SmartSuite

Framework / Privacy / Global Privacy Regulations

Poland Personal Data Protection Act – Act of 10 May 2018 (Dz.U. 2018 poz. 1000)

Poland's Act of 10 May 2018 applies the GDPR in Poland: the Prezes UODO, IOD notification, certification, single-instance proceedings, 30-day controls and public-sector fine caps.



What it is

Poland's Personal Data Protection Act of 10 May 2018 (Ustawa z dnia 10 maja 2018 r. o ochronie danych osobowych, Dz.U. 2018 poz. 1000) is the national act that makes the EU General Data Protection Regulation (Regulation 2016/679) operable in Poland: Art. 1 states that it applies to the protection of natural persons within the GDPR's material and territorial scope and that it regulates who must appoint an inspektor ochrony danych (IOD), accreditation and certification, codes of conduct, the competent authority, proceedings, control, civil liability and penalties. The Sejm passed it on May 10, 2018; it was promulgated in the Dziennik Ustaw on May 24, 2018 and entered into force on May 25, 2018 (Art. 176), the day the GDPR began to apply. It repealed the Act of 29 August 1997 (Art. 175) and replaced the Generalny Inspektor Ochrony Danych Osobowych (GIODO) with the Prezes Urzędu Ochrony Danych Osobowych, Prezes UODO (Arts. 34 and 160).

At a glance

PUBLISHER Sejm of the Republic of Poland (Dz.U. 2018 poz. 1000); supervised by the Urząd Ochrony Danych Osobowych (UODO)	TYPE Regulation	VERSION Act of 10 May 2018 (Dz.U. 2018 poz. 1000); consolidated text Dz.U. 2019 poz. 1781, amended through 2026 (Dz.U. 2026 poz. 252, 548, 1003)
EFFECTIVE May 25, 2018 (Art. 176)	DOMAIN Privacy	FAMILY Global Privacy Regulations
REGION Poland	ADOPTION MODEL Regulatory Compliance	IMPLEMENTATION COMPLEXITY Medium

Source: eli.gov.pl/eli/DU/2018/1000/ogl

Why it matters

- **One named authority** The Prezes Urzędu Ochrony Danych Osobowych is the competent authority and the supervisory authority for the GDPR, Directive 2016/680 and the Europol Regulation (Art. 34), appointed by the Sejm with the Senate's consent and subject only to the Act (Art. 34.3 and 34.5).
- **A defined IOD notice** Controllers and processors that must appoint an IOD under GDPR Art. 37 notify the Prezes Urzędu within 14 days, electronically with a qualified signature or trusted profile, and publish the IOD's details (Arts. 8, 10 and 11).
- **Proceedings in one instance** Proceedings before the Prezes Urzędu are single-instance (Art. 7.2); the route against a decision is a complaint to the administrative court, which suspends the fine (Art. 74).
- **Bounded inspections** A control runs for no more than 30 days from presentation of the authorization (Art. 89), with entry between 6:00 and 22:00, access to documents and systems and the right to take explanations (Art. 84).

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How SmartSuite supports Polish DPA (UODO)

IOD Designation Record

Record the inspektor ochrony danych, the substitute under Art. 11a, the 14-day electronic notice to the Prezes Urzędu with its REGON and contact details (Art. 10) and the publication required by Art. 11.

Obligation Register, GDPR and Act

Keep the GDPR articles and the Act's own duties as separate obligations with owners, so the public-task limits in Arts. 3 to 5a and the Art. 2 exemptions are decided and documented per processing activity.

Control Readiness File

Hold the records, policies and system descriptions an inspector may demand under Art. 84, the control plan correspondence and the protocol and objections, within the 30-day window of Art. 89.

Proceedings and Decision Log

Track each proceeding before the Prezes Urzędu from notice to decision, any Art. 70 restriction, the administrative-court complaint and the Art. 105 payment or installment schedule.

Certification and Code Evidence

Store applications, certificates and monitoring-body reports for certification under Arts. 15 to 26 and approved codes of conduct under Arts. 27 to 33, with validity periods and renewal dates.

Public-Entity Fine Exposure

For public finance units, research institutes and the National Bank of Poland, record the Art. 102 caps and the Art. 73.2 duty to publish the actions taken after a final decision.

Common framework mappings

APEC PF | Convention 108+ | GDPR | ISO 27001:2022 | ISO 27701 | NIST Privacy Framework v1.0 | OECD Privacy Guidelines

Official resources

Poland Personal Data Protection Act — Act of 10 May 2018

Official document outlining Poland's data protection regulations in alignment with GDPR.

uodo.gov.pl/pl/128/1192

Guidance on the Application of the Personal Data Protection Law

Provides implementation guidance and clarifications on applying Poland's data protection laws.

uodo.gov.pl/pl/p/akty-prawne

FAQ about Personal Data Protection

Describes common issues and queries regarding Poland's data protection legislation.

uodo.gov.pl/pl/138/2247

Supervisory Authority's Decisions and Opinions

Outlines decisions and expert opinions provided by Poland's data protection authority.

uodo.gov.pl/pl/383/1058

Frequently asked questions

Does the Act of 10 May 2018 replace the GDPR in Poland?

No. Art. 1.1 applies the Act to the protection of natural persons within the scope of Arts. 2 and 3 of the GDPR, and Art. 1.2 limits its content to the IOD, accreditation and certification, codes of conduct, the competent authority, proceedings, cooperation, control, civil liability and penalties. The GDPR's principles, lawful bases, data subject rights and breach notification apply directly; the Act provides the Polish authority, procedure and sanctions around them.

Who must appoint an inspektor ochrony danych and how is the Prezes UODO notified?

Art. 8 applies the cases in GDPR Art. 37, and Art. 9 defines the public bodies covered as public finance sector units, research institutes and the National Bank of Poland. Under Art. 10 the controller or processor notifies the Prezes Urzędu within 14 days of the appointment, giving the IOD's name and e-mail address or telephone number plus its own identifying data and REGON, in electronic form with a qualified electronic signature or trusted profile; changes and dismissal are notified within 14 days. Art. 11 requires the IOD's details to be published on the website.

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Who is the Prezes Urzędu Ochrony Danych Osobowych?

Under Art. 34 the Prezes Urzędu is the competent authority for personal data protection and the supervisory authority for the GDPR, Directive 2016/680 and the Europol Regulation. The Sejm appoints and dismisses the Prezes with the Senate's consent for a four-year term, renewable once, and the office holder is subject only to the Act (Art. 34.3 to 34.7). Up to three deputies may be appointed (Art. 36) and the Urząd Ochrony Danych Osobowych supports the office (Art. 45).

What fines can be imposed under the Act, and are public bodies treated differently?

Art. 101 lets the Prezes Urzędu fine any entity bound by the GDPR under the conditions of GDPR Art. 83, except public finance units, research institutes and the National Bank of Poland. For those, Art. 102 caps fines at PLN 100,000, and at PLN 10,000 for the units named in Art. 9 point 13 of the Public Finance Act. Euro amounts convert at the National Bank of Poland rate of January 28 each year (Art. 103), fines are paid within 14 days of the appeal deadline (Art. 105), and a court complaint suspends payment (Art. 74).

How do proceedings and inspections before the Prezes UODO work?

Infringement proceedings are conducted by the Prezes Urzędu (Art. 60) under the Code of Administrative Procedure and are single-instance (Art. 7), with a complaint to the administrative court as the remedy. During proceedings the Prezes may restrict processing by order (Art. 70). A control is run by authorized inspectors with entry rights between 6:00 and 22:00 (Art. 84) and may last no more than 30 days (Art. 89); obstructing it is an offense punishable by up to two years' imprisonment (Art. 108), as is processing data one may not process (Art. 107).

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Full framework page and mappings: smartsuite.com/frameworks/poland-personal-data-protection-act-act-of-10-may-2018