

Addendum to the Track Access Agreement

Declaration on honour

Support measures for passenger transport by night trains

This addendum to the agreement for the use of the railway infrastructure concerns the railway undertaking [NAME OF RAILWAY UNDERTAKING, ADDRESS] – registered in the CBE with the registration number [•] – represented by [NAME, POSITION].

THE FOLLOWING HAS BEEN STATED FIRST OF ALL:

The infrastructure manager and the railway undertaking concluded an agreement for the use of the railway infrastructure (hereinafter referred to as the “**Track Access Agreement**”).

In the context of support measures for passenger transport by night trains provided for in the Law of 7 June 2023 *on support for passenger transport by night trains*, the railway undertaking is required to confirm compliance with certain conditions by means of a declaration on honour attached to the Track Access Agreement.

This addendum contains this declaration on honour.

IT HAS THEREFORE BEEN AGREED AS FOLLOWS:

Article 1 – Object

This addendum is a declaration on honour that certain conditions for obtaining support measures for passenger transport by night trains have been met.

Article 2 – Declaration on honour

By signing this declaration, the representative of undertaking [...] honourably declares:

- that the amount of financial support referred to in the second paragraph of Article 3, §1 of the Law of 7 June 2023 *on support for passenger transport by night train* is limited per semester to 30% of the total costs of undertaking [...]’s passenger transport by night train on the Belgian territory for the semester in question
- that the European Commission has not issued a repayment order to undertaking [...] or, if the European Commission has issued such a repayment order to undertaking [...], that the amounts covered by the order have been repaid
- that the undertaking is operating at the time of application and is not in a state of bankruptcy, cessation or liquidation.

The undertaking's representative [...] pledges to inform Infrabel without delay of any change in the situation mentioned in the above declaration.

Article 3 - Miscellaneous

In accordance with Article 9.3 of the Track Access Agreement, this addendum shall be attached to the Track Access Agreement.

Article 4 - Implementation

This addendum shall apply from the date of signature by the Parties.

Done in [•], on [•], in three originals; one of which is addressed to the Federal Public Service Mobility and Transport.

On behalf of the railway undertaking,