

Poland: implementation of the Representative Actions Directive

**Act of 24 July 2024 amending the Act on Pursuing Claims in Group Proceedings and Certain Other Acts**

Poland transposed the RAD through an amending act adopted on 24 July 2024, which entered into force on 29 August 2024. Rather than introducing a novel framework, the Amending Act builds upon the existing Act on Group Proceedings (in force since 2010) and the Act on Competition and Consumer Protection, creating a new type of group proceedings, the representative class action, as a distinct mechanism alongside the pre-existing general group proceedings.

Before transposition, Polish law had already permitted group proceedings for consumer claims (requiring at least ten claimants on the same factual basis) and empowered the President of the Office of Competition and Consumer Protection (UOKiK) to conduct separate ex officio proceedings and issue administrative decisions declaring practices to infringe collective consumer interests; these mechanisms are preserved. However, UOKiK proceedings cannot award compensation. Representative actions by qualified entities therefore complement these proceedings by also enabling consumers to seek redress.

The new mechanism introduces several notable procedural aspects. Representative actions allow for the possibility of initiating group proceeding for redress asserted by at least 10 persons (and brought by a group representative), based on the same factual basis, for claims related to liability for damage caused by a dangerous product, for tort, for liability for non-performance or improper performance of a contractual obligation or for unjust enrichment, and for claims for consumer protection. Furthermore, qualified entities may be exempt from court fees, which in ordinary group proceedings may reach PLN 100,000.

The President of UOKiK maintains the register of qualified entities. The Financial Ombudsman holds qualified entity status for financial market cases. In November 2025, the LexCultura Foundation became the first non-governmental organisation to be entered in the register, having satisfied the requirements of professionalism and independence; its authorisation covers sectors including e-commerce, tourism, real estate, recreational and cultural services, and education. Third-party funding is expressly permitted subject to conditions ensuring it does not prejudice consumer interests.

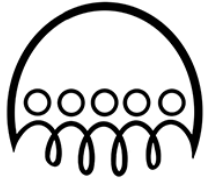
For official texts:

<https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20240001237> (Amending Act of 24 July 2024); <https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20100070044> (Act on Group Proceedings); <https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20070500331> (Act on Competition and Consumer Protection)

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