructure managers on the general railway system in Poland

	Name	Address	Website address / network report	Safety certification (Directive 2001/14/EC)		Safety authorisation (Directive 2004/49/EC)		Date of commencement of business	Railway tracks			Total length of railway lines			Electric traction		Number of railway vehicles (LC)	Number signalling devices [units]	ATP equipment used
				number	dated	number	dated		Total length of mainline tracks [km]	Total length of other tracks [km]	Width of track [mm]	2-track [km]	single-track [km]	High speed (HSL) [km]	Length [km]	Voltage (DC) [kV]			
1	PKP Polskie Linie Kolejowe S.A.	03-734 Warsaw. ul. Targowa 74	www.plk-sa.pl	003/ZI/04 104/ZI/06	10.02.2004 22.12.2006	**Part A:** PL2120100003 **Part B:** PL2220100001	30.12.2010 30.12.2010	01.10.2001	27708	9174	1435	8580	10548	0.0	24996	3	13623	51643	
									148.00	120	1520	0.0	148.00	0.0	24.37	3	34	357	
2	PKP Line Hutnicza Szerokotorowa Sp. z o.o.	22-400 Zamość. ul. Szczebrzeska 11	www.lhs.com.pl	064/ZI/05 101/ZI/06	29.08.2005 22.12.2006	**Part A:** PL2120100004 **Part B:** PL2220100004	31.12.2010 31.12.2010	01.07.2001	0	28.46	1435	0.0	0	0.0			3	10	
									394.65	104.37	1520	0.0	394.65	0.0			246	246	
3	PKP Szybka Kolej Miejska w Trójmieście Sp. z o.o.	81-002 Gdynia. ul. Morska 350A	www.skm.pkp.pl	017/ZI/04 108/ZI/06	16.03.2004 22.12.2006	**Part A:** PL2120100002 **Part B:** PL2220100002	29.12.2010 30.12.2010	01.07.2001	62.16	20.51	1435	31.08	0.0	0.0	68.75	3	5	249	
4	CTL Maczki – Bór S.A. Change in the name of the company as of 1.10.2010	41-208 Sosnowiec ul. Długa 90	www.ctlmaczki.pl	064/ZI/06	30.05.2006	**Part A:** PL2120110002 **Part B:** PL2220110000	24.01.2011 28.02.2011	1952	75.93	53.83	1435	18.43	39.07	0.0	--	--	22	152	
5	Jastrzębska Spółka Kolejowa Sp. z o.o.	44-350 Jastrzębie Zdrój ul. Leśna 4	www.jsk.pl	019/ZI/04 098/ZI/06	01.042004 22.12.2006	**Part A:** PL2120110001 **Part B:** PL2220110001	10.01.2011 04.04.2011	01.04 1998	43.35	99.75	1435	11.60	20.15	0.0	25.73	3	20	350	
6	Jastrzębska Spółka Węglowa S.A. Kopalnia Węgla Kamiennego 'BUDRYK'	43-178 Ornontowice. ul. Zamkowa 10	www.jsw.pl	044/ZI/07	10.08.2007			09.12.2007	9.63	12.02	1435	0.0	9.627	0.0	8.50	3	10	41	

7	PMT Linie Kolejowe Sp. z o.o.	59-101 Polkowice. ul. Kopalniana 9	www.pmtlk.pl			**Part A:** PL21201 00000 **Part B:** PL22201 00000	06.09 .2010 28.12 .2010		3.706	1.898	1435	0.0	2.299	0.0	3.709	3	2	14	
8	'Kopalnia Piasku Kotlarnia - Linie Kolejowe' Sp. z o.o.	47-246 Kotlarnia. ul. Dębowa 3	www.kotlarnia.com.pl	032/ZI/04 121/ZI/06	16.06.2004 22.12.2006	**Part A:** PL21201 00001 **Part B:** PL22201 00003	28.12 .2010 31.12 .2010	01.01. 2004	167.60	21.60	1435	50.36	66.9	0.0			100	186	
9	Infra Silesia S.A.	44-251 Rybnik ul. Kłokocińska 51	www.infrasilesia.pl/	117/ZI/06	22.12.2006	**Part A:** PL21201 10000 **Part B:** PL22201 10002	05.01 .2011 04.04 .2011	01.01. 2005	130	218.00	1435	36.00	89.00	0.0	62.12	3	61	531	
Sub-total									28200.37	9 630.07	**1435**	8 727.47	10 832.2	--	25 164.8		13846	53176	
									542.65	224.37	**1520**	0.0	542.65		24.40		280	603	
Total									**28743.02**	**9 854.44**		**8 727.47**	**1 1374.8**	**--**	**25 189.2**		**14 126**	**53 779**	

ANNEX A.2.1.b – Rail infrastructure managers of the metro network and network functionally separated from the remaining railway system

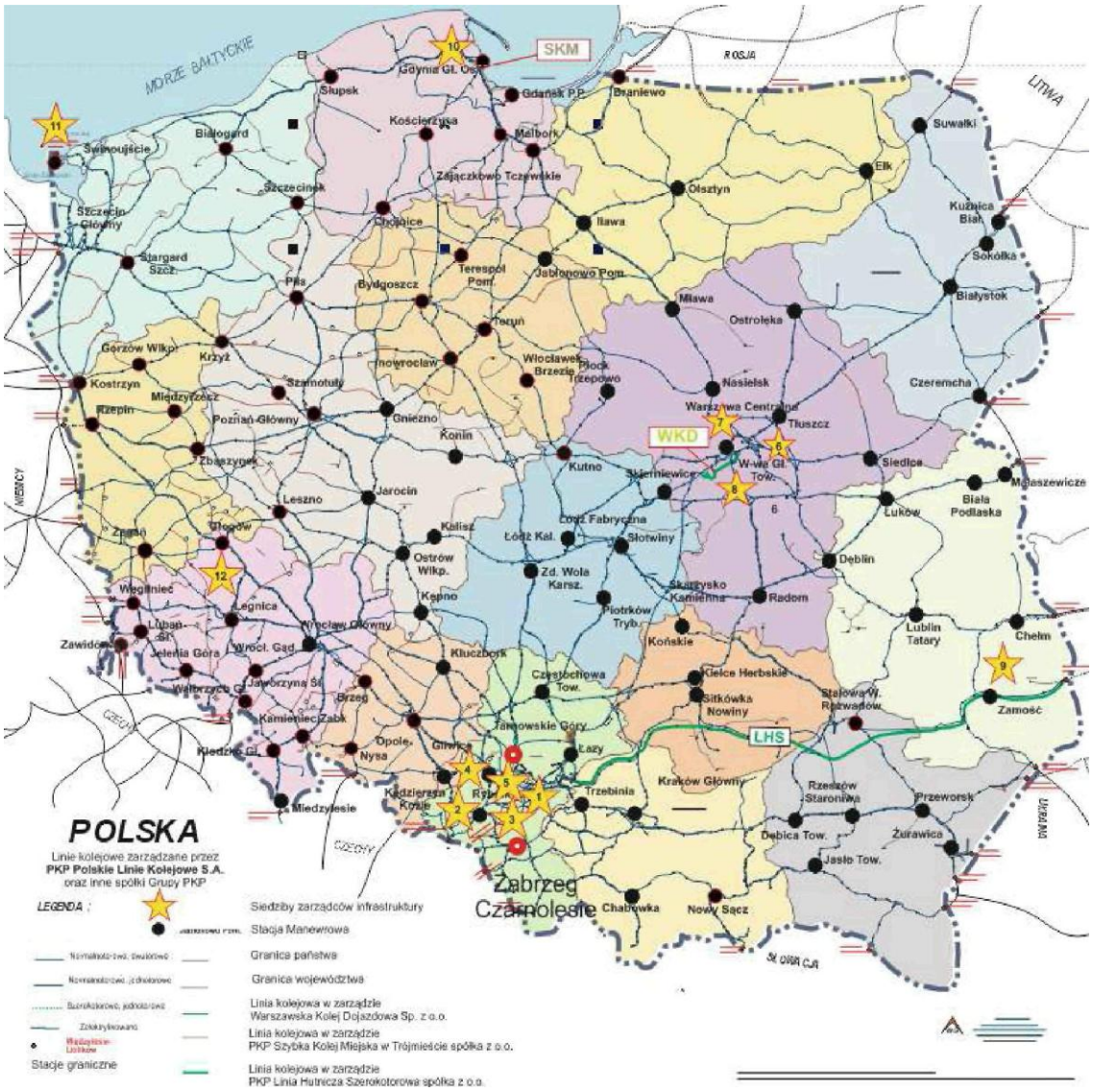
and designated for conducting metropolitan passenger transport services

No.	Name	Address	Website address / network report	Safety certification (Directive 2001/14/EC) Number and Safety authorisation (Directive 2004/49/EC)		Date of commencement of business	Railway tracks			Total length of railway lines			Electric traction		Number of level crossing (LC) [units[	Number of signalling devices [units]	ATP equipment used
				number	*dated*		Total length of main line and main principal tracks [km]	Total length of other tracks [km]	Gauge (mm)	Double-track [km]	Single-track [km]	High speed (HSL) [km]	*Length [km]*	*Voltage (DC) [kV]*			
1	Warszawska Kolej Dojazdowa Sp. z o.o.	05-825 Grodzisk Mazowiecki. ul. Batorego 23	www.wkd.com	029/ZI/04 110/ZI/06	02.06.2004 22.12.2006	01.07. 2001	63.70	3.10	1435	25.10	13.78	--	69.70		39	94	--
2	Metro Warszawskie Sp. z o.o.	02-798 Warsaw. ul. Wilczy Dół 5	www.metro.waw.pl	132/ZI/06	22.12.2006	07.01. 2003	43.74	32.32	1435	22.12	0.00	--	52.00		10	225	--
3	Usedomer Bäderbahn Polska	72-600 Świnoujście. ul.	www.ubb-online.com	036/ZI/08	15.09.2008	20.09. 2008	1.44	0.24	1435	--	1.44	--	0.00		0	4	--

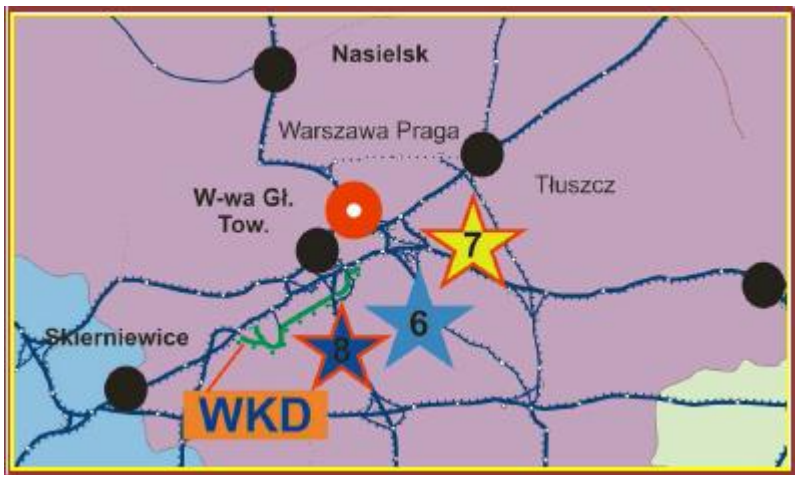
	Sp. z o.o. (UBB Polska)	Wybrzeże Władysława IV 22															
Total							**108.88**	**35.66**		**47.22**	**15.22**	--	**121.7**		**49**	**323**	--
							144.54			**62.44**							

ANNEX A.2.1.c.

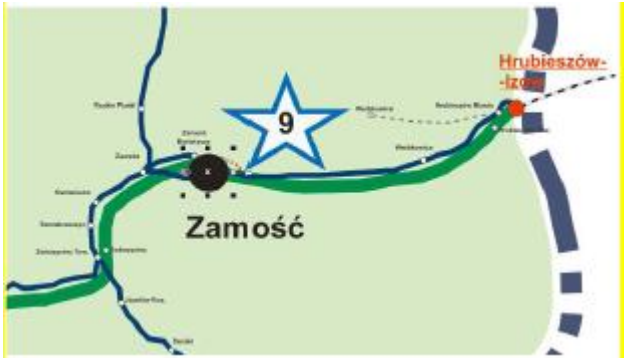
Rail infrastructure managers in Poland – their registered offices



1.	CTL Maczki-Bór Sp. z o.o., Sosnowiec, ul. Długa 90
2.	**Jastrzębska Spółka Kolejowa Sp. z o.o.,** Jastrzębie Zdrój, ul. Leśna 4
3.	**Jastrzębska Spółka Węglowa S.A.,** Ornontowice, ul. Zamkowa 10
4.	**Kopalnia Piasku Kotlarnia – Linie Kolejowe Sp. z o.o.,** Kotlarnia, ul. Dębowa 3
5.	**Infra SILESIA S.A.,** Rybnik 9, ul. Kłokocińska 51



6	PKP Polskie Linie Kolejowe S.A. , Warsaw, ul. Targowa 74
7.	**Metro Warszawskie Sp. z o.o.,** Warsaw, ul. Wilczy Dół 5
8.	**Warszawska Kolej Dojazdowa Sp. z o.o.,** Grodzisk Mazowiecki, ul. Batorego 23



9.	**PKP Line Hutnicza Szerokotorowa Sp. z o.o.,** Zamość, ul. Szczebrzeska 11

10.	**PKP Szybka Kolej Miejska w Trójmieście Sp. z o.o.,** Gdynia, ul. Morska 350A

11.	**Usedomer Bäderbahn Polska Sp. z o.o. (UBB Polska),** Świnoujście, ul. Wybrzeże Władysława IV 22

ANNEX A.2.2.a –
Rail carriers conducting railway transport on the general railway system network

**) In accordance with the Guidelines for drafting the Annual KWB Report – data concerning columns 11-21 of this annex are presented as a collective list under the table.*

No.	Name	Address	Website	*Safety certification (Directive 2001/14/EC)*		*Safety certificate (Directive 2004/49EC)*		*Date business commenced*	*Type of transport*
				Number	*Date*	*Number*	*Date*		
1	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*
1	PKP Przewozy Regionalne Sp. z o.o.	03-414 Warsaw, ul. Wileńska 14a	www.przewozyregionalne.pl	006/PK/04 102/PK/06	25.02. 2004 22.12. 2006	**Part A:** PL1120100038; **Part B:** PL1220100031	17.12. 2010; 28.12. 2010	01.10.2001	pas.
2	PKP INTERCITY S.A.	02-021 Warsaw, ul. Grójecka 17	www.intercity	014/PK/04 106/PK/06	16.03. 2004 22.12. 2006	**Part A:** PL1120100037; **Part B:** PL1220100039	15.12. 2010; 31.12. 2010	01.09.2001	pas.
3	PKP Szybka Kolej Miejska w Trójmieście Sp. z o.o.	81-002 Gdynia, ul. Morska 350A	w ww.skm.pkp.pl	016/PK/04 107/PK/06	16.03. 2004 22.12. 2006	**Part A:** PL1120100043; **Part B:** PL1220100036	29.12. 2010; 30.12. 2010	01.07.2001	pas.
4	'Koleje Mazowieckie – KM' Sp. z o.o.	03-802 Warsaw, ul. Lubelska 1	www.mazowieckie.com.pl	016/PK/05	01.03. 2005	**Part A:** PL1120100023; **Part B:** PL1220100020	29.11. 2010; 1.12. 2010	01.01.2005	pas.
5	Szybka Kolej Miejska Sp. z o.o.	02-017 Warsaw Al. Jerozolimskie 125/127,	www.skm.warszawa.pl	062/PK/05 123/PK/06	29.08. 2005 22.12. 2006	**Part A:** PL1120100033; **Part B:** PL1220100019	10.12. 2010; 20.12. 2010	03.10.2005	pas.
6	Dolnośląskie Linie Autobusowe Sp. z o.o.	51-156 Wrocław ul. Długosza 60,	www.dla.com	050/PK/06 34/TSI/06	16.05. 2006 01.09. 2006	**Part A:** PL1120100024; **Part B:** PL1220100038	01.12. 2010; 31.12. 2010	27.05.2005	pas.
7	Koleje Dolnośląskie S.A.	59 – 220 Legnica, ul. Wojska Polskiego 1/5	www.kolejedolnoslaskie.eu	—	—	**Part A:** PL1120090002; **Part B:** PL1220090001	21.05. 2009; 07.09. 2009	01.10.2009	pas.
8	PKP CARGO S.A.	02 – 021 Warsaw, ul. Grójecka 17	www.pkp-cargo.pl	015/PK/04 105/PK/06	16.03. 2004 22.12. 2006	**Part A:** PL1120090001 **Part B:** PL1220100001	25.06. 2009 22.04. 2010	01.10.2001	goods
9	PKP Line Hutnicza Szerokotorowa Sp. z o.o.	22-400 Zamość, ul. Szczebrzeska 11	www.pkp-lhs.pl	063/PK/05 100/PK/06	29.08. 2005 22.12. 2006	**Part A:** PL1120100040; **Part B:** PL1220100048	31.12. 2010; 31.12. 2010	01.07.2001	goods
10	PKP Energetyka S.A.	00- 681 Warsaw, ul. Hoża 63/67	www.pkpenergetvka.pl	—	—	**Part A**: PL1120090000 **Part B:** PL1220100000	09.04. 2009 09.02. 2010	01.03.2010	goods
11	CTL Express Sp. z o.o.	02 – 672 Warsaw, ul. Domaniewska 46	www.ctl.pl	115/PK/06	22.12. 2006	**Part A:** PL1120100020; **Part B:** PL1220100028	18.11. 2010 28.12. 2010	01.07.2006	goods
12	CTL Logistics Sp. z o.o.	02 – 672 Warsaw, ul. Domaniewska 46	www.ctl.pl	021/PK/05	16.03. 2005	**Part A:** PL1120100000; **Part B:** PL1220100006	09.02. 2010; 23.11. 2010	01.11.2008	goods
13	CTL Rail Sp. z o.o.	40-202 Katowice, ul. Roździeńskiego 190 B	www.ctl.pl	019/PK/05	16.03. 2005	**Part A:** PL1120100008; **Part B:** PL1220100012	28.06. 2010; 08.12. 2010	02.03.2004	goods
14	CTL Reggio Sp. z o.o.	24 -110 Puławy, Al. 1000-lecia Państwa Polskiego 13		021/PK/06 116/PK/06	27.02. 2006 22.12. 2006	**Part A:** PL1120100006; **Part B:** PL1220100014	28.06. 2010; 09.12. 2010	09.07.2006	goods

15	CTL Train Sp. z o.o.	41-208 Sosnowiec, ul. Długa 90	www.ctl.pl	020/PK/05	16.03. 2005	**Part A:** PL1120100016; **Part B:** PL1220100023	28.10. 2010; 23.12. 2010	01.06.2005	goods
16	X-Train Sp. z o.o.	81-335 Gdynia, ul. Janka Wiśniewskiego 20	www.ctl.pl	048/PK/05 113/PK/06	07.07. 2005 22.12. 2006	**Part A:** PL1120100013; **Part B:** PL1220100007	09.12. 2010; 28.06. 2010	15.09.2004	goods
17	DB SCHENKER RAIL KOLCHEM Sp. z o.o. **As of 9.2.2010 merged with DB Schenker Rail Polska S.A.**	56-120 Brzeg Dolny, ul. Sienkiewicza 4	www.kolchem.pl	092/PK/06	31.08. 2006	**Part A:** PL1120100008; **Part B:** PL1220100012	28.06. 2010; 08.12. 2010	19.10.2004	goods
18	DB SCHENKER RAIL COALTRAN Sp. z o.o.	03-216 Warsaw, ul. Modlińska 15	www.dbschenker.pl	007/PK/05	10.02. 2005	**Part A:** PL1120100042; **Part B:** PL1220110016	29.12. 2010; 11.03. 2011	28.02.2004	goods
19	DB SCHENKER RAIL POLSKA S.A.	43-602 Jaworzno ul. Bukowska 12	www.dbschenker.pl	044/PK/06	08.05. 2006	**Part A:** PL1120100013; **Part B:**	10.09. 2010; 24.11.	20.06.1998	goods
									pas.
20	DB SCHENKER RAIL RYBNIK S.A.	44 – 251 Rybnik ul. Kłokocińska	www.dbschenker.pl	015/PK/05	01.03. 2005	**Part A:** PL1120100031; **Part B:**	08.12. 2010; 24.11.	01.01.1994	goods
								08.10.2006	pas.
20	DB SCHENKER RAIL SPEDKOL Sp. z o.o.	47-225 Kędzierzyn - Koźle, ul. Szkolna 15	www.dbschenker.pl	022/PK/04 003/PK/07	16.04. 2004 19.03. 2007	**Part A:** PL1120100044; **Part B**: PL1220100011	29.12. 2010; 24.11. 2010	15.06.2002	goods
21	DB SCHENKER RAIL ZABRZE S.A.	41-800 Zabrze, ul. Wolności 337	www.dbschenker.pl	009/PK/05	10.02. 2005	**Part A:** PL1120100002; **Part B:** PL1220100008	24.03. 2010; 23.11. 2010	02.01.2007	goods
22	CEMET S.A.	01-756 Warsaw, ul. Przasnyska 6A	www.cemet.pl	001/PK/07	19.03. 2007	**Part A:** PL1120100030; **Part B:** PL1220100025	08.12. 2010; 23.12. 2 0 1 0	22.06.2007	goods
23	Dolnośląskie Przedsiębiorstwo Napraw Infrastruktury Komunikacyjnej DOLKOM Sp. z o.o.	50-502 Wrocław, ul. Hubska 6	www.dolkom. El	005/PK/07	19.03. 2007	**Part A:** PL1120100025; **Part B:** PL1220100033	01.12. 2010; 28.12. 2010	20.07.2007	goods
24	Euronaft Trzebinia Sp. z o.o.	32-540 Trzebinia, ul. Fabryczna 22	www.euronaft-trzebinia.pl	030/PK/04 120/PK/06	15.06. 2004 22.12. 2006	**Part A:** PL1120100005; **Part B:** PL1220100004	28.06. 2010; 15.09. 2010	09.07.2004	goods
25	Goodsliner PL Sp. z .o.o.	02-797 Warsaw Al. Komisji	www.goodsliner.pl	071/PK/06	30.06. 2006	**Part A:** PL1120100036; **Part B:**	15.12. 2010; 15.12.	08.10.2005	goods
									pas.
26	GATX Raił Poland Sp. z o.o.	01-831 Warsaw, ul. Twarda 30	www.gatx.eu	005/PK/04 002/PK/05	25.02. 2004 01.02. 2005	**Part A:** PL1120100045; **Part B:** PL1220110009	29.12. 2010; 11.02. 2011	01.03.2002	goods
27	Hagans Logistic Sp. z o.o.	87-100 Toruń, Plac Fryderyka Skarbka 4	www.hagans. El	045/PK/07	10.08. 2007	**Part A:** PL1120100035; **Part B:** PL1220100018	13.12. 2010; 17.12. 2010	12.12.2006	goods
28	ITL Polska Sp. z o.o.	50-075 Wrocław, ul. Krupnicza 13 suite 103	www.itlpolska.com.pl			**Part A:** PL1120080001; **Part B:** PL12200900	30.12. 2008 06.02. 2009	01.07.2006	goods

29	Kolej Bałtycka S.A.	70-676 Szczecin, ul. Merkatora 11 **as of 27.05.2010 change of address to: 70-807 Szczecin, ul. Stacyjna 3**	www.koleibaltycka.pl	013/PK/05	01.03. 2005	**Part A:** PL1120110002; **Part B:** PL1220110010	05.01. 2011; 11.02. 2011	05.05.2004	goods
30	Kopalnia Piasku 'Kotlarnia' S.A.	47-246 Kotlamia, ul. Dębowa 3	www. kotłamia.com.pl	036/PK/04 077/PK/06	28.06. 2004 17.08. 2006	**Part A:** PL1120100046; **Part B:** PL1220100037	29.12. 2010; 30.12. 2010	01.06.1995	goods
31	Lotos Kolej Sp. z o.o.	80-716 Gdańsk, ul. Michałki 25	www.lotoskolej.pl	045/PK/04	02.12. 2004	**Part A:** PL1120090003 **Part B:** PL1220100005	19.10. 2009 04.11. 2010	01.01.2003	goods
32	Lubelski Węgiel Bogdanka S.A.	21-013 Puchaczów	www.bogdanka.lublin.pl	008/PK/05	10.02. 2005	**Part A:** PL1120100040; **Part B:** PL1220100024	22.12. 2010; 23.12. 2010	22.03.2005	goods
33	'MAJKOLTRANS' Sp. z o.o.	50-503 Wrocław, ul. Paczkowska 26	www.maikoltrans.pl	020/PK/09	23.07. 2009	**Part A:** PL1120110004; **Part B:** PL1220110012	10.02. 2011; 18.02. 2011	15.08.2009	goods
34	Nadwiślański Zakład Transportu Kolej. Sp. z o.o.	43-225 Wola, ul. Przemysłowa 6	www.nztk.pl	010/PK/05	10.02. 2005	—		01.07.1995	goods
35	ORLEN KolTrans Sp. z o.o.	0 9-411 Płock, ul. Chemików 7	www.orlenkoltrans.pl	017/PK/05	01.03. 2005	**Part A:** PL1120100028; **Part B:** PL1220100027	06.12. 2010; 28.12. 2010	13.12.2000	goods
36	Pol – Miedź – Trans Sp. z o.o.	59-301 Lubin ul. Marii Skłodowskiej	www.pmtrans.com.pl	011/PK/05	01.03. 2005	**Part A:** PL1120100046; **Part B:**	29.12. 2010; 22.11.	01.04.2002	goods
								22.05.2009	pas.
37	Pomorskie Przedsiębiorstwo Mechaniczno-Torowe Sp. .z o.o.	80-051 Gdańsk, ul. Sandomierska 17	www.ppmt.com.pl	40/PK/05 125/PK/06	14.06. 2005 22.12. 2006	**Part A:** PL1120100019; **Part B:** PL1220100030	10.11. 2010; 28.12. 2010	28.05.2005	goods
38	Przedsiębiorstwo Napraw Infrastruktury Sp. z o.o.	03-816 Warsaw ul. Chodakowska 100	www.pni.net. El	126/PK/06	22.12. 2006	**Part A:** PL1120100017; **Part B:** PL1220100026	04.11. 2010; 23.12. 2010	01.02.2007	goods
39	Przedsiębiorstwo Robót Kolejowych i Inżynieryjnych S.A.	50-950 Wrocław, ul. Kniaziewicza 19	www.prkii.com.pl	038/PK/04 lll/PK/06	28.06. 2004 22.12. 2006	**Part A:** PL1120100049; **Part B:** PL1220110004	31.12. 2010; 25.01. 2011	01.12.2001	goods
40	Przedsiębiorstwo Robót Komunikacyjnych w Krakowie S.A.	30-048 Kraków, ul. Czapińskiego 3	www.prk.krakow.pl	042/PK/04 112/PK/06	23.08. 2004 22.12. 2006	**Part A:** PL1120100047; **Part B:** PL1220110008	30.12. 2010; 02.02. 2011	01.10.2004	goods
41	Przedsiębiorstwo Transportu Kolejowego KOLTAR Sp. z o.o.	33-101 Tarnów, ul. Kwiatkowskiego 8	www.koltar.p l	027/PK/05	19.04. 2005	**Part A:** PL1120100040; **Part B:** PL1220100029	22.12. 2010; 28.12. 2010	22.09.2005	goods
42	Przedsiębiorstwo Usług Kolejowych KOLPREM Sp z o.o.	41-308 Dąbrowa Górnicza, Al. J. Piłsudskiego 92	www.kolprem	069/PK/05	01.09. 2005	**Part A:** PL1120100034; **Part B:** PL1220100032	10.12. 2010; 28.12. 2010	25.06.2004	goods
43	Rail Polska Sp. z o.o.	00-790 Warsaw, ul. Willowa 8/10 suite 11	www.railpolska.pl	022/PK/05 118/PK/06	04.04. 2005 22.12. 2006	**Part A:** PL1120100026; **Part B:** PL1220100022	01.12. 2010; 23.12. 2010	26.10.2004	goods

44	STK Sp. z o.o.	53-326 Wrocław, ul. Buska 5a	www.stk.wroc.pl	054/PK/05 029/PK/07	12.08. 2005 20.06. 2007	**Part A:** PL1120100022; **Part B:** PL1220100021	29.11 .2010; 22.12 .2010	14.04.2005	goods
45	Transoda Sp. z o.o.	88-100 Inowrocław, ul. Fabryczna 4	www.transoda.com.pl	012/PK/04 119/PK/06	04.03. 2004 22.12. 2006	**Part A:** PL1120110000; **Part B:** PL1220110003	05.01. 2011; 12.01. 2011;	01.07.2002	goods
46	Zakłady Inżynierii Kolejowej Leśkiewicz, Kosmala Sp.j.	27-600 Sandomierz, ul. Retmańska 11 A	www.ziksandomierz.pl	014/PK/05	01.03. 2005	**Part A:** PL1120100029; **Part B:** PL1220100035	08.12. 2010; 29.12. 2010	01.01.2003	goods
47	Arriva PCC Sp. z o.o. **as of 2.6.2010 change of name to Arria RP Sp. z o.o.**	ul. Stępińska 22/30 00-739 Warsaw	http://www.arriva.pl			Part A: PL1120100001; Part B: PL1220100002	24.03. 2010; 28.06. 2010		pas.
48	Przedsiębiorstwo Napraw i Utrzymania Infrastruktury Kolejowej w Krakowie Sp. z o.o.	30-566 Kraków ul. Prokocimska4	www.pnuikkrakow.pl/			**Part A:** PL11201000003; **Part B:** PL1220100003	24.03. 2010; 15.09. 2010		goods
49	TRANSCHEM Sp. z o.o.	87-810 Włocławek ul. Toruńska 153	www.transchem.com.pl			**Part A:** PL1120100004; **Part B:** PL1220100015	28.06. 2010; 15.12. 2010		goods
50	CTL Kolzap Sp. z o.o.	24-110 Puławy Al. Tysiąclecia Państwa Polskiego 13	www.ctl.pl			**Part A:** PL1120100009; **Part B:** PL1220110012	28.06. 2010; 18.02. 2011;		goods
51	EXTRAIL Sp. z o.o.	893 Warsaw ul. Bukowiecka 92 03	extrail.com.pl			**Part A:** PL1120100010; **Part B:** PL1220100007	28.06. 2010; 23.11. 2010		goods
52	Pol-Miedź- Trans Sp. z o.o.	59-301 Lubin ul. Marii Skłodowskiej - Curie 190	www.pmtrans.pi			**Part A:** PL1120100011; **Part B:** PL1220100009	28.06. 2010; 23.11 .2010		pas/ goods
53	CTL Kargo Sp. z o.o.	72-010 Police ul. Kuźnicka 1	www.ctl.pl			**Part A:** PL1120100012; **Part B**: PL1220100010	16.08. 2010; 24.11 .2010		goods
54	TORPOL Sp. z o.o.	61-052 Poznań ul. Mogileńska 10G	www.torpol.p l			**Part A:** PL1120100014; **Part B:** PL1220110006	16.09. 2010; 31.01. 2011		goods
55	PHILIP Sp. z o.o.	45-081 Opole ul. Piastowska 3	www.grupaid.com/			**Part A:** PL1120100015; **Part B:** PL1220110002	20.10. 2010; 12.01 2011;		goods
56	Zakłady Naprawcze Taboru Maszyn i Urządzeń 'TABOR' M. Dybowski Spółka jawna	ul. Sandomierska 39 39-200 Dębica	www.tabor-debica.pl/			**Part A:** PL1120100021; **Part B:** PL1220100034	25.10. 2010; 29.12. 2010		goods
57	TABOR SZYNOWY OPOLE S.A.	45-332 Opole ul. Rejtana 7	www.taborszynowy.com.pl			**Part A:** PL1120100027; **Part B:** PL1220110014	01.12. 2010; 24.02. 2011		goods
58	Koleje Śląskie Sp. z o.o.	40-040 Katowice ul. Wita Stwosza 7	www.koleieslaskie.com			**Part A:** PL1120100032; **Part B:** PL1220110000	09.12. 2010; 10.01 .2011		pas.
59	PHU LOKOMOTIY Bronisław Plata	33-386 Podegrodzie Podegrodzie 383	www.lokomotiv.net.pl			**Part A:** PL1120100041; **Part B:** PL1220110001	28.12. 2010; 12.01. 2011		goods

	number of locomotives	*number of power cars / multiple units*	*Number of carriages*		*Number of drivers*	*Number of on-board personnel responsible for safety*	*Level of passenger carriage*			*Level of goods carriage*		
			Passenger	*goods*			*1,000 passengers*	*Million pas-km*	*Million train-km*	*1000 tons*	*Million ton-km*	*Million train-km*
	11	*12*	*13*	*14*	*15*	*16*	*17*	*18*	*19*	*20*	*21*	*22*
TOTAL	***3 225***	***1 225***	***2 447***	***91 877***	***13 429***	***6 920***	***254 361.14***	***17 799.96***	***145.605***	***257 797.53***	***48 952.755***	***73.554***

ANNEX A.2.2.b –
Rail carriers
Conducting urban and suburban passenger transport on a metro network and network functionally divided from the general system

**) In accordance with the Guidelines for drafting the Annual KWB Report – data concerning columns 11-21 of this annex are presented as a collective list under the table.*

No.	Name	Address	Website	*Safety certification (Directive 2001/14/EC)*		*Safety certificate (Directive 2004/49/EC)*		*Date of commencement of business*	*Type of transport*
				Number	*Data*	*Number*	*Data*		
1	2	3	4	5	6	7	8	9	10
1.	Warszawska Kolej Dojazdowa Sp. z o.o.	05-825 Grodzisk Mazowiecki, ul. Batorego 23	www.wkd.com. pl	028/PK/04 109/PK/06	02.06.2004 22.12.2006	--	--	01.07. 2001	Suburban passenger
2.	Metro Warszawskie Sp. z o.o.	02-798 Warsaw, ul. Wilczy Dół 5	www.metro.wa w.pl	131/PK/06	22.12.2006	--	--	07.01. 2003	Urban passenger

	Number of locomotives	number of power cars / multiple units	Number of carriages		Number of drivers	Number of on-board personnel responsible for safety	Level of passenger carriage			Level of goods carriage		
			passenger	goods			1,000 passengers	Million passengers-km	Million train kilometres	1,000 tons	Million tons-km	Million train kilometres
	11	12	13	14	15	16	17	18	19	20	21	22
TOTAL	**3**	**676**	**306**	**-**	**142**	**1**	**147 600,7**	**1 101,8**	**5 497**	**-**	**-**	**-**

ANNEX B.1

Chart of the Rail Transport Authority in relation to other national authorities

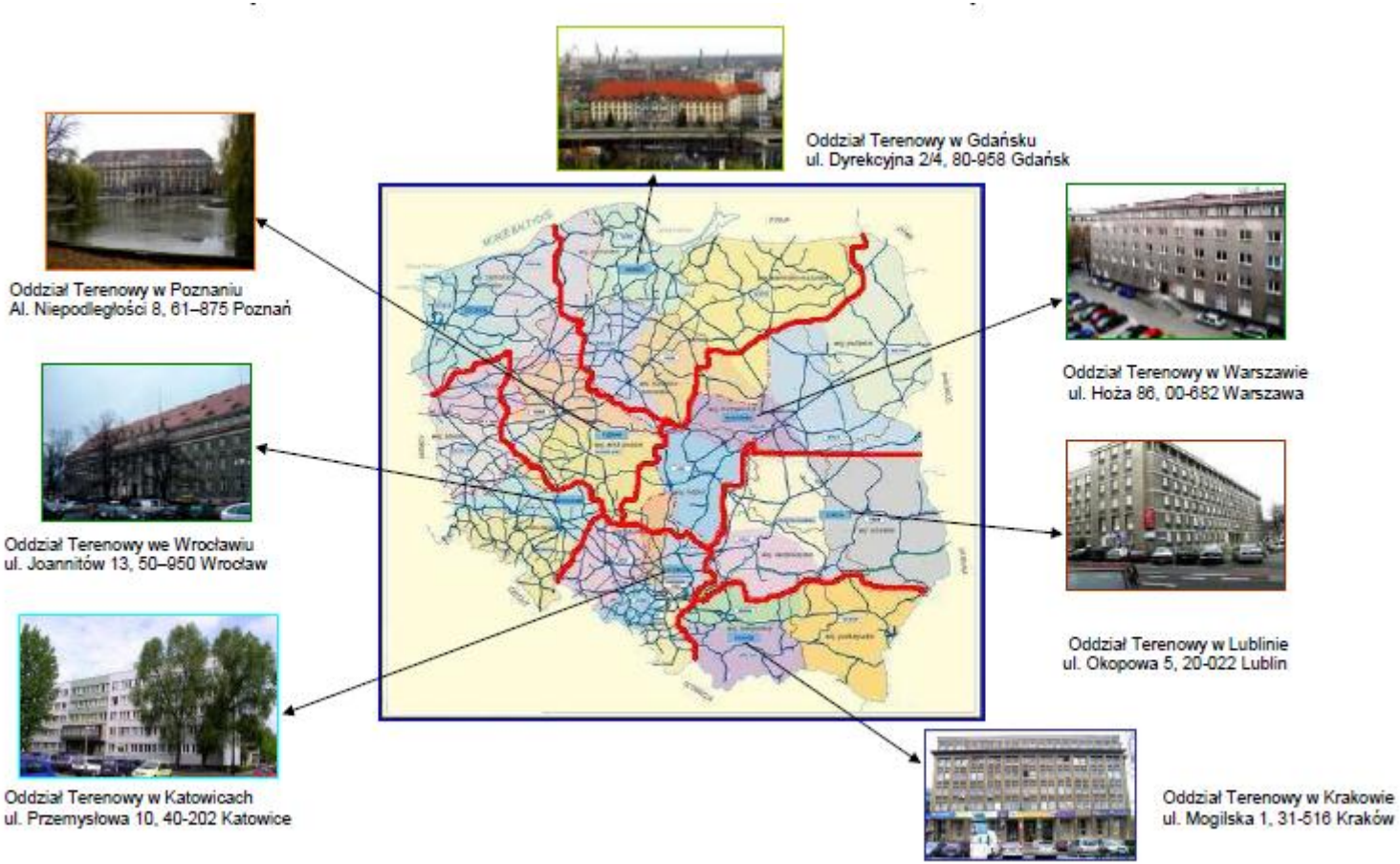
			Infrastructure Minister	**Infrastructure Minister**		
National Rail Accident Investigation Committee			**Chairman Of the Rail Transport Authority**		**Railway Department**	**Other Departments and Offices**
1. Informs about proceedings and their progress 2. Communicates safety recommendations	1. Supervises the implementation of post-accident instructions issued by the Committee. 2 Presents annual information about instructions provided by the Committee			1. Opines upon draft legislation 2. Applies for legislative amendments	**Submits legislation and legislative amendments for opinions**	

Rail Transport Authority

Vice-Chairman for Rail Traffic Safety and Technology		**Vice-Chairman for Rail Market Regulation**			**Director General (TG)**	
Traffic Operation and Safety Supervision (20 employees)	**Technical Permits and Interoperability Department (16 employees)**	**Rail Transport Regulation Department (19 employees)**		**International Cooperation Office (5 employees)**	**Administration and Budget Office (20 employees)**	**Organisation and Legal Department (11 employees)**
TO 1 Warsaw (13 employees)	**TO 2 Lublin (11 employee)**	**TO 3 Krakow (8 employees)**	**TO 4 Katowice (13 employees)**	**TO 5 Gdańsk (11 employees)**	**TO 6 Wroclaw (9 employees)**	**TO 7 Poznań (10 employees)**

Stan na 31.12.2010

ANNEX B.2. Areas of operation of the Regional Branches of the Rail Transport Authority



Regional Branch in Gdańsk ul. Dyrekcyjna 2/4, 80-958 Gdańsk
Regional Branch in Poznań Al. Niepodległości 8, 61–875 Poznań
Regional Branch in Wrocław ul. Joannitów 13, 50–950 Wrocław
Regional Branch in Katowice ul. Przemysłowa 10, 40-202 Katowice
Regional Branch in Warsaw ul. HoŜa 86, 00-682 Warsaw
Regional Branch in Lublin ul. Okopowa 5, 20-022 Lublin
Regional Branch in Krakow ul. Mogilska 1, 31-516 Krakow

ANNEX C – data concerning CSI – definitions used

1. Data concerning CSI

1.a. Overall breakdown of rail incidents on the general railway system network in Poland compared to 2009

		Accidents and serious accidents		Significant accidents
		2009	**2010**	**2010**
1.	Collisions	18	**19**	**4**
2.	Derailments	63	**79**	**17**
3.	Accidents on level-crossings	288	**297**	**86**
4.	Accidents to persons caused by rolling stock in motion	400	**357**	**341**
5.	Fires in rolling stock	3	**6**	**0**
6.	Other	71	**73**	**1**
	TOTAL	843	**831**	**449**

As of 2010, a new category of accidents was included in the accident statistics, i.e. **significant accidents**, in accordance with the definition set out in the Ordinance of the Minister of Infrastructure of 20 July 2010, which entered into force on 24 August 2010**.** As of this year, safety indicators were set in relation to the new category of accidents.

		Deaths as a result of		Serious injured as a result of	
		2009	**2010**	2009	**2010**
1.	Collisions	0	**0**	1	**13**
2.	Derailments	0	**0**	0	**0**
3.	Accidents on level-crossings	7 3	**55**	76	**56**
4.	Accidents to persons caused by rolling stock in motion	292	**228**	119	**118**
5.	Fires in rolling stock	0	**0**	0	**0**
6.	Other	0	**0**	3	**1**
	TOTAL	**365**	**283**	**199**	**188**

1.b. Overall breakdown of railway incidents on the metro network and networks functionally separated from the remaining railway system and designated for conducting municipal passenger transport **compared to 2009**

		Accidents and serious accidents		**Significant accidents**
		2009	**2010**	**2010**
1.	Collisions	0	**0**	**0**
2.	Derailments	0	**0**	**0**
3.	Accidents on level-crossings	20	**11**	**0**
4.	Accidents to persons caused by rolling stock in motion	0	**1**	**1**
5.	Fires in rolling stock	0	**0**	**0**
6.	Other	0	**3**	**0**
	TOTAL	**20**	**15**	**1**

		Fatalities as a result of:		Seriously injured as a result of:	
		2009	**2010**	2009	**2010**
1.	Collisions	0	**0**	0	**0**
2.	Derailments	0	**0**	0	**0**
3.	Accidents on level-crossings	0	**0**	0	**0**
4.	Accidents to persons caused by rolling stock in motion	0	**1**	0	**0**
5.	Fires in rolling stock	0	**0**	0	**0**
6.	Other	0	**0**	0	**0**
	TOTAL	**0**	**1**	**0**	**0**

2. **Definitions contained in Regulation (EC) No 91/2003 of the European Parliament and of the Council** of 16 December 2002 on rail transport statistics *(Journal of Laws L 14 of 21.1.2003, page 1)*

- **fatalities (persons killed) –** means any person killed immediately or dying within 30 days as a result of an accident, excluding suicides;
- **injuries (seriously injured person) –** means any person injured who was hospitalised for more than 24 hours as a result of an accident, excluding attempted suicides;
- **passenger-km** – means the unit of measurement representing the transport of one passenger by rail over a distance of one kilometre. Only the distance on the national territory of the reporting country shall be taken into account in the accident statistics;
- **passenger –** means any person, excluding members of the train crew, who makes a trip by rail. For accident statistics, passengers trying to board/alight from a moving train are included.;
- **suicides –** means action taken to deliberately injure oneself resulting in death, as recorded and classified by the competent national authority;
- **serious accident** – means any accident involving at least one rail vehicle in motion, resulting in at least one killed or seriously injured person, or in significant damage to rolling stock, tracks, other installations or the environment, or extensive disruption to traffic. Accidents in workshops, warehouses and depots are excluded;
- **train** – means one or more railway vehicle hauled by one or more locomotives or railcars, or one railcar travelling alone, running under a given number or specific designation from an initial fixed point to a terminal fixed point. A single locomotive, i.e. a locomotive travelling by itself, is not regarded to be a train;
- **train-km** – means the unit of measurement representing the movement of a train over one kilometre. The distance used is the distance actually run, if available, otherwise the standard network distance between the origin and destination shall be used. Only the distance on the national territory of the reporting country shall be taken into account.

3. National definitions used in the annual report

In accordance with the amendment of the Rail Transport Act of 28 March 2003, which came into force on 21.8.2006, and the Ordinance of the Minister of Transport of 30 April 2007 *on serious accidents, accidents and incidents on railway lines*, the following definitions apply:

a) **serious accident** – an accident caused by a collision, train derailment or other similar incident
   - with at least **1** fatality or at least **5** serious injured persons (hospitalised for more than 24 hours) or
   - causing significant damage to a rail vehicle, rail infrastructure or the environment, which may be immediately estimated by the committee examining the accident as at least EUR 2 million,

   having a clear impact on rail safety regulations on safety management;

b) **accident** – an unintended, sudden collision or series of events involving a rail vehicle, with negative consequences for human health, property or the environment, such accidents including the following, without limitation:
   - collisions,
   - derailments,
   - accidents on level-crossings,
   - accidents to persons caused by rolling stock in motion
   - fires in rolling stock.

In accordance with the Ordinance of the Minister of Transport of 30 April 2007 *on serious accidents, accidents and incidents on railway lines*, the following definitions apply:

a) **fatality –** means any person who lost his or her life in a serious accident immediately or died within 30 days of the date of such an accident as a result of sustaining personal injuries therein (excluding suicides). Definition consistent with the definition contained in Regulation (EC) 91/2003;

b) **seriously injured –** means any person injured who, as a result of an accident, sustained bodily dysfunction or a health disorder and as a consequence thereof was hospitalised for over 24 hours, excluding attempted suicides. Definition consistent with the definition contained in Regulation (EC) 91/2003.

In accordance with the Ordinance of the Minister of Infrastructure of 18 July 2005 *on general conditions for conducting rail traffic and signalling*, the following definition applies:

train –a **set of carriages or other rail vehicles** coupled with an active traction vehicle or **traction vehicle** equipped with signalling and prepared for travel or already travelling;

overall train mass – this is the sum of rail vehicles and their load.

In accordance with Ordinance of the Minister of Infrastructure of 20 July 2010 *on common safety indicators (CSI) – Journal of Laws, No 142, item 952,* the following definitions apply:

- **length of railway lines in operation –** length of railway lines in operation measured in kilometres; in the event of multi-track railway lines, only the distance between the starting point and place of destination is taken into account;
- **length of railway lines –** length of railway lines in operation measured in kilometres, taking into account each track of multi-track railway lines;
- **train-km** – unit of measurement for operation work corresponding to the journey of 1 train per 1 km;
- **passenger-km** – unit of measurement of operation work corresponding to the journey of 1 passenger per 1 km;
- **train –** at least one rail vehicle pulled by at least one locomotive or at least a power car or single, moving power car, travelling under a specific number or designation from an initial starting point to a terminal point; a locomotive travelling in isolation is also regarded as being a train;
- **significant accident** – an accident involving at least one rail vehicle in motion and:
  - **at least one fatality or seriously injured person** or
  - causing significant damage to rolling stock, railway tracks, installations or the environment, , i.e. **damage with a value of at least EUR 150 000**, or
  - significant disturbance to traffic, i.e. **suspending rail traffic on a main railway line for at least 6 hours**, not including accidents in workshops, warehouses and places for parking rail vehicles;
- **train derailment –** an accident during which there is a loss of contact between the rolling surface of a railway vehicle wheel and the rolling surface of the rail head;

- **collision of trains, incuding collisions with obstacles within the clearance gauge** – a collision between two trains or with:
  - manoeuvring rolling stock; or
  - objects on railway tracks or in their vicinity, with the exception of objects lost on level-crossings by vehicles or level-crossing users;
- **train derailment –** an accident during which there is a loss of contact between the rolling surface of a railway vehicle wheel and the rolling surface of the rail head;
- **accidents on railway level-crossings –** accidents on level-crossings involving at least one rail vehicle and at least one road vehicle, other users crossing at a level-crossing, such as pedestrians or other objects and elements temporarily remaining on railway tracks or in their vicinity, lost on level-crossings by vehicles or level-crossing users;
- **railway accidents to persons caused by rolling stock in motion –** accidents in which at least one person is hit by a rail vehicle or fitting thereof, which has become separated from the vehicle; includes persons who have fallen from a railway vehicle and persons who have fallen or who are hit by an object during train travel;
- **fires in rolling stock –** fires or explosions in a rail vehicle (including with a load) during travel or stop between the initial and end station and when shunting carriages;
- **passenger –** any person, including the train crew, travelling by rail; for the purposes of accident statistics, including persons attempting to board or alight a train in motion;
- **employees and subcontractor personnel –** all persons employed in connection with the railway and who at the time of the accident are at work, including train staff and persons responsible for maintaining rail vehicles and infrastructure elements;
- **level-crossing users –** persons using a level-crossing by any means of transport or by foot;
- **unauthorised persons –** persons on the grounds of a railway, whose presence is unauthorised, with the exception of vehicle users;
- **other persons –** persons other than: passengers, employees including subcontractors' personnel, level-crossing users, unauthorised persons;
- **fatality –** a person who has died as a result of an accident, directly or within 30 days of an accident, with the exception of suicides;
- **seriously injured person –** a person who is injured as a result of an accident and is hospitalised for over 24 hours, with the exception of suicides;
- **suicide –** an act involving the deliberate damage to one's body, the purpose of which is death, as registered and classified by the relevant body;
- **accident associated with the transport of dangerous goods –** shall mean an accident or incident which is subject to obligatory reporting in accordance with chapter 1.8.5 of the RID Regulations;

- **rail breakage –** the breakage of a rail across the entire section and chipped along a length of over 50 mm with a depth of 10mm;
- **rail deformity –** deformity of a rail surface or section and buckling, requiring rail traffic to be suspended or restricted in terms of speed in order to maintain rail traffic safety;
- **signalling defect –** a defect in the signalling system (both in infrastructure and rolling stock), as a result of which broadcast information is less rigorous than required;
- **breakage of wheels and axles –** breakage across the entire section, posing a risk of accident (derailment or collision);
- **signal passed at danger (SPAD) –** a train or part thereof continuing its journey without permission, whereby journey without permission means passing:
  - a 'Stop' signal on a signal device, if an ATC or ATP-class train transport safety control system ('BKJP') is not operating,
  - a place on a route specified by mileage in a written order or stated orally during manoeuvres at a station,
  - a 'Stop' signal on indicators, apart from buffer stops or manual signals (made by hand or acoustically), except cases where the train or parts thereof passed a 'Stop' signal without supervision and cases in which, for any reason, the 'Stop' signal did not appear on the signalling device sufficiently early for the driver to stop the train.

In accordance with the Ordinance of the Minister of Infrastructure of 20 July 2010 *on common safety indicators (CSI)*, the following cost calculation rules apply:

a) **costs of damages to the environment –** 'Cost of damages to environment' means costs that are to be met by rail carriers / infrastructure managers in order to restore the environment to its state before the railway accident;

b) c**ost of material damage to rolling stock or infrastructure** – means the cost of providing new rolling stock or infrastructure, with the same functionalities and technical parameters as that damaged beyond repair, and the cost of restoring repairable rolling stock or infrastructure to its state before the accident, including costs related to leasing rolling stock, as a consequence of damage in the accident;

c) **value of preventing human casualties–** it is impossible to determine this value due to the inability to determine the preferences referred to in the draft HEATCO – Developing Harmonised European Approaches for Transport Costing and Project Assessment;

d) **costs of delays caused by accidents –** it is impossible to determine this value due to the inability to determine the preferences referred to in the draft HEATCO – Developing Harmonised European Approaches for Transport Costing and Project Assessment;

In 2010, the average rate of exchange published by the National Bank of Poland as at 31 December 2010 was: PLN 3.9603 per EUR 1.

ANNEX D – Important amendments to legislation and statutory instruments

	Legal basis	Date of entry into force	Reason for introduction (please state whether this is a new legal provision or an amendment to an existing legal provision)	Description
General national railway safety provisions				
Provisions regarding the national safety authority	NO CHANGE			
Provisions regarding notified authorities, surveyors, third parties, registration and research bodies etc...	NO CHANGE			
National railway safety provisions				
Provisions regarding national safety objectives and methods	NONE			
Provisions on requirements regarding safety management systems and safety certificates for rail carriers	NO CHANGE			
Provisions on requirements regarding safety management systems and safety authorisation for infrastructure managers	NO CHANGE			
Provisions on requirements regarding entities in possession of carriages	NO CHANGE			
Provisions concerning requirements for repair workshops	NONE			
Provisions regarding requirements for authorisation to put new and significantly refurbished rolling stock into operation and conserving it, including provisions concerning the exchange of rolling stock between railway undertakings, the registration system and requirements regarding testing procedures	NO CHANGE			
Common rules for the functioning of the railway network, including provisions concerning the signalling process and	The ordinance of the Minister of Transport of 30 December 2009 on access to the rail	16 January 2010	The ordinance's regulations implements Directive 2007/5 8/EC of the European Parliament and of the Council of	This ordinance lays down: 1) criteria on the basis of which it will be established whether the planned transport of persons is an international service,

traffic management	infrastructure by rail carriers with their registered office in another Member State of the European Union or a Member State of the European Free Trade Area (EFTA) *(Journal of Laws 2010, No 2, item 7)*		23 October 2007 amending Council Directive 91/440/EEC on the development of the Community's railways and Directive 2001/14/EC on the allocation of railway infrastructure capacity and the levying of charges for the use of railway infrastructure (Official Journal EU L 315 of 3 December 2007)	2) criteria on the basis of which an analysis will be conducted as to whether a planned international connection would compromise the economic equilibrium of services performed on the basis of public service contracts, 3) the scope of information, applications of rail carriers and bodies entering into contracts on the provision of public services on a railway line, 4) the procedure for the Rail Transport Authority Chairman to issue decisions on restricting access to rail infrastructure by a rail carrier.
Provisions on requirements as regards additional internal operating rules (company rules), which must be set by infrastructure managers and railway undertakings	NO CHANGE			
Provisions on requirements regarding personnel performing tasks of critical importance for safety, including criteria for selection, health and professional training and certification	Act of 25 June 2009 amending the Rail Transport Act *(Journal of Laws, No 214, item 1658)*	4 December 2010	This Act's regulations implement Directive 2007/59/EC of 23 October 2007 on the certification of train drivers operating locomotives and trains on the railway system in the Community (Official Journal EU L 315 of 3.12.2007).	This act introduces an obligation to hold a train driver certificate and the means of issuing them, the means and conditions for conducting training and examinations necessary to obtain a train driver certificate, taking into account the necessity of enabling certificates to be extended to other railway lines and categories of authorisation, including periodic train driver knowledge and skill tests, necessary for maintaining the validity of a train driver's certificate
	Ordinance of the Minister of Infrastructure of 18 February 2011 on train driver licences *(Journal of Laws, No 66, item 346, as amended.)*	06 April 2011	New provision issued on the basis of the statutory delegation contained in Article 22a (11) of the Rail Transport Act of 28 March 2003 (Journal of Laws, No 16, item 94, as amended.)	This ordinance lays down: 1) the procedure for issuing, extending, suspending and withdrawing train driver licences, updating the data contained in the licence and issuing replacements; 2) health, physical and psychological requirements to be met by persons applying for a train driver's licence; 3) the rules for assessing physical and psychological capacity of persons applying for a train driver's licence and the means of adjudicating on their capacity; of a train driver and the train driver's conformity certificate, means of entering them on the list, means of deleting them and means of paying fees; 8) template of a train driver's licence; 9) means of keeping a register of train driver's licences
	Ordinance of the Minister of Infrastructure of 18 February 2011 on train driver certification *(Journal of Laws, No 66, item 347)*	06 April 2011	New provision issued under the statutory delegation contained in Article 22b (21) of the Rail Transport Act of 28 March 2003 (Journal of Laws, No 16, item 94, as amended.)	This ordinance lays down: 1) the scope of knowledge and abilities concerning a rail vehicle and rail infrastructure subject to training and examination, as necessary to obtain a train driver's conformity certificate; 2) means of keeping a register of train driver certifications; 3) template of a train driver's certification.

	Ordinance of the Minister of Infrastructure of 15 March 2011 on entries onto the list of entities authorised to conduct tests to check whether health, physical and psychological requirements necessary to obtain a train driver's licence and certification have been met *(Journal of Laws, No 66, item 348)*	6 April 2011	New provision issued on the basis of the statutory delegation contained in Article 22a (13) of the Rail Transport Act of 28 March 2003 (Journal of Laws, No 16, item 94, as amended)	This ordinance lays down: 1) detailed requirements in relation to entities applying for an entry onto the list of entities authorised to conduct tests to check whether health, physical and psychological requirements necessary to obtain a train driver's licence and certification have been met, kept by the Rail Transport Authority Chairman; 2) means of making an entry on the list and deleting entries from it; 3) means of paying the fee for an entry on the list
	Ordinance of the Minister of Infrastructure of 15 March 2011 on the tests necessary to obtain train driver certification and maintain its validity *(Journal of Laws, No 66, item 349)*	6 April 2011	New provision issued on the basis of the statutory delegation contained in Article 22b (22) of the Rail Transport Act of 28 March 2003 (Journal of Laws, No 16, item 94, as amended)	This ordinance lays down the scope and frequency of tests to check whether health, physical and psychological requirements necessary to obtain train driver certification and to maintain its validity have been met
	Ordinance of the Minister of Infrastructure of 18 February 2011 on employees employed on posts directly connected with conducting rail traffic and its safety, driving specific types of rail vehicles and metro rail vehicles (*Journal of Laws, No 59, item 301)*	06 April 2011	New provision issued on the basis of the statutory delegation contained in Article 22d (3) of the Rail Transport Act of 28 March 2003 (Journal of Laws, No 16, item 94, as amended), replacing the Ordinance of the Minister of Infrastructure of 16 August 2004 on a list of posts directly connected with conducting rail traffic and its safety and the conditions to be met by persons employed on such posts and driving rail vehicles (Journal of Laws, No 212, item 2152, as amended.) NB**:** as regards train drivers,	This ordinance lays down: 1) a list of posts directly connected with conducting rail traffic and its safety, driving specific types of rail vehicles and metro rail vehicles; 2) the conditions to be met by employees employed on posts directly connected with conducting rail traffic and its safety, driving specific types of rail vehicles and metro rail vehicles; 3) the rules for assessing the physical and psychological capacity of employees employed on posts directly connected with conducting rail traffic and its safety, driving specific types of rail vehicles and metro rail vehicles, entities authorised to assess physical and psychological capacity and the means of adjudicating on such capacity;

			the Ordinance of 16 August 2004 (Journal of Laws, No 2123, item 2152, as amended) remains in force until 1 December 2017 at the latest.	4) means of appointing and work procedures of examination committees approving the qualifications of employees employed on posts directly connected with conducting rail traffic and its safety, driving specific types of rail vehicles and metro rail vehicles; 5) templates of documents confirming qualifications and authorisation to perform activities on posts directly connected with conducting rail traffic and its safety, driving specific types of rail vehicles and metro rail vehicles; 6) the wages of members of examination committees; 7) the level of fees associated with approving the qualifications of employees and means of paying such fees
Provisions on investigations of accidents and incidents, including recommendations			NO CHANGE	
Provisions on the requirements as regard national safety indicators, including the means of collecting and analysing them	Ordinance of the Minister of Infrastructure of 20 July 2010 on common safety indicators (CSI) *(Journal of Laws, No 142, item 952)*	24 August 2010	The Ordinance implements Commission Directive 2009/149/EC of 27 November 2009 amending Directive 2004/49/EC of the European Parliament and of the Council as regards common safety indicators and common methods to calculate accident costs (Official Journal EU L 313 of 28.11.2009) § 4 of this ordinance repeals the Ordinance of the Minister of Infrastructure of 18 August 2009 on common safety indicators (CSI)	This ordinance lays down the common safety indicators (CSI), which the Rail Transport Authority Chairman includes in the annual safety report, on the basis of the indicators received from managers and rail carriers and means of calculating and listing them.
Provisions on requirements regarding authorisation to put infrastructure into commission (rails, bridges, tunnels, power engineering, ATC, radio, signalling devices, locks, railway level-crossings, platforms,etc.			NO CHANGE	

ANNEX E: Numerical data regarding the state of safety certification and authorisation

E.1. Safety certificates in accordance with Directive 2001/14/EC

Number of safety certificates issued in accordance with Directive 2001/14/EC, held by licensed railway	in Poland	3
	in another Member State	0

of which:

1) on the general network 1 rail carrier – Nadwiślański Zakład Transportu Kolejowego Sp. z o.o., which as of 3 January 2011 was acquired by another carrier;
2) on networks functionally separated from the remaining railway system – 2 carriers: Warszawska Kolej Dojazdowa Sp. z o.o. and Metro Warszawskie Sp. z o.o.

E.2. Safety certificates in accordance with Directive 2004/49/EC

		New	Updated / amended	Renewed
E.2.1. Number of valid **part A** safety	in Poland	55	0	0
	in another Member State	0	0	0

		New	Updated / amended	Renewed
E.2.2. Number of valid **part B** safety	in Poland	43	0	0
	in another Member State	0	0	0

			P	O	N
E.2.3. Number of applications for **part**	in Poland	New certificates	31	2	8
		certificates updated/ amended	0	0	0
		certificates Renewed	0	0	0
	in another Member	New certificates	0	0	0
		certificates updated/ amended	0	0	0
		certificates renewed	0	0	0

			P	O	N
E.2.4. Number of applications for **part**	in Poland	New certificates	49	0	15
		certificates updated/ amended	0	0	0
		certificates Renewed	0	0	0
	in another Member	New certificates	0	0	0
		certificates updated/ amended	0	0	0
		certificates Renewed	0	0	0

P = Application accepted, Authorisation already granted
O = Application rejected, Authorisation was not issued
N = Case in progress, no authorisation yet granted

E.2.5. List of countries in which railway undertakings applying for part B safety certificates in a given country obtained a part A certificate.

In 2010 no undertaking from another country applied for such a document.

E.3. Safety authorisation in accordance with Directive 2004/49/EC

	New	Updated / amended	Renewed
E.3.1. Number of valid safety authorisations held in 2010 by infrastructure managers registered in the given Member State	5	0	0

		P	O	N
E.3.2. Number of applications for safety authorisations lodged in 2010 by	New authorisations	5	1	
	Updated / amended authorisations	0	0	0
	Renewed authorisations	0	0	0

P = Application accepted, Authorisation already granted
O = Application rejected, Authorisation was not issued
N = Case in progress, no authorisation yet granted

E.4. Procedural aspects – part A safety certificates

		New	Updated / amended	Renewed
Average time after receiving all necessary information between receiving an application	in the given Member State	approx. 1 month (26 days)	-	-
	in another Member State	-	-	-

E.5. Procedural aspects – part B safety certificates

		New	Updated / amended	Renewed
Average time after receiving all necessary information between receiving an application	in the given Member State	approx. 7 days	-	-
	in another Member State	-	-	-

E.6. Procedural aspects – safety authorisation

		New	Updated / amended	Renewed
Average time after receiving all necessary information between receiving an application and final issue of safety authorisation in 2010 for infrastructure managers, registered:	in the given Member State	approx. 1 month (28 days)	-	-
	in another Member State	-	-	-