

### **January 1: New statutory holiday**

An amendment to the Labour Code introduced Epiphany (January 6) as a new statutory holiday. At the same time the obligation of employers to compensate for holidays falling on a Saturdays was abolished.

### **February 20: Substantial amendments to the Land and Mortgage Registers and Mortgage Act come into force**

The most important changes relate to the abolition of the division into an ordinary and cap mortgage, the introduction of the possibility of securing a couple of receivables due to the same creditor by one mortgage, or securing receivables due to different persons, provided that they result from financing a common investment. Furthermore, an owner of an encumbered property is now entitled to claim reduction of the amount of the mortgage when its amount becomes excessive and to select one of the outstanding mortgages to replace an expired one. Additionally, the mortgage is now a security of both the principal amount of secured debt and interest as well as other costs. The currency of the mortgage may now be different than the currency of the debt.

### **May 11: Amendment to the Public Procurement Law**

The newly introduced amendment obliges the awarding entities under certain circumstances to exclude from the contract those contractors with whom the relevant awarding entity has terminated or withdrawn a public contract due to reasons attributable to the contractors.

### **May 16: New International Private Law comes into force**

The private international law is aimed to answer the question which law applies when a legal dispute has a foreign element such as a party to the dispute being a foreign citizen or in case a contract is signed by parties located in different countries. The new act covers a broad scope of matters such as incapacitation, personal interests, power of attorney, and relations between consumers and entrepreneurs. The introduction of regulations concerning intellectual property rights is very significant. When it comes to the law governing contractual and non-contractual obligations, the new act refers to European Union regulations Rome I and Rome II and in many cases introduces a possibility to choose the law (Polish or foreign) which will apply to legal relations..

### **July 1: Business Activity Central Register and Information Record (CEIDG) is introduced pursuant to the amendment of Act on Freedom of Economic Activity**

The aim of this change was to create a nationwide system for the purposes of maintaining and accessing the records of business activities run by natural persons. CEIDG contains information on all entrepreneurs who are natural persons and run business in Poland. The

new system allows the business activity registration process to be carried out via internet. Consequently EDG-1 form was replaced by the CEIDG-1 form.

**August 26: The so-called Anti Spread Act comes into force**

The aim of this act, is to protect consumers by enabling repayment of a denominated loan in the currency in which a loan was taken. The act introduces amendments to the Banking Law and a number of other acts. Now it is possible to pay the installments or fully repay a loan in a foreign currency, without extra costs to the debtor. In addition, the act contains a provision that an agreement of a denominated loan or a loan indexed to a currency other than the Polish currency, should contain detailed rules determining both the methods and terms of fixing the currency exchange rate, on the basis of which the whole loan amount is defined.

**September 1: Amendment to the Act of Lobbying Activity in the Law-Making Process**

This amendment implemented changes to the rules on planning the work of the Council of Ministers. According to the new provisions, the government should keep a permanent and up-to-date list of pending legislative works, instead of issuing a list of legislative works every six months. The amendment also allows the interest groups to notify their intention of involvement in the legislative works not only concerning the bills, but also regarding the guidelines for the bills, which as a consequence enables public consultations at an earlier stage.

**September 18: Amendment to the Air Law, which adjusts the provisions of Polish law to EU civil aviation provisions**

The aim of the amendment is to increase the safety of air transportation, in particular by imposing liability on a single institution for the safety controls, irrespective of the scope of communication (national, internal, within the Schengen Area, or external). Moreover, the amendment improves the effectiveness of the airports' management process. It also implements into the statutory provisions the rules regarding the airline fees and tables of airline fares.

**October 9: Changes to the Real Estate Management Act and other acts**

The amendment modifies the rules of the annual perpetual usufruct fee update. It also extends the number of entities entitled to file an application for transformation of the perpetual usufruct right into ownership right and lifts the restriction concerning a type of real property that may be subjected to such transformation. The time limit for filing the application (December 31, 2012) was abolished.

**October 22: Amendment to the European Works Councils Act**

This amendment results from implementation of Council and European Parliament Directive No. 2009/38/WE which limited the authority of the European Works Councils to supranational matters. A definition of the “notification” was added, while the definition of the “consultation” was extended. The agreements aiming to establish the European Works Councils should now be concluded in writing.

**October 27: Amendment to provisions concerning outsourcing**

The amendment extended the definition of the entrepreneur to include partners in a civil law partnership with respect to the economic activities they conduct. A list of bank services that may be subject to outsourcing agreements was also broadened. The obligation to notify the Financial Supervision Authority about the intention of entering into an outsourcing agreement at least 14 days before concluding the agreement was also abolished.

**December 18: The new Consumer Credit Act**

The new act extended the term for withdrawal from a consumer credit agreement from 10 to 14 days. In the event that the borrower withdraws from the agreement, she or he will not bear any costs except for the interest accrued from the day of the credit payout until the repayment date. The act increased the maximum amount of consumer credit to PLN 255 550. It also standardized the form of providing information to the consumer, in order to improve the comparability of the offers.