

# POLAND

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# 1. Consumer policy institutions

## 1.1. MINISTER(S) RESPONSIBLE FOR CONSUMER POLICY

- **President of the Office of Competition and Consumer Protection (UOKIK)**

The President of UOKIK is the authority responsible for both consumer policy and the enforcement of regulations concerning collective consumer interests (not individual complaints). The President of UOKIK is a central agency of state administration. He/she is appointed and reports directly to the Prime Minister, and is not answerable to any minister. His/her powers also include market surveillance, product safety, fuel quality control, state aid and competition protection.

The President of UOKIK possesses administrative enforcement powers. He/she is authorised to conduct proceedings concerning practices infringing collective consumer interests, issue orders for enterprises to change their conduct and impose fines. He/she may also screen standard form B2C consumer contracts to eliminate abusive clauses. He/she supervises the Trade Inspection. Since 1<sup>st</sup> January 2009 conducts administrative proceedings in the scope of new approach directives and the General Product Safety Directive against dangerous and noncompliant products which were found on the market.

## 1.2. MINISTRY RESPONSIBLE FOR CONSUMER POLICY AND SCOPE OF RESPONSIBILITIES

- **Office of Competition and Consumer Protection (UOKIK)**

UOKIK's function is to assist its President in carrying out his responsibilities. UOKIK consists of the Central Office in Warsaw and 9 Branch Offices all over the country. In 2009 UOKIK took responsibilities of the Chief Inspectorate of Trade Inspection (CITI) and as a result a new Department of Trade Inspection was established in the Office. Having taken over of the CITI's competences, the Office is now responsible for performing additional tasks - planning, coordinating, monitoring and analysing the results of inspections of food and non-food goods as well as services, performed by the Voivodeship Inspectorates of the Trade Inspection. UOKIK employs ca. 440 persons. The Office's 2009 budget was PLN 49,8 mln, of which PLN 2 mln was channeled to consumer organisations commissioned by the government to carry out certain consumer protection tasks.

### **Office of Competition and Consumer Protection**

Int'l Relations and Communication Department

*Address:* Pl. Powstańców Warszawy 1, PL-00-950 Warsaw

*Tel:* +48 22 556 03 87

*Fax:* +48 22 826 11 86

*E-mail:* [dzk@uokik.gov.pl](mailto:dzk@uokik.gov.pl)

*Website:* [www.uokik.gov.pl](http://www.uokik.gov.pl)

### 1.3. PUBLIC AGENCIES

Consumer protection	
Directive 84/450/EEC	PRESIDENT OF UOKiK OFFICE OF COMPETITION AND CONSUMER PROTECTION (UOKiK) Int'l Relations and Communication Department <i>Address:</i> Pl. Powstańców Warszawy 1, PL-00-950 Warsaw <i>Tel.:</i> +48 22 556 03 87 <i>Fax:</i> +48 22 826 11 86 <i>E-mail:</i> <a href="mailto:dzk@uokik.gov.pl">dzk@uokik.gov.pl</a> <i>Website:</i> <a href="http://www.uokik.gov.pl">www.uokik.gov.pl</a>
Directive 85/577/EEC	PRESIDENT OF UOKiK
Directive 87/102/EEC	PRESIDENT OF UOKiK
Directive 89/552/EEC	PRESIDENT OF UOKiK  NATIONAL BROADCASTING COUNCIL Department of European Policy and International Relations <i>Address:</i> Skwer Księdza Kardynała Stefana Wyszyńskiego Prymasa Polski 9 PL-01-015 Warsaw <i>Tel.:</i> +48 22 597 31 56 <i>Fax:</i> +48 22 597 31 64 <i>E-mail:</i> <a href="mailto:dwz@krritgov.pl">dwz@krritgov.pl</a> <i>Website:</i> <a href="http://www.krrit.gov.pl">www.krrit.gov.pl</a>
Directive 90/314/EEC	PRESIDENT OF UOKiK
Directive 93/13/EEC	PRESIDENT OF UOKiK
Directive 94/47/EC	PRESIDENT OF UOKiK
Directive 97/7/EC	PRESIDENT OF UOKiK
Directive 97/55/EC	PRESIDENT OF UOKiK
Directive 98/6/EC	PRESIDENT OF UOKiK
Directive 1999/44/EC	PRESIDENT OF UOKiK
Directive 2000/31/EC	PRESIDENT OF UOKiK
Directive 2001/83/EC	PRESIDENT OF UOKiK  MAIN PHARMACEUTICAL INSPECTORATE <i>Address:</i> ul. Długa 38/40 PL-00-238 Warsaw <i>Tel.:</i> +48 22 831 42 81 <i>Fax:</i> +48 22 831 02 44 <i>E-mail:</i> <a href="mailto:gif@gif.gov.pl">gif@gif.gov.pl</a> <i>Website:</i> <a href="http://www.gif.gov.pl">www.gif.gov.pl</a>
Directive 2001/95/EC	PRESIDENT OF UOKiK
Directive 2002/65/EC	PRESIDENT OF UOKiK

Regulation 261/2004/EC	PRESIDENT OF UOKiK  PRESIDENT OF THE CIVIL AVIATION OFFICE <i>Address:</i> ul. Żelazna 59 PL-00-848 Warsaw <i>Tel:</i> +48 22 520 72 00 <i>Fax:</i> +48 22 520 73 00 <i>E-mail:</i> <a href="mailto:sekretariat@ulc.gov.pl">sekretariat@ulc.gov.pl</a> <i>Website:</i> <a href="http://www.ulc.gov.pl">www.ulc.gov.pl</a>
Directive 2005/29/EC	PRESIDENT OF UOKiK
Directive 2002/58/EC	to be confirmed

Market surveillance*	
Directive 2006/95/EC (73/23/EEC)	PRESIDENT OF UOKiK  THE LABOUR INSPECTION, CHIEF LABOUR INSPEKTORATE <i>Address:</i> ul. Krucza 38/42 PL- 00-926 Warsaw <i>Tel:</i> + 48 22 420 37 31; 420 37 30 <i>Fax:</i> + 48 22 420 37 25; 625 47 70 <i>E-mail:</i> <a href="mailto:kancelaria@gip.pl">kancelaria@gip.pl</a> <i>Website:</i> <a href="http://www.pip.gov.pl">www.pip.gov.pl</a>  THE STATE MINING AUTHORITY <i>Address:</i> ul. Poniatowskiego 31 PL-40-055 Katowice <i>Tel:</i> +48 32 736 17 00 <i>Fax:</i> +48 32 251 48 84 <i>E-mail:</i> <a href="mailto:wug@wug.gov.pl">wug@wug.gov.pl</a> <i>Website:</i> <a href="http://www.wug.gov.pl">www.wug.gov.pl</a>
Directive 2009/105/EC (87/404/EEC)	PRESIDENT OF UOKiK THE LABOUR INSPECTION THE STATE MINING AUTHORITY
Directive 88/378/EEC (2009/48/EC)	PRESIDENT OF UOKiK
Directive 89/686/EEC	PRESIDENT OF UOKiK THE LABOUR INSPECTION THE STATE MINING AUTHORITY
Directive 2009/23/EC (90/384/EEC)	PRESIDENT OF UOKiK
Directive 90/396/EEC	PRESIDENT OF UOKiK THE LABOUR INSPECTION
Directive 92/42/EEC	PRESIDENT OF UOKiK

\* Trade Inspection conducts controls, while UOKiK is responsible for conducting administrative proceedings.

Directive 94/62/EC (2005/20/EC)	PRESIDENT OF UOKiK
Directive 96/57/EC	PRESIDENT OF UOKiK
Directive 97/23/EC	PRESIDENT OF UOKiK THE LABOUR INSPECTION THE STATE MINING AUTHORITY
Directive 2006/42/EC (98/37/EEC)	PRESIDENT OF UOKiK THE LABOUR INSPECTION THE STATE MINING AUTHORITY
Directive 2005/32/EC (2009/125/EC)	PRESIDENT OF UOKiK  OFFICE OF ELECTRONIC COMMUNICATIONS <i>Address:</i> ul. Kasprzaka 18/20 PL-01-211 Warsaw <i>Tel:</i> +48 22 534 91 90 <i>Fax:</i> +48 22 534 91 62 <i>E-mail:</i> <a href="mailto:uke@uke.gov.pl">uke@uke.gov.pl</a> <i>Website:</i> <a href="http://www.uke.gov.pl">www.uke.gov.pl</a>
Directive 2000/55/EC	PRESIDENT OF UOKiK
Directive 2004/22/EC	PRESIDENT OF UOKiK THE STATE MINING AUTHORITY
Directive 2007/23/EC	PRESIDENT OF UOKiK

- **Local consumer ombudsmen**

In Poland consumer policy is implemented also by the local government, namely by the local consumer ombudsmen (ca. 360 across Poland). While the President of UOKiK combats the infringements of collective consumer interests, consumer ombudsmen offer assistance to individual consumers, providing free of charge consumer advice and legal information (including assistance in bringing consumer disputes to court). Consumer ombudsmen are not subordinated to the President of UOKiK, however, the institutions cooperate closely: the ombudsmen submit yearly reports on their activity to the appropriate UOKiK Branch Office, report problems relating to consumer protection and notify UOKiK of suspected infringements of collective consumer interests. Moreover, ombudsmen's representatives form the National Board of Consumer Ombudsmen, an advisory body to the President of UOKiK. For contact details to the local consumer ombudsmen please visit:

[http://www.uokik.gov.pl/pl/ochrona\\_konsumentow/rzeczniczy/](http://www.uokik.gov.pl/pl/ochrona_konsumentow/rzeczniczy/)

#### 1.4. NATIONAL CONSUMER ASSOCIATIONS

- **Polish Consumer Federation (Federacja Konsumentów)**

The Polish Consumer Federation is an independent NGO whose main goal is to protect individual consumers in Poland. The Federation operates across the whole country through 48 regional branches and uses volunteer work. Its experts provide free of charge consumer advice and legal assistance (activities financed from the state budget). The Federation also undertakes consumer advocacy, educational activities and cooperates with the media. It is a member of Consumers International and BEUC.

**National Board of the Polish Consumer Federation (Rada Krajowa Federacji Konsumentów)**

*Address:* Aleja Stanów Zjednoczonych 53, PL-04-028 Warsaw

*Tel:* +48 22 827 11 73

*Fax:* + 48 22 827 90 59

*E-mail:* [secretariat@federacja-konsumentow.org.pl](mailto:secretariat@federacja-konsumentow.org.pl)

*Website:* [www.federacja-konsumentow.org.pl](http://www.federacja-konsumentow.org.pl)

- **Association of Polish Consumers (Stowarzyszenie Konsumentów Polskich)**

The Association of Polish Consumers (SKP) is an expert group with no mass membership. Its main activities include providing free of charge legal advice (financed from the state budget), information and education projects, consumer research, cooperation with local consumer ombudsmen (e.g. organisation of training sessions). The Polish Consumer Association was also tasked with servicing the infoline which provide consumers with free of charge information and legal assistance in solving their problems. SKP is an affiliate member of the Consumers International, member of BEUC, ANEC, founding member of the International Network of Civil Society Organisations on Competition (INCSOC) and an alternate member of the European Consumer Consultative Group (ECCG).

*Address:* ul. Gizów 6, PL-01-249 Warsaw

*Tel:* +48 22 634 06 68

*Tel/Fax:* +48 22 634 06 67

*Website:* [www.skp.pl](http://www.skp.pl)

*E-mail:* [consumer@skp.pl](mailto:consumer@skp.pl) or [sekretariat@skp.pl](mailto:sekretariat@skp.pl)

- **Association for Promoting Financial Education (Stowarzyszenie Krzewienia Edukacji Finansowej)**

The Association provides consumers with free of charge advice (financed from the state budget) on issues of (over)indebtedness and other problems related to financial services and carries out educational activities.

*Address:* ul. Legionów 126, PL-81-472 Gdynia

*Tel:* +48 58 624 98 72

*Fax:* +48 58 624 98 75

*E-mail:* [skef@skef.pl](mailto:skef@skef.pl)

*Website:* [www.skef.pl](http://www.skef.pl)

- **Polish Green Network (Polska Zielona Sieć)**

The Polish Green Network is an alliance of associations. Its mission is "to promote sustainable development through partnership, co-operation and participation".

*Address:* ul. Sławkowska 26 A, PL-31-014 Kraków

*Tel/Fax:* +48 12 431 28 08

*E-mail:* [info@zielonasiec.pl](mailto:info@zielonasiec.pl)

*Website:* [www.zielonasiec.pl](http://www.zielonasiec.pl)

## 1.5. NATIONAL COUNCILS/ASSEMBLIES OF CONSUMER ORGANISATIONS AND OTHER STAKEHOLDERS

There are no National Councils/Assemblies of consumer organisations in Poland.

## 1.6. CONSUMER MEDIA

- *Bulletin for the Polish consumer ombudsmen* – published in a electronic version by a consumer organisation on a commission of UOKiK.
- *Pro-test* – monthly magazine for consumers which publishes comparative tests of food, cosmetics, household appliances and other products.

UOKiK cooperates on a regular basis with the leading Polish newspapers: *Gazeta Wyborcza*, *Rzeczpospolita*, *Dziennik Gazeta Prawna*, *Puls Biznesu*, *Polska*, *Gazeta Giełdy Parkiet*; magazines, e.g. *Rewia* (a women weekly magazine), radio stations, e.g. *Radio Infor*, *Radio dla Ciebie*, *Polskie Radio Pr. I*, *TOK FM*, *Radio RMF FM*, or TV stations: TVN CNBC Biznes, Polsat News, TVP Info, Biznes TV; TV programmes: TVP2 – *Pytanie na śniadanie*, TVP1 – *Kawa czy herbata*, TVN – *Dzień Dobry TVN*.

Dziennik Gazeta Prawna: [www.gazetaprawna.pl](http://www.gazetaprawna.pl)

Puls Biznesu: <http://www.pb.pl/>

Polska: <http://www.polskatimes.pl/>

Radio Infor: [www.infor.pl](http://www.infor.pl)

Radio RMF FM: [www.rmfm.fm](http://www.rmfm.fm)

TOK FM: <http://www.tok.fm/TOKFM/>

TVN CNBC Biznes: [www.tvncnbc.pl](http://www.tvncnbc.pl)

Polsat News: <http://www.polsatnews.pl/>

### Libertas et Auxillium Awards

In 2010, for the fifth time, UOKiK has held the Libertas et Auxillium awards. The aim of the initiative is to honour journalists who have had a significant contribution to the education of the market participants. The awards were granted in two categories: the best articles /broadcasts dealing with competition and consumer protection. In the first category the winner was a journalist of the *Polityka* weekly, whereas in the consumer protection category the award was granted for a TV reportage broadcast in the TV programme *Ekspres Reporterów*. Moreover, the jury decided to grant a special award to a journalist of the *Gazeta Wyborcza* daily. The competition was co-organised by UOKiK, the Adam Smith Centre, the Association of Polish Journalists and the Institute of Journalism of the University Warsaw.

## 1.7. REDRESS BODIES: COURTS AND ADRS

The Office of Competition and Consumer Protection takes action when collective consumer interests are breached. It can issue an administrative decision and impose a fine. The decisions can be appealed to the Court of Competition and Consumer Protection (the XVII Division of the Regional Court in Warsaw): <http://warszawa.so.gov.pl/index.php?pid=241>

In individual matters, consumers may seek redress in civil courts. They may also use the mechanism of collective redress introduced into the Polish law by the Act of 17 December 2009 on pursuing claims in group proceedings (in force since 19 July 2010). The Act introduces new

regulations regarding the procedure for settling claims of multiple entities. The Act provides for the possibility of pursuing damage claims by a group of claimants consisting of at least 10 persons. The Act covers claims brought in relation to breaching the consumer rights, responsibility for the damage caused by dangerous products as well as torts, except for claims related to protection of personal rights.

Consumers may also opt for alternative dispute resolution provided by the network of Consumer Courts of Arbitration. They exist at Voivodeship Inspectorates of the Trade Inspection.

Voivodeship Inspectorates of the Trade Inspection:

- Białystok - [www.bialystok.wiih.gov.pl](http://www.bialystok.wiih.gov.pl)
- Bydgoszcz - [www.wiih.com.pl](http://www.wiih.com.pl)
- Gdańsk - [www.wiihgdansk.mojbip.pl](http://www.wiihgdansk.mojbip.pl)
- Gorzów Wielkopolski - [www.wiih.gorzow.pl](http://www.wiih.gorzow.pl)
- Katowice - [www.ih.katowice.pl](http://www.ih.katowice.pl)
- Kielce - [www.wiihkielce.prot.pl](http://www.wiihkielce.prot.pl)
- Kraków - [www.ihkrakow.internetdsl.pl](http://www.ihkrakow.internetdsl.pl)
- Lublin - [www.ihlublin.netbip.pl](http://www.ihlublin.netbip.pl)
- Łódź - [www.wiih.lodz.pl](http://www.wiih.lodz.pl)
- Olsztyn - [www.olwiih.neostrada.pl](http://www.olwiih.neostrada.pl)
- Opole - [www.opole.wiih.gov.pl](http://www.opole.wiih.gov.pl)
- Poznań - [www.poznan.wiih.gov.pl](http://www.poznan.wiih.gov.pl)
- Rzeszów - [www.ihrzeszow.ires.pl](http://www.ihrzeszow.ires.pl)
- Szczecin - [www.wiih.pomorzezachodnie.pl](http://www.wiih.pomorzezachodnie.pl)
- Warszawa - [www.wiih.org.pl](http://www.wiih.org.pl)
- Wrocław - [www.wiih.ibip.wroc.pl](http://www.wiih.ibip.wroc.pl)

Moreover, consumers may seek the help of:

- President of the Office of Electronic Communication (mediation) or to the Permanent Consumer Court of Arbitration at the Office of Electronic Communication - in matters related to the provision of telecommunication services: [www.uke.gov.pl](http://www.uke.gov.pl)
- Banking Ombudsman operating at the Polish Bank Association: [www.zbp.pl](http://www.zbp.pl) - in disputes with banks
- Insurance Ombudsman and the Court of Arbitration at the Insurance Ombudsman - in disputes with insurance companies, pension fund managing companies, the Insurance Guarantee Fund and the Polish Motor Insurers' Bureau: [www.rzu.gov.pl](http://www.rzu.gov.pl)
- Ombudsman at the Energy Regulatory Office - disputes with fuel gas and energy suppliers: [www.ure.gov.pl](http://www.ure.gov.pl)

## **1.8. EUROPEAN CONSUMER CENTRE**

*Address:* Plac Powstańców Warszawy 1, V floor, rooms: 531, 537, 539, PL-00-950 Warsaw

*Tel:* +48 22 556 01 18, +48 22 556 01 14

*Fax:* +48 22 556 03 59

*E-mail:* [info@konsument.gov.pl](mailto:info@konsument.gov.pl)

*Website:* [www.konsument.gov.pl](http://www.konsument.gov.pl)



## 1.9. SELF OR CO-REGULATION

- **Union of Associations – Council of Advertising (Związek Stowarzyszeń Rada Reklamy)**  
*Code of Advertising Ethics (Kodeks Etyki w Reklamie)*  
Address: ul. Koszykowa 10 lok. 11, PL-00-564 Warsaw  
Tel: +48 22 621 31 94  
Fax: +48 22 629 18 89  
E-mail: [biuro@radareklamy.org](mailto:biuro@radareklamy.org)  
Website: [www.radareklamy.org](http://www.radareklamy.org)
- **Polish Public Relations Consultancies Association (Związek Firm Public Relations)**  
*Code of Good Practice (Kodeks dobrych praktyk)*  
Address: ul. Koszykowa 54, PL-00-675 Warsaw  
Tel: + 48 22 630 83 64  
Fax: +48 22 625 42 84  
Website: [www.zfpr.pl](http://www.zfpr.pl)
- **Polish Union of Developers (Polski Związek Firm Deweloperskich)**  
*Code of Good Practice (Kodeks dobrych praktyk)*  
Address: ul. Żurawia 32/34, PL-00-515 Warsaw  
Tel: +48 22 745 01 00, 622 53 49  
Fax: +48 22 625 37 81  
E-mail: [biuro@zfd.pl](mailto:biuro@zfd.pl)  
Website: [www.pzfd.pl](http://www.pzfd.pl)
- **Conference of Financial Companies in Poland (Konferencja Przedsiębiorstw Finansowych w Polsce)**  
*Rules of Good Practice (Zasady Dobrych Praktyk)*  
Address: ul. Długie Pobrzeże 30, PL-80-888 Gdansk  
Tel: +48 58 302 92 05  
Fax: +48 58 302 92 64  
E-mail: [info@kpf.pl](mailto:info@kpf.pl)  
Website: [www.kpf.pl](http://www.kpf.pl)

## 2. Consumer Policies

### 2.1. CONSUMER PROTECTION LEGISLATION

- **Act of 16 February 2007 on competition and consumer protection** sets forth administrative penalties, e.g. a penalty for infringing collective consumer interests (using abusive contract clauses, failure to provide reliable, true and complete information, unfair or misleading advertising and other acts of unfair competition) – a fine of up to 10% of the enterprise's previous year revenue.  
See: <http://www.uokik.gov.pl/download.php?plik=7618>
- **Act of 23 August 2007 on combating unfair commercial practices**  
See: <http://www.uokik.gov.pl/download.php?plik=7636>

- **Amended Act of 12 December 2003 on general product safety** – a fine up to PLN 100 thousand for introducing a product that is not safe on the market.  
See: <http://www.uokik.gov.pl/download.php?plik=1374>
- **Amended Act of 30 August 2002 on conformity assessment system** – set up Polish market surveillance system and implementing adequate the Community harmonisation legislation (directives providing for CE marking); incl. basic definitions, duties of entities placing products on the market, duties of market surveillance authorities as well as provisions concerning conformity assessment bodies, notifications and conformity assessment procedures.  
See: <http://www.uokik.gov.pl/download.php?plik=1335>
- **Act of 31 March 2001 on the protection of certain consumer rights and on the liability for damage caused by a dangerous product**  
See: <http://www.uokik.eu/download.php?plik=7634>
- **Act of 27 July 2002 on specific terms and conditions of consumer sale and amendment to the Civil Code**  
See: <http://www.uokik.eu/download.php?plik=7630>
- **Act of 16 April 1993 on combating unfair competition** provides for criminal penalties for certain acts of unfair competition.  
See: <http://www.uokik.gov.pl/download.php?plik=7636>
- **Act of 17 December 2009 on pursuing claims in group proceedings**  
See: <http://uokik.gov.pl/download.php?id=564>

## 2.2. CONSUMER ORGANISATIONS

The Act on competition and consumer protection lists consumer organisations among the entities responsible for carrying out consumer protection tasks in Poland. The Act defines a consumer organisation as a civil society organisation that is independent of any enterprise or associations of enterprises and whose articles of association list consumer protection among the organisation's activities. Consumer organisations may carry out business activities provided that the profits are put towards the organisation's statutory goals. Cooperation with national and international consumer organisations is one of UOKIK's statutory responsibilities. Also the "Consumer Policy Strategy for 2010-2013" puts a focus on delegating consumer consultancy tasks to consumer organisations and getting them involved in the legislative process.

According to the Act, consumer organisations represent consumer interests before central and local government authorities and can take part in the implementation of government consumer policy.

They have the right to:

- express their opinion on draft legislation and other documents concerning consumer rights and interests,
- carry out consumer education programmes,
- perform tests of products and services and publish their results,
- publish magazines, research analyses, brochures and leaflets,
- provide free-of-charge consumer advice and assistance in seeking redress,
- participate in standardisation works,

- carry out consumer protection tasks commissioned by central or local government authorities and apply for public funding for the implementation of these projects.

To obtain funding from the state budget, consumer organisations can bid in open competitions for each individual project. Information about the competitions is publically available (e.g. published in the press). Any NGO whose articles of association cite consumer protection among the organisation's activities can take part in the competitions. NGOs can also submit their own proposals for new competitions.

Each year, UOKiK finances projects such as providing consumer advice and legal assistance to consumers seeking redress in court or ADR institutions, operating a national consumer helpline, publication of a bulletin for local consumer ombudsmen, or carrying out education projects - e.g. in 2008 the UOKiK provided funding for an education campaign addressed to senior consumers and publication of information leaflets on on-line shopping, ADR mechanisms and general product safety.

### **2.3. CONSUMER POLICY STRATEGY**

Once in three years the President of the UOKiK prepares a governmental "Consumer policy strategy".

#### **Consumer Policy Strategy for 2010-2013**

The Strategy for the years 2010-2013 is a continuation of the activities defined in the Consumer Policy Strategy 2007-2009 and is focused on the implementation and strengthening of the following basic objectives: the establishment of a safe and consumer-friendly market, the promotion of self-regulation mechanisms and the consumer dialogue, the establishment of an efficient system of consumer advice and assistance, and empowering consumer redress mechanisms. Another important element of the Strategy is a proactive information and education policy including, inter alia, further information programmes and campaigns promoting consumer rights. The Strategy envisages also to take actions in order to protect interests of Polish consumers on the international scene.

The Strategy can be downloaded from UOKiK's website at:

<http://www.uokik.gov.pl/download.php?plik=8293>

Furthermore, every year the President of UOKiK elaborates a **National Programme on Control of Products under the New Approach Directives**.

See: [http://uokik.gov.pl/kompetencje\\_prezesa\\_uokik\\_i\\_opis\\_systemu.php#faq851](http://uokik.gov.pl/kompetencje_prezesa_uokik_i_opis_systemu.php#faq851)

### **2.4. ENFORCEMENT/REDRESS**

The President of UOKiK has got administrative enforcement powers, namely can carry out proceedings concerning practices infringing collective consumer interests. As a result of such proceedings, the President of UOKiK may order the enterprise concerned to cease practices which were found objectionable and impose a fine. The President of the Office may also inspect standard contract forms with the aim to find and eliminate unfair or abusive clauses used by enterprises. In the case of unfair clauses the President of UOKiK may file a case to the Court of Competition and Consumer Protection for the clause to be recognised as abusive. If during an inspection of standard contract forms clauses which have already been recognised as abusive are discovered, the President of the Office can launch proceedings concerning infringement of collective consumer rights (see

above). The President of UOKiK may also conduct proceedings concerning product safety. As a result of such proceedings the President of the Office may order the enterprise concerned to withdraw dangerous products from the market and impose a fine up to PLN 100 thousand. The purpose of the market surveillance system monitored by the President of UOKiK is to ensure that only products which meet essential requirements defined in the New Approach Directives are put on the market. The President of the UOKiK supervises the Trade Inspection and since 1<sup>st</sup> January 2009 conducts administrative proceedings in the scope of 13 new approach directives (e.g. Low Voltage Directive, Toys Safety Directive). After completing controls by trade inspectors, the President of the Office conducts administrative proceedings against dangerous and noncompliant products which were found on the market. The UOKiK may also order competent authorities to carry out inspections of products' compliance with the essential requirements as a monitoring body.

In individual disputes with businesses, consumers may seek redress before civil courts. Moreover, a mechanism of collective redress was introduced into the Polish legislation by the Act of 17 December 2009 on pursuing claims in group proceedings. The new Act introduces new regulations regarding the procedure for settling claims of a group of consumers or entrepreneurs by providing the possibility of multiple entities pursuing a claim in a single court proceeding in which each of them participates fully and in the same form.

## 2.5. INFORMATION AND EDUCATION

Consumer information and education is one of the most important objectives of UOKiK. Below there are examples of some of the initiatives carried out by the Office:

- **“My consumer ABC” project**

The campaign was initiated in 2006 and was the biggest undertaking of this sort conducted by UOKiK. Its starting point was the assumption that consumer education is more effective if initiated at an early age and continued in the adulthood. The idea behind the campaign was to make young consumers aware of their role and importance on the market. The campaign was targeted at students and teachers of Polish middle schools and secondary schools. It was aimed at increasing young consumers' awareness about their rights and possibilities of enforcing them.

The campaign included:

- **Publications** and educational materials: brochures, handbooks, audiovisual productions, leaflets, comic books and coloring books for the youngest children (5-15 years of age), inter alia teaching materials entitled *I am a conscious consumer – planning consumer education lessons for young people* and an online game acquainting young people with basic consumer rights and obligations;
- An **Internet site** for young consumers (with sections designed for users between 5 and 15 years of age) [www.konsumenckieabc.pl](http://www.konsumenckieabc.pl);
- A **TV advert** (30 seconds);
- **Workshops** for parents and teachers;
- **Regional conferences** in different parts of Poland;
- Happenings on business ethics for students of economic universities.

All the resources are available at [www.uokik.gov.pl](http://www.uokik.gov.pl) and a specially devised website for young consumers [www.konsumenckieabc.pl](http://www.konsumenckieabc.pl). The campaign was implemented between November 2008 and June 2009. It was financed by the 2006 Transition Facility project and by UOKiK.

- The **“Consumer” TV series** – twenty episodes of an educational broadcast targeted at a wide group of viewers, shown on TVP2 from January 2006 on every other Monday.  
See: [http://www.uokik.gov.pl/konsument\\_program\\_telewizyjny.php#faq435](http://www.uokik.gov.pl/konsument_program_telewizyjny.php#faq435)
- The **“Consumer in the World of Competition” TV series** indicating the importance of market competition for the economic interests of consumers.  
Between March and December 2009 we organised **training sessions for secondary school teachers** across Poland to equip them with the knowledge and materials to run consumer education lessons at their schools. They were provided with lessons plans, text books and an information brochure. As part of the campaign we also overhauled the [www.mojekonsumentyabc.pl](http://www.mojekonsumentyabc.pl) website. For example, teenagers were able to play an **interactive game** there, learning to do rational shopping.
- **“You can...” – a TV campaign**  
The campaign featured a 30-second TV ad aimed at increasing the legal awareness of weaker market participants and promoting the institution of consumer ombudsmen. The ad was addressed to adult consumers, who – often unaware of their rights – give up seeking redress when faced with a dispute with a trader. The ad was broadcast in 2007 and 2008 and there are plans to broadcast it in 2009 at cinemas, on advertising screens in underground stations and at points of sale.
- **Radio broadcasts**  
In 2007 the UOKIK and the First Programme of the Polish Radio runs a series of 18 broadcasts on "Fuel Quality", "Product Safety" and "Abusive Clauses" targeted both at consumers and professional market participants.
- **Billboard campaign "Don't let them rip you off"**  
Three nationwide billboard campaigns were carried out by the Office, the first in 2005 and then two more in 2007. The billboards were located in 48 Polish towns (1400 billboards in total) and they were targeted at consumers aged over 19 years, **that is** persons responsible for making purchase decisions and doing shopping in their households. The idea behind the campaigns was to improve consumers' awareness about their rights and to remind them that they can seek help from consumer ombudsmen (in Poland there are ca. 360 local consumer ombudsmen providing free of charge consumer advice and legal assistance). The campaigns led to a significant increase in the number of consumers approaching the ombudsmen for help.



- **Senior Consumers – education campaign**  
In 2008 the UOKIK organised in cooperation with a consumer NGO (Association of Polish Consumers) an national education campaign for senior consumers (aged 60+) including lectures

run by psychologists and policemen held at Third Age Universities, leaflets and brochures providing senior consumers with the knowledge on how to avoid fraudulent commercial practices. The campaign was financed by the UOKiK. It was concluded with a conference (see below).

- **Consumer Ombudsmen – training campaign**

Between February and May 2009 9 training sessions were carried out across the country for Polish Consumer Ombudsmen on the change in the approach to consumer *acquis* and its consequences for organizations dealing with consumer interests protection (“From minimum to maximum harmonization. The consumer context of the liberalization of monopolized markets”).

- **“Why fight like cats and dogs?” – Alternative Dispute Resolution billboard campaign**

This campaign, held at the end of 2008 in the pre-Christmas period, was to help promote consumer arbitration courts operating by the Trade Inspection as a fast, cheap and effective way of solving B2C disputes.



- **Internet projects**

A new website of the Office of Competition and Consumer Protection [www.uokik.gov.pl](http://www.uokik.gov.pl) – a new UOKiK website was launched in February 2010. The new site is user friendly and introduces numerous facilities in order to help consumers to easily find information they are looking for, by inter alia placing on the main site a section “Worth to know” which includes important information on the most common consumer law infringements, a section presenting information on dangerous products and a search engine “Consumer, you have a problem? Find help in your city” enabling consumers to find organizations/institutions, consumer ombudsmen or infolines, in different part of Poland, providing consumers with help or/and free of charge legal advice.

- **A website devoted to safe playgrounds** - Drawing on the international project implemented in 2007, the Office created a website [www.placezabaw.uokik.gov.pl](http://www.placezabaw.uokik.gov.pl) devoted to playground safety and directed both to parents and playground administrators. The website contains tips how to check whether playground equipment is safe and what institutions are responsible for the safety controls. The new site is also an important source of information about the existing legal regulations.



- **A website for young consumers** - UOKiK developed the interactive website [www.konsumenckieabc.pl](http://www.konsumenckieabc.pl) as part of an educational campaign by the same name, which was conducted in 2006. In 2009, the site was overhauled and enriched with useful resources such as education games, quizzes, psycho tests and colouring pages, which are intended to encourage the youngest persons to be aware consumers.
- **New online database of decisions by the President of UOKiK** - In December 2009, the Office launched an improved database of decisions by the President of UOKiK. It stores all decisions issued since 2003 and may be searched by a number of criteria.

### Conferences:

- **2007:**
  - “The banking services market”
  - “How to protect the market effectively? Polish and German experiences”
  - “Consumers and the new technologies. How to protect weaker market participants?”
  - “Fuel quality in Poland and the European Union”
  - “Unfair commercial practices”
- **2008:**
  - World Consumer Day: “Get to know your rights before you click” (devoted to online services)
  - “Household indebtedness in the light of consumer insolvency legislation”
  - “Be an aware consumer” (devoted to protecting senior consumers)
- **2009:**
  - International conference on consumer credit regulations
  - International conference on the proposed EC Directive on consumer rights

Cooperation with the **media** (see point 1.6 above).

### Publications

- **Books:**
  - “Przepisy konsumenckie dla przedsiębiorców” (“Consumer regulations for entrepreneurs”) – published in response to poor knowledge concerning consumer law among entrepreneurs. The publication will be distributed free of charge among entrepreneurs’ organizations, chambers of commerce and individual entrepreneurs
  - “Przepisy konsumenckie” (“Consumer regulations”) – a compendium of Polish regulations concerning consumer protection, with basic document templates
  - “Vademecum Konsumenta” (Consumer’s Guide) – a practical guide for every consumer
  - “Jak mądrze inwestować ” (“How to invest wisely”) – basic information related to financial services and tips how not to fall into a credit trap
  - “Jak poradzić sobie na rynku nieruchomości” (“How to survive on the real property market”) – a guide helping customers buying a new apartment Or house
  - “Usługi” (“Services”) – tips on what to take into consideration when signing a contract with a contractor.

- **Brochures:**
  - “Nieuczciwe praktyki rynkowe. Przewodnik” (“Unfair commercial practices. A guide”) – advice on how to run a business and not to infringe consumers’ economic interests,
  - “Bezpieczny plac zabaw. Poradnik dla administratorów i właścicieli” (“Safe playground. A guide for owners and administrators”) – Basic norms and requirements which should be observed by playground managers to provide children and their Parents with the sense of security at a playground,
  - “Bądź świadomym konsumentem. Kampania dla konsumentów w wieku 60+” (“Be an aware consumer. Campaign for consumers over 60+”) – presenting procedures of making complaints about goods and services and teaching consumers to be assertive towards the market offer.
  
- **Leaflets:**
  - “Baw się bezpiecznie na placu zabaw” (“Play safely at the playground”),
  - „Bądź świadomym konsumentem. Kampania dla konsumentów w wieku 60+” („Be an aware consumer. Campaign for consumers over 60”),
  - “Oznakowanie CE” (“CE marking”),
  - “Środki ochrony indywidualnej” (“Means of individual protection”).

## 2.6. INFORMATION GATHERING/RESEARCH

### Social research

UOKIK runs a programme of social research, which provides it with information on the awareness, knowledge, attitudes and market behaviour of Polish consumers and entrepreneurs. The information is used to find problem areas and plan out information and education activities.

In **2008** UOKIK commissioned the following surveys:

- “Gdzie Polacy najchętniej opłacają rachunki?” („Where do Poles pay their bills most often?”),
- “Zarządzanie domowymi finansami a korzystanie z kredytów i pożyczek” (“Household finances management and loans and credits”),
- “Polacy na zakupach w internecie” (“Poles go shopping on the Internet”).

In **2009** and **2010** the Office commissioned the following social researches:

- “Konsument na rynku usług bankowych” (“Consumers in the banking services”),
- “Konsument na rynku usług telekomunikacyjnych” (Consumers in the telecommunications services”).

More information on the UOKIK’s social research (in Polish) at:

[http://www.uokik.gov.pl//ochrona\\_konsumentow3.php](http://www.uokik.gov.pl//ochrona_konsumentow3.php)