



Are there General Good provisions in your country that fall into the categories below? (Yes / No / Leave blank)

POLAND

General good provisions by categories

		For insurance undertakings	For insurance intermediaries
Special rules for starting and operating business			
	Notification & approval of certain products	No	No
	Protection of names and titles	Yes – art 7 of Act of 11 September 2015 on insurance and reinsurance activities.	Yes – article 90 of Act of 15 December 2017 on insurance distribution.
	Feasibility study for host MS	No	No
	Creating special departments	No	No
	Other special rules for starting business	No	No
	Other		
Adapting to host country market structure			
	Joining an association	Yes – articles 420 and 422 of Act of 11 September 2015 on insurance and reinsurance activities. Membership in the Polish Chamber of Insurance is obligatory for insurance undertakings performing business on the territory of Republic of Poland.	No

	Joining a guarantee fund	<p>Yes – Art. 97 of the Act 22 of May 2003 on Compulsory Insurances, Insurance Guaranty Fund and Polish Bureau of Motor Insurers the member of the Insurance Guaranty Fund.</p> <p>Membership in the Insurance Guarantee Fund is mandatory for a foreign insurance undertaking carrying out insurance activity on the territory of the Republic of Poland according to the Polish law, which has license for concluding the following compulsory insurances: motor insurance liability and farmers' insurance liability. The membership is created when insurance undertaking concludes the first insurance contract.</p>	No
	Data submission for registers	No	No
	Professional codes of conduct	No	No
	Other		
Content and format of contracts			
	Language rules	<p>Yes – Article 7 of Act 7 October 1999 on Polish language.</p> <p>Polish language is obligatory within the territory of the Republic of Poland in transactions with consumers and exercise of provisions of the labour law if:</p> <p>1) Consumer or person rendering work has the place of residence within the territory of Poland when concluding contract, and</p>	Yes – Art. 7 of Act 7 October 1999 on Polish language.

		2). Contract is to be or is enforceable within the territory of the Republic of Poland.	
	Minimum content for certain products	Yes – articles 20 and 23 of Act of 11 September 2015 on insurance and reinsurance activities. Minimum content for life insurance products and for unit-linked contracts.	No
	Mandatory level of excess	No	No
	Other - General terms and conditions of insurance contract	Yes - Article 16 of Act of 11 September 2015 on insurance and reinsurance activities.	Yes - Art. 16 of Act of 11 September 2015 on insurance and reinsurance activities.
Disclosure			
	Special pre-contractual information	Yes – art. 17, 19 and 25 of Act of 11 September 2015 on insurance and reinsurance activities	Yes - articles 22 and 23 of Act of 15 of December 2017 on insurance Distribution
	Special information for selected products	Yes – art 20, 23 and 24, Act of 11 September 2015 on insurance and reinsurance activities. Art. 23.2 of Act of 15 of December 2017 on insurance Distribution.	Yes - art. 22 and 32, Act of 15 of December 2017 on insurance Distribution.
	Other	Yes - Art 215 of Act of 11 September 2015 on insurance and reinsurance activities	No
Taxation			
	Indirect taxes and parafiscal charges	Yes - art. 117 of the Act of 22 May 2003 on Compulsory Insurances,	No

		<p>Insurance Guaranty Fund and Polish Bureau of Motor Insurers the member of the Insurance Guaranty Fund.</p> <p>Insurance undertakings that are members of the Polish Chamber of Insurance, Insurance Guarantee Fund, Polish Bureau of Motor Insurers are obliged to pay membership fee.</p> <p>According to article 117 (3) of the Act on compulsory insurances, Insurance Guarantee Fund and Polish Motor Insurers' Bureau, both domestic and foreign insurance companies offering MTPL insurance within territory of the Republic of Poland are obligated to pay a fee to the Insurance Guarantee Fund</p>	
	Tax representative	No	No
	Other		
Other conduct related provisions			
	Advice	No	Yes – advice of insurance Brokers, Art. 32, Act of 15 December 2017 on insurance Distribution.
	Advertising & marketing	Yes - Act of 16 April 1993 on Counteracting Unfair Competition	Yes - Act of 16 April 1993 on Counteracting Unfair Competition
	Commissions	Yes - art 18, 23 and 24, Act of 11 September 2015 on insurance and reinsurance activities.	Yes - art 18 of Act of 11 September 2015 on insurance and reinsurance activities.
	Limitations to the freedom to set premium	No	No

	<p>After-sales services (e.g. claims-handling, complaints-handling)</p>	<p>Yes</p> <p>Art 16, Act of 15 December 2017 on insurance Distribution.</p> <p>Articles 3-10 , Act of 5 August 2015 on examining of complaints by financial market entities and on the Financial Ombudsman</p>	<p>Yes</p> <p>Art 16, Act of 15 December 2017 on insurance Distribution.</p> <p>Articles 3-10 - Act of 5 August 2015 on examining of complaints by financial market entities and on the Financial Ombudsman</p>
	<p>Other</p>	<p>Yes.</p> <p>Art 26 (3) and (4) of insurance and reinsurance activities act</p> <p>In the case of cancellation or termination of life insurance contract, under which the amount of benefit is established on the basis of specific indices or other baseline value, referred to in Section I, class 3 of the Annex to the Act [unit linked or index linked products] , and life or survival insurance contract for the benefit of third party, in which the benefit of the insurance undertaking for survival is equal to the insurance premium increased by a value of index specified in the insurance contract, the insurance undertaking shall pay the amount of paid insurance premiums decreased by at most to 4%. An insurance undertaking may decrease the paid amounts by the cost of provided insurance cover, unless these costs were settled earlier. If the insured financed the cost of insurance premium, the policy holder shall refund the amounts paid by the</p>	<p>Yes</p>

		insurance undertaking on the immediate basis.	
Special types of insurance			
	MPTL	Yes, Mandatory provisions of the Act of 22 May 2003 on compulsory insurances, Insurance Guarantee Fund and Polish Motor Insurers' Bureau. – Chapters 1 (general provisions) and 2 (Motor Third Party Liability Insurance) including: art. 5, 5a, 6, 8, 12, 22a, 28, 28a, and 30.	No
	Travel insurance	No	No
	Other	Yes Mandatory provisions of the Act of 22 May 2003 on compulsory insurances, Insurance Guarantee Fund and Polish Motor Insurers' Bureau – chapters 3 (Farmers Third Party Liability Insurance) and 4 (Farm Buildings Insurance). Provisions of other mandatory insurances.	No
Applicable law			
	Setting applicable law for certain risks	Yes - Art. 29 of the Act on International Private Law. If the Polish law sets forth the obligation of insurance, Polish law shall apply to that contract.	Yes - Art. 29 of the Act on International Private Law. If the Polish law sets forth the obligation of insurance, Polish law shall apply to that contract.
	Setting exclusive jurisdiction	Yes - art. 20 and Art. 34a Act of 22 May 2003 on compulsory insurance, the Insurance Guarantee Fund and the Polish Motor Insurers' Bureau	No
	Other		