

Moving Europe towards a sustainable
and safe railway system without
frontiers.

DECISION n° 302

of the Management Board of the European Union Agency for Railways setting out a calculation method for the annual indexation of the amounts referred to in the Annex to Commission Implementing Regulation (EU) 2018/764 on the fees and charges payable to the European Union Agency for Railways and their conditions of payment

THE MANAGEMENT BOARD OF THE EUROPEAN UNION AGENCY FOR RAILWAYS,

Having regard to the Regulation (EU) 2016/796 of the European Parliament and of the Council of 11 May 2016 on the European Union Agency for Railways¹ (hereinafter referred to as “the Agency”) and repealing Regulation (EC) No. 881/2004 (hereinafter called “the Regulation”), and in particular Articles 54(5) and 80(2),

Having regard to Commission Implementing Regulation (EU) 2018/764 on the fees and charges payable to the European Union Agency for Railways and their conditions of payment as amended by the Commission Implementing Regulation (EU) 2021/1903 (hereinafter called “the Fees and Charges Regulation”), and in particular Article 10(1a),

Whereas:

- (1) Article 10(1a) of the Fees and Charges Regulation describes the process to perform the annual indexation of the amounts under the fees and charges regime of the Agency as in conformity with that regulation. It further provides that the amounts referred to in the Annex to that regulation shall be indexed by the Agency, for the first time in 2023 and once every financial year in accordance with a calculation method to be agreed by the Agency’s Management Board.
- (2) The Management Board should approve that calculation method which is set out in the Annex to the present decision.
- (3) In accordance with Article 54(5)(b) of the Agency Regulation, the present decision should empower the Executive Director to apply the calculation method and the indexed amounts referred to in the Annex of the Commission Implementing Regulation (EU) 2018/764 for the first time in 2023 and once every financial year. .

¹ OJ L 138, 26.5.2016, p. 1-43.

HAS DECIDED AS FOLLOWS:***Article 1***

The Management Board approves the Annex to the present decision, which establishes the calculation method for the annual indexation of amounts referred to in the Annex of the Commission Implementing Regulation (EU) 2018/764.

Article 2

1. In accordance with Article 10(1a) of the Commission Implementing Regulation (EU) 2018/764 and the calculation method set in Annex to this decision, the Agency shall index the amounts of fees and charges for the first time in 2023 and once every financial year.
2. The Management Board empowers the Executive Director to apply the calculation method set out in the Annex to the present decision and accordingly the indexed amounts of fees and charges for the first time in 2023 and once every financial year.
3. The amounts referred to in the Annex of the Commission Implementing Regulation (EU) 2018/764, indexed in accordance with this decision, shall be published on the Agency's website.

Article 3

The present decision shall enter into force on the date following that of its adoption. It shall be published on the Agency website.

For the Management Board

The Chairperson
Clio LIEGEOIS

Annex: Calculation method for the annual indexation of amounts