

1. The identification data of the toll charger

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| 1.1 | Company name: | National Toll Payment Services Private Company Limited by Shares (“NTPS Plc.”) |
| 1.2 | Official seat: | H-1134 Budapest, Váci út 45/B |
| 1.3 | Registered by: | Metropolitan Court of Budapest as Registration Court |
| 1.4 | Registration no.: | 01-10-043108 |
| 1.5 | Tax no.: | 12147715-2-44 |
| 1.6 | Contact email: | eets@nemzetiudij.hu |
| 1.7 | Phone: | +36 1 / 688 6060 |
| 1.8 | Internet website: | www.hu-go.hu |

2. Applicable toll charging technologies

The Hungarian distance-based electronic toll collection system uses GNSS (Global Navigation Satellite System) technology. The essence of this system is that satellite-based technology positions the motor vehicle with the use of several satellites. The electronic toll system determines the position of the vehicle with the use of the satellite positioning network, which is compared against the GIS data related to the unit tolled sections, and follows the movement of the vehicle, on the basis of which the toll is charged and the payment obligation is determined.

The toll charger provides a standard connection interface (ISO 12855) for the toll service providers and, if necessary, also makes available standard roadside devices (ISO /TS 13141) to enhance the accuracy of the localisation.

3. Data related to determining the toll

- 3.1 The definition of EETS area, with special attention to its geographical scope and the infrastructure subject to toll

The EETS area is determined by the minister of national economy (“MND”) in a decree adopted pursuant to Act LXVII of 2013 on the travelled distance based toll payable for the use of motorways, carriageways and highways (the “Toll Act”)¹. The EETS area is the full range of the unit tolled sections that are subject to toll payment in Hungary², which sections are determined in Decree 25/2013 (V. 31.) of the Ministry of National Development on the amount of the toll and toll roads (“MND Decree”).³

- 3.2 The nature of the toll and the principle of collection

The toll shall mean the charge, including also value-added tax, which is levied by the toll charger for the use of a unit toll section in proportion to distance-based road use. The amount of the toll is determined, in accordance with the Toll Act and Government Decree 209/2013. (VI. 18.) on the

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execution of the Act on the travel distance-based toll payable for the use of motorways, expressways, and main roads (the “**Government Decree**”)⁴, by the MND Decree⁵.

The toll consists of the infrastructure fee and it may include an external cost charge, the amount of which is HUF 0 in any case.

The amount of the infrastructure fee depends on the category of road sections used (speedway, main road), the number of axles of the motor vehicle subject to toll payment (two, three, four or more axles), as well as the environmental classification of the vehicle.

3.3 Motor vehicles subject to toll payment

Motor vehicles subject to toll payment trucks or towing vehicles (including semi-trailer towing vehicles) of a maximum permissible gross weight exceeding 3.5 tonnes, or vehicle combinations consisting of such a motor vehicle and a towed trailer or semi-trailer;

The scope of vehicles exempted from the toll payment and toll declaration obligation is specified in the Toll Act⁶, while the registry of vehicles entitled to use unit toll sections free of charge is maintained by the authority appointed in a decree by the Government.

3.4 The parameters of motor vehicle classification (including number of axles, permitted total weight of the trailer, type of suspension, etc.) and their application in the fee structure of the toll charger

The categories according to the number of axles guiding in the determination of the toll:

- a) vehicle category J2: motor vehicles subject to toll payment with two axles;
- b) vehicle category J3: motor vehicles subject to toll payment with three axles;
- c) vehicle category J4: motor vehicles subject to toll payment with four or more axles;

The classification of motor vehicles subject to toll payment depending on their environmental protection category.

- Category A: Motor vehicles with a EURO III engine or better (i.e. vehicles with an engine of at least environment protection category 5 or 6 or better);
- Category B: Motor vehicles with a EURO II engine (i.e. vehicles with an engine of environment protection category 4);
- Category C: Category C; motor vehicles with a EURO I engine or worse (i.e. vehicles with an engine of environment protection category 3 or lower).

3.5 Requirements pertaining to the required toll declarations (by the toll service provider to the toll charger)

The task of the toll service provider is to forward the toll declarations made with the use of the technology applied, on the basis of the on-board units, in a continuous manner (on-line) to the toll charger's system, as well as the payment of the tolls levied by the toll charger. The provisions pertaining to the settlements and the payments are included in Sections 4.3 and 4.4.

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In addition to the above, the toll service provider shall continuously monitor the operation of the on-board units and information systems, and shall develop procedural rules that allows the taking of the necessary measures in case of disturbances in the operation of the system or unauthorized interference with the system, and maintains electronic records of the on-board units issued or entered in its records as invalidated, in accordance with the relevant provisions of law.

4. EETS area declaration

4.1 The procedural rules applicable to the requirements of toll service providers registered in Hungary and agreements, including detailed rules for connection and operation, are laid down in this Area Declaration and, in accordance with the principles enshrined in it, the General Terms and Conditions of Service.

4.1.1 Toll service providers registered in Hungary are required:

- (a) to have a good business reputation (the conditions of which are specified in the Government Decree)⁷;
- (b) it holds EN ISO 9001 certification or equivalent;
- (c) it can prove credibly that it has the technological skills and equipment required for making a toll declaration and that it can continuously meet the contractual conditions and the conditions specified in the toll charger's territorial statement by utilizing such skills and equipment;
- (d) it can prove credibly that it has skillful and properly qualified specialist staff with experience in providing electronic toll collection services or in fields that are very similar from a technological and business point of view;
- (e) it can prove credibly that it has the financial resources to guarantee that it can carry out its statutory tasks as a toll service provider; and
- (f) it has a comprehensive risk management plan that is reviewed by an independent expert organization at least once in every two years.

4.1.2 A toll service provider registered in Hungary is required to ensure that, within 24 months after its registration, its service cover all Hungarian and foreign road sections involved in the full EETS service (EETS area), and in case of any change concerning the EETS area, when full coverage is no longer provided for any reason, to restore such full coverage within six months. A toll service provider registered in Hungary shall have six months to provide an explanation as to why it was unable to reach its target coverage, and to submit to the authorities, for the purpose of analysis, its plan concerning how it intends to remedy the situation within a reasonable time period.

4.1.3 The EETS on-board units used shall have a certificate according to Commission Decision 2009/750/EC on the definition of the European Electronic Toll Service and its technical elements.

4.1.4 The amount of the financial guarantee that may be requested by the toll charger, and the scope of data to be supplied by the toll service provider to calculate the above: The amount of the financial guarantee that the toll charger may request from the toll service provider may not exceed the total amount of the toll determined by the toll charger on the basis of the average use of the unit toll sections in one calendar month

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by the clients of the toll service provider. The toll charger shall set this amount on the basis of all the toll actually charged by the toll charger on the road user customers of the toll service provider during the previous calendar year for the use of the unit toll sections. In case of a new toll service provider, the basis for the initial amount of the financial guarantee shall be the estimated average monthly amount of toll to be paid by the toll service provider for the use of the unit toll sections, which shall be calculated on the basis of the number of contracts in the business plan of the toll service provider and the estimated average toll per contract. The toll charger may determine the conditions applicable to the guarantees to be provided by the toll service provider without any unreasonable differentiation. The guarantee to be provided by the toll service provider shall be in the form of irrevocable, unconditional bank guarantee issued by a financial institution registered in a member state of the European Economic Area or the European Union, having a risk rating of at least Standard & Poors' "single-A" or Moody's A2 or equivalent, which guarantee is to be performed on first demand by the beneficiary, without any further examination of the legal grounds.

The guarantee may also be acceptable in the form of a transfer (bail).

In its application, the toll service provider shall make a declaration to the effect that its service covers the full scope of unit tolled sections covered by the area declaration.

The toll charger may revise the amount of the required financial guarantee annually, on the basis of the road use toll declarations of the whole range of road users among the clients of the toll service provider.

4.1.5 The procedural rules applicable to agreements

The toll service provider shall request the toll charger in writing to make a contractual offer with respect to the performance of toll service providers, and at the same time, it shall certify toward the toll charger the performance of the requirements specified, and shall provide the data necessary for the calculation of the financial guarantee.

For the contract between the toll charger and the toll service provider to be valid, it has to be drawn up in writing.

4.2 Toll-collecting policy

4.2.1 The EETS area concerned shall be specified in Section 3.1.

4.2.2 The principles and the exceptions related to the calculation of the toll shall be specified in Sections 3.2 to 3.4.

4.2.3 The fee to be paid by the toll service provider (reimbursement):

- (a) In case of connecting to the system of the toll charger, the toll service provider shall pay the costs incurred by the toll charger in connection with the connection, the implementation and testing of the system, as well as the costs of examining suitability and compliance with the requirements set as the condition of the connection. No such costs shall be reimbursed, however, which were incurred in connection with ensuring the compliance of the system (the HU-GO system operated with the application of the technologies mentioned in Section 2) operated by the toll charger with the provisions of law applicable to the EETS.

- (b) The toll service provider shall pay to the toll charger the costs of ad hoc developments serving the connection, including but not limited to the costs of the development and modification of the software, as well as the costs related to the development of the central system. The costs to be reimbursed may not include any of the costs that may be incurred in connection with ensuring compliance with the provisions of law applicable to the EETS.

4.2.4 The conditions of permitting the connection to the UD Toll System:

- (a) conditions related to security (authentication and authorisation keys or other measures): the toll service provider may connect to the system of the toll charger via a closed communication system, after the connection, the toll service provider shall provide the toll charger access to the status data of the on-board units of the toll service provider in the course of the checking processes, and the system must comply with the requirements of the ISO 13855 standard;
- (b) The examinations, procedures necessary for deciding on the acceptability of connecting by the toll service provider:
 - 1) the examination of the data exchange between the on-board unit (OBE) and the control equipment according to ISO/TS 12813, the testing of which is subject to the ISO/TS 13143-1:2011 and ISO/TS 13143-2:2011 standards;
 - 2) the checking of the data exchange between the OBE and roadside device enhancing the accuracy of the localisation, which is subject to the requirements of ISO/TS 13141, and the testing of which is conducted in accordance with ISO/TS 13140-1:2011 and ISO/TS 13140-2:2011;
 - 3) the examination of the data exchange between the toll charger and the toll service provider, which is subject to the ISO 13855 standard.
- (c) Other conditions of permitting the connection
 - 1) the system of the toll service provider must comply with the requirements of the ISO/TS 17574:2009 and the CEN/TS 16439:2014 standards.
 - 2) the toll service provider must provide proof that a continuous and successful testing procedure has taken place on the system to be applied by it for at least 45 days, which is to be conducted in the live system of the toll charger, by following the actual traffic of motor vehicles, and the successful completion of the testing must be approved and accepted by the toll charger.

4.2.5 The format and data content for the communication of the road user data applicable to the use of the toll road sections.

- (a) The data transferred shall comply with the requirements of the MSZ EN ISO 12855:2015 standard, supplemented with the requirements of CEN/TS 16331:2012 (the selected profile is also to be specified) with respect to the back office system of the toll service provider;

- (b) With respect to the OBE provided by the toll service provider, the data shall comply with the requirements of the ISO/TS 12813:2015 and the ISO/TS 13141:2015 standards.

The OBE-s provided by the toll service provider and the back office system shall comply with all of the requirements listed above.

4.2.6 The time and frequency of submitting road use data

- (a) The toll service provider shall provide the data related to the road use (including, but not limited to registration number of the vehicle, the identifier of the on-board unit, the unit tolled section declared, the vehicle category data, environmental classification, the amount of the toll, time data) continuously to the toll charger.

4.2.7 The accuracy of the data (the percentage of the missing or erroneous toll data):

- (a) The expectations concerning the accuracy of the data submitted by the toll service provider shall be determined by the parties in the framework of a separate agreement, with attention to the specifications in the ISO/TS 17444-1:2012 and the ISO/TS 17444-2:2012 standards.

4.2.8 The performance of expected operative availability

- (a) The data exchange between the OBE provided by the toll service provider and the toll charger for the purpose of supporting the toll enforcement may only be frustrated once out of 1000 cases of data exchange as a result of a technical problem with the on-board equipment.

4.2.9 The data and procedural rules related to the reporting of invalid on-board units

- (a) format and content

The expectations concerning the format and content of the data submitted by the toll service provider shall be determined by the parties in the framework of a separate agreement, with attention to the specifications in the ISO 12855:2015 standard.

- (b) frequency of updating:

The toll service provider shall submit the data pertaining to the invalid on-board units to the toll charger continuously, after every change.

- (c) mechanism ensuring non-repudiation

A protected data channel, authenticated sender and receiver, as well as acknowledged message sending procedure and technical apparatus must be used for the data connection between the toll service provider and the toll charger.

4.3 Rules applicable to invoicing

The toll shall be charged by toll charger with attention to the toll declaration applicable to the use of the unit toll sections in the given month.

On the basis of the toll declarations, the toll service providers shall settle accounts with the toll charger by the 20th day of the following month.

The toll charger shall maintain separate accounts of the amount of the invoices issued to the toll service provider, and shall record such amounts as a liability toward the state budget.

4.4 Terms of payment

All costs in connection with the permitting of the connection (including the costs incurred by the toll charger in connection with the connection) shall be paid by the toll service provider.

The expenses related to the amendment of the concluded contract shall be borne in accordance with the following principles:

- (a) if an amendment is necessary due to a change in the provisions of law, which means that either party incurs an expense, each party shall be liable for the expenses related to making its own system compliant with the provisions of law;
- (b) if the cause of the amendment is not a change in the provisions of law, then the party requesting the change shall bear the costs of both parties.

The toll service provider shall pay to the toll charger the toll charged by the toll charger in the month following the subject month in such a way that the toll shall be credited to the account of the toll charger by the last day of the month following the subject month.

4.5 The subject areas to be regulated in the contract between the toll charger and the toll service provider

- 4.5.1 The names of the contracting parties, as well as their registered seats, company registration numbers or other registration numbers and the names of the registry.
- 4.5.2 The designations of the services, along with the quality standard offer with respect to such services, in line with the relevant provisions of law, as well as the legal consequences of service that is different from the above.
- 4.5.3 The fee of the service, the terms of invoicing and payment.
- 4.5.4 The duration of the contract, the services used and the cases of termination of the contract.
- 4.5.5 The cases of default not specified elsewhere and their legal consequences.
- 4.5.6 information about the possibility of filing complaints by the persons subject to toll payment concerning the services provided by the toll service provider or the toll charger or an error of such services and the method of dealing with such complaints,
- 4.5.7 Data reporting obligations between the parties.
- 4.5.8 The governing law shall be Hungarian law, with the courts of Hungary having exclusive jurisdiction in case of legal disputes.

- 4.6 Commercial conditions to be formed in the course of individual negotiations (including in particular with respect to individual SLA requirements)

The toll charger is entitled to specify expectations, service levels with respect to the services provided by the toll service provider, with detailed information and the sanctions applicable in case of performance that is not in line with the expected service levels to be contained after the negotiations in the contract; also during the negotiations, the parties shall agree on the obligations of the toll service provider on giving notice and supplying information, as well as the detailed rules pertaining to the supply of data for the procedures of the authorities.

- 4.7 The present area declaration entered into effect with the approval of the National Transport Authority on 4 January 2017.

5. The EETS service providers in a contractual relationship with the toll chargers on their areas of competence:

No registered EETS service provider.