



TRANSITIONAL PROVISIONS

These transitional provisions have been instituted as a consequence of Banedanmark's demand that from **1st of January 2018**, all companies that drive independently outside of track possessions when performing construction and maintenance work for Banedanmark must be in possession of a safety certificate issued by the Danish Transport-, Construction and Housing Authority. The transitional provisions regulate the relation between existing and future contracts between Banedanmark and the company.

§1

Paragraph 1. Effectuated from 1st of January 2018, all companies that perform construction and maintenance work for Banedanmark and drive independently on the infrastructure as well as transport materials, crew and equipment outside of track possessions, must be in possession of a safety certificate issued by the Danish Transport-, Construction and Housing Authority, as stated in executive order 147 of 30th of January 2017 §3, paragraph 1, number 3, except from situations where concerned company makes use of the traction unit of another company with a valid safety certificate.

Paragraph 2. From 1st of January 2018, it will no longer be possible to drive on Banedanmark's safety certificate when performing the work cf. paragraph 1.

§2

Paragraph 1. The demand mentioned in §1 does not include contracts entered into before 1st of April 2017.

Paragraph 2. Contracts out to tender are not subject to the demand in §1 if the tender has been made public before 1st of April 2017. For contracts out to tender, which are made public in the period between 1st of April 2017 and 31st of December 2017, the demand will be applicable to the extent that Banedanmark in the tender has communicated to the company that the demand of a safety certificate is applicable for the contract out to tender from 1st of January 2018.

§3

Changes in contracts as mentioned in §2 and changes of contracts covered by permissible procurement law, where the changes does not result in a new tender, are not applicable to the demand.

§4

Except from the above mentioned, §1 is applicable for all contracts entered into or out for tender after 1st of January 2018.