

Treinwijzer Terms and Conditions

Nederlandse Spoorwegen – Valid from 11 November 2020

Introduction

The *Treinwijzer* [Train Guide] gives you a prediction of how busy it is in the trains of NS Reizigers BV (hereinafter "NS") by letting you notify us of your journey with NS in advance. When you are travelling, you can use the *Treinwijzer* to prepare your journey with NS* as well as possible. The more passengers start using this new service, the better it will be possible to predict the crowding. Together we ensure that as many passengers as possible can travel responsibly. NS trialled this service as a pilot as of May under the name *Trein Veilig Service* [Safe Train Service]. The *Treinwijzer* is now making that available to all NS passengers.

NS also asks passengers who would like to take their bicycle** along on the train to notify us of that in advance. This makes it possible to monitor crowding on the train and spread it out as much as possible. This is because there is only limited space on the trains for bicycles. Passengers who use the *Trein Veilig Service* to notify us of the bicycles before 11 November 2020 can now also use the *Treinwijzer*.

Notifying us of your train journeys is not mandatory; neither is notifying us about your bicycle. NS is therefore unable to guarantee the actual level of crowding in the train and the availability of seats and bicycle spaces in the train. It does however let NS monitor the crowding and the available bicycle spaces as much as possible.

* Except for the R-net Sprinters of NS on the route section Alphen aan de Rijn–Gouda.

** The term 'bicycle' in this context does not refer to foldable bicycles and mobility equipment.

1. Applicable terms and conditions

- 1.1 These terms and conditions apply to the (use of the) *Treinwijzer*. The term 'use' will be taken to include notifying us of your train journey and of you taking your bicycle on the train. Using the *Treinwijzer* means that you accept these terms and conditions.
- 1.2 The 'General Terms and Conditions for the transport of Passengers and Hand Luggage of the Nederlandse Spoorwegen' ("AVR-NS") apply to journeys made with NS.
- 1.3 The *Fietskaart dal* [Off-peak Bicycle Ticket, letting you transport your bicycle] is subject to the terms and conditions published by NS, such as the condition that the *Fietskaart dal* [Off-peak Bicycle Ticket] is only valid when combined with a valid train travel ticket and that there must be space available in the train.

2. Using the *Treinwijzer*

- 2.1 To use the *Treinwijzer*, you need to have an e-mail address, an NS account and either the NS app or access to [ns.nl](https://www.ns.nl).
- 2.2 You can use your NS account to log in and notify us of your train journey, with or without a bicycle. You can create an NS account via the NS website (login.ns.nl). After creating the NS account, you will receive an e-mail from NS to validate the e-mail address you gave.

3. Notifying us of your train journey, with or without a bicycle

- 3.1 Any domestic train journey that you make with NS (except for the R-net Sprinters of NS on the route section Alphen aan de Rijn–Gouda), with or without a bicycle, can be notified in advance using the NS app or through [ns.nl](https://www.ns.nl). The *Treinwijzer* only lets you notify the NS part of your train journey (with the exception of R-net). It is therefore not possible to notify train journeys with other train carriers, international train journeys or journeys on R-net NS Sprinters.
- 3.2 If you are travelling with a bicycle, you notify us of both yourself and your bicycle (1 passenger + bicycle). If you are travelling without a bicycle, you only notify us of yourself (1 passenger). You will also be asked to state what kind of ticket you will be travelling on (public transport smartcard or separate ticket). If you are travelling using your *OV-chipkaart* (public transport smartcard), you will be asked to state its number. That information will be requested as part of the notification process. This will therefore not involve purchasing a ticket (see Article 3.5).
- 3.3 A train journey, with or without a bicycle, can be notified from 00:01 at night before that day and up to 1 minute before travelling on the day itself. You can therefore notify us of your train journey and your bicycle up to 1 minute before departure. You will receive a confirmation e-mail for every notification.

- 3.4 Notifications for train journeys, with or without bicycles, can lapse, for instance if the train in question does not run. If your notification for a train journey lapses, you will be sent an e-mail about it. In case the expected crowd in your train increases from 1 to 2 icons or from 2 to 3 icons in the crowd-indicator, you will receive an e-mail as well. You can then make a new notification.
- 3.5 Notification of a train journey or of you taking a bicycle with you will under no circumstances constitute a ticket. The usual NS terms and conditions of carriage as defined in the AVR-NS apply, such as the obligation to have a valid ticket. You will therefore need to have valid tickets for yourself and for your bicycle. You can read what constitutes a valid ticket on the NS website and in the AVR-NS. Until NS announces otherwise, the *Fietskaart dal* is only available online as a separate ticket (e-ticket) or at an NS counter at the train station.
- 3.6 Notwithstanding the provisions of Article 3.5, notification of a train journey does not entitle you to travel in the train for which the notification was given. If that train is full, for example, you will have to take another train. The notification of your train journey does not entitle you to a seat.
- 3.7 Notwithstanding the provisions of Article 3.5, notification that you are taking your bicycle does not entitle you to take it in the train for which the notification was given. If there is no space for your bicycle, for instance, you will not be able to take it.

4. Feedback

- 4.1 NS may collect feedback. When you use the *Treinwijzer*, you may be asked to give your opinion about aspects such as how easy it is to use.

5. Cancelling the *Treinwijzer*

- 5.1 You can terminate your use of the *Treinwijzer* unilaterally at any moment by sending an e-mail to treinwijzer@ns.nl.
- 5.2 If the stipulations of these terms and conditions are not complied with (or if that is suspected) or if the *Treinwijzer* is misused (or if that is suspected), NS is entitled to block or terminate its use immediately and unilaterally.
- 5.3 NS has the right to terminate the use of the *Treinwijzer* unilaterally with immediate effect (in whole or in part) which will result in it no longer being possible to use the *Treinwijzer* (in whole or in part).

6. Privacy

- 6.1 To let good predictions be made of the crowding in the train, NS needs to know not only the journeys you notify us of, with or without a bicycle, but also the journeys that you actually made. This is because accurate predictions also need a picture of the journeys that are notified but not made as well as journeys that are made but were not notified.
- 6.2 To obtain that picture, NS creates a one-off link between your public transport smartcard number and the journeys you made, or between the purchase of a ticket and the journey you actually made.
- 6.3 NS processes your e-mail address for the purposes of using the *Treinwijzer*. The e-mail address gives access to the *Treinwijzer* environment and it is used for communicating with you and sending you service messages. Additionally, analyses are performed using a pseudonymised form of your e-mail address, in case you use an e-ticket, so that NS can accurately predict the crowding.
- 6.4 If you state use your public transport smartcard number, NS creates a one-off link between your public transport smartcard number and the journeys you made. To that end, Trans Link Systems (hereinafter "TLS") informs NS of the internal card number (the chip ID) that belongs with the number physically printed on your public transport smartcard (the engraved ID). You give NS and TLS permission to do this. TLS does not transfer any other data about you to NS and if you withdraw your consent, NS will make sure that TLS no longer transfers any of its data to NS.
- 6.5 NS Customer Service can see the journeys and journeys with a bicycle you have notified us of so that they can help you notify your journeys correctly and give explanations if required.

Treinwijzer Terms and Conditions

Nederlandse Spoorwegen – Valid from 11 November 2020

6.6 Your notifications will be anonymised after one month. If you also want to have your NS account deleted, you can submit a deletion request as described in <https://www.ns.nl/privacy/rechten-betrokkenen.html>. This is because the account may also be in use by services other than *Treinwijzer*. Details of the journeys made (check-in and check-out at the gates) will be retained by NS without linking them to your public transport smartcard number, as per the usual retention periods described in www.ns.nl/privacy. This is beyond the scope of the *Treinwijzer* functionality.

7. Amendments to the terms and conditions and features in use

- 7.1 NS is entitled at all times to unilaterally amend these terms and conditions and the features of *Treinwijzer* in use.
- 7.2 Amendments in the sense of Article 7.1 will be made public on the NS website (www.ns.nl). If you do not want to accept the amended terms and conditions and/or the features in use, you can terminate the use of *Treinwijzer* with immediate effect as per Article 5.1 of these terms and conditions.

8. Liability

- 8.1 The *Treinwijzer* has been developed and tested by NS with the utmost care. It is however possible that things do not go as intended and/or envisaged when it is used. NS cannot be held liable for any damage of any nature and of any extent whatsoever as a result of or relating to use of the *Treinwijzer*.

9. Questions and complaints

- 9.1 In the event of complaints, questions and remarks about the *Treinwijzer*, please contact NS Customer Service on 088 – 672 10 57.
- 9.2 In the event of complaints, questions and remarks about the processing of your personal data, you can contact the data protection officer via fg@ns.nl.

Utrecht, November 2020

