

NETWORK STATEMENT FOR TIMETABLE PERIOD 2019

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1 Validity and informing of changes

This Network Statement is valid for the timetable period of 2019 (9 December 2018 to 14 December 2019).

Informing of changes

An entry of changes will be recorded on the first page of this Network Statement.

2 Rail network

Description, type and extent of the rail network

The rail network of the Port of HaminaKotka (hereinafter referred to as Port) has been described in the railway layout diagrams (the railway layout diagrams of Hamina and Kotka are available as files on the website of the Port). The railway layout diagrams give information on the technical maximum speeds of the railway tracks as well as on the control, management and signalling system devices.

The rail network of the Port does not have electrified railway lines.

The maximum speed in the traffic operating point of the Port on tracks 400 and 401 is 35 km/h and in the other parts of the rail network 20 km/h.

The rail network of the Port is a second class traffic control area.

The maximum axle weight of rolling stock on the rail network of the Port is 250 kN.

The signs and signalling devices of the rail network have the same meanings as what the Finnish Transport Agency instructs for the state-owned rail network.

Interruptions in traffic and in the use of capacity caused by work on the rail network are marked in accordance with instruction RATO 17, Radan merkit ja merkinnät (Signs and markings on railways) issued for the state-owned rail network.

The smallest radius of curvature in the switch areas of the rail network is 150 m, and the smallest radius of curvature in the tracks is 200 m.

The longitudinal gradient of the tracks in the rail network over a distance of at least 20 m is at the most 5‰.

The radii of rounding curves in the tracks in the rail network are at least 500 m.

Conditions for the use of the rail network

Rail operation requires the signing of an agreement on the use of the rail network, as specified under item 6 "Agreement on the use of rail network", and capacity as specified under item 7 "Rail capacity".

Rail operation must comply with the instructions given under item 3, "Safety instruction for shunting work and rail work in the rail network".

Restrictions in the use of the rail network

A steam locomotive and rolling stock, which could cause a fire hazard, must not be used for rail operation.

Work relating to the maintenance of the rail network may restrict the use of the capacity.

Requirements concerning rolling stock

The rail network can be used for operating rolling stock which has a commissioning permit and which has been entered in the rolling stock register of the Finnish Transport Safety Agency (Liikenteen turvallisuusvirasto, Trafi). The exception are steam locomotives and rolling stock, which could cause a fire hazard; the use of these is prohibited.

Priority rules for operation on the rail network

The rail network is a second class traffic control area.

The rail operators agree between themselves on their practical rail operation if necessary.

Changes in the rail network

During the timetable period of 2019, the Port will examine the grounds of the charges levied on the capacity.

3 Safety instruction for shunting work and rail work in the rail network

This instruction must be followed in shunting work and rail work in the traffic zones of the Port in areas belonging to the possession of the rail network.

In this instruction, rail work means work (including maintenance work), which:

- is carried out so that a machine or its part may extend to the reach of the free area of the track, or
- influences the structure of the track, or
- is carried out on a safety device, or
- requires the suspension of rail operation due to occupational safety or otherwise affects rail operation, or
- influences the unloading or loading of waggons.

The operation language used must be Finnish.

Any faults and deviations related to the tracks and their devices as well as any issues that may compromise rail operation or the unloading or loading of waggons must be reported to the Duty Officer of the Port, who will ensure that the necessary parties are informed accordingly.

Emergency situations

Accidents and hazards must first be notified to the general emergency number 112 and then to the Duty Officer of the Port.

Competences and qualifications

The rail operator and the party responsible for rail work must ensure that their personnel carrying out traffic safety tasks have a valid qualification for the task in question.

Shunting work

Shunting work must take place in accordance with the instructions of the Finnish Transport Agency concerning shunting work in the state-owned rail network, and the regulations of the Finnish Transport Safety Agency.

Switches, track locks and similar devices must be returned to their basic positions after their use. The basic positions are marked on the switches and track locks.

It must be ensured that rolling stock stays in place, if necessary by means of stoppers or in a similar manner.

The brakes of the rolling stock must be applied in shunting work.

Rolling stock may only be parked in the capacity area.

Rolling stock must not be parked so that it prevents traffic on fire roads, railway level crossings, areas that are intended for road use for crossing the tracks, or in switch areas.

Permission to perform shunting work

A rail operator is authorised to carry out shunting work in accordance with the agreement on the use of the rail network.

Rail work

Rail work may be carried out when the work is secured by the person named by the Port to be responsible for rail work or at that person's permission. The persons responsible for rail work within the Port are named by the Director of Traffic Operations of the Port.

The party responsible for rail work must, before commencing the work and if necessary also during the course of the work, provide its personnel participating in rail work with instruction concerning this document, the circumstances of the work in question and the work-related hazards.

Rail work must comply with the maintenance plan of the Port.

The person responsible for rail work must:

- Ensure the securing of rail work so that there is no danger to rail operation.
- If necessary, prevent rail operation.
- Ensure that before rail operations are permitted, the area that was subject to rail work is in a condition conforming to the maintenance plan of the Port.

Permission for rail work

The person named by the Port to be responsible for rail work and a party to which that person has given permission have the permission to carry out rail work.

Notifying of rail work

As soon as possible, the party responsible for rail work must inform the Duty Officer of the Port or the person responsible for rail work of any changes taking place during rail work, relating to the:

- traffic on the tracks and usability of the tracks
- duration of the work
- finishing of the work and
- changes in the contact information of the party responsible for the work.

Hot work

Hot work requires a permit in writing from the person named by the Port to be responsible for rail work.

Degraded operation

A failure in a warning device at a level crossing of a railway must be notified to the Duty Officer of the Port.

Forced opening of a switch by a train must be notified to the Duty Officer of the Port. After a forced opening of a switch by a train, the driver, the person responsible for shunting work or the person named by the Port to be responsible for rail work must visually inspect whether the switch can be used for rail operation. Based on the inspection, the driver, the party responsible for shunting work or the person named by the Port to be responsible for rail work must prevent shunting work and rail work at the switch (if necessary by means of a stop plate), or, if the person in question does not consider that there is a reason which prevents shunting work or rail work, the person in question must ensure that shunting work and rail work at the switch are carried out at a maximum speed of 5 km/h before an inspection carried out by the Port (if necessary, a speed limit sign for a special site must be installed).

4 Right of use of service facilities, provision of services

There are no services on the rail network.

5 Access to the rail network

The rail network can be used by a rail operator that has a safety certificate and that has signed an agreement on the use of the rail network.

Rail operators must have a sufficient liability insurance prescribed by the Finnish Railway Act, or other corresponding arrangement.

Application for safety certificate and rail operator licence

Information on how to apply for the safety certificate and rail operator licence is available free of charge at <http://www.rautatiemarkkinoille.fi>.

6 Agreement on the use of rail network

Rail operation must not be started before the agreement on the use of the rail network has been signed.

No later than 30 June 2018, a rail operator that has capacity must notify the Director of Traffic Operations of the Port of the need to conclude an agreement on the use of the rail network.

A rail operator that has a need to obtain urgent (ad hoc) capacity must notify the Director of Traffic Operations of the Port of its operation need and capacity need at least three days before the beginning of the intended operation.

The agreement on the use of the rail network is used for agreeing that the rail operator undertakes to follow the safety instructions of the holder of the rail network stated under item 3 "Safety instruction for shunting work and rail work in the rail network" of this Network Statement and the restrictions and requirements on the exercising of rail operation stated under item 2 "Rail network" as well as to carry out shunting work and to park its rolling stock only in accordance with its rail capacity. The agreement on the use of the rail network is also used for agreeing on the clearing of rolling stock in accident or failure situations.

The agreement on the use of the rail network is made for timetable periods. The Port may terminate the agreement on the use of the rail network with immediate effect if the rail operator does not comply with the terms and conditions stated in the agreement on the use of the rail network.

The rail operator must notify if it no longer has a need for rail operation, and the date when the rail operation finishes. The date of finishing of rail operation notified by the rail operator is also a notice of the termination of the agreement on the use of the rail network.

If necessary, the Port announces a need to update or amend the agreement on the use of the rail network. The framework agreement on the use of the rail network is available on the website of the Port as a file.

7 Rail capacity

Description of capacity

Capacity is allocated to the capacity areas of the rail network for shunting work. This also entitles the parking of rolling stock. The capacity areas are described as part of the capacity description of the Port on its website.

An application for capacity can be made by a rail operator that has a safety certificate, by a rail training institution for its training activities and by an applicant referred to in Regulation (EU) No 913/2010 of the European Parliament and of the Council.

A holder of capacity must immediately notify the Director of Traffic Operations of the Port of any unused capacity.

If necessary, the Port may cancel the capacity after consulting the operator in question if the holder of the capacity loses its safety certificate, misuses the capacity or carries out shunting work and/or parks rolling stock without capacity.

The Port may temporarily disable the capacity in full or in part due to a technical failure, accident or damage of the rail network. In these situations, the Port will, if necessary, provide alternative capacity if this is possible.

The capacity and the part of it reserved for the maintenance of the rail network by the Port as well as any remaining reserve capacity that can be allocated later as urgent capacity are described on the website of the Port.

Threshold of minimum use of capacity

There is no threshold of minimum use of capacity.

Capacity process

8 December 2017: The capacity will be published in conjunction with the publication of the Network Statement.

9 January 2018: The Port will arrange an information and discussion event for rail operators and holders of rail network that are interested in capacity. The event will review the details of making an application for capacity. Attendance in the event must be announced to the Director of Traffic Operations of the Port no later than 4 January 2018.

9 April 2018: Application for capacity finishes. The application must be sent electronically to the Director of Traffic Operations of the Port.

20 April 2018: The Port publishes the capacity applications on its website (linkki).

24 April 2018: The Port will arrange an information and discussion event for those who have applied for capacity to match the capacity needs. The place and time of the event will be announced to those who have applied for capacity.

If necessary, on 8 May 2018 the Port will arrange an information and discussion event for those who have applied for capacity to match the capacity needs. The place and time of the event will be announced to those who have applied for capacity.

1 June 2018: The Port will publish the decision on capacity allocation. The decision can be viewed as part of the capacity description on the website of the Port.

30 June 2018: End of the period when a rail operator that has capacity must notify of the need to conclude an agreement on the use of the rail network.

26 November 2018: The Port will announce whether it will change its decision concerning the allocation of capacity, and if it will, when the changes will take effect.

Applying for capacity

The application must be made for periods of at least six (6) hours and up to twelve (12) hours per capacity areas. The capacity areas are described in the application form on the website of the Port. The periods can be consecutive.

The application must include a monthly estimate of the gross weight of the rolling stock and of the number of rolling stock units coming to the rail network.

The application must also describe whether capacity is needed:

- 1) for goods that are directly loaded to / unloaded from a ship at the Port,
- 2) for goods that are loaded to / unloaded from a ship at the Port and that are warehoused for this purpose
- 3) for goods warehoused or transhipped at the Port, which goods are not goods that are loaded to / unloaded from a ship or
- 4) for training activities by a rail training institution or for an applicant referred to in Regulation (EU) No 913/2010 of the European Parliament and of the Council.

Allocation of capacity

The capacity is allocated after negotiations concerning the matching of the capacity applications.

The capacity that is needed for goods that are directly loaded to / unloaded from a ship at the Port is considered to have first priority.

The capacity that is needed for goods that are loaded to / unloaded from a ship at the Port and that are warehoused for this purpose is considered to have second priority.

The capacity that is needed for goods warehoused or transhipped at the Port, which goods are not goods that are loaded to / unloaded from a ship, is considered to have third priority.

The capacity need of a rail training institution for its training activities and the capacity need of an applicant referred to in Regulation (EU) No 913/2010 of the European Parliament and of the Council is considered to have lowest priority.

Capacity is allocated to all applicants who have applied for capacity.

If necessary, overlapping capacity needs are adapted by shortening or shifting the capacity periods.

Adaptation procedure of capacity

The adaptation procedure is a negotiation where the Port proposes, where necessary, alternative capacity which differs from the capacity applied for.

Allocation of urgent (ad hoc) capacity

A need for urgent (ad hoc) capacity must be notified to the Director of Traffic Operations of the Port at least seven days before the beginning of the intended operation.

The Port will issue a decision on urgent capacity within five working days of receipt of the notification.

Urgent capacity is granted to the applicant that has first made an application for it if capacity is available for that need.

Capacity that can be applied for as urgent capacity has been described as part of the capacity description on the website of the Port.

Fees

There is no fee for the capacity of the rail network.

8 Responsibilities, dispute resolution, appeal procedure

The rail operator is responsible for damage inflicted by the rail operator on the rail network as well as for indirect damage caused by this damage on the Port.

The party carrying out rail work is responsible for damage inflicted by the party on the rail network as well as for indirect damage caused by this damage on the Port.

As the holder of the rail network, the Port is responsible if it neglects a duty or responsibility belonging to the possession of the rail network, when such neglect causes direct damage to the rail operator's rolling stock or load carried on the rolling stock.

Any disputes plus conflicts related to the use of right of capacity must primarily be settled by negotiation.

Any dispute which cannot be settled by negotiation must be settled in a manner prescribed for other disputes in the Finnish Railway Act (Section 73).

A claim for rectification concerning decisions relating to the allocation of the rail capacity of the Port may be submitted in the manner prescribed in the Railway Act (Section 72).

The Port does not indemnify any damage or loss caused by the use of temporarily disabled capacity.

Other disputes are to be resolved in the District Court of Kymenlaakso.

9 Contacts

Urgent matters: Duty Officer of the Port, tel. 020 7908840, 24/7

Other matters: Director of Traffic Operations of the Port, tel. 020 7908831

Person responsible for rail work at the Port, Juha Reila, tel. 020 7908825