

APPROVED
by the decision No. JALP-1.3./7-2023
of the Executive Board of the
Joint Stock Company "LatRailNet"
in a meeting held on 3 August, 2023
(min. No. JALP-1.2./42-2023)

REGULATIONS

Riga

3 August, 2023

No. JALP-7.6/6-2023

Amendments to the JSC LatRailNet regulations Nr. JALP-7.6/02-2017 of 30 June 2017 "The Collection Scheme"

1. Amend the JSC LatRailNet regulations No. JALP-7.6/02-2017 of June 30 2017 "The Collection Scheme" (hereinafter - the Scheme) as follows:

1.1. express the definition of charge amount $M_{\text{infpr bfv krav s}}$ in Paragraph 8 of the Scheme as follows:

" $M_{\text{infpr bfv krav s}}$ – the amount of the project charge determined by the charging body for the parameter of performing the essential functions of the infrastructure manager relevant to a specific investment project in a specific part of the infrastructure in a specific market segment in freight transportation (*euro* for one allocated railway line route, without value added tax); ";

1.2. express the definition of charge amount $M_{\text{infpr bfv pas s}}$ in Paragraph 8 of the Scheme as follows:

" $M_{\text{infpr bfv pas s}}$ - the amount of the project charge determined by the charging body for the parameter of performing the essential functions of the infrastructure manager relevant to a specific investment project in a specific part of the infrastructure in a specific market segment in passenger traffic (*euro* for one allocated railway line route, without value added tax). ";

1.3. express Paragraph 13 of the Scheme as follows:

"13. Application assurance payment for the allocated part of railway infrastructure capacity, which is allocated in the capacity allocation plan, including if it is not used, is applied to the applicant according to the following formula:

$$NKM_{\text{rezer bfv pas}} = (M_{\text{rezer bfv pas}} \times DR_{\text{bfv pas}}) + N,$$

$$NKM_{\text{rezer bfv krav}} = (M_{\text{rezer bfv krav}} \times DR_{\text{bfv krav}}) + N, \text{ where}$$

$NKM_{\text{rezer bfv pas}}$ – application assurance payment to be made by the applicant for the part of the railway infrastructure capacity allocated in the capacity allocation plan for passenger transportation (*euro*);

- NKM** _{rezer bfv krav} – the application assurance payment to be made by the applicant for the part of the railway infrastructure capacity allocated in the capacity allocation plan in freight transportation (*euro*);
- M** _{rezer bfv pas} – the amount of the charge determined by the charging body for the part of the railway infrastructure capacity allocated in the capacity allocation plan for passenger transportation (*euro* for the allocated railway line route, without value added tax);
- M** _{rezer bfv krav} – the amount of the charge determined by the charging body for the part of the railway infrastructure capacity allocated in the capacity allocation plan in freight transportation (*euro* for the allocated railway line route , without value added tax);
- DR** _{bfv pas} – the number of railway line routes allocated to the applicant in the capacity allocation plan during the programming period in each direction of the route in passenger transportation;
- DR** _{bfv krav} – the number of railway line routes allocated to the applicant in the capacity allocation plan during the programming period in each direction of movement in freight transportation;
- N** – fees and taxes paid by the applicant in accordance with the legislation in force in the Republic of Latvia (*euro*). ";

1.4. express Paragraph 13¹ of the Scheme as follows:

"13¹ The additional application charge for the part of the railway infrastructure capacity allocated outside of the plan during the current calendar month is differentially applied to the applicant depending on the results of the performance indicator of the number of railway line routes allocated in the capacity allocation plan in the relevant calendar month in each of the railway line routes :

13¹ ·1 The additional application charge for the non-scheduled part of the railway infrastructure capacity allocated during the current calendar month, which does not exceed the amount of unused railway line routes allocated in the capacity allocation plan for the given calendar month in the given calendar month, is applied to the applicant according to the difference between the non-scheduled application and application assurance payment according to the following formula:

$$\begin{aligned}\bar{AKM}_{rezer\ bfv\ pas} &= M_{koord\ rezer\ bfv\ pas} + (M_{\bar{arpus}\ rezer\ bfv\ pas} - M_{rezer\ bfv\ pas}) \times DR_{\bar{arpus}\ bfv\ pas} + N, \\ \bar{AKM}_{rezer\ bfv\ krav} &= M_{koord\ rezer\ bfv\ krav} + (M_{\bar{arpus}\ rezer\ bfv\ krav} - M_{rezer\ bfv\ krav}) \times DR_{\bar{arpus}\ bfv\ krav} + N, \text{ where}\end{aligned}$$

- \bar{AKM}** _{rezer bfv pas} – additional application charge to be made by the applicant for the allocated part of railway infrastructure capacity in passenger transportation (*euro*);
- \bar{AKM}** _{rezer bfv krav} – additional application charge to be made by the applicant for the allocated part of railway infrastructure capacity in freight transportation (*euro*);

M koord rezer bfv pas	– the amount of the charge for the coordination procedure in passenger transportation determined by the charging body (<i>euro</i> for one coordination procedure, without value added tax);
M koord rezer bfv krav	– the amount of the charge for the coordination procedure in freight transportation determined by the charging body (<i>euro</i> for one coordination procedure, without value added tax);
M ārpus rezer bfv pas	– the amount of the additional application charge determined by the charging body in passenger transportation (<i>euro</i> for one allocated railway line route, without value added tax);
M ārpus rezer bfv krav	– the amount of the additional application charge in freight transportation determined by the charging body (<i>euro</i> for one allocated railway line route, without value added tax);
M rezer bfv pas	– the amount of the charge determined by the charging body for the part of the railway infrastructure capacity allocated in the capacity allocation plan in passenger transportation (<i>euro</i> for one allocated railway line route, without value added tax);
M rezer bfv krav	– the amount of the charge determined by the charging body for the part of the railway infrastructure capacity allocated in the capacity allocation plan in freight transportation (<i>euro</i> for one allocated railway line route, without value added tax);
DR ārpus bfv pas	– the number of railway line routes actually allocated to the applicant in accordance with the additional application for passenger transportation, which does not exceed the amount of unused railway line routes allocated in the capacity allocation plan for a specific railway line route during the relevant calendar month;
DR ārpus bfv krav	– the number of railway line routes actually allocated to the applicant in accordance with the additional application for freight transportation, which does not exceed the amount of unused railway line routes allocated in the capacity allocation plan for a specific railway line route during the relevant calendar month;
N	– fees and taxes paid by the applicant in accordance with the legislation in force in the Republic of Latvia (<i>euro</i>).

13¹ 2 The additional application charge for the non-scheduled part of the railway infrastructure capacity allocated during the current calendar month, which corresponds to the amount of the number of additional railway line routes during the relevant calendar month in a specific railway line route, compared to the one allocated in the capacity allocation plan, is applied to the applicant according to the following formula :

$$\begin{aligned}\bar{AKM}_{\text{rezer bfv pas}} &= M_{\text{koord rezer bfv pas}} + (M_{\text{ārpus rezer bfv pas}} \times DR_{\text{ārpus bfv pas}}) + N, \\ \bar{AKM}_{\text{rezer bfv krav}} &= M_{\text{koord rezer bfv krav}} + (M_{\text{ārpus rezer bfv krav}} \times DR_{\text{ārpus bfv krav}}) + N, \text{ where}\end{aligned}$$

ĀKM rezē bfv pas	– additional application charge to be made by the applicant for the allocated part of railway infrastructure capacity in passenger transportation (<i>euro</i>);
ĀKM rezē bfv krav	– additional application charge to be made by the applicant for the allocated part of railway infrastructure capacity in freight transportation (<i>euro</i>);
M koord rezē bfv pas	– the amount of the charge for the coordination procedure in passenger transportation determined by the charging body (<i>euro</i> for one coordination procedure, without value added tax);
M koord rezē bfv krav	– the amount of the charge for the coordination procedure in freight transportation determined by the charging body (<i>euro</i> for one coordination procedure, without value added tax);
M ārpus rezē bfv pas	– the amount of the additional application charge determined by the charging body in passenger transportation (<i>euro</i> for one allocated railway line route, without value added tax);
M ārpus rezē bfv krav	– the amount of the additional application charge determined by the charging body in freight transportation (<i>euro</i> for one allocated railway line route, without value added tax);
DR ārpus bfv pas	- the number of railway line routes actually allocated to the applicant in accordance with the additional application for passenger transportation, which corresponds to the amount of the number of additional railway line routes during the relevant calendar month in a specific railway line route, compared to the one allocated in the capacity allocation plan ;
DR ārpus bfv krav	– the number of railway line routes actually allocated to the applicant in accordance with the additional application for freight transportation, which corresponds to the number of additional railway line routes during the relevant calendar month in a specific railway line route, compared to the one allocated in the capacity allocation plan;
N	– fees and taxes paid by the applicant in accordance with the legislation in force in the Republic of Latvia (<i>euro</i>). ";

1.5. express Paragraph 13² of the Scheme as follows:

"13² If the capacity allocated to the applicant has been canceled and allocated to another applicant in accordance with the additional coordination procedure, the charging body recalculates the application assurance payment for the allocated part of the railway infrastructure capacity no later than the 15th of the next calendar month following the current calendar month.";

1.6. exclude Paragraph 13³ of the Scheme ;

1.7. express Paragraph 13⁴ of the Scheme as follows:

"13⁴ The application assurance payment to be made by the performer of individual technological processes for the allocated part of railway infrastructure capacity, which is allocated in the capacity allocation plan, including if it is not used, is determined according to the charge amount in freight transportation according to the following formula:

$$\mathbf{NKM}_{\text{rezer bfv atpv}} = (\mathbf{M}_{\text{rezer bfv krav}} \times \mathbf{DR}_{\text{bfv atpv}}) + \mathbf{N}, \text{ where}$$

- NKM**_{rezer bfv atpv} – application assurance payment to be made by the performer of individual technological processes for the part of railway infrastructure capacity allocated in the capacity allocation plan (*euro*);
- M**_{rezer bfv krav} – the amount of the charge determined by the charging body for the part of the railway infrastructure capacity allocated in the capacity allocation plan in freight transportation (*euro* for the allocated railway line route, without value added tax);
- DR**_{bfv atpv} – the number of railway line routes allocated to the performer of individual technological processes during the programming period in the capacity allocation plan;
- N** – fees and taxes paid by the performer of individual technological processes in accordance with the legislation in force in the Republic of Latvia (*euro*). ";

1.8. express Paragraph 13⁵ of the Scheme as follows:

"13⁵ The additional application payment to be made by the performer of individual technological processes for the allocated part of railway infrastructure capacity for, whose infrastructure capacity is not reserved in the infrastructure manager's maintenance notice, is determined according to charge amount in freight transportation for the part of the railway infrastructure capacity allocated in the capacity allocation plan according to the following formula:

$$\mathbf{\bar{A}KM}_{\text{rezer bfv atpv}} = (\mathbf{M}_{\text{rezer bfv krav}} \times \mathbf{DR}_{\text{\bar{a}rpvs bfv atpv}}) + \mathbf{N}, \text{ where}$$

- $\bar{A}KM$** _{rezer bfv atpv} – the additional application payment to be paid by the performer of individual technological processes for the allocated part of railway infrastructure capacity (*euro*);
- M**_{rezer bfv krav} – the amount of the charge for the part of the railway infrastructure capacity allocated in the capacity allocation plan in freight transportation (*euro* for the allocated railway line route, without value added tax);
- DR**_{\bar{a}rpvs bfv atpv} – the number of railway line routes actually allocated to the performer of individual technological processes according to the additional application;
- N** – fees and taxes paid by the performer of individual technological processes in accordance with the legislation in force in the Republic of Latvia (*euro*). ";

1.9. exclude Paragraph 14 of the Scheme:

1.10. express Paragraph 29 of the Scheme as follows:

"29 Applicants make payment of the charges specified in Paragraphs 8, 13, 13¹ 1, 13¹ 2 of the Scheme and performers of individual technological processes make payment of the charges specified in Paragraphs 13⁴ and 13⁵ of the Scheme on the basis of the payment document issued by the charging body (hereinafter - the charging body's invoice).";

1.11. express Paragraph 30 of the Scheme as follows:

"30. The charging body sends the invoice and the decision on the allocation of railway infrastructure capacity for the payments specified in Paragraphs 13 and 13⁴ of the Scheme one calendar month before the annual working timetable to which the decision on the allocation of railway infrastructure capacity applies, enters into force";

1.12. express Paragraph 30¹ of the Scheme as follows:

"30¹ The charging body sends the invoice for the payment of the additional application charge specified in Paragraphs 1¹ 1, 13¹ 2 and 13⁵ of the Scheme for the current calendar month no later than by the 15th of the following calendar month.";

1.13. express Paragraph 30² of the Scheme as follows:

"30² Once a month, but not later than the 15th of the next calendar month following the current calendar month, the charging body sends a detailed report to the applicants and the performers of individual technological processes, stating:

30² 1 settlement period for which payments must be made;

30² 2 a detailed presentation of performance indicators and charge amounts applied during the settlement period mentioned in Chapter II of the Scheme, the number of unused and additionally allocated railway line routes;

30² 3 the total payment for each group of services.";

1.14. exclude Paragraph 30³ of the Scheme ;

1.15. express Paragraph 32 of the Scheme as follows:

" 32 The date of payment of the charging body's invoice is deemed to be the date on which the credit institution has received the payment of the relevant applicant or the performer of individual technological processes in accordance with the invoice issued by the charging body. The date of receipt of the invoice is considered the date when the relevant applicant or the performer of individual technological processes has received an invoice prepared by the charging body, sent using official electronic means of communication. The charging body may additionally send a signed invoice to the applicant or the performer of individual technological processes also to the postal address specified by them, if it is included in the relevant contract for the performance of the essential functions, including by agreement, which day is considered the day of invoice receipt.";

2. The charging body publishes these amendments on its website on the internet and submits information about it to the public-use railway infrastructure manager for inclusion in the railway infrastructure network statement.

3. These amendments enter into force upon their publication, but are applied to the period of the following annual working timetable, which enters into force on 10 December, 2023.

4. According to the twelfth part of Article 11 of the Railway Law, a complaint regarding these amendments can be submitted in State Railway Administration not later than one month after the day of the publication.

This document contains a timestamp and is signed with a secure electronic signature by

JSC LatRailNet
the Director
for Charging Affairs

M.Andiņš (see certificate)