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Track Access Agreements - Latin America and the Caribbean

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The management and operation of railway lines in Latin American and the Caribbean is traditionally based on concession contracts. The concessionaire is typically granted the exclusive right to manage and operate a railway system but has the obligation to grant access rights against a fee. Mandated track access is usually limited to specific third-party operators or applies to certain routes or networks only.

For further information visit [Track Access Laws and Regulations](#).

Some countries have gone further and have introduced open access on all or some railway lines. Examples are Peru (open access applies for passenger and freight services - concessionaires are also obliged to separate infrastructure management and operations) and Chile (introduced open access on some lines for freight services).

Examples of track access arrangements are set out below:

Bolivia - Chile

- [Bases para los Contratos de Acceso Ferroviario Linea Ferrea del Ferrocarril Arica a La Paz](#) (Basic Agreement for Track Access Agreements regarding the Railway Line from Arica to La Paz) published by Ferrocarril de Arica a La Paz (FACLAP). The railway line was built by the Chilean government under a peace treaty between Chile and Bolivia and inaugurated on 13 May 1913. It is the shortest line from the Pacific Coast to Bolivia. The Chilean section of the railway line provides for an open access regime for cargo transport. In order to use the railway, line operators have to enter into a track access agreement with FACLAP. The Basic Principles set out the key rights and obligations of the parties to such contracts. Track access is provided on a non-discriminatory basis against payment of a track access charge. The track access charge needs to be calculated in an equal and non-discriminatory manner and is based on the number of assigned train paths.

Peru

- [Contrato de Acceso a la Via Férrea \(Track Access Agreement\)](#) - Agreement between the infrastructure manager and concessionaire of the Southern and Southeastern Railway line (Ferrocarril Transandino S.A. - FTSA) and its sister company, the railway operator PeruRail S.A. The concessionaire grants the railway operator access to the railway infrastructure to operate passenger and freight services upon payment of an access charge. The track access rights of the railway operator are subject to the obligation of the concessionaire to grant track access to other railway operators that wish to operate transport services on the network. More information on track access to this network is published on the [website of Ferrocarril Transandino S.A.](#) See also the [Contrato de Arrendamiento del Material tractivo y Rodante \(Rolling Stock Lease Agreement\)](#) between the parties and the information on this website on the respective [railway concession](#).

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