

APPENDIX 5.7

Performance Regime

Modification list - PR 2023-2024 Modification 1

1) III. Principles of the Performance Regime

The list of elements was modified as follows:

Performance Regime includes:

- incentive scheme to facilitate punctual train run
- reservation fee
- **incentives supporting environmentally friendly transportation**
- special element on railway line 136.

2) III. Principles of the Performance Regime

The following paragraph was changed as follows:

Accounting of acknowledged compensations and penalties related to the Performance Regime shall be carried out, ~~at the same time as the network access charges are accounted~~ **in a separate document on the basis of fact and planned data.**

3)

New IV.3 chapter was added, simultaneously the former IV.3 was technically re-numbered (IV.4)

IV.3. Incentives supporting environmentally friendly transportation

IV.3.1 Aims of the incentives

The aims of the incentives supporting environmentally friendly transportation are to increase the competitiveness of rail freight transportation compared to other modes, to switch over the freight traffic to railway, respectively to keep the current traffic on rail hereby fostering to achieve the environment protective goals of European Union.

IV.3.2 Conditions for applying the incentives

The incentives listed below can be applied in case of fulfilment of conditions required at the particular element.

- I) Freight transportation switched over from road to railway at least in a 300-kilometre train path

The railway transportation of goods switched over from road to railway at least in a 300-kilometre train path is certified by the RU clearly and demonstrably.

To applying for this incentive MÁV Co. requires the declarations in Annex 5.a. Declaration on the use of environmentally friendly modes of transport - Shipper, and in Annex 5.b. Declaration on the use of environmentally friendly modes of transport - Railway Undertaking as follows:

- Shipper's declaration signed by the authorised representative about the road transportation parameters of the type of goods to be transported: from when, on what route and in what volume;
- Copy of at least 3 pieces of road consignment notes in even distribution according to the declaration above, which include at least the routes, the type of goods, code of goods. The other fields of the consignment notes can be covered;
- RU's declaration signed by the authorised representative about that the goods switched over from road to rail means new railway traffic, and about its knowledge whether that the particular type of goods were transported by rail to the destination in the previous timetable period.

MÁV Co. shall issue a certificate of the possibility of using the incentive element within 30 days after the evaluation of the declarations above and the registration of RU's declaration signed by the authorised representative at MÁV Co. The discount may be claimed from the date of issue of the certificate. The incentive may be used for a maximum of 3 consecutive timetable periods for a given route. The first period shall be the timetable period running on the date of issue of the certificate.

MÁV Co. reserves the right to request additional documents in addition to the documents detailed above in order to clearly clarify eligibility.

Beyond those listed above the capacity request is considered to come under the scope of the incentive scheme if the applicant indicates this intention in the capacity ordering IT system of VPE during the train path ordering.

This incentive can be used in the case of standard freight trains and in case of corridor freight trains out of special freight trains. It cannot be combined with other discounts and incentives available in Network Access Contract, Network Statement

and Performance Regime, except in the case of corridor freight trains, where the RU is also entitled to a fee discount for corridor trains and exemption from PR element as well.

II) Freight transportation taking place between primary stations

The standard freight train runs in at least 50 km long train path and with maximum 700 gross ton train load (fulfilling both previously mentioned conditions at the same time) between stations belonging to the scope of the incentive as follows:

- Budaörs (01032)
- Debrecen (13912)
- Fényeslitke-Déli rendező (42127)
- Győr-Rendező (01271)
- Kiskundorozsma (17194)
- Soroksár-Terminál (11064)
- Soroksári út rendező (40196)
- Székesfehérvár (03269)

Regardless of the parameters specified in the order, the given train transport can be considered to be under the scope of the incentive if the above criteria are fulfilled when using the network access service. This incentive element can only be used in the case of standard freight trains, and cannot be combined with other -different from the charge of standard freight trains- discounts and incentives available in the in Network Access Contract, Network Statement and Performance Regime.

IV.3.3 Degree of the incentive scheme

The RU is exempted from a fixed percentage of the basic service charge out of the network access fee payable for the particular train path.

- I) Freight transportation switched over from road to railway at least in a 300-kilometre train path
- 85% of the basic service charge without mark-ups
- II) Freight transportation taking place between primary stations
- 35% of the basic service charge without mark-ups

IV.3.4 Methodology of the accounting of the incentives supporting environmentally friendly transportation

The incentive elements are bonuses on the amount of the payment obligation of the RU. Incentives are invoiced by MÁV Co. on a monthly basis as an invoice attachment in a way that it can be clearly identified.

The fulfilment of the conditions are controlled by MÁV Co.

- I) Incentive of freight transportation switched over from road to railway at least in a 300-kilometre train path will only be accounted, if the RU indicates that the train path is under the scope of incentive during ordering, provides the necessary documentation which is accepted by MÁV Co., and the minimum distance condition is fulfilled during the running.
- II) In case of freight transportation taking place between primary stations the designation that the train path is under the scope of the incentive is not necessary, the control of the factual fulfilment of the conditions takes place during the accounting.

IV.3.5 Division of tasks related to the incentives

MÁV Co. calculates the bonuses and makes the monthly invoice for RUs considering them.

MÁV Co. provides the VPE with the data necessary to assess the impact of the incentive elements.

IV.3.6 Hypothesis of the incentives supporting environmentally friendly transportation

- I) Freight transportation switched over from road to railway at least in a 300-kilometre train path:

In the first timetable period of applying the incentive the freight transportation switched over from road to railway at least in a 300-kilometre train path appears. In the following timetable periods the quantity of the bonuses provided by the incentive increases compared to the same term of the previous timetable period, with an unchanged degree that is through the growth of the performance.

II) Freight transportation taking place between primary stations

In the first timetable period of applying the incentive the bonuses provided appears detectably. In the following timetable periods their quantity increases compared to the same term of the previous timetable period, with an unchanged degree that is through the growth of the performance.

GySEV Co. does not provide these incentives.

4) VI. Data-demand connected to the Performance Regime

New VI.3 chapter was added, simultaneously the former VI.3 was technically re-numbered (VI.4)

VI.3 Incentives of supporting environmentally friendly transportation

VPE provides MÁV Co. with data of train paths ordered which were indicated in the request as under the scope of incentive.

MÁV Co. provides the VPE with the data on the volume of kilometres run by trains operated by RUs which have been proven to have switched over traffic from road / data on the certified train paths which are under the scope of the incentive element, as well as the amount of the bonuses generated.

In case of freight transportation taking place between primary stations in addition MÁV Co. also provides the VPE with the results of the verification of the factual fulfilment of the conditions and the amount of the bonuses generated.

5) *New 5.a. annex was added*

Annex 5.a. Declaration on the use of environmentally friendly modes of transport - Shipper

6) *New 5.b. annex was added*

Annex 5.b. Declaration on the use of environmentally friendly modes of transport - Railway Undertaking