

**CONDITIONS FOR EVALUATION OF APPLICATIONS
TO THE INFRASTRUCTURE MANAGER FOR GRANTING A DEROGATION
FROM B1 LEVEL OF LANGUAGE PROFICIENCY FOR TRAIN DRIVERS**

After receipt of a request from the railway undertaking to grant a derogation from the requirements of B1 level of language proficiency for train drivers operating on the cross border sections - in accordance with Directive 2007/59/ES, Annex VI point 8.3, of the European Parliament and of the Council of 23 October 2007, the following procedure shall be applied:

1. ŽSR will evaluate whether the general requirements of the application are fulfilled, i.e. accuracy of railway undertaking data on contact details of the designated person for communication on the application, the correct border crossing for which the derogation is requested, all the required template reports and procedures, and whether the railway undertaking has declared the requested derogation commencement date.
2. The procedure proposed by the railway undertaking for notifying the railway traffic control staff of Železnice Slovenkej republiky prior to the departure of the train to the border crossing, of the occupation of the locomotive by the train driver with lower than B1 level of language proficiency.
3. Evaluation of template reports, description of procedures for ensuring the necessary communication in adverse and emergency situations between the train driver and the railway traffic control staff of Železnice Slovenkej republiky.
4. Evaluation of proposed procedure for ensuring ensure further ride if necessary in case of train composition is changed (change of scheduled technological procedures) or following the adverse and emergency situation the train remains standstill. The railway undertaking shall ensure a train driver with at least B1 level of language proficiency for further train ride.
5. Evaluation in cooperation with the person of the railway undertaking designated for communication on the application whether it is needed to carry out further actions on the side of Železnice Slovenskej republiky and on the side of the railway undertaking before the deployment of train drivers with knowledge of the language of the infrastructure manager with a lower than B1 level of language proficiency.
6. Evaluation of the need to include new provisions in the border crossing agreements.
7. In the event of missing data or procedures, Železnice Slovenkej republiky will contact the person designated by the railway undertaking to communicate on the application.
8. ŽSR shall issue a statement on the application after ensuring that all the necessary data and supporting documents are complied by the railway undertaking.