

Annex 1

Public Annual Declaration of Interests (PADoI) of members of the Board(s) of Appeal of the European Union Agency for Railways¹

Name:

Joanna Marcinkowska

Title/Function:

Rail Passenger Rights Ombudsman

Company/Organisation:

Office of Rail Transport in Poland (Polish National Safety Authority)

Board(s) of Appeal Member ~~or Alternate~~²

I, Joanna Marcinkowska do hereby declare to the best of my information, knowledge and belief that³:

I and my close family members⁴ have no interests to declare in relation to my duties and responsibilities within the BoA of the Agency;

I have, but my close family members have no interests to declare in relation to my duties and responsibilities within the BoA of the Agency;

I have no interests, but my close family members have interests to declare in relation to my duties and responsibilities within the BoA of the Agency;

I and my close family members have interests to declare in relation to my duties and responsibilities within the BoA of the Agency.

¹ Hereinafter referred to as "the Agency".

² Specify if Member or Alternate (strikethrough the irrelevant entry).

³ Tick as applicable.

⁴ For this purpose, "close family members" are considered to be the persons forming a household with the person making the declaration (spouse, life partner, parent, dependent child) as well as any other family member with whom a close relationship exists. Only current interests held by close family members are of relevance and not past ones.

I have recorded the following interests in the field of the Agency's activities⁵:

Title/Function (you or your close family members)	Period of activity (within the past 5 years)	Company or organisation	Description of the activity (including contracts with the Agency, as well as Products, Projects, and/or Activity references in accordance with the Agency Programming Document)
1. Employment with a company or an organisation			
Rail Passenger Rights Ombudsman	February 2017 - present	Office of Rail Transport in Poland	Out-of-court dispute resolutions among passengers and railway undertakings (mainly carriers established in Poland).
Attorney at Law	October 2015 – January 2017	Office of Rail Transport in Poland	Legal assistance in the area of performing statutory tasks by the President of the Office of Rail Transport, for instance: issuance of safety authorizations, imposing administrative sanctions, authorizations for placing in service structural subsystems or railway vehicles, infrastructure charging, representation of the President of the Rail Transport Office before the civil and administrative courts, drafting and reviewing contracts used in the day to day activities of the Office of Rail Transport, giving opinions on drafts of legal acts relating to the rail transport during the legislative process, providing internal and external trainings on legal aspects relating to the rail transport
Senior Specialist	September 2014 – September 2015	Office of Rail Transport in Poland	Legal assistance in the area of performing statutory tasks by the President of the Office of Rail Transport as specified above.

⁵ Please kindly note that the table below while covering many of the varied situations that commonly arise in practice, do not purport to provide an exhaustive list of potential interests, nor could they do so, and that all other elements that might jeopardise your independence and impartiality in the performance of your duties in the service of the Board(s) of Appeal should also be indicated under point 8 "Other relevant information" of the table hereunder.

2. Legal representation of or provision of consultancy or of advice to or assignment of a strategic advisory role within a company or an organisation		
3. Member of a Management Board or equivalent structure of a company or an organisation		
4. Member of an Advisory Board or equivalent structure of a company or an organisation		

Title/Function (you or your close family members)	Period of activity (within the past 5 years)	Company or organisation	Description of the activity (including contracts with the Agency, as well as Products, Projects, and/or Activity references in accordance with the Agency Programming Document)
5. Other membership or affiliation			
6. Research funding from a company or an organisation, including grants, rents, sponsorships, fellowships, non-monetary support			
7. Financial investments in a company or an organisation, including holding of stocks and/or shares, stock options, equity, bonds, partnership interest in the capital of such undertaking, one of its subsidiaries or a company in the capital of which it has a holding (of a value above 10,000 € per company or shares, stocks or comparable entitling you to a voting right of 5% or more (notwithstanding their financial value)			
8. Other relevant information			

Making the railway system
work better for society.

Should there be any change to the information provided above, I shall promptly notify the Registry of the Board(s) of Appeal and complete a new Public Annual Declaration of Interests (PADoI).

I understand that this Public Annual Declaration of Interests (PADoI) will be entered in a register held under the auspices of the Registry of the Board(s) of Appeal and published on the Agency website.

The Agency will handle the information provided above in accordance with Regulation (EU) 2018/1725⁶.

Done at Warsaw on 04-04-2019

Signature:  _____

⁶ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002, OJ L 295, 21.11.2018, p. 39–98.

I, the undersigned Joanna Marcinkowska, in my function of Member/~~Alternate~~ of the Board(s) of Appeal⁷ hereby declare⁸ that:

<input checked="" type="checkbox"/>	<p>Additionally, I do hereby declare that, to the best of my information, knowledge and belief, none of my close family members⁹ currently has any conflict of interests in relation to my duties and responsibilities within the Agency and, more specifically, in relation to Case [Ref. Nr. of the relevant appeal or arbitration case] which was submitted to the Board(s) of Appeal Registry on [date].</p>
<input type="checkbox"/>	<p>Additionally, I do hereby declare that, to the best of my information, knowledge and belief, my close family members currently have the following conflicts of interest in relation to my duties and responsibilities within the Agency and, more specifically, in relation to Case ... [Ref. Nr. of the appeal or arbitration] which was submitted to the Board(s) of Appeal Registry on ... [date]:</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>

⁷ Specify if Member or Alternate (strikethrough the irrelevant entry).

⁸ Please tick the applicable option(s) and fill in as appropriate.

⁹ For this purpose, "close family members" are considered to be the persons forming a household with the person making the declaration, i.e. spouse, partner, dependent children. Only current interests held by close family members are of relevance and not past ones.

I wish to have any reference to interests held by close family members removed if this declaration is to be made public on the website of the Agency¹⁰.

Should there be any change to the information provided above, I shall promptly notify the Registry of the Board(s) of Appeal and complete a new Declaration of Absence of Conflict of Interests (DACoI).

I understand that this Declaration of Absence of Conflict of Interests (DACoI) will be published on the Agency website and will be entered in a register held under the auspices of the Agency.

The Agency will handle the information provided above in accordance with Regulation (EU) 2018/1725¹¹.

Done at Warsaw on 04-04-2019

Signature:  _____

¹⁰. This option should only be used in cases where the consent of the individual concerned, i.e. of the close family member mentioned, has not been obtained, or when that individual has objected to the disclosure of the information provided on compelling legitimate grounds or if there is a reason to believe that the legitimate interests of the individual involved might be prejudiced by the disclosure of such information.

¹¹. Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002, OJ L 295, 21.11.2018, p. 39–98.

Annex 3

Declaration of commitment and confidentiality (DoCC) of members of the Board(s) of Appeal of the European Union Agency for Railways¹²

I, the undersigned Joanna Marcinkowska., hereby declare and commit to fulfill my duties as a Member/~~Alternate~~ of the Board(s) of Appeal¹³ of the Agency to the best of my ability.

I declare that, when participating in the taking of decisions, I shall act independently and in the public interest, and shall not be bound by any mandatory instructions and shall not receive a binding mandate.

I declare that I am aware of my obligation, even after my duties in the service of the Board(s) of Appeal have ceased, to respect confidentiality and not to disclose information of the kind subject to an explicit request for confidentiality or covered by the duty of professional secrecy¹⁴.

I shall also respect the confidential nature of the opinions expressed by other members during deliberations or discussions in meetings or provided in written form.

I understand that this declaration will be entered in a register held under the auspices of the Registry of the Board(s) of Appeal and will be made accessible to the public.

Done at Warsaw on 04-04-2019

Signature:  _____

¹² Hereinafter referred to as "the Agency".

¹³ Specify if Member or Alternate (strikethrough the irrelevant entry).

¹⁴ Such information is intended to cover all information, facts, data any other matters of which the BoA member concerned has acquired knowledge, either directly or indirectly, as a result of his or her participation to the BoA activities whether or not contained in a document of any kind (electronic or on paper or any other medium).