


World Consumer Protection Map

Contribution by Poland

Q1	Poland
	Polatiu
Name of responding member State	
Q2	
Name of responding authority/agency:	
Office of Competition and Consumer Protection (UOKiK)	
Page 3: Consumer protection legislation	
Q7	Yes
Does your country's Constitution contain a provision on consumer protection?	
Q8	
If you do, please provide de following details:	
Text of constitutional norm with reference to consumer protection	"art. 76 Public authorities shall protect consumers, customers, hirers or lessees against activities threatening their health, privacy and safety, as well as against dishonest market practices. The scope of such protection shall be specified by statute."
URL link	http://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp? id=wdu19970780483
Q9	Yes
4.	

Q10 Date **04/07/1995**

If you do, when was the main specific law first enacted?

Q11 Date **22/01/2021**

If your main specific law on consumer protection has been revised, when was the date of its latest revision?

Q12

Please provide the following details of the current specific law(s):

1- Name of law Act on competition and consumer protection

1- URL link https://isap.sejm.gov.pl/isap.nsf/download.xsp/WDU2007

0500331/U/D20070331Lj.pdf

2- Name of law Act on combating unfair commercial practices

2- URL link https://isap.sejm.gov.pl/isap.nsf/download.xsp/WDU2007

1711206/U/D20071206Lj.pdf

3- Name of law Civil Code

3- URL link https://isap.sejm.gov.pl/isap.nsf/download.xsp/WDU2020

0001740/U/D20201740Lj.pdf

4- Name of law Act on consumer rights

4- URL link https://isap.sejm.gov.pl/isap.nsf/download.xsp/WDU2014

0000827/U/D20140827Lj.pdf

5- Name of law Act on general product safety

5- URL link http://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?

id=WDU20032292275

6- Name of law Act on consumer credit

6- URL link https://isap.sejm.gov.pl/isap.nsf/download.xsp/WDU2011

1260715/U/D20110715Lj.pdf

Please check all the fields that your consumer protections law(s) cover.

Consumer rights/legitimate needs,

Protection of vulnerable and disadvantaged consumers,

Physical safety,

Product quality,

Terms and conditions,

Promotional marketing and sales practices (including misleading advertisement)

,

Voluntary codes for businesses,

Restrictive business practices (competition/antitrust),

Electronic commerce,

Food distribution,

Water,

Pharmaceuticals,

Energy,

Public utilities,

Tourism,

Financial services,

Dispute resolution,

Redress,

Consumer education,

Consumer information

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Q14

From your previous answer, your specific consumer protection law(s) do(es) not cover the following field(s). Please name the relevant law(s) covering this/these field(s):

Data protection and privacy

Act of 10 May 2018 on the Protection of Personal Data

Q15

Please indicate the URL Link of the relevant law(s) to each field:

Data protection and privacy

https://uodo.gov.pl/en/file/307

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Q16 Name of Ministry responsible for consumer protection:	Respondent skipped this question
Q17 URL link of responsible Ministry for consumer protection:	Respondent skipped this question
Q18 Year when consumer protection was assumed by the current responsible ministry:	Respondent skipped this question
Page 6: Consumer protection institutions Q19 Do you have a main consumer protection authority/agency?	Yes
Q20 Name of main consumer protection authority/agency: Office of Competition and Consumer Protection (UOKiK)	
Q21 URL of main consumer protection authority/agency: https://www.uokik.gov.pl/	
Q22 Year of creation:	
Q23 Annual budget: (in USD) 25114275	
Q24 Total number of staff: 535	

Total number of staff directly affected to consumer protection:

169

Q26 Yes

Do you have a law/decree that governs the main consumer protection authority/agency?

Q27

If you do, please provide the following details:

Reference of the law/decree Act of 16 February 2007 on competition and consumer

protection

URL to law/decree https://isap.sejm.gov.pl/isap.nsf/download.xsp/WDU2007

0500331/U/D20070331Lj.pdf

Q28

Does your main consumer protection authority/agency have POLICY MAKING powers over any of the following fields?

Consumer rights/legitimate needs,

Protection of vulnerable and disadvantaged consumers,

Physical safety,

Product quality,

Terms and conditions,

Promotional marketing and sales practices (including

misleading advertisement)

Restrictive business practices(competition/antitrust),

Electronic commerce,

Financial services,

Dispute resolution,

Consumer education,

Consumer information

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Q29

From your previous answer, your main authority/agency does not have POLICY MAKING powers over the following fields. Please name the relevant authorities/agencies with powers over these fields:

Water Ministry of Infrastructure

Pharmaceuticals Ministry of Health

Energy Ministry of Climate and Environment

Public utilities Ministry of Climate and Environment

Tourism Ministry of Development, Labour and Technology

Data protection and privacy Personal Data Protection Office

Redress Ministry of Justice

Q30

URL Link of the relevant authority/agency to each field:

Water https://www.gov.pl/web/infrastruktura

Pharmaceuticals https://www.gov.pl/web/zdrowie

Energy https://www.gov.pl/web/klimat

Public utilities https://www.gov.pl/web/klimat

Tourism https://www.gov.pl/web/rozwoj-praca-technologia

Data protection and privacy https://uodo.gov.pl/

Redress https://www.gov.pl/web/sprawiedliwosc

Does your main consumer protection authority/agency have ENFORCEMENT powers over any of the following fields?

Consumer rights/legitimate needs,

Protection of vulnerable and disadvantaged consumers,

Physical safety,

Product quality,

Terms and conditions,

Promotional marketing and sales practices (including misleading advertisement)

,

Voluntary codes for businesses,

Restrictive business practices (competition/antitrust),

Electronic commerce,

Financial services,

Food distribution,

Water,

Pharmaceuticals,

Energy,

Public utilities,

Tourism,

Data protection and privacy,

Dispute resolution,

Consumer education,

Consumer information

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Q32

From your previous answer, your main consumer protection authority/agency does not have ENFORCEMENT powers over the following fields. Please name the relevant authorities/agencies with powers over these fields:

Respondent skipped this question

Q33

URL Link of the relevant authority/agency to each field:

Respondent skipped this question

Q34

Regarding enforcement, how many infringement cases does your authority/agency handle on average per year?

Respondent skipped this question

Q35 Yes Has your authority/agency imposed sanctions and/or other measures for breaches of consumer protection law(s)? Q36 Respondent skipped this question Maximum amount for sanction/measure allowed by consumer protection law(s): (in USD) **Q37** Record highest amount for any sanction/measure imposed: (in USD) 32300000 Q38 Please detail if necessary, what kind of sanctions and/or other measures are available in your jurisdiction In addition to fines for breaches of consumer law (up to 10% of income), UOKiK can fine company's managers and can also issue procedural fines, e.g. for non-disclosure of documents (up to €50M). Page 9: Consumer protection institutions Q39 Yes Are there any non-governmental consumer organizations/associations in your country? Q40 Yes Do you have a law/decree that governs consumer organizations/associations? Q41 In case you have a law/decree that governs consumer organizations, please provide the following details: Reference of the law/decree ct of 16 February 2007 on competition and consumer protection; https://www.uokik.gov.pl/download.php? plik=7618

id=WDU19640430296

https://www.uokik.gov.pl/download.php?plik=7618; https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?

URL to law/decree

Q42 Do consumer organizations/associations fulfil any of the following functions?	Consultation in policy making, Legal advice to consumers, Consumer education, Consumer information, Consumer publications, Legal representation of consumers' individual interests before courts
Q43	Yes
Do consumer groups/associations receive public funding?	
Q44	
Name the three largest non-governmental consumer organiz	ations/associations in your jurisdiction:
1- Name	Federacja Konsumentów
1- Website	http://www.federacja-konsumentow.org.pl
2- Name	Fundacja Konsumentów
2- Website	https://konsumenci.org/
3- Name	Stowarzyszenie Aquila
3- Website	https://prawo-konsumenckie.pl/
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Q45	Yes
Can consumers obtain redress through judicial channels?	
Q46	No
Is there a specialized judicial mechanism for consumer complaints?	
Q47	Respondent skipped this question
If there is, please provide the following details	
Q48 Do you have collective redress/class actions for consumer complaints?	Yes

Who can represent consumer interests in court?

Consumers individually,

Lawyers

Q50

What is the highest damages award following a collective redress/class action?

Respondent skipped this question

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Q51

Regarding out-of-court/alternative consumer dispute resolution, are there any of the following?

Mediation/ Conciliation,

Arbitration,

Comments:

All three types of out-of-court/alternative dispute resolution are available to consumers in Poland. There are now 11 specialized institutions (ADR entities) in Poland providing these methods dispute reaclution. Cases are conducted by independent and impartial experts based in the institutions. The main ADR entities are: • the Trade Inspection, it deals with matters related to sales of goods and provisions of services contracts (uses mediation and conciliation), • the Arbitration Court by the Polish Financial Supervision Authority- financial services (mediation and arbitration), • the President of the Office of Electronic Communications telecommunications services (mediation). The ADR entities operate according to specific terms and conditions, however the main principles of the ADR proceedings are similar in each ADR entity. In order to be a part of the ADR system in Poland an entity has to be entered to the Register of the President of the Office of Competition and Consumer Protection."

Q52

If there are any of the above, please provide the following details:

1- Name

Act of 23 September 2016 on out-of-court consumer dispute resolution

1- URL Link

https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20160001823

Q53

Yes

Are there any CROSS-BORDER out-of-court/alternative consumer dispute resolution initiatives?

If there are, please provide the following details:

1- Name European Consumer Centre

1- URL Link https://konsument.gov.pl/

2- Name ODR Platform

2- URL Link https://ec.europa.eu/consumers/odr/main/index.cfm?

event=main.home2.show&Ing=PL

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Q55 Yes

Are there any self-regulation initiatives from businesses?

Q56

Please provide (up to) 4 examples of the self-regulation initiatives from businesses:

1- Name of initiative Polish Banking Association - several codes of conduct,

including banking ethics code & advertising code

1- Scope of application https://www.zbp.pl/dla-klientow/poradniki-i-

rekomendacje

1- URL link Polish Insurance Chamber - several codes of conduct

relating mainly to sales of insurance products

2- Name of initiative https://piu.org.pl/rekomendacje/

2- Scope of application Advertising Council - Code of Ethical Advertising

2- URL link https://radareklamy.pl/kodeks-etyki/

3- Name of initiative Związek Przedsiębiorstw Finansowych (Financial

Entreprises' Alliance) has its own code of conduct in

sales of financial products

3- Scope of application https://zpf.pl/etyka/zasady-dobrych-praktyk/

Q57 No

Are there any co-regulation initiatives between businesses and public entities?

Q58 Respondent skipped this question

Please provide (up to) 4 examples of the co-regulation initiatives between businesses and public entities:

Q59

Do self-regulation and/or co-regulation initiatives cover any of the following issues? (Please relate to UNGCP Guideline 11)

Fair and equitable treatment,

Responsible commercial behaviour,

Education and awareness-raising,

Protection of privacy,

Consumer complaints and disputes

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Q60

What kind and how many international cooperation agreement(s) on consumer protection does your authority/agency participate in?

	Bilateral	Multilateral/Regional
Formal (treaties)	5	
Informal (memoranda of understanding)		1

Q61

Please provide name and URL link of formal bilateral agreements (treaties):

Agreement between the Government of the Republic of Poland and the Government of the Russian Federation on cooperation in the field of antimonopoly policy

Agreement on cooperation between the President of the Office of Competition and Consumer Protection of the Republic of Poland and the Antimonopoly Committee of Ukraine

Agreement on cooperation between Polish Office of Competition and Consumer Protection and the Office of Competition Protection of Hungary

Programme of cooperation in the field of consumer protection between the Directorate-General for Consumer Protection of Castile-La Mancha and the Office of Competition and Consumer Protection

Agreement on cooperation in the field of competition and consumer protection policy between the President of the Office of Competition and Consumer Protection of the Republic of Poland and the Minister of Energy Regulation of the Republic of Belarus

Q62 Respondent skipped this question

Please provide name and URL link of informal bilateral agreements (memoranda of understanding):

Q63 Respondent skipped this question

Please provide name and URL link of formal multilateral/regionals agreements (treaties) that address consumer protection:

Q64

Please provide name and URL link of informal multilateral/regionals agreements (memoranda of understanding) that address consumer protection:

Memorandum on the Establishment and Operation of the International Consumer Protection and Enforcement Network (ICPEN) (formerly known as the International Marketing Supervision Network (IMSN)): https://icpen.org/sites/default/files/2017-08/Memorandum on the Establishment and Operation of ICPEN 2016.pdf

Q65

Do cooperation agreements on consumer protection (be those formal/informal/bilateral/regional) cover any of the following fields?

Consumer rights/legitimate needs,

Protection of vulnerable and disadvantaged consumers,

Terms and conditions,

Promotional marketing and sales practices (including misleading advertisement)

Restrictive business practices(competition/antitrust),

Electronic commerce,

Consumer education,

Consumer information

Q66

Does your consumer protection enforcement authority/agency have any of the following powers regarding cross-border fraudulent and deceptive commercial practices affecting consumers?

Investigate,

Yes

Share information and evidence

Q67

Do you have any experience in cross-border cooperation on enforcement?

Q68

If you do, please provide a short description

The Office of Competition and Consumer Protection cooperates with other consumer agencies in the European Union within the Consumer Protection Cooperation Network.

Regulation (EU) 2017/2394 on cooperation between national authorities responsible for the enforcement of consumer protection laws and repealing Regulation (EC) No 2006/2004 (the CPC Regulation) lays down a cooperation framework to allow national authorities from all countries in the European Economic Area to jointly address breaches of consumer rules when the trader and the consumer are established in different countries.

Q69

Do you engage in technical cooperation or capacity building activities on consumer protection?

	Bilaterally	Through an international organization/network
As a recipient	Yes	Yes
As a donor	Yes	Yes

4- Starting date of programme/project

If you have engaged in technical cooperation or capacity building activities on consumer protection as a recipient/as donor and/or through an international organization/network, please provide the following details for each initiative

donor anaron unough an international organization, network, p	node of provide the following details for east initiative
1- Name of programme/project	EU Twinning - Reinforcement of consumer protection in Serbia as a response to the new market challenges
1- Name of cooperating partner(s)	Ministry of Economy of the Slovak Republic, European Consumer Centre Slovakia, German Foundation for International Legal Cooperation
1- Starting date of programme/project	6/2021
1- Finish date of programme/project	9/2023
1- Scope of programme/project (list areas of work)	Alignment of Serbia national legal framework of consumer protection with the EU Acquis; ensuring effective legal enforcement of consumer protection; establishing functional ADR system in the field of consumer protection and regionally balanced consumer protection services; capacity building of relevant institutions on specific risk areas of new market challenges (e-commerce); reinforcement of the consumer protection institutional system; raising public awareness on Consumer rights;
2- Name of programme/project	EU TRANSITION FACILITY - "Competition and consumer protection policy",
2- Name of cooperating partner(s)	German Bundeskartellamt
2- Starting date of programme/project	1/04/2009
2- Finish date of programme/project	15/12/2009
2- Scope of programme/project (list areas of work)	Ensuring the same high level of consumer and competition protection activities in Poland as in the EU-
3- Name of programme/project	EU TRANSITION FACILITY - Consumer Protection System
3- Name of cooperating partner(s)	Northern Ireland Public Sector Enterprises Limited (NI-CO), Danish Consumer Council
3- Starting date of programme/project	1/07/2007
3- Finish date of programme/project	31/12/2007
3- Scope of programme/project (list areas of work)	Further strengthening of UOKiK, Trade Inspection, consumer organizations, ombudsmen and conciliation courts in their efforts to effectively enforce consumer protection law
4- Name of programme/project	PHARE 2001 - Competition policy and consumer protection
4- Name of cooperating partner(s)	Austria, Germany

1/12/2002

4- Finish date of programme/project	2003
4- Scope of programme/project (list areas of work)	strengthening consumer awareness in Poland (grant support to consumer NGOs), promoting consumers interests and improving professional skills of UOKiK and Trade Inspection staff as well as consumer advocates
5- Name of programme/project	PHARE 2000 - Competition and Consumer Protection
5- Name of cooperating partner(s)	Finland, France
5- Starting date of programme/project	2002
5- Finish date of programme/project	21/08/2003
5- Scope of programme/project (list areas of work)	assistance to improve enforcement procedures, and to improve of the professional skills of the UOKiK staff, consumer advocates and consumer associations
Page 14: Consumer protection policies	
Q71	Yes
Does your authority/agency carry out information and education initiatives?	
Q72	Health, nutrition, prevention of food-borne diseases and food adulteration
Do information and education initiatives carried out by your authority/agency cover any of the following fields?	,
data only algeries early at the remaining herae.	Product hazard,
	Product labelling,
	Legislation, dispute resolution,
	Financial services
Q73	Yes
Does your authority/agency provide specific education and information initiatives for vulnerable and disadvantaged consumers?	

If your authority/agency does, please provide the following details:

1- Name of initiative	Be careful, senior!
1- Scope of initiative	The campaign was launched on 15 March 2018. Educational materials consisted of two spots paying attention to the risk and informing about the right to withdraw from the contract concluded off-premises. They also encourage to take advantage of free of charge legal aid.
1- URL link	https://www.uokik.gov.pl/education_campaigns.php#faq 3860
1- Impact (short description)	The UOKiK's campaign aimed at warning consumers against unfair practices of some entrepreneurs while concluding off-premises contracts, i.e. during presentations or at the consumer's place of residence. The problem considers the purchase of cooking equipment, linen and paramedical products as well as the sale of telecommunications, gas and energy services. Very often consumers – primarily the elderly – are misled and as a result they bear serious financial losses by incurring financial commitments or paying contractual penalty for breaking the contract with the existing provider of services.
2- Name of initiative	Check, read, ask!
2- Scope of initiative	The campaign was launched on 15 July 2020. UOKiK prepared two spots warning against fraudsters. One of them was addressed to seniors.
2- URL link	https://www.uokik.gov.pl/education_campaigns.php#faq4351
2- Impact (short description)	The social campaign of the Office of Competition and Consumer Protection aims to draw attention to the increased threat of unfair market practices and fraud. Consumer complaints indicated that consumers are persuaded to buy products or services fraudulently ensuring health care or treatment. UOKiK recalled, that consumers should be cautious about advertisements and do not let ourselves be fooled, even if the swindlers impersonate doctors, experts, renowned research institutes or miraculously "healed" individuals
3- Name of initiative	konsument.edu.pl
3- Scope of initiative	Website konsument.edu.pl is a virtual simulator of on- line threats lurking and waiting for especially young consumers.
3- URL link	http://konsument.edu.pl/login

3- Impact (short description)

The site resembles a social networking site where booby-trapped offers pop up among regular posts. They may turn out to be potentially hazardous situations, e.g. shopping fraud, BLIK phishing, identity theft, financial pyramid-like incentive schemes. All of us may be faced with such issues while on-line. Using the simulator, the user can safely go through the entire procedure: selection of goods, conversation with the chatbot, determining details of payment and delivery, filling in forms - the Internet user can see where potential threats are hidden, when the red light should go on and what such a transaction may end up with. Each situation features a summary where the user learns the consequences of reckless decisions, what to check to avoid becoming a victim of fraud, and where to turn if this does happen.

Q75 Yes

Do consumer organizations/associations provide education and information initiatives?

Q76

If consumer organizations/associations do, please provide the following details:

1- Name of consumer organization/association Stowarzyszenie (Association) Aquila - consumer-related

publications

1- URL link of initiative https://prawo-konsumenckie.pl/materialy-edukacyjne/

2- Name of consumer organization/association

Polski Związek Głuchych (Polish Association of Deaf)

published leaflets and prepared movies (in sign

language) about most important consumer issues in the

financial markets

2- URL link of initiative https://www.pzg.org.pl/ochrona-praw-konsumentow-

osob-z-niepelnosprawnoscia-sluchu/

3- Name of consumer organization/association Consumer education in Poland is also provided by the

consumer obmudsmen/women (370+ community officers who help consumers in their disputes throughout the contry); more information in yearly

reports on their activities

3- URL link of initiative https://www.uokik.gov.pl/rzecznicy.php

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Q77 Yes

Does your authority/agency conduct research and analysis on consumer protection issues?

Q78

If your authority/agency does, please provide the following details:

1- Main area of work UOKiK commissions the performance of social surveys.

They are used to measure the level of awareness about consumer rights and they reveals consumer attitudes, problems and opinions on specific issues. Survey results help to define areas that require intervention or legislative changes. They are also important for

information and educational activities.

1- URL link to online library or publication(s) https://www.uokik.gov.pl/ochrona_konsumentow3.php

Quarterly/yearly reports on current consumer issues.

These documents are for internal use only.

Q79 Yes

Do other organizations/associations conduct research and analysis on consumer protection?

Q80

2- Main area of work

If other organizations/associations do, please provide the following details:

1- Main area of work Consumer Federation (NGO) commissions the

performace of social surveys about: consumer opinions

on many market phenomena, consumer rights,

expectations regarding legislative changes, consumer experiences and attitudes towards specific situations

1- URL link to online library or publication(s) http://www.federacja-konsumentow.org.pl/207,badania-

rynkowe.html

2- Main area of work Product testing - Fundacja Konsumentów

2- URL link to online library or publication(s) https://konsumenci.org/niezalezne-testy-

produktow,7.html