



RULES AND REGULATIONS FOR THE SECOND EDITION OF THE "TALGO TRAINS" PHOTOGRAPHY AND VIDEO CONTEST ORGANIZED BY PATENTES TALGO S.L.U.

PATENTES TALGO, S.L.U., (hereinafter referred to as "TALGO"), with registered office in Las Matas, Paseo del Tren Talgo nº 2, Las Rozas, Madrid (Spain), incorporated in Madrid and inscribed in the Commercial Registry Office of Madrid in Volume 20.063, Sheet 84, Section 8, page M-393.505, Entry 3rd, with Tax Identification Number B-84528553, has decided to launch the "TALGO Trains" photography and video contest in accordance with the provisions established in these legal grounds (hereinafter referred to as the "Legal Grounds").

1. APPLICATION SCOPE

This PROMOTION has a global geographical scope, which means that pictures and videos submitted by the Participants may come from any part of the world.

The Contest participation period begins on **January 24th 2017** at 00.00 hours and finishes on **April, 24th 2017** at 23.59 (Spanish time), without prejudice to its possible extension by TALGO, and is intended for physical persons of full legal age and those under age, who, having received information respecting this photo/video contest, may send TALGO train pictures or videos to the TALGO web page www.talgo.com following the instructions, specified in this legal basis.

Participants who have not yet reached the age of legal majority, before sending pictures or videos, should contact TALGO at concurso@talgo.com, in order to request, complete, sign and submit the corresponding authorization on his/her parents or legal guardians part.



2.- PROMOTION BASICS

2.1.- PARTICIPATION: GENERAL REQUERIMENTS

Any PHYSICAL person of full legal age or under age can participate in this Promotion (except for underage applicants, who must previously provide TALGO with the corresponding written consent signed by their parents o legal guardians), as well as of any nationality, TALGO direct and indirect employees, their family members, etc.

Notwithstanding the foregoing, the following persons cannot have the Status of Participants and, therefore, will be banned from being awarded any gift or prize:

- 1) Persons who, in TALGO's judgment, harm, whether intentionally or unintentionally, the progress of the Contest or have previously affected the performance of any other TALGO activity,
- 2) Participants who perform/ make offensive, unpleasant or degrading acts/ comments on the Contest, on other Participants, on TALGO, its employees or on any of its co-workers,
- 3) Persons who apply several times for the Contest using false personal data or third-party data in order to obtain more than one prize (if detected by TALGO), and
- 4) Official Jury members.

If the Promotion award is granted to any of the persons listed in the paragraphs above, this shall be automatically canceled and returned to TALGO with its further delivery to another Participant, alternate winner, or, otherwise, totally annulled.



2.2.- PARTICIPATION RULES AND WINNERS ANNOUNCEMENT

The only requirement for the participation in the Contest consists in sending pictures or videos of TALGO trains taken anywhere in the world. Participants are free to send as many pictures or videos as they want with no quantity restrictions. Nevertheless, each Participant can win only one prize in each category (photograph or video), which means that only one picture or video of the total number submitted by each Participant can be awarded a prize. Thus, the maximum number of prizes which one individual can hold at one time is limited to two: one for photograph and one for video.

The key requirement for the admittance of pictures and videos, submitted by the Participants, to the Contest is absence of identifiable persons in them (as is the case of selfie pictures), being automatically rejected those images and videos with recognizable people or persons at the forefront.

Videos and photographs shall be uploaded by the Participants to the web page www.talgo.com, by filling in the corresponding application form, available on the web site, and following the instructions, which appear upon the Participant's form completion. A new application form shall be filled in for each new batch of photographs/videos submitted. Therefore, prior to the photos/videos upload, Participants shall fill in the contact data field which is mandatory. After that, they will get access to the file upload area (log in using the first name, surname and mail), provided for the submission of photographs and videos captured by the applicants to the web.

In the declarative part of the application form Participants assert their copyright and rightful ownership over the photo (s) / video(s) submitted for the Contest.

Photo contest:

Among all the Participants of the photograph contest, TALGO will choose, at its own discretion, the first-, second- and third-prize winners, as well as two alternate winners, since one of the first three might reject the award or it might be impossible to deliver the prize to the winner, or contact the winner.

In case it were impossible to deliver the award or contact the winners or alternate winners, TALGO reserves the right not to grant all awards, limiting the number of prizes to only one or several and leaving others vacant.



Video contest:

Among all the Participants of the video contest, TALGO will choose, at its own discretion, a winner, as well as two alternate winners, since one of the first three might reject the award or it might be impossible to deliver the prize to the winner, or contact the winner.

In case it were impossible to deliver the award or contact the winner or alternate winners, TALGO reserves the right not to grant all awards, limiting the number of prizes to only one or several and leaving others vacant.

Common provisions of the two Contests:

During the selection of the winners and alternate winners, TALGO is entitled to apply its own criteria, motivation and experience, being the decisions made final and non-appealable.

Any case of doubt or controversial interpretation regarding the winners' selection procedure, as well as interpretation or application of these legal grounds, shall be resolved exclusively and finally by TALGO.

Winners will be notified directly via email about the prize won and the conditions of receiving it. Therewith, this information will be published on the TALGO website and posted on its LinkedIn and Instagram profiles.

Participation in this contest only means that applicants join the winner selection process and shall under no circumstances impose on TALGO any liability, beyond the one covered by these legal grounds, and shall not, therefore, give any right to the Participant.

3.- AWARDS

Prizes to be awarded to the winners of the photograph contest are:

- First prize: cash award of ONE THOUSAND EUROS (1000,00 €) and VISIT TO THE LAS MATAS II FACILITIES (Madrid).

Prize to be awarded to the winner of the video contest is:

- Prize: cash award of FIVE HUNDRED EUROS (500,00 €) and VISIT TO THE LAS MATAS II FACILITIES (Madrid).

With regard to the visit and a guided tour through the TALGO facilities in Las Matas, it is expressly stated that TALGO will, under no circumstances, take over any of the expenses incurred during the winner's visit, that is travel expenses (airplane or train tickets, car, fuel, toll charges, etc.), accommodation and lodging costs and other needs, being TALGO's obligations limited to touring the winner(s) through its working facilities, and ensuring that he/she fully complies with all safety norms, company's advertising policy and other conditions, required by TALGO to access its production centers. Additionally, TALGO (if considers appropriate) might evaluate the possibility of altering the center to be visited to the one located closer to the winner's place of residence.

Furthermore, TALGO shall be entitled to grant, if it considers appropriate to do so given the excellent quality of photos or videos, the following prizes:

- TWO (2) cash awards of TWO HUNDRED FIFTY EUROS (250,00 €) to be distributed among photographs/ videos submitted for the Contest and VISIT TO THE LAS MATAS II FACILITIES (Madrid).
- Visit to the Las Matas II production facilities (Madrid) for a limited number of participants selected. TALGO will be guided by its own criteria, considerations and experience, being non-appealable any decision made in this regard.

The date and time of the visit to the TALGO facilities will be decided by TALGO with no obligation to change the timing at the request of the person awarded, who if unable to



attend on the established date, and unless otherwise decided by TALGO, will lose his/her rights to this award, which will be annulled.

In case of the visit to the TALGO plant, the prize can under no circumstances be exchanged for another, or for its monetary equivalent.

For obtaining the prize, the winner must comply with the requirements and not infringe any of the prohibitions contained herein.

In case of having provided the Participant incorrect or erroneous data, he/she may be automatically disqualified from the Contest, and the prize canceled if he/she had been previously awarded with it.

4.- PRIZES AND AWARDS TAXATION

Prizes granted within the framework of this Promotion, shall be governed by the Law 35/2006 of November 28th on Personal Income Tax and other corresponding regulations. Therefore, according to the existing legislation, it will be TALGO's liability to deposit/transfer the winner's cash award to his/her bank account after withholding the corresponding tax from it (the Personal Income Tax, hereinafter referred to as the "PIT.").

Taking this into consideration and according to Article 101.7 of the Personal Income Tax Law 35/2006 of November 28th and Article 75.3.f) of the Implementing Regulation, TALGO shall perform the mandatory tax withholding and transfer of cash prizes to the winner's bank account, when the sum of the award exceeds 300 Euros or another value legally established at the time.

Prizes awarded within the framework of this Promotion shall be considered capital gains not resulting from the transfer of assets, and, therefore, shall be taken into account when filing the Personal Income Tax Return and taxable at the same rate as the main taxable income of the winner, depending, therefore, the final tax rate of the cash prize on its amount and on the main and other incomes perceived by the awarded winner.

By accepting the prize, the awarded Participant in any of the Promotion categories, allows TALGO to withhold, on his/her behalf, the corresponding tax at the rate of 21%, or any other rate legally applicable at the time, and to transfer the cash prize to the winner's bank account.

TALGO shall be in no way responsible for the errors that the prize winner might make in his/her annual Returns.



The awarded Participant shall confirm his/her identity by sending his/her Personal Identification card (hereinafter referred to as the "ID card") or equivalent documentation used in the place of the Participant's residence, as well as provide its original on the day of the visit to the TALGO facilities. In order to perform the withholdings mentioned above, the winner shall sign a supporting document acknowledging having received the cash prize, and provide a copy of his/her ID card or of the official document used in the winner's place of residence, in the case of not having done so before. Otherwise, he/she will lose his/her right to the prize. Likewise, the winner shall have to prove his/her identity at any time upon TALGO's request.

The completion of the winners' personal and tax information, necessary for the cash prizes delivery, is mandatory, therefore, the absence of such data will result in the loss of the right to the award obtained.

5.- MODIFICATION OF THESE RULES AND REGULATIONS AND/OR ITS ANNEXES

TALGO reserves the right to the modification, cancellation or early suspension of this promotion and/or to the inclusion of annexes in the same, always making these modifications and/or annexes public.

6.- RULES AND REGULATIONS ACCEPTANCE

The participation in the Contest means the full acceptance of these Rules and Regulations and the express consent of the winner with regard to the interpretative decisions that might be performed by TALGO.

7.- INTELLECTUAL PROPERTY RIGHTS

The participation in this Contest means that the applicants transfer to TALGO, on an indefinite basis, all types of legal rights over the pictures submitted, so that TALGO may use them for advertising, commercial or any other purposes without any obligation to reward the author of the photos in any possible way, and not being able the Participants to object or claim any compensation for their use.



8.- DATA PROTECTION

TALGO guarantees full compliance with the Organic Law 15/1999 of 13 December on Personal Data Protection. All data obtained from the Participants shall be kept in a file owned by TALGO duly registered in the Spanish Data Protection Agency. These data are obtained for the purposes of this promotion management and, herewith, you express your consent to the data processing, so that TALGO can forward you, by any means, including by telephone, e-mail, SMS, etc., commercial information on its products and services.

TALGO herewith informs, that Participants may revoke, at any time, their consent to the data transfer, as well as to exercise their right of access, correction and cancellation of the data contained in the file of registered users, communicating it in written to TALGO at: Paseo del Tren Talgo, 2, 28290 Las Matas, Madrid, or by e-mail to marketing@talgo.com, attaching a copy of the ID card, passport or another valid identification document.

9.-APPLICABLE LAW AND JURISDICTION

These Legal Grounds interpretation and compliance shall be governed by the Spanish legislation. The Courts and Tribunals of the city of Madrid (Spain) shall have jurisdiction over any dispute that may arise with regard to this Promotion.