

ADR scheme	
EU/EEA member state	POLAND
Name in original language	Rzecznik Ubezpieczonych
Name in English	Insurance Ombudsman
Contact details for consumers	
Address	Aleje Jerozolimskie 44, PL-00-024 Warsaw
Phone number	+48 22 3337326 / 3337327
Fax number	+48 22 3337329
E-mail address	biuro@rzu.gov.pl
Website address	www.rzu.gov.pl
How the ADR scheme works	
Type of ADR scheme	<input checked="" type="checkbox"/> public <input checked="" type="checkbox"/> established by law <input type="checkbox"/> private <input type="checkbox"/> voluntary
Limits	No value limit of claims submitted to the Insurance Ombudsman. Minimum value of claims for the Arbitration Court is PLZ 1 000 (appr. EUR 235).
Are there prior formalities to be complied with?	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no No prior formalities to file a complaint with the Insurance Ombudsman. Formal requirements apply when submitting a claim to the Arbitration Court.
Does the consumer have to pay a fee?	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no
If the consumer has to pay a fee, how much is it (in euro)?	A fee of EUR 3.50 is required only when filing a motion to the Arbitration Court.
Does the ADR scheme answer enquiries about its work?	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no
Does the ADR scheme try to help the parties reach a negotiated settlement?	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no
Does the ADR scheme issue a decision upholding or rejecting the complaint?	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no
If the ADR scheme issues a decision, what is its effect?	<input checked="" type="checkbox"/> recommendation, not binding on either party <input type="checkbox"/> binding on the financial institution but not the consumer <input type="checkbox"/> binding on both the financial institution and the consumer Only a decision of the Arbitration Court is binding on both parties (insurer and consumer).
Any necessary explanation about the decision	
Average time for ADR scheme to resolve a complaint	3–6 months
Language(s) in which the ADR scheme operates	
Language(s) in which a complaint can be made	Polish, English, French
Language(s) in which any decision can be issued	Polish
Observations	
Any additional useful information not already covered by the other sections of this form	The Polish Insurance Ombudsman provides two ways of dispute resolution: 1. An obligatory complaint procedure – Claimant may file his/her complaint to the Insurance Ombudsman whenever he/she feels unsatisfied with the decision of an insurer. When the Insurance Ombudsman receives a complaint, the complaint is analyzed by an expert of the Insurance Ombudsman Office. If an expert finds the complaint reasonable, a letter is sent to the insurance company asking to provide its position. Insurer is obliged, according to the provisions of law, to respond within 30 days. If

	<p>the position of an insurer is unjustified or illegal, expert continues the procedure and states the laws and regulations that should be enforced and also the recommended actions that should be undertaken by the insurer. <u>Insurer is not obliged to comply with the recommendation of the Insurance Ombudsman.</u> If the insurer does not comply with the recommendation, a legal opinion is sent to the complainant that may be an evidence in a court proceeding (traditional court). There are no measures that encourage the insurer to comply with recommendation of the Insurance Ombudsman;</p> <p>2. A voluntary dispute resolution procedure – Complainant may file a motion of dispute resolution by the Arbitration Court. For the proceeding to start, insurer must agree to resolve a dispute by this court. There are no legal grounds that oblige insurers to participate in such a procedure. If both sides (complainant and insurer) agree to submit the dispute to the Arbitration Court, a procedure is started, that ends with a judicial decision that is binding for both parties. Party may appeal from the decision to a traditional court.</p> <p>All specific information about Insurance Ombudsman and Arbitration Court can be found at www.rzu.gov.pl.</p>
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