FOR THE TIMETABLE PERIOD OF 2021/2022

# SERVICE FACILITY STATEMENT

ON TERMS AND CONDITIONS OF THE USE OF THE SERVICE FACILITY OF RAIL CARGO TERMINAL-BILK ZRT.

**EFFECTIVE: FROM 24:00 OF 11 DECEMBER 2021**
**TILL 24:00 OF 10 DECEMBER 2022**

## List of modifications

| Modification | | | Date of entering into force |
|---|---|---|---|
| Number | Subject | Registration number of modification | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

# Contents

LIST OF MODIFICATIONS ..... 2
1. GENERAL INFORMATION ..... 6
1.1 INTRODUCTION ..... 6
1.1.1 Railway organisations ..... 6
1.1.2 Publication of the Service Facility Statement ..... 8
1.2 LEGAL FRAMEWORK (APPLICABLE DIRECTIVES AND REGULATIONS) ..... 8
1.3 LEGAL STATUS OF THE SERVICE FACILITY STATEMENT ..... 10
1.3.1 Binding character of the Service Facility Statement ..... 10
1.3.2 Liability for the content of the Statement ..... 10
1.3.3 Appeals ..... 10
1.4 AIM AND STRUCTURE OF SERVICE FACILITY STATEMENT ..... 10
1.5 RULES ON VALIDITY AND UPDATING OF SERVICE FACILITY STATEMENT ..... 11
1.5.1 Validity of Statement ..... 11
1.5.2 Updating of Statement ..... 11
1.6 COMPILING AND PUBLISHING OF SERVICE FACILITY STATEMENT ..... 12
1.7 CONTACTS ..... 12
1.8 SHORT INTRODUCTION TO RAIL CARGO TERMINAL BILK ZRT. ..... 12
1.9 INFORMATION ON EUROPEAN RAIL NETWORK FOR COMPETITIVE FREIGHT (MEDITERRANEAN AND ORIENT/EAST-MED CORRIDORS) ..... 13
1.10 GLOSSARY OF DEFINITIONS USED IN SERVICE FACILITY STATEMENT ..... 16
2. USE OF SERVICE FACILITY ..... 17
2.1 INTRODUCTION ..... 17
2.2 CONDITIONS OF REQUESTING SERVICES ..... 17
2.2.1 Requirements of application for railway infrastructure capacity ..... 17
2.2.2 Who is allowed to use the open access service facility? ..... 18
2.2.3 Licence ..... 18
2.2.4 Single safety certificate ..... 18
2.2.5 Insurance, cover of liabilities ..... 18
2.3 ACCESS CONTRACTS ON SERVICE FACILITY ..... 18
2.3.1 Contract for using service facility ..... 18
2.3.2 Capacity reservation agreement ..... 19
2.4 OPERATIONAL RULES ..... 20
2.5 SPECIFICATIONS RELATED TO FORWARDING EXCEPTIONAL CONSIGNMENTS AND RO-LA TRAINS ..... 20
2.5.1 SPECIFICATIONS RELATED TO FORWARDING EXCEPTIONAL CONSIGNMENTS ..... 20
2.5.2 RULES FOR RUNNING OF RO-LA TRAINS ..... 21
2.6 CONDITIONS FOR FORWARDING DANGEROUS GOODS ON RAILWAY ..... 21
2.7 CONDITIONS FOR THE RUNNING OF ROLLING STOCK ..... 21
2.8 CONDITIONS FOR STAFF ..... 22
3. INFRASTRUCTURE ..... 23
3.1 VALIDITY OF INFORMATION ABOUT INFRASTRUCTURE, MODE OF TRACING CHANGES ..... 23
3.2 INTRODUCTION OF THE OPEN ACCESS SERVICE FACILITY ..... 23
3.2.1 LIMITS OF THE INFRASTRUCTURE ..... 23
3.2.2 CONNECTING RAILWAY INFRASTRUCTURE ..... 23
3.2.3 FURTHER INFORMATION RELATED TO THE RAILWAY INFRASTRUCTURE ..... 23
3.3 CHARACTERISTICS OF OPEN ACCESS RAILWAY INFRASTRUCTURE ..... 24
3.3.1 GEOGRAPHICAL CHARACTERISTICS ..... 24
3.3.1.1 TRACK NETWORK OF THE OPEN ACCESS SERVICE FACILITY ..... 24
3.3.1.2 TRACK GAUGE ..... 25
3.3.1.3 LOCATION ON THE SERVICE FACILITY ..... 25

3.3.2 TECHNICAL AND OPERATIONAL CHARACTERISTICS OF SERVICE FACILITY....25
*3.3.2.1 LOADING GAUGE*....25
*3.3.2.2 AUTHORISED AXLE LOAD*....25
*3.3.2.3 CURVES AND GRADIENTS*....25
*3.3.2.4 AUTHORISED SPEED ON TRACK*....25
*3.3.2.5 LENGTH OF SET OF WAGONS THAT MAY RUN*....26
*3.3.2.6 CHARACTERISTICS OF POWER SUPPLY SYSTEM*....26
3.3.3 TRAFFIC CONTROL, SIGNALLING AND COMMUNICATION SYSTEMS....26
*3.3.3.1 SIGNALLING INSTALLATIONS*....26
*3.3.3.2 TRAFFIC CONTROL SYSTEMS*....26
*3.3.3.3 GROUND-TRAIN RADIO NETWORK EMPLOYED*....26
*3.3.3.4 AUTOMATIC TRAIN CONTROL SYSTEMS*....27
**3.4 TRAFFIC RESTRICTIONS**....27
3.4.1 ENVIRONMENTAL RESTRICTIONS....27
3.4.2 RESTRICTIONS FOR FORWARDING OF EXCEPTIONAL CONSIGNMENT AND DANGEROUS GOODS, AS WELL AS FOR RUNNING OF RO-LA TRAINS....27
**3.5 AVAILABILITY OF SERVICE FACILITY**....27
**3.6 FACILITIES FOR SET OF FREIGHT WAGONS**....27
**3.7 FACILITIES FOR SERVICES**....27
3.7.1 FORMATION OF FREIGHT TRAIN SET....27
3.7.2 ACCESS TO LOADING SIDINGS AND LOADING PLACES....27
3.7.3 MAINTENANCE FACILITIES....28
3.7.4 REFUELLING FACILITIES....28
3.7.5 OTHER TECHNICAL FACILITIES....28
**3.8 SIGNIFICANT FORESEEABLE INFRASTRUCTURE ENHANCEMENT WORKS**....28
**4. CAPACITY ALLOCATION....29**
**4.1 INTRODUCTION**....29
**4.2 RULES AND DEADLINES OF THE CAPACITY ALLOCATION PROCESS**....29
4.2.1 DEADLINES FOR ANNUAL REQUESTS AND PREPARATION OF WORKING TIMETABLE....29
4.2.2 HANDLING OF REQUESTS WHICH NOT BELONG TO THE ANNUAL WORKING TIMETABLE, INCLUDING INSTANT REQUESTS AS WELL....30
4.2.3 PROCEDURAL ORDER OF TRANSFERRING AND USING OF RAILWAY INFRASTRUCTURE CAPACITY REQUESTS ALLOCATED TO A NON-RU APPLICANT....30
**4.3 PROCESS OF CAPACITY ALLOCATION**....31
4.3.1 HANDLING OF CONFLICTING REQUESTS....31
4.3.2 DISPUTE RESOLUTION PROCESS, POSSIBLE RECOURSE....31
4.3.3 REJECTION OF REQUESTS RECEIVED, WITHDRAWAL OF ALLOCATED REQUESTS....31
**4.4 CAPACITY ALLOCATION FOR MAINTENANCE, RENEWAL AND ENHANCEMENT WORKS ON SERVICE FACILITY**....32
**4.5 CANCELLATION RULES, PROCEDURE IF ALLOCATED CAPACITY IS NOT CANCELLED**....32
**4.6 FORWARDING OF EXCEPTIONAL CONSIGNMENT AND DANGEROUS GOODS**....33
**4.7 SPECIAL MEASURES IN THE EVENT OF DISTURBANCES, EMERGENCY**....33
4.7.1 MAIN PRINCIPLES OF RESTORING THE SCHEDULED TRAFFIC....33
4.7.2 ORDER OF PROCEDURE....33
4.7.3 FORESEEABLE PROBLEMS....34
4.7.4 UNFORESEEABLE PROBLEMS....34
**5. SERVIVES PROVIDED FOR RAILWAY UNDERTAKINGS**....35
**5.1 INTRODUCTION**....35
**5.2 BASIC SERVICES**....35
5.2.1 HANDLING OF APPLICATION FOR RAILWAY INFRASTRUCTURE CAPACITY....35
5.2.2 USAGE OF RAILWAY TRACK....35
**5.3 SUPPLEMENTARY SERVICES**....36
5.3.1 STORAGE OF VEHICLES....36
**6. CHARGES**....37
**6.1 CHARGING PRINCIPLES**....37
6.1.1 CHARGE OF BASIC SERVICES....37

*6.1.1.1 USE OF CAPACITIES* ..... 37
6.1.2 CHARGE OF SUPPLEMENTARY SERVICES ..... 38
*6.1.2.1 CHARGE FOR THE STORAGE OF VEHICLES* ..... 38
**6.2 AMOUNT TO BE PAID** ..... 38
6.2.1 CHARGES OF BASIC SERVICES ..... 38
*6.2.1.1* CHARGE FOR HANDLING OF CAPACITY REQUESTS ..... 38
*6.2.1.2* CHARGE FOR THE USAGE OF RAILWAY INFRASTRUCTURE ..... 38
6.2.2 CHARGE OF SUPPLEMENTARY SERVICES ..... 38
**6.3 CHARGING SYSTEM** ..... 38
**6.4 DISCOUNTS** ..... 38
**6.5 INVOICING ARRANGEMENT** ..... 39

# ANNEXES

# 1. GENERAL INFORMATION

## 1.1 Introduction

1.1.1 Railway organisations

a) *Rail regulatory body:* Ministry for Innovation and Technology (*Market Monitoring and Passenger Rights Department Rail Administration Body –Piacfelügyeleti és Utasjogi Főosztály Vasúti Igazgatási Szerve)*, whose tasks and power are set out in Paragraph 69 of Act CLXXXIII of 2005 on railway transport (hereafter referred to as Railway Act).

b) *Railway Authority: Ministry* for Innovation and Technology (*Railway Authority Department Railway Safety and Supervision Sub-department –Vasúti Hatósági Főosztály Vasútbiztonsági és Ellenőrzési Osztály*), whose tasks and scope of authority are set out in Paragraph 80 of Railway Act.

c) *Railway companies managing national railway network (hereafter referred to as Infrastructure Managers):* Tasks of the MÁV Magyar Államvasutak Zártkörűen Működő Részvénytársaság (hereafter referred to as MÁV Zrt) and Győr-Sopron-Ebenfurti Vasút Zártkörűen Működő Részvénytársaság (hereafter referred to as GYSEV Zrt) - operating the open access national railway network are regulated in Paragraph 2 Point 4.12 of the Railway Act.

d) *Train operating company:* Business company holding an operation licence, the principal businesses of which is to provide services for the transport of goods and passengers by rail with a requirement that this company ensures traction; this also includes companies which provide traction only.

e) *Rail capacity allocation body:* VPE Rail Capacity Allocation Company Limited (hereafter referred to as VPE) that carries out the following tasks in accordance with Paragraph 67/P (3) of the Railway Act until the point of time specified in Paragraph 87/D (2) of the Railway Act:

ea) allocation of rail network capacity, inclusive of both the determination and the assessment of the availability of train paths and their allocation,

eb) determination of costs of the access to the railway network operated by the Infrastructure Manager,

ec) establishment of the Charging Methodology and the Charging Document, as well as determination of the amount of network access charges to be paid by Railway Undertakings, and also the collection of charges in the case of a non-independent Infrastructure Manager,

ed) preparation of the Network Statement of the Infrastructure Manager.

f) *Rail Cargo Terminal-BILK Zrt., as operator of service facility* (hereafter referred to as RCT-BILK): a business company, which is responsible for operating one or more service facilities, or providing to Railway Undertakings one or more services referred to in points 2-4 of Annex 2 of Railway Act.

*1.1.1.1. Rights and duties of RCT-BILK and Railway Undertakings*

*1.1.1.1.1 The most important rights and duties of RCT-BILK*

In order to ensure open access to the service facility (as a freight terminal according to Annex II of 2012/34/ EU Directive) operated by RCT-BILK, RCT-BILK as operator of service facility is entitled and legally bound to fulfil the following tasks:

a) to determine order and rules of usage of the service facility,

b) to ensure access to the service facility, and to requested services in harmony with priority rules detailed in section 4.3.1 without discrimination,
c) to make sure that Railway Undertakings have the necessary documents for use of the service facility, and authorised applicants have the necessary documents for reservation,
d) to inform VPE in writing which Railway Undertakings are entitled to use the service facility,
e) to revoke the right to use the service facility in the case of suspension of licence,
f) to determine the track access charges for the use of service facility to be paid by Railway Undertaking,
g) to collect the track access charges for the use of service facility,
h) to handle confidentially the information in its possession,
i) to revoke usage of service facility in the case of an emergency, until normal operational situation is restored,
j) to operate open access service facility,
k) on its website, to publish technical instructions in connection with the use of the open access service facility, a nyílt hozzáférésű kiszolgáló létesítményt igénybevételéhez kapcsolódó szakmai utasításokat honlapján közzétenni,
l) on its website, to provide continuous, up-to-date information about capacity restriction of service facility arising out of an emergency,
m) towards VPE, to fulfil data levying engagement concerning the open access service facility, to provide information necessary to development and modification of Network Statement,
n) to maintain the base data files of the service facility, and to inform Railway Undertakings and MÁV Zrt. of the changes in them,
o) in the case of exceptional events to inform MÁV Zrt. and Railway Undertakings,
p) to take the necessary steps to remove disturbances, emergency,
q) to ensure usage of service facility, to provide open access services,
r) to keep the service facility in a condition which meets the requirements of safe running while ensuring allocated capacity.

*1.1.1.1.2 The most important rights and obligations of Railway Undertakings*

<u>The most important rights of Railway Undertakings:</u>

a) to submit a request for open-access-services provided by the operator of service facility, based on the concluded contract for using service facility, to use services of service facility provided within open access,
b) in cases referred to in Section 1.3.3, to initiate a legal dispute at the rail regulatory body.

<u>The most important obligations of Railway Undertakings:</u>

a) to inform RCT-BILK without delay or at least within 5 days after the change takes place about the changes in the conditions of application for services provided by RCT-BILK within the open access to the service facility,
b) to comply with the orders and regulations given by RCT-BILK in connection with delivery of wagons,
c) to employ staff and other contributors who meet the national and international regulations on railway safety, can speak and write Hungarian, and have the required special knowledge and qualifications,
d) to pay on schedule the track access charges for the use of the service facility,

e) to contribute to removing obstacles causing disturbance at the expense of the RCT-BILK if RCT-BILK asks for help in cases of force majeure and other unforeseeable, exceptional circumstances,
f) during the usage of the service facility, to report any exceptional event without delay to RCT-BILK,
g) to examine or to contribute in the examination of any exceptional event in connection with its own consignment, to provide technical or chemical rescue,
h) to contribute to remove emergency against charging of justified costs,
i) in the case of exceptional event to tolerate disturbances emerged in railway traffic.

### 1.1.2 Publication of the Service Facility Statement

In every timetable period, the RCT-BILK, as operator of open access service facility, publishes on its website (in electronic form) the detailed conditions on usage of service facility for Railway Undertakings (terms and conditions of access, description of infrastructure including base data for timetable construction, rules of capacity allocation, services which can be requested for, conditions on usage of services, charges for services, rules on payment), free of charge.

## 1.2 Legal framework (applicable directives and regulations)

### 1.2.1 Regulations that affect the content of the Service Facility Statement

- Directive 2012/34/EU on establishing a single European railway area (recast),
- Regulation (EU) No 913/2010 concerning a European rail network for competitive freight,
- Corrigendum to Directive 2004/49/EC of the European Parliament and of the Council of 29 April 2004 on safety on the Community's railways and amending Council Directive 95/18/EC on the licensing of railway undertakings and Directive 2001/14/EC on the allocation of railway infrastructure capacity and the levying of charges for the use of railway infrastructure and safety certification (Railway Safety Directive),
- Regulation 1315/2013/EU of the European Parliament and of the Council on Union guidelines for the development of the trans-European transport network and repealing Decision 661/2010/EU,
- Commission Implementing Regulation (EU) 2017/2177 of 22 November 2017 on access to service facilities and rail-related services,
- Act CLXXXIII of 2005 on railway transport,
- Decree of the Government No. 414/2020. (VIII. 30.) Korm. on the procedures concerning the rail safety, and the detailed rules of supervising activity of the railway transport authority,
- Decree of the Minister of Economy and Transport 45/2006 (VII. 11.) GKM on licensing of the operation of railway undertakings,
- Governmental Decree 382/2016 (XII. 2.) on the designation of transport authority tasks,
- Decree of the Minister of Economy and Transport No 55/2015 (IX.30) NFM on detailed rules of open access to railway network.

### 1.2.2 Other relating regulations

- Commission Regulation (EU) No 1305/2014 of 11 December 2014 on the technical specification for interoperability relating to the telematics applications for freight subsystem of the rail system in the European Union and repealing the Regulation (EC) No 62/2006,

- Act CLXXXIV of 2005 on technical investigation of air, railway and water transport accidents and other events,
- Act LXXVII of 2006 on publishing of the Protocol of 3 June 1999 - adopted in Vilnius - amending the Convention concerning International Carriage by Rail (COTIF) of 9 May 1980 adopted in Bern,
- Act LXXX of 2011 on publishing the consolidated text of the Appendix C of the Protocol of 3 June 1999 of Vilnius with amendments and complements from 2011 amending the Convention concerning International Carriage by Rail (COTIF),
- Government Decree 179/2017 (VII.5) on the publication of Appendix C of Convention concerning International Carriage by Rail (COTIF) as amended by the Vilnius Protocol on June 3, 1999; as well as on certain aspects of its domestic implementation,
- Act CV. of 2016 on the publication of the consolidated text of the Agreement on International Goods Transport by Rail (SMGS) and its Annexes with their amendments of the years 2015 and 2016,
- Governmental Decree 8/2006 (I. 13.) on the detailed regulation of the application and extent of the penalty levied by market surveillance,
- Governmental Decree 271/2007 (X. 19.) on compulsory insurance of damage coverage in case of railway companies' accident,
- Decree of the Government No. 412/2020. (VIII. 30.) Korm. on licencing of circulation and operation, on periodical and extra inspection of rail vehicles, and on the official register of rail vehicles,
- Decree of the Ministry of National Development 19/2011 (V. 10.) on the rules of vocational training, examination of employees performing safety relevant activity in railway transportation, on the rules of operating railway examination centres and training institutions, issuing of licences for training, and on the rules of railway engine drivers' skills,
- Decree of the Ministry of Economy and Transport 103/2003 (XII. 27.) on mutual interoperability of traditional railway systems,
- Decree of the Ministry of National Development 24/2012 (V. 8.) on detailed regulations of technical investigation of serious railway accidents, railway accidents and unexpected railway events, as well as on detailed rules of operators' examination,
- Decree of the Government No. 413/2020. (VIII. 30.) Korm. on the interoperability of the railway system,
- Decree of the Ministry of Transport, Communication, and Energy No 9/2008 (VI 30) on administrative service charges paid for the railway regulatory body for railway administrative proceedings,
- Decree of the Ministry of Transport, Communication and Energy No 10/2008 on the modes and conditions of the payment of the supervisory fee to be paid to the rail regulatory body,
- Governmental Degree No 32/2009 (II.19.) on detailed rules for contracts of railway transport of goods,
- Governmental Decree No 6/2010 (I. 21.) on ensuring a compulsory coverage ability of railway companies for the compensation of damages resulting from other than railway accidents,
- Act LXVIII of 2016 on the excise tax,
- Act CLXXXV of 2012 on waste,
- Governmental Decree No 312/2011 (XII. 23.) on controlling of inland waterway and railway transportation of dangerous goods in the course of procedures carried out by professional disaster recovery organs and on rules of a unique procedure for levying of fines, on the amount of fines that might be levied for certain infringements, as well as on detailed rules of authority tasks relating to levying a fine.

## 1.3 Legal status of the Service Facility Statement

### 1.3.1 Binding character of the Service Facility Statement

The rules laid down in the Service Facility Statement (hereinafter: Statement) apply equally to the operator of service facility (RCT-BILK), to Railway Undertakings and to Non-Ralway Undertaking Applicants using services on the service facility.

### 1.3.2 Liability for the content of the Statement

Operator of service facility is fully responsible for punctual and regularly updated data and information concerning service facility published in Statement, as well as for fulfilling the obligation to provide data towards VPE.

### 1.3.3 Appeals

A Railway Undertaking, a Non-Railway Undertaking Applicant or RCT-BILK may commence a legal action at the rail regulatory body in accordance with Section 79/B, Subsection 1, Point h)-i) of the Railway Act, or may directly go to court in compliance with Section 79/B, Subsection (5) of the Railway Act, if according to its opinion:

a) the decision and the applied charges of the operator of service facility are contradictory to the requirement of a non-discriminatory procedure, or
b) the operator of service facility did not provide on time the information set out in paragraph 67/O. § (6) to the MÁV Zrt or to VPE, or the information was not supplied in a proper manner.

Appeals shall be submitted in harmony with the deadlines fixed in Section 79/B, Subsection 2 of the Railway Act. The contents requirement of the appeal is fixed in Section 79/B, Subsection 3 of the Railway Act.

Appeals may be submitted by the Non-Ralway Undertaking Applicant to the competent court having jurisdiction, in compliance with Act CXXX of 2016 on the Code of Civil Procedure.

## 1.4 Aim and Structure of Service Facility Statement

The purpose of the Service Facility Statement is to determine the access to the service facility, as well as the terms and procedure of the use of the service facility and its basic. additional and ancillary services.

The structure of the Statement is divided into six main chapters and annexes:

Chapter 1: General Information
Chapter 2: Use of service facility
Chapter 3: Infrastructure
Chapter 4: Capacity allocation
Chapter 5: Services provided for Railway Undertaking
Chapter 6: Charges
Annexes

## 1.5 Rules on validity and updating of Service Facility Statement

### 1.5.1 Validity of Statement

This Statement is valid from 24:00 of 11 December 2021 to 24:00 of 10 December 2022.

The geographic scope of Statement applies to the open access service facility operated by RCT-BILK.

### 1.5.2 Updating of Statement

Statement shall be kept updated, modified as necessary.

RCT-BILK is obliged to record all modifications with the date of their entry into force into the "List of Modifications" which forms an inseparable part of the Statement.

The procedural scheme of legally codified modifications of the Statement shall be differentiated between significant modifications and up-to-date modifications.

*1.5.2.1 Up-to date modifications are:*

a) changes in the legal rules concerning the operation of service facilities,
b) changes in the data indicated in the Statement of RCT-BILK, transport administration bodies or the capacity allocation body, as well as of management and capacity allocation organisations of rail freight corridors,
c) changes in the technical or operational characteristics of the open access service facility not affecting service charges,
d) changes in the reference, if service facility operator provides information on conditions of access to service facilities and provision of services in service facilities connected to the network of the Infrastructure Manager with a reference to the website.

Order of procedure:

In the case of changes of technological or operational characteristics of the service facility operated by RCT-BILK, if changes affect the conditions of use of services which are provided within the framework of the open access to the services, RCT-BILK shall immediately electronically inform Railway Undertakings which have concluded contract on the usage of service facility, and shall enter the changes into the Statement as well as publish the modifications on its website (which is given to VPE).

*1.5.2.2 Significant modifications are:*

a) changes in the rules and deadlines of the capacity allocation process of the open access service facility,
b) modifications arising from changes in the technical or operational characteristics of the open access service facility affecting published track access charges,
c) quantitative or qualitative changes in open access services available to Railway Undertakings, excluding changes in the technical or operational characteristics of the open access service facility,
d) changes in track access charges.

Order of procedure:

In case of intended modification of the Statement, RCT-BILK electronically informs Railway Undertakings with concluded contract on using service facility and Non-

Ralway Undertaking Applicants with concluded capacity reservation agreement 10 days before modifications enter into force. Parties concerned can make remarks on the draft of modification within 3 days after getting information about them; RCT-BILK may deliberate those remarks during the finalisation of the modification.
If RCT-BILK increases track access charges, new charges enter into force at least 30 days after getting information about the modification of charges.

### 1.6 Compiling and publishing of Service Facility Statement

Every year RCT-BILK shall compile the Statement which enters into force two years after the given calendar year, bearing in mind the governing community and national regulations and shall inform VPE about the availability of Statement prior to VPE publishes Network Statement referring to the railway network of MÁV Zrt, as well as publishes it on the www.railcargobilk.hu website by second Sunday of December.

### 1.7 Contacts

*Rail Cargo Terminal-BILK Zrt.*

| | |
|---|---|
| Address: | H- 1239 Budapest, Európa utca 4. |
| Phone: | +36 1/289-6000 |
| Fax: | +36 1/289-6060 |
| E-mail: | titkarsag.rct.bilk@railcargo.com |
| Website: | www.railcargobilk.hu |

*VPE Rail Capacity Allocation Company Limited*
*VPE Vasúti Pályakapacitás-elosztó Kft.*

| | |
|---|---|
| Address: | H-1054 Budapest, Szabadság tér 7. |
| Phone: | +36 1/301-9925, +36 301-9926 |
| Fax: | +36 1/799-0495 |
| E-mail: | oss@vpe.hu |
| Website: | www.vpe.hu |

*Innovációs és Technológiai Minisztérium, Közlekedési Hatósági Ügyekért Felelős Helyettes Államtitkárság, Vasúti Hatósági Főosztály*

| | |
|---|---|
| Address: | H-1011 Budapest, Fő utca 44-50. |
| Postai address: | 1440 Budapest, Pf. 1. |
| Phone and Fax: | +36 1 474-1761; +36 1 312-6614 |
| E-mail: | vasut.nsa@itm.gov.hu |
| Website: | www.kormany.hu/hu/innovacios-es-technologiai-miniszterium |
| Customer service: | H-1138 Budapest, Váci út 188. |

*Contacts of traffic control centre of RCT-BILK:*

| | |
|---|---|
| Phone: | +36-1-289-6000 |
| Mobile: | +36 30 306 6885 |
| Fax: | +36 1 289 6060 |
| E-mail: | peter.kovacsvolgyi@railcargo.com |

### 1.8 Short introduction to Rail Cargo Terminal BILK Zrt.

Rail Cargo Terminal BILK Zrt as member of Rail Cargo Group as the leading intermodal terminal in Hungary has been handling units of unaccompanied intermodal transport

(container, swap bodies, semitrailers) from 2003 and is the hub of the westbound combined transport in the Central-Eastern European region.
The turnover of the terminal has significantly increased since its opening in 2003 and during major developments in 2008 its container-handling and storage capacity expanded further in order to serve the rising demands. As a result three new consignee-sidings on an area of three hectares were built with a storage space for 800 TEU containers as well as two mobile handling machines enhanced the capacity of the terminal. With the new investment Rail Cargo Terminal BILK is currently able to handle a quantity of 220,000 TEU containers per year.

### 1.9 Information on European rail network for competitive freight (Mediterranean and Orient/East-Med Corridors)

In 2010 the European Parliament and the Council laid down rules for the establishment of a European rail network for competitive freight, consisting of international freight corridors. The aim is to achieve reliable and good quality railway freight services to be able to compete with other modes of transport.

The main objective to initiate Regulation 913/2010/EU (hereinafter: "the Regulation") was to improve the services provided by the infrastructure managers (hereinafter: „IMs") to international freight operators. Several initiatives have contributed to the creation of the corridors' concept: the 1st railway package, the TEN-T (Trans-European Transport Network) programme, cooperation among Member States (MS) and IMs within the framework of ERTMS, and the deployment of TAF TSI (Technical Specifications for Interoperability for Telematics Applications for Freight).

Through the Regulation the European Union would like to act in the following main areas corresponding to the process of harmonization:

- improving coordination among IMs,
- improving the conditions of access to infrastructure,
- guaranteeing freight trains' adequate priority,
- and improving intermodality along the corridors.

In order to reach these goals, the European Union designated 9 international rail freight corridors (RFC) in the EU rail network. The main parameters of the RFCs are included in the table below (Regulation 1316/2013/EU):

| Name of RFC corridor | Member States | Principal routes (1) | Establishment of freight corridors: |
|---|---|---|---|
| „Rhine-Alpine" | NL, BE, DE, IT | Zeebrugge-Antwerpen/Amsterdam/Vlissingen (2)/Rotterdam-Duisburg-[Basel]-Milano- Genova | By 10 November 2013 |
| „North Sea – Mediterranean" | NL, BE, LU, FR, UK (2) | Glasgow (3)/Edinburgh (3)/Southampton (3)/Felixstowe (3)-London (2)/Dunkerque (2)/Lille (2)/Liège (2)/Paris (2)/Amsterdam (2)-Rotterdam-Zeebrugge (2)/Antwerpen-Luxembourg-Metz-Dijon-Lyon/[Basel]-Marseille (2) | By 10 November 2013 |
| „Scandinavian- | SE, DK, DE, AT, IT | Stockholm/[Oslo] (2)/Trelleborg (2)-Malmö-København-Hamburg-Innsbruck-Verona-La Spezia (2)/Livorno (2)/Ancona (2)/Taranto (2)/August | By 10 November 2015 |

| | | | |
|---|---|---|---|
| Mediterranean" | | a (2)/ Palermo | |
| „Atlantic" | PT, ES, FR | Sines-Lisboa/Leixões - Madrid-Medina del Campo/ Bilbao/San Sebastian-Irun- Bordeaux-Paris/Le Havre/Metz – Strasbourg (2)/Mannheim (2) Sines-Elvas/Algeciras | By 10 November 2013 |
| „Baltic-Adriatic" | PL, CZ, SK, AT, IT, SI | Swinoujscie (2)/Gdynia-Katowice-Ostrava/Žilina-Bratislava/Wien/Klagenfurt-Udine-Venezia/ Trieste/ /Bologna/Ravenna Graz-Maribor-Ljubljana-Koper/Trieste | By 10 November 2015 |
| „Mediterranean" | ES, FR, IT, SI, HU, HR (2) | Almería-Valencia/Algeciras/Madrid-Zaragoza/Barcelona-Marseille-Lyon-Turin-Milano-Verona-Padova/Venezia-Trieste/Koper- Ljubljana-Budapest Ljubljana (2)/Rijeka (2)-Zagreb (2)-Budapest-Zahony (Hungarian-Ukrainian border) | By 10 November 2013 |
| „Orient/East-Med" | CZ, AT, SK, HU, RO, BG, EL, DE (3) | Bucurest-Constanta Bremerhaven (3)/Wilhelmshaven (3)/Rostock (3)/Hamburg (3)-Praha-Vienna/Bratislava-Budapest Vidin-Sofia-Burgas (3)/Svilengrad (3) (Bulgarian-Turkish border)/ Promachonas-Thessaloniki- Athína-Patras (3) | By 10 November 2013 |
| „North Sea-Baltic" (4) | DE, NL, BE, PL, LT, LV (3), EE (3) | Wilhelmshaven (2)/Bremerhaven/Hamburg (2)/ Amsterdam (2)/Rotterdam/Antwerpen-Aachen/Berlin-Warsaw-Terespol (Poland-Belarus border)/Kaunas-Riga (3)-Tallinn (3) | By 10 November 2015 |
| „Czech-Slovak" | CZ, SK | Praha – Horní Lideč / Bohumín / Havířov / Žilina – Košice – Čierna nad Tisou (alternatíva: Maťovce) – slovakian-ukrainen border | *By 10 November 2013.* |
| „Rhine-Danube" (5) | FR, DE, AT, SK, HU, RO,CZ | Strasbourg-Mannheim-Frankfurt-Nürnberg-Wels Strasbourg-Stuttgart-München-Salzburg-Wels-Wien-Bratislava-Budapest-Arad-Brașov/Craiova-București-Constanța Čierna and Tisou (Slovak/ Ukrainian border)-Košice-Žilina-Horní Lideč-Praha-München/Nürnberg | By 10 November 2020 |
| „Amber" | PL, SK, HU, SI | Koper – Ljubljana – / Zalaszentiván – Sopron/Csorna – / (Hungarian-Serbian border) – Kelebia – Budapest – Komárom – Leopoldov / Rajka – Bratislava – Žilina – Katowice – Radom – Terespol – (Polish-Belorus border) | *By 31 January 2019* |

(1) means alternative routes. In line with the TEN-T guidelines, the Atlantic and the Mediterranean corridors should in the future be completed by the Sines/Algeciras-Madrid-Paris freight axis which crosses the central Pyrenees via a low elevation tunnel.
(2) Routes shall be included in the respective corridors at the latest 3 years after the date of establishment set out in this table. Existing structures defined under Article 8 and Article 13(1) of this Regulation shall be adjusted with the participation of additional Member States and infrastructure managers in the respective corridors. These inclusions shall be based on market studies and take into consideration the aspect of existing passenger and freight transport in line with Article 14(3) of this Regulation.

(3) Routes shall be included in the respective corridors at the latest 5 years after the date of establishment set out in this table. Existing structures defined under Article 8 and Article 13(1) of this Regulation shall be adjusted with the participation of additional Member States and infrastructure managers in the respective corridors. These inclusions shall be based on market studies and take into consideration the aspect of existing passenger and freight transport in line with Article 14(3) of this Regulation.
(4) Until the realisation of a Rail Baltic line in 1 435 mm nominal track gauge, the specificities of different track gauge systems shall be taken into account in the establishment and operation of this corridor.
(5) The creation of this corridor shall be based on market studies and take into consideration the aspect of existing passenger and freight transport in line with Article 14(3) of this Regulation. The section "Čierna and Tisou (Slovak/ Ukrainian border)-Košice-Žilina-Horní Lideč-Praha" shall be established by 10 November 2013."

The detailed description of the Rail Freight Corridors, in which Hungary is involved, are found on the following websites including also the relevant Corridor Information Documents (CID):

According to Regulation 913/2010/EU Article 18 Point b, the management boards of rail freight corridors shall publish and regularly update the list and characteristics of terminals, in particular information concerning the conditions and methods of accessing the terminals.

RCT-BILK connects closely with the network of rail freight corridors, as one of the most important intermodal terminals of Mediterranean, Orient/East-Med, Amber and Rhine-Danube Corridors.
In the case of Railway Undertaking wishes to run corridor train which uses Soroksár-Terminál as beginning/start-, end- or intermediate station and RCT-BILK is involved in serving wagons in this train, please use this contacts with confidence.

**Orient/East-Med Corridor** – http://www.rfc7.eu

*Orient/East-Med Corridor Secretariat (Secretariat of Corridor)*

| | |
|---|---|
| Address**:** | H-1087 Budapest, Könyves Kálmán krt. 54-60. |
| Phone: | +36 1 511 4715 |
| E-mail: | secretariat@rfc7.com |

*Orient/East-Med Corridor C-OSS*

| | |
|---|---|
| Name: | Balogh József Ádám |
| Address: | VPE Vasúti Pályakapacitás-elosztó Kft.<br>H-1054 Budapest<br>Szabadság tér 7. |
| Telefon: | +36 1 301 9931<br>+36 30 696 8555 |
| E-mail: | baloghj@vpe.hu;<br>coss@rfc7.com |

**Mediterranean Corridor** – http://www.rfc6.eu

*Mediterranean Corridor PMO (Permanent Management Office)*

| | |
|---|---|
| Address**:** | Via Ernesto Breda, 28, Milano |

**General director:** Furio Bombardi
Phone: +39 328 638 4700
E-mail: f.bombardi@rfi.it

**Vice director:** Pákozdi István
Phone: +39 328 638 4700
E-mail: i.pakozdi@railfreightcorridor6.eu

**C-OSS**: Stephane Dastot
Phone: +39 (0)2 36642433
Mobile: +39 324 829 8130
E-mail: stephane.dastot@reseau.sncf.fr
OSS@railfreightcorridor6.eu

**Amber Corridor** – http://www.rfc-amber.eu

*Amber Corridor Secretariat (Secretariat of Corridor)*

Address: H-1054 Budapest, Szabadság tér 7.
Phone: +36 1 301 99 06
E-mail: secretariat@rfc-amber.eu

*Amber Corridor C-OSS*

Name: Roman Stańczak
Phone: +48 22 473 34 69
E-mail: c-oss@rfc-amber.eu

**Rhine-Danube Corridor -**

Address: Praterstern 4 / Könyves Kálmán krt. 54-60
1020 Wien / 1087 Budapest
E-mail: Jean-Marc.Hillenberg@oebb.at

### 1.10 Glossary of definitions used in Service Facility Statement

For the list and explanation of the main definitions used in this Statement see Annex 1.10.

# 2. USE OF SERVICE FACILITY

## 2.1 Introduction

The aim of this chapter is to define the conditions for access to open access service facility.

## 2.2 Conditions of requesting services

According to Railway Act Paragraph 49 (3), RCT-BILK is obliged to provide services listed in Chapter 5, including access to the railway network in service facility, with equivalent, non-discriminative and transparent conditions for a charge for all applicants.

RCT-BILK defines detailed conditions for access to the service facility by preparing the Statement. Capacity of the service facility is ensured by the capacity allocation for the open access service facility. Use of the open access service facility by applicants is based on the request for services (hereafter: railway infrastructure capacity) submitted in the proper format and with the described content by an applicant that fulfils all requirements described either by law or in this current Statement. Requests must be handed in to the RCT-BILK.

Non-Railway Undertaking Applicants are entitled to use the following minimum access package (hereafter: basic services) among the ones determined in Railway Act, Annex 2 Point 1.:

- handling of requests for railway infrastructure capacity,
- provision of information on running of railway vehicles.

### 2.2.1 Requirements of application for railway infrastructure capacity

Railway infrastructure capacity can be applied for by a Railway Undertaking who can verify his right to use the service facility with documents defined in points (2.2.3-2.2.4) by delivering a copy of them to RCT-BILK.

Requirements of applying for rail infrastructure capacity:

- operational licence issued by the rail regulatory body, as well as
- single safety certificate issued by the Railway Authority or the European Union Agency for Railways (hereinafter: ERA).

Name and address of Rail Regulatory Body:

| | |
|---|---|
| Name: | Innovációs és Technológiai Minisztérium<br>Piacfelügyeleti és Utasjogi Főosztály<br>Vasúti Igazgatási Szerv |
| Address: | H-1011 Budapest, Fő u. 44-50. |
| Postal address: | 1440 Budapest, Pf. 1. |
| Phone: | +36 1 373-1405 |
| Customer service: | H-1066 Budapest, Teréz krt. 38. |
| E-mail: | igazgatasiszerv.vasut@itm.gov.hu |
| Website: | www.kormany.hu/hu/innovacios-es-technologiai-miniszterium |

Name and address of Railway Authority:

Name: Innovációs és Technológiai Minisztérium, Közlekedési Hatósági Ügyekért Felelős Helyettes Államtitkárság, Vasúti Hatósági Főosztály

| | |
|---|---|
| Address: | H-1011 Budapest, Fő utca 44-50. |
| Postal address: | H-1440 Budapest, Pf. 1. |
| Customer service: | H-1138 Budapest, Váci út 188. |

Phone and Fax: +36 1 474-1761; +36 1 312-6614
E-mail: vasut.nsa@itm.gov.hu
Website: www.kormany.hu/hu/innovacios-es-technologiai-miniszterium

Railway infrastructure capacity can be applied for by a Non-Ralway Undertaking Applicant who can trustworthly verify to RCT-BILK to be an economic organisation according to Civil Law Point 685 c) as well as declares to have concluded a valid and effective capacity reservation framework agreement with MÁV Zrt.

### 2.2.2 Who is allowed to use the open access service facility?

Open access service facility can be used by applicants and RCT-BILK.

Railway Undertaking:

a) Train operating company that has operational licence and domestic registration;

b) Train operating company established in any EEG member state for forwarding of goods by rail, that holds an operation licence issued in accordance with the Directive 2012/34/EU of the European Parliament and of the Council;

c) Train operating company that was established abroad and it is participant of an international or reciprocal agreement;

d) International grouping of train operating companies.

### 2.2.3 Licence

Railway Undertaking has to own valid licence and shall after any modification immediately in writing announce and verify modifications in connection with licence to RCT-BILK.

### 2.2.4 Single safety certificate

Railway Undertaking has to own valid single safety and shall after any modification immediately in writing announce and verify modifications in connection with single safety certificate to RCT-BILK.

### 2.2.5 Insurance, cover of liabilities

Parties must regulate in the contract concluded for using service facility any other insurances or guarantees that are necessary for the usage of open access service facility.

## 2.3 Access contracts on service facility

### 2.3.1 Contract for using service facility

Contract for using service facility regulates the technical, technological, financial and legal conditions of the utilisation of service facility.

Railway Undertaking shall apply for rail infrastructure capacity and services at the RCT-BILK. The submission of the request is subject to the existence of a valid access contract on service facility.

After control of having licence, single safety certificate, RCT-BILK allocates capacity to the Railway Undertakings.
Preconditions of concluding contract for using service facility are:
- licence,
- single safety certificate.

The open access service facility cannot be used without allocated capacity and a valid contract for using service facility.

Any and all data and facts concerning any contracting party (RCT-BILK, parties with access) and its activity that they become aware of in any way in connection with the conclusion and performance of the Contract on use of the service facility including in particular, but not limited to the content of Contract on use of the service facility shall qualify as business secrets. The Parties may not disclose or make accessible such data to third parties and may not use the same for any purposes other than the performance of the mentioned contract, save under the express, written, prior consent of the other party. The obligation of confidentiality shall not apply to information which are public, publicly known, respectively the publication or disclosure of which is required or ordered by law or a court or any administrative order to the specified extent by the statutory instrument or provision to the specified persons.

When concluding the contract for using service facility in order of ensuring railway infrastructure capacity, the regulations of the Civil Law, especially general rules on concluding contracts, Railway Act and the Statement must be applied jointly.

### 2.3.2 Capacity reservation agreement

Non-Railway Undertaking Applicant and RCT-BILK conclude an agreement for the reservation of rail infrastructure capacity.

In order to use the railway infrastructure capacity subject of this agreement, Non-Railway Undertaking Applicant shall undertake in this agreement the obligation to appoint a Railway Undertaking at least 10 days before the actual use of the railway infrastructure capacity allocated, which will actually use the allocated track network capacity. The appointed Railway Undertaking shall have a valid and effective access contract on service facility with the RCT-BILK. Non-Railway Undertaking Applicant may transfer the railway infrastructure capacity allocated to it to any other Railway Undertaking for using the capacity.

To determine the 10-day deadline, Paragraph 146, Act CXXX of 2016 on the code of Civil Procedure shall be taken into consideration which states that if the deadline is determined in days, the starting/first day of the deadline shall not be counted so this way the previous day before the deadline expires shall be a full calendar day (hereinafter: 10-day rule).

Contract for using service facility to be signed in the interest of the Non-Ralway Undertaking Applicant shall be concluded at least 10 days before the date of the use of the railway infrastructure capacity, for which the contract is subjected.

When entering into a Capacity reservation agreement for ensuring the capacity of the railway network, the regulations of the Civil Law, especially Book 6 on the law of obligations, the Railway Law and the Statement must be applied jointly.

## 2.4 Operational rules

Railway Undertakings must observe the following operational instructions applied by the operator of service facility.
Instructions handled by MÁV Zrt., which have to be applied on service facility operated by RCT-BILK:

a) F.1. Signalling Instruction (just the concerning parts),
b) F.2. Operational Instructions and Appendixes (just the concerning parts),
c) Standing instruction of railway networks in own operation,
d) E.1. Instructions for the personnel of the traction unit (unless the Railway Undertaking has an instruction approved by the Railway Authority),
e) E.2. Brake Instructions,
f) E.12. Technical Wagon Service Instructions,
g) Technical tables Volumes I-II,
h) E.101. General Instructions for the operation of standard gauge electrified railway lines,
i) H.6. Instructions for handling extraordinary consignment,
j) Infrastructure part of station Soroksár-Terminál in the Executive Instruction for Stations.

Instructions handled by RCT-BILK, which have to be applied:

k) Complementary Standing Instruction (KSZU).

From instructions listed above, Railway Authority approves instructions listed under a)-i). Entering into force, publication or modification of the instructions listed under a)-j) are communicated by MÁV towards Railway Undertakings, and any information in line with these instructions must be placed on its website (www.mav.hu), too. Instructions to be applied on the railway network must be published in full length on the website of MÁV Zrt.

Entering into force, publication or modification of the instruction in point k) are communicated by RCT-BILK towards Railway Undertakings with valid contract for using service facility in written form, effective instruction and any information in line with it must be placed on its website (www.railcargobilk.hu), too.

## 2.5 Specifications related to forwarding exceptional consignments and Ro-La trains

### 2.5.1 Specifications related to forwarding exceptional consignments

A consignment must be considered to be exceptional transport if the consignment presents extra difficulty due to its outer size, weight or shape considering railway equipments or wagons, thus its forwarding can only be permitted under special technical and operational conditions. Rules in line with extraordinary transport are published by the infrastructure manager (H.6. Instructions).

The following consignments are qualified as extraordinary consignments:

- extraordinary consignment forwarded on the basis of a transport permission of general validity for standard-size consignments,
- extraordinary consignment transported on the basis of an individual transport permission.

When requesting for capacity, applicant shall announce to MÁV Zrt. if it plans to deliver extraordinary consignment to service facility operated by RCT-BILK. Applicant sends given permission both to Railway Undertaking and RCT-BILK. After that, RCT-BILK writes number

of permission into column 22 of consignment note, and put an X into column 7. Permission shall attach to consignment note, and with all of this together gets the consignment the Railway Undertaking for carriage.

2.5.2 Rules for running of Ro-La trains

Running of Ro-La trains may cause extra difficulties as regards to railway equipment or wagons, so, forwarding of these trains can only be permitted under special technical and operational conditions. Regulations relating to the running of Ro-La trains are issued by the infrastructure manager. (F.2. Traffic Instructions Appendix 33, Annex 3.3.1.1 of the Network Statement and restrictions announced on the website of MÁV Zrt). Running of Ro-La trains on station Soroksár-Terminál needs a preliminary negotiation.

## 2.6 Conditions for forwarding dangerous goods on railway

Materials and objects are considered as dangerous goods which are qualified as dangerous goods by the regulation concerning the international carriage of dangerous goods by rail - Convention Concerning International Carriage by Rail (COTIF) Appendix C (RID) and Annex 2 (Regulation on the transportation of dangerous goods) of the SzMGSz Agreement on International Goods Transport by Rail.

Should any wagon of the train contain dangerous goods, the train shall be considered as a train transporting dangerous goods irrespective of the owner of the wagons.

When requesting for capacity, Railway Undertakins must inform RCT-BILK if catastrophe level dangerous goods or consignment of high public security risk in accordance with RID Annex 1.10 table 5 are to be forwarded, and must also give information on the train guidance and security arrangements to be taken.

## 2.7 Conditions for the running of rolling stock

The suitability of the rolling stock operated by the Railway Undertaking is proved by the circulation licence and vehicle type licence issued by ERA or the Railway Authority. Railway Undertaking must fulfil all technical and transport safety conditions set out for the train composition, technical inspections of wagons, inspection of train, brake trials and the braking level. Railway Undertaking must declare – in line with the decree of the Government No 412/2020. (VIII. 30.) – about the data, parameters of wagons used or to be used in the contract for using service facility.

Licensing authority (Railway Authority):

Innovációs és Technológiai Minisztérium, Közlekedési Hatósági Ügyekért Felelős Helyettes Államtitkárság, Vasúti Hatósági Főosztály

Address: H-1011 Budapest, Fő utca 44-50.
Postai address: H-1440 Budapest, Pf. 1.
Customer service: H-1138 Budapest, Váci út 188.
Phone and Fax: +36 1 474-1761; +36 1 312-6614
E-mail: vasut.nsa@itm.gov.hu
Website: www.kormany.hu/hu/innovacios-es-technologiai-miniszterium

Address: H-1066 Budapest, Teréz krt. 62.
Phone: +36 1/474-1734
Fax: +36 1/312-6614

## 2.8 Conditions for staff

Suitability of the staff of Railway Undertakings shall be proven by the single safety certificate according to the Decree of the Government No. 414/2020. (VIII. 30.).
Staff of the Railway Undertaking may carry out shunting of its own only after passing the exam of Training Instructions, having a valid foreman shunting examination in accordance with the Training Instructions of the Railway Undertaking, passing the exam of Complementary standing instruction (KSZU) regarding knowledge of local relations, and after performing duty under supervision defined in the concerning specifications.
If – according to the KSZU – no contribution of shunting personnel is necessary to carry out shunting of own, staff of the Railway Undertaking is allowed to carry out shunting without having an examination on local information prescribed above.
In scope of activities that are in connection with the shunting, running and rail traffic, Hungarian shall be applied as the only language.

# 3. INFRASTRUCTURE

## 3.1 Validity of information about infrastructure, mode of tracing changes

RCT-BILK shall display in its homepage changes, modifications in the data of the service facility and shall inform applicants and MÁV Zrt via e-mail. Should changes and modifications also affect data put down in the Statement, RCT-BILK shall make amendments to the Statement.

## 3.2 Introduction of the open access service facility

RCT-BILK announced the operation of service facility for the rail regulatory body which noted the announcement. RCT-BILK is entitled to operate the service facility owned by RCT-BILK.

Annex 3.2 comprises the sketch drawing of open access service facility operated by RCT-BILK.

### 3.2.1 Limits of the infrastructure

Access to loading tracks of the service facility is limited.
In the case of On-Call Duty, Service Stoppage, Close Down and traffic restrictions because of maintenance, renewal and enhancement works carried out on track facilities, RCT-BILK shall determine concerning time intervals.

*Conditions of the combined transport*

Conditions of carriage of the transport units of the combined transport are the same as published in Network Statement of MÁV Zrt.

### 3.2.2 Connecting railway infrastructure

Data of connecting railway infrastructure between RCT-BILK and MÁV Zrt, as well as the close down times taken into consideration from the point of view of traffic regulation, are detailed in the table as follows (except for non-operating times the service facility shall continuously be open in the Timetable period of 2021/2022):

| Service facility | | Neighbour location | | Close down times of service facility |
|---|---|---|---|---|
| name (operator) | location code | name (operator) | location code | |
| BILK Kombiterminál Budapest (RCT-BILK) | 10 280 | Soroksár-Terminál (MÁV Zrt.) | 11 064 | 2 pm 24 December 2021 – 6 am 25 December 2021<br>2 pm 25 December 2021 – 6 am 26 December 2021<br>2 pm – midnight 26 December 2021<br>2 pm 31 December 2021 – 6 pm 1 January 2022 |

### 3.2.3 Further information related to the railway infrastructure

All other information concerning the railway infrastructure is available at RCT-BILK, using the contacts given under the point 1.7 to this Statement.

## 3.3 Characteristics of open access railway infrastructure

### 3.3.1 Geographical characteristics

*3.3.1.1 Track network of the open access service facility*

Service facility operated by RCT-BILK branches out in chainage 34+73,42≡0+00,00 of turnout track X. at station Soroksár-Terminál (operated by MÁV Zrt.) by point set to the right No 3., system B 54 XI-1:9. The total length of connecting line is 413 m.

Branching tracks:

Track No. K IX.: it branches out in chainage 2+20,02 by point set to the left No. 3/1, system B 54 XIII-1:9, which ends in the buffer stop in chainage 1+39.

Track No. D IV: it was established in chainage 2+91,00 as the straight continuation of point set to the right No. 3/2, system B 54 XIII-1:9 which ends in the buffer stop in chainage 11+98.

Track No. D III.: it branches out in chainage 2+91,00 by point set to the left No. 3/3, system B 54 XIII-1:9, which ends in the buffer stop in chainage 12+12.

Track No. D II.: it branches out in chainage 3+34,00 by point set to the left No. 3/5, system V 54 XIII-1:9, which ends in the buffer stop in chainage 12+12.

Track No. D I.: it branches out in chainage 4+13,00 by point set to the left No. 3/7, system B 54 XI-1:9, which ends in the buffer stop in chainage 11+98.

Track No. T VIII.: it branches out in chainage 4+13,00 by point set to the left No. 3/7, system B 54 XI-1:9, which ends in the buffer stop in chainage 3+53,93.

Track No. T VIII/B.: it branches out in chainage 0+34,14 by point set to the right No. 3/9, system B 54 XIII-1:9, which ends in the buffer stop in chainage 3+53

Track No. D V.: it branches out from track No. D IV. in chainage 3+17,40 by point set to the left No. 3/4, system B 54 XI-1:9, which ends in the buffer stop in chainage 12+12,00.

Track No. D VI.: it branches out from track No. D V. in chainage 3+98,21 by point set to the left No. 3/6, system B 54 XI-1:9, which ends in the buffer stop in chainage 12+12,00.

Track No. D VII.: it branches out from track No. D VI. in chainage 4+42,33 by point set to the right No. 3/8, system B 54 XI-1:9, which ends in the buffer stop in chainage 12+12,00.

Distances between centres of tracks are:
3,90 m between tracks No. T VIII. – T VIII/B.
26,70 m between tracks No. T VIII. - D I.
24.50 m between tracks No. D I. - D II.
4,75 m between tracks No. D II. - D III.
4,75 m between tracks No. D III. - D IV.
12,50 m between tracks No. D IV. - D V.
4,75 m between tracks No. D V. - D VI.
4,75 m between tracks No. D VI. - D VII.

Superstructure:
Tracks No. D III., D IV., T VIII., K IX. of MÁV 48 system, tracks No. D I., D II., D V., D VI., and D VII. of UIC 54 system, on T, TM, TX, L and LM concrete sleepers with geo (K fastening) and direct fastening with sleepers spacing of 70 cm.
Track points are with systems B54 XI-1:9 and B54 XIII-1:9.
There is a 27 m wide level crossing with a surface from BODAN units in track No. D I., chainage 1+62,35.

*3.3.1.2 Track gauge*

The open access service facility consists of standard track gauge (1435 mm) railway lines.

*3.3.1.3 Location on the service facility*

Name of location of the open access service facility operated by RCT-BILK is BILK Kombiterminál Budapest, code number of the location is 10 280 6.

3.3.2 Technical and operational characteristics of service facility

*3.3.2.1 Loading gauge*

Loading gauges used on service facility are: the international and GA (UIC), GB (UIC), GC (UIC) loading gauges.

*3.3.2.2 Authorised axle load*

Authorised axle loads on the tracks are the followings:

Authorised axle load on track No. K IX. is 225 kN
Authorised axle load on track No. D IV. is 225 kN
Authorised axle load on track No. D III. is 225 kN
Authorised axle load on track No. D II. is 225 kN
Authorised axle load on track No. D I. is 225 kN
Authorised axle load on track No. T VIII. is 225 kN
Authorised axle load on track No. T VIII/B. is 225 kN
Authorised axle load on track No. D V. is 225 kN
Authorised axle load on track No. D VI. is 225 kN
Authorised axle load on track No. D VII. is 225 kN

*3.3.2.3 Curves and gradients*

The smallest radius on route section is R=200m.
The biggest gradient on route section is 0,0 ‰.

*3.3.2.4 Authorised speed on track*

Authorised speeds on tracks are the followings:

Authorised speed on track No. K IX. is 20 km/h.
Authorised speed on track No. D IV. is 20 km/h.
Authorised speed on track No. D III. is 20 km/h.
Authorised speed on track No. D II. is 20 km/h.
Authorised speed on track No. D I. is 20 km/h.

Authorised speed on track No. T VIII. is 20 km/h.
Authorised speed on track No. T VIII/B. is 20 km/h.
Authorised speed on track No. D V. is 20 km/h.
Authorised speed on track No. D VI. is 20 km/h.
Authorised speed on track No. D VII. is 20 km/h.

*3.3.2.5 Length of set of wagons that may run*

Lengths of set of wagons that may run on tracks are the followings:

Usable length of track No. K IX. is 90 m, full length is 139 m, length of set of wagons that may run is 70 m.
Usable length of track No. D IV. is 886 m, full length is 950 m, length of set of wagons that may run is 700 m.
Usable length of track No. D III. is 870 m, full length is 921 m, length of set of wagons that may run is 700 m.
Usable length of track No. D II. is 830 m, full length is 878 m, length of set of wagons that may run is 700 m.
Usable length of track No. D I. is 750 m, full length is 185 m, length of set of wagons that may run is 700 m.
Usable length of track No. T VIII. is 240 m, full length is 353 m, length of set of wagons that may run is 240 m.
Usable length of track No. T VIII/B. is 240 m, full length is 319 m, length of set of wagons that may run is 240 m.
Usable length of track No. D V. is 765 m, full length is 895 m, length of set of wagons that may run is 700 m.
Usable length of track No. D IV. is 720 m, full length is 822 m, length of set of wagons that may run is 700 m.
Usable length of track No. D VII. is 720 m, full length is 770 m, length of set of wagons that may run is 700 m.

*3.3.2.6 Characteristics of power supply system*

Tracks D I., D II., D III., D IV. from chainage 0+00 to 5+10 according to chainages of track No. D IV. are electrified with the same system as MÁV Zrt. (25 kV, 50 Hz).

Track clearance shall be established in accordance with Standard MSZ 8691/4-81 on „Clearance of national public railways. Clearance dimensions of electrified tracks".

3.3.3 Traffic control, signalling and communication systems

*3.3.3.1 Signalling installations*

Type of signalling installation is D-70 with shunting route.

*3.3.3.2 Traffic control systems*

Radio based traffic control system is in usage.

*3.3.3.3 Ground-train radio network employed*

The ground-train radio system does not comply with the requirements of interoperability.

*3.3.3.4 Automatic train control systems*

No automatic train control system is built up.

## 3.4 Traffic restrictions

3.4.1 Environmental restrictions

There are no environmental restrictions.

3.4.2 Restrictions for forwarding of exceptional consignment and dangerous goods, as well as for running of Ro-La trains

Conditions of traffic restrictions relating to the forwarding of exceptional consignment, dangerous goods and to the running of Ro-La trains can be seen in points 2.5 and 2.6 of this Statement.

## 3.5 Availability of service facility

The service facility is not available to the applicants on a continual basis.

Restrictions:

*a) operation times taken into consideration from traffic regulation point of view*

Over the operation times, infrastructure elements listed and services provided there, are not available for applicants.

*b) traffic restrictions because of maintenance, renewal and enhancement works carried out on track facilities*

There are no such restrictions.

There are no technical, preparatory and passenger service equipments for passenger trains.

## 3.6 Facilities for set of freight wagons

Usage of facility for freight train sets and wagons are regulated in complementary Standing Instruction (KSZU).

## 3.7 Facilities for services

3.7.1 Formation of freight train set

There is no formation of passenger train sets. Tracks No. D I., D II., D III., D IV. and D VII. can be used for formation of freight train sets.

3.7.2 Access to loading sidings and loading places

Over tracks No. D I., D II., D III. and D IV. in chainages 5+12 - 12+12 (in length of 700 m), KONE set of gentry cranes operate for container movement, with 42 t load-bearing capacity, 34 m spreader width, 9 m load centre distance and 13 m lifting height.

On track No. D VII. (in length of 700 m), it is possible to move empty and loaded containers, semi trailers, swap bodies with reach stacker, till maximum 45 tons.
On tracks No. T VIII., T VIII/B. (in length of 240-240 m), it is possible to move empty and loaded containers with reach stacker, till maximum 15 tons.

There is a limited access to loading sidings and loading places.

3.7.3 Maintenance facilities

There is no open access maintenance facility.

3.7.4 Refuelling facilities

There is no open access refuelling facility.

3.7.5 Other technical facilities

Over tracks No. D I., D II., D III. and D IV. in chainages 5+12 - 12+12 (in length of 700 m), KONE set of gentry cranes operate for container movement, with 42 t load-bearing capacity, 34 m spreader width, 9 m load centre distance and 13 m lifting height.

3.7.6 Vehicle storage facilities

Tracks No. D. V., D. VI. can be used only for storage of vehicles.

## 3.8 Significant foreseeable infrastructure enhancement works

Information about significant infrastructure enhancement works foreseeable for the period after the relevant timetable year can be asked from RCT-BILK (on contacts given in point 1.7).

# 4. CAPACITY ALLOCATION

## 4.1 Introduction

Capacity of service facility is allocated by the operator of service facility (RCT-BILK).

Any applicant who verified in compliance with point 2.2.1 its entitlement to use the railway infrastructure and concluded the contract with RCT-BILK according to point 2.3 may request at RCT-BILK for service facility services provided within the framework of the open access.

To non-RU Applicant, Paragraphs 54-55 and 67 of the Railway Act will apply when requesting railway infrastructure capacity.

RCT-BILK shall treat information supplied by applicants confidentially.

## 4.2 Rules and deadlines of the capacity allocation process

Applicants shall submit their requests at RCT-BILK for the use of railway infrastructure capacity set out in point 2-4 of Annex 2 of the Railway Act electronically. If the electronical mail system does not work, railway infrastructure capacity shall be requested via fax. RCT-BILK enters data of railway infrastructure capacity requested in its system. A pattern of application form for this purpose can be seen in Annex 4.2.

Railway Undertakings can submit annual, annual late, mid-term, ad hoc and instant capacity requests whereas the non-RU Applicants can submit annual, annual late, mid-term and ad hoc requests for services. They all need to comprise the type of request as well as the time necessary for carrying out the activity in connection with the activity of Railway Undertaking.

Till the deadline of submission of annual late railway infrastructure capacity requests taken into consideration while preparation of annual and working timetable, RCT-BILK publishes on its website railway infrastructure restrictions that enable maintenance, renewal and enhancement works that can be scheduled on a yearly base on service facility. Railway infrastructure capacity requests linked to works that cannot be scheduled on a yearly base RCT-BILK publishes on it website after the deadline of submission of annual late railway infrastructure capacity requests.

Should railway infrastructure capacity requests submitted for any element of the service facility conflict, RCT-BILK attempt to resolve all requests as possible, and after this process decides about the allocation of capacity.

### 4.2.1 Deadlines for annual requests and preparation of working timetable

Deadline for submitting annual requests is the second Monday of April in the previous timetable year (12 April 2021).

Annual late requests shall be submitted after the deadline for the annual requests but 5 weeks prior to the entry into force of the annual working timetable (08 November 2021).

RCT-BILK must deliver to applicants for their feedbacks the working timetable in terms of the requested services.
RCT-BILK decides about submitted annual and annual late requests 15 days after the submission deadline and informs applicants electronically.

Validity period of the annual working timetable begins at 24:00 on the second Saturday of December in the running year and lasts until 24:00 on the second Saturday of December in the subsequent year.

4.2.2 Handling of requests which not belong to the annual working timetable, including instant requests as well

| Type of request | Deadline for submitting request correlated to the date of the planed train run | Time needed for allocation |
|---|---|---|
| Mid-term | At least 5 weeks before train run. | Within 5 working days. |
| Ad hoc | At least 5 days before train run. | As soon as possible, but within 4 working days at the longest. |
| Instant/ | Within 5 days but at least 1 hour before train run. | As soon as possible. |
| Request for interest of RCT-BILK | Before the scheduled time of running. | As soon as possible. |

Services referred to in Annex 2 points 2-4 of the Railway Act and published in Chapter 5 of this Statement, shall be ordered by using the application form defined in point 4.2 of the Statement.

Service request indications shall be submitted separately for each loading, with giving the starting date and time of loading.

Before requesting for services regarding the railway infrastructure of RCT-BILK, if possible, applicant consults with traffic control centre of RCT-BILK (contacts given in point 1.7) about the possibility of using services. RCT-BILK receives the requests regarding the possibility of requesting for services concerning railway infrastructure on working days from 8 am – 4 pm hours and gives preliminary information to the Railway Undertaking as soon as possible but within 48 hours the latest after receiving the request.

For feasibility reasons prior to the allocation of services, Railway Undertaking is obliged to agree with RCT-BILK about usage of services with availability parameters other than published in the Statement.

Forwarding of exceptional consignments and dangerous goods, the traffic control centre of RCT-BILK arranges for examination of submitted requests written within 5 working days.

4.2.3 Procedural order of transferring and using of railway infrastructure capacity requests allocated to a non-RU Applicant

Non-RU Applicant may transfer the right to use the railway infrastructure capacity allocated to it to any Railway Undertaking that has a valid contract for using service facility concluded with RCT-BILK.

Non-RU Applicant is obliged to designate the Railway Undertaking actually using the railway infrastructure capacity required by and allocated to the non-RU Applicant, at least 10 days prior to the actual use of the capacity.

The non-RU Applicant can not modify this designation. Concerning the expired deadline without any designation, RCT-BILK shall automatically revoke the allocated railway infrastructure capacity from the non-RU Applicant.

## 4.3 Process of capacity allocation

### 4.3.1 Handling of conflicting requests

Noticing conflict of requests, operator of service facility has to attempt to resolve all requests as possible. In the case of no viable alternative and if all the capacity requests for the given facility can not be satisfied based on the verified needs, applicant has the right of appeal to the rail regulatory body. The rail regulatory body considers the complaint, and, as appropriate, decides in order to get the appropriate part of capacity for the complaining applicant.

RCT-BILK prefers different type of conflicting requests in the following order:

- delivery connecting to regularly running trains,
- request covering more than one traffic days,
- request submitted earlier,
- delivery connecting to corridor freight trains,
- delivery connecting to other international/domestic freight trains,
- capacity request for maintenance work on service facility,
- capacity request for renewal, enhancement work on service facility.

### 4.3.2 Dispute resolution process, possible recourse

In accordance with the provisions of Paragraph 79/B, Section (1), points h) and i) of the Railway Act, Railway Undertaking or infrastructure manager may initiate legal dispute process at the rail regulator body against decisions made by RCT-BILK, if used charges are against the requirement of non-discriminatory process, or if RCT-BILK did not provide or did not provide in an appropriate manner the information written in Paragraph 67/O, Section (6) to VPE.

A Non-Railway Undertaking Applicant may submit its recourse to the competent court having jurisdiction in compliance with Act CXXX of 2016 on the Code of Civil Procedures in the event if the Non-Railway Undertaking Applicant has not initiated a legal dispute process at the rail regulatory body in the given matter yet and will not intent to initiate any.

### 4.3.3 Rejection of requests received, withdrawal of allocated requests

RCT-BILK is entitled to revise the right for using the service facility if in any of the papers, documents specified in 2.2.1 justifying the right prescribed for using the service facility have been modified.

If the papers, documents referred to in the previous paragraph do not justify the right of the applicant to use the service facility, RCT-BILK may revoke the right to use the service facility. RCT-BILK informs the applicant about the revocation of the usage of service facility in written form.

With regard to the provision of a viable alternative, RCT-BILK is responsible for examining the alternative options for providing the service within 5 working days if it is unable to provide the offered capacity to the applicant. If it is still unable to provide an alternative, it shall draw

the attention of the relevant applicant to the possibilities of using the services of the operator of the additional service facility published in the Network Statement.

### 4.4 Capacity allocation for maintenance, renewal and enhancement works on service facility

RCT-BILK is entitled to carry out maintenance, renewal and enhancement works or mandate any other company to carry out these works on the open access service facility operated by RCT-BILK, and to reserve capacity for these works, and to use the railway infrastructure.

In compliance with the procedure described in this point, RCT-BILK carries out such maintenance, renewal and enhancement works on the service facility, which disturb or limit the usage of service facility on the affected track section. RCT-BILK publishes on its homepage the expected effects of the maintenance, renewal and enhancement works.

RCT-BILK publishes by the final date for submitting of annual path requests (12 April 2021) all capacity demand, necessary for scheduled maintenance, renewal and enhancement works on service facility (which disturb or limit the usage of service facility on the affected track section).

RCT-BILK publishes possibly at least 30 days prior starting these works, the time period of such maintenance, renewal and enhancement works which can not be scheduled in the period of preparing the annual working timetable and which disturb or limit the usage of service facility on the affected track section, and RCT-BILK agrees with applicant according to the concluded contract for using service facility.

Connecting to the limitation of railway infrastructure capacity concerned, the following data shall be given:
- affected track section,
- time period (from/to month-day-hour-minute),
- technological characteristics (neutralisation of contact line, speed restriction signal, etc.)

If railway infrastructure capacity wished to reserve by RCT-BILK conflicts already allocated capacities, RCT-BILK shall conduct harmonisation procedure according to the contract for using service facility with the owners of capacities which conflict the railway infrastructure capacity wished to reserve by RCT-BILK (together: concerned parties).

The harmonisation procedure shall specify:
- services to be modified and the degree of modification,
- services to be cancelled.

Concerned parties may agree on accounting, bearing of extra costs occure from owner(s) of service(s) side in the frame of harmonisation procedure as well, according to the rules of no-netting principle.

### 4.5 Cancellation rules, procedure if allocated capacity is not cancelled

Applicant may cancel railway infrastructure capacity allocated to it at RCT-BILK in writing or electronically.

If the Railway Undertaking does not use the allocated service and does not cancel it in determined time or fail to cancel it, Railway Undertaking is obliged to pay cancellation fee according to contract for using service facility.

## 4.6 Forwarding of exceptional consignment and dangerous goods

Forwarding of exceptional consignment and dangerous goods are subject to authorisation, so they shall be indicated when requesting for service (Point 2.5.1 and 2.6).

## 4.7 Special measures in the event of disturbances, emergency

### 4.7.1 Main principles of restoring the scheduled traffic

- In the event of deviation from the daily plan and timetable, the traffic control centre of RCT-BILK shall take the necessary steps to remove disturbances, restore the scheduled vehicle movements in accordance with timetable.
- Railway Undertakings shall make a contact person entitled to decide or an own governing organisation continuously available who may be notified by the traffic control centre of RCT-BILK in the event of disturbances or emergency, and the request of whom shall be taken into consideration in order to restore the scheduled operation. Act in the case of force majeure and other unforeseeable, exceptional circumstances:
  - In the event of disturbance caused by technical failure or accident, RCT-BILK must take all necessary steps to restore the normal operational situation. To this aim RCT-BILK shall draw up adequate regulation which involves bodies to be informed in the event of serious accidents or serious disturbance to vehicle movements.
  - On request of RCT-BILK, Railway Undertaking – at the expense of RCT-BILK – is obliged to make available its resources which are considered to be the most appropriate tool to restore the normal operational situation as soon as possible.
  - In the case of disturbance which makes the service facility temporally unusable, RCT-BILK - with the notification of the interested parties - may revoke the allocated services for such a long time as it is necessary to repair the system. On request of the applicant, RCT-BILK offers another service for this period if appropriate capacity is available.

### 4.7.2 Order of procedure

Procedure:

- The traffic control centre of RCT-BILK takes measures to remove obstacles from the railway infrastructure.
- With the contribution of the operation control organisation or the representative of the Railway Undertaking, the traffic control centre of RCT-BILK takes the necessary steps to cease disturbance, emergency and to provide the services requested by the Railway Undertaking.

Procedure in the event of disturbance or emergency (Havaria-plan) is available on the homepage of RCT-BILK for all Railway Undetakings with concluded contract for using service facility.

4.7.3 Foreseeable problems

In the event of foreseeable emergency in order of safety of rail traffic:

a) RCT-BILK and Railway Undertaking are obliged to warn affected parties about developed or expected catastrophe, exceptional event, heavy damage (hereafter: emergency),
b) RCT-BILK has the right – until the emergency is removed – to close the endangered track section of service facility and to revoke allocated capacity on the track section concerned (in the case of closing the level crossing, RCT-BILK has to inform the operator of the public road as well).

4.7.4 Unforeseeable problems

In the event of unforeseeable emergency in order of safety of rail traffic:

c) RCT-BILK and Railway Undertaking are obliged to warn affected parties about developed or expected catastrophe, exceptional event, heavy damage (hereafter: emergency),
d) RCT-BILK has the right – until the emergency is removed – to close the endangered track section of service facility and to revoke allocated capacity on the track section concerned (in the case of closing the level crossing, RCT-BILK has to inform the operator of the public road as well).

# 5. SERVIVES PROVIDED FOR RAILWAY UNDERTAKINGS

## 5.1 Introduction

RCT-BILK makes the use of the service facility available to each applicant under equal conditions and at the same charge.

Related infrastructure background is presented in Chapter 3, conditions of charging system and charges can be found in Chapter 6.

## 5.2 Basic services

### 5.2.1 Handling of application for railway infrastructure capacity

Content of the service:

- receipt of the applicant's request in electronic way (including services belonging to the request),
- examination of feasibility of the request,
- construction of the necessary timetable,
- examination of feasibility of the service belonging to the request,
- feedback to the applicant about the acceptance and realization of the request, and
- necessary steps in the interest of execution.

### 5.2.2 Usage of railway track

Content of the service:

- making the railway infrastructure available to Railway Undertakings for transporting goods and traction,
- ensuring the use of main running lines, point switches in the main lines, track junctions, engineering structures, as well as signalling and safety equipments,
- access to and use of the electrical supply equippment (without providing electric energy),
- access to the tracks necessary for shunting and tracks designated for loading (D I., D II., D III., D IV., D VII., T VIII., T VIII/B) as well as usage of equipments, signalling and safety equipments, scotch blocks, brake blocks belonging to these tracks,
- access to the technical equipments (reach stackers and/or sets of gentry crane) in the area of tracks No. D I., D II., D III., D IV., D VII., T VIII., T VIII/B. and transfer of vehicles between tracks to make the optimal use of loading place,
- ensuring staff, tools and information systems of traffic control for running of train set/wagon, shunting, as well as provision of traffic operation activity needed for the access,
- handling and forwarding data necessary for the running of railway vehicles, (if necessary, participation in issuing of permit for forwarding of exceptional consignment).

## 5.3 Supplementary services

### 5.3.1 Storage of vehicles

Content of the service:

- ensuring the storage of vehicles (which the Railway Undertaking wishes to store) beyond 24 hours.

Safe-keeping and protection of stored vehicles is the obligation of the Railway Undertaking. Railway Undertaking is obliged to order the service before the expiry of the 24 hours.

The following cases are not qualified as storage of vehicles:

- stay of vehicles as a consequence of accidents, exceptional events,
- storage of vehicles used for the purpose of operating the service facility.

# 6. CHARGES

## 6.1 Charging principles

RCT-BILK supplies services described in Chapter 5, including access to railway infrastructure in the service facility as well, on a non-discriminatory manner, with transparent conditions and against equivalent charges to all applicants. RCT-BILK publishes non-discriminatory charges to different applicants that perform services of an equivalent nature in a similar part of the market.

In order to avoid disproportionate fluctuations of the charges, charges determined for services published in Chapter 5 were averaged, for the performance and time period ordinarily used.

Charge to be paid for track access service within the service facility does not exceed the cost of usage of railway infrastructure and providing service, plus a reasonable profit.

Charges are published in Euro (EUR) and do not include value added tax (VAT).

### 6.1.1 Charge of basic services

Activities related to the handling of applications for railway infrastructure capacity and to usage of railway infrastructure may be linked within basic services to two components: ensuring of railway infrastructure capacity and serving of wagons.

Charges are included in Tables 6.2.1.1-6.2.1.2.

#### *6.1.1.1 Use of capacities*

Allocated capacity relates exclusively to the track and time period defined in allocation.

Consequently, any changes occurred in the track and time data of the capacity, require the cancellation of the allocated capacity and request for a new capacity with modified parameters.

A) Charge for handling of capacity requests

Charge to be paid in the case of using the service specified in point 5.2.1.
Measure unit: EUR/capacity request. Charge is included in Table 6.2.1.1.

It is necessary to pay charge for handling of capacity requests only once connecting to one requested serving of train set/wagon.

Charge for handling of capacity requests is charged to the Railway Undertaking only if the capacity was really used.

B) Charge for the usage of railway infrastructure

Charge to be paid in the case of using the service specified in point 5.2.2 (published in EUR/wagon measure unit in each direction), is charged based on the total number of actually served wagons (all wagons, delivered in the given month from/to the service facility). Charges are included in Table 6.2.1.2.

6.1.2 Charge of supplementary services

*6.1.2.1 Charge for the storage of vehicles*

Charge to be paid in the case of using the service specified in point 5.3.1.
Measure unit: EUR/vehicle/day. Charge is included in Table 6.2.2.

Charge shall be paid for a storage beyond 24 hours; every commenced 24-hour period counts as a whole day. The first 24 hours are free of charge. The charge for the storage of vehicles shall be paid by the Railway Undertaking transporting the given vehicle to the storage place.

## 6.2 Amount to be paid

6.2.1 Charges of basic services

*6.2.1.1* Charge for handling of capacity requests

*Table 6.2.1.1.*

| **Charge for handling of capacity requests** | |
|---|---|
| EUR/capacity request | 2,21 |

*6.2.1.2* Charge for the usage of railway infrastructure

*Table 6.2.1.2*

| **Charge for the usage of railway infrastructure** | | | |
|---|---|---|---|
| | I. | II. | III. |
| Number of total served wagons (delivered from/to service facility) / month | 1-1000 wagons | 1001-2000 wagons | over 2000 wagons |
| EUR/wagon | 2,76 | 1,98 | 0,66 |

6.2.2 Charge of supplementary services

*Table 6.2.2*

| **Charge for the storage of vehicles** | | | | |
|---|---|---|---|---|
| Duration of storage of vehicle | the first 24 hours | 24,01-48 hours | 48,01-96 hours | above 96 hours |
| EUR/vehicle/day | 0 | 1,10 | 3,30 | 5,50 |

## 6.3 Charging system

Charges are determined taking into consideration the prescriptions of the regulations concerned.

## 6.4 Discounts

No discount system shall be applied in the Timetable period of 2021/2022.

## 6.5 Invoicing arrangement

Track access charges for using the service facilty shall be paid to RCT-BILK. RCT-BILK uses the incomes from charges to fund the operation of the service facility.

Basis of accounting is the capacity allocated in accordance with provisions of Paragraph 67 (1) of the Railway Act.
In compliance with the contract for using service facility, RCT-BILK makes out a combined invoice monthly or invoice on monthly accounting based on performances actually used in the given month.

Charges to be paid for the use of railway infrastructure capacity, excluded in the annual working timetable, RCT-BILK invoices to the Railway Undertaking on the basis of performances actually used in the month concerned. Parties may agree in a different way in the contract for using service facility on the date of invoicing.

By accepting the acknowledgement of order from RCT-BILK, Railway Undertaking assumes the obligation to pay charges for the usage of the service facilty, according to the contract for using service facility. Deadline for payment is set out in the contract for using service facility on condition that the deadline for payment may not be set for a period longer than 30 days. In the event of late payment, a default interest defined by the Civil Law is applied.

## List of Annexes

| Number | Title |
|---|---|
| 1.10 | Explanation of notions of higher importance used in the Statement |
| 3.2 | Sketch drawing of open access service facility operated by RCT-BILK |
| 4.2 | Request of railway infrastructure capacity |

**Annex 1.10**

## Explanation of notions of higher importance used in the Statement

a) *freight terminal:* means a structure equipped for transhipment between at least two transport modes or between two different rail systems, and for temporary storage of freight, such as ports, inland ports, airports and rail-road terminals;

b) *terminal:* means the installation provided along the freight corridor which has been specially arranged to allow either the loading and/or the unloading of goods onto/from freight trains, and the integration of rail freight services with road, maritime, river and air services, and either the forming or modification of the composition of freight trains; and, where necessary, performing border procedures at borders with European third countries;

c) *service facility:* means the installation, including ground area, building and equipment, which has been specially arranged, as a whole or in part, to allow the supply of one or more services referred to in points 2 to 4 of Annex II of Railway Act;

d) *reasonable profit:* means a rate of return on own capital that takes account of the risk, including that to revenue, or the absence of such risk, incurred by the operator of the service facility and is in line with the average rate for the sector concerned in the last 3 years;

e) *viable alternative:* means access to another service facility which is economically acceptable to the railway undertaking, and allows it to operate the freight or passenger service concerned;

f) *applicant:* can be a Railway Undertaking or a Non-Railway Undertaking Applicant (non-RU Applicant);

g) *Non-Railway Undertaking Applicant (Non-RU Applicant):* any natural person or legal entity that is not a railway undertaking, registered in any EEG member state, providing public services or having commercial interest in procuring infrastructure capacity; as well as shippers, freight forwarders, carriers performing combined traffic services with the obligation to conclude a framework agreement with the Infrastructure Manager for the reservation of rail network capacity;

Annex 3.2
Sketch drawing of open access service facility operated by RCT-BILK

STATION OF SOROKSÁR-TERMINÁL

Rail Cargo Terminal-BILK

3

E3

J3

Passenger building
MÁV Zrt. staff
RCC shunting staff

B3/1

IX. 90 m

3/1

E3/1

B3/8

D.VII. 720 m

3/8

J3/8

D.VI. 720 m

3/6

J3/6

D.V. 765 m

J3/4

3/4

D.IV. 686 m

3/2

B3/3

D.III. 870 m

3/3

B3/5

D.II. 830 m

3/5

2 pcs KONE set of gentry crane (45

Track of set of gentry crane

B3/7

3/7

J3/7

D.I. 750 m

B3/9

3/9

T.VIII. 240 m

DEPO

J3/9

T.VIII/B. 240 m

Annex 4.2
**Request of railway infrastructure capacity**

**Rail Cargo Terminal-BILK Zrt.**
***E-mail:*** peter.kovacsvolgyi@railcargo.com

***Fax:*** 00-36-1-289-6060

***Usage of railway track (Service Facility Statement 5.2.2)***

| **Registration number:** | **Received:** | **Type of request:** | **RCT-BILK contact:** | |
|---|---|---|---|---|
| 20 / / | 201 month day h min | | | |
| **Applicant** | | | | **Date of submission of request (day, month, year; DD/MM/YYYY)** |
| **company or private name** | **corporate administrator's name** | **e-mail** | | |
| | | | | |
| **Traffic period** | **Traffic code/day selection** | **Number of wagons** | **Gross weight of set of wagons (tonne)** | **Full length of set of wagons (metre)** |
| | Mo Tu We Th Fr Sa Su | | | |
| **Departure station** | **Departure time (scheduled) - hour:min** | **Arrival station** | **Arrival time (scheduled) - hour:min** | |
| SOROKSÁR-TERMINÁL<br>BILK KOMBITERMINÁL | | BILK KOMBITERMINÁL<br>SOROKSÁR-TERMINÁL | | |
| **Time period of stay (min)** | **Cause of planned stay** | **Signature on behalf of Applicant (stamp; date)** | | **Note** |
| | | | | |
| **RCT-BILK decision:** | | | **Signature on behalf of RCT-BILK (stamp; date)** | |
| Track (scheduled): | | | | |

***Storage of vehicles (Service Facility Statement 5.3.1)***

| **Registration number:** | **Received:** | **Type of request:** | **RCT-BILK contact:** | |
|---|---|---|---|---|
| 20 / / | 201 month day h min | | | |
| **Applicant** | | | | **Date of submission of request (day, month, year; DD/MM/YYYY)** |
| **company or private name** | **corporate administrator's name** | **e-mail** | | |
| | | | | |
| **Expected starting date (day, month, year; DD/MM/YYYY) and time (hour:minute; HH:MM)** | **Expected end date (day, month, year; DD/MM/YYYY) and time (hour:minute; HH:MM)** | **Number of vehicle** | **Cause of planned stay** | **Signature on behalf of Applicant (stamp; date)** |
| | | | | |
| **RCT-BILK decision:** | | | **Signature on behalf of RCT-BILK (stamp; date)** | |
| Track (scheduled): | | | | |

**Cells coloured grey shall be filled in by RCT-BILK.**