

# VIENNA CITY CARD STANDARD TERMS OF BUSINESS

## As of November 2019

The <u>https://www.viennacitycard.at/index.php?lang=EN</u> website is operated by DocLX Travel Events GmbH (hereinafter: **"DocLX"**) and is used for the sale of the Vienna City Card.

The Vienna City Card is an advantage and mobility card. It includes rides on public transportation and lines operated by Wiener Linien (Vienna Transport Authority), and can optionally be supplemented with digital add-ons, such as the Airport Transfer or a 24-hour Big Bus tour.

The following Standard Terms of Business apply if you order and purchase a Vienna City Card on the above website or from a sales partner. You must comply with the Standard Terms of Business to use the Vienna City Card with its advantages as well as the add-ons with the Vienna City Card advantage partners and transportation partners, Wiener Linien, CAT, ÖBB, the buses of the Vienna Airport Lines and Big Bus Vienna. DocLX assumes no liability for the performance of the services and add-ons offered in the bonus booklet but only for the ability to use the services provided by the Vienna City Card advantage partners, Wiener Linien, CAT, ÖBB, the buses of the Vienna Airport Lines and Big Bus Vienna.

## 1. VIENNA CITY CARD

- (1) Definitions
  - (1.A) The Vienna City Card is an advantage-based service, which offers discounts to purchasers on the services and products of advantage partners and enables the purchaser to use public transportation in Vienna free of charge in the core zone.
  - (1.B) The Vienna City Card product is licensed by the Vienna Tourist Board, a public corporation, which is subject to the Vienna Tourism Development Act (*Wiener Tourismusförderungsgesetz*). The Vienna Tourist Board is also referred to as "VTB" below.
  - (1.C) Purchasers of the Vienna City Card are also referred to as "cardholders" or "you" below.
  - (1.D) Purchase of the Vienna City Card entitles the purchasers to utilize the advantages of the services listed in the bonus booklet and of optionally purchased digital add-ons. You receive the bonus booklet when you purchase the Vienna City Card. You can download it from our website or find the offering in the Vienna City Card app (hereinafter referred to as the "app").





- (1.E) The services are provided or made available by third parties or advantage partners of VTB. When you use the Vienna City Card and claim the services offered by the advantage partners and add-on partners, you enter into contractual relationships with the respective advantage partners/add-on partners and their Standard Terms of Business, if any, apply. VTB and DocLX assume no liability for the services offered by Wiener Linien, CAT, ÖBB, the buses of the Vienna Airport Lines or Big Bus Vienna or other services listed in the bonus booklet, but only for the ability to use the services provided by the advantage partners/add-on partners.
- (1.F) WIENER LINIEN GmbH & Co KG, Erdbergstrasse 202, 1031 Vienna ("Wiener Linien") is the partner for the network ticket, which is valid for public transportation in Vienna for 24, 48 or 72 hours after appropriate validation.
- (1.G) Big Bus Vienna GmbH, Walfischgasse 5/4, 1010 Vienna ("Big Bus Vienna") is the add-on partner for the Tour Ticket, the Red and Blue Line's 24h Hop-On Hop-Off tours and an included guided city walk. The digital add-on can only be digitally purchased in combination with a (24h/48h/72h) Vienna City Card. The Big Bus Ticket can be redeemed within the seven days for which the advantage is valid.
- (1.H) ÖBB-Personenverkehr AG, Am Hauptbahnhof 2, 1100 Vienna, ÖBB-Postbus GmbH, Am Hauptbahnhof 2, 1100 Vienna, and City Air Terminal Betriebsgesellschaft m.b.H., Office Park, PO Box 1, 1300 Vienna Airport, are the add-on Airport Transfer partners. With this ticket you can use the following means of transportation: CAT City Airport Train, ÖBB Railjet (first class without surcharge), S-Bahn and the buses of the Vienna Airport Lines for multiple trips to and from Vienna Airport for seven days from activation. A City Check-In at the CAT Terminal at Wien-Mitte Railroad Station is also included.

#### • (2) Services provided by the partners

(2.A) The services offered by the advantage partners and add-on partners are available to Vienna City Card customers for the duration of their stay (max. seven days). The services listed in the bonus booklet are available to customers as long as a valid Vienna City Card can be shown. All partners listed in the bonus booklet or in the app or partners that offer the tours and transfers are required to provide their services to cardholders. Unless otherwise stated in the bonus booklet or in the app, qualitatively and quantitatively complete services must be made available during regular business hours in accordance with the respective advantage partner's Standard Terms of Business or Transport, if applicable, for the bonus booklet's period of validity, unless closure occurs due to damage, renovation or the like.



- (2.B) After the expiration of the bonus booklet's period of validity, it can be exchanged for a current version at any time, free of charge, at the Tourist Information Center (see online: <a href="https://www.wien.info/en/travel-info/hotels-accommodations/tourist-information">https://www.wien.info/en/travel-info/hotels-accommodations/tourist-information</a>) during regular business hours, or the cardholder can find the current offering in the app or as a download on our website at any time. Due to extraordinary and unforeseeable circumstances beyond the control of VTB and DocLX, the bonus booklet is occasionally modified to reflect unavoidable changes in the services offered (e.g., if an advantage partner ceases its business activities or if facilities are no longer open to the public).
- (2.C) The description of the services in the bonus booklet or in the app is deemed to be error-free and complete at the time of its creation. Irrespective of this, the services offered are subject to minor changes. The Vienna Tourist Board and DocLX assume no liability and make no guarantees with respect to the advantages granted to cardholders by the partners. All information is provided without warranty. The advantages of the Vienna City Card can be changed without prior notice. The photographs are for informational purposes only and are not binding.
- (2.D) The description of the add-on services in the web shop and in the media is deemed to be error-free and complete at the time of its creation. Irrespective of this, the services offered are subject to minor changes. The Vienna Tourist Board and DocLX assume no liability and make no guarantees with respect to the advantages granted to cardholders by the partners. All information is provided without warranty. The add-ons can be changed without prior notice. The photographs are for informational purposes only and are not binding.
- (2.E) In general, restrictions can be placed on utilization of the offerings of the Vienna City Card due to the business hours of the advantage partners and the add-on partners. This is primarily because some offerings depend on the weather conditions and the season and therefore cannot be offered during the entire active period of the Vienna City Card. The business hours in the bonus booklet or in the app are stated without warranty, and the information is provided by the advantage partners or add-on partners (check the websites of the individual advantage partners/add-on partners for current business hours and offerings).
- (2.F) When using the services offered, the cardholder becomes the contract partner of the respective advantage partner/add-on partner, and that partner's Standard Terms of Business apply. Moreover, statutory warranty claims and other liability claims relating to the services must only be asserted against the respective advantage partner/add-on partner.



- (2.G) DocLX is only liable for the ordering process, the payment process and the delivery or display of the Vienna City Card, including add-ons, in the app under the statutory provisions applicable in this regard. DocLX and VTB cannot under any circumstances be held responsible or liable for the services and for the advantage and add-on partners that offer the services.
- (2.H) DocLX provides no compensation if a service offered, e.g., a point of interest or other facility, is closed or not accessible. Moreover, no refund is made for offerings that are not utilized during the bonus booklet's/add-on's period of validity and are no longer contained in the new version of the bonus booklet/add-on. In addition, VTB and DocLX reserve the right to terminate the contracts with advantage partners/add-on partners at any time for good cause without having to compensate cardholders for the resulting inability to utilize the services offered.
- (2.1) In general, neither VTB nor DocLX assumes liability for any harm to the cardholder.
- (2.1) Wiener Linien

By using the ticket included with the Vienna City Card to travel with Wiener Linien, the cardholder becomes the contract partner of Wiener Linien. The applicable versions of the Transportation Terms and Conditions of Wiener Linien and the VOR Fare Conditions apply. You can read them here: https://www.wienerlinien.at/media/files/2018/beförderungsbedingungen\_ engl\_ab-01092018\_260210.pdf

## • (2.2) Big Bus Vienna The following provisions apply to the use of the Big Bus Vienna travel ticket provided:

https://www.bigbustours.com/en/vienna/terms-and-conditions/

## • (2.3) CAT, ÖBB, Postbus

The following provisions apply to the use of the Airport Transfer add-on: ÖBB: <u>https://www.oebb.at/static/tarife/en/index.html</u> CAT: <u>https://www.cityairporttrain.com/en/terms</u> Postbus: <u>https://www.postbus.at/en/rechtliches/agb.html</u> and <u>https://www.viennaairportlines.at/en/info</u>

## • (3) Rules relating to validity

- (3.A) The Vienna City Card, including add-ons, is non-transferable and may only be used by the specified cardholder during the Vienna City Card's period of validity chosen by the customer.
- (3.B) The active period for the services provided by the Vienna City Card advantage partners and add-on partners, during which the cardholder can utilize the services after purchasing a Vienna City Card, is specified in the bonus booklet published annually.



- (3.C) The discounts provided by the Vienna City Card advantage partners, the Airport Transfer and the 24h Big Bus tour can be consumed during a Vienna tourist's stay (max. seven days). Therefore, you must enter the first day of your stay on the Vienna City Card. The Wiener Linien travel ticket is valid for either 24, 48 or 72 hours and must be validated during the first trip on public transportation. With the Vienna City Card, one minor (up to the age of 15) per cardholder can ride on Wiener Linien free. Be aware of the duty to provide identification!
- (3.D) If you purchased a digital Vienna City Card in the app, your Vienna City Card is valid for your chosen period of validity and is validated automatically. <u>No</u> extra validation is needed.
- (3.E) All the services listed in the Vienna City Card bonus booklet can only be visited or utilized once with the discount offered by the Vienna City Card.
- (3.F) The discounts offered under the Vienna City Card cannot be used in combination with other discounts offered by the advantage partner for students, seniors or families.
- (3.G) The digitally bookable Airport Transfer and 24 hour Hop-On Hop-Off Big Bus tour add-ons can be purchased both in the app and at the Tourist Information Center sales outlet. The period of validity per add-on is seven days from activation (until 11:59 p.m. on the seventh day). No extra activation or validation is needed.
- (4) Use/misuse
  - (4.A) To enjoy the advantages of the Vienna City Card, the cardholder must present the Vienna City Card so that the advantage partner/add-on partner can check that it is valid. The respective Transportation Terms apply to the travel ticket for Wiener Linien or the add-on travel tickets for the Big Bus or various forms of transportation to the Airport (CAT, ÖBB, buses of the Airport Lines). The card must be appropriately validated or activated before being used for transportation.
  - (4.B) Copying, editing or falsifying the Vienna City Card is prohibited. Moreover, screenshots of a digital Vienna City Card may not be used. If the card is misused or is suspected of being misused, the advantage partner/add-on partner and Wiener Linien are entitled and obliged to confiscate the Vienna City Card without compensation and file charges.
- (5) Theft/loss
  - VTB and DocLX are not liable for theft or loss. The stolen or lost Vienna City Card will not be replaced.



## 2. PURCHASE OF THE VIENNA CITY CARD

- (1) Ordering process/payment and delivery
  - (1.A) You can purchase the Vienna City Card in the web shop <u>https://www.viennacitycard.at/index.php?page=buy\_article\_ctrl#buy-</u> <u>cards</u> and using the app by following the steps listed therein. You can also purchase the card from various sales partners in Austria and abroad.
  - (1.B) The specified prices are final and binding and include the applicable taxes.
  - (1.C) Payment for the Vienna City Card and the digital add-ons that were ordered must be made using a payment method specified on the website. Vienna City Cards purchased directly from a sales partner can be paid for using the respective partner's payment methods.
  - (1.D) The following online purchase options are available: app, voucher, and Print@Home

A voucher will be provided for download on the website immediately after purchase and will also be e-mailed to you as a PDF file. Vouchers can be exchanged for the Vienna City Card and the bonus booklet at all Tourist Information Centers at the Vienna Schwechat Airport, at the main railroad station and at the Albertina (see online: <u>https://www.wien.info/en/travelinfo/hotels-accommodations/tourist-information</u>).

You can print out Print@Home Tickets at home immediately after purchase from the web shop. The bonus booklet is available to you free of charge in a digital version in the app or by download from our website: <a href="https://www.viennacitycard.at/static/misc/vcc">https://www.viennacitycard.at/static/misc/vcc</a> bonusbuch 2019.pdf

You can order and purchase the digital Vienna City Card directly using the Vienna City Card app (the app may be downloaded free of charge in the App Store and on Google Play).

- (1.E) Digital add-ons can be booked during the process of purchasing vouchers and Print@Home Tickets and in the Vienna City Card app. If you become interested in a digital add-on at a later time after completing the purchasing process, you can have it credited to your Vienna City Card and activated at any time at a Tourist Information Center in Vienna and at the Airport, provided that the maximum stay of seven days has not been exceeded.
- (2) Right of rescission
  - (2.A) By purchasing a digital Vienna City Card and add-ons in the app, a voucher or a Print@Home ticket, you agree and acknowledge that, upon choosing the download option (in the web shop) or the electronic Vienna City Card (in the app) you have no right of rescission.
  - (2.B) A ticket ordered and purchased in our online shop cannot be canceled. The date and time of a ticket that has already been purchased cannot be changed due to the specifications of Wiener Linien. All tickets in one order must be activated at the same time that means for the same



date and time period. It is not possible to activate Vienna City Cards for different days and times when purchased in one order. If you need different tickets, they must be purchased in several transactions and can thus be activated for different periods.

- (2.C) The incorrect entry of dates and times when purchasing a digital Vienna City Card is no reason for a cancellation. The date and the period for the use of the benefits and the travel tickets need to be filled in and then presented again for review and can be corrected if necessary.
- (3) Use of personal data
  - (3.A) DocLX has taken reasonable physical, electronic and administrative measures to protect your personal data and avoid unauthorized access to or disclosure of such data. DocLX will retain your personal data for as long as necessary to process your order for the Vienna City Card and to comply with the provisions of law.
  - (3.B) Additional information can be found in our Data Protection Policy or you can contact:

DocLX Travel Events GmbH, Palais Schönborn-Battyány, Renngasse 4/Freyung, A-1010 Vienna, Austria E: info@viennacitycard.at

## • (4) Applicable law/jurisdiction

- (4.A) If a provision of these Standard Terms of Business becomes invalid, in whole or in part, this shall not affect the validity of the other provisions or parts thereof. The invalid parts shall be replaced by provisions consonant with law.
- (4.B) DocLX reserves the right to change these Standard Terms of Business on occasion, e.g., so as to comply with provisions of law or to reflect a change in its mode of operation. Changes to the Standard Terms of Business shall only apply to future purchases of the Vienna City Card.
- (4.C) Any legal relationship between DocLX and the cardholder shall be subject excusively to Austrian law with the exception of the UN Convention on Contracts for the International Sale of Goods (CISG) and the conflict-of-law rules of international private law (IPRG). For consumers within the meaning of section 1 of the Austrian Consumer Protection Act (*Konsumentenschutzgesetz*), the choice of law shall only apply to the extent that the requisite protection is not excluded under mandatory legal provisions of the country in which the consumer has his usual place of residence.
- (4.D) Any legal dispute arising under or in connection with the legal relationship between DocLX and the cardholder shall be subject to the exclusive jurisdiction of the competent court for Innere Stadt, Vienna, Austria. If the consumer has his residence or habitual place of abode in Austria or is employed in Austria, the court in the parish where the consumer has his residence, habitual place of abode or place of employment shall have jurisdiction.