

Electronic Toll Collection System of the National Revenue Administration

EETS Domain Statement

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1 General information

1.1 Purpose and scope of document

This EETS Domain Statement addresses the EETS aspects provided under the Electronic Toll Collection System of the National Revenue Administration (e-TOLL) involving the EETS Provider (EP).

The purpose of this document is:

- a) laying down the procedural conditions, including the principles concerning tolls and commercial conditions;
- b) laying down the procedure for assessment of conformity to specifications and suitability for use of interoperability constituents.

1.2 Terms and definitions

The table below lists the key abbreviations and definitions used in this document.

Term	Definition
Accreditation Procedure	The procedure of assessing the conformity with specifications and suitability for using Interoperability Constituents held by an EETS Provider (EP) in EETS on an EETS domain, including operations for completing all stages of Accreditation Testing as referred to in the document "EETS Provider (EP) Accreditation Test Preparation and Implementation Plan". The Accreditation Procedure shall be carried out before the EETS Provider (EP) initiates providing the EETS Service and when, as a result of changing the Interoperability Components of either Party, it has become necessary to carry out all stages of the Accreditation Tests.
Accreditation Tests	Evaluation of the suitability for use of the EETS Providers (EP) interoperability components.
Accreditation Tests and EETS Provider (EP) Deployment Schedule	A document containing the descriptions of activities to be performed to implement the tests of processes in the System/Component/Module and defining the implementation correctness criterion.
Application for EETS services on EETS Domain	Application filed by the EETS Provider (EP) to the Head of KAS in order to commence the accreditation process of the EETS Provider (EP) in the Toll Domain of the Head of KAS.
Billing Details	Daily summary of toll transactions for a single EETS vehicle communicated via interface.

Billing Period	Period for which the Debit Note is issued.
Billing Period of the EETS Provider (EP) Remuneration	The period of providing the service, for which the EETS Provider (EP) receives remuneration.
Breach	Any activity of the Head of the National Revenue Administration (NRA) or of the EETS Provider (EP) causing damage, decrease in functionality or effectiveness of the Interoperability Constituents, including in particular affecting correct toll calculation and performance of control activities.
CA	Certification Authority
Contractual relationship	A relationship between the Toll Charger and the EETS Provider (EP) under the concluded Contracts/Contract (all rights and obligations provided for in these contracts, which may also survive their termination).
Context Data	Any data necessary to correctly establish the toll due for circulating a vehicle within the EETS Domain i.e. tariffs and road network, including all toll facilities.
Debit Note	A financial document specifying the Billing Period, bank account and amount due for calculated tolls to the EETS Provider (EP).
E2E (End-to-End) Integration Tests	A stage of Accreditation Tests covering the entire (end-to-end) system functionality. The Tests aim whether all system elements operate as intended and required.
e-TOLL system	Electronic Toll Collection System of the National Revenue Administration
EETS	European Electronic Toll Service, meaning a toll service provided to an EETS User by an EETS Provider (EP) on one or more EETS domains under contract.
EETS Accreditation and Operating Contract	Contract between the EETS Provider (EP) and the Toll Charger, which defines the general and specific rules of cooperation and obligations of the implementation of the Accreditation Procedure of toll service on the EETS Toll Domain.
EETS Contract	A contract by and between the EETS User and EETS Provider (EP) or a commercial partner of the EETS Provider (EP).
EETS Domain (owned by Head of KAS)	A road network administered by the General Directorate for National Roads and Motorways, where the Toll Charger – Head of KAS levies tolls using the electronic toll system - EETS.

EETS Key Performance Indicators/KPI	An indicator related to the performance and quality of technology applied by the EETS Providers (EP) in the toll system.
EETS Provider (EP)	An entity which – under a separate contract - grants access to European Electronic Toll Service to an EETS user, transfers the tolls to the relevant toll charger, and which is registered by its Member State of establishment.
EETS Providers (EP) Accreditation Test Preparation and Deployment Plan	A document containing descriptions of the activities to be performed in order to implement process tests in the System/Component/Module, along with the definition of the criterion for the correctness of their execution
EETS User	Means a natural or legal person who entered into an EETS Contract in order to gain access to the EETS Domain.
EETS User list	A list of on-board units generating toll data for which a particular EETS Provider (EP) declares payment.
Interoperability Constituent	Any elementary component, group of components, subassembly or complete assembly of equipment incorporated or intended to be incorporated into EETS upon which the interoperability of the service depends directly or indirectly, including both tangible objects and intangible objects such as software.
MF CA	Entity responsible for managing security certificates within the Ministry of Finance.
Non-Disclosure Agreement (NDA)	An agreement by and between the EETS Provider (EP) and the Head of KAS, under which the parties thereto oblige themselves to exchange confidential materials or knowledge subject to their further non-disclosure.
OBE	On-Board Equipment – a complete set of hardware and software components to be used as part of the toll service which is installed or carried on board a vehicle in order to collect, store, process and remotely receive/transmit data, either as a separate device or embedded in the vehicle.
OBUE	On-Board Unit – an on-board unit installed in a vehicle for the purposes of electronic toll collection.
Payment Announcement	A system message sent by the EETS Provider (EP) summarising each ended Billing Period.
Pilot Test	Test stage. Comprehensive verification of toll calculation to the EETS users by the EETS Provider (EP) and of billings between the EETS

	Provider (EP) and the Toll Charger. Pilot test is performed in the production environment with the use of a representative vehicle fleet at the diversified road sections and with the use of EETS Provider (EP)'s OBE.
Production environment	Environment of the Head of KAS consisting in the infrastructure and software forming a complete system intended for the end users and supporting operation of real business processes.
Required Service Level EETS/KPI	An indicator related to the efficiency and quality of the service provided by EETS Providers (EP) in the toll system.
Remuneration	Remuneration to be paid to the EETS Provider (EP) for providing EETS service.
Retests	Testing the suitability for use of the EETS Provider's Interoperability Constituents following any changes to the Interoperability Constituents made by either Party. The scope of the retesting depends on the scope of the changes to the interoperability constituents. The tests performed as part of the Retest will be specified in this document. "Accreditation Tests and EETS Provider Deployment Schedule" document. The relevant provisions regarding accreditation testing apply to the retesting.
Security for the Agreement	Security to cover the claims of the Head of KAS for non-performance or improper performance of the EETS Accreditation and Operating Contract.
Security for Tolls collected from the EETS Users	Security lodged by the EETS Provider (EP) under Article 16k of the Act on public roads.
Smoke Tests	A stage of the Accreditation Tests, during which the correct linking of the e-TOLL system with the EETS Providers (EP) system is verified on the Production Environment. Smoke tests are performed prior to initiating the Pilot Test in order to ensure that the product is ready for further Testing. The smoke tests are carried out before the Pilot Test in order to make sure that the product is ready for further Tests.
Suspension of EETS provision	Suspension of EETS by the Head of KAS by means of blocking communication between the EETS Provider (EP) system and e-TOLL resulting in disabled transfer of the calculated Tolls to e-TOLL.
Suitability for Use	The ability of an Interoperability Constituent to achieve and maintain a specified performance when in service, integrated representatively into EETS in relation with a toll charger's system.

Test Environment	The environment designed to perform the tests defined in the EETS Provider (EP) Accreditation Test Preparation and Implementation Plan, mirroring the Production Environment.
Toll	Electronic toll referred to in art. 13 ust. 1 point 3 of the Act, payable by the user for travel within the EETS Domain.
Toll Charger (TC)	Toll Charger - Head of the KAS responsible for collecting tolls for moving a vehicle in an EETS Domain.
Toll Declaration	A statement communicated by the EETS Provider (EP) containing information on a calculated toll.

Table 1 Uniform list of definitions and abbreviations for the EETS documentation

1.3 Reference list of documents

Ref no.	Document
[1]	Directive (EU) 2019/520 of the European Parliament and of the Council of 19 March 2019 on the interoperability of electronic road toll systems and facilitating cross-border exchange of information on the failure to pay road fees in the Union.
[2]	Commission Implementing Regulation (EU) 2020/204 of 28 November 2019 on detailed obligations of European Electronic Toll Service providers, minimum content of the European Electronic Toll Service domain statement, electronic interfaces, requirements for interoperability constituents and repealing Decision 2009/750/EC (OJ EU L.2020.43.49 of 17.02.2020).
[3]	Act of 21 March 1985 on public roads
[4]	Act of 27 October 1994 on toll motorways and on the National Road Fund
[5]	Regulation of the Council of Ministers of 22 March 2011 on the list of national roads or their sections on which the toll shall be collected electronically and the rates of electronic toll payment
[6]	Regulation of the Minister of Transport, Construction and Maritime Economy of 25 April 2012 on toll rates for the use of a motorway
[7]	PN-EN ISO 12855:2022-11E (EN ISO 12855:2015); Electronic fee collection -- Information exchange between service provision and toll charging.
[8]	CEN/TS 16986:2016/ AC:2017 Electronic Fee Collection – Interoperable application profiles for information exchange between Service Provision and Toll Charging.
[9]	PN-EN ISO 17575-1:2016 (EN ISO 17575-1:2016).

	Electronic fee collection - Application interface definition for autonomous systems - Part 1: Charging.
[10]	PN-EN ISO 17575-3:2016 (EN ISO 17575-3:2016); Electronic fee collection - Application interface definition for autonomous systems – Part 3: Context data.

Table 2 List of applied documents

1.4 List of e-TOLL documents made available to the EETS Provider (EP)s

Ref no.	Document name	Available from
1.	EETS Domain Statement	Published on the official website of the Head of KAS
2.	Application for EETS services on EETS Domain	Published on the official website of the Head of KAS
3.	Integration documentation for the EETS Provider (EP)	Made available upon signing the NDA with the EETS Provider (EP)
4.	Accreditation Tests and EETS Provider Deployment Schedule	Made available upon signing the NDA with the EETS Provider (EP)
5.	EETS Operation Manual for the EETS Provider (EP)	Made available upon signing the NDA with the EETS Provider (EP)

Table 3 List of e-TOLL documents made available o the EETS Provider (EP)s

2 Toll Charger

2.1 Identification of Toll Charger

Pursuant to the Act of 6 May 2020 amending the Act on public roads and of certain other acts (Journal of Laws of 2020, item 1087) on the day of 1 July 2020, the **Head of the National Revenue Administration (KAS) (Head of KAS)** became the authority responsible for toll charging for the circulation of vehicles in the Toll Domain under the Electronic Toll Collection System of the National Revenue Administration (e-TOLL).

2.2 Contact data of Toll Charger

Ministerstwo Finansów – Krajowa Administracja Skarbowa (Ministry of Finance – National Revenue Administration)

ul. Świętokrzyska 12

00-916 Warsaw

eets@mf.gov.pl

3 Procedural conditions

3.1 General information

The procedural conditions offered by the Toll Charger are non-discriminatory i.e. apply to all EETS Providers (EP).

Starting the activities in the role of EETS Provider (EP) is subject to the following conditions:

- filing the Application for EETS services on EETS Domain along with applicable documents indicated in the Application;
- entering into the Non-Disclosure Agreement (NDA) – the agreement is made in Polish language;
- providing a Toll Charger (TC) with documentation detailing the technical and commercial conception of providing the EETS service;
- entering into the EETS Accreditation and Operating Contract and establishment of Performance Bond by the EETS Provider (EP) for the Head of KAS – the contract is made in Polish language;
- successful completion of the accreditation process;
- providing the Security for Tolls collected from the EETS Users in total, pursuant to the provisions of the EETS Accreditation and Operating Contract.

3.2 Toll

3.2.1 General information

Toll is charged on the vehicles using the road network administered by the General Directorate of National Roads and Motorways, where the Toll Charger – Head of KAS collects tolls.

Any due toll is charged using the Electronic Toll Collection System of the National Revenue Administration (e-TOLL), provided that:

- geographical range and national road network subject to mandatory Electronic Toll are specified in document [5],
- categories of tolled vehicles and toll exempted vehicles are specified in document [3],
- categories of tolled vehicles on toll motorways and categories of toll exempted vehicles on toll motorways are specified in document [4].

The condition for proper calculation of Toll is equipping the tolled vehicle, on a mandatory basis, in a certified, properly operating and properly installed OBE.

3.2.2 Toll amount

Toll amount (electronic toll) is calculated as:

- the product of mileage (expressed in km) and toll rate per kilometre for a given vehicle category, provided that the EETS Domain administered by the Head of KAS will operate on the basis of so called sections, toll for which will depend on travelled length. Toll will be calculated in the specific toll collection points (virtual gates).

The amount of toll for passage of 1 km on a national road is specified in §3 of document [5] and Appendices 3 and 4 to document [5] and depends on the following:

- road class;
- vehicle category;
- EURO emission standards.

3.2.3 Calculation of due toll and payment terms

The entity responsible for Toll calculation is the EETS Provider (EP), who communicates information on calculated tolls (section, vehicle and its specification, toll) to the Toll Charger (TC), while the Toll Charger verifies correctness of toll calculated by EETS Provider (EP) and issues a relevant Debit Note to the EETS Provider (EP).

The Debit Note is issued in Polish and English language, while the amounts are expressed in Polish Zlotys. The EETS Provider (EP) pays the Debit Note on the date agreed in the EETS Accreditation and Operating Contract by crediting the bank account specified by Toll Charger (TC) in the Debit Note.

3.3 **EETS Provider (EP) Accreditation Procedure**

The EETS Provider (EP) accreditation process applies to all EETS Providers (EP) and covers the following steps::

1. Filing the Application for EETS services on EETS Domain by the EETS Provider (EP) and its positive verification;

2. Signing the Non-Disclosure Agreement (NDA) by and between EETS Provider (EP) and Toll Charger (TC);
3. Providing the e-TOLL technical documents by TC Toll Charger (TC) to EETS Provider (EP);
4. Presenting data listed in clause 3.1 of this EETS Domain Statement by EETS Provider (EP);
5. Signing the EETS Accreditation and Operating Contract and establishing the Performance Bond by the EETS Provider (EP) for the Head of KAS in order to secure claims for due performance of the Contract;
6. Successfully completing the Accreditation Procedure;
7. Covering the costs of the Accreditation Procedure by the EETS Provider (EP) in the amount of 25 300 zloty;
8. Covering the costs incurred by the Toll Charger (TC) by the the EETS Provider (EP), arising from the need to prepare, implement, build, or operate the e-TOLL;
9. Lodging the Security for Tolls collected from the EETS Users in total pursuant to the provisions of the EETS Accreditation and Operating Contract;
10. Deployment of the EETS Provider (EP).

3.4 Technical requirements for the EETS Providers (EP)

e-TOLL technical solutions are based on the GNSS AND ANPR technologies. The EETS User's OBE does not connect with the e-TOLL system.

The EETS Provider's (EP) system, which connects with the e-TOLL system, must:

- establish secure VPN connection with IPSec service;
- send messages only via a VPN tunnel;
- use SOAP network services with HTTPS protocol and communicate via port 443;
- use the certificates issued by the CA:
 - TC must send the MF CA certificate and intermediate certificates to EETS Provider (EP);
 - EP must send the CA certificate and intermediate certificates to TC;
 - TC must send the certificate used to verify the EETS Provider (EP) message;
 - EP must send the certificate used to verify the TC message;
- information must be sent using the char protocol and data must be coded using the XER encoding rules in accordance with the valid version of the ISO/IEC 8825-4 standard

When communicating with the e-TOLL system:

- EETS Provider (EP) will call only the operations made available by Toll Charger (TC);

- EETS Provider (EP) must deploy the services, with which Toll Charger (TC) will connect;
- Communication will be asynchronous, the service will not return the result and the response containing the processing result will be sent in a separate message.

3.5 Documentation contains the details of the technical and commercial concept of EETS provision

The EETS Provider (EP) provides the Toll Charger (TC) with details of the technical and commercial concept of EETS provision, which must include the following areas:

- a) Quality Management System, covering the monitoring of key implementation aspects;
- b) risk management;
- c) System Security Policy ensuring compliance with GDPR, a document confirming valid certification of the information security management system of the EETS Provider (EP) in accordance with the ISO/IEC27001 standard or a positive audit report on compliance of the EETS Providers (EP) system with ISMS;
- d) a document concerning the certified interoperability constituents;
- e) a business plan containing at least:
 1. estimated number of contracts with the users, including the users making use of the Head of KAS toll domain – data by years: 1,2,3,4 and 5 years from commencement of EETS provision in the Head of KAS toll domain;
 2. average amount of toll per contract, including the average amount of tolls of a user making use of the Head of KAS toll domain – data by years: 1,2,3,4 and 5 years from commencement of EETS provision in the Head of KAS toll domain;
 3. projected share of the EETS Provider (EP) in toll charging in the Head of KAS toll domain within the first 12 months (divided by months) of operation in the Head of KAS toll domain;
 4. information and documentation confirming the projections of the amount of average monthly tolls billed by the EETS Provider (EP);
 5. information on insurance policies of the EETS Provider (EP), including their coverage.

3.6 Communication between the Toll Charger (TC) and EETS Provider (EP)

Communication between the TC and EETS Provider (EP) is executed via a secured communication channel, a VPN tunnel, and is based on exchanging the messages referred to in the ISO 12855:2015 and CEN/TS 16986:2016/AC:2017 standards.

Description of the communication model:

- a) Toll Charger (TC) provides EETS Provider (EP) with data enabling proper calculation of tolls for the EETS Users (context data in the form of EfcContext message);

- b) on the basis of the provided context data, EETS Provider (EP) calculates tolls to the EETS users for circulation on toll roads in Poland;
- c) with a frequency laid down in the EETS Accreditation and Operating Contract, EETS Provider (EP) provides Toll Charger (TC) with information on the lists of EETS Users i.e. a list of all OBE, users of which declared according to the contract that they will travel at the territory of Poland, and the list of OBE for which TC should not charge tolls (data in the form of EETS User List) – so called white and black lists; the requirement of holding of valid lists by Toll Charger (TC) and that 1 user should be entered into 1 list at the same time should be adopted as a general rule;
- d) with a frequency close to real time, EETS Provider (EP) provides Toll Charger (TC) with information on tolls calculated to the EETS Users in the form of Toll Declaration messages – max. up to 300 second from the event. Each message forms a separate event;
- e) at the end of the day, EETS Provider (EP) provides Toll Charger (TC) with a summary of calculated tolls per each vehicle (data in the form of Billing Details – by 16:00:00 following the ended day);
- f) upon completion of the billing period, EETS Provider (EP) provides Toll Charger (TC) with a message summarising all tolls calculated within the full billing period (data in the form of Payment Announcement message);
- g) upon verifying data on toll calculated by Toll Charger (TC), this Calculated Toll forms the basis for issuing the debit note sent to EETS Provider (EP) (via interface);
- h) on the date laid down in the EETS Accreditation and Operating Contract, EETS Provider (EP) pays the calculated tolls to Toll Charger (TC);
- i) Control of users on the roads, which verifies the toll payments, operates on the basis of the provided Toll Declarations;
- j) in justified cases, for the purposes of proceeding any suspicion of breach/ an administrative procedure on breach, Toll Charger (TC) sends an inquiry to EETS Provider (EP) to provide user details (Provide User Details), which are necessary to perform the activities. The EETS Provider (EP) response time (data reception) – 60 seconds;
- k) Messages are confirmed by both parties as laid down in Integration documentation for the EETS Providers (EP).

3.7 Performance Bond

Prior to the date of entering into the EETS Accreditation and Operating Contract, the EETS Provider (EP) is obliged to establish the Security for the Agreement for the Head of KAS in order to secure claims for non-performance or undue performance of the Contract. The Performance Bond should be established in a manner to enable the Head of KAS unconditional, complete and irrevocable collection of the amount due.

The Performance Bond should be established, at the discretion of the EETS Provider (EP), in one or several of the following forms:

- 1) in cash, paid by bank transfer onto a bank account specified by the Head of KAS;
- 2) bank guarantee;
- 3) insurance guarantee.

The amount of Security for the Agreement is equal to 5% of the total 12 average monthly Remunerations. Prior to entering into the EETS Accreditation and Operating Contract, the amount of Performance Bond should be calculated on the basis of the projected values.

The amount of Security for the Agreement cannot be lower than the costs of conducting the Accreditation Procedure, specified in point 3.3 No. 7.

3.8 Security for Tolls collected from the EETS Users

The EETS Provider (EP) is obliged to establish the Security for Tolls collected from the EETS Users for the Head of KAS in order to secure claims for Tolls and interest for delay.

Security for Tolls collected from the EETS Users should be established in a manner to enable the Head of KAS unconditional, complete and irrevocable collection of the Toll and interest due.

Security for Tolls collected from the EETS Users should be established in one or several of the following forms:

- a) in cash, paid by bank transfer on a bank account of NRA specified in the EETS Accreditation and Operating Contract;
- b) bank guarantee;
- c) insurance guarantee;
- d) surety granted by an entity with capacity to repay in a calendar year, in which the surety was granted, was assessed at the level of:
 - at least BBB + or Baa 1 granted by the rating agencies specified in the provisions issued under Article 2c(3) of the Act of 8 May 1997 on sureties and guarantees granted by the State Treasury and by certain legal persons (Journal of Laws of 2022, item 122) or
 - equivalent to at least BBB + or Baa 1 granted by the internationally recognised rating agencies;
- e) other equivalent financial instrument.

The form and details terms and conditions for establishing the Security for Tolls collected from the EETS Users are laid down in the EETS Accreditation and Operating Contract.

The amount of security is equal to an average monthly amount of Tolls specified in the Debit Notes and billed by the EETS Provider (EP) in the EETS Domain within the last 12 months. This amount shall be verified at least once per quarter and updated, if necessary.

For the EETS Providers (EP) operating in the EETS Domain for less than 12 months, the amount of security is established by the Head of KAS in a relevant scope on the basis of the projected average monthly amount of tolls billed by the EETS Provider (EP) in the EETS Domain, specified on the basis of the number of contracts and average toll per contract, estimated in the business plan of the EETS Provider (EP) submitted to the Head of KAS and containing comprehensive information and documentation confirming the projections on the amount of average monthly tolls billed by the EETS Provider (EP). This amount is also subject to successive verifications on the basis of Tolls specified in the Debit Notes and billed by the EETS Provider (EP) (in the calculation, the monthly value of calculations shall gradually replace the projected monthly average of calculations provided for in the business plan).

3.9 Commercial conditions

The commercial conditions offered by the Toll Charger (TC) are non-discriminatory i.e. apply to all EETS Providers (EP).

3.9.1 Fees for Accreditation Tests

The EETS Provider (EP) pays fee for Accreditation Tests. The EETS Provider (EP) shall be obliged to provide the vehicle fleet – equipped with OBE, with drivers and circulation of vehicles during the Pilot Test.

The Head of KAS is not obliged to pay remuneration or any other fees related to the performed Accreditation Tests to the EETS Provider (EP).

3.9.2 Remuneration of the EETS Provider (EP)

The EETS Provider (EP) shall be entitled to Remuneration from the Head of KAS. Remuneration of the EETS Provider (EP) may be decreased or increased by the Head of KAS by the result of KPI calculation. Remuneration of the EETS Provider (EP) is paid on monthly basis in arrears, on the basis of a VAT invoice duly issued by the EETS Provider (EP). Each EETS Provider (EP) is entitled to remuneration calculated under the same rules.

Monthly remuneration is calculated on the basis of diversified % rates depending on the achieved level of toll calculation. The percentage rate is strictly correlated to a specific range of monthly amounts, which are verified every month. The remuneration rates may be verified every 2 years from the date of entering

into the EETS Accreditation and Operating Contract or in the case of significant changes to the system of the Head of KAS or tolled road network or a change of toll rates.

% rates are based on the following calculations:

1) amount corresponding to savings generated by the toll charger with regard to EETS provision by the EETS Provider (EP): savings of the Head of KAS result from allocation of tasks related to toll charging between the Head of KAS – Toll Charger – and the EETS Provider (EP). In addition, in the case of achieving the highest quality of services confirmed by specific KPI, the provider may receive an allowance increasing the remuneration in the month, in which the relevant level of service quality was achieved;

2) commission for risks related to toll charging in the EETS KAS Toll Domain and therefore transferred onto the EETS Provider (EP). Risks transferred onto the EETS Provider (EP) include in particular:

Risk 1: associated with incorrect handling of context data by EETS Provider (EP) (i.e. the risk of erroneous location of virtual toll collection point by the EETS Provider (EP) affecting data integrity and completeness);

Risk 2: associated with data collection from OBU (i.e. the risk of failure to keep the deadline for data transfer to e-TOLL due to mobile network coverage during a vehicle passage);

Risk 3: associated with sending a list of users by EETS Provider (EP) to Toll Charger (TC) (i.e. the risk of late delivery of the list of users by the provider to e-TOLL (after the vehicle passage has started) and therefore rejection of toll declaration by e-TOLL and exposing the users to sanctions);

Risk 4: associated with entering into contracts with the users (i.e. the risk associated with user registration on the basis of incorrect data/documents submitted by this user to the EETS Provider (EP)).

3.10 Required level of service (KPI)

The required level of service will be monitored with the use of indicators laid down in the EETS Accreditation and Operating Contract and encompasses the following areas: quality, timeliness and correctness.

The level of KPI achieved by the EETS Provider (EP) is monitored with a view to data collected for the period of a calendar month. Monitoring considers no statements referring to the events taking place and required in the course of the technical system servicing periods agreed by and between the EETS Provider (EP) and Toll Charger (TC).

Depending on the achieved level of KPI, the Remuneration may be decreased or increased. Remuneration is decreased / increased from the Remuneration amount before any deductions are made i.e. the amount of Remuneration is affected by each KPI separately.

Remuneration may be increased only on the basis of KPI 2 and 3 from the list presented below.

Level of service quality is assessed on the basis of the following KPI:

- KPI 1. Level of timely responses sent by the EETS Provider (EP) to the Toll Charger requests to provide user details;
- KPI 2. Level of correctness in toll calculation;
- KPI 3. Timeliness of sending Toll Declaration messages by the EETS Provider (EP) to the Toll Charger (TC);
- KPI 4. Correctness of fixed vehicle data saved in OBU;
- KPI 5. Share of Toll Declarations of the value of 0.00 and deleted (cancelled) to all Toll Declarations;
- KPI 6. Timeliness of sending Billing Details messages by the EETS Provider (EP);
- KPI 7. Number of Toll Declaration messages rejected by the Toll Charger (TC).

The scope of the KPIs and the specific requirements are specified in the EETS Accreditation and Operational Contract.

4 Assessment of conformity to specifications

4.1 General information

The procedure for of assessment of conformity to specifications and of the suitability for use of interoperability constituents applies to all EETS Providers (EP).

The EETS Provider (EP) presents the specification of its interoperability constituents, including in particular OBE and relevant back office interface in order to integrate them with e-TOLL.

The EETS Provider (EP) shall present Toll Charger (TC), as a proof of conformity of the interoperability constituents, with a documentation containing the EC declaration of conformity with the specifications. By issuing the EC declaration of conformity, the manufacturer assumes the responsibility for conformity of an interoperability constituent.

The Toll Charger (TC) is entitled to verify documents presented by EETS Provider (EP). Only the certified interoperability constituents will be approved. EETS Provider (EP) may correct the specifications until interoperability is reached.

The EETS Provider (EP)'s interoperability constituents should meet the requirements laid down in documents [1], [2] on the date of commencement of Accreditation Tests at the latest, subject to obligation of the EETS Provider (EP) to update them after the date of Commencement of EETS Provision.

4.2 Accreditation Tests

The Procedure for testing the Suitability for Use applies to all EETS Providers (EP) and covers the comprehensive Acceptance Tests to the e-TOLL system.

The tests are performed in accordance with technical documentation specifying the course of Acceptance Tests provided to EETS Provider (EP) and following the "Accreditation Tests and EETS Provider (EP) Deployment Schedule".

In order to commence the EETS provision, the EETS Provider (EP) is obliged to complete with a positive result of all stages of Accreditation Tests:

- a. Suitability for Use Test - E2E Integration Tests (stage I);
- b. Suitability for Use Test – Smoke Tests (stage II);
- c. Suitability for Use Test – Pilot Test (stage III);

provided that the condition necessary to commence stage II of the Suitability for Use Test – Smoke Tests is completion of the first stage of the Suitability for Use Test – E2E Integration Test and the condition necessary to commence stage III of the Suitability for Use Test – Pilot Test is completion of the second stage of the Suitability for Use Test – Smoke Tests.

4.2.1 Integration Tests (E2E) – stage I

The procedure describes the steps taken to verify correctness of deploying the interface for the EETS Provider (EP)s and correct implementation of the EETS processes for e-TOLL in the testing environment before the Smoke Tests and Pilot Test in the production environment of e-TOLL:

1. EP agrees the date of E2E Integration Tests with TC;
2. TC prepares the e-TOLL System to commence the E2E Integration Tests;
3. EP performs all EETS transactions provided for in the test scenarios;
4. TC verifies correctness of all transactions provided for in the test scenarios;
5. The Test Report specifying the result is prepared upon completion of E2E Integration Tests.

If the E2E Integration Tests are completed with a positive result and the positive Test Report from the E2E Integration Tests is generated, the EETS Provider (EP) testing is continued – Smoke Tests.

4.2.2 Smoke Tests – stage II

The procedure describes the steps taken to verify correctness of deploying the interface for the EETS Providers (EP) and correct implementation of the EETS processes for e-TOLL in the production environment (before the Pilot Test in the e-TOLL production environment):

1. EP agrees the date of Smoke Tests with TC;
2. TC prepares the e-TOLL System to Smoke Tests;
3. EP performs all EETS transactions provided for in the test scenarios;
4. TC verifies correctness of all transactions provided for in the test scenarios;
5. The Test Report specifying the result is prepared upon completion of Smoke Tests.

The test result may be positive, which means conformity of EETS Provider (EP) with the e-TOLL system constituents in the production environment, or negative, which means a partial or total non-conformity of EETS Provider (EP).

4.2.3 Pilot Test – stage III

The procedure describes the steps taken to verify correctness of deploying the interface for the EETS Providers (EP) and correct implementation of the EETS processes for e-TOLL in the production environment (before deploying the EETS Provider (EP) in E-TOLL):

1. EP agrees the date of Pilot Test with TC,
2. TC prepares the e-TOLL System for the Pilot Test,
3. EP installs OBE of the EP and OBE of TC in the vehicles participating in the Pilot Test in order to pay for passages,
4. The vehicles participating in the Pilot Test perform a specific number of passages on the agreed route in accordance with the technical documentation of Integration Tests and test scenarios;
5. TC verifies correctness of all transactions provided for in the test scenarios;
6. The Test Report specifying the result is prepared upon completion of Pilot Test.

The test result may be positive, which means conformity of EETS Provider (EP) with the e-TOLL system constituents in the production environment, or negative, which means a partial or total non-conformity of EETS Provider (EP).

If the Tests are completed with a negative result and the negative Test Report from the E2E Integration Tests is generated, the EETS Provider (EP) may:

- a. repeat the Tests in total or in part;
- b. suspend or cancel the pending accreditation process of the EETS Provider (EP).

5 Change of EETS Provider Interoperability Constituents

5.1 Initial conditions

Changing the EETS Provider (EP) Interoperability Constituents during the provision of EETS services is possible under the conditions specified in the EETS Accreditation and Operational Contract. The Parties shall define, in an annex to the provision, the scope, conditions, and schedule for fulfilling the obligations, including those specified in the Accreditation Procedure or Retests, in such a way that changing the EETS Provider (EP) Interoperability Constituents does not negatively impact EETS services.

5.2 Procedure description

The procedure describes the steps taken to implement the EETS Provider (EP) Interoperability Constituents change process, by: introducing new EETS Provider (EP) Interoperability Constituents or modifying the existing EETS Provider (EP) Interoperability Constituents.

1. The procedure begins when:
 - a. The EETS Provider (EP) notifies the Toll Charger (TC) of its intention to change the EETS Provider (EP) Interoperability Constituents together with the documents and information specified in the EETS Accreditation and Operational Contract;
 - b. The Toll Charger (TC) requests the EETS Provider (EP) to submit appropriate explanations and documents if it identifies a risk that the EETS Provider's Interoperability Constituents do not meet the requirements specified in the EETS Accreditation and Operational Contract;
 - c. The Toll Charger (TC) notifies the EETS Provider (EP) of its intention to change the Toll Charger (TC) Interoperability Constituents, either by introducing new Toll Charger (TC) Interoperability Constituents or by modifying the existing Toll Charger (TC) Interoperability Constituents;
2. The Toll Charger (TC) carries out an assessment based on the information and documents provided by the EETS Provider (EP) and decides whether it is necessary to repeat the Accreditation Procedure or Retests (in the case of points 1.a and 1.b);
3. Signing an annex to the EETS Accreditation and Operational Contract specifying the scope, conditions and schedule for performing the relevant activities, including conducting another Accreditation Procedure or Retests;
4. Carrying out a new Accreditation Procedure or Retests in accordance with the adopted test plan and schedule;
5. The EETS Provider (EP) covers the costs of conducting another Accreditation Procedure or Retests, specified in the annex to the EETS Accreditation and Operational Contract;

6. The EETS Provider (EP) will prepare and agree with the Toll Charger (TC) a report containing the results of tests carried out as part of the repeated Accreditation Procedure or Retests;
7. The Toll Charger (TC) issues certificates confirming the successful completion of the - Accreditation Procedure or Retests.

6 Additional information

The Toll Charger reserves its right to introduce amendments to the requirements and terms and conditions specified in this EETS Domain Statement at any time without prior notice.

In such case, the amended EETS Domain Statement shall be immediately made available to the EETS Providers (EP) by the Toll Charger.

The EETS Provider (EP) and EETS Users are obliged to follow the applicable regulations listed in this EETS Domain Statement and forming the basis for the EETS Domain, including in particular:

- Act of 21 March 1985 on public roads.
- Act of 27 October 1994 on toll motorways and on the National Road Fund
- Regulation of the Council of Ministers of 22 March 2011 on the list of national roads or their sections on which the toll shall be collected electronically and the rates of electronic toll payment.
- Regulation of the Minister of Transport, Construction and Maritime Economy of 25 April 2012 on toll rates for the use of a motorway.
- Regulation of the Minister of Infrastructure and Development of 27 August 2015 on the payment and billing of electronic tolls.
- Act of 6 May 2020 amending the Act on public roads and of certain other acts.

If there is any contradiction between the content of this EETS Domain Statement and the generally applicable provisions, the latter shall prevail.

7 Annex A

Załącznik A – wzór formularza zgłoszeniowego

**Wniosek o dopuszczenie do świadczenia usługi EETS
na Obszarze EETS Szefa KAS**

Application for EETS services on EETS Domain

Pełna nazwa Dostawcy EETS Full company's name
Kraj rejestracji Dostawcy EETS EETS Provider (EP) registration country
Adres siedziby Dostawcy EETS Address
Osoba do kontaktu ze strony Dostawcy EETS (nazwisko, stanowisko, adres, telefon, email) Contact point (name, position, address, phone no, email)
Informacje o OBE (producent, model) OBE information (producer, model)
Załączniki Attachments

Data/date

Podpis/Signature

Pouczenie:

- Wniosek należy wypełnić w języku polskim.
- Do wniosku należy załączyć następujące dokumenty:
 - Informację z odpowiedniego rejestru handlowego prowadzonego w państwie siedziby Dostawcy EETS¹ - w przypadku podmiotów zarejestrowanych poza granicami Polski.
 - Potwierdzenie rejestracji jako Dostawca EETS (dokument rejestracji/ certyfikat rejestracji).
 - Deklarację zgodności ze specyfikacjami dla każdego OBE wskazanego we wniosku.

W przypadku dokumentów składanych w innym języku niż język polski wymagane jest tłumaczenie przysięgłe na język polski (dotyczy wszystkich dokumentów).

Kopie załączanych dokumentów należy poświadczyc za zgodność z oryginałem. Podpisaną wersję papierową wniosku wraz z załącznikami należy przesłać na adres:

Ministerstwo Finansów – Krajowa Administracja Skarbowa
ul. Świętokrzyska 12
00-916 Warszawa

- W celu usprawnienia komunikacji zalecane jest także przekazanie wersji elektronicznej wniosku (wraz z załącznikami) na adres EETS@mf.gov.pl.

Information on application for

- Form must be filled in Polish
- Application needs to be accompanied by following documents:
 - Information from the relevant commercial register handled in the country of the registered office of the EETS Provider (EP) - for entities registered outside Poland.²
 - EETS Provider (EP) registration confirmation (document confirming registration)
 - EC Declaration on conformity with specifications for each OBE indicated in the application.

¹ Informacja musi określać zasady reprezentowania podmiotu. Informacja musi być wystawiona nie wcześniej niż 6 miesięcy od daty przekazania wniosku do KAS.

² Information needs to present rules on entity representation. Information needs to be issued no later than 6 months before application submission date.

In the case of documents submitted in a language other than Polish, a sworn translation into Polish is required (of all documents).

Copies of the attached documents must be certified as conforming to the original. Signed paper version should be send to following address:

Ministerstwo Finansów – Krajowa Administracja Skarbowa

ul. Świętokrzyska 12

00-916 Warszawa

Polska/ Poland

- In order to ensure smoother communication it is advised to send electronic version of application (with required documents) on EETS@mf.gov.pl address.