

**POLAND**

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### Executive Summary

1. In 2002 quite a few new developments in respect of competition policy were brought about. They refer to legal, enforcement and organisational aspects.
2. In reference to legal developments, elaboration of the remaining implementing regulations to the act on competition and consumers' protection was carried out. Importantly, for the first time in the practice of the Office for Competition and Consumers' Protection guidelines for entrepreneurs on competition notions were drafted. Heavy burden of work was put on the State Aid Monitoring Department as a modernisation of the state aid act along with secondary legislation were drafted and adopted in the course of 2002. The Office employees were also involved in the inter-ministerial consultations on various draft sectoral laws.
3. As far as enforcement is concerned, the appreciable increase in the number of anticompetitive agreements being investigated by the OCCP occurred. That increase shows that one of the main objectives of the OCCP has been achieved. In respect of merger control, similarly to 2001, the number of cases reviewed by the Office case-handlers dropped. That tendency is mainly due to the doubling of the notification threshold in the new law of 2000 (from 25 mln to 50 mln EUR).
4. As for organisational changes, the modified structure of the enforcement departments was introduced by joining two out of three existing departments and creating a new Market Analyses Department. The Market Analyses Department will provide the enforcement departments and the branch offices with the in-depth economic analyses on the aspects examined in the course of the anticompetitive proceedings. It will also carry market monitoring activities. In addition, Legal Department has been strengthened and its tasks were broadened by comparative analyses of Polish and other competition laws, including EC law.
5. Furthermore, advisory Competition and Consumers' Protection Council to the President of the Office has been established, comprising of highly valued academics: lawyers and economists.

### I. Changes to competition laws and policies, proposed and adopted

#### 1. *Summary of new legal provisions of competition law and related legislation and government proposals for new legislation*

6. Polish competition law is regulated by the act of 15<sup>th</sup> December 2000 on competition and consumer protection<sup>1</sup>. It is enforceable as of 1<sup>st</sup> April 2001. The act gives grounds for elaboration of several implementing regulations of two kinds: those which adoption is obligatory and those which adoption is facultative. The latter category refers to the so called block exemption regulations.
7. Majority of secondary legislation was adopted still in 2001<sup>2</sup>. In 2002 the remaining two regulations were approved by the Council of Ministers:

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<sup>1</sup> The 2000 act replaced the act of 24<sup>th</sup> February 1990 on counteracting monopolistic practices and protection of consumers interests (with numerous modifications).

<sup>2</sup>

- Regulation of the Council of Ministers of 28.06.01 on the calculation of the turnover of entrepreneurs participating in the concentration;

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- regulation of the Council of Ministers of 3<sup>rd</sup> April 2002 on the mode of notifying the intention of concentration by entrepreneurs;
- regulation of the Prime Minister of 26<sup>th</sup> March 2002 on the territorial and material jurisdiction of the OCCP Delegations.

8. The 2002 also marked the enactment of a number of block exemption regulations:

- regulation of the Council of Ministers of 30th July 2002 on the exemption of certain categories of agreements concluded between entrepreneurs in connection with the performance of insurance activity from the prohibition on competition restrictive agreements;
- regulation of the Council of Ministers of 30th July 2002 on the exemption of certain categories of technology transfer agreements from the prohibition on competition restrictive agreements;
- regulation of the Council of Ministers of 13th August 2002 on exemption of certain categories of specialisation and research and development agreements from the prohibition on competition restrictive agreements;
- regulation of the Council of Ministers of 13th August 2002 on the exemption of certain categories of vertical agreements from the prohibition on competition restrictive agreements;
- regulation of the Council of Ministers of 28th January 2003 on the exemption of certain categories of agreements concluded between entrepreneurs operating in the motor vehicle sector from the prohibition on competition restrictive agreements (the regulation will enter into force as of 1<sup>st</sup> May 2004).

9. In 2002 the Office for Competition and Consumers' Protection went through the reorganization the objective of which was to better adjust to the changing economic situation and allow for more effective enforcement of competition law. The organisational changes were reflected in the regulation of the Prime Minister of 21<sup>st</sup> October 2002 amending the regulation on statute of the Office for Competition and Consumers' Protection.

10. On 27<sup>th</sup> July 2002 the new act on conditions for admissibility and supervising of state aid for entrepreneurs have been enacted. The discussed Act replaced the previous Law of 30<sup>th</sup> June 2000. The new Act brought the Polish state aid control policy fully in line with the requirements of *aquis communautaire*. The following secondary legislation to that act was adopted by the Council of Ministers:

- regulation of the Council of Ministers of 30th November 2002 on the admittance of state aid for training for the purposes of specified entrepreneurs;

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- Regulation of the Council of Ministers of 18.09.01 concerning the detailed mode and procedure of inspection of undertakings and association of undertakings in the case of proceedings before the President of the OCCP;
  - Regulation of the Prime Minister of 05.05.01 on the administrative fees to be paid when filing the motion to institute the proceedings;
  - Regulation of the Prime Minister of 29.06.01 on the mode and procedure for organizing contest to select the President of the Office for Competition and Consumers Protection.

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- regulation of the Council of Ministers of 10th December 2002 on the matter of admitting state aid to be assigned for environmental protection;
- regulation of the Council of Ministers of 10th December 2002 on the detailed scope of information submitted to the supervisory authority in order to issue an opinion on the planned state aid;
- regulation of the Council of Ministers of 12th November 2002 on the matter of admitting the non-adherence to the requirements on consultation of horizontal aid for entrepreneurs;
- regulation of the Council of Ministers of 12th November 2002 on the matter of the detailed criteria for awarding state aid to certain types of benefits to the favour of the entrepreneur;
- regulation of the Council of Ministers of 12th November 2002 on the matter of the specimen information form on state aid obtained by the entrepreneur;
- regulation of the Council of Ministers of 12<sup>th</sup> November 2002 on the matter of information and reports of state-owned enterprises taking advantage of state aid;
- regulation of the Council of Ministers of 12th November 2002 on the matter of reports allowing for the supervision of state aid for entrepreneurs;
- regulation of the Council of Ministers of 15th October 2002 on the admissibility of ad hoc aid and restructuring aid;
- regulation of the Council of Ministers of 15th October 2002 on the detailed method of calculating the amount of state aid granted in different forms;
- regulation of the Council of Ministers of 15th October 2002 on the admissibility of state aid in the coal mining sector;
- regulation of the Council of Ministers of 15th October 2002 on the admissibility of state aid in synthetic fibre sector;
- regulation of the Council of Ministers of 15th October 2002 on the admissibility of state aid in the maritime transport sector;
- regulation of the Council of Ministers of 15th October 2002 on the admissibility of state aid in the motor sector;
- regulation of the Council of Ministers of 15th October 2002 on the admissibility of state aid for research and development;
- regulation of the Council of Ministers of 15th October 2002 on the admissibility of regional aid for entrepreneurs;
- regulation of the Council of Ministers of 15th October 2002 on the admissibility of state aid in the shipbuilding sector;
- regulation of the Council of Ministers of 15th October 2002 on the admissibility of state **aid in the steel sector.**

## 2. Other relevant measures, including new guidelines

11. In 2002 the OCCP's Legal Department, in co-operation with recognised legal firms, elaborated initial drafts of four guidelines for the entrepreneurs:

- guidelines of the OCCP's President on identifying the relevant market;
- guidelines of the OCCP's President on agreements of minor importance;
- guidelines of the OCCP's President on the requirements to be fulfilled by the entrepreneurs notifying the intended merger;
- guidelines of the OCCP's President on the merger control procedure.

12. The possibility of issuing the guidelines for entrepreneurs explaining most complex notions of the Polish competition law was introduced by the 2000 act on competition and consumers' protection (Art. 27.3), giving the Office's President very useful tool to conduct advocacy policy.

13. The drafts are currently being consulted with relevant OCCP's departments and branch offices in order to complete the works on the texts. After their approval by the President of the OCCP, the guidelines will be published in the Official Journal of the Office for Competition and Consumers' Protection and on the Office's web site.

14. Further discussion on additional guidelines to be issued by the Office's President is to be carried in parallel with the works on the existing drafts.

15. It is also worth mentioning that the Legal Department on a daily bases provided explanations to the queries of the enterprises concerning the interpretation of the competition law provisions. Most of the queries concerned provisions on the obligation to notify the intention of merger, and in particular whether enterprises forming one capital group should notify the OCCP when intending to merge within that group.

## II. Enforcement of competition laws and policies

### 1. *Action against anticompetitive practices, including agreements and abuses of dominant position.*

#### a. *Summary of activities of:*

Office for Competition and Consumers' Protection

16. In 2002 the President of the Office for Competition and Consumers' Protection has issued 393 decisions in cases concerning anticompetitive practices.

17. 40 proceedings dealt with anticompetitive agreements:

a) 29 decisions have been issued in regard of horizontal agreements:

- in case of 15 proceedings the request to ascertain the existence of anticompetitive practice has been denied due to the results of preliminary investigation which did not give grounds to institute the formal proceedings;

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- 13 decisions have been issued, finding the concerned practice to be in breach of Polish competition law;
- in 1 case the existence of anticompetitive practice has not been confirmed in due process of investigation.

b) 11 decisions have been issued in regard of vertical agreements:

- in case of 5 proceedings the request to ascertain the existence of anticompetitive practice has been denied due to the results of preliminary investigation which did not give grounds to institute the formal proceedings;
- 6 decisions have been issued, finding the concerned practice to be in breach of Polish competition law;
- there were no decisions issued, were the existence of anticompetitive practice would not be proved upon the completion of the investigation.

18. 353 decisions concerned abuse of dominant position:

- in case of 271 proceedings the request to ascertain the existence of anticompetitive practice has been denied due to the results of preliminary investigation which did not give grounds to institute the formal proceedings;
- 82 decisions have been issued, finding the concerned practice to be in breach of Polish competition law.

19. Additionally, it is worth to mention, that in 2002 the OCCP has launched 619 investigations which as for now have not been completed.

Court for Competition and Consumers' Protection<sup>3</sup>

20. In 2002 the Court issued total of 175 judgments in regard of the Office's decisions:

- 153 decisions of the OCCP's President have been sustained;
- 22 decisions of the OCCP's President have been overruled.

Supreme Court

21. In 2002 the Supreme Court issued total of 17 judgments in respect of the competition cases:

- 15 judgments of the Court for Competition and Consumers' Protection have been sustained;
- 2 judgments of the Court for Competition and Consumers' Protection have been overruled.

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<sup>3</sup> The Court for Competition and Consumers' Protection hears the appeals from the decisions of the President of the OCCP as well as those issued by the sectoral regulators.

22. For the purpose of the above lists numbers regarding rulings based on both substantial as well as formal reasons have been combined under the criterion of legal effect.

***b. Description of significant cases***

*Gas Distribution Sector*

23. One of the most significant cases heard by the President of the OCCP in the 2002 occurred in the gas distribution sector.

24. On April 3<sup>rd</sup> 2001 the complaint has been filled by the Bartimpex S.A. against the Polish Oil and Gas Mining Company (form hereinafter referred to as PGNiG). The case has been opened by the President of the Office on the grounds of suspected abuse of dominant position by the PGNiG.

25. Bartimpex S.A. is one of the major Polish gas traders. Recently, Bartimpex S.A. together with German Ruhrgas Energie Beteiligungs-AG (from hereinafter referred to as Ruhrgas) and PGNiG S.A. elaborated a plan for building a pipeline linking (through the Polish territory) the western European and Russian gas distribution systems.

26. All three firms signed a letter of intent paving the way for the beginning of works on the mentioned investment.

27. It ought to be mentioned that PGNiG S.A. as a Polish gas supplier and trader with a dominant position on the respective markets, played a vital role in this cooperation scheme as it agreed to send the bulk of its gas exports via the new pipeline.

28. However, not long after signing the discussed letter of intent PGNiG S.A. changed its mind and decided to withdraw from the agreement. Lack of PGNiG's participation rendered the whole agreement economically ineffective. Hence, it was abandoned by the other participants.

29. In its complaint Bartimpex S.A. stated that PGNiG's decision clearly breached the Polish Energy Law where Third Party Access clause is embedded, imposing on the PGNiG an obligation to provide other market players with a necessary means for entering and effectively operating on the markets, on which PGNiG S.A. holds a dominant position.

30. In the course of investigation the charges pressed by the Bartimpex have been fully confirmed. On 24<sup>th</sup> December 2002, the President of the OCCP issued cease and desist order for the discussed practice, which has been accompanied by the penalty of 105.657 PLN (EUR 24.598<sup>4</sup>).

*Advertisement Sector*

31. The case against four Billboard Advertising Companies has been initiated *ex officio* upon the information issued during the press conference held by the companies concerned. During the conference the firms announced launching of the joint initiative with an objective to cut the supply of the billboards by 20% by the end of 2002. This was meant to adjust the supply to the weak demand. In addition, the participants of the agreement have set the minimum billboard renting price at 130\$.

<sup>4</sup>

EUR rate published by National Bank of Poland on 07.05.2003: 1 EUR = 4.2953 PLN.

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32. The OCCP's investigation was launched in May 2002, in July the premises of two companies have been dawn raided.

33. As a result a written and signed cooperation agreement has been found confirming the earlier press information. In response the firms stipulated that the agreement found was of no binding nature and was only meant to serve as description of developments on the market, and a source of information for their clientele on the steps undertaken in order to enrich the offer.

34. Further on, they claimed, all of the actions fulfilling the agreement, taken by the firms after signing the contract, have been taken on individual bases.

35. As regards suspected price agreement, the firms argued that all firms operating on that market encountered the similar level of costs and that the information on prices on that market was easily accessible.

36. In his final decision of 22<sup>nd</sup> October 2002, The President of the OCCP found the mentioned agreement to be infringing the Polish competition law. The decision called the parties to terminate their activities and imposed on them fines ranging from PLN 21.000 to PLN 170.000 (respectively EUR 5.000 and EUR 40.000).

### *Legal Services Sector*

37. The case against the Polish National Notary Council (PNNC) has been initiated *ex officio*. The PNNC has been charged with conduct of anticompetitive practices.

38. The subject of the charges brought was the amendment to the PNNC Code of Ethics which considered attracting the consumers with lower prices as a form of unfair competition. Under the Polish law notary has a right to charge the fees for his or her services which might not exceed the upper ceilings set by the Ministry of Justice. In practice the discussed amendment prohibited charging fees bellow that ceiling.

39. In response to the charges of the OCCP, PNNC issued a statement saying that the sole reason behind the amendment was to restrain unfair advertisement. On 20<sup>th</sup> May 2002 the OCCP's President imposed on the PNNC fine of 36.000 PLN (EUR 8381).

40. The PNNC has appealed from the OCCP's decision to the Competition and Consumers Protection Court. As for now, the court has not reached the verdict.

### *Architect Services Sector*

41. This case is quite similar to that brought up against the Polish National Notary Council (described above), and it has been initiated *ex-officio* by the President of the OCCP. In January 2002 the National Architects Association (NAA) launched a convention devoted to drafting of the new statute of the Association. One of the goals enshrined in the new statue was drafting of the list containing the minimum prices for the services of the architects associated in the NAA (that is all Polish architects, as membership in the NAA is mandatory). In replay to the charges brought, the NAA stated that the discussed list is not binding to its members and it shall serve only as guidelines. It stated that the discussed document was only a temporary solution (even though it had to be followed by the regional branches of the NAA) put in place only until the final version of the list was to be completed by the NAA. Regardless of that, the OCCP initiated the investigation.

42. On 15<sup>th</sup> November 2002, upon the completion of the investigation the President of the Office issued a cease and desist order which has been obeyed by the NAA.

## 2. *Mergers and acquisitions*

a. *Statistics on number, size and type of mergers notified and /or controlled under competition laws;*

43. In 2002 the President of the OCCP issued total of 169 decisions concerning mergers and acquisitions:

- 168 approvals;
- 1 conditional approval;
- no mergers were prohibited.

b. *Summary of significant cases;*

44. In 2002 the most significant mergers occurred in the electricity and media publishing sectors.

### Electricity Sector

45. One of the biggest cases carried out by the Office in 2002 concerned the stock acquisition which has been notified to the OCCP. The German electricity distributor RWE Plus AG expressed an interest in acquiring 85% of shares of the Warsaw energy distributor STOEN. After analysis of the case carried out during the investigation, the President of the OCCP issued a decision declaring that the merger would not have a negative effect on the Warsaw energy market. STOEN already possessed 99,99% share of the Warsaw energy market, due to the fact that it is a natural monopoly. Therefore shift of ownership would not affect the electricity distribution and no strengthening of dominant position would occur.

46. Another important decision of the OCCP's President regarding the electricity sector dealt with planned merger of five electricity producers. During the investigation leading to issuance of the final decision, it was found that the planned concentration would not affect the relevant markets of the entities willing to merge. Due to the specific sector all five producers are operating in, they already possessed dominant positions on their markets (they are natural monopolies). Therefore, the proposed concentration would affect only the ownership structures.

47. During the investigation it was discovered that concentration of ownership was in fact a positive solution. This was due to the fact that even despite their dominant position, all merger parties are relatively small, in comparison with the energy producers operating on the EU internal market. This comparison was necessary in regard of Poland's accession to the EU and opening of the Polish markets (energy production market included). Therefore, the ownership concentration was deemed positive as it would give all five producers much better bargaining power when they will have to operate within EU internal market.

48. Hence, upon the closure of the investigation the President of the OCCP approved this merger as well.

### Media Publishing Sector

49. The case concerned an acquisition of Polish magazine publisher Proszynski – Czasopisma by Polish daily newspapers publisher Agora S.A. It ought to be mentioned that the discussed acquisition

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concerned only some of the Proszynski – Czasopisma assets. The acquisition would result in obtaining by the Agora S.A publishing rights to 23 magazines, holding in most cases an established position on their respective markets.

50. The case has been notified to the OCCP and it has been put under scrutiny. In due process of investigation it has been concluded that both merging parties operate on different relevant markets, as Proszynski-Czasopisma is a magazine publisher and Agora S.A operates on the daily newspapers' market. This means that the products both firms are offering are addressed to the different audiences. Furthermore their advertising markets also differ. Hence, the proposed acquisition would not result in reinforcing the market position of Agora S.A., as well as it would not substantially lessen competition on the relevant market of Proszynski – Czasopisma. In light of the above findings the President of the Office issued a decision approving the above acquisition.

### III. The role of competition authorities in the formulation and implementation of other policies

51. The procedural mechanisms for drafting legal acts by the Polish governmental institutions provide for an obligation to consult all drafts with any other governmental agency which areas of activities might be affected by the would-be-law.

52. During 2002 staff members of the OCCP participated in all meetings of Lower-House Parliamentary Committee on Competition and Consumer Protection. They also took part in the meetings of other parliamentary committees where various policies and strategies in which competition is of prime concern were discussed and formulated. Those were:

- Lower-House Parliamentary Committee on Economy;
- Lower-House Parliamentary Committee on Posts and Telecommunications;
- Lower-House Parliamentary Committee on Public Finances;
- Upper-House Parliamentary Committee on Economy;
- Upper-House Parliamentary Committee on Agriculture and Rural Development;
- Sub Commission of the Lower-House Parliamentary Committee on SME's.

53. The OCCP provided its comments to a large number of drafts of legal acts and in particular to draft acts on:

- radio and TV broadcasting;
- telecommunications;
- bankruptcy proceedings;
- cinematography.

54. As a way of illustration, in reference to the draft on new radio and TV broadcasting act, OCCP expressed its doubts in regard of the licensing procedure embedded in the draft. The discussed mechanism provided for automatic refusal of granting the license to any applicant broadcasting already at least one programme on the national level. The reason behind such a provision was not to allow the possibility of acquiring by the applicant the dominant position. The only assumption that could be drawn from such provision was that every broadcaster holding more than one license, *per se* possess a dominant position. Regulation imposing such definition of the dominant position is contradictory the definition established by the virtue of the Polish competition law. Hence the draft has received a negative OCCP's opinion on that matter.

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55. Another comment given by the Office's President was an objection to the certain provision of the draft of the new bankruptcy law. The article in question dealt with amicable agreements on liability-to-shares transfer to be settled between the company filing for bankruptcy and its creditors. Whenever such compromise has been reached, the discussed provision required it to be assessed and approved by bankruptcy court against the possibility of not fulfilling by the debtors the terms of such agreement. The President of the Office raised its objections on the grounds that such agreements ought to be consulted with the OCCP as they may lead to raising the concentration levels in the economy (Art. 12.3 of the 2000 Act).

56. The OCCP is giving opinions to numerous less significant governmental and parliamentary documents. The total number of documents reviewed by the OCCP in 2002 was 2210. When making its comments the OCCP puts emphases on consistency of the documents with the competition law, including law on state aid, as well as issues relating to protection of consumers.

57. By virtue of the Act of 27<sup>th</sup> July 2002, on conditions for admissibility and supervising of state aid for entrepreneurs the OCCP is responsible for supervision of granting the state aid. As the enforcer of the discussed policy the Office carries out the following duties:

- cooperation with other governmental agencies on drafting new legislation, whenever it has state aid control policy in its scope;
- elaboration of yearly report on the enforcement of the discussed policy in Poland;
- maintaining the national registry of state aid grants;
- assessment of state aid effectiveness;
- assessment of the state aid influence on the national economy.

58. In 2002 the OCCP issued 1002 approvals and 25 prohibitions to the state aid grants. In addition, the Office actively participated in establishment of the national state aid monitoring system (among others the state aid database has been set up).

59. The OCCP was also giving its opinions to Ministry of Economy concerning motions of Polish enterprises which related to excessive importation of various goods to the Polish customs territory and to importation of goods at dumping prices.

60. The Office has also taken part in the works of Governmental Working Group on Electricity Sector and Gas Trading. In 2002 the President of the Office has held a seat in the Telecommunication Council as well as Postal Services Council

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### IV. Resources of competition authorities

#### 1. Resources overall

##### a. Annual budget (figures in 000's)

	1999		2000		2001		2002	
	PLN	EUR*	PLN	EUR*	PLN	EUR	PLN	EUR*
<b>Part 37</b>								
<b>Office for Competition and Consumer Protection</b>	14.709	3.424	17.810	4.146	21.212	4.938	22.278	5.187
<b>Section 61</b>								
<b>Domestic trade</b>	5.212	1.213	6.153	1.432	8.199	1.909	9.085	2.115
<b>Chapter 6182</b>								
<b>Chief Inspectorate of Trade Inspection</b>	2.947	686	3.951	920	5.554	1.293	7.185	1.673
<b>Chapter 6595</b>								
<b>Allocation for NGO's</b>	2.265	527	2.232	520	2.645	616	1.900	442
<b>Section 91</b>								
<b>State administration</b>	9.497	2.211	11.657	2.714	13.013	3.030	13.193	3.071

\* EUR rate published by National Bank of Poland on 07.05.2003: 1 EUR = 4.2953 PLN

##### a. Number of OCCP employees

	31 Dec. 2001		31 Dec. 2002	
	Absolute Val.	Percentage Val.	Absolute Val.	Percentage Val.
<b>Total</b>	220	100,00%	237	100,00%
<b>Economists</b>	94	42,73%	64	27,00%
<b>Lawyers</b>	65	29,55%	119	50,21%
<b>Other Professions</b>	61	27,73%	54	22,78%

### V. Summaries of or references to new reports and studies on competition policy issues

61. In 2002 the significant part of the research activities carried by the OCCP addressed the telecommunications sector. In regard of that sector two major projects have been accomplished.

62. First of the discussed projects took a form of a CD-ROM database published by the OCCP. The discussed item contains all decisions of the Office's President issued between the years 1991 - 2002 regarding the telecommunication sector. For each decision listed in the database a brief summary has been also added. The discussed CD-ROM was distributed among all OCCP departments and its nine regional offices.

63. Secondly, the OCCP prepared a complex report on Polish telecommunication sector in light of the OCCP competition policy enforcement. The discussed report contains an analysis of the most common as well as most egregious anticompetitive practices which have so far occurred in the discussed sector and

were subject to the OCCP's investigation. The report contains also estimations for the future trends in regard of the above subject. The telecoms report has been translated to English, and published in both hardcopy and electronic form (it is available for download on the OCCP website - [www.uokik.gov.pl](http://www.uokik.gov.pl)).

64. Besides items listed above, following reports have been elaborated for internal use i.e.:

- "Report on Anticompetitive Agreements and Abuse of Dominant Position in Light of the Jurisprudence of the OCCP, Court for Competition and Consumers' Protection and Supreme Court";
- "Report on Concentration on the Polish Markets in Light of the OCCP's Jurisprudence";
- "Assessment of the State of Competition in Various Sectors of the Polish Economy";
- "Report on Applying Competition in the Regulated Sectors";
- "Report on impact of the state aid on the competition in Poland";

65. During the previous year Office carried out also various advocacy activities aimed at the general public. The OCCP published a set of brochures promoting both the Office and Polish competition policy, which were addressed to the general public.

66. Those were:

- brochure depicting OCCP and the role it plays in the enforcement of the Polish competition policy;
- booklet containing the Polish Act on Competition and Consumer Protection;
- booklet containing the Polish Act on Conditions for Admissibility and Supervising state aid for Entrepreneurs;
- booklet on anticompetitive practices;
- booklet on preventive merger control;
- booklet covering rules for granting the state aid to the entrepreneurs;
- booklet covering rules for receiving state aid by the entrepreneurs.

67. All of the positions listed above were made available to the public in hardcopy in both Polish and English language. The OCCP provided also for publishing of numerous inputs into the national press, covering the policies falling within the scope of its competences.

68. The brochure titled "*Competition Policy in Europe and the Citizen*" has also been published under the aegis of the European Commission.

69. There were also drafted two major working papers containing the legal analysis of the Polish competition Policy in the broader context EC jurisprudence, i.e.:

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- working paper on the abuse of dominant position in the context of the EC competition law and jurisprudence;
- working paper on the mergers in financial sector in the context of EC competition law and jurisprudence;

70. The above positions are yet to be approved by the President of the OCCP.

71. In regard of the state aid control policy, the OCCP personnel elaborated a report on the state aid granted to the entrepreneurs in 2000.

72. Finally, by the end of the 2002, a set containing blueprints for the documents most commonly used has been prepared and disseminated within the Office and its regional branches.