POLAND: COVID19 RESCUE PACKAGE ADOPTED
BY THE LOWER HOUSE OF PARLIAMENT –
CONSUMER PROTECTION

Developments related to COVID-19 are occurring rapidly. Wolf Theiss will continue to distribute regular Client Alerts via email and publish up-to-date analysis on our website. A list of daily updated resources can be found here: https://www.wolffheiss.com/covid19/

29.03.2020. Poland – During the historic, first session held partially online, the Lower House of the Polish parliament adopted amendments to the Act on counteracting COVID-19. The amendments implement certain measures with the goal of supporting Polish businesses. The bill is subject to voting by the Upper House (Senate) early next week and approval by the President.

Both businesses and consumers are suffering the economic consequences of the coronavirus pandemic. In order to ensure that there is unimpeded access to everyday goods and services, and in order to minimize the financial burdens connected to consumer loans, the Amendment to the COVID-19 Act introduces certain supportive legal measures such as: maximum prices and margins for sale of goods or services connected to health protection, human safety or relevant to household maintenance costs, as well as limitations of non-interest costs for several consumer loans.

MAXIMUM PRICES AND MARGINS FOR SALE OF GOODS OR SERVICES CONNECTED TO HEALTH PROTECTION, HUMAN SAFETY OR RELEVANT TO HOUSEHOLD MAINTENANCE COSTS

Prohibition of imposing prices or margins used in the sale of goods or services significant for the protection of human health or safety or household maintenance costs higher than the maximum prices or maximum wholesale and retail margins set by the Minister of Economy in consultation with the Minister of Health and the Minister of Agriculture and Rural Development.

Addressed issue: Protection of consumers. Limitation of unfair market practices.

Status: Act adopted by the lower house of the Polish parliament (Sejm).
Relevant for: SME, Large Corporations.

ADMINISTRATIVE FINES FOR UNJUSTIFIED PRICE INCREASES

Introduction of the administrative fine in the amount between PLN 5,000 to PLN 5,000,000 for charging of prices or margins higher than maximum prices and margins for sale of goods or services connected to health protection, human safety or relevant to household maintenance costs set by the Minister of Health in consultation with the Minister of Economy and the Minister of Agriculture and Rural Development.

In case of several violations of the prohibition the monetary penalty of not more than 10% of the turnover of entrepreneur achieved in the financial year preceding the year of imposing the penalty might be imposed.

Addressed issue: Protection of consumers. Limitation of unfair market practices.

Status: Act adopted by the lower house of the Polish parliament (Sejm).

Relevant for: Individuals.

LIMITATION OF NON-INTEREST COSTS FOR SEVERAL CONSUMER LOANS

Limitation of non-interest costs of consumer loans in case such loans are granted in period of 120 days for successive refinancing of previous loans purposes. The determination of non-interest costs should be limited to the amount of the original loan. The above is not applicable after 365 days from the day on which COVID-19 Act entered into force. After this period, a lender is entitled to collect non-interest costs for the remaining period of loan agreement on the basis provided in the Act on consumer loans dated 12 May 2011.

Addressed issue: Protection of consumers.

Status: Act adopted by the lower house of the Polish parliament (Sejm).

Relevant for: Individuals.

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Does your business need support in implementing a work from home policy? We are pleased to offer our online collaboration platform WT Space to support you during the current COVID-19 pandemic.

WT Space is a fully customizable, secure collaboration platform that requires no additional hardware or software. Whether you need to collaborate on documents, manage project tasks or communicate more efficiently, WT Space can help bring your team together. Please let us know if you have questions or wish to discuss pricing. space@wolftheiss.com
About WOLF THEISS

Wolf Theiss is one of the leading law firms in Central, Eastern and Southeastern Europe (CEE/SEE). We have built our reputation on a combination of unrivalled local knowledge and strong international capability. We opened our first office in Vienna over 60 years ago. Our team now brings together over 340 lawyers from a diverse range of backgrounds, working in offices in 13 countries throughout the CEE/SEE region.

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