

Rules for granting derogations from language requirements for train drivers in border traffic

1. PLK may grant a train driver a derogation from language requirements in border traffic on sections of railway lines included in local border agreements with Member States of the European Union neighbouring the Republic of Poland on the basis of the rules set out below.
2. A derogation from language requirements regarding comprehension and communication at the B1 language proficiency level of the Common European Framework of Reference for Languages shall be granted on the following condition:
 - 1) the submission by the railway undertaking of an application for a derogation from language requirements, containing a personal list of the train drivers for whom the railway undertaking applies for a derogation;
 - 2) the submission of a statement by the railway undertaking confirming:
 - a) knowledge by the train drivers, who are subject to the application, of the rules required by PLK, listed in **Annex 3.1** [List of safety regulations applicable to railway undertaking's staff performing tasks which are directly related to railway traffic safety],
 - b) knowledge by the train drivers, who are subject to the application, of the rules, instructions, regulations and agreements being a part of railway undertaking's and PLK infrastructure manager's safety management systems,
 - c) knowledge by the train drivers, who are subject to the application, of the Polish language at a level enabling them to work on the Polish part of the border section in routine, emergency and crisis situations, and in particular to receive and issue safety instructions (e.g. emergency stop orders),
 - d) ability to fill in forms of orders and to repeat and understand dictated texts, if required by local border agreements,
 - e) knowledge and application of the communication rules laid down in Appendix C of [Commission Regulation \(EU\) No. 2015/995 of 8 June 2015 amending Decision 2012/757/EU concerning the technical specification for interoperability relating to the 'operation and traffic management' subsystem of the rail system in the European Union](#).
3. The application for a derogation from language requirements, together with the statement referred to in paragraph 2(2), shall be submitted by the railway undertaking to the following address:

PKP Polskie Linie Kolejowe S.A.
Biuro Eksploatacji i Obsługi Pasażerskiej
03-734 Warszawa, ul. Targowa 74
e-mail: ies@plk-sa.pl

The documents must be submitted in Polish or as a certified translation of the originals into Polish.

PLK's Operations and Passenger Service Department shall examine the application within 30 days and inform the railway undertaking about granting or refusing to grant a derogation from language requirements.

4. The above rules were drawn up on the basis of the provisions of [Commission Regulation \(EU\) 2019/554 of 5 April 2019 amending Annex VI to Directive 2007/59/EC of the European Parliament and of the Council on the certification of train drivers operating locomotives and trains on the railway system in the Community](#) and the [Regulation of the Minister of Infrastructure and Construction of 8 November 2016 amending the Regulation on general conditions for railway traffic and signalling](#) and concern railway undertakings interested in obtaining a derogation from language requirements for train drivers working on cross-border sections.