



REPUBLIKA HRVATSKA
Ministarstvo mora, prometa
i infrastrukture



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EUROPEAN COMMISSION

Directorate General for Mobility and Transport
Unit B5 – Social aspects, Passenger rights and
Equal opportunities
DM 28 - 7/110, Rue de Mot 28, B-1049 Brussels

SUBJECT: Notification on the exemption from the application of the provisions of Regulation (EU) 2021/782 of the European Parliament and the Council of April 29, 2021 on the rail passenger's rights and obligations

Dear Sirs,

please take note of the Republic of Croatia notification on the exemption from the application of the provisions of Regulation (EU) 2021/782 of the European Parliament and the Council of April 29, 2021 on the rail passenger's rights and obligations, in relation to Article 10 and Article 24 point a) of Regulation 2021/782.

Article 2 paragraph 5 of the Regulation 2021/782 stipulates that Member States may, until 7 June 2030, provide that Article 10 does not apply where it is not technically feasible for an infrastructure manager to distribute real-time data within the meaning of Article 10(1) to railway undertakings, ticket vendor, tour operators or station managers. Member States shall reassess at least every two years to what extent it is technically feasible to distribute such data. Article 10 of Regulation 2021/782 stipulates that infrastructure managers distribute real-time data on train arrivals and departures to railway operators, ticket sellers, tour operators and station managers. In the Republic of Croatia, by decision of the Government of the Republic of Croatia, the company HŽ Infrastruktura d.o.o. is designated as the only legal entity that manages the railway infrastructure. Until recently, the real-time data required in Article 10 was available to everyone, including natural persons. However, the openness and availability of data was used for an IT (Information Technology) attack that threatened the security of the IT system of HŽ Infrastruktura d.o.o. and this data is no longer available to everyone. Access is provided to railway carriers via VPN (Virtual private network), but access in this way cannot be provided to a larger number of users. The infrastructure manager will solve the problem by introducing a new IT system that will replace the existing IT system. As for the process of creating a new IT system, a contractor has been selected in the public procurement process, and work on the creation has already begun. For the reasons stated above, the Republic of Croatia decided not to apply Article 10, as it is not technically

feasible for the infrastructure manager to distribute data in real time in the sense of Article 10, paragraph 1, until a new IT system is established.

Furthermore, Article 24 point a) stipulates that Member States may allow the 24-hour period provided for notifications from the first, second and third subparagraphs of point a) of the same article to be extended up to 36 hours, but this option may not be used after 30 June 2026. In such cases, the Member States shall notify the Commission of this permission and provide information on the measures taken or envisaged to shorten the deadline. Currently, in the Republic of Croatia, works and reconstructions on the vast majority of railways and official places are underway, which are being carried out by the infrastructure manager and which sometimes last from 8 to 72 hours in continuous cycles. In these cases, replacement bus transportation of passengers is organized. Considering that infrastructure manager workers also participate in providing assistance to people with disabilities and reduced mobility in addition to the workers of the carrier, it is an aggravating circumstance that infrastructure manager in some stations on Saturdays and Sundays has no service staff who could provide the necessary assistance. In addition, the availability of means of transport is often reduced, especially in international transport, due to additional organizational and technological actions that need to be carried out in order to include carriages adapted for the transport of persons with disabilities and reduced mobility in the train. Also, sometimes in internal transport, the availability of low-floor trains that are adapted for the transport of disabled people and have built-in platforms for the entry/exit of people in wheelchairs that operate according to a predetermined schedule in accordance with the traffic and transport instructions for internal transport with the valid timetable, as well as wagons adapted to the transport of persons with disabilities and reduced mobility. The aforementioned makes it difficult for the carrier to provide an adequate means of transportation for people with disabilities and reduced mobility. In view of the above, the Republic of Croatia allowed the extension of that deadline to 36 hours.

The carrier invests maximum efforts in providing the necessary assistance to passengers with disabilities and reduced mobility through the engagement and availability of staff on all days. In addition, the measures aimed at shortening that period are the acceleration of works on the reconstruction of railways and the procurement of new low-floor trams in the coming period.

Regarding additional information about the mentioned exemptions, we are at your disposal.

With kind regards,

VICE PRESIDENT OF THE GOVERNMENT AND MINISTER

Oleg Butković



PLEASE NOTE:

1. Ministry of Foreign and European Affairs, Trg N.Š. Zrinski 7-8, , 10000 Zagreb
2. Croatian Regulatory Authority for Network Industries, Ul. Roberta Frangeša Mihanovića 9, 10110 Zagreb