

Agreement

between

the **European Pallet Association e.V.** represented by the Board
Ungelsheimer Weg 14, 40472 Düsseldorf, Germany

hereinafter: "EPAL"

and

Rail Cargo Austria Aktiengesellschaft
represented by the Board,
Erdberger Lände 40-48, 1030 Vienna, Austria

hereinafter: "RCA"

for the

CONTINUATION OF THE COMMON EUROPEAN PALLET POOL

A.

Basic principles of the European pallet pool

The long-term functionality of the common and open European pallet pool requires the unrestricted exchangeability of EPAL euro pallets and UIC/EUR euro pallets.

This unrestricted exchangeability is based on the internationally uniform and standardised quality of the pallets as evidenced by appropriate marking on the pallets.

The uniform quality of the pallets is based on the application of UIC data sheets 435 pp and is ensured by constant and independent, internationally standardised quality control tests.

B. Current situation

Due to the termination of the collaboration between EPAL and UIC as of 31/12/2012, the pre-requisites for the functionality of the European pallet pool are only being complied with to a limited extent.

The marking of the pallets does not have an identity, in full or in part.

As far as the users are concerned, this causes problems when exchanging EPAL and UIC/EUR euro pallets.

C. Agreements

In order to restore the basic principles for the long-term functionality of the European pallet pool, the parties agree to the following:

I. Agreement on the unrestricted exchangeability

1.

The parties agree, with immediate effect, that wooden flat pallets, which bear the branded marking "EPAL in oval" or "EUR in oval" on at least one corner block of the long side of the pallet, are capable of being exchanged with one another without restriction.

This includes pallets currently marked with the "EPAL/EPAL" or "UIC/EUR" branded marks and which in the past have been marked with the "EPAL/EUR" or "EUR" branded marks in combination with various railway marks.

2.

EPAL is obligated to actively make reference to the exchangeability of UIC/EUR euro pallets in the EPAL exchange conditions and in all communication with licensees and users of EPAL euro pallets.

3.

RCA is obligated to enforce the acceptance of this unrestricted exchangeability as per clause 1 with respect to all member railways of the UIC working group "Palletisation Issues" and actively make reference to the exchangeability of EPAL euro pallets in all communication with licensees and users of UIC/EUR euro pallets.

4.

Both parties are obligated not to make any declarations or behave in ways which conflict or may conflict with the unrestricted exchangeability of EPAL and EUR euro pallets.

II.

Uniform quality control tests

1.

The parties agree that is only possible to ensure the permanent guarantee of the uniformly high quality of exchangeable euro pallets by means of internationally uniform quality control tests.

2.

It is agreed that EPAL, RCA and any other Railway Undertaking is entitled to commission licensed inspection companies to perform quality control tests on pallets.

This agreement is subject to Austrian law without recourse to the rules on conflict of international private law. Any disputes shall be settled by the objective competent court in Vienna as the court of jurisdiction.

Düsseldorf, ..[23rd OCTOBER 2014]..

Vienna,

[Signature]

[Signature]

European Pallet Association e.V.

[Signature]

(Rail Cargo Austria AG)
(VD Dr. Georg Kasperkovitz)

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(VD Drs. Erik Regler)