



“Who-is-who” in PROSAFE and EMARS



Poland

Introduction

Poland's total surface area is 312 685 sq km and its population stands at 38 million. Warsaw, which has 2,5 million inhabitants, is the capital and the seat of the government. The city lies near the geometrical center of the European continent.

Product Safety Legislation

The base of the product safety legislation is the Act on general product safety (*Ustawa o ogólnym bezpieczeństwie produktów*) which transposed the General Product Safety Directive (2001/95/EC) into the Polish law. The act applies to products or risks that are not covered by separate provisions relating to the specific safety requirements. The rules on conformity with requirements set out in the New Approach Directives are provided for in the Act of 30 August 2002 on conformity assessment (*Ustawa o systemie oceny zgodności*). Most of the New Approach Directives, including the directives covering consumer products, were transposed into the Polish law by the regulations (*rozporządzenie*) based on the Act on conformity assessment.

Transposition into the Polish law of the new approach directives covering consumer products:

- Low Voltage Directive (73/23/EEC) was transposed by the Regulation of the Minister of Economy on essential requirements for electrical equipment (*Rozporządzenie Ministra Gospodarki w sprawie zasadniczych wymagań dla sprzętu elektrycznego*)
- Toys Directive (88/378/EEC) was transposed by the Regulation of the Minister of Economy, Labour and Social Policy on essential requirements for toys (*Rozporządzenie Ministra Gospodarki Pracy i Polityki Społecznej w sprawie zasadniczych wymagań dla zabawek*)
- Electromagnetic Compatibility (EMC) Directive (89/336/EEC) was transposed by the Regulation of the Minister of Transport and Construction on conformity assessment of apparatus with essential requirements relating to electromagnetic compatibility and on rules for its marking (*Rozporządzenie Ministra Transportu i Budownictwa w sprawie dokonywania oceny zgodności aparatury z zasadniczymi wymaganiami dotyczącymi kompatybilności elektromagnetycznej oraz sposobu jej oznakowania*)

- Personal Protective Equipment Directive (89/686/EEC) was transposed by the Regulation of the Minister of Economy on essential requirements for personal protective equipment (*Rozporządzenie Ministra Gospodarki w sprawie zasadniczych wymagań dla środków ochrony indywidualnej*)
- Gas appliances Directive (90/396/EEC) was transposed by the Regulation of the Minister of Economy on essential requirements for appliances burning gaseous fuels (*Rozporządzenie Ministra Gospodarki w sprawie zasadniczych wymagań dla urządzeń spalających paliwa gazowe*)
- Machinery Directive (98/37/EC) was transposed by the Regulation of the Minister of Economy on essential requirements relating to machinery and its safety elements (*Rozporządzenie Ministra Gospodarki w sprawie zasadniczych wymagań dla maszyn i elementów bezpieczeństwa*)
- Radio equipment and telecommunications terminal equipment (R&TTE) Directive (1999/5/EC) was transposed by the Regulation of the Minister of Infrastructure on conformity assessment with essential requirements of telecommunications terminal equipment designated for connection to the public network and radio equipment and on rules for its marking (*Rozporządzenie Ministra Infrastruktury w sprawie dokonywania oceny zgodności telekomunikacyjnych urządzeń końcowych przeznaczonych do dołączania do zakończeń sieci publicznej i urządzeń radiowych z zasadniczymi wymaganiami oraz ich oznakowania*)
- Pressure equipment (PET) Directive (97/23/EC) was transposed by the Regulation of the Minister of Economy on essential requirements for pressure equipment and its assemblies (*Rozporządzenie Ministra Gospodarki w sprawie zasadniczych wymagań dla urządzeń ciśnieniowych i zespołów urządzeń ciśnieniowych*)

The text of the above mentioned legislation in the Polish language can be retrieved and downloaded using the search facilities on the website with the hyperlink:

- http://www.uokik.gov.pl/pl/regulacje_prawne/polskie_i_wspolnotowe_akt_y_prawn/ogolne_bezpieczestwo_produk_tow/polskie_akt_y_prawne/ (Act on general product safety)
- http://www.uokik.gov.pl/pl/regulacje_prawne/polskie_i_wspolnotowe_akt_y_prawn/znak_ce/polskie_akt_y_prawne/ (Polish regulations covering consumer products encompassed by the new approach directives)

Market surveillance practice:

The Office of Competition and Consumer Protection – OCCP– (*Urząd Ochrony Konkurencji i Konsumentów*) institutes and carries out administrative proceedings under the Act on general product safety.

Further information regarding the OCCP is available on the website www.uokik.gov.pl This website also provides part of the content in the English language.

The checks and administrative proceedings relating to products covered by the new approach directives are carried out by the following specialised authorities:

- Low Voltage Directive – Trade Inspectorate (*Inspekcja Handlowa*) www.giih.gov.pl ; State Mining Authority (*Wyższy Urząd Górniczy*) www.wug.gov.pl and National Labour Inspectorate (*Państwowa Inspekcja Pracy*) www.pip.gov.pl
- Toys Directive – Trade Inspectorate
- Electromagnetic Compatibility (EMC) Directive – Office for Electronic Communications (*Urząd Komunikacji Elektronicznej*) www.uke.gov.pl, and State Mining Authority
- Personal Protective Equipment Directive – National Labour Inspectorate, State Mining Authority and Trade Inspectorate
- Gas appliances Directive – Trade Inspectorate and National Labour Inspectorate
- Machinery Directive – Trade Inspectorate, National Labour Inspectorate and State Mining Authority
- Radio equipment and telecommunications terminal equipment (R&TTE) Directive – Office for Electronic Communications
- Pressure equipment (PET) Directive – Trade Inspectorate, National Labour Inspectorate and State Mining Authority

The role of the OCCP in this area is to monitor the market surveillance system for products covered by the new approach directives, to give opinions on the plans of checks prepared by the specialised authorities, to manage the exchange information system and to submit safeguard clause notifications.

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