

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 5

Capability to prepare compliant bids for infrastructure capacity

The infrastructure manager shall not reject an application for a specific train path on grounds of failing to provide assurance of the capability to prepare a compliant bid for infrastructure capacity, within the meaning of Article 41(2) of Directive 2012/34/EU, unless:

- (a) the applicant has failed to answer two subsequent requests requiring the provision of the missing information or has repeatedly responded in a way that does not satisfy the conditions set out in the network statement referred to in Article 27 of Directive 2012/34/EU and in Annex IV to that Directive regarding the application procedures for train paths and
- (b) the infrastructure manager is able to demonstrate at the request of and to the satisfaction of the regulatory body that it has taken all reasonable steps to support the correct and timely submission of applications.

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.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Art. 5 words substituted by [S.I. 2019/518 reg. 46\(a\)](#)
- Art. 5 words substituted by [S.I. 2019/518 reg. 46\(b\)](#)
- Art. 5 words substituted by [S.I. 2019/518 reg. 46\(c\)](#)

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](#)