[PL] Regulation of Electronic Services

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On 18 July 2002 Sejm, the lower chamber of Polish Parliament, adopted the Act on the electronic providing of services. The Senate did not present any amendments to the Bill, so on 14 August 2002 it was passed to the President for signing.

The Act defines `electronic providing of service': it embraces services rendered via data processing systems without the simultaneous physical presence of the parties and at the individual request of the client. Such services may be offered solely via public data processing networks, like Internet.

Furthermore, the Act regulates the duties of service providers in regard to electronically providing services, contains the rules excluding liability of service providers and last but not least - rules for the protection of personal data of service recipients and sanctions for infringement, feature among the provisions of the Act.

Service providers are required to give basic information on their business activity via data processing system used by recipients. They should make available to the recipient access to current information on possible dangers connected with using such electronically provided service. It is compulsory to present to the client a document that sets out precisely the conditions under which a particular service is provided.

The provisions establish a ban on sending unsolicited commercial information to clients via electronic channels, especially by e-mail. Commercial information could be sent only in case of obtaining from an addressee his prior express consent to it.

The Act provides that it will enter into force after 6 months after the date of its publication. It is expected that new law will contribute to development of the electronic economy in Poland and to the enhancement of its value.

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Act on the electronic providing of services of 18 July 2002

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