

TEXT

1. 6.1.1.2.1 Running of trains - General Informations

The following modification was made:

Amount to be paid for the use of the service specified in point 5.2.2 consists of a train kilometer-based part and a gross ton kilometer-based part, consequently it shall be charged on the basis of the actually performed train km and gross ton km. **The basis of determination of the distance is the chargeable kilometre in every case.**

2. 6.1.1.2.2 Train running - further rules applied for special freight trains

The following modification was made:

Záhony freight train (**D category**) means every ~~such~~ freight train, ~~train-path~~ which **during the transportation** covers the section between Kisvárdá [5514118] and Fényeslitke [5514134] ~~and or~~ between Kisvárdá [5514118] and Fényeslite-Déli Rendező [5542127] service places and the total weight of the train amounts to 380 tons.

When placing the order both in case of single wagon load traffic and Záhony freight train, conditions shall be checked and if they are fulfilled, amount to be paid for special freight trains shall apply in the price quotation. **The checking of the conditions taking place automatically during the capacity allocation, applicants have not got any marking liability.**

Amount to be paid for special freight train shall be taken into consideration in accounting if the train fulfils the conditions during its run, too.

If the freight train fulfils the conditions for single wagon load traffic when the order was placed, payable charges related to special freight trains could be taken into account in accounting if the train during the train running also fulfils the requirements of single wagon load traffic.

If the freight train fulfils the conditions for freight trains of Záhony when the order was placed, payable charges related to special freight trains could be taken into account in accounting if the train during the train running also fulfils the requirements of freight trains of Záhony.

If the freight train fulfils the conditions both for single wagon load traffic and freight trains of Záhony **when the order was placed**, payable charges related to special freight trains could be taken into account **in accounting** if the train during the train running fulfils the requirements of single wagon load traffic and freight trains of Záhony as well.

If the freight train fulfils the conditions both for single wagon load traffic and freight trains of Záhony when the order was placed, but the train during the train running does not fulfil the requirements of single wagon load traffic or freight trains of Záhony, payable charges related to special freight trains could not be taken into account in accounting.

ANNEX

6.5. Performance Regime

1. III. Principles of the Performance Regime

The following modification was made:

As long as the request for rail capacity is submitted by a non-RU applicant determined in Paragraph 2 Section 3.8. of the Railway Act, ~~but the capacity is used by a Railway Undertaking designated for using railway capacity by the non-RU applicant,~~ financial compensations and penalties emerging from the incentive scheme can be claimed by/from the Railway Undertaking designated by the non-RU applicant.

2. Incentive schemes supporting environmentally friendly transportation

IV.2.1.6 Methodology for accounting the exemption from payment

The following modification was made:

As long as the request for rail capacity is submitted by a non-RU applicant ~~but the capacity is used by a Railway Undertaking designated for using railway capacity by the non-RU applicant,~~ financial compensations emerging from the incentive scheme can be claimed by the Railway Undertaking designated by the non-RU applicant.

3. IV.2.2 Incentive scheme of single wagon load

IV.2.2.1 Scope of the incentive scheme

The last paragraph of the section was deleted

~~The order is considered to come under the scope of the incentive scheme if the applicant indicates that the requested train path comes under the scope of the incentive scheme and the train has run that way.~~

IV.2.2.4 Methodology for accounting the incentive scheme of single wagon load

The following modification was made:

Infrastructure managers check if the conditions are fulfilled or not. Accounting of financial compensation can only be carried out if ~~the train path fulfils the conditions determined in point IV.2.2.1. when the order was placed, furthermore the train also fulfils the requirements during the train running. the applicant indicates that the request comes under the scope of the incentive scheme.~~ Accounting of financial compensation may be carried out based exclusively on the fact data of the train run.

If the train fulfils the conditions for special freight train when the train path is allocated and fulfils both the conditions of Záhony freight trains and single wagon load traffic, but the train during the train running fulfils only one category's requirements, payable charges related to special freight trains could not be taken into account in accounting. Even so the train fulfils the conditions of single wagon load determined in Performance Regime when the order was placed as well during the train running, financial benefit related to incentive of single wagon load could be taken into account in accounting. In this case the degree of the financial compensation is calculated as a percentage of basic service charges of freight trains.

Charging kilometre is used to determine the distance. Financial compensation to be accounted shall clearly be indicated in the invoice attachment provided by the Infrastructure Manager.

As long as the request for rail capacity is submitted by a non-RU applicant ~~but the capacity is used by a Railway Undertaking designated for using railway capacity by the non-RU applicant~~, financial compensations emerging from the incentive scheme can be claimed by the Railway Undertaking designated by the non-RU applicant.

4. Other incentive schemes related to the running of trains

IV.3.1.4 Methodology for accounting the surplus payment obligation

As long as the request for rail capacity is submitted by a non-RU applicant ~~but the capacity is used by a Railway Undertaking designated for using railway capacity by the non-RU applicant~~, payment obligation emerging from the incentive scheme can be claimed from the Railway Undertaking designated by the non-RU applicant.