

Commission Implementing Regulation (EU) 2015/10 of 6 January 2015
on criteria for applicants for rail infrastructure capacity and repealing
Implementing Regulation (EU) No 870/2014 (Text with EEA relevance)

Article 3

Conditions for financial guarantees

- 1 The applicant may choose to meet a request for financial guarantee by means of either advance payment or contractual arrangement in the meaning of Article 2. If an applicant provides an advance payment for infrastructure charges, the infrastructure manager shall not at the same time request other financial guarantees for the same contemplated activities.
- 2 The infrastructure manager may request applicants to provide financial guarantees where the credit rating of the applicant suggests that he might have difficulties in effecting regular payments for infrastructure charges. The infrastructure manager shall mention such credit ratings in the section on charging principles of its network statement, if applicable. The infrastructure manager shall base his request for a financial guarantee on ratings not older than two years provided by a credit rating agency or another professional rating or credit scoring entity.
- 3 The infrastructure manager shall not request a financial guarantee:
 - a from the designated railway undertaking if a financial guarantee has already been granted or paid by the applicant, which is not a railway undertaking, to cover future payments for the same contemplated activities;
 - b if the infrastructure charge is to be paid directly to the infrastructure manager by a competent authority pursuant to Regulation (EC) No 1370/2007 of the European Parliament and of the Council⁽¹⁾.

Changes to legislation: There are outstanding changes not yet made to Commission Implementing Regulation (EU) 2015/10. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- (1) Regulation (EC) No 1370/2007 of the European Parliament and of the Council of 23 October 2007 on public passenger transport services by rail and by road and repealing Council Regulations (EEC) Nos 1191/69 and 1107/70 ([OJ L 315, 3.12.2007, p. 1](#)).

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Changes and effects yet to be applied to the whole legislation item and associated provisions

- Signature words omitted by [S.I. 2019/518 reg. 48](#)