

Full title of law or regulation	Rada Reklamy Code of Ethics in Advertising https://radareklamy.pl/en/code-of-ethics-in-advertising/
Title of section	Chapters I and II. General Provisions and Definitions
Article 1 Scope	<ol style="list-style-type: none"> 1. This Code of Ethics in Advertising, hereinafter referred to as 'The Code', constitutes a set of principles that should be obeyed by entrepreneurs, including especially advertisers and other legal and natural persons, as well as organisational units without legal personality conducting advertising activities in the territory of the Republic of Poland 2. The source of standards contained in the Code of Ethics are generally accepted principles of ethics and good market practices, in particular standards of business ethics and ethical standards in marketing communications recommended by the European Advertising Standards Alliance (EASA) 3. The Code does not constitute a set of standards replacing the compulsory legal regulations but only contains a set of principles imposing on the entities governed by the Code additional limitations irrespectively of the legal regulations in force.
Article 2 General	<ol style="list-style-type: none"> 1. The activities to which the provisions of the Code apply shall be performed with due diligence, in accordance with the prevailing standards of decency, with a due sense of social responsibility, and should conform to the principles of fair competition 2. The parties to agreements applying to advertising can construct their mutual legal relations at their own discretion, provided that such relations are consistent with the Code
Article 3 Definitions	<p>The terms used in the Code shall have the following meanings:</p> <ol style="list-style-type: none"> a) Advertisement – the message containing in particular information or a statement, especially made for a fee or remunerated otherwise, accompanying anybody's activity which aims to increase the sale of products, to obtain another form of using the products, or to obtain another effect, desired by the advertiser. Advertisement shall also include sales promotion, offers intended to the recipients in the form of direct marketing, or sponsorship. <p>For the avoidance of doubt, advertising within the meaning of Code is not:</p> <ol style="list-style-type: none"> 1) a message aimed at promotion of socially desirable behaviours if it is not connected at the same time with promotion of the advertiser, the advertiser's business or product, or products at the advertiser's disposal; 2) a message constituting an element of the electoral or referendum campaign, including the message with the content propagating the specific behaviours of the recipients during the elections or the referendum; 3) a message, also of public nature, originating from an entity (e.g. a company, a foundation), required by the legal regulations in force or directed to such entity's authorities, shareholders, or potential shareholders, in particular to the extent encompassing the factual, legal, and financial condition, and also to the extent of information concerning shares and other securities, deposit certificates, legitimisation signs or other participation units with respect to: (i) such an entity, (ii) entities directly or indirectly affiliated with such entity. <p>The above rules shall be used at interpretation of the provisions of the Code, including those which regulate the rules of sales promotion, direct marketing, sponsorship, and with respect to relations with the recipients and beneficiaries;</p> <ol style="list-style-type: none"> b) Comparative advertisement or advertising of comparative nature – the advertisement which makes it possible to identify the competitor or competitor's products or products at the competitor's disposal in order to promote a different entity or its products or products at such entity's disposal; c) Sponsorship – a type of advertisement created as a result of an agreement by which a

sponsor, for the mutual benefit of the sponsor and sponsored party, contractually provides any support or co-support in order to establish a positive association between the sponsor's image, the sponsor's brands or other markings identifying the sponsor and the sponsor's products and the sponsored event, activity, product or specific entity; within the meaning of the Code, sponsorship is not media patronage if it is limited exclusively to information on the specific event;

- d) Product – the object of advertising, including sales promotion, sponsorship or direct marketing, including but not limited to the effect of creative, commercial, or service providing activities;
 - e) Recipient – the party which can get to know the advertisement;
 - f) Beneficiary – the recipient to whom the given advertisement is addressed and who is the potential purchaser of the product or the recipient who has purchased the product after he has got to know the advertisement;
 - g) Advertiser – the entity which – especially for a fee or for remuneration paid otherwise – has ordered an advertisement for execution, and the advertising message concerns such entity or such entity's business or product, or products at such entity's disposal;
 - h) Promoter - the entity which in its own name or acting in the advertiser's name organises the conduct of advertising, including but not limited to: the advertising campaign, sales promotion, sponsorship or campaign with the use of direct marketing. For the avoidance of doubt, if the promoter acts in its own name, it is at the same time the advertiser within the meaning of the Code;
 - i) Operator – the entity participating in the process of distribution or sale of products between the advertiser and the beneficiary;
 - j) Media – entities which provide – for a fee or free of charge – the advertising distribution service by any technology of distribution in particular: publication, broadcasting using audio or video, exposure or using direct marketing methods;
 - k) Special call – telephone/fax call or sending a text/multimedia message the cost of which is different than arising from the normal telephone tariff in force for typical calls;
 - l) Preference list – the list of consumers who have registered their wish not to receive unsolicited marketing messages (e.g. so-called "Robinson List");
 - m) Children – persons who are aged less than 13 years, and thus are not competent to perform legal acts;
 - n) Young people – persons who are at least 13 years of age but not older than 18 years of age;
 - o) Data – results of studies, sales results, and all other statistical data used in the advertisement;
 - p) Union of Associations Advertising Council (Advertising Council) – the union of associations within the meaning of Associations Law registered in Warsaw.
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