

## Rules and procedures for the determination of causes of train delays

Rules and procedures for the determination of causes of train delays and the party responsible for the delay

- 1) The reasons for the delay will be qualified in accordance with the rules referred to in the Ir-14 Passenger and freight trains control instruction;
- 2) Stations (trading points) for settlement of train delay compensation are stations located in the area of the Manager;
- 3) Settlements do not cover train delays:
  - a) resulting from launching rescue trains going to the place of occurrence or potentially dangerous situation on the railway lines. Train delays caused by the passage of a rescue train will be described by the code of causes for delays attributed to a given event or potentially dangerous situation,
  - b) caused by an emergency situation and events that regardless of the culpable will be classified as external causes or secondary, non-burdensome reasons for the railway undertaking and the PLK (groups of delay codes 8 and 9 according to Annex No. 1a to the Ir-14 Instruction). If to describe the reason for train delay the following codes are used: 90.1, 90.2, 90.3, 90.4 and 90.5 settlements of compensation for train delays are made in accordance with § 24 of the Railroad Accident, Incidents and Incidents Manual Ir-8,
  - c) Classified as code 23.1 (Electrical overhead line power supply devices. Declines, drops, lack of voltage in the overhead line) for reasons lying on the part of PKP Energetyka S.A. or other entity providing electricity distribution and sale services for traction purposes (attributed in SEPE to the relevant entity),
  - d) carrying out the carriage of persons and goods performed on the basis of applications for allocation of train paths submitted no later than 5 days prior to planned start of train, not transporting people and goods, and self-propelled and maintenance railway vehicles (PC, PH, PW, PX, TH, TS, TT, TS, LM, LP, LS, LT, LW, LZ, ZD, ZG, ZH, ZN, ZX). In case where the passage of these trains causes secondary delays of passenger and freight trains, guilty of these delays shall be liable for payment of compensation to railway undertakings whose trains have been delayed;
- 4) Awaiting passenger train delays, resulting from shuttle will be qualified if:
  - a) they will be included in the SEPE and SWDR system in "Shuttle / Changeover" tab and other not included in the systems for which the time interval between the scheduled arrival time of one train and the departure of the second allows the traveller to transfer, as a secondary delay from the delayed train to the shuttle (transfer),
  - b) shuttle was requested by the railway undertaking carrying travellers for the transfer, and in the timetable, there is no time interval allowing travellers to transfer, i.e. the train arriving at the shuttle arrives according to the train timetable at a time that does not allow to change or after a scheduled departure of the waiting train - to the railway

undertaking who is carrying the travellers and wants them to transfer to the waiting train. In this case, the delay of the waiting train will be the original delay described with the code 51-6 and encumbering the railway undertaking requesting the shuttle, whose train is going with travellers to transfer.

- c) if during using the railway infrastructure restrictions on its use shall occur, resulting in the need to introduce substitute communication, than delay of the train for which the in part of the path the substitute communication has been introduced and the delay of the shuttle trains will be attributed to the secondary Reasons code 94.1;

5) Manner of qualifying the reasons for delays of freight trains:

- a) delays of trains (including motive power units) resulting from extended driving time due to speed limitations not included in the timetable, must qualify for PLK - group codes 24, 25, 29, 30.1, 30.2, 30.3, or 32.1 depending on the reason for speed limitation,
- b) extended driving time caused by train travel on the opposite track will be qualified according to the original reason, resulting in a change in organization of the traffic,
- c) in the event that, due to operational disruptions, it is not possible to continue the train journey of the railway undertaking, after mutual agreement between the parties to the Agreement for use, the railway undertaking shall make a decision about "removal" of the traction team. The Railway undertaking is obliged, within a maximum of 300 minutes from the time the reason for stopping the journey has ceased, or since the PLK has provided information about the possibility of continuing the journey, to provide a traction crew for the train. In case of failure by the railway undertaking to comply with the above requirement, the delay of the train up to 300 minutes will be qualified as the original cause of the delay and above 300 minutes as the 93.3 code from the secondary delay,
- d) in the event that due to operational disturbances it is not possible to start or continue the train journey, PLK notifies the railway undertaking of the occurring situation and the train is cancelled or terminates at an intermediate station treated as a train last stop. In SEPE, the settlement of compensation for the train delay takes place to the end station of the journey.
- e) in case if the occupancy of tracks of the starting station or other reasons caused by the fault of the railway siding owner, not being managed by the railway undertaking or the PLK prevent the scheduled dispatch of train from the station, the delay is qualified to the code 41.1 - Secondary delays on the PLK network caused by events attributed to the manager, from which the train is received
- f) in case if the occupancy of tracks of the destination is caused by the fault of the railway siding owner, not being managed by the railway undertaking or the PLK and prevent arrival of train to the station and is not a result of an earlier delay of the train on the path, the delay is noted to the code 40.1 - Secondary delays on the PLK network caused by events attributed to the manager, which the train is transferred to,
- g) for delaying the train dispatched ahead of time, settlement of the train delay compensation takes place from the moment of coverage actual train journey time with its scheduled timetable. Secondary delays of passenger and freight trains

caused by the train travelling before the scheduled time are charged to the railway undertaking of the train owner.