

TCR – Annex VII - DIR 2012/34/UE

Presentation of the main evolutions

RAG, January 31st, 2018



Co-financed by the European Union
Connecting Europe Facility

easier, faster, safer

Agenda

1. Context & Scope

2. Structure of the revised Annex VII

3. Main provisions of the Annex VII

SCOPE OF THE PREVIOUS TEXT

ANNEX VII TO DIRECTIVE 2012/34/EU CONCERNS "THE TIMETABLE OF THE CAPACITY ALLOCATION PROCESS".

This Annex VII incorporates the content of the Directive 2001/14/EC (Annex III)
Originally very succinct, it concerned only the "path" side of the capacity process:

- + One annual service (AS) to be built per calendar year
- + Train path orders may not be submitted more than 12 months before the start of the AS.
- + The AS change takes place, at latest, on the 2nd Saturday of December at midnight.
- + A draft of the AS must be published no later than 4 months after the closing of the annual orders.
- + International train paths pre-established by IMs must be published at least 11 months before the start of the AS.

**The Historical Annex set only one milestone: the date of the AS change.
The remaining milestones, mentioned relatively, were defined by the IMs (RNE).**

REASONS FOR THE REVISION

IN ADDITION TO THE INITIATIVES ALREADY TAKEN BY THE SECTOR (TTR PROJECT), THE EC HAS CHOSEN TO LEGISLATE BY REVISING THIS ANNEX.

Main reasons :

- + Observation of **persistent discrepancies in practices between countries**, particularly affecting the traffic of international trains.
- + Heaviness due to the **current calendar (considered inappropriate)**, especially for small RUs. The **objective is a more effective process**.
- + Acknowledgement of the **current limits of the European "Guidelines" principle**, which are not always respected because they are not binding for IMs (Example: TCR RNE Guidelines).
- + **EC perplexity with regard to the completion date of the TTR sectoral project** launched in 2014 vs. Willingness to implement solutions quickly.

THE AMENDMENT PROCESS (1/2)

IN SEPTEMBER 2016, THE EUROPEAN COMMISSION LAUNCHES A PROCESS TO AMEND THE TEXT.

To amend this Annex, the EC was obliged to consult IMs in advance.

- + **An expert group has been set up (one representative per IM) to discuss the proposals submitted by the EC. Ministries from different countries were invited to participate in the expert meetings.**
- + **The associations representing IMs (EIM and CER) and RUs (CER) with the support of RNE (IMs) and FTE (RUs) proposed a common paper outlining the Sector's expectations.**
- + **A one-month public consultation was organized by the EC. The contributions were discussed at a final expert meeting.**
- + **The final version of the text has been adopted recently (October 2017).**

THE AMENDMENT PROCESS (2/2)

THE NEW ANNEX VII CAME INTO FORCE ON 4TH DECEMBER 2017, WITH A PHASED APPLICATION OF THE PROVISIONS ON AS 2019, AS 2020 AND AS 2021.

No transposition period for this new Annex has been adopted by the EC:

+Principle : The text shall apply as it stands and its provisions shall enter into force 20 days after the publication.

⇒ This publication took place on 14th November 2017. The text entered into force on 4th December, 2017

Taking into account the nature and timing of certain provisions of the text:

+Full application of the text will only be effective in AS 2021 (cf. point 3./ Main provisions, slide 10)

+A certain number of tasks shall be launched and carried out from 2018.

THE MAIN CHANGES BROUGHT BY THE NEW TEXT

There are new features :

- +A more detailed TCR schedule
- +The clients consultation procedures
- +Willingness to harmonize IMs calendars.

But some other points remain unclear:

- +Example: there are no arbitration instances in case of disagreement.

Agenda

1. Context & Scope

2. Structure of the revised Annex VII

3. Main provisions of the Annex VII

STRUCTURE OF THE REVISED ANNEX

THE NEW TEXT HAS 17 POINTS (COMPARED TO 5 PREVIOUSLY) INCLUDING NEW PROVISIONS ON "TEMPORARY CAPACITY RESTRICTIONS" (TCR).

With this new Annex VII, the EC intends to achieve the following objectives*:

- + **Generalize the "late path requests" procedure to provide flexibility to the annual ordering process;**
- + **Oblige IMs to consult the candidates before blocking capacity (to carry out works);**
- + **Prohibit certain practices** regarding the treatment of international trains (coordination of works, cancellation of train path in case of border delays).

NEW

- Points 1 to 5 = Provisions of the previous text
- Point 6 = late path request
- Point 7 = International train delays at the border points
- Points 8 to 17 = Temporary Capacity Restrictions (including works, temporary speed restrictions, etc.)

* Based on the explanatory memorandum provided by the EC as an annex to the final text.

Agenda

1. Context & Scope

2. Structure of the revised Annex VII

3. Main provisions of the Annex VII

PROVISIONS – WORKS (1/6)

THE NEW ANNEX IS BASED ON A CATEGORIZATION OF "TCR".
 DEPENDING ON THE ESTIMATED VOLUME OF TRAFFIC IMPACTED AND TCR DURATION

1

Y = YEAR ; X= MONTH

Cat.	Traffic (estimated) daily impacted* (T_i) <small>*re-routed, cancelled, postponed</small>	Consecutive duration	Horizon for finalizing international coordination between IM (if required)	Horizon(s) for clients consultation	Horizon(s) for publication / communication
1	$T_i > 50\%$	> 30 days	Mid-June Y-2 X-18	TCR with national impact : before X-24	Mid-Dec. Y-3 then Mid-Dec. Y-2 X-24 then X-12
2	$T_i > 30\%$	> 7 days	Beginning of Nov. Y-2 X-13,5	TCR with international impact : 1) Before X-24 (not for Cat. 3)	Mid-Dec. Y-3 then Mid-Dec. Y-2 X-24 then X-12
3	$T_i > 50\%$	≤ 7 days	Beginning Nov. Y-2 X-13,5	2) Between X-18 (or X-13,5) and X-12	Mid-Dec. Y-2 X-12
4	$50\% \geq T_i > 10\%$	≤ 7 days	-	Beginning May Y-1 X-6,5	Mid-Aug Y-1 X-4

PROVISIONS – WORKS (2/6)

INTERNATIONAL COORDINATION BETWEEN IMS IS STRENGTHENED

Y = YEAR ; X= MONTH; AS= ANNUAL SERVICE

Requirement	Implementation horizon
1 st publication of TCR category 1 et 2 at X-24	AS 2021
1 st consultation with the clients before the 1 st publication (X-24)	AS 2021
Coordination between IM's for TCR cat. 1 & 2 before X-24	AS 2021
2 nd publication of TCR cat. 1 et 2 at X-12	AS 2020
TCR with international impact cat. 1, 2 & 3: coordination between IMs finalized before X-18 (cat.1) and X-13,5 (cat. 2 & 3)	AS 2020
In case of international coordination, a 2 nd consultation is required between the end of the coordination (X-18 or X-13,5) and the 2 nd publication (X-12)	AS 2020

THE IMPLEMENTATION HORIZON IS FIXED BY THE TEXT

PROVISIONS – WORKS (3/6)

INFORMATIONS TO BE DELIVERED TO THE CLIENTS

Y = YEAR ; X= MONTH; AS= ANNUAL SERVICE

Requirement	Implementation Horizon
As part of the consultations, the IM provides for each TCR: day, start and end times, relevant section impacted and capacity of diversionary routes *	AS 2019
This information is published in the IM network statement or available via a link.	AS 2019
The information is updated	AS 2019

** The text does not precise what should be understood by “the capacity of the diversionary routes”.*

PROVISIONS – WORKS (4/6)

TCR SCENARIOS ACCORDING TO MODALITIES (ONLY FOR CAT 1)

Y = YEAR ; X= MONTH; AS= ANNUAL SERVICE

Requirement	Implementation horizon
Only for TCR cat. 1 : during the first consultation (before X-24), the IM must provide, upon request by the RUs , a comparison of the conditions to be provided, with several alternative forms of restriction	AS 2019
The comparison includes for each alternative scenario *: duration of the restriction, indicative infrastructure charges due, available capacity on diversion routes, indicative journey time	AS 2019
The decision on the modalities chosen for the restriction must, after consultation, take into account the impact on customers and the end user.	AS 2019

IM, upon request by the RUs, must compare different scenarios :

- **But what is a scenario ?**
 - *Organizational scenario ? : works duration, time range per day / night ?*
 - *Processing scenario ? : delete paths, speed limit restrictions, alternative routes ?*

PROVISIONS – WORKS (5/6)

DIVERSION CRITERIA (ONLY FOR CAT 1)

Y = YEAR ; X= MONTH; AS= ANNUAL SERVICE

Requirement	Timeline horizon
TCR Cat. 1 : IM must establish criteria by which trains in each type of service will be diverted, taking into account the operational and commercial constraints of customers	AS 2019
These criteria must be published in the Network Statement with a preliminary allocation of residual capacity by type of service	AS 2019
After consultation, the IM must provide the RUs concerned with an indicative breakdown of the residual capacity by service type.	AS 2019

In case of TCR, the RUs must have a transparent explanation about the criteria defined by IMs to divert the traffic : “*why my train, and not another RU train ?*”

PROVISIONS – OTHERS (6/6)

INTERNATIONAL TRAINS AND DELAY

AS= ANNUAL SERVICE

Requirement	Implementation Horizon
International trains arriving with a maximum delay of 18 hours at the border should not be considered as cancelled by the receiving IM or require a new train path request from the customer, even if the IM decides to allocate a different path.	AS 2020
The IM must inform the customer of the new path number without delay, including, if the number has changed, the link between the original path number and the new one allocated.	AS 2019

The sole responsibility of this publication lies with the author.
The European Union is not responsible for any use that may be made of the information contained there in.

Contact

oss@rfc2.eu

www.rfc-northsea-med.eu

ProRail

INFRABEL
Right On Track

NetworkRail

SNCF
RÉSEAU



CFL



ACF

 **SBB CFF FFS**

trasse.ch
trasse | schweiz | ag
sillon | suisse | sa
traccia | svizzera | sa
swiss | train paths | ltd



Co-financed by the European Union
Connecting Europe Facility