

**Republika e Kosovës**

**Republika Kosova-Republic of Kosovo**

Qeveria - Vlada - Government

**Ministria e Infrastrukturës**

**Ministarstvo Infrastrukture**

**Ministry of Infrastructure**

Minister of Infrastructure, pursuant to Article 93 (4) of the Constitution of the Republic of Kosovo, article 8, paragraph 1.2 and article 65, paragraph 2, and articles 52, 61, 64 of the Law No. 04/L-063 on Kosovo Railways, article 38, paragraph 6, of Regulation 09/2011 on the Work of the Government of Kosovo no. 02/2011 on the areas of administrative responsibility of the office of the Prime minister and ministries,

Issues

**ADMINISTRATIVE INSTRUCTION NO 02/2013**

**ON THE CALCULATION OF DIRECT COSTS FOR MAINTENANCE OF**

**RAILWAY INFRASTRUCTURE**

**Article 1**

Purpose

1. Issuance of this Administrative Instruction aims to determine the manner of calculating the direct costs of railway infrastructure management for maintenance of this infrastructure, in order to calculate the rates of use of the railway network in Kosovo by railway companies, which operate with trains for the transport of passengers and goods.

**2.** Creating payment method for managers to use common infrastructure, described in subheading V of the Law on Railways “Infrastructure payments", infrastructure charges for the minimum access package, approach in servicing equipment lines and supply services set in article 52 paragraphs 4.1 and 4.2, should be determined by costs which arise as a result of operating the train service, and maintenance of railway infrastructure. This Administrative Instruction details the elements which should be considered as direct costs.

**Article 2**

Powers and scope

1. The Ministry of Infrastructure is responsible for determining the elements of costs, which are considered as direct costs for the calculation of infrastructure charges on the basis of the principles of the EU Directive 2001/14.

2. The Ministry will modify the elements of the cost when the European Commission has set modalities for calculation of costs under the new directive, which caused directly as a result of operating the trains.

3. Infrastructure Managers of the common use should use elements of direct costs for the calculation of infrastructure charges for services that are included in the minimum access package.

4. Infrastructure Managers are not obliged to use the system of direct costs specified in this Administrative Instruction for additional and support services defined in article 52, paragraphs 4.3 and 4.4 and the services which result from access to training equipment by article 53, paragraph 6 of the Law on Railways.

**Article 3**

**The system of direct costs**

1. The manager must establish a separate system of direct costs for its infrastructure which should include the organization of costs as follows:

* 1. Categories of direct costs

1.2 Direct cost centers

**Article 4**

**The main categories of direct costs**

1. The main categories of direct costs include:

* 1. Rail maintenance costs and their components, including measurement and adjustment of rail geometry, rail replacement, skambjeve and intersections, as well as replacement of sleepers and ballast on railway lines;
  2. Maintenance costs of bridges, tunnels, culverts;
  3. Maintenance costs of crossing;

1.4 Maintenance costs of facilities such as stations, freight terminals,

summary stations, the countries forming the train tracks, parking, maintenance and other technical facilities and other technical facilities and other related facilities along railway lines;

1.5 Costs for maintenance of machines used for the rails maintenance;

1.6 Maintenance costs of other facilities for maintenance of railwaylines except for rail maintenance machines;

1.7 Maintenance costs of equipments for maintenance of facilities such as summary stations, places for train formation, parking rails, maintenance andother relevant objects along the railway lines;

1.8 Executive staff salaries which acts directly on the maintenance and operation of traffic, including signaling, regulation, monitoring, communication and provision of information on the movement of trains and other information required for the implementation and operation of the services for which it is given approach.

1.9 Executive staff salaries which acts directly on the maintenance and operation of traffic to facilities such as stations, freight terminals, summary stations, the places forming the train, parking rails, maintenance and other technical facilities along railway lines;

1.10 Operating costs of infrastructure and facilities such as stations, freight terminals, summary stations, the places forming the train, parking rails, maintenance and other technical facilities along railway lines;

1.11 Depreciation costs of assets such as stations, freight terminals, summary stations, the places forming the train, parking rails, maintenance and other technical facilities along railway lines;

1.12 Costs of maintenance of signaling equipment, CTC, telecommunications, energy, including cables and other constituent elements;

1.13 The costs of fuel, oil and spare parts for equipment intended for maintenance and organization of traffic operations;

1.4 Depreciation costs of equipment intended for maintenance and organization of traffic operations;

1.15 Depreciation costs of road and railway rolling stock intended for maintenance and traffic operations;

1.16 The infrastructure manager is free to make further detailing of the categories of costs presented under paragraph 1 for its internal needs in order to improve the transparency and efficiency of the system of calculating costs.

**Article 5**

**The main centers of direct costs**

1. The main categories of direct costs should be allocated to direct cost centers.

2. The main centers of direct costs for services included in the minimum access package are:

* 1. Maintenance of railway lines, skambjeve and junctions;
  2. Signaling, telecommunication and energy supply;

2.3.Traffic operations.

3. The main centers of direct costs for services which include access to equipment service and supply services (where applicable) are:

3.1.Station Buildings;

3.2.Freight Terminals;

3.3.Summary stations;

3.4.Places to train formation;

3.5.Rails for parking;

3.6.Equipment for fuel supply

3.7.Maintenance equipment and other technical equipment.

4.The infrastructure manager is free to make further detailing of the categories of costs presented under paragraph 2 and 3 for its internal needs in order to improve the transparency.

**Article 6**

**The exclusion of costs**

1. Direct costs of train services which are associated with the consumption of railway infrastructure shall exclude the following categories of costs:

1.1 Capital investment costs, including employee salaries and pensions;

* 1. Interest payments on capital investment;
  2. Amortization (depreciation) of information, communication or telecommunication equipment;
  3. Costs associated with property management, in particular acquisition, selling, dismantling, decontamination, reclamation, provision of leased land or other fixed assets;
  4. The social services, schools, childcare facilities, restaurants;
  5. Costs associated with major forces, accidents, disruption of services.

**Article 7**

**Entry into force**

The Administrative Instruction shall enter into force on the day of signature by the Minister

of Infrastructure.