Introduction to the Luxembourg Rail Protocol

Looking at some practical issues

Howard Rosen
Chairman, Rail Working Group

Securing the Future for the World’s Railways
Introduction

How the International Registry will work

Export Credits and the Luxembourg Protocol

The ratification process
The International Rail Registry is based in Luxembourg, in the Hémicycle building where the Diplomatic Conference for the Luxembourg Rail Protocol was held in 2007.
The contract with SITA to establish the International Rail Registry was signed in December 2014.

Intended to be self financing - charges yet to be published.

Working under regulations set out by the Supervisory Authority.
The International Rail Registry

Operated by Regulis SA, a SITA company

SITA specialises in large-scale, secure systems for the transport industry

SITA’s 4,700 staff work in 135 countries
SITA’s expertise in secure border intelligence started in 1996 in preparation for the Sydney Olympic Games.

Now used by 27 governments and over 100 airlines to handle 500 million passengers.

300 million passengers handled through SITA iBorders.

SITA iBorders is used in over 60% of G20 members, and in all Gulf Co-operation Countries (GCC).

Over 500 million traveller data records per year are processed using SITA iBorders information products.

192 million travellers per year are processed by governments using SITA iBorders intelligence.
How the International Rail Registry operates

A single global registry

Essentially using similar software and structure as for the International Registry for Aircraft, operating in Dublin

Operating entirely online

Will allocate the URVIS number

Open to search registrations by both Transaction Users (parties to transactions) and Professional Users (legal advisors)
Registering at the Registry

- International Interest
- Prospective international interests
- Notice of sale
Searching the Registry

- Informational Search
- Priority Search
- Contracting State search
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<td>ECAs and aircraft – the ASU and the 10% “Cape Town Discount”</td>
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<td>ECA engagement – a major factor in the adoption of the Aircraft Protocol</td>
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<td>Railways now potentially at a competitive disadvantage compared to aviation</td>
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<td>Aggressive credit support for railway equipment from non OECD members</td>
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Export Credit Agencies

ECAs – play essential role supporting rail supply contracts

Many examples of ECA cover helping manufacturers get the deal

Will become more critical as procurement through private finance increases

Not so much funding rates but political risk when it comes to Africa

2014 Rail Sector Understanding (RSU) in place
  • But runs out in 2017
  • Rail Working Group actively working with ECAs and the OECD to find solutions
The Ratification Process

- Signature
- Consultation and evaluation process
- Ratification and making the (right) declarations
- Domestic legislation
  - Authorising ratification
  - Updating existing legislation where there is a potential conflict
  - Primary or secondary legislation
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