

EUROPEAN  
COMMISSION4th Railway Package  
Impact Assessment Questionnaire

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## Section A Your organisation

## A Which organisation do you represent?

Please select your organisation type from the list below. If more than one is applicable please select all relevant organisations. If you are a representative body please select the organisation type that you represent. For some organisations there are additional questions after those on the first page. These can be printed by clicking the pdf icons below. To download a pdf of the non-organisation specific questions please [click here](#)

## Nature of organisation

- |   |  |
|---|--|
| <input type="checkbox"/> Infrastructure managers                            | <input type="checkbox"/> Passenger organisations                     |
| <input type="checkbox"/> Workers' Representatives                           | <input type="checkbox"/> Rail regulatory bodies                      |
| <input type="checkbox"/> Competition Authorities                            | <input type="checkbox"/> Incumbent passenger railway undertakings    |
| <input type="checkbox"/> National Safety Authorities                        | <input type="checkbox"/> Incumbent freight railway undertakings      |
| <input type="checkbox"/> New entrant passenger railway undertakings         | <input type="checkbox"/> Rolling stock leasing companies             |
| <input type="checkbox"/> New entrant freight railway undertakings           | <input type="checkbox"/> Industry Suppliers                          |
| <input type="checkbox"/> Public Transport Authorities (Competent Authority) | <input type="checkbox"/> Transport (or other responsible) ministries |
| <input type="checkbox"/> Other <input type="text"/>                         |  |

## B Please state the name of your organisation and Member State(s) you operate in

Name of Organisation:

Country(ies) of operation (tick EU if active in all Member States)

- |  |                                      |                                   |   |   |
|--|--------------------------------------|-----------------------------------|---|---|
| Austria <input type="checkbox"/>       | Belgium <input type="checkbox"/>     | Bulgaria <input type="checkbox"/> | Czech Republic <input type="checkbox"/> | Denmark <input type="checkbox"/>        |
| Estonia <input type="checkbox"/>       | Finland <input type="checkbox"/>     | France <input type="checkbox"/>   | Germany <input type="checkbox"/>        | Greece <input type="checkbox"/>         |
| Hungary <input type="checkbox"/>       | Ireland <input type="checkbox"/>     | Italy <input type="checkbox"/>    | Latvia <input type="checkbox"/>         | Lithuania <input type="checkbox"/>      |
| Luxembourg <input type="checkbox"/>    | Netherlands <input type="checkbox"/> | Poland <input type="checkbox"/>   | Portugal <input type="checkbox"/>       | Romania <input type="checkbox"/>        |
| Slovakia <input type="checkbox"/>      | Slovenia <input type="checkbox"/>    | Spain <input type="checkbox"/>    | Sweden <input type="checkbox"/>         | United Kingdom <input type="checkbox"/> |
| All of the EU <input type="checkbox"/> |                                      |                                   |   |   |

## Section B The quality of rail services in the EU

The Commission has set out in its "Road Map towards a Single European Transport Area" a number of initiatives, the first of which is creating a true internal market for rail services. This is seen as a necessary step to eliminate the problems that are restricting the development of the rail sector, in particular its competitive position compared to other transport modes which is driven by the general problem of deficiencies in the quality and efficiency of rail services. The issue of quality is of fundamental importance to the analysis to be undertaken in this impact assessment.

For the purposes of this survey we consider quality to include: punctuality, passenger comfort, on board services (including type, cleanliness, accessibility), information, service frequency, intramodal and intermodal integration. Quality also relates to the punctuality, reliability and customer needs for freight services.

**Q1.1** Following from the description set out above, are there any other aspects relating to the quality of rail services that you think are relevant?

☐ Yes ☐ No ☐ No opinion

Please specify these other aspects (and the specific Member States your comments refer to).

**Q1.2a** How would you rate the quality of rail services in your home country?

Please choose a number in the range 1 to 5, where 1=very bad and 5=very good.

	1	2	3	4	5	No opinion	N/A
Rail passenger services	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Rail freight services	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please comment and provide any evidence and data that can substantiate your response.

**Q1.2b** Looking at other countries you operate in, where do you think the quality of the passenger rail sector is a problem?

You can select more than one Member State

- |  |                                      |                                   |   |   |
|--|--------------------------------------|-----------------------------------|---|---|
| <input type="checkbox"/> Austria       | <input type="checkbox"/> Belgium     | <input type="checkbox"/> Bulgaria | <input type="checkbox"/> Czech Republic | <input type="checkbox"/> Denmark        |
| <input type="checkbox"/> Estonia       | <input type="checkbox"/> Finland     | <input type="checkbox"/> France   | <input type="checkbox"/> Germany        | <input type="checkbox"/> Greece         |
| <input type="checkbox"/> Hungary       | <input type="checkbox"/> Ireland     | <input type="checkbox"/> Italy    | <input type="checkbox"/> Latvia         | <input type="checkbox"/> Lithuania      |
| <input type="checkbox"/> Luxembourg    | <input type="checkbox"/> Netherlands | <input type="checkbox"/> Poland   | <input type="checkbox"/> Portugal       | <input type="checkbox"/> Romania        |
| <input type="checkbox"/> Slovakia      | <input type="checkbox"/> Slovenia    | <input type="checkbox"/> Spain    | <input type="checkbox"/> Sweden         | <input type="checkbox"/> United Kingdom |
| <input type="checkbox"/> All of the EU |                                      |                                   |   |   |

Please comment and provide any evidence and data that can substantiate your response.

**Q1.2c** Looking at other countries you operate in, where do you think the quality of the freight rail sector is a problem?

You can select more than one Member State

- |  |                                      |                                   |   |   |
|--|--------------------------------------|-----------------------------------|---|---|
| <input type="checkbox"/> Austria       | <input type="checkbox"/> Belgium     | <input type="checkbox"/> Bulgaria | <input type="checkbox"/> Czech Republic | <input type="checkbox"/> Denmark        |
| <input type="checkbox"/> Estonia       | <input type="checkbox"/> Finland     | <input type="checkbox"/> France   | <input type="checkbox"/> Germany        | <input type="checkbox"/> Greece         |
| <input type="checkbox"/> Hungary       | <input type="checkbox"/> Ireland     | <input type="checkbox"/> Italy    | <input type="checkbox"/> Latvia         | <input type="checkbox"/> Lithuania      |
| <input type="checkbox"/> Luxembourg    | <input type="checkbox"/> Netherlands | <input type="checkbox"/> Poland   | <input type="checkbox"/> Portugal       | <input type="checkbox"/> Romania        |
| <input type="checkbox"/> Slovakia      | <input type="checkbox"/> Slovenia    | <input type="checkbox"/> Spain    | <input type="checkbox"/> Sweden         | <input type="checkbox"/> United Kingdom |
| <input type="checkbox"/> All of the EU |                                      |                                   |   |   |

Please comment and provide any evidence and data that can substantiate your response.

**Q1.3** Do you consider quality issues are different for passenger services provided under public service contracts and those provided by open access?

☐ Yes ☐ No ☐ No opinion

If yes, please explain what are the reasons for such distinction in your view and provide, where possible, examples and statistical data:

**Q1.4** To what extent do you think that the quality of rail services affects the competitiveness of the rail sector in the country(ies) you operate in?

	To a great extent	To some extent	To a minor extent	Not at all	No opinion
Freight services	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Passenger services	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please explain your answer with reference to any specific example.

**Q1.5a** To what extent do you believe that the following quality and financial elements affect demand for rail passenger services?

**Quality elements**

	To a great extent	To some extent	To a minor extent	Not at all	No opinion
Service frequency	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Intramodal integration (between rail services of different operators including through-ticketing)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Intermodal integration (e.g. interchange road-rail including the possibility of integrated ticketing)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Punctuality	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
On board services (e.g. train cleanliness, air conditioning, etc.)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Information to passengers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

**Financial elements**

	To a great extent	To some extent	To a minor extent	Not at all	No opinion
Ticket prices	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Public subsidies for infrastructure development	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Public funding for public service contract compensation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Other problem elements, quality or financial (please specify in the comment box)

**Q1.5b** To what extent do you believe that the following quality elements affect demand for rail freight services?

	To a great extent	To some extent	To a minor extent	Not at all	No opinion
Quality	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Punctuality	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Service offer adapted to customers' needs	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Price	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Intermodality	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Other problem elements (please specify in the comment box)

**Q1.5c** Please rank the following elements from the one with the greatest importance to the one with the least importance for the competitiveness of the rail sector, unless you have indicated "no opinion" or "not at all" in question 1.5a.

**Passenger services**

	Rank importance (1=most important 9=least important)
Service frequency	<input type="text"/>
Intramodal integration (between rail services of different operators including through-ticketing)	<input type="text"/>
Intermodal integration (e.g. interchange road-rail including the possibility of integrated ticketing)	<input type="text"/>
On board services (e.g. train cleanliness, air conditioning, etc.)	<input type="text"/>
Information to passengers	<input type="text"/>
Ticket prices	<input type="text"/>
Public subsidies for infrastructure development	<input type="text"/>
Public funding for public service contract compensation	<input type="text"/>

Other elements (please specify in the comment box):

**Q1.5d** Please rank the following elements from the one with the greatest importance to the one with the least importance for the competitiveness of the rail sector, unless you have indicated "no opinion" or "not at all" in question 1.5b.

**Rail freight services.**

	Rank importance (1=most important 5=least important)
Reliability	<input type="text"/>
Punctuality	<input type="text"/>
Service offer adapted to customers' needs	<input type="text"/>
Price	<input type="text"/>
Intermodality	<input type="text"/>

Please comment and provide any evidence and data that can substantiate your response

### Section C Issues affecting the quality of rail passenger services in the EU

The European Commission believes that domestic rail passenger services suffer from a low level of quality and efficiency which leads to poor inter-modal performance. According to a preliminary analysis by the European Commission this situation can be attributed to the presence of several obstacles which hamper market access, limits new entrants and hinder the internal market for rail passenger services. We have identified four main drivers affecting the quality of rail services in the EU, each of them comprising a number of elements. We are interested in your opinion with respect to these issues.

**Q2.1** To what extent do you agree that the following aspects affect the quality of rail services and have an impact on the competitiveness of the rail sector in the EU?

	Strongly agree	Partially agree	Neither agree nor disagree	Partially disagree	Strongly disagree	No opinion
Access barriers for railway undertakings	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Discriminatory framework conditions (e.g. access to rail related services and rolling stock, etc.)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Inadequate regulatory oversight	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Lack of competitive incentives on railway undertakings to improve quality/ reduce fares	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other: <input type="text"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please explain your suggested "Other" category in more detail

Please comment and provide any evidence and data that can substantiate your response

**Q2.2** To what extent do you believe that the following factors contribute to each of the problems listed in the previous question?

a) Access barriers for railway undertakings to the rail sector

	To a great extent	To some extent	To a minor extent	Not at all	No opinion
Constraints concerning access to rail related services	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Infrastructure capacity constraints	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Constraints on rolling stock availability	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other: <input type="text"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please comment and provide any evidence and data that can substantiate your response.

**b) Discriminatory framework conditions**

	To a great extent	To some extent	To a minor extent	Not at all	No opinion
Insufficient independence of Infrastructure Manager functions (in relation to capacity allocation and charging)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Lack of financial/ technical transparency	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other: <input style="width: 150px;" type="text"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please comment and provide any evidence and data that can substantiate your response.

**c) Inadequate Regulatory Oversight**

	To a great extent	To some extent	To a minor extent	Not at all	No opinion
Inadequate scope of regulatory competences (e.g. extending scope to open access and public service contracts for domestic passenger services including the definition of public service contracts)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Inadequate resources/ regulatory expertise (e.g. in terms of staff numbers necessary to react to a market with multiple operators or with sufficient experience in dealing with regulatory issues)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Divergent interpretation of legislation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other: <input style="width: 150px;" type="text"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please comment and provide any evidence and data that can substantiate your response.

**d) Lack of competitive incentives on railway undertakings to improve quality/reduce fares**

	To a great extent	To some extent	To a minor extent	Not at all	No opinion
Lack of competitive award of Public Service Contracts	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Inadequate definition and scope of public service obligations	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Lack of open access rights	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other: <input style="width: 150px;" type="text"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please comment and provide any evidence and data that can substantiate your response.

**Q2.3** Are there any other problems within the rail sector that are hindering the creation of a high quality passenger service that can compete with other modes of transport?

☐ Yes ☐ No ☐ No opinion

Please comment and provide any evidence and data that can substantiate your response.

**Q2.4** What effect do the following external factors have on the competitiveness of the rail sector?

	Very positive	Positive	Neither positive nor negative	Negative	Very negative	No opinion
Increasing road congestion	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Improving quality of domestic air transport services	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Decreasing price of air transport services	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Deteriorating state of the economy	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increasing road pricing	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other: <input style="width: 150px;" type="text"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please comment and provide any evidence and data that can substantiate your response.

## Section D The objectives of this policy initiative

The European Commission wishes to contribute to the completion of the internal market for transport through improvements to the operation of the integrated EU railway system and its institutional framework. In order to do this a number of potential objectives have been identified.

**Q3.1** Do you believe that the following objectives address the issues previously discussed in Section C of this survey? [Click here to see issues](#)

	Yes	No	No opinion
Improve access to infrastructure at cost-reflective charges that create appropriate incentives for new entrants	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Improve access to rolling stock on competitive terms for new entrants	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Ensure independent decision making in relation to provision of, and charges for, infrastructure management functions	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Enhance regulatory competencies in relation to competitive award of public service contracts	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Improve access to rail related services (station facilities and ticketing and information systems)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Ensure competitive award of public service contracts

☐ ☐ ☐

Ensure a consistent open access approach to domestic rail passenger markets

☐ ☐ ☐

Please comment and/or add other objectives

## Section E Policy options

The European Commission has identified a number of options that could contribute to the fulfilment of the policy objectives illustrated in the previous section and, ultimately, improve the competitiveness of the EU railway sector. Please provide your view on the different policy options illustrated below which are related to two main areas of intervention: market opening of rail passenger services and independence of infrastructure management.

### Market opening

The Commission has stated in its Road Map that it will seek to establish an attractive and dynamic open rail market. We discuss in this section the various options for completing the process of market opening.

**Q4.1a** Do you agree that further market integration of the rail sector should be progressed by opening of domestic passenger services through new open access rights?

Strongly agree   Partially agree   Neither agree nor disagree   Partially disagree   Strongly disagree   No opinion

☐ ☐ ☐ ☐ ☐ ☐

Please comment:

**Q4.1b** What effect would further market opening (through new open access rights in the domestic market) have on the following areas?

	Very positive	Positive	No effect	Negative	Very negative	No opinion
Service frequency	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Intramodal integration (between rail services of different operators including through-ticketing)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Intermodal integration (e.g. interchange road-rail including the possibility of integrated ticketing)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Punctuality	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
On board services (e.g. train cleanliness, air conditioning, etc.)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Information to passengers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Ticket prices	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Public subsidies for infrastructure development	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>



Public funding for public service contract compensation

Please explain your answer providing, where possible, national examples and statistical data

100

**Q4 2a** Do you agree that further market integration of the rail sector should be progressed by opening of domestic passenger services through compulsory competitive tendering for public service contracts?

Strongly agree   Partially agree   Neither agree nor disagree   Partially disagree   Strongly disagree   No opinion

c c c c c c

Please comment:

**Q4.c.b** What effect would further market opening (through compulsory competitive tendering for public service contracts) have on the following areas?

	Very positive	Positive	No effect	Negative	Very negative	No opinion
Service frequency	☺	☺	☺	☺	☺	☺
Intramodal integration (between rail services of different operators including through-ticketing)	☺	☺	☺	☺	☺	☺
Intermodal integration (e.g. interchange road-rail including the possibility of integrated ticketing)	☺	☺	☺	☺	☺	☺
Punctuality	☺	☺	☺	☺	☺	☺
On board services (e.g. train cleanliness, air conditioning, etc.)	☺	☺	☺	☺	☺	☺
Information to passengers	☺	☺	☺	☺	☺	☺
Ticket prices	☺	☺	☺	☺	☺	☺
Public subsidies for infrastructure development	☺	☺	☺	☺	☺	☺
Public funding for public service contract compensation	☺	☺	☺	☺	☺	☺

Please explain your answer providing, where possible, national examples and statistical data

**Q4.3a** If some or all of your network were to be opened to open access operations, please outline your views on the following ways in which such a policy might be implemented:

	Very positive	Positive	No effect	Negative	Very negative	No opinion
a) A continuation of the existing arrangements in Member States in relation to the provision of open access arrangements	0	0	0	0	0	0

- |  |                       |                       |                       |                       |                       |                       |
|--|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| b) Open access on routes not covered by public service contracts   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| c) Open access as in option (b), but also permitted on routes covered by public service contracts though Member States could limit access if economic viability of public service contract is affected | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| d) Open access unrestricted on certain types of services (such as long-distance, high-speed or premium airport services)   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| e) Open access unrestricted on all routes (maintaining the possibility of public funding for unprofitable services)  | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| f) Other   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

Please provide details of any "Other" option that you have inserted and consider may be relevant.

**Q4.3b** Please rank the following options for which you believe there will be a positive or very positive effect from the one which you think is most appropriate to meet the objectives presented in Section D to the one which is the least appropriate. [Click here to see objectives](#)

- |  | Rank importance<br>(1=most positive 6=least positive) |
|--|---|
| a) A continuation of the existing arrangements in Member States in relation to the provision of open access arrangements   | <input type="text"/>                                  |
| b) Open access on routes not covered by public service contracts   | <input type="text"/>                                  |
| c) Open access as in option (b), but also permitted on routes covered by public service contracts though Member States could limit access if economic viability of public service contract is affected | <input type="text"/>                                  |
| d) Open access unrestricted on certain types of services (such as long-distance, high-speed or premium airport services)   | <input type="text"/>                                  |
| e) Open access unrestricted on all routes (maintaining the possibility of public funding for unprofitable services)  | <input type="text"/>                                  |
| f) Other   | <input type="text"/>                                  |

Please explain your answer providing, where possible, specific examples

**Q4.4a** If some or all of your network were subject to competitive tendering, please outline your views on the following ways in which such a policy might be implemented:

- |   | Very positive         | Positive              | No effect             | Negative              | Very negative         | No opinion            |
|---|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| a) Retention of the existing legal framework in which competent authorities can determine | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

whether to award public service contracts directly or through a competitive tendering process

**b) Competitive tendering**

introduced for public service contracts where a financial or operational threshold is exceeded (e.g. contract value, volume of traffic).

i) *Financial: where the total contract value is greater than a pre determined figure*

☐ ☐ ☐ ☐ ☐ ☐

ii) *Operational: where the contract covers more than a pre determined percentage of the total network according to an agreed metric.*

☐ ☐ ☐ ☐ ☐ ☐

iii) *Other:*

☐ ☐ ☐ ☐ ☐ ☐

**c) A specification of negotiation elements allowed under a competitive tendering procedure along the lines of the relevant provisions in public procurement law**

☐ ☐ ☐ ☐ ☐ ☐

**d) Competitive tendering for all public service contracts**

☐ ☐ ☐ ☐ ☐ ☐

**e) Other**

☐ ☐ ☐ ☐ ☐ ☐

Please provide details of any "Other" option that you have inserted and consider may be relevant.

**Q4.4b** Please rank the following options for which you believe there will be a positive or very positive effect in relation to the degree to which they meet the objectives presented in Section D. [Click here to see objectives](#)

**Rank importance**

(1=most positive 5=least positive)

a) Retention of the existing legal framework in which competent authorities can determine whether to award public service contracts directly or through a competitive tendering process

b) Competitive tendering introduced for public service contracts where a financial or operational threshold is exceeded (e.g. contract value, volume of traffic)

c) A specification of negotiation elements allowed under a competitive tendering procedure along the lines of the relevant provisions in public procurement law

d) Competitive tendering for all public service contracts

e) Other

Please explain your answer providing, where possible, specific examples

**Q4.5a** What is the view of your organisation on each of the following framework conditions?**Improved access to rolling stock**

	Very positive	Positive	No effect	Negative	Very negative	No opinion
a) Compulsory transfer of rolling stock to new operator	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
b) Creation of rolling stock leasing companies that are to provide trains for public service contracts.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
c) Rolling stock to be provided by competent authority	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
d) Other	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please provide details of any "Other" option that you have inserted and consider may be relevant.

**Improved access to rail related services, in particular ticketing**

	Very positive	Positive	No effect	Negative	Very negative	No opinion
a) Reinforced access rules for ticketing facilities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
b) Compulsory through-ticketing	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
c) Inter-availability of tickets	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
d) Other	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please provide details of any "Other" option that you have inserted and consider may be relevant.

**Tendering procedures**

	Very positive	Positive	No effect	Negative	Very negative	No opinion
a) Clear conditions to be introduced on the manner in which staff is appropriately protected during the transfer from one operator to another.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
b) Extending the competence of the regulatory bodies in the tendering process to cover areas such as defining the criteria that authorities are to use in formulating tenders	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
c) Mandatory application of compensation rules in Annex to Regulation 1370/2007 in case of single bidder	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

d) Other \_\_\_\_\_

Please provide details of any "Other" option that you have inserted and consider may be relevant.

**Q4.5b** Please rank each of the following framework conditions for which you believe there will be a positive or very positive effect in relation to the degree to which they meet the objectives presented in Section D. [Click here to see objectives](#)

#### Improved access to rolling stock

##### Rank importance

(1=most positive

4=least positive)

- a) Compulsory transfer of rolling stock to new operator
- b) Creation of rolling stock leasing companies that are to provide trains for public service contracts.
- c) Rolling stock to be provided by competent authority
- d) Other \_\_\_\_\_





Please explain your answer providing, where possible, specific examples

#### Improved access to rail related services, in particular ticketing

##### Rank importance

(1=most positive

4=least positive)

- a) Reinforced access rules for ticketing facilities
- b) Compulsory through-ticketing.
- c) Inter-availability of tickets.
- d) Other \_\_\_\_\_





Please explain your answer providing, where possible, specific examples

#### Tendering procedures

##### Rank importance

(1=most positive

4=least positive)

- a) Clear conditions to be introduced on the manner in which staff is appropriately protected during the transfer from one operator to another.
- b) Extending the competence of the regulatory bodies in the tendering process to cover areas such as defining the criteria that authorities are to use in formulating tenders
- c) Mandatory application of compensation rules in Annex to Regulation 1370/2007 in case of a single bidder
- d) Other \_\_\_\_\_

Please explain your answer providing, where possible, specific examples

### Enhanced independence of infrastructure management

The Commission has stated in its White Paper that it will seek to ensure effective and non-discriminatory access to rail infrastructure in particular through structural separation (enhanced independence of infrastructure management) between infrastructure management and service provision. We discuss in this section the various options for this enhanced independence of infrastructure management.

**Q5.1** Currently, Member States have chosen to adopt different approaches to vertical separation. Which of the following vertical separation models exist in your country(ies) of operation:

Institutional separation	Partial separation (Infrastructure Manager and Railway Undertaking separated but some Infrastructure Manager activities undertaken by the Railway Undertaking)	Partial integration (Infrastructure Manager and Railway Undertaking under the same holding company)	Full Integration with independent allocation and charging bodies
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

**Q5.2** Please explain what the advantages and disadvantages are of the model(s) you have selected in question 5.1

### Institutionally separated model

**Q5.3** To what extent does this model address the following aspects?

	To a great extent	To some extent	To a minor extent	Not at all	No opinion
Ensuring financial transparency	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Preventing discriminatory practices	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Facilitating cross-border cooperation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Avoiding too extensive and costly regulatory oversight	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Limiting transaction costs	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Ensuring alignment/coordination between infrastructure management and provision of transport services	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other <input style="width: 150px;" type="text"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please provide evidence and any data that you may have to support your view.

### Non-institutionally separated model

**Q5.4** To what extent does this model address the following aspects?

	To a great extent	To some extent	To a minor extent	Not at all	No opinion
Ensuring financial transparency	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Preventing discriminatory practices	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Facilitating cross-border cooperation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Avoiding too extensive and costly regulatory oversight	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Limiting transaction costs	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Ensuring alignment/coordination between infrastructure management and provision of transport services	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other <input type="text"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please provide evidence and any data that you may have to support your view.

**Q5.5** For which of the following functions do you consider that independence of decision making must be reinforced to ensure non-discrimination?

	Yes	No	No opinion
Capacity allocation (including traffic management)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Infrastructure maintenance activities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Infrastructure charging	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Infrastructure planning and financing	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other <input type="text"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please provide where possible examples including quantified data as well as any detailed comment on different activities and functions listed above

**Q5.6** Please rank the following options from the one which you think is most appropriate to meet the objectives presented in Section D to the one which is the least appropriate. [Click here to see objectives](#)

	Rank importance (1=most appropriate 5=least appropriate)
a) Existing separation requirements (legal, organisational and decision making)	<input type="text"/>
b) Existing separation requirements (legal, organisational and decision making) but also applying to additional functions of the infrastructure manager	<input type="text"/>
c) Institutional separation applying only to the body in charge of the essential functions	<input type="text"/>
d) Institutional separation applying to all functions of the Infrastructure Manager	<input type="text"/>
e) Other <input type="text"/>	<input type="text"/>

Please explain your answer and/or indicate alternative options providing, where possible, specific examples

**Q5.7** In addition to the options in question 5.6, would you support the creation of a specific body including, in a non-discriminatory manner, representatives from all Infrastructure users to ensure that their interests are duly taken into consideration?

☐ Yes    ☐ No    ☐ No opinion

**Please explain your answer**

\_\_\_\_\_