

Consolidated Text

Resolution No. LII/1391/2005 dated 19 May 2005 of the City Council of the capital city of Warsaw on the statute of the Zarząd Transportu Miejskiego (Public Transport Authority), amended by the following resolutions:

- 1) No. LXXV/2265/2006 of the City Council of the capital city of Warsaw dated 18 May 2006
- 2) No. XXXIX/1171/2008 of the City Council of the capital city of Warsaw dated 28 August 2008
- 3) No. LXVI/2062/2009 of the City Council of the capital city of Warsaw dated 5 November 2009
- 4) No. XXII/441/2011 of the City Council of the capital city of Warsaw dated 8 September 2011
- 5) No. XXXII/771/2012 of the City Council of the capital city of Warsaw dated 23 February 2012

Pursuant to Art. 18 paragraph 2 point 9 letter h, in connection with Art. 7 paragraph 1 point 4 of the Act of 8 March 1990 on commune self-government (Polish Journal of Laws of 2001 No. 142, item. 1591, as amended.), the City Council of the capital city of Warsaw resolves as follows:

§ 1

Public Transport Authority – a budgetary unit of the capital city of Warsaw – is provided with the statute set out in the annex hereto

§ 2

The resolution shall be implemented by the Mayor of the capital city of Warsaw.

§ 3

The resolution shall be published in the Official Journal of Laws of the Mazovian Voivodeship.

§ 4

The Resolution shall come into force after 14 days from the date of its publication.

**STATUTE
OF ZARZĄDU TRANSPORTU MIEJSKIEGO
(PUBLIC TRANSPORT AUTHORITY)**

§ 1

Public Transport Authority performs its activities pursuant to:

- 1) Resolution No. Nr XXIII/135/91 dated 16 December 1991 of the City Council of the capital city of Warsaw on establishing a budgetary unit acting as Public Transport Authority,
- 2) Act of 27 August 2009 on public finances (Polish Journal of Laws of 2009 No. 157, item. 1240, as amended.)
- 3) This Statute,
- 4) other applicable provisions of law.

§ 2

Public Transport Authority:

- 1) is an unincorporated organizational unit of the capital city of Warsaw operating as a budgetary unit.
- 2) on behalf of the capital city of Warsaw it performs tasks concerning organization, management and supervision of the local public transport in the capital city of Warsaw and in other communes, if it follows intercommunal agreement or is a result of the capital city of Warsaw membership in intercommunal association,
- 3) performs tasks in collecting fares of municipal public transport; the collected funds are deposited into a bank account of the Warsaw City Council,
- 4) on behalf of the capital city of Warsaw, it performs investment tasks for the local public transport.
- 5) on behalf of the capital city of Warsaw, it performs tasks concerning organization and management of the local public transport pursuant to Act of 16 December 2010 on local public transport (Polish Journal of Laws of 2011 No. 5, item. 13).

§ 3

1. The registered office of Public Transport Authority is situated in Warsaw.
2. The target area of Public Transport Authority is the capital city of Warsaw and other communes, if it follows intercommunal agreement or is a result of the capital city of Warsaw membership in intercommunal association.
3. The activity of Public Transport Authority is supervised by institutions of the capital city of Warsaw according to their competence.
4. Public Transport Authority uses and manages the property of the capital city of Warsaw which is essential for Public Transport Authority to perform its tasks.

§ 4

Public Transport Authority, hereinafter referred to as ZTM, is in charge of managing the local public transport of the Warsaw metropolitan area, creating organizational forms of public

transport that meet the requirements of the Warsaw metropolitan area and working towards proper and efficient functioning of the public transport, in particular:

- 1) participation in study and planning works concerning public transport which are conducted by municipal departments,
- 2) collecting data and conducting analyses concerning transportation needs,
- 3) planning, organization and coordination of transportation system and timetables in the capital city of Warsaw and other communes, if it follows intercommunal agreement or is a result of the capital city of Warsaw membership in intercommunal association,
- 3¹) planning and organization of transport services within the promotion of the local public transport,
- 3²) assessing timetables provided by road carriers and negotiating terms of use of the station facilities and of public transport stops in Warsaw,
- 4) ordering carries to provide transport services and controlling the quality of their performance,
- 5) coordination and supervision over current functioning of public transport within the area of ZTM activity,
- 6) developing tariff system projects and realization of tariff policy,
- 7) selling tickets entitling the bearer to travel by public transport within the Warsaw metropolitan area,
- 8) inspection of documents entitling to travel by public transport among passengers and charging additional fees,
- 8¹) performing tasks concerning management and utilization of "Park&Ride" car parks,
- 8²) performing tasks concerning management and utilization of transport nodes functioning as interchange points of local public transport, including "Park&Ride" car parks, bus loops, tram loops, coach stations, which are at the disposal of ZTM,
- 9) keeping records of income which are carried out on behalf of the capital city of Warsaw (receivables, incomings, arrears) and dealing with credit recovery issues,
- 10) initiating investment projects concerning construction, expansion and modernization of facilities and equipment as well as investment purchasing connected with public transport,
- 11) performing investment tasks according to material and financial schedule concerning construction, expansion and modernization of facilities and equipment as well as investment purchasing connected with public transport,
- 12) providing proper and timely payment for realization of investment tasks to contractors and payment to substitute investors for conducting ZTM statutory tasks,
- 13) undertaking activities related to acquisition of funds in order to finance investment projects concerning ZTM statutory tasks, including preparation and submission of materials for application forms,
- 14) keeping and controlling records of fixed assets which are lent for use to other carriers,
- 15) controlling technical efficiency of stops infrastructure and of bus and tram loops which belong to ZTM, maintaining their proper conditions and dealing with their renovation,
- 16) marketing, advertising, promotional and other activities to generate income,
- 17) other matters ordered by the capital city of Warsaw related to public transport,
- 18) undertaking activities related to issuance of documents entitling to perform public transport and allowing to perform transport set out in the Road Traffic Act of 6 September 2001 (Polish Journal of Laws of 2007 No. 125, item. 874, as amended.), including fee-charging,
- 19) undertaking activities related to imposition of fines and inspection of documents and their conditions set out in those documents, pursuant to provisions included in public transport regulation act or road traffic act.

- 20) sharing stops infrastructure that belongs to ZTM and charging fees for using stops and stations by an operator and carriers,
- 21) creating favorable conditions for development of bicycle transport system by providing parking spaces for bicycles at the facilities being at ZTM disposal or in the immediate vicinity,
- 22) performing tasks related to implementation, management and utilization of the Warsaw Public Bicycle system (Warszawski Rower Publiczny).

§ 5

1. ZTM is governed by the Director, who is employed, dismissed or authorized by the Mayor of the capital city of Warsaw.
2. Public Transport Authority is an employer within the meaning of the Labor Code, on behalf of which the ZTM Director performs all activities related to labor law.
3. The Mayor of the capital city of Warsaw performs all activities related to labor law towards the ZTM Director.

§ 6

1. The ZTM Director shall:
 - 1) ensure proper functioning of Public Transport Authority and proper management of its activities,
 - 2) represent Public Transport Authority before authorities, institutions, organizations and third parties,
 - 3) make statements related to law and pecuniary obligations to the amounts specified in the ZTM financial plan,
 - 4) organize and manage the unit in relation to national defense,
 - 5) deal with the matters concerning issuance of documents entitling to perform public transport and allowing to perform transport set out in the road traffic act.
2. The Director of Public Transport Authority may appoint councils and teams, as subsidiary, consultative and advisory bodies, either permanently or temporarily, after specifying the purpose of establishment, potential members, organization and scope of activity.

§ 7

The organization chart, including the organizational structure, is set out in the organizational regulations of Public Transport Authority, effectuated by the Director after obtaining the approval of the Mayor of the capital city of Warsaw or a person authorized by him/her.

§ 8

Public Transport Authority:

- 1) has a bank account,
- 2) manages its finances on the basis of financial plan,
- 3) has separate bank accounts,
- 4) keeps accounting records of property of which is the owner or only uses,
- 5) keeps accounting records and reports under applicable law.

§ 9

Changes to the Public Transport Authority statute are made pursuant to its granting.