ARTIFICIAL INTELLIGENCE WILL HELP TO FIND ILLEGAL CLAUSES

* **UOKiK has announced a competition for designing an IT tool that will support its employees in analysing templates of contracts, which are used by entrepreneurs, to detect illegal clauses.**
* **- *A tool based on artificial intelligence will allow for initial verification of a much larger amount of data than it is possible at the moment -* says Tomasz Chróstny, President of UOKiK.**
* **The project is funded by the EU.**

**[Warsaw, 1 October 2021]** The Office of Competition and Consumer Protection has announced a competition for designing a tool that would be based on artificial intelligence (AI), the task of which would be an initial assessment of templates of contracts that are used by entrepreneurs in business relations with their consumers to detect illegal clauses. The tool would also actively detect such violations on the Internet.

- *The tool will be an important support for the employees of UOKiK in detecting illegal clauses and automatic analysis of a very large amount of data. It will allow for quick and effective elimination of infringements, as well as extensive ongoing monitoring of contracts that are offered to consumers. This is the first project as part of which the Office will implement software that uses artificial intelligence* - says Tomasz Chróstny, the President of UOKiK *.*

The task of the tool would be to search for abusive provisions - both in agreements that are submitted by consumers and those found by the web crawler on websites of entrepreneurs and online stores. According to the assumptions, the created tool should assess the contract or regulations, highlight illegal clauses and give the reason why they may be illegal. Then, an employee of UOKiK will review the outcome of the algorithm and assess whether it is justified to intervene, also taking into account the content of the notification received from the consumer. The ability to automatically search websites will open up new opportunities for the Office with regards to proactive elimination of large-scale irregularities which, in turn, will significantly improve consumer protection. The system will have a function of automatic learning, supervised by the employees of the Office.

The competition is financed under the EU Consumer Programme 2014-2020. The budget for implementing the AI system is PLN 1.45 million. The Office announced the competition in cooperation with GovTech Poland, which coordinates key digitisation projects in Poland. There are two stages of the competition, it is of an unlimited nature and the participants will present their skills by preparing a *Proof of Concept*. With regards to stage I of the competition, the projects can be submitted until 19 October 2021, by 4:00 p.m. As part of stage I of the competition, the authors of the best projects will be awarded cash prizes, and the winner of stage II of the competition will receive an invitation to negotiate an award of a sole-source contract. The design and implementation of the new tool in the Office are planned to be completed by the end of 2022. The details of the competition are available on the website of [GovTech Poland](https://konkursy.govtech.gov.pl/start/postepowanie/137).

**What are illegal clauses?**

Illegal clauses are the clauses that are not individually negotiated with a consumer, which define the rights and obligations of the customer in a manner that is contrary to good practice and grossly infringes the consumer's interests. Such clauses are **not legally binding**. The exception is when the clauses relate to key services offered by the parties, e.g. price or remuneration, as long as they are formulated in a clear way. Illegal clauses are also called **abusive clauses** and they are often referred to with the use of that term. Since April 2016, as a result of amendments to the law, it is the President of UOKiK who decides whether the nature of a given clause is illegal or not. Previously, it was decided by the court and the challenged clauses were [recorded in the register](file:///C%3A%5CUsers%5Canna.bilska-cicha%5CDownloads%5Cuokik.gov.pl%5Crejestr_klauzul_niedozwolonych2.php). More information about illegal clauses can be found on the website of [the Office of Competition and Consumer Protection](https://www.uokik.gov.pl/faq_niedozwolone_klauzule.php#faq2911).