



Policy and Legal Advice Centre (PLAC IV)

Terms of Reference (ToR) for a Short-Term assignment

No. 51

Technical assistance requested:	Two Junior Non-Key Experts in the field of railway market regulation
Project Title:	Policy and Legal Advice Centre (PLAC IV)
Ref:	NEAR/BEG/2023/EA-RP/0175
Service Contract No:	(CRIS) 2024/453-315
Main beneficiary:	Directorate for Railways
Content of the assignment:	Technical assistance in drafting a rulebook on simplified control of track access charges and guidelines to achieve further harmonisation with the relevant EU legislation in the field of railway market regulation
Budget Line/Expert category	20 junior experts working days (10 WDs for Expert 1 and 10 WD for Expert 2)
Duration of the assignment	December 2025 – February 2026

1. Background information in relation to the PLAC IV project

The overall objective of the PLAC IV is for the Serbian administration to effectively conduct accession negotiations and successfully manage overall EU integration and pre-accession assistance geared towards EU membership.

The purpose of the project is: "to achieve a high level of effective alignment of national legislation with the Union *acquis* and its implementation".

PLAC IV should achieve two results:

- R1: Enhanced compatibility of national legislation with EU legislation and its effective implementation.
- R2: Enhanced capacities of relevant national structures for successful carrying out of accession negotiations

Serbia has been continuously harmonising its national legislation in the field of railway market liberalisation, railway market monitoring, and regulation with the EU legislation. In the field of railway market regulation, the current Railway Law (*Official Gazette RS*, No. 41/2018, 62/2023), through the adoption of secondary legislation, has been fully aligned with the Commission implementing regulations adopted under Directive (EU) No. 2012/34 relating to access to railway infrastructure capacities and their allocation (Implementing Regulation (EU) 2015/10 and 2016/545), licensing of railway undertakings (Implementing

Regulation (EU) 2015/171), access to service facilities (Implementing Regulation (EU) 2017/2177) and methods of calculating costs incurred as a direct result of train traffic (Implementing Regulation (EU) 2015/909). Commission Implementing Regulation 2015/909 stipulates the economic methods for calculating the costs directly incurred in operating the train service, for the purpose of setting charges for the minimum access package and access to infrastructure connecting service facilities. Regulation (EU) 2015/9091 provides a methodology for calculating direct costs by subtracting a list of non-eligible costs from the total underlying cost of delivering railway services. In addition, Article 6 allows the use of econometric and engineering methodologies to calculate direct costs. A railway infrastructure manager is obliged to apply these methods when calculating the costs of using railway infrastructure by railway operators to set railway infrastructure access charges at the optimal level.

The current Serbian Railway Law, as well as the draft version of the new Railway Law, planned for adoption by the end of 2025, provides for the Directorate for Railways to conduct simplified control of track access charges. Drafting a Rulebook on the simplified control of track access charges would enable the Directorate for Railways to implement its duty as stipulated by the Regulation on the Method and Modalities of Calculating Costs Incurred as a Direct Result of Train Traffic ("Official Gazette of the RS", Nos. 48/19, 149/20, 102/21, 134/22 and 107/23). This Regulation fully aligns with the Commission Implementing Regulation (EU) 2015/909. It regulates in more detail the method and modalities of calculating costs incurred as a direct result of train traffic, as well as the cases in which the Directorate for Railways may conduct simplified control of the calculation of track access charges and access charges to tracks connecting to service facilities. Besides, NPAA 3.14.1.2. envisages the adoption of a Regulation on methodology for determining prices of access to the public railway infrastructure and provision of service in 2026. The calculation of direct costs in accordance with Regulation 2015/9091 is an essential prerequisite for determining railway infrastructure access prices. To begin performing the tasks provided for by the Regulation mentioned above, the Directorate for Railways also needs guidelines for the regulatory body's control over track access charges, which are indispensable for its staff to take on these new duties.

The preparation of a Rulebook on simplified control of track access charges requires expertise in writing legal acts, as well as a very good command of the subject matter of the legal act to be produced. Therefore, experts from the fields of law and economics must complement each other when implementing the tasks. Junior NKE 1 shall be primarily responsible for drafting the Rulebook on simplified control of track access charges. In executing his/her task, Junior NKE 1 shall closely cooperate with Junior NKE 2 to cover all the necessary aspects related to the calculation of costs and charges paid by railway undertakings that operate on the public railway infrastructure. Close cooperation between an NKE in drafting railway legislation and an NKE in the specific field of control of track access charges is necessary to ensure that the rulebook is fully in line with legal drafting requirements and properly covers the particular field of control of railway track access charges.

Junior NKE 2 shall be primarily responsible for drafting Guidelines on the implementation of the new rulebook. Guidelines will present and explain the economic methods to be used for calculating the costs directly incurred from operating the train service for control of track access charges. The Guidelines will facilitate the implementation of the new Rulebook by the Railway Directorate's staff.



2. Description of the assignment

a. Specific objectives

The specific objective of this assignment is to facilitate further harmonisation with relevant EU legislation in the field of railway market regulation and monitoring.

b. Requested services

The requested Junior NKE 1 in the area of the railway market regulation is expected to provide the following services:

- Draft a rulebook on simplified control of track access charges based on Article 7 of the Commission Implementing Regulation (EU) 2015/909

The requested Junior NKE 2 in the area of railway market regulation is expected to provide the following services:

- Draft guidelines on the implementation of the new rulebook by the Directorate for Railways, especially concerning the calculation of direct costs, all under the Art. 56 of the Directive 2012/34/EU

c. Outputs

The outputs delivered by the Junior NKE 1 shall be as follows:

- Rulebook on the simplified control of track access charges

The outputs delivered by the Junior NKE 2 shall be as follows:

- Guidelines on the execution of the regulatory body's control of track access charges

d. Reporting

The experts shall provide the following reports by using the templates of the Project:

- Brief Mission Report with description of activities and outputs provided, at the end of each month, in which tasks under this assignment have been carried out, upon request of the Project Team Leader;
- Final Mission Report, no later than one week after completion of tasks under this assignment. This report will include a description of all activities and outputs provided by the NKE in the context of this assignment.

Submission of reports:

- All reports prepared in the relevant quality shall be submitted to the Project Team Leader for review, comments and final approval. The reports shall be signed by the NKE and the Team Leader, who is responsible for endorsing the reports.
- The reports and all prepared documents shall be submitted in hard copy and electronic version to the Team Leader of the project.



e. Specifics

The experts shall collaborate with the Project Technical Assistance Team to prepare and implement the activity. The NKE's activities and outputs mentioned above may be adjusted by the Team Leader at any stage of the Project's implementation, depending on the evolving needs of the Project and its main beneficiary.

The experts shall ensure that outputs prepared under this activity are aligned with the relevant EU acquis in the field of railway market regulation. The Junior NKE 1 and 2 shall closely coordinate activities with the Directorate for Railways and other relevant parties to ensure that aspects related to the implications of EU integration for Serbia are incorporated into all Project activities.

3. Expert's input

Total working days	20 Junior NKE working days (WDs) have been planned for this assignment – 10 WDs for Expert 1 and 10 WDs for Expert 2.
Period of the assignment	December 2025 – February 2026
Starting day	It is expected that the work will commence in December 2025. However, the exact starting date will be agreed upon at a later stage.
Location/place of assignment	The base of operations will be in Belgrade, Serbia, and the Project will provide office facilities.
Working language	English

4. Expert's profile

JUNIOR EXPERT 1

Qualification and skills (25 points)	• A bachelor's degree in law or a relevant degree in engineering (traffic engineering) obtained after four years of academic studies; Excellent analytical, interpersonal and communication skills • Excellent analytical, interpersonal and communication skills • Computer literacy (MS Office applications) • Independence and freedom from conflicts of interest in carrying out the responsibilities under the assignment • Excellent command of the English Language
General professional experience (25 points)	• Minimum five years or more of relevant professional experience, gained in an EU Member State, candidate, or potential candidate country • At least two years of experience in drafting legislation in the field of railway market regulation
Specific professional experience (50 points)	• Experience in transposition of EU legislation into national legislation in the field of railway market regulation

JUNIOR EXPERT 2

Qualification and skills (25 points)	• A bachelor's degree in economics obtained after four years of academic studies • Excellent analytical, interpersonal and communication skills • Computer literacy (MS Office applications) • Independence and freedom from conflicts of interest in carrying out the responsibilities under the assignment. • Excellent command of the English Language
General professional experience (25 points)	• At least five years of relevant professional experience, gained in an EU Member State, candidate, or potential candidate country
Specific professional experience (50 points)	• At least two years of experience in the field of control of track access charges



5. Applications

Applications (EU format CV in English using this format:

www.ibf.be/public/events/17822/TEMPLATE_CV_EN_for_online_applications.docx) need to be submitted by e-mail to domi@ibf.be with a copy to bortolameazzi@ibf.be by 17:00 hrs, 02/12/2025, titled: "Application for the position – Junior Non-Key Expert 1/2 on railway market regulation".

References must be available on request. Only short-listed candidates will be contacted.

The Project is an equal opportunity employer that encourages applications from women and minorities. All applications will be considered strictly confidential.

The advertised post is not available to civil servants or other officials of the public administration in the beneficiary country, Serbia.

For more information, please contact the Project Director at IBF: bortolameazzi@ibf.be.