

## 1. Context

Taking into account Regulation (EU) 2020/1429 of the European Parliament and of the Council of 7 October 2020 *establishing measures for a sustainable rail market in view of the COVID-19 outbreak* and considering that it is necessary, as a result of the COVID-19 pandemic, to contribute to the continuation of the activities of applicants in the framework of the commercial transport of passengers and freight which are strategic for the Belgian economy, and with a view to enabling an energy and climate transition decided on by the Belgian Government, the Belgian Government decided to introduce a reduction mechanism for the user charge.

The reductions - as laid down in the Royal Decrees of 14 January 2022 *amending the Royal Decree of 21 December 2013 establishing the provisional rules governing Infrabel's and SNCB's management contract* (published in the Belgian Official Gazette on 10 March 2022) - are described below.

## 2. Scope

The reduction mechanism for the user charge is valid from 1 January 2021 to 31 December 2021 and covers two segments: commercial passenger transport services (HkvNPso) and freight transport services (Hkm).

### 2.1 Specific conditions for the HkvNPso segment

To benefit from the reduction mechanism for the user charge, the passenger transport activities offered on a commercial basis by the applicants of the HkvNPso segment must fulfil the following conditions:

- they are covered by an agreement concluded with Infrabel
- they are not provided in the framework of a public service contract.

### 2.2 Specific conditions for the Hkm segment

To benefit from the reduction mechanism for the user charge, the freight transport services of the applicants in the Hkm segment must fulfil the following condition:

- they are covered by an agreement concluded with Infrabel.

## 3. Nature of the aid measures by segment

### 3.1 Reduction mechanism applicable to the HkvNPso segment

For the circulation period **from 1 January 2021 to 31 December 2021**, the mechanism consists of the neutralisation of cancellation fees and a linear reduction of € 1.5 per train-km actually travelled.

### 3.2 Reduction mechanism applicable to the Hkm segment

For the circulation period **from 1 January 2021 to 30 June 2021**, the mechanism consists of the neutralisation of cancellation fees and a linear reduction of € 0.75 per train-km actually travelled.

For the circulation period **from 1 July 2021 to 31 December 2021**, the mechanism consists of the neutralisation of cancellation fees and a linear reduction of € 1.5 per train-km actually travelled.

## 4. Payment arrangements for the aid measures

This reduction mechanism for the user charge is similar to an indirect subsidy granted to applicants who meet the conditions described above. Infrabel implements it by sending the corresponding credit notes.