*(company seal of the Applicant / Carrier)*

*(place and date)*

**PKP Polskie Linie Kolejowe S.A.**

**Centrala**

**Biuro Sprzedaży**

ul. Targowa 74

03-734 Warszawa

aplikant@plk-sa.pl

|  |
| --- |
| Applicant's / Railway undertaking's data |
| 1. *name of the applicant:*
 |  |
| 1. *seat:*
 |  |
| 1. *postal code and address:*
 |  |
| 1. *NIP:*
 |  |
| 1. *REGON:*
 |  |
| refers to legal persons registered in the National Court Register |
| *KRS number:* |  |
| *company registered in the register of entrepreneurs kept by the District Court in Warsaw:* |  |
| *No. of the Economic Department of the National Court Register:* |  |
| applies to companies with share capital  |
| *Sp. z o.o. - the amount of share capital:* |  |
| *Joint stock company - the amount of the share capital fully paid up:* |  |

# SECTION "A"

Contract application on allocation

|  |
| --- |
| Applicant's nature*/selection marker - YES* |
| *The applicant being a railway undertaking:****Note:*** *If "Applicant being a railway undertaking" is indicated,* ***fill in SECTION "B****" – Application for conclusion of train capacity agreement.* |  |
| *Applicant being an organizer of public transport:* |  |
| *Applicant not being a railway undertaking:* |  |
| 1. Train timetable*/indicate for which train timetable the contract is to be concluded, e.g. RJP 2021/2022/*
 |
|  |
| Capacity used for transport*/selection marker - YES* |
| *people:* |  |
| *things:* |  |
| *people and things:* |  |
| 1. Carriage of passengers*/selection marker -* ***YES***
 |
| *occasional:*  |  |
| *other than occasional:*  |  |
| Allocation of train schedule capacity (RJP)*/selection marker - YES* |
| *annual and individual:*  |  |
| *just individual:*  |  |
| Person authorized to submit applications for granting the Applicant access to the Online Train Path Request System (ISZTP) |
| *Name and surname* |  |
| *mailing address:* |  |
| *e-mail:* |  |
| *Phone:* |  |
| Applicant's contact details for the provision of related informationwith the performance of the contract |
| *Name and surname* |  |
| *address:* |  |
| *e-mail:* |  |
| *Phone:* |  |
| Possible notes |
|  |

**Information obligation performed by PKP Polskie Linie Kolejowe S.A., hereinafter referred to as the Company, towards the Applicant submitting the application for conclusion of a contract for allocation of capacity and towards persons acting in the name and on behalf of the Applicant.**

1. Acting pursuant to Article 13 of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of individuals with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46/EC (General Data Protection Regulation, OJ L 119, 2016, p. 1-88), hereinafter referred to as: "GDPR", the Company informs that:
2. The Personal Data Manager is PKP Polskie Linie Kolejowe Spółka Akcyjna, with its registered office in Warsaw, at: 03-734 Warsaw, ul. Targowa 74;
3. The Company has an e-mail address: iod.plk@plksa.pl of the Data Protection Inspector at PKP Polskie Linie Kolejowe S.A., made available to persons whose personal data are processed by the Company;
4. personal data will be processed for the purpose:
	1. the preparation of a draft and the conclusion of a capacity allocation agreement (hereinafter referred to as 'the Agreement');
	2. keeping records in the event of inspections by authorized authorities and bodies;
	3. transferring the documentation to the archives and then its removal (permanent removal and destruction);

in the scope of: ordinary data - name, surname, position held, contact details, as well as in case of submission of a power of attorney, statements and other documents - personal data contained therein;

1. the legal basis for the processing of personal data by the Company is Article 6(1)(c) and (f) GDPR, however the legally justified interest of the Company is deemed to be the necessity to conclude an Agreement and its proper implementation in accordance with applicable laws and regulations;
2. personal data may be made available to other recipients on the basis of legal regulations, in particular to subjects processing on the basis of concluded contracts;
3. personal data will not be transferred to a country outside the European Economic Area (third country) or to an international organization within the meaning of the GDPR;
4. personal data will be stored in accordance with legal regulations in the process of preparing and signing the Agreement, and then storing documents for the period in which the Company will pursue objectives resulting from the legally justified interests of the data controller, which are materially related to the Agreement or obligations resulting from the provisions of generally applicable law;
5. You have the right to request access to your personal data and to rectify, erase or restrict the processing and to object to the processing and the right to data portability;
6. You have the right to lodge a complaint with the supervisory authority, i.e. the President of the Personal Data Protection Office;
7. The Company will not make automated decisions, including profiling, based on the personal information provided.
8. The Applicant undertakes to inform on behalf of the Company all natural persons directed by the Applicant to provide information related to the performance of the Agreement and whose personal data are contained in the application for conclusion of the contract for capacity allocation, about:
9. the fact of transferring personal data to the Company;
10. processing of personal data by the Company.
11. The Applicant undertakes, referring to Article 14 of GDPR, to perform on behalf of the Company, the information obligation towards the persons referred to in paragraph 2, providing them with the content of the information clause referred to in paragraph 1, at the same time indicating to these persons the Applicant as the source of personal data available to the Company.
12. Any change to the natural persons whose personal data will be transferred in the process of preparing and signing the Agreement shall also require compliance with the obligations referred to in paragraphs 2 and 3.

*(personal stamp, legible signature - in accordance with the Applicant's representation)*

*ATTENTION:
In case of indication in Section A, point 2 "Applicant's nature" -
"Applicant being a railway undertaking, SECTION "B" must be filled.*

# SECTION "B"

Contract application on the use of capacity

|  |
| --- |
| Required documents:*/copies enclosed with the application – “certified true copies"* |
| 1. *License number:*
 |  |
| 1. *Safety Certificate - Section A number:*
 |  |
| 1. *Safety Certificate - Section B number:*
 |  |
| Required statements of the railway undertaking: |
| **We declare that we will inform PKP Polskie Linie Kolejowe S.A. about changes, suspension or withdrawal of licenses or safety certificates.** |
| **We declare that we will use rolling stock meeting the conditions specified in the** [**Ordinance of the Minister of Infrastructure of 12 October 2005 on general technical conditions for the operation of railway vehicles**](http://prawo.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20160000226&SessionID=A6FD13485EA1DDED6E8E67C2FFF46DB7611114E3)**.** |
| Train timetable*/indicate for which train timetable the contract is to be concluded, e.g. RJP 2021/2022/* |
| ***Passenger transport:*** |  |
| ***Transport of objects:*** |  |
| Railway undertaking's contact details for the provision of information related with the performance of the contract |
| *Name and surname* |  |
| *address:* |  |
| *e-mail:* |  |
| *Phone.:* |  |
| Possible notes |
|  |

**Information obligation performed by PKP Polskie Linie Kolejowe S.A., hereinafter referred to as the Company, towards the railway undertaking submitting the application for conclusion of a contract of use capacity and towards persons acting in the name and on behalf of the railway undertaking.**

1. Acting pursuant to Article 13 of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of individuals with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46/EC (General Data Protection Regulation, OJ L 119, 2016, p. 1-88), hereinafter referred to as: "GDPR", the Company informs that:
2. The Personal Data Manager is PKP Polskie Linie Kolejowe Spółka Akcyjna, with its registered office in Warsaw, at: 03-734 Warsaw, ul. Targowa 74;
3. The Company has an e-mail address: iod.plk@plksa.pl of the Data Protection Inspector at PKP Polskie Linie Kolejowe S.A., made available to persons whose personal data are processed by the Company;
4. personal data will be processed for the purpose:
5. the preparation of a draft and the conclusion of a capacity use agreement (hereinafter referred to as 'the Agreement');
6. keeping records in the event of inspections by authorized authorities and bodies;
7. transferring the documentation to the archives and then its removal (permanent removal and destruction);

in the scope of: ordinary data - name, surname, position held, contact details, as well as in case of submission of a power of attorney, statements and other documents - personal data contained therein;

1. the legal basis for the processing of personal data by the Company is Article 6(1)(c) and (f) GDPR, however the legally justified interest of the Company is deemed to be the necessity to conclude an Agreement and its proper implementation in accordance with applicable laws and regulations;
2. personal data may be made available to other recipients on the basis of legal regulations, in particular to subjects processing on the basis of concluded contracts;
3. personal data will not be transferred to a country outside the European Economic Area (third country) or to an international organization within the meaning of the GDPR;
4. personal data will be stored in accordance with legal regulations in the process of preparing and signing the Agreement, and then storing documents for the period in which the Company will pursue objectives resulting from the legally justified interests of the data controller, which are materially related to the Agreement or obligations resulting from the provisions of generally applicable law;
5. You have the right to request access to your personal data and to rectify, erase or restrict the processing and to object to the processing and the right to data portability;
6. You have the right to lodge a complaint with the supervisory authority, i.e. the President of the Personal Data Protection Office;
7. The Company will not make automated decisions, including profiling, based on the personal information provided.
8. The railway undertaking undertakes to inform on behalf of the Company all natural persons directed by the Applicant to provide information related to the performance of the Agreement and whose personal data are contained in the application for conclusion of the contract for capacity allocation, about:
9. the fact of transferring personal data to the Company;
10. processing of personal data by the Company.
11. The railway undertaking undertakes, referring to Article 14 of GDPR, to perform on behalf of the Company, the information obligation towards the persons referred to in paragraph 2, providing them with the content of the information clause referred to in paragraph 1, at the same time indicating to these persons the Applicant as the source of personal data available to the Company.
12. Any change to the natural persons whose personal data will be transferred in the process of preparing and signing the Agreement shall also require compliance with the obligations referred to in paragraphs 2 and 3.

*(personal stamp, legible signature - in accordance with the railway undertaking's representation)*

**Attachments:**

1. Railway Undertaking License - a certified true copy;
2. Safety Certificate - Section A – a certified true copy;
3. Safety Certificate - Section B – a certified true copy.