

Draft Overview: Documents of infrastructure use and possible overlaps between these documents

Nota bene:

- Highlighted in **red**: possible overlaps in the existing documentation
- Abbreviation used: "E-SCU-I" = CIT European Standard Contract of Use of Rail Infrastructure; "E-GTC-I" = European General Terms and Conditions of use of railway infrastructure; "NetwStat CS" = RNE Network Statement Common Structure; "SF" = Service Facilities
- Source:
 - [CIT European Standard Contract of Use of Rail Infrastructure \(E-SCU-I\) of 2019-02-07](#)
 - [RNE/CIT "E-GTC-I" of 2014-09-01](#)
 - [RNE Network Statement Common Structure and Implementation Guide For timetable 2022](#)

E-SCU-I	E-GTC-I	Network Statement
1.1 Objective and scope of the contract (services included or excluded by the contract)	Chapter 1 – General provisions	1 General Information
1.2 ...services covered and not covered	1.1 Purpose and scope of the E-GTC-I	1.1 Introduction
1.3 Existence of one or several contracts between the IM and the RU (reference to Framework Agreements)	1.2 Definitions	1.2 Purpose of the NS
2.1 Constituent parts of the contract	1.3 Services supplied by the infrastructure manager to the railway undertaking	1.3 Legal Aspects
2.2 Hierarchy between the different elements of the contract	1.4 Consultation of the railway undertaking	1.3.1 Legal Framework
3 Modifications to the contract	Chapter 2 - Rights and duties of the railway undertaking and the infrastructure manager regarding the use of services	1.3.2 Legal Status and Liability
4 Exchange of information and confidentiality	2.1 Compliance with instructions and operational regulations	1.3.3 Appeals Procedure
5.1 Authorisations, approvals	2.2 Availability of railway infrastructure	1.4 Structure of the NS

Commenté [NS1]: Comment CIT GS: Reference to the Framework Agreement as offered under the NetwStat → no real duplication

Commenté [NS2]: Comment CIT GS: E-GTC-I: Reference to services as indicated in the contract of use / Reference in the contract of use to services such as offered by the IM in the NetwStat → no duplication

Commenté [NS3]: Comment CIT GS: Reference to or inclusion of Chapter 8 of the E-GTC-I → no duplication

Commenté [NS4]: Comment CIT GS: Often stipulated in the NetwStat (see 3.2.3 of NetwStat CS) → duplication?

E-SCU-I	E-GTC-I	Network Statement
5.2 Insurance	2.3 Rolling stock of the railway undertaking	1.5 Validity Period, Updating and Publishing
5.3 Financial guarantees	2.3.1 Requirements of the railway undertaking's rolling stock	1.5.1 Validity Period
6.1 Prices and other price related schemes	2.3.2 Withdrawal of unsuitable rolling stock during operations	1.5.2 Updating
6.2 Payment and accountancy	2.3.3 Consequences of the withdrawal of unsuitable rolling stock	1.5.3 Publishing
7 Language(s)	2.4 railway undertaking staff	1.6 Contacts
8 Duration	2.4.1 Requirements of the railway undertaking's staff	1.7 Cooperation Between European IMs/ABs
9 Termination	2.4.2 Withdrawal of non-authorised or unsuitable staff during operations	1.7.1 Rail Freight Corridors
10 Disputes and competent courts	2.4.3 Consequences of the withdrawal of non-authorised or unsuitable staff	1.7.2 RailNetEurope
11 Law applicable	2.5 infrastructure manager staff	1.7.3 Other International Cooperation
12 Saving clauses	2.6 Arrangements for use	2 Infrastructure
13 Contact details	2.6.1 General principles	2.1 Introduction
14 Copies of the contract	2.6.2 Operational information concerning individual train movements to be sent in advance	2.2 Extent of Network
Appendix 1: all services offered by the IM	2.6.3 Flow of information	2.2.1 Limits
Optional: Appendix 2: a plan of the train paths allocated for the upcoming annual timetable	2.6.4 Conformity with the features of allocated train paths	2.2.2 Connecting Railway Networks
	2.6.5 Loading of rolling stock	2.3 Network Description
	2.7 Disruption of operations and corrective action	2.3.1 Track Typologies
	2.7.1 Definition of disruption of operations	2.3.2 Track Gauges
	2.7.2 Notification of disruptions by the railway undertaking and infrastructure manager	2.3.3 Stations and Nodes
	2.7.3 Measures to return to normal operating conditions	2.3.4 Loading Gauge

Commenté [NS5]: Comment CIT GS: Possible overlap with point 3.2.5 of the NetwStat CS?

Commenté [NS6]: Comment CIT GS: Reference to the infrastructure managers list of charges → no duplication

Commenté [NS7]: Comment CIT GS: point 6.2 sentence 2 of the contract of use refers to the NetwStat in parts → overlap to be checked!

Commenté [NS8]: Comment CIT GS: Possible overlap with point 3.2.3 and 3.2.4 of the NetwStat CS?

Commenté [NS9]: Comment CIT GS: Reference to the E-GTC-I and the NetwStat → no duplication

Commenté [NS10]: Comment CIT GS: According Annex IV Nr.1 of Directive 2012/34/EU the Network Statement should contain this information..

Commenté [NS11]: Comment CIT GS: Should be aligned with the IMs NetwStat or documents used regarding Service Facilities

Commenté [NS12]: Comment CIT GS: Possible overlap with point 6.3.3 "Disturbances" of the NetwStat?

E-SCU-I	E-GTC-I	Network Statement
	2.7.4 Clearance of tracks	2.3.5 Weight Limits
	2.8 Cancellation of allocated train paths	2.3.6 Line Gradients
	2.8.1 Cancellation of allocated train paths by the infrastructure manager	2.3.7 Maximum Line Speed
	2.8.2 Cancellation of allocated train paths by the railway undertaking	2.3.8 Maximum Train Lengths
	2.9 Financial consequences of the restrictions to and cancellations of the allocated train paths	2.3.9 Power Supply
	Chapter 3 – Payment provisions	2.3.10 Signalling Systems
	3.1 Charging principles	2.3.11 Traffic Control Systems
	3.2 Billing arrangements	2.3.12 Communication Systems
	3.3 Late payments	2.3.13 Train Control Systems
	3.4 Guarantees linked to payment conditions	2.4 Traffic Restrictions
	Chapter 4 – Consequences of delays and disruptions	2.4.1 Specialized Infrastructure
	4.1 Right of recourse for damages payable to the contractual partners of the railway undertaking and infrastructure manager	2.4.2 Environmental Restrictions
	4.1.1 The railway undertaking's recourse against the infrastructure manager	2.4.3 Dangerous Goods
	4.1.2 The infrastructure manager's recourse against the railway undertaking	2.4.4 Tunnel Restrictions
	4.1.3 Minimum amounts	2.4.5 Bridge Restrictions
	4.2 Loss or damage sustained by the railway undertaking and infrastructure manager themselves	2.5 Availability of the Infrastructure
	Chapter 5 – Administrative requirements	2.6 Infrastructure Development
	Chapter 6 – Liabilities of each party in the event of accidents and other incidents	3 Access Conditions
	6.1 General provisions	3.1 Introduction

Commenté [NS13]: Comment CIT GS: Often stipulated in the NetwStat (e.g. 5.6.4 and 6.3.3 of the NetwStat) → possible overlap?

Commenté [NS14]: Comment CIT GS: Possible overlap with point 5.9 of the NetwStat?

Commenté [NS15]: Comment CIT GS: Possible overlap with point 5.9 of the NetwStat

Commenté [NS16]: Comment CIT GS: Point 2.2. of the E-GTC-I refers to the NetwStat → no real overlap

Commenté [NS17]: Comment CIT GS: Chapter 5 of the E-GTC-I refers to the documents the RU has to provide the IM for as stipulated under the NetwStat → no overlap

Commenté [NS18]: Comment CIT GS: According Annex IV Nr.2 of Directive 2012/34/EU the Network Statement should contain this information. U

E-SCU-I	E-GTC-I	Network Statement
	6.2 Liability of the infrastructure manager	3.2 General Access Requirements
	6.2.1 Liability	3.2.1 Conditions for Applying for Capacity
	6.2.2 Grounds of relief	3.2.2 Conditions for Access to the Railway Infrastructure
	6.3 Liability of the railway undertaking	3.2.3 Licences
	6.3.1 Liability	3.2.4 Safety Certificate
	6.3.2 Grounds of relief	3.2.5 Insurance
	6.4 Loss of use	3.3 Contractual Arrangements
	6.5 Concomitant causes	3.3.1 Framework Agreement
	6.6 Loss of right to invoke the limits of liability	3.3.2 Contracts with RUs
	6.7 Liability for auxiliaries	3.3.3 Contracts with non-RU Applicants
	Chapter 7 – Duration and termination of the contract of use	3.3.4 General Terms and Conditions
	Chapter 8 – Confidentiality	3.4 Specific Access Requirements
	Chapter 9 – Settlement of disputes, limitation, jurisdiction, governing law	3.4.1 Rolling Stock Acceptance Process Guidelines
	9.1 Disputes	3.4.2 Staff Acceptance Process
	9.2 Governing law	3.4.3 Exceptional Transport
	9.3 Limitation	3.4.4 Dangerous Goods
	Chapter 10 – Miscellaneous provisions	3.4.5 Test trains and other special trains
		4 Capacity Allocation
		4.1 Introduction
		4.2 General Description of the Process
		4.3 Allocation of Capacity for Temporary Capacity Restrictions
		4.3.1 General Principles

Commenté [NS19]: Comment CIT GS: Chapter 5 E-GTC-I also refers to the licence → possible overlap?

Commenté [NS20]: Comment CIT GS: Chapter 5 E-GTC-I also refers to the Safety Certificate → possible overlap?

Commenté [NS21]: Comment CIT GS: Possible overlap with the E-SCU-I?

Commenté [NS22]: Comment CIT GS: Only special reference to the existing documents no inclusion of it here (duplication).

Commenté [NS23]: Comment CIT GS: Some IMs incorporated the GTC in the Network Statement.
→ Ideally, the GTC would be a separated document such as the E-GTC-I. A reference or link to the IMs GTC could be beneficial in the NetwStat.

Commenté [NS24]: Comment CIT GS: The NetwStat only describes the rolling stock acceptance process, while the E-GTC-I in point 2.3. describe the obligations to use approved Rolling stock well as the consequences if unsuitable rolling stock is used

Commenté [NS25]: Comment CIT GS: The NetwStat only describes the staff acceptance process, while the E-GTC-I in point 2.4 describe the obligations to use suitable staff as well as the consequences if unsuitable staff is used

Commenté [NS26]: Comment CIT GS: According Annex IV Nr.3 of Directive 2012/34/EU the Network Statement should contain this information.

E-SCU-I	E-GTC-I	Network Statement
		4.3.2 Criteria, Deadlines and Place of Publication
		4.4 Impacts of Framework Agreements
		4.5 Path Allocation Process
		4.5.1 Annual Timetable Requests
		4.5.2 Late Path Requests
		4.5.3 Ad-Hoc Requests
		4.5.4 Coordination Process
		4.5.5 Dispute Resolution Process
		4.6 Congested Infrastructure
		4.7 Exceptional Transport and Dangerous Goods
		4.8 Rules for Path Modification and Alteration, Non-Usage and Cancellation Rules
		4.9 TTR Process
		5 Services and Charges
		5.1 Introduction
		5.2 Charging Principles
		5.3 Minimum Access Package and Charges
		5.4 Additional Services and Charges
		5.5 Ancillary Services and Charges
		5.6 Financial Penalties and Incentives
		5.6.1 Penalties for Cancellation and Non-usage
		5.6.2 Incentives / Discounts
		5.7 Performance Scheme

Commenté [NS27]: Comment CIT GS: The E-GTC-I in point 2.8 and 2.9 regulate the cancellation of allocated train paths and its financial consequences → possible duplication?

Commenté [NS28]: Comment CIT GS: The E-GTC-I refer to the NetwStat (see point 3.1) → no duplication / Annex IV Nr. 2 Directive 2012/34/EU

Commenté [NS29]: Comment CIT GS: Possible overlap as IMs use additional Network Statement of Service Facilities

Commenté [NS30]: Comment CIT GS: Possible overlap as IMs use additional Network Statement of Service Facilities

Commenté [NS31]: Comment CIT GS: Possible overlap as IMs use additional Network Statement of Service Facilities

Commenté [NS32]: Comment CIT GS: Overlap with Chapter 2.9 of the E-GTC-I?

Commenté [NS33]: Comment CIT GS: The E-GTC-I only refer to the performance scheme without prejudice to it (see e.g. point 2.3.3. first paragraph) → no overlap

E-SCU-I	E-GTC-I	Network Statement
		5.8 Changes to Charges
		5.9 Billing Arrangements
		6 Operations
		6.1 Introduction
		6.2 Operational Rules
		6.3 Operational Measures
		6.3.1 Principles
		6.3.2 Operation Regulation
		6.3.3 Disturbances
		6.4 Tools for Train Information and Monitoring
		7 Service Facilities
		7.1 Introduction
		7.2 Service Facility Overview
		7.3 Service Facilities Managed by the IM
		7.3.1 Passenger Stations
		7.3.2 Freight Terminals
		7.3.3 Marshalling Yards and Train Formation Facilities, including Shunting Facilities
		7.3.4 Storage Sidings
		7.3.5 Maintenance Facilities
		7.3.6 Other Technical Facilities, including cleaning and washing facilities
		7.3.7 Maritime and Inland Port Facilities
		7.3.8 Relief Facilities

Commenté [NS34]: Comment CIT GS: The E-GTC-I in point 3.2 and 3.3 refer to the contract of use that refers to the NetwStat in parts → overlap to be checked!

Commenté [NS35]: Comment CIT GS: possible overlap with point 2.7 of the E-GTC-I?

Commenté [NS36]: Comment CIT GS: possible overlap to other documents regarding Service Facilities that are used by IMs?

E-SCU-I	E-GTC-I	Network Statement
		7.3.9 Refuelling Facilities
