

**DECLARATION
OF RAILWAY NETWORK
REPUBLIC OF ALBANIA
2019**

RAIL INFRASTRUCTURE ADMINISTRATOR

**Valid from 09.12.2018 – 8.12.2019
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TABLE OF CHANGES

Number of changes	OBJECT	Published in the official publication		Valid from
		Number	Year	
1	2	3	4	5

INTRODUCTION

1 GENERAL INFORMATION

1.1 Entry

1.2 Objectives of the Network Statement.

1.3 LEGAL STRUCTURE FOR THE COMPOSITION OF THE NETWORK DECLARATION .

1.4 The Legal Statement of the Network Statement

1.4.1 General Determination

1.4.2 Information on planned changes or IHP modernization for the next period of time.

1.4.3 Explanations regarding the Network Statement and provision of additional information.

1.5 Grid Statement Structure

1.5.1 Connections to the Network Statement of Other Countries

1.6 Validity and updating of the Network Statement

1.6.1 Validation of the Network Statement

1.6.2 Updating the Grid Statement

1.7 Publication, distribution and access to the Network Statement

1.8 CONTACT INFORMATION

1.8.1 Contacts

1.9 Collaboration between other infrastructure managers

RailNetEurope (RNE) - international cooperation between infrastructure managers.

1.9.1 One Stop Shops - OSS for Customers

1:10 Description of terms and abbreviations

1.10.1 The terms used in the Network Statement have the following meanings:

1.10.2 The abbreviations used in this Network Statement have the following meanings:

2 CONDITIONS FOR THE USE OF RAILWAY INFRASTRUCTURE

2.1 Legal Structure

2.2 Conditions for the distribution of the train path

2.2.1 General Conditions for the Distribution of Train Tracks for Specific Types.

2.2.2 Applicants

2.2.3 License

2.2.4 Security Certificates

2.2.5 INSURANCE

2.3 How to apply for a train path

2.4 General Business Conditions on the Use of Public Railway Infrastructure.

2.4.1 Structure Agreement

2.4.2 Exploitation Contract

2.4.3 Other services

2.5 Use of traffic regulations

2.6 EXTERNAL TRANSPORT

2.7 Transport of dangerous goods

2.8 Adaptability of the rolling stock of railway undertakings

2.9 The qualified staff of the railway undertakings.

2:10 Passenger transport

2:11 Administration of IHP

3 RAILWAY INFRASTRUCTURE

3.1 Determination of Public Railway Infrastructure

3.2 The scope of IHP alignment

3.2.1 Geographical Determination of IHP

3.2.2 Railway networks of neighbouring countries

3.3 Description of IHP

3.3.1 Technical Specifications of IHP

3.3.1.1 Types of lines

3.3.1.2 Width between the railway

3.3.1.3 Stations and nodes

3.3.2 Limits of IHP

3.3.2.1 Free spaces

3.3.2.2 Permissible loads per axle and per meter of movement

3.3.2.3 Management of slopes and resistance to IHP line movement

3.3.2.4 The speed to come

3.3.2.5 The maximum length of the line in the stations:

3.3.2.6 Codification of lines for combined transport

3.3.3 Technical control of traffic and communication systems

- [3.3.3.1 Signalling and security equipment](#)
- [3.3.3.2 Technical control of traffic management](#)
- [3.3.3.3 Telecommunication Systems](#)
- [3.3.3.4 Connections via radio notifications](#)

3.4 LIMITATIONS ON TRANSPORT

- [3.4.1 Infrastructure Blocking](#)
- [3.4.2 Environmental Restrictions](#)
- [3.4.3 Transport of dangerous goods](#)
- [3.4.4 Tunnel restrictions](#)
- [3.4.5 Limitations on bridges](#)
- [3.4.6 Other restrictions](#)

3.5 Infrastructure Restrictions

3.6 Passenger Stations

3.7 Terminal goods

- [3.7.1 Stations, defined as processing squares:](#)
- [3.7.2 Stations where loading and unloading of personal tools is permitted](#)
- [3.7.3 Station, open for road-rail movement](#)
- [3.7.4 Container terminal station](#)
- [3.7.5 Port Terminals](#)

3.8 Service Activity

- [3.8.1 Rail scales](#)
- [3.8.2 Live food stores, water supply, and their accompaniment](#)
- [3.8.3 Ice cleaning equipment](#)
- [3.8.4 Locomotive Warehouses :](#)
- [3.8.5 Technical maintenance](#)
- [3.8.6 Fuel Supply Stations:](#)

3.9 Infrastructure Developments

4 DISTRIBUTION OF TRAIN PATHS

4.1 Legal framework

4.2 DESCRIPTION OF PROCEDURE

4.3 TIME LIMIT FOR REQUESTS AND TRAIN PATH EXERCISE

- [4.3.1 Requirements for Regular Routing Timetables](#)
- [4.3.2 \(Ad hoc\) requests for train paths in the short term](#)

4.4 APPLICATION FORM FOR THE TRAIN PATH EXERCISE

4.4.1 Competent body

4.4.1.1 Apply completed

4.4.1.2 Confidentiality of information

4.4.1.3 Determining groups of international train paths

4.4.1.4 Draft the network clock

4.4.1.5 Replacement of train paths

4.4.1.6 Consultation Procedure

4.4.1.7 Changes in the requirements for train path allocation

4.4.2 Consultation procedure, additional factors and auction

4.4.3 Infrastructure with limited capacity

4.4.4 Decision on the allocation of the train path

4.4.4.1 Recognition of written orders on the allocation of international paths issued by foreign infrastructure managers

4.4.5 Repayment of the costs of the procedure in case of non-allocation of the train path

4.4.6 New Schedule and Implementation

4.4.7 Solving the complaint regarding the allocation of the train path

4.4.8 The Appeal Procedure

4.5 TRAINING PATH ALCOVERY FOR MAINTENANCE, DEPLOYMENT AND EXTENSION OF IHP

4.6 DO NOT USE TRAIN PATHS

5 SERVICE

5.1 Legal framework

5.2 BASIC SERVICES

5.3 OTHER SERVICE

5.4 ADDITIONAL SERVICES

5.5 ASSISTANCE SERVICES

6 FEES

6.1 LEGAL BASIS

6.2 METHOD OF CALCULATING TARIFF

6.2.1 Services that make up the tariff

6.2.2 Charging principles

6.2.3 Formula for calculation of usage fees

6.2.4 The values of the particular elements of the formula for calculating the usage fee

6.2.4.1 Weighting Coefficients- P

6.2.4.2 Shaft Depreciation Coefficients - K

6.2.4.3 Factor for rail company request over schedule - F

6.3 FEES

6.3.1 Price per kilometer train

6.3.2 Price of additional services

6.3.3 The price of other services

6.3.4 External costs

6.4 BASIC TARIFF PRINCIPLES

6.5 EXCEPT FROM THE TARIFF FOR USE

6.6 TARIFF CHANGES

6.7 REVOCAION AND CANCELLATION OF TRAINING ITENERARIES

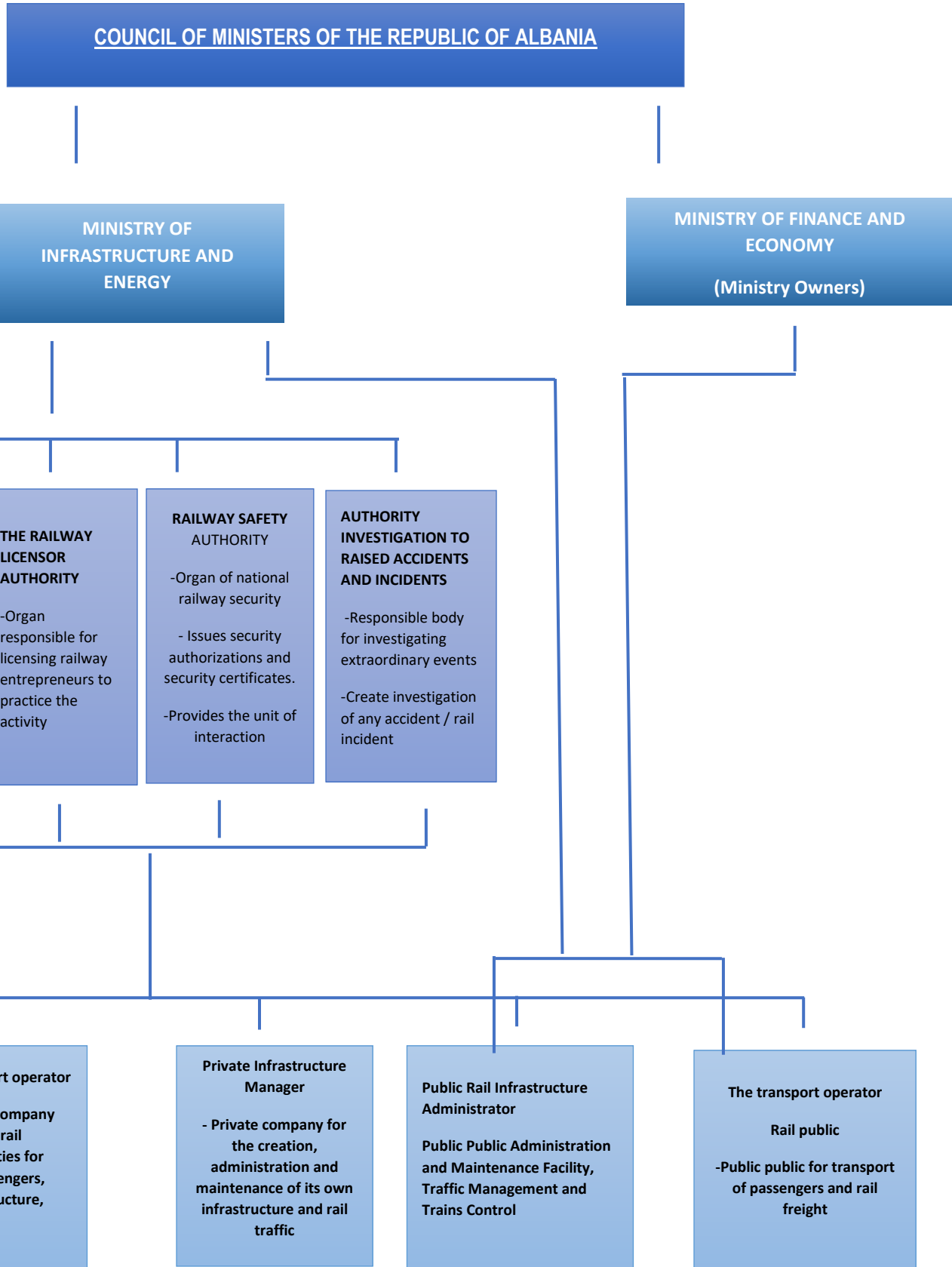
6.8 DISCOUNT ON TARIFFS

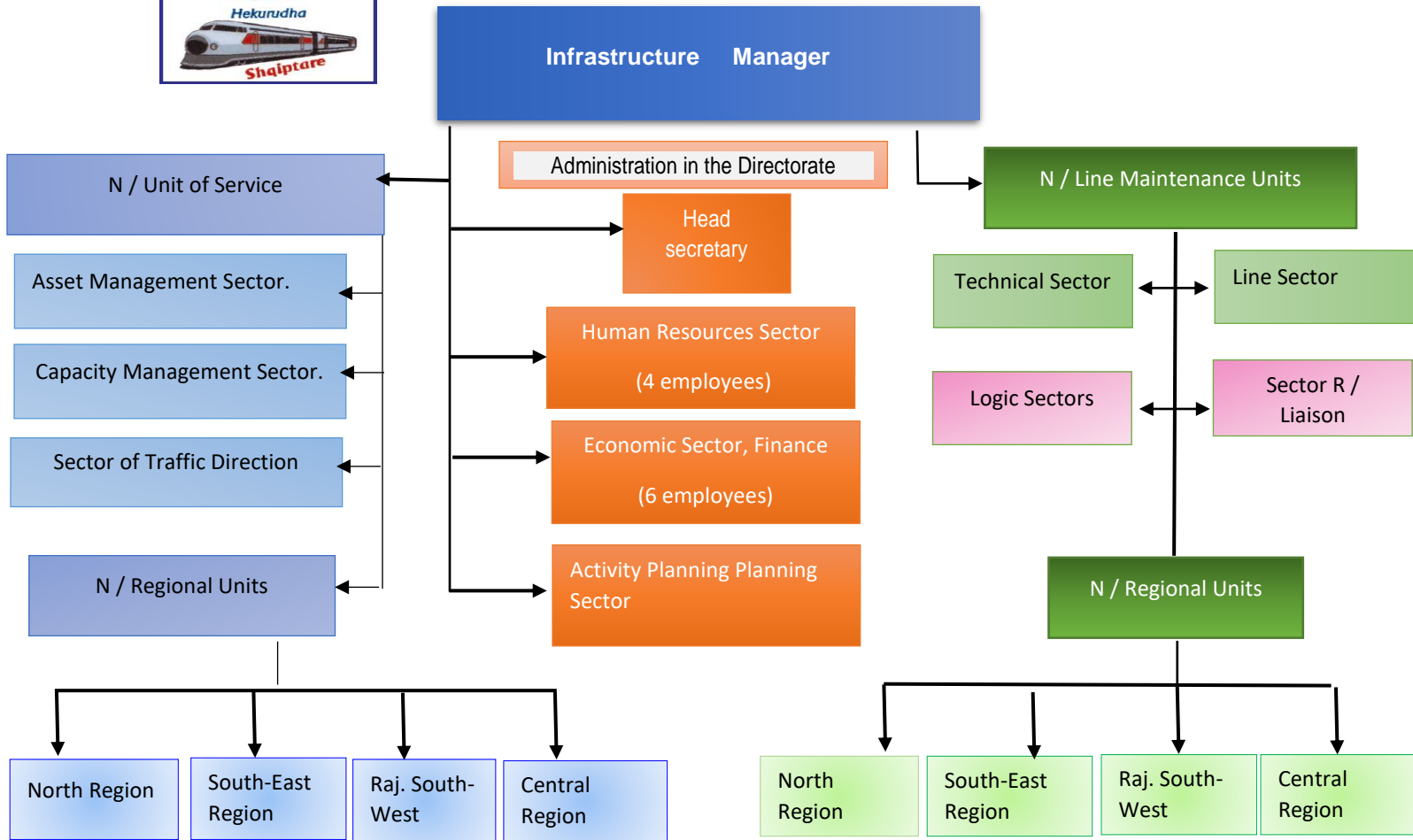
6.9 CHANGE OF TRAIN PATHS

7 ATTACHMENTS

Appendix 1 – Map of Albanian Railways







INTRODUCTION

Railway Infrastructure is owned by the Albanian Railways.

The railway infrastructure is a unique technical-technological system of railway lines including superstructure, substructure, tracks, tunnels, bridges, level crossings, line facilities, stations, train traction facilities, signaling and safety systems, communication and informatics systems, buildings, depots and other facilities of railway stations that are in function of organization, regulation and maintenance of the infrastructure, line area.

The Network Statement contains information on the State Railways Infrastructure (hereinafter IHP) owned by the Republic of Albania, the terms and conditions of infrastructure use, the procedure for the allocation of railway capacity, valuable services for IHP users and the method of setting the infrastructure fee.

The integral part of the Network statement will be information according to article 13 of Directive 2012/34 on the services provided by IHP and the operators of service facilities, information on railway infrastructure which is not a component of IHP.

The railway network statement of the Republic of Albania is prepared and published by the Railway Infrastructure Administrator.

The preparation of the Network Statement has been done in accordance with the Railway Code of the Republic of Albania, No. 142/2016, the by-laws deriving from it and the recommendations of the European Union.

The network statement shall set out the nature of the infrastructure which is available to railway undertakings, and contain information setting out the conditions for access to the relevant railway infrastructure. The network statement shall also contain information setting out the conditions for access to service facilities connected to the network of the infrastructure manager and for supply of services in these facilities or indicate a website where such information is made available free of charge in electronic format. The content of the network statement is laid down in Annex IV.

1 GENERAL INFORMATION

1.1 ENTRY

The Network Statement of the Republic of Albania contains information for any 'applicant' (*means a railway undertaking or an international grouping of railway undertakings or other persons or legal entities, such as competent authorities under Regulation (EC) No 1370/2007 and shippers, freight forwarders and combined transport operators, with a public-service or commercial interest in procuring infrastructure capacity*) that is willing to provide transport services to the Albanian railway network.

The Network Statement is prepared and published for each schedule in particular. The MA Manager is the competent body for the preparation and publication of the Network Statement. The information published in this Network Statement will be valid for train timetables of 2018/2019 starting from 09 December 2018 until 07.12.2019

1.2 OBJECTIVES OF THE NETWORK STATEMENT.

The main objectives to be achieved by the Network Statement are as follows:

- To provide applicants with the information needed to participate in the infrastructure capacity allocation path procedure,
- Determine the deadlines that the applicant should meet and take into account in the infrastructure capacity allocation procedure,
- Provide key information on railway infrastructure and services,
- Inform the applicant on the terms of use of the Railway Infrastructure.

1.3 LEGAL STRUCTURE FOR THE PREPARATION OF THE NETWORK STATEMENT.

The Network Statement is prepared in accordance with:

- Railway Code of the Republic of Albania No. 142/2018 which entered into force on 12.01.2018 and the legal acts in its implementation.
- Fee for use of railway infrastructure.

1.4 LEGAL FRAMEWORK

The Network Statement is prepared according to the international legislation, national legislation.

1.4.1 General Determination

General Business Conditions on the Use of Railway Infrastructure as an integral part of this Declaration, as set out in Schedule 2 to this document, shall come into effect upon the conclusion of a written contract for the use of the network between the MA's Administrator and the Applicant.

The Network Statement is published in three languages, in English, Italian and Albanian. In case of ambiguity in the English or Italian version, the Albanian version will be used.

Infrastructure Manager in case of incorrect information in the network statement is responsible for any inaccurate information by correcting it, and asking the information provider to make the necessary correction.

1.4.2 Information on planned changes or modernization of IH for the next period of the timetable.

Information on the Network Statement on the planned changes to the IH and / or the terms of use may be used for each time period as a notification and assistance in the procedure of capacity allocation path, but the MA Administrator will not take into account they are binding agreements to make the changes.

1.4.3 Explanations regarding the Network Statement and provision of additional information..

Applicants may request for any explanation or additional information about the Network Statement from the MA Administrator (contacts are disclosed in Section 1.8) in written form, by e-mail or by fax. Requests for explanation or additional information must be submitted to the MA Manager no later than 20 days before the start of the train path distribution application. The IH Administrator will only respond to the applications filed before the deadline and send a written explanation to the applicant no later than 10 days from receipt of the request.

1.5 STRUCTURE OF THE NETWORK STATEMENT

The Network Statement in its structure follows the usual position in relation to the Grid Statement structure, adapted within the European Railway Network (RNE) and is divided into 6 basic chapters as follows:

- General information ,
- The terms of use of IH ,
- Railway infrastructure,
- The distribution of train paths,

- Services
- Usage fees

1.5.1 Connections to the Network Statement of Other Countries a

The Network Statement of other countries that are members of the European Railways Infrastructure Managers Organization can be found at www.railneteurope.com.

1.6 VALIDATION AND UPDATING OF THE NETWORK STATEMENT

1.6.1 Validation of the Network Statement

Network Statement Information was used to prepare a train schedule table for the period 2018/2019.

The Network Statement for the next period of the Tables 2019/2020 can be published no later than four months before the deadline for requests for infrastructure capacities.

1.6.2 Updating the Network Statement

The Network Statement is kept up-to-date and changed as needed. The administrator IH will provide updates on its website as a supplement to Statement on the Network with a corresponding number.

Updates can be referred straight to:

- Small updates in content,
- Updates related to infrastructure which can not be anticipated at the time of publication
- Updates due to legislation adjustments, or new ones.

Applicants are required to get acquainted with the updates of this document.

1.7 PUBLICATION, DISTRIBUTION AND THE OPPORTUNITY TO ACCESS THE NETWORK STATEMENT

The Network Statement may be requested in writing by e-mail or fax to the Administrator at a cost of € 50 for printing and distribution in the Republic of Albania. The Network Statement is published and free to download in all three languages in Albanian, English and Italian on the Infrastructure Administrator's Website (www.xxxxxx).

1.8 CONTACT INFORMATION

For any additional information about deadlines and other information included in the Network Statement, or for the Statement of the Network Statement printed, as well as other issues, applicants may contact:

Business Unit Management Rail Infrastructure

Durres

Tel .: + 052222186

Fax: +

e-mail:

1.8.1 Contacts :

► **Network Statement :**

Albanian Railways JSC .

Business Unit Management Infrastructure-Traffic Planning

DURRES .

Tel .: +

Fax: +

e-mail:

► **OSS Coordinator in IH**

Albanian Railways JSC .

Business Unit of Infrastructure Management - Traffic Planning

► **Special transport permits:**

Albanian Railways JSC .

Business Unit Infrastructure Management - Traffic Planning

► **License and Security Certificate (Regulations):**

Ministry of Infrastructure And Energy

► **The allocation of railway infrastructure capacities**

Albanian Railways JSC .

Bi -Infrastructure Management Unit - Traffic Planning

Applications accepted: **Every day except Saturday and Sunday from 8:00 to 15:00.**

1.9 COOPERATION BETWEEN OTHER INFRASTRUCTURE ADMINISTRATORS

Rail Net Europe (RNE) - international cooperation between infrastructure managers.

To address the European Railways Infrastructure business, the European Railways Infrastructure Managers set up a joint organization in January 2004.

RailNetEurope represents its members as an International Facilitation Service for European Railways Infrastructure through a Joint Office for Coordination with the Central Office in Vienna.

RailNetEurope is a continuation of bilateral cooperation with multilateral cooperation between European Railways Infrastructure managers towards a common trans-European body. RailNetEurope members jointly agree on deadlines and implement joint efforts to improve the European Rail Infrastructure business and the benefit of a whole rail industry.

RailNetEurope is comprised of 31 infrastructure managers, who are more or less full-fledged or candidate members. RailNetEurope partners cover a network of approximately 23,000 km of railway infrastructure.

Infrastructure managers involved in RailNetEurope care for 120 clients who trade with international businesses in Europe, and the main purpose of the group is RailNetEuropa. Moreover, there are more than 300 other railway companies that trade only with national rail traffic .

For more information, visit: www.railneteurope.com

HSH infrastructure is not yet a member of RAIL NET EUROPE but accepts all international transport procedures.

1.9.1 Services with a single counter (One Stop Shops) - OSS for Customers

European Railways Infrastructure Managers have signed an agreement on the organization of a joint market and marketing for the capacity of international infrastructure called RailNetEurope (RNE). Infrastructure managers have established One Stop Shop to act as a network contact point for customers within RNE. The client will submit a request for international train paths to one of the contact points, and later the international infrastructure capacity allocation process will begin.

The contact point in close cooperation with the infrastructure manager will:

- Provide customer information about the entire range of infrastructure manager products and services;
- Provide the information needed to use the infrastructure of any RNE involved manager;
- Operational requirements for any international train path within RNE;

- Ensuring timely communication of requests related to the upcoming timetable in the annual planning process of train timetables;
- Prepare the train path offers for the international line as a whole.

Each point of contact is part of the international network that provides easy access to the network from customers. The contact point also provides information on infrastructure fees and train movements, including quality monitoring. According to his motto "a person for all customer service (one face to the customer)", regardless of the boundaries between states, contact points offer professional and efficient assistance based on transparent, confidential and non-discriminatory actions.

A list of contact points is available in : www.railneteuropa.com

1:10 DESCRIPTION OF TERMS AND ABBREVIATIONS

1.10.1 The terms used in the Network Statement have the following meanings:

Allocation	'allocation' means the allocation of railway infrastructure capacity by an infrastructure manager;
Use of public railway infrastructure	It is the use of state railway infrastructure in the territory of the Republic of Albania
Applicants	means a railway undertaking or an international grouping of railway undertakings or other persons or legal entities, such as competent authorities under Regulation (EC) No 1370/2007 and shippers, freight forwarders and combined transport
Infrastructure Capacity	means the potential to schedule train paths requested for an element of infrastructure for a certain period;
Infrastructure with limited capacity	It means a section or part of IH, where in harmonization between the requirements of railway undertakings, it is not possible to fully meet the requirements for train paths or infrastructure capacity
Extraordinary transport	It is the transport of empty or full rail vehicles which exceed the load load, maximum load, the codes prescribed for the railway lines and axle load as defined by the law and the issued issued regulations
Public Rail Infrastructure	It is the state railway infrastructure owned by the Republic of Albania

Public Passenger Transport	It is the carriage of passengers allowed to anyone under the same conditions and provided by the transport operator based on the completed contract of carriage.
International Business Association	It is an association with at least two transport operators based in different states, members of the European Union, whose objective is to conduct international rail transport services among the member states of the European Union.
National Trains Path	It is the train path with departures and arrivals at the railway stations in the IH
Enlargement Capacity Plan	Means a measure or series of measures with a calendar for their implementation which aim to alleviate the capacity constraints which led to the declaration of an element of infrastructure as 'congested infrastructure';
Framework Agreement	Means a legally binding general agreement under public or private law, setting out the rights and obligations of an applicant and the infrastructure manager in relation to the infrastructure capacity to be allocated and the charges to be levied over a period longer than one working timetable period;
Network	Means the entire railway infrastructure managed by an infrastructure manager;
Payment for access to infrastructure	Costs deriving as a result of train operation of railway undertakings in railway infrastructure
Transport services	It is the transport of passengers or goods in national and international rail transport
Railway Undertaking	It is a company whose main activity is the provision or provision of rail transport services which holds a license for the services provided and provides the train withdrawal or a company that performs the withdrawal of the train by having a license;
Network Statement:	means the statement which sets out in detail the general rules, deadlines, procedures and criteria for charging and capacity-allocation schemes, including such other information as is required to enable applications for infrastructure capacity;
Special Infrastructure	It is a section or part of an IH designed specifically for particular types of transport and is defined by the Administrator in the Network Statement;
Legal Units	There are legal entities with a statutory status under the legislation of the country where they are registered.

Railway transport services	It is the transport of passengers and / or freight in national and international rail transport
Effort of IH	It is the right to use state rail infrastructure under predetermined conditions.
Applicant:	It is an enterprise or an international group of railways or any other legal entity which, owing to public or commercial interests, needs a train path;
Rail Net Europe (RNE)	It is the European association of infrastructure managers, established to support railway traffic at the borders.
Regulatory Authority	The Railway Regulatory Authority is an independent, public legal entity that is organized and operates in accordance with the provisions of Law No. 142/2016 of 22/12/2016 Railway Code of Albania
Train system	It is the number of train paths available in the network of timetables for the distribution of railway undertakings.
Transit	It is the right to use the cross-border railway infrastructure through which the railway undertaking uses the infrastructure for a train ride from a national boundary to another without loading / unloading of goods without rebating passengers in the Republic of Albania;
User	It is the applicant with an path distributed to IH;
Infrastructure Administrator	IH is a legal unit responsible for the maintenance of state rail infrastructure and rail traffic management.
Coordinate	It is a procedure whereby the infrastructure manager and the railway undertaking attempt to solve any situation arising from the completion of the requests of interested parties for infrastructure capacities.
Validity of Schedules	It is the period of time in force for train times
Trains Path	It is the capacity of the transport infrastructure needed for the movement of trains between the two countries over a certain period of time.
Contradictory requirements	There are requests of two or more applicants for the same path or different paths that coincide in the same section or section of the IH.
Case Requirements (ad hoc)	It is a request for path, which is impossible to be required in a normal schedule of schedule preparation, as it is not known earlier.

Time schedule	It is the timetable validity period starting on the second week of December of the first year and ending on the second Saturday in December next.
Timetable network	It is an IH document including data on planned movements of trains and railway vehicles at the time of their validity;
Schedules	It is a technological plan of the railway enterprise for a set period of time, based on the timetable network.
Licence	Means an authorisation issued by a licensing authority to an undertaking, by which its capacity to provide rail transport services as a railway undertaking is recognised; that capacity may be limited to the provision of specific types of services;
Licensing authority	means the body responsible for granting licences within a Republic of Albania ;

1.10.2 The abbreviations used in this Network Statement have the following meanings:

FTE (Forum Train Europe)	European Forum for International Rail Transport
PSO	Public Services Contract
IH	In the State Railways Infrastructure (IHP)
AIH	Railway Infrastructure Manager
OSS	One Stop Shop
RNE	Rail Net Europe Transport South-eastern Europe
Seton	

2.CONDITIONS FOR THE USE OF RAILWAY INFRASTRUCTURE

2.1 LEGAL STRUCTURE

Conditions for Use of Railway Infrastructure are defined in:

- Railway Code of the Republic of Albania, Law No. 142/2016 dated 22.12.2016. and the sub-legal acts in its implementation.

2.2 CONDITIONS FOR THE ALLOCATION OF TRAIN PATHS

2.2.1 General Conditions for the Distribution of Train Tracks for Specific Types.

AIH distributes the path under the conditions as set forth in Appendix 4 to this document.

A certain kind of path can be distributed to the applicant by fulfilling the following conditions:

- a) For in- transit and transit use, the applicant is:
 - registered in the Republic of Albania;
 - an international business organization where at least one member lives in the Republic of Albania;
- b) For international use the applicant is:
 - A company providing transport services in international transport;
 - An enterprise offering freight transport in international traffic to the Trans-European rail freight network;
 - An enterprise providing transportation services in international freight transport.

2.2.2 Applicants

The IH trainsets can be distributed to applicants - international business enterprises or organizations and / or other legal entities if registered in EU Member States region and need passenger and / or cargo transport due to interest public or commercial.

Rail transport services can only be provided by railway undertakings

Railway Undertaking (Undertaking) must meet the following conditions:

1. Possess a valid license issued by the respective licensing authority of the Republic of Albania, or by a licensing authority of the EU Member States.
2. Possess a valid security certificate from the Albanian safety authority, an EU member state or BiH, Kosovo etc.

2.2.3 License

In order to provide train paths, the Applicant must present a valid license attesting his ability to provide all or particular types of rail transport services. If the applicant is not a railway undertaking, to ensure the train paths must prove that the transport services will be carried out by a valid railway rolling undertaking.

Licenses issued by the licensing authority are valid in the Republic of Albania. Licenses issued by the licensing authority of EU or SEETO Member States are also valid.

The licensing authority shall, five (5) years after the issue of the license, issue or extend the validity of the railway undertakings registered in the Republic of Albania if they continue to fulfill the conditions for licensing, as defined in the Railway Code . The license issued by the licensing authority is valid until the cancellation of its validity if there are grounds as defined in Article 25 of the Railway Code, Law No. 142/2016 of 22.12.2016.

2.2.4 Security Certificates

To provide the path of trains, the Applicant must present a valid security certificate that confirms the specified requirements of the traffic safety supplement. If the applicant is not a railway undertaking to provide a train path it must prove that the transport services on the required train paths will be carried out by a railway undertaking which holds a valid safety certificate.

The Security Authority shall issue a security certificate to the applicant who holds a valid license if he submits:

- Has established its own Security Management System (SMS) in accordance with the provisions of the Railway Code, meeting the requirements set forth in the Technical Interaction Terms (TSI), Common Security Methods (CSMs) and Common Security Objectives (CST) and in other legal and sub legal acts to manage the risks and provide rail freight services safely,
- That the personnel responsible for the operation and monitoring of trains have the appropriate qualifications to meet the traffic rules, guarantee the safety in the rail transport and possess their licenses and their safety certificates,
- That the rolling stock on the railway lines of the public railway network in the Republic of Albania complement the technical conditions of the interoperability and the requirements set out in the Railway Code, the legal and sub-legal acts issued by it.

Only safety certificates issued by the Authority responsible for railway safety in the Republic of Albania are valid. The security certificate for the Railway Undertaking is usable within the validity period of its validity.

Until the license and security certificate of railway undertakingundertakingundertaking under Rail Law No. 142/2016, the Railway Infrastructure Administrator will allow the use of infrastructure according to the instructions of the Ministry of Infrastructure and Energy.

2.2.5 INSURANCE

In order to benefit from the train path, the railway undertaking must present a proof of being capable of covering the civil liability resulting from its liability for damage arising in the event of an accident and incident on the rail during the performance of its activity in the IH from the Republic of Albania. To demonstrate the fulfillment of this condition, the railway undertaking must provide insurance by insurance companies or any other document showing the method or ability to cover the liability for damages deriving from the carrying out of the transport activity in the IH owned by the Republic of Albania .

2.3 HOW TO APPLY FOR A TRAIN PATH

The path allocation procedure is described in detail in chapter 4 of this document "Shifting the Path of Trains".

2.4 GENERAL CONDITIONS OF BUSINESS TO USE THE RAILWAY STATE INFRASTRUCTURE.

The general business conditions on the use of the state railway infrastructure provided in Appendix 2/1 of this document define the general rights and duties of the MA Administrator as well as the railway undertakingundertakingundertaking and are a constituent part of each contract on the use of infrastructure signed by the Administrator the IH and the railway company.

The main purpose of business conditions on the use of state rail infrastructure is to regulate the relationship between the MA and the railway undertakingundertaking and to determine the terms of use of the MA.

2.4.1 FRAMEWORK AGREEMENT

By their initiative, the applicant and the IMP Administrator can sign a framework agreement defining the applicant's request on the path of transport for a longer period than the period of validity of the train timetable and the ability of the MA Managers to meet these needs. The framework agreement will not specifically define the path of trains, but is planned in a way to meet the legitimate commercial needs of the applicant for infrastructure capacity.

As a rule, the framework agreement is concluded for a period of five (5) years, renewable at periods equal to the initial duration. The IH administrator in special cases for renewal accords shorter or longer periods of time. Any period longer than five years must be based on the legislation in force with the existence of an existing agreement or commercial contract, special investment or risk. The signing of the framework agreement for a period of fifteen (15) years is only possible in cases of services that use the special infrastructure in accordance with Articles 49,50, 51 of the Railway Code, the infrastructure requiring important and long-term investments when this is argued as required by the capacity seeker. Each period longer than fifteen years is only permissible in exceptional cases, particularly when there are long-term large-scale investments and when investments are covered by contractual commitments, including a multi-annual amortization plan. For these exceptional cases, the agreement determines Detailed features of the infrastructure capacity, which will be provided to the applicant for the duration of the framework agreement, including the volume and quality of train paths.

The agreement will not exclude the possibility of using IH from other applicants or for other purposes, but when two applicants apply for the same path, the one who has signed a framework agreement will have the advantage. The framework agreement contains the necessary resolutions to resolve or cancel it. Prior to this, the framework agreement is approved by the Railway Regulatory Authority.

An applicant who has signed a framework agreement with the MA Administrator shall submit a request for path allocation in accordance with this Agreement within the time structure and methods as defined in section 4.4 entitled "Application Form for Scheduling the Train Path" and shall also sign a contract on the right and use of IH with the IA Manager to use the State Railway Infrastructure.

2.4.2 Use agreement

To use the State Railway Infrastructure, the Railway Undertaking should conclude an Agreement with the IH Administrator on the access and use of IH.

The Railway Undertaking and the MA Manager will establish a mutual relationship with this agreement, which includes general, technical and financial measures regarding the provision of technical and other conditions of railway traffic safety and rail infrastructure usage fees.

The agreement must be written and signed and is valid for the period of time for which the train path has been distributed.

2.4.3 Services facilities and other facilities

The IHP Administrator must provide access to the facilities of the railway lines (industrial links, terminals, buses, escalators, etc.) to the Railway Undertaking with distributed paths. These services are called ancillary services and are presented in Section 5.5 of the Network Statement. The railway undertaking shall provide the above-mentioned services by a special contract signed with the IMP Administrator when it is directly owned by him or by the operator of such utility facilities.

Under a separate contract based on marketing principles, the IHP Administrator or Service Operator may provide other services provided in Section 5.3 and / or the additional services provided in Section 5.4 of the Network Statement.

2.5 USE OF TRAFFIC REGULATIONS

Valid travel rules, which must be applied when using the railway infrastructure capacity in the Republic of Albania, are regulated by the Railway Technical Regulation and other acts pursuant to the Railway Code No. 142/2016. Which can be secured through AIH.

Address and contact are provided in point 1.8.

2.6 EXTRAORDINARY TRANSPORT

The Permit of the Administrator, which defines the method and terms of transport as well as the compensation, is required in advance for the extraordinary transport. The administrator shall decide on the measures and conditions of transport in exceptional cases not later than 15 days after the submission of the application.

Technical regulations, extraordinary deliveries, conditions for obtaining a permit and the method for determining the conditions of transport are laid down in national legislation, which regulates the transport of exceptional deliveries. For any additional information, contact the Manager of IH listed in point 1.8.

2.7 TRANSPORT OF DANGEROUS GOODS

Goods are considered hazardous if they are declared as such on the list of dangerous goods and are part of the Dangerous Goods Transport Directive (RID). Upon receipt of the Safety Certificate, the railway undertaking shall prove that the transfer by means of mobile vehicles to the IHP network and its staff in the operations and monitoring of the trains that perform the transport, meet the conditions and are adequately trained, such as defined in the Railway Code on Rail Transport Safety and Regulations issued by the Ministry responsible for Transport and Infrastructure on the Transport of Dangerous Goods.

2.8 COMPLETENESS OF THE MOVEMENTS OF RAILWAY UNDERTAKING

Upon receipt of the Safety Certificate, the railway undertaking shall prove by means of documents that the means of transport on the lines of the public railway network in the Republic of Albania meet the requirements and requirements set out in the Railway Code on railway transport safety and the regulations issued for its implementation. For any additional information on IH should be contacted according to the contact disclosed in section 1.8.

2.9 DRIVING TRANSPORT

The transport of passengers on the public railway network is carried out according to the Railway Code by the Albanian Railways and Railways Transport Unit according to the public service contract, signed by the competent body or the Ministry of Infrastructure and Energy.

2:10 IH MANAGEMENT

The Rail Infrastructure Manager, based on a contract signed with the Government of the Republic of Albania, manages the Railway Infrastructure in its administration.

To manage the Railway Infrastructure The Infrastructure Manager will act according to the provisions of the Railway Code and by-laws issued by it.

3. RAILWAY INFRASTRUCTURE

3.1 DETERMINATION OF RAILWAY INFRASTRUCTURE

The railway infrastructure of the Albanian Railways (IH) includes railway lines equipment and installations necessary for the smooth movement of railway vehicles and also includes corresponding land that serves this purpose.

Railway infrastructure is owned by the state and constructed for public use according to the terms and conditions set forth in the Railway Code No. 142/2016 and by the by-laws of the regulations issued for its implementation

3.2 THE EXTENT OF ALIGNMENT WITH IH

3.2.1 Geographical Determination of IHP

The geographic designation of the IH of the HSH presents a summary of the development of the main and regional railway lines as an integral part of the IH in the territory of Albania and the collection of environments in these lines. The data are in table 3.1, while the general overview of railway stations and maps are given in Annex 3/3 of the Network Statement.

Table 3.1: Overview of major and regional lines of IH

The main line		
Nr.	Railway line	
1	Hani i Hotit - Vore	
2	Kashar - Vore - Durres	
3	Durres - Elbasan - Librazhd	
4	Rrogozhine - Fier	
5		

Regional Line		
Nr.	Railway line	
1	Librazhd - Pogradec	
2	Budull- FusheKruje	
3		

- Railway lines for railway services,
- Railway tracks at the train stations,
- Locomotive deposit lines,
- Industrial lines and railway lines within private, state, and port entities.

The railway tracks Xhyre (Librazhd) -Prodec, Budul-Fushe Kruje and Kashar to km 33+ 100 are currently not ready for trains.

The Technical Data Table on the lines and stations in Annex 3 includes a review of line capacities and their use.

3.2.2 Railway networks of neighbouring countries

The railway infrastructure of the Albanian Railways is connected to Hani i Hotit, km 140 + 210 with the railway infrastructure as follows:

Montenegro, Ž ICG AD Podgorica.

Table 3.2: List of railway connection points

The boundary code at the border	Connection name at the border	Symbols of connection between countries	Type of boundary connection
1	2	3	4
	Bajze - Tuzi	AL - CG	Open for limited daily time traffic.

3.3 DESCRIPTION OF IH

3.3.1 Technical Characteristics of IH

A general overview of the lines and stations is shown in Annex 3 of this document. Train changers and railway tracks are part of the lines described in Annex 3.

The operation of train traffic is not currently regulated by electrical signaling devices but with a radio communication system. A general overview of the current system and procedures is shown in Annex 3 of this document.

3.3.1.1 Types of lines

According to the volume of traffic and the mutual role in rail traffic the railway lines are divided:

- primary and
- regional

All railway lines are currently a single line (a single, where trains move in both directions on the same line)

Line types by number of lines:

Type of lines	Single Line	Double Line	Total
kilometers	412 km	0 km	4 12 km
Percentage	100%	0%	100%

3.3.1.2 Gauge

The width between the rails is the smallest distance between the inner rails of the functional rails within the mass of "0" and "14" mm below the top edge of the two rails. The railway lines, which are part of the IH of the HSH and the other lines of the Republic of Albania, have a space of 1435 mm..

3.3.1.3 Stations and nodes

Technical features and distances between the stations and joints of the IH are given in the Technical Data Table on the lines and stations in Annex 3.

3.3.2 Limits of IHP

3.3.2.1 Free Space Profile

The free space profile is known as a specific free space from lines, objects, signals, deposited materials, and other objects. The normal and minimal free space profile is important. The dimensions of these profiles are valid for straight lines and curved with $R \geq 250$ m. Important types of space profiles and other details are graphically shown in Annex 3 of this document.

The normal profile of free space is taken into account when maintaining existing lines and upgrading. The normal space profile is the reserved area for the rolling stock that moves with

respect to horizontal and vertical variations, the tolerance for the shine and additional areas A and B where, under special conditions, certain objects, deposited material and durable tools.

The smallest part of space is the same for all profiles and is shown separately for details to be highlighted. The minimum space profile is taken into account when separated sections of existing lines as the smallest possible space profile are maintained and upgraded. Additional information on the possibility of using the minimum space profile is available from the MA Manager (contacts are given in section 1.8).

GA, GB1 and GB2 load standards are acceptable on all lines and stations.

3.3.2.2 Permissible loads per axle and per linear meter

The permissible load per axle is the maximum tonnage which may be loaded on an axle of a rail vehicle in a given line or path regardless of its total axle number.

The permissible load for the linear meter is the maximum tonnage which can be loaded into a linear meter of the railway vehicle in a given line or path.

A general overview of the allowable load per axle and meter is in the table in Annex 3 of this document.

In general, all railway lines are (UIC) category C2.

3.3.2.3 Slope management and resistance to movement in the IH lines

The main (decisive) gradient of the line is the maximum raise or decrease of the binary points shown in a thousand (‰) and is the basis for determining the braking percentage, time movement calculation, locomotive load etc.

The crucial (core) rail resistance is the decisive gradient of the rail shown in daN / t (Deca Newton / ton), where turning lines and resistance to tynels are increased. A general overview of the main (crucial) gradients and resistance on the individual lines is given in Annex 3 of this document.

3.3.2.4 Speed for line

A general overview of the speeds for the railway lines in the IHP lines is shown in Annex 3 of the Network Statement.

3.3.2.5 Maximum length of lines in stations:

The length of the lines and the length of the lines in use are shown in the table in Annex 3 of the Grid Statement.

3.3.2.6 Codification of lines for combined transport

Intermodal Transport Units (ITUs - Containers, Exchange Units, etc.), transported to IH, belong to the category of exceptional shipments by a special procedure (notice of carriage, type of cargo, maximum size, weight, appropriate by all infrastructure managers in the transport lines, etc.). To avoid complicated ITU standardized transport conditions, a codification system for combined transport has been introduced, determining which ITUs with specific technical features can be transported to a particular line. ITU codification is regulated by the UIC 596-6 file.

Annex 3 (Figure 3 / 2.9) shows the coding system for combined transport lines in the IH lines. Code C is used for exchange units and P code for semi-trailers.

3.3.3 Technical control of traffic and communication systems

o Safety at stations

- Electronic signal devices are not usable.
- Electronic switching signal devices are not usable.
- Electro-mechanical signalling equipment is not usable.
- The mechanical signalling equipment is not usable.
- Combination Signal Equipment is not usable.

Safety at the crossroads

- Security of level crossings:
 - Safety of crossings at automatic or electrical level
 - Not available
 - Mechanical safety of level crossings
 - Automatic barriers are not available
 - Security Methods:
 - Barriers
 - Semi barriers , are not applicable
 - Traffic Signals electricity , are not applicable
- Inaccurate crossings provided, marked with road traffic signs. Not applicable.

- Automatic closing of the rail - ARB
Ensures full protection of the following trains in an open line between the two stations. Not used to Albania.
- Closure systems
- Simplified ARB to control availability and security across the line between the station parts. Not available.
- Remote Traffic Control (RTC) or Remote Controlled (T c o)
Kontrolli aktiv ne distancë dhe menaxhimi i trafikut në një vije të përcaktuar ose nyje nga pjesa qëndore. Nuk është e disponueshme. Do të jetë e disponueshme në të ardhmen ne seksionin Kashar-Durres.
- Autostop Equipment - ASD
Automatic trains stop in case of uncontrolled stations or signaling. It is not available in IH.
- Information related to radio - RDC

Direct contacts between driver drivers. It is not yet available in Albania.

The radio system provides connections between the central dispatchers and those in the stations. The driving license is given to the train driver at each station with a permissible departure permit form and signed by the railway station train driver.

3.3.3.1 Signaling and security equipment

Signal and safety devices are light signals or signs along the line connected to the center and other devices along the path of the train. Signals are used to communicate the driver with the rail traffic management staff. They indicate signals for permitting or stopping the movement of trains and signals for permissible passage of speed regulated or reduced depending on the position and line geometry, the type of path, (straight or deviated line), the traffic situation etc.

Current light signals are not available in the IH. **The driver must move the train from one station to another through the permission of the written order issued by the station manager (service inspector).** Signalists with signs for stop or stop stations in stations exist, but there are also shortages.

3.3.3.2 Technical control of traffic management

Not applicable.

3.3.3.3 Telecommunication Systems

- Albanian Railways does not currently have a regular telecommunications system .
- Public address system at stations: it is not available
- Calling points / handset equipment: are not available
- Emergency Calling Telephones: are not available; however, the radio information system can be used.
- There is no recorder available for recording of railways, radio communications, or telecommunications of train drivers (service inspector) of railway stations.

3.3.3.4. Connections via radio notifications

Connections via radio announcements (RDCs) were created especially for the railways, and they allow continuous communication between the train (locomotives) and the dispatch center to certain parts of the train path. They represent the reasonable and necessary instruments for the management of rail traffic. Due to direct interference in both directions, the connection through radio announcements represents a complement to the current rail signal and safety equipment and an increase in overall safety of movement.

It is not available in IH of HSH.

3.4 LIMITATIONS ON TRANSPORT

Transport restrictions may mainly refer to the following:

- Blockage of IH ;
- limitations from the environment;
- transport of dangerous goods;
- tunnel restrictions;
- Limitations on the bridge;
- other restrictions .

3.4.1 Infrastructure jams

There are permanent and temporary jams. Permanent blockages are the lines where the poor technical condition of the railway infrastructure prevails and are related to the need to improve the infrastructure.

Temporary blockages related to the current cargo and passenger transport and require operational solutions.

- Permanent locks are defined in the following rail sections:
Xhyre-Pogradec; Budull-Fush Kruje; Elbasan-Fabrik Cement; Gjorm-Kombinat Kimiko Metallurgical Laç, Concession Zone Fier - Vlore and Fier - Ballsh for rehabilitation reasons.
- Temporary blockages are mainly in railway sections: Kashar, Tirana; Librazhd - Xhyre;
- Modernization is happening in the sections : None.

3.4.2 Environmental Restrictions

Railway companies that provide services in the Republic of Albania should:

- To observe all the necessary rules to prevent and reduce environmental pollution,
- Take all necessary measures to prevent and reduce environmental pollution, and their spills in the environment should not exceed the recommended limits; and
- In the event of an environmental incident, the responsible authorities should be immediately informed and take all necessary measures to reduce the environmental damage.

The environmental constraints relating to rail transport, which must be met when rail transport is provided, are defined in:

- Law No. 8934 dated 05.09.2002 and No. 1043 dated 09.06.2011 "On the Protection of the Environment";
- Bylaws for the implementation of the law on environmental protection.

3.4.3 Transport of dangerous goods

Goods are considered hazardous if they are declared on the list of dangerous goods and are part of the Dangerous Goods Transport Directive (RID). Upon receipt of the safety certificate, the railway undertaking shall prove that the carriage by means of a rolling stock on the network of the Republic of Albania and its staff assigned to the use and monitoring of trains, carrying out the transport, and are adequately trained accordingly, as defined by the Railway Code No. 142/2016 and the by-laws issued on its basis for railway transport safety.

3.4.4 Tunnel restrictions

The constraints in the tunnels in relation to the size of the wagon area on a train are provided for combined or special transport deliveries that exceed the normal size.

Space constraints, defined by the free space profile, are listed in Annex 3 of this document.

3.4.5 Limitations on bridges

Limits for wagons or trains related to bridges are taken into account in the permissible axle loads and loads per linear meter shown in Annex 3 of this document.

3.4.6 Other restrictions

A list of facilities where the services are interrupted is provided in Annex 3 of this document. The MA Manager is responsible for providing all other limitations due to infrastructure damage (contacts are provided in point 1.8).

3.5 INFRASTRUCTURE RESERVATIONS

The IH Administrator, when preparing the timetable for the network under his administration, will consider and indicate in separate sections the reserved time, maintenance period, repair or reconstruction, as well as the time frame and train path reserved for line maintenance, repair or reconstruction of IH.

3.6 PASSENGER STATIONS

In open passenger transport stations, the right and use of the platform, including all other public connecting paths to passenger transport with passenger trains, is permitted. Passenger information using the address system and the visual information system on arrival and departure of trains or any other information is also included.

The list of stations, including data on the length of the platform, is in Annex 3 of the Network Declaration.

Annex 3/3 shows the schematic plans of the individual stations, the Annex of this document shows the categorization of stations and special prohibitions.

3.7 GOODS TERMINALS

The list of all open stations to accept freight wagons is provided in Annex 3 of the Grid Statement. The terminals provided guarantee the capacity of the lines to perform loading and unloading and reloading of the goods.

3.7.1 Stations, designated solely for the formation of trains (marshalling yards):

None

3.7.2 Stations where loading and unloading of personal means is possible:

None

3.7.3 Station, open for road-rail movement

None

3.7.4 Container terminal station

None

3.7.5 Port Terminal

The port terminal in the territory of the Republic of Albania is in the Port of Durres, which is not part of the IH. The gate terminal connects to IH via the branch line from the Shkozet railway station.

3.8 SERVICE ACTIVITY

In some stations of IH, the Administrator allows the use of service facilities and equipment as an additional service to IH.

List of service plants and equipment, usage and prices are given in Annex 5/1 to the Network Statement.

3.8.1 Railway balances:

Table 3.3: List of stations, where there are rail scales:

Code	Station	Load capacity per ton	Height on meter
1	2	4	5
00001 - 8	Bajzë	120	14
00006 - 7	Gjorm	120	13
00013 - 3	Elbasan	120	13
00011 - 7	Ballsh	120	13

In the Gjorm and Elbasan stations the railway balances are out of order of operation.

3.8.2 Livestock food stations, irrigation and escorting

none

3.8.3 Ice clearing equipment :

none

3.8.4 Locomotive storehouse:

- Locomotives storehouse are located at the Unit of Service Moving Vehicles, which is located near the railway station:
Shkozet , Durres

3.8.5 Technical maintenance

The technical maintenance of the railway vehicles is done in the Unit of the Moving Vehicles Service, and is located near the railway station

- Shkozet ,

3.8.6 Fuel Supply Stations:

The locomotive fuel supply station is located near the railway station:

- Shkozet

3.9 INFRASTRUCTURE DEVELOPMENTS

Development projects on the Albanian railway infrastructure are defined in the Sector Transport Strategy and Action Plan 2016-2020, approved by DCM No. 811 dated 16.11.2016.

Referring to this sector strategy and defined priorities, it is in its continuation the procedure to enable the concrete implementation of the implementation of the project "Improvement of the Durres-Tirane Railways Public Transport Terminal (TPT) and the new railway line for the airport international of Rinas (ANR) "

4 DISTRIBUTION OF TRAIN PATHSPATHS

Applicants who meet the terms set out in Section 2.2 may participate in the procedure for allocating the train path.

4.1 LEGAL FRAMEWORK

The procedure of allocation of the train path is regulated by the Railway Code of the Republic of Albania law no 142/2016 dated 22.12.2016, Official Gazette No. 265 dated 12.01.2017.

4.2 DESCRIPTION OF PROCEDURE

The following principles will be taken into account in the train path distribution procedure:

- The principle of Non-Discrimination, Equality and Transparency.
- The principle of effective use of the Railway Infrastructure and

- The entire procedure will be based on the principle of non-discrimination, which implies equal treatment of all applicants' requests, in order to allocate appropriate train paths on the basis of efficiency and economic benefit. In the case of conflicting demands, priority is given to the needs of the public interest.

- The principle of effective use of the Railway Infrastructure will be ensured throughout the procedure. The network schedule will be prepared in accordance with the best use of resources by applicants regarding the optimal use of IH.

- During the decision-making process on submitted claims, AIH will act in accordance with the principle of fairness and non-discrimination and so will be addressed without any differentiation the requirements for allocating train paths.

4.3 TIME LIMIT FOR REQUESTS AND TRAIN PATH EXERCISE

Applicants must submit a train path allocation request for each timetable period in particular within a time limit and in a manner specified in section 4.3.1. During the timetable, requests for allocation of train paths may be submitted from time to time within the timeframe and method set out in section 4.3.2.

4.3.1 Requirements on regular timetables for the train path

- A request for the allocation of a train path for an international train which the applicant submits in a timely manner to a foreign infrastructure manager shall be considered as a timely request if these requests are made by the AIH manager foreigner of the infrastructure on behalf of the applicant, within the time limit not later than 11 months before the effective date of the employment.
- No later than 11 months before the timetable becomes operational, infrastructure managers shall ensure that interim international train timetables are established in conjunction with other infrastructure administrators concerned. Infrastructure Managers ensure that these applications are respected as much as possible during the subsequent processes.
- A train path allocation request for an international path presented by the applicant himself or the foreign infrastructure manager on his behalf, as stated at the international train conference convened for the preparation of a new timetable for the time period of this Declaration The network will be considered as a timely submitted request for an international train path.

4.3.2 Ad hoc request for train paths

If applicants are in urgent need of a train path, they can within the validity of the network timetable, submit an ad hoc written request for train path, e-mail or fax. Ad hoc request for allocation The train path is presented to AIH.

AIH will decide on the allocation of the train path as soon as possible, but no later than five (5) business days after the receipt of the request, and will inform the applicant in writing by e-mail or fax.

The train path is allocated to the applicant on the basis of an ad hoc request if possible and on the principle that an ad hoc request received has the advantage over other ad hoc requests submitted later. Information on the possible systems of unused train paths is available from the MA Administrator for all applicants.

4.4 FORMULARI APLIKIMIT PËR ALOKIMIN E ITINERARIT TE TRENIT

National and international train trails are requested by the applicant through the submission of an AIH request form for the allocation of the train path.

4.4.1 Competent body

The administrator IH is the competent body.

4.4.1.1 Apply completed

The IH Administrator only addresses completed applications for train path allocations submitted in time by foreign or domestic applicants or foreign railway infrastructure managers. In order to be considered as complete, the applications must be completed in the format set out in Annex 4/1 and accompanied by all the necessary evidence to prove that the applicant meets the requirements set out in section 2.2 of this document.

If the applicant submits a timely incomplete or unspecified application, the AIH must invite it in writing or by e-mail to complete the request within a time limit of 5 working days from receiving the invitation; otherwise such a request will not be considered during the train path allocation procedure.

4.4.1.2 Confidentiality of information

All information declared by the applicants in the request for the allocation of the train path is confidential and the administrators IH is not allowed to disclose this information to third parties or use it for other purposes, unless this is necessary in the context of the implementation of the train the allocation procedure.

4.4.1.3 Determining groups of international train paths

At the international train path conference within the European Forum for International Rail Transport (European Train Forum) and RailNetEurope (RNE), IH's Coordinator with Foreign Infrastructure Managers and other applicants on international train paths and jointly define the groups of international train paths.

The IH Administrator agrees with the designation of a specific international train path group if the applicant submitting meets the requirements for the allocation of the train path set out in section 2.2 of this document.

If no request is made for a particular international train path, AIH reserves the train path as international in accordance with the agreement made with other managers. IHP may provide the

international reserved path as a substitute for a national train path if no applicant submits a request to conclude the consultation process.

Records from international conferences on train paths within the FTE and RNE constitute the basis for allocating an international train path from the infrastructure manager to whom the request for allocation of the train path has been submitted.

4.4.1.4 Draft of scheduled network

The IHP Administrator shall prepare a draft schedule on the basis of completed requests for the allocation of the scheduled path submitted in time, no later than 30 June 2018, in accordance with the procedure and the method of evaluation of the criteria for the allocation of the path of the train set out in Annex 4 taking into account also the established groups of international train paths.

4.4.1.5 Replacement of train paths

If the applicants themselves, in the request for allocation of the train path, require the replacement of a train path that suits them and if there is a demand for the same train path from more than one applicant, the MA Manager will consider this replacement during the preparation of the train timetable, in the case where another applicant, in accordance with the criteria set out in Schedule 4, shall be entitled to priority for allocating the required train path. In this case, the replaced train path is considered as the required train path and is part of the draft schedule if the applicant has the right of priority over the other applicants in accordance with the criteria set out in Schedule 4.

For applicants without prior rights to allocate the required train path according to the criteria set out in Annex 4 or with the same right, the MA Manager in the draft of the Schedule will consider a possible replacement of the Train Path or Solution other possible. If the required national train path complies with a group of international train trains, the IH administrator will arrange a replacement train path for the national train path in the draft timetable.

4.4.1.6 Consultation Procedure

AIH shall immediately, but not later than 5 working days after the preparation of the document, send in writing or by e-mail a draft of the schedule for consideration and remarks by the applicants or interested parties for the infrastructure capacity. Applicants or interested parties should submit their views or comments in writing within one month of receipt of the draft, by e-mail or fax at AIH. Comments received by AIH after this period will not be considered.

If the applicant does not submit any comment within the time frame of the consultation procedure, it is considered that he respects his original request.

4.4.1.7 Changes in the requirements for train path allocation

Changes in the allocation requirements for train paths resulting from the above consultation procedure are counted as full requirements presented on time under the train path allocation procedure. Applicants must submit to the MA their revised requirements for the allocation of train paths in writing, by e-mail or fax within seven days of the receipt of the comments.

4.4.2 Coordination procedure, additional factors

When, following the consultation procedure, on the basis of the opinions or comments received and using the criteria set out in Annex 4 of this document, there are still conflicts between individual applicants or requests of other parties, a written co-ordination procedure shall be undertaken with the MA which is based on the information provided by the MA's administrator within 10 (ten) days in writing or in electronic form (e-mail) as follows:

- a) train paths, required by all other capacity seekers on the same lines;
- b) train paths, pre-set for all other capacity applicants over the same lines;
- c) alternative train paths proposed for the lines in question,

The information sent by the MA administrator will not reveal the identity of other capacity seekers, unless the concerned capacity seekers have agreed to provide their identification.

Through this procedure AIH regulates conflicting requirements. The applicant must submit the AIH within 5 days of receipt of the information by fax, e-mail or in writing its position on the proposed solutions, otherwise it is considered that the applicant has agreed with the alternative solutions proposed by AIH. If, after receiving the attitudes of the applicants, the MA's administrator fails to resolve the conflicting requests for the allocation of infrastructure capacity, then the criteria set out in Appendix 4 to this document will be put into effect in resolving conflicts. In order to implement this solution, the MA's decision is taken within 10 (ten) business days.

If even after this co-ordination procedure there are unsatisfied infrastructure requirements even after consultation with the capacity seekers, then the MA Manager must declare for the congested or overstocked infrastructure section.

4.4.3 Loaded infrastructure

If the MA administrator after completing the above procedures specified in point 4.4.2 can not meet all the requirements for infrastructure capacity, that section of IH where the conflict appears is to be declared as an infrastructure with Loaded capacity.

In the case of the usage tariffs of IH, a satisfactory result is not achieved in the collection and infrastructure declared congested, the infrastructure manager sets priority criteria for the allocation of infrastructure capacities.

Priority criteria take into account the importance of a service to the public in relation to any other service which is consequently excluded, providing the following:

- The importance of national travel service for travellers, against regional travel services, or freight transport services.
- The importance of international freight transport services, or freight transport services domestically.
- Importance of the transport of dangerous goods to the normal cargo transport service.

Referring to priority criteria, the infrastructure administrator decides on the allocation of infrastructure capacity.

4.4.4 Decision on the allocation of the train path

The IH Administrator will decide on the allocation of train paths through a written order no later than two months before the new timetable enters into force. Based on the written order, the applicant is submitted the properly completed request and the allocation of the train path.

At the right time and the requirements for the allocation of the train path may be refused when during the allocation procedure it is discovered that some train paths are not possible or when the right to the path in question during the allocation procedure was granted to an applicant other taking into account the other factors set out in Annex 4.

Applicants may submit their complaints to the written order issued by the MA administrator regarding the allocation of the train path in a timely manner as set out in clause 4.4.8.

The appeal is not valid only when the MA and the applicant during the path allocation procedure have followed the co-ordination and advisory procedure and have agreed on a solution to the allocation and this is an integral part of the issued order.

The filing of the complaint does not limit the execution of the order of the IH administrator.

4.4.4.1 Recognition of written orders on the allocation of international paths issued by foreign infrastructure managers

The Administrator IH recognizes an order issued by an international infrastructure manager on the allocation of an international path if:

- The applicant fulfils the conditions set out in section 2.2 and
- The order is in compliance with the international train service protocols within the FTE and RNE.

An applicant who has an international path allocation from a foreign infrastructure manager must sign a contract with the MA regarding the entry and use of the IH as defined in point 2.4.2 in order to be able to use the allocated path.

4.4.5 Payment of the costs of the procedure in case of non-allocation of the train path

The applicant shall pay the Administrator the costs of the procedure for allocating the train path, if the administrator IH did not allocate the required train path for the following reasons:

- The applicant willingly withdraws the request for the allocation of the train path,
- If it is found during the procedure that the applicant does not meet the conditions set for the allocation of the train path.

In the case of non-allocation of the train path, the applicant shall pay AIH the costs of the procedure for allocation of the train path.

4.4.6 New Schedule and Implementation

The IH Administrator, based on the orders issued in connection with the allocation of train paths, compiles the new schedule and publishes it at least 15 days prior to the start of its implementation.

Against the payment of the cost of the administrative procedure, the MA administrator sends the railway company through the signed contract regarding the entry and use of the MA, necessary and required documentation on the new schedule at least 15 days prior to its entry into force.

The new schedule is valid from December 9, 2018.

4.4.7 Solving the complaint regarding the allocation of the train path

The applicant who has submitted an application for timely allocation to the IHP administrator may, in the event of a dissatisfaction with the train path allocation procedure, or the information and terms published in the Network Statement or in the case of other related to the procedure of allocation of the train path, to start the procedure for resolution of the complaint.

The procedure for solving the complaint for complaints about the train allocation procedure is set out in Schedule 4 to this document.

4.4.8 The Appeal Procedure

The Railway Regulatory Authority (currently covered by the Ministry responsible for Infrastructure and Energy) has the right to make a decision regarding applicants' complaints against orders issued by the MA Manager or a Service Operator.

The applicant has the right to complain if he believes that he has been treated unfairly, has been discriminated against or otherwise injured in relation to:

- a) the network statement in the provisional and final provisional versions;
- b) the criteria set out in the "Network Statement";
- c) the process of capacity allocation and the outcome of this process;
- ç) charging scheme;
- d) Scheme of the components of the fee that is payable;
- dh) Infrastructure Access Agreements, in accordance with Articles 10 to 13 of the Code Railway No 142/2016;
- e) network access and charging for services, in accordance with Article 13 of the Railway Code nr 142/2016.

The Railway Regulatory Authority (currently the Ministry responsible for Infrastructure and Energy) requires information from the Infrastructure Manager, applicants and any third party involved in rail transport. The requested information is sent within a one month period to the Railway Regulatory Authority.

The Railway Regulatory Authority (currently the Ministry responsible for Infrastructure and Energy) must issue its reasoned decision within six weeks from the date of receipt of all relevant information required by it.

Decisions taken by the Railway Regulatory Authority are subject to judicial review.

4.5 TRAINING ENERGY TRAINING FOR MAINTENANCE OF IH

The train path allocation process described in Sections 4.2 and 4.4 is also used in the case of allocation of train paths for maintenance works of public railway infrastructure.

1. Requirements for infrastructure capacities that enable maintenance work are presented during the planning process of capacity planning.
2. The Infrastructure Manager shall consider the impact of reservation of infrastructure capacity for maintenance work on capacity applicants.
3. The Infrastructure Manager informs interested parties of the invalidity of the infrastructure capacity due to unscheduled maintenance work.

4.6 NO USE OF TRAIN PATHS

The IHP Administrator informs on the utilization and allocated train capacity.

If an applicant fails to use or utilize the infrastructure capacity allocated by the MA Manager, then the MA Manager has the right to reallocate these capacities to another Applicant.

If an applicant who has been allocated an infrastructure capacity that implies a train path fails to use the allocated capacity above 50% for the following three months, the applicant may provide this train path to the MA Manager for the remaining period. However, this is not valid if the non-use of the capacity is due to non-economic causes that go beyond the applicant's control.

Although unused capacity is provided for use by another applicant, while the original applicant (train path owner) does not have the right to receive any kind of reimbursement from the MA Manager.

Before the MA administrator grants unused capacity to other applicants, the original owner must be informed by a written notice that his train path will be removed and give him the opportunity to explain the reasons for the level low capacity utilization. The applicant (initial capacity master) will receive another written notification from the MA's administrator on the decision to re-allocate the train path to the other applicants.¹

5 SERVICES

5.1 LEGAL FRAMEWORK

The legal basis for the definition of Railway Infrastructure Services is set out in Articles 15, 108 and 110 of the Railway Code of the Republic of Albania no. 142/2016, which defines the railway infrastructure and its components as well as the regulations Article 13, points 1 and 2 of Directive No. 34/2012/EU of the European Union, its **second appendix** and the Railway Infrastructure Tariff approved by the Ministry of Finance, Letter No. 1587/3 dated 07.03.2017, together with the infrastructure charging scheme set out by the Ministry of Transport and Infrastructure with letter no. 450 / 7 prot, date 20.04.2017.

5.2 MINIMUM ACCESS PACKAGE

The minimum access package will include:

- (a) addressing the requirements for the railway infrastructure capacity;
- (b) the right to use the given capacity;
- (c) the use of railway infrastructure, including track points and intersections;
- (d) train control including signaling, regulation, delivery and communication and provision of information on train movements;
- (e) the use of electrical supply equipment for drainage stream, whenever possible;
- (f) all other information required for the implementation or operation of the service for which the capacity is provided.

5.3 OTHER SERVICES

Access, including road access, should be provided to the following facilities of services, when they exist, and the services provided in these facilities:

- (c) marching yards and train formation facilities, including avoidance facilities;
- (d) storage links;

- (e) maintenance facilities, with the exception of heavy maintenance facilities dedicated to high speed trains or other types of vehicles requiring specific equipment;
- (f) other technical facilities, including cleaning and washing equipment;
- (g) marine and inland port facilities related to railway activities;
- (h) mitigating facilities;
- (i) fuel supply facilities and supply of fuel to these facilities, the tariffs for which will be shown on separate bills.

5.4 ADDITIONAL SERVICES

The MA Manager or the Supplementary Service Provider may provide these services under a separate contract with the Railway undertaking, based on market principles, as follows:

Additional services include:

- (a) the drawback rate, the tariffs for which must be shown in the invoices separately from the tariffs for the use of electrical equipment of supply without prejudice to the application of Directive 2009/72 / EC;
- (b) Pre-heating of passenger trains;
- (c) contracts adapted to:
 - control of the transport of dangerous goods,
 - assistance in running abnormal trains.

5.5 ANCILLARY SERVICES

Ancillary services may include:

- (a) access to telecommunications networks;
- (b) providing additional information;
- (c) technical inspection of rolling stock;
- (d) ticket services at passenger stations;
- (e) Heavy maintenance services supplied to maintenance facilities dedicated to high speed trains or other types of vehicles requiring specific equipment

The railway company that has been allocated a train path may request another set of services other than those involved in additional and other services, but the administrator is not obliged to provide it, as may be:

- Connection to the telecommunication network, (Not Applicable IHP Administrator)
- Provide additional information,
- Technical control of rolling stock; (Not Applicable IHP Administrator)

The provision of these services is made through a special contract concluded between the MA's or other service providers and railway companies based on market principles.

6 FEES

6.1 LEGAL BASIS

The legal basis for determining the fees for Railway Infrastructure is contained in Articles 30,31,32 of the Railway Code of the Republic of Albania No. 142/2016, which sets out the principles or criteria upon which the railway infrastructure usage tariff is and the Railway Infrastructure Tariff approved by the Ministry of Finance, Letter No. 1587/3 dated 07.03.2017, together with the charging scheme utilization infrastructure defined by the Ministry of Transport and Infrastructure with the document nr. 450/7 prot, dated 20.04.2017.

6.2 METHOD OF CALCULATING TARIFF

6.2.1 Services that make up the tariff

Infrastructure utilization tariff base comprises the direct costs incurred by the infrastructure manager

6.2.2 Charging principles

The calculation system is based on the following principles:

Principles set out in the Regulation 2015/909/EU

- simplicity in calculations,
- clarity,
- right and transparency
- cost of dependence
- non discriminating.

6.2.3 The calculation formula s s tariff t s use

$$U = (Q_{\text{vlkm (reg)}} \times P_{\text{(reg)}} + Q_{\text{vlkm (g)}} \times P_{\text{(g)}}) \times C_{\text{vlkm}} \times K \times F$$

U is a fee for the use of the train's distributed path

Q_{vlkm (reg)} the number of train kilometers described in the regional railway lines

Q_{vlkm (g)} the number of train kilometers described in the main railway line

P (reg) coefficients are important for the regional railway lines

- P (g) the coefficient of importance for the main railway lines
- Cvlkm price for train km
- K coefficient of loading
- F factor, which expresses the requirements of undertakingundertaking regarding the timetable

The usage fee is determined for each train path.

6.2.4 The values of the particular elements of the formula for calculating the usage fee

6.2.4.1 Coefficient P:

- The main railway tracks	1.00
- Regional railway tracks	0.70

6.2.4.2 Load Coefficients - K

- Freight trains, more than 1100 gross tonnes	1,20
- Freight trains, less than 1100 gross tonnes	1,00
- Trains less than 700 gross tonnes	0,70
- Trains less than 400 gross tonnes	0,50
- Trains less than 140 tonnes gross	0.20

6.2.4.3 Factor for rail company request over schedule - F

- Allocated train paths, required prior to the entry into force of the train schedule	1
-The allocated train trains on the basis of requests after the entry into force of train schedules	1.2

6.3 PRICES

6.3.1 PRICE PER KILOMETER TRAIN

Based on the memo No. 450/7 prot, dated 20.04.2017 of the Ministry of Transport and Infrastructure (MTI),

The price per kilometer (Cv/km) is 351 lek / train, excluding VAT, for the conditions: that the gross weight of the train be 1000 tons and for a speed of 45 km / h.

Also with that MTI record it is determined that the "K" and "P" coefficients of the calculation formula of the usage fee will be calculated in a straight ratio with the gross weight for each train and the average motion velocity determined in the motion graph trains from the Railway Infrastructure Administrator for the distance (path) in which the train moves.

6.3.2 Price of additional services

A list of additional services is published in Annex 5 of the Network Statement.

Price: Not approved so far.

6.3.3 The price of other services

A list of additional services is published in Annex 5 of the Network Statement.

Price: Not approved so far.

6.3.4 External costs

External costs are currently not included in the fee.

6.4 BASIC TARIFF PRINCIPLES

The feesystem is based on the following principles:

- simplicity in calculations,
- clarity,
- right and transparency
- dependency cost
- non discriminating.

6.5 EXCEPTIONS FROM THE TARIFF FOR USE

Users who maintain and modernize IHP, rail traffic managers and undertakingundertaking to the IH are exempt from usage fees.

6.6 TARIFF CHANGES

All changes in prices and tariffs will be published according to the terms and conditions laid down in the Law No. 142/2016 Railway Code, by the Ministry responsible for Infrastructure and Energy, and by the Railway Regulatory Authority.

6.7 REVOCATION AND CANCELLATION OF TRAIN PATHS

Revocation of the train path is the final removal of the train path from the holder for the entire period of time. By revoking the train path, the railway company will lose the right to use this path throughout the approved timetable period.

Cancellation of the train path means the cancellation of a train path on a particular day or day by the master. The railway company reserves the right to further use the train path during the approved timetable period.

In these cases, the following conditions apply:

	Conditions	Payment of usage fee
1.	Revocation up to 60 days before the first planned trip.	No usage fee is payable
2.	Revocation more than 30 days and less than 60 days before the first planned trip - Train path	50% usage fee for each train path
3.	Revocation 30 days before the first planned trip: Train path	1 x usage fee for each train path
4.	Cancellation more than 24 hours before scheduled travel: - Train trails	50% usage fee for each train path
5.	Cancellation less than 24 hours before scheduled travel: train paths	1 x usage fee for each train path
6.	The train path is neither revoked nor canceled: - Train trails	2 x usage fee for each train path

6.8 DISCOUNT OF FEE

The IHP administrator can apply a fee for each service by always maintaining the actual cost that is applied to the profit share generated as a result of investments in new technologies for storing the technical conditions for interaction with the command control and signalling subsystems.

The Infrastructure Manager may apply price discount schemes to infrastructure users to encourage:

- a) the use of new lines or those used under the capacity;
- b) reducing the use of a particular railway segment.

Price deductions relate only to the fees set for a particular section of the infrastructure. Similar deduction schemes will apply to similar services.

6.9 CHANGE OF TRAIN PATHS

Changing the train path means changing the basic data on the existing path on behalf of the railway company leading to a deviation from the approved train path schedule and consequently creating a new train path.

The change fee is xx leke (not yet approved) for each train path

7 APPENDICES

Annex 2 :

The General Business Conditions (CPB) regarding the Use of Public Railways Infrastructure (IHP)

Annex 3 :

- 1. Technical data on the railway lines and stations*
- 2. General map of railway lines*
- 3. Schematic schematic plans for stations*
- 4. Free space and load capacities*
- 5. General overview of inclinations, resistances and speeds on the railway lines*
- 6. List of stations accepting freight transport*
- 7. Overview of the railway capacities at the port of Durrës*
- 8. Lines equipped with signaling and security equipment*

Appendix 4 Forms and Procedures for Application for Path

- 1. Application Form for Train Path Allocation and Instructions for Completing the Form*
- 2. Evaluation procedure and methodology for allocation criteria of the train path*
- 3. Procedures for solving complaints in the framework of the procedure for allocation of train path*

Appendix 5 Additional Services.

- 1. A catalogue for additional services to use the lines, services and equipment*
- 2. A catalogue of other services*

3. Station categories and detention points

4. List of stations where a permanent maneuvering group operates the movement of railway vehicles

Administered as Railway Infrastructure

1