

**PRIME Plenary Meeting
19 November 2020**

**Information point:
Reservation charges in the event of force majeure**

From: EC

– For Information –

1. INTRODUCTION

The topic of reservation charges in the event of force majeure was raised to the PRIME Plenary and delegated to the PRIME Charges subgroup in 2019. Railway undertakings raised that if an international path is disrupted due to force majeure in one country, the infrastructure manager(s) of the neighbouring countries to be crossed by the train run still levy reservation charges, even though the operation of the train became impossible. The discussion in the PRIME charges group could not be brought forward.

2. PROCESS

DG MOVE has raised the complaint with the Legal Service of the Commission. The outcome is the attached position of the Commission services related to the application of Article 36 of the Directive in the event of force majeure. With this DG MOVE gives its opinion regarding the handling of such cases.

3. THE ROLE OF INFRASTRUCTURE MANAGERS and NEXT STEPS

Infrastructure Managers are expected to follow the suggested procedure to comply with their obligations to transparency and non-discrimination.

This position will also be presented to the other European Platforms such as RUD and ENRRB.

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4. Annex: Position of the Commission Services