



Summary of legislation works connected with Sunday Ban on Trade Act (hereinafter as “Act”)

- Act, proposing step-by-step Sunday ban on trade, starting from 1st march 2018, **is now again proceeded by Sejm** (lower chamber of Polish Parliament) **after Senat** (upper chamber of Polish Parliament) **legislation works.**
- **Senat works results is set of amendments** to version of Act approved by Sejm, **which amendments could be now accepted or rejected by Sejm.**
- Below table indicates **most important amendments proposed by Senat to the part of Act connected with exclusions** from Sunday ban on trade.

Version accepted by Sejm	Senat amendments
<u>Sunday ban on trade is not binding in:</u>	
„flower shop;”	„in retail outlet, where <u>main business activity is connected with flowers sales;</u> ”
„in retail outlet, where sales is conducted only personally by natural person being entrepreneur;”	„in retail outlet, where sales is conducted only personally by natural person being entrepreneur, <u>on its own behalf and account;</u> ”
„bakery, pastry shop, ice-cream shop;”	“bakery, pastry shop, ice-cream shop, <u>where main business activity is connected with sales on bakery or pastry products;</u> ”
no provisions	„in retail outlet, where main business activity is gastronomy;”

- Moreover Senat amendments are aimed on clarification of constituent elements of the offences defined in article 13 of Act and widen above exclusions also on objects connected with fish sales and productions.
- Next step of legislation works is to approve or reject, by Sejm, amendments proposed by Senat, which could happen:
 - on the Sejm plenary session planned 9th/10th January 2018;
 - before this session also Sejm Commission on Social Issues and Family will meet and present recommendations on Senat amendments;
 - Commission recommendations should be delivered, according to provisional agenda, to Members of Sejm in the date of 10th January 2018;



- taking above into consideration – it is probable that **final parliamentary voting on this Act, together with accepting or rejecting Senat amendments, will be in the date of 10th January 2018.**
- After above voting – Act will be delivered to the President of Poland **for final signature.**
- **President, in the term of 21 days, is entitled to:** or (i) **signing the Act;** or (ii) prior to signing the Act, **to apply to the Constitutional Tribunal for examining its compliance with the Constitution;** or (iii) **refuses to sign the Act** and applies to the Sejm for the reconsideration of the act (so called “Veto”).
- In case President will sign the Act, taking into consideration all above terms, **Act will be probably published in the end of January / beginning of February 2018 so less than month before entering into force (indicated in the Act as 1st March 2018).**