**Press release, 4 April 2024**

UOKiK Activities in 2023

* **In 2023, the President of UOKiK issued more than 1,000 decisions in the field of competition and consumer protection and imposed more than PLN 612 million in fines.**
* **In addition, he has conducted more than 15,000 inspections to check product quality and safety.**
* **These are examples of the UOKiK activities in 2023.**

- Last year can be called the time of a small consumer revolution. On 1 January 2023 legislation came into effect that changed everyone's rights. "The lowest price of 30 days" - is the most significant change which is only part of a large package of new laws covered by the Omnibus Directive. Immediately after the regulations came into force, we began proactive measures giving businesses the opportunity to comply with the new regulations. In order to ensure an adequate level of consumer protection in the market, we developed explanations for the presentation of promotional prices. We were also active internationally. Since 1 July, we chaired the work of the International Consumer Protection Network (ICPEN). Empowering responsible consumer choices is the motto and goal of the Polish presidency. In this way, we want to inspire action to serve consumers - says the President of UOKiK, Tomasz Chróstny.

**COMPETITION PROTECTION**

**Anti-competitive practices**

In 2023, the President of UOKiK initiated **35** proceedings pertaining to the application of anti-competitve practices and issued **9** decisions - all related to prohibited agreements, including 6 - collusive bidding. The fines imposed on entrepreneurs amounted to **more than PLN 45 million**. On **60** occasions, entrepreneurs received calls to change their practices. There was another increase in the number of signals reported under the [whistleblower program](https://konkurencja.uokik.gov.pl/zglos-naruszenie/). In 2023, there were **15,545** of them.

The highest fines imposed in a single decision on businesses and managers for anti-competitive practices in 2023 amounted to **more than PLN 37 million**. They concerned an anti-competitve agreement that Dahua Technology Poland entered into with distributors of its products - electronic monitoring equipment. The entrepreneurs set prices for product sales and divided the market among themselves by assigning customers to certain entities. This meant that consumers, companies or institutions were deprived of the opportunity to buy electronic monitoring equipment more cheaply than at top-down rates. They also lost the opportunity to buy from traders who could have offered a better deal. In addition to Dahua Technology Poland, sanctions covered six entrepreneurs and **seven individuals who were directly responsible for the unauthorised agreement.**

**Contractual advantage**

In 2023, the President of UOKiK issued **6 decisions terminating proceedings for practices that unfairly use contractual advantage** against significant players in: retail, sugar production, milk processing and pork markets. In addition, he initiated **2 actual proceedings**, **11 preliminary investigations** and addressed 18 notices to businesses.

In the decision concluding the proceedings against Auchan Polska, the President of UOKiK imposed **a fine of more than PLN 87 million.** The company charged suppliers of agricultural or food products for transportation from central warehouses to Auchan chain stores. Internal distribution of goods from the chain's central warehouses to individual stores is the basic element that makes up the modern sales channel and is in the interest of the retail chain; therefore, demanding additional compensation for this type of service is an unfair use of contractual advantage.

**Concentration control**

In 2023,the President of UOKiK issued **310** merger approvals of which 3 were conditional decisions. The President of UOKiK **instituted 321 investigations** to examine whether mergers and takeovers would adversely affect competition or not.

In addition, the President of the Authority initiated 4 investment control proceedings and issued 2 decisions of no objection to the planned transaction.

**Payment backlogs**

Last year, the President of UOKiK initiated **30** proceedings related to payment backlogs. In addition, he issued **165** notices to businesses signaling perceived doubts about their reliability in settlements with suppliers.

Throughout 2023, the President of UOKiK issued **52** decisions finding excessive delays in repayment of monetary benefits and imposed a total of more **than PLN 41 million in penalties - four times as much as in 2022** (PLN 11 million). The highest fines for payment backlogs in 2023 were: PLN 7.5 million and PLN 4.7 million, respectively, and were imposed on automotive entrepreneurs (FCA Poland and Volkswagen Poznań).

In parallel, the President of UOKiK does not stop intervening with more entities whose payment discipline is questionable and may indicate a risk of payment backlogs in the area.

**State aid**

State aid results in the state’s interference with free market mechanisms. Hence, its use is restricted. UOKiK [performs a preliminary assessment of individual support and aid schemes](https://www.uokik.gov.pl/informacje_ogolne2.php), evaluating their compliance with EU legislation, and [monitors state aid](https://www.uokik.gov.pl/informacje_ogolne2.php), i.e. assistance granted to entrepreneurs in Poland.

In 2023, the Authority issued opinionson **67** aid scheme and individual aid projects.UOKiK **received 585 requests for interpretation and 909 draft government documents** for analysis in terms of the possible presence of state aid.Moreover, the Authority received **2812 projects concerning de minimis schemes** which it evaluated in terms of transparency of aid granting rules.

In 2023, the President of UOKiK notified to the European Commission **14 projects providing for granting state aid**, including 9 aid schemes and 5 individual aid schemes. The European Commission accepted **10 aid projects**.

**CONSUMER PROTECTION**

**Protection of collective consumer interests and abusive contractual clauses**

In 2023, the President of UOKiK initiated **74 proceedings** related to practices that violate collective consumer interests and concerning declaring the provisions of a model contract to be unlawful, as well as **209 preliminary investigations.** He issued 85 decisions in which it imposed a total of **more than PLN 422 million** in monetary sanctions on businesses and **nearly PLN 2 million** in fines on managers.

The President of the Authority **also issued 438** notices to businesses in the field of consumer protection. In addition, **132 times he issued a reasoned opinion** regarding people fighting for their rights in court.

In 2023, **the highest fine** for violating collective consumer interests amounted to **over PLN 160 million.** The sanction was imposed on Jeronimo Martins Polska for misleading customers by introducing the so-called "anti-inflation shield”. The advertising slogan "If you find a product on our list of the 150 most frequently purchased products at a lower regular price in another store, we will refund you the difference" did not coincide with the real terms of the promotion, making it impossible for customers to take advantage of it under the conditions presented.

Significant fines totaling **more than PLN 72 million** were imposed on AUTOCENTRUM AAA AUTO, a leading used car dealer, which provided false information about the price of vehicles on offer and used abusive clauses. In online advertisements, she omitted information that a mandatory fee of PLN 1398 would be added to the price of the vehicle. The company did not inform, either, that the price in the ad consisted of the cost of the car and an additional product - insurance.

In the financial sector, the President of UOKiK, among others, fined Deutsche Bank Polska **PLN 5.7 million** for unilaterally changing abusive clauses in franking agreements regarding the cost of issuing certificates. The President of UOKiK ordered the refund of unlawfully collected money. Customers should not have to pay any fees due to the bank's use of prohibited provisions, and in practice the bank charged them as much as PLN 2,000 for the issuance of a loan repayment certificate. This is the document needed to sue the bank on a CHF-indexed mortgage loan.

In the telecommunications sector, the President of the Authority imposed a fine of **PLN 46.6 million** on CANAL+ Polska for unreliably offering consumers to conclude parallel contracts. Sales calls were challenged in which, instead of information about the sales purpose of the call, it was suggested that consumers would receive a free gift. In order to induce the consumer to take the decision immediately, CANAL+ consultants pointed out that circumstances of the connection were exceptional (for example, that they contacted from the honours department) or informed about a limited number of packages.

**The Trade Inspection Authority**

The President of UOKiK strives to ensure product safety in Poland also by means of the Trade Inspection Authority. The Authority plans, coordinates and monitors the inspections carried out by Trade Inspection Authority Provincial Inspectorates and analyses their results. In 2023, **the Trade Inspection Authority carried out the total of 15 thousand audits in terms of general security of products, assessment of products’ compliance with the requirements and other audits concerning non-food products and services** (including the information obligations of entrepreneurs).

UOKiK is also responsible for managing the Fuel Quality Monitoring System. The Trade Inspection Authority in 2023 conducted a total of more than 1,850 inspections of gasoline, diesel, LPG).

Particularly noteworthy are inspections of products intended for the youngest group of consumers, i.e. toys, baby strollers and baby items. The inspections also covered LED light bulbs, household appliances (refrigerators, washing machines, dishwashers) in terms of resource consumption - water and energy, pyrotechnic products as particularly dangerous, commonly used electrical equipment - induction hobs, light fixtures, and seasonally popular products - electric grills, gas grills, sports scooters, bicycle helmets or sunglasses.

In addition, UOKiK/ the Trade Inspection Authority carried out inspections in cooperation with the National Tax Administration (customs authorities) in the procedure for product release into the single market. As a result of this cooperation, in 2023, UOKiK carried out 3 projects (on the safety of pyrotechnic products, sunglasses, reusable grills).

**Product safety and market surveillance**

Consumer protection-related activities pertain to product safety as well. UOKiK analyses the results of Trade Inspection Authority inspections and warnings, in particular consumer complaints and notifications from supervisory authorities of other EU Member States as part of the [RAPEX](https://www.uokik.gov.pl/system_rapex.php) community system. Its main purpose is to ensure rapid communication on hazardous products. The system also contains data on actions taken by Member States or by economic operators themselves to exclude or restrict trade in dangerous products.

**In 2023 the President of UOKiK initiated 138 cases related to general product safety**, including 88 investigations and 50 administrative proceedings. In 2023, UOKiK received **356** **voluntary notifications** of hazardous products from entrepreneurs.

Moreover, the President of UOKiK initiated **291 cases concerning compliance of products with EU requirements**, including 113 investigations and 178 administrative proceedings. UOKiK referred 151 notifications that concerned over 1.4 million product items to the Safety Gate/RAPEX system. Most notifications concerned toys.

**Laboratories**

Laboratory studies serve the purpose of eliminating products that fail to meet the requirements or pose a threat to consumers from the market. In 2023 **UOKiK’s laboratories investigated the total of over 1800 thousand samples** in conjunction with Trade Inspection Authority’s inspections, as part of which **over 18 thousand parameters were marked.**

**Legislation**

On 1 January, important [changes in the consumer protection system](https://uokik.gov.pl/aktualnosci.php?news_id=19189) resulting from the implementation of the Omnibus Directive. Thanks to the new regulations, it is easier to fight against phenomena that are detrimental to consumers, such as double quality of products in different countries, purchase of tickets for concerts by bots or false opinions on the Internet. In particular, the presentation of price reductions to counter bogus promotions has been regulated. To make it easier for entrepreneurs to comply with the new regulations in this regard, we have developed special explanations.

Education

**In recent years, UOKiK has focused on intensive education of young consumers. We continued the** [“ABC of the Young Consumer”](https://uokik.gov.pl/aktualnosci.php?news_id=18882) **educational project, which introduced the youngest children to the basic concepts and principles of shopping in a friendly and accessible manner, through combining learning with fun. As part of the initiative, 561 pre-service teachers were trained between 2022 and 2023. 15,417 children from 501 kindergartens participated in the activities.**

**Among secondary school students, named** [“Młodzież z pr@wem na czasie”](https://uokik.gov.pl/aktualnosci.php?news_id=18962) **[“Switched on to your rights”], aimed at promoting consumer rights on the Internet and raising awareness of issues related to cyber security and Internet fraud. A total of 980 classes were held in 150 schools across the country, attended by 23,124 students.**

[UOKiK's profile on Instagram](https://www.instagram.com/uokikgovpl/) is already observed by more than 30,000 people. The actions of the President of UOKiK against influencers have been supported by Internet users, and are also appreciated by the public relations industry. In 2023, the #OznaczamReklamy campaign won an award for modern creator education at Influencers Live Wrocław - one of the largest events for Internet Creators in Europe, as well as a Bronze Paperclip in the category of fighting misinformation in the "Golden Paperclips" competition - the largest PR competition in Poland.

The year 2023 brought a new version of the portal [prawakonsumenta.uokik.gov.pl](https://prawakonsumenta.uokik.gov.pl/) - we changed the graphic design and updated the content with the latest regulations.

The Authority also prepared a series of twelve educational webinars dealing with the most significant and topical consumer issues. In addition, we have released a new educational tool - podcasts. They are available at <https://prawakonsumenta.uokik.gov.pl/> as well as Spotify and YouTube.

Starting in 2020, our calculator is up and running [of earlier](https://finanse.uokik.gov.pl/kalkulator-zmiany-oprocentowania/) consumer loan repayment and, from 2021, a mortgage loan interest rate change calculator which allows you to see by how much your mortgage loan installment will increase indicatively when interest rates rise. Internet users have used the early repayment calculator more than half a million times, and the interest rate change calculator more than 4 million times.