

7th Florence Rail Forum
**Current challenges of Rail
Regulation**

New MS Experience

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Thesis

State of play

Tendencies 1 & 2

But still..

Thesis:

1. Rail Market is relevant market which is **not self-regulated** by the competition !



2. It needs **measures and intervention** that will lead to self-regulation by the competition + something...

3. Measures are:

- stricter **Legal Frame**
- Policies / strategy
- **Regulation** (? %)

State of play:

1. **Government:**

- insufficient legal frame:

 - *simple translation of Directives

 - *without vision of EU single market

- dilemma between:

 - *social balance and

 - *strengthening market

2. Industry:

RU - close to bankruptcy / covering by the PSO

IM - resist to adapt on market orientation



3. **Consumers** – silent / switch on other transport ways

4. **RB** – any action of RB results with headache of Min & IM

Tendencies 1 :

1. Increasing the role of RB as replacement to insufficient legal frame
2. Setup of European regulator
3. Efforts to unify legal system from the ground up (RNE-EGTC, Common structure of NS ...)

Tendencies 2

1. Decrease influence of RB
2. Merging Rail RB to Network Regulator

But still....

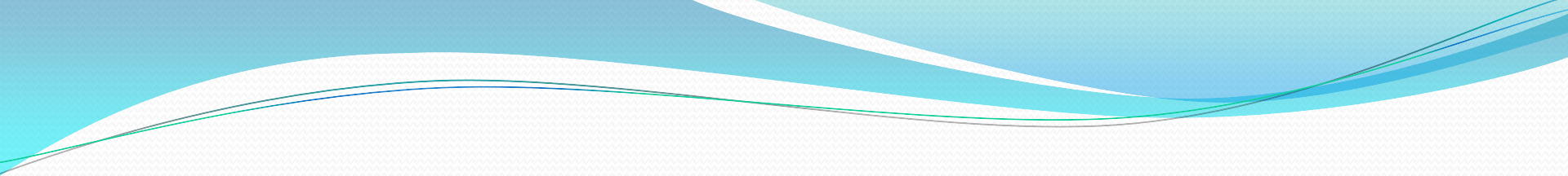
- Proactive Regulator,
- Which develops its capacity,
- Investigate and monitor market conditions,
- React on distortion cases and apply measures,
- Explain and make public legal interpretation of applied law and principles,
- Claims from IM to act according to the market principles,
- Report about market situation and its activity Government and Parliament,
- Perform transparent policy of its work,
- Exchange experience / learn from others, the best and appropriate,
- Cooperate with IRG Rail and EN RRB



Such Regulator is not UTOPIA



Such a Regulator is **helpful** in present situation **more than it is envisaged** in present legal frame **but not more than it is possible.**



Dilemma between Latin (siesta/ adagio) and Nordic
(ordnung&discipline) way ??



Regulation is closer to mine work
(digging rock with weak tools).



Thank you!