

Addendum to the Capacity Agreement

Declaration on honour

Support measures for passenger transport by night trains

This addendum to the Capacity Agreement concerns the 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 non-railway undertaking applicant concluded a Capacity 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 non-railway undertaking applicant is required to confirm compliance with certain conditions by means of a declaration on honour attached to the Capacity 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 representative of undertaking [...] pledges to inform Infrabel without delay of any change in the situation mentioned in the above declaration.

Article 3 - Miscellaneous

In accordance with Article 15.5 of the Capacity Agreement, this addendum shall be attached to the Capacity 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 non-railway undertaking applicant,