

**RZECZPOSPOLITA POLSKA**  
STAŁE PRZEDSTAWICIELSTWO PRZY NARODACH  
ZJEDNOCZONYCH



**REPUBLIC OF POLAND**  
PERMANENT MISSION TO THE UNITED NATIONS

9 EAST 66<sup>TH</sup> STREET, NEW YORK, NY 10021  
TEL.: (212) 744 2506  
FAX: (212) 517 6771

459-07/44001

New York, 14 December 2007

Excellency,

On behalf of the Government of the Republic of Poland and in response to the letter of 17 October 2007 please find attached additional information and clarification on the activities taken by the respective authorities of the Republic of Poland regarding the implementation of the United Nations Security Council Resolution 1540 (2004), reaffirmed by the UNSC Resolution 1673(2006) (see annex).

The information contains broad explanation and up-date of the provisions introduced in the Polish legal system in order to prevent the proliferation of Weapons of Mass Destruction and to strengthen the national export control regime.

The Government of the Republic of Poland stands ready to provide further details and explanations as necessary.

I sincerely hope that the data provided will enable the experts of the Committee established pursuant to the Security Council Resolution 1540(2004) to identify relevant information for the purposes of the report prepared for the Security Council and be included therein.

**Andrzej Towpik**  
Ambassador Extraordinary and Plenipotentiary  
Permanent Representative

H.E. Mr. Peter Burian  
The Chairman of the Security Council Committee  
established pursuant to resolution 1540 (2004)

Secretariat Building,  
Room S-3055,  
The United Nations  
New York, NY 10017

Fax: 212 963 1300

**OP 1 and related matters from OP 5, OP 6, OP 8 (a), (b), (c) and OP 10**

State: **Poland**  
 Date of Report: 27 October 2004  
 Date of Addendum 1: 26 January 2006

Did you make one of the following statements or is your country a State Party to or Member State of one of the following Conventions, Treaties and Arrangements ?	if YES, indicate relevant information (i.e. signing, accession, ratification, entering into force, etc)	Remarks (information refers to the page of the English version of the report or an official web site)
1 General statement on non-possession of WMD	YES	
2 General statement on commitment to disarmament and non-proliferation	X	EU Strategy against Proliferation of WMD page 3 of the report
3 General statement on non-provision of WMD and related materials to non-State actors	X	Any form of support is prohibited under the law page 32 of the report
4 Biological Weapons Convention (BWC)	X	Deposit 25 January 1973 pages 5 and 14 of the report
5 Chemical Weapons Convention (CWC)	X	Deposit 23 August 1995 page 5 of the report
6 Nuclear Non-Proliferation Treaty (NPT)	X	Ratified 8 March 1972 pages 5 and 13 of the report

The information in the matrices originates primarily from national reports and is complemented by official government information, including that made available to inter-governmental organizations. The matrices are prepared under the direction of the 1540 Committee. The 1540 Committee intends to use the matrices as a reference tool for facilitating technical assistance and to enable the Committee to continue to enhance its dialogue with States on their implementation of Security Council Resolution 1540.

The matrices are not a tool for measuring compliance of States in their non-proliferation obligations but for facilitating the implementation of Security Council Resolutions 1540 and 1673. They do not reflect or prejudice any ongoing discussions outside of the Committee, in the Security Council or any of its organs, of a State's compliance with its non-proliferation or any other obligations

7	Comprehensive Nuclear Test Ban Treaty (CTBT)	X	Ratified 25 May 1999	page 5 of the report page 3 of the Addendum 1
8	Convention on Physical Protection of Nuclear	X	In force 8 February 1987	page 5 of the report
9	Hague Code of Conduct (HCOC)	X	Subscribed 25 November 2002	page 5 of the report
10	Geneva Protocol of 1925	X	Deposit 4 February 1929	pages 5 and 14 of the report
11	International Atomic Energy Agency (IAEA)	X	Since 1957	page 4 of the report
12	Nuclear Weapons Free Zone/ Protocol(s)			
13	Other Conventions/Treaties	X	1. EURATOM Treaty 2. Partial Test Ban Treaty 3. Sea-Bed Treaty 4. Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation	page 6 of the EU report page 5 of the report
14	Other Arrangements	X	1. Missile Technology Control Regime (MTCR) 2. Nuclear Suppliers Group (NSG) 3. Zangger Committee (ZC) 4. Australia Group (AG) 5. Wassenaar Arrangement (WA) 6. Proliferation Security Initiative (PSI) 7. Global Initiative to Combat Nuclear Terrorism (GICNT)	page 5 of the report
15	Other	X	1. EU Council Decision of 17 December 2003 to include WMD provisions in agreements with third countries 2. Party to 11 UN antiterrorist conventions and protocols	page 6 of the EU report page 19 of the report

## OP 2 - Biological Weapons (BW)

State: **Poland**

Date of Report: 27 October 2004

Date of Addendum 1 26 January 2006

Does national legislation exist which prohibits persons or entities to engage in one of the following activities ? Can violators be penalized ?	National legal framework		Enforcement: civil/criminal penalties and others if YES, indicate source document	Remarks
	YES	if YES, indicate source document of national implementation law		
1 manufacture/produce			X Penal Code of 6 June 1997, Chapter XVI	pages 9 and 12 of the report
2 acquire			X	
3 possess			X Penal Code of 6 June 1997, Chapter XVI, Art. 121	
4 stockpile/store			X	
5 develop			X	
6 transport			X Penal Code of 6 June 1997, Chapter XVI, Art. 121	pages 9 and 12 of the report
7 transfer			X	
8 use			X Penal Code of 6 June 1997, Chapter XVI, Art. 120 and 121	
9 participate as an accomplice in a.m. activities			X Penal Code of 6 June 1997, art. 258	page 13 of the report
10 assist in a.m. activities			X Penal Code of 6 June 1997, Chapter XVI, Art. 120 and 121	

11	finance a.m. activities	X	Law on Counteracting Introduction into Financial Circulation of Property Values Derived from Illegal or Undisclosed Sources and on Counteracting the Financing of Terrorism of 16 November 2000 as amended on 27 September 2002	X	Penal Code of 6 June 1997, Chapter V	pages 21 and 22 of the report
12	a.m. activities related to means of delivery			X	Penal Code of 6 June 1997, Article 121 (1 and 2)	
13	involvement of non-State actors in a.m. activities			X	Penal Code of 6 June 1997, Chapter XVI	pages 9 and 33 of the report
14	Other	X	Poland continues studies of obligations stemming from the BTWC aimed at further improving the BTWC implementation	X	Penal Code of 6 June 1997, art. 115(20): terrorist acts	pages 20 and 38 of the report

## OP 2 - Chemical Weapons (CW)

State: **Poland**

Date of Report: 27 October 2004

Date of Addendum 1 26 January 2006

Does national legislation exist which prohibits persons or entities to engage in one of the following activities? Can violators be penalized?	National legal framework		Enforcement: civil/criminal penalties and others		Remarks
	YES	if YES, indicate source document of national implementation law	YES	if YES, indicate source document	
1 manufacture/produce	X	Law of 22 June 2001 on the implementation of CWC, Art. 4	X	Penal Code of 6 June 1997, Chapter XVI	pages 9, 12, 18 and 33 of the report
2 acquire	X		X		
3 possess	X	Law of 22 June 2001 on the implementation of CWC, Art. 4	X	Penal Code of 6 June 1997, Chapter XVI, Art. 121	
4 stockpile/store	X	Law of 22 June 2001 on the implementation of CWC, Art. 4	X		
5 develop	X		X	Penal Code of 6 June 1997, Chapter XVI, Art. 121	pages 9, 12, 18 and 33 of the report
6 transport			X		
7 transfer	X		X		
8 use	X	Law of 22 June 2001 on the implementation of CWC, Art. 4	X	Penal Code of 6 June 1997, Chapter XVI, Art. 120 and 121	
9 participate as an accomplice in a.m. activities	X	Law of 22 June 2001 on the implementation of CWC, Art. 4	X	Penal Code of 6 June 1997, art. 258	page 13 of the report
10 assist in a.m. activities	X	Law of 22 June 2001 on the implementation of CWC, Art. 4	X	Penal Code of 6 June 1997, Chapter XVI, Art. 120 and 121	page 18 of the report

11	finance a.m. activities	X	Law on Counteracting Introduction into Financial Circulation of Property Values Derived from Illegal or Undisclosed Sources and on Counteracting the Financing of Terrorism of 16 November 2000 as amended on 27 September 2002	X	Penal Code, Chapter V	pages 21 and 22 of the report
12	a.m. activities related to means of delivery			X	Penal Code of 6 June 1997, Article 121 (1 and 2)	
13	involvement of non-State actors in a.m. activities			X	Penal Code of 6 June 1997, Chapter XVI	pages 9 and 33 of the report
14	Other			X	Penal Code of 6 June 1997, art. 115(20): terrorist acts	page 20 of the report



**OP 2 - Nuclear Weapons (NW)**

State: **Poland**  
 Date of Report: 27 October 2004  
 Date of Addendum 1 26 January 2006

Does national legislation exist which prohibits persons or entities to engage in one of the following activities ? Can violators be penalized ?	National legal framework		Enforcement: civil/criminal penalties and others		Remarks
	YES	if YES, indicate source document of national implementation law	YES	if YES, indicate source document	
1 manufacture/produce			X	Penal Code of 6 June 1997, Chapter XVI	pages 9 and 12 of the report
2 acquire			X		
3 possess			X	Penal Code of 6 June 1997, Article 121 (1 and 2)	
4 stockpile/store			X		
5 develop			X	Penal Code of 6 June 1997, Chapter XVI, Art. 121	pages 9 and 12 of the report
6 transport			X		
7 transfer			X		
8 use			X	Penal Code of 6 June 1997, Chapter XVI, Art. 120 and 121	
9 participate as an accomplice in a.m. activities			X	Penal Code of 6 June 1997, art. 258	page 13 of the report
10 assist in a.m. activities			X	Penal Code of 6 June 1997, Article 18 (3)	

11	finance a.m. activities	X	Law on Counteracting Introduction into Financial Circulation of Property Values Derived from Illegal or Undisclosed Sources and on Counteracting the Financing of Terrorism of 16 November 2000 as amended on 27 September 2002	X	Penal Code, Chapter V	pages 21 and 22 of the report
12	a.m. activities related to means of delivery			X	Penal Code of 6 June 1997, Article 121 (1 and 2)	
13	involvement of non-State actors in a.m. activities			X	Penal Code of 6 June 1997, Chapter XVI	pages 9 and 33 of the report
14	Other			X	Penal Code of 6 June 1997, art. 115(20): terrorist acts	page 20 of the report

**OP 3 (a) and (b) - Account for/Secure/Physically protect BW including Related Materials**

State: **Poland**  
 Date of Report: 27 October 2004  
 Date of Addendum 1 26 January 2006

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect BW and Related Materials? Can violators be penalized ?	National legal framework		Enforcement: civil/criminal penalties, and others		Remarks
	YES	if YES, indicate source document	YES	if YES, indicate source document	
1 Measures to account for production			X	Penal Code of 6 June 1997	
2 Measures to account for use			X	Penal Code of 6 June 1997	
3 Measures to account for storage			X	Penal Code of 6 June 1997	
4 Measures to account for transport			X	Penal Code of 6 June 1997	
5 Other measures for accounting					
6 Measures to secure production	X	1. Directive 2000/54/EC			
7 Measures to secure use	X	2. Ordinance of the Minister of Health of 22 April 2005 on hazardous biological agents at work			page 10 of the EU report
8 Measures to secure storage	X				
9 Measures to secure transport	X	Council Directives 1994/55/EEC and 1996/49/EEC	X	Party to ADR and RID agreements	pages 10 and 11 of the EU report
10 Other measures for securing	X	Law of 11 May 2001 on the health requirements for food and feeding	X	Hazard analysis and Critical Control Point (HACCP System)	page 17 of the report

12	Licensing/registration of facilities/persons handling biological materials	<p><b>X</b></p>	<p>1. Directive 2000/54/EC  2. Law of 11 May 2001 on health requirements for food and feeding  3. Law („gene law“) of 22 June 2001  4. Law on infectious diseases of 6 September 2001  5. Ordinance of the Minister of the Environment of 6 June 2002 concerning applications for permits to conduct activity involving GMOs  6. Ordinance of the Minister of Health of 3 July 2002 concerning characteristics cards for hazardous substances and preparations  7. Ordinance of the Minister of Health of 11 July 2002 on the marking of packaging of hazardous substances and hazardous preparations  8. Ordinance of the Minister of Environment of 29 November 2002 concerning the list of pathogenic organisms and their classification, and also the measures required for the respective degrees of containment  9. Ordinance of the Minister of Health of 2 June 2003 on the criteria to be met by organisational units conducting tests on chemical substances and preparations, and on control of the fulfilment of those criteria  10. Ordinance of the Minister of Health of 22 April 2005 on hazardous agents at work</p>		<p>page 17 of the report  page 10 of the EU report</p>
13	Reliability check of personnel				
14	Measures to account for/secure/ physically				
15	Regulations for genetic engineering work	<p><b>X</b></p>	<p>1. Gene Law of 22 June 2001  2. Ordinance of the Minister of the Environment of 6 June 2002</p>	<p><b>X</b></p>	<p>Ordinance of the Minister of the Environment of 6 June 2002  page 16 of the report</p>

16	Other legislation/ regulations related to safety and security of biological materials	<b>X</b>	<p>1. Directive 89/391/EC</p> <p>2. Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC</p> <p>3. Ordinance of the Minister of Health of 3 July 2002: characteristic cards</p>		page 15 of the report page 10 of the EU report
17	Other				

**OP 3 (a) and (b) - Account for/Secure/Physically protect CW including Related Materials**

State: **Poland**  
 Date of Report: 27 October 2004  
 Date of Addendum 1: 26 January 2006

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect CW and Related Materials? Can violators be penalized ?	National legal framework		Enforcement: civil/criminal penalties, and others		Remarks
	YES	if YES, indicate source document	YES	if YES, indicate source document	
1 Measures to account for production	X		X	1. Law of 22 June 2001 on the implementation of CWC, art. 15	<a href="http://www.opcw.org">http://www.opcw.org</a>
2 Measures to account for use	X	Law of 22 June 2001 on the implementation of CWC, Chapter IV - declarations and verifications	X	2. Penal Code of 6 June 1997	
3 Measures to account for storage	X		X		
4 Measures to account for transport			X	Penal Code of 6 June 1997	
5 Other measures for accounting	X	Decree of the Ministry of Economy and Labour on data to be included in business reports for entities dealing with chemicals			page 19 of the report
6 Measures to secure production	X				page 10 of the EU report
7 Measures to secure use	X	Directive 1998/42/EC			
8 Measures to secure storage	X				pages 10 and 11 of the EU report
9 Measures to secure transport	X	Council Directives 1994/55/EEC and 1996/49/EEC	X	Party to ADR and RID agreements	
10 Other measures for securing	X	Regulation of the Minister of Health of 2 September 2003 concerning labelling of the packaging of dangerous substances and dangerous preparations			page 16 of the report

11	Regulations for physical protection of facilities/materials/ transports					
12	Licensing of chemical installations/entities/use of materials	X	Law of 22 June 2001 on the implementation of CWC	X	1. Ministry of Economy 2. Ministry of National Defense 3. Minister of Interior and Administration	pages 17 to 19 of the report
13	Reliability check of personnel					
14	Measures to account for/secure/ physically protect means of delivery					
15	National CWC authority	X	Minister of Foreign Affairs	X	Tasks under CWC are also performed by the Ministry of Economy, the Ministry of National Defense and the Ministry of Interior and Administration	pages 17 and 18 of the report
16	Reporting Schedule I, II and III chemicals to OPCW	X	Submitted declaration on past activities for the years 1997-2006	X	Ministry of Economy prepares the declaration	pages 18 and 19 of the report
17	Account for, secure or physically protect old chemical weapons					
18	Other legislation/ regulations controlling chemical materials	X	1. Law of 11 January 2001 on chemical substances and preparations 2. Ordinance of the Minister of Health of 3 July 2002: characteristic cards 3. Ordinance of the Minister of Health of 2 June 2003: criteria for conducting tests on chemical substances			pages 15 and 17 of the report
19	Other					

**OP 3 (a) and (b) - Account for/Secure/Physically protect NW including Related Materials**

State: **Poland**  
 Date of Report: 27 October 2004  
 Date of Addendum\_1: 26 January 2006

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW and Related Materials? Can violators be penalized ?	National legal framework		Enforcement: civil/criminal penalties, and others	Remarks
	YES	if YES, indicate source document		
1 Measures to account for production	X	1. Nuclear Law of 29 November 2000 as amended	X	Penal Code of 6 June 1997
2 Measures to account for use	X	2. Regulation of Council of Ministers of 27 April 2004 on Nuclear Material Safeguards	X	Penal Code of 6 June 1997 page 14 of the report
3 Measures to account for storage	X		X	Penal Code of 6 June 1997
4 Measures to account for transport	X	1. Nuclear Law of 29 November 2000 as amended 2. Regulation of Council of Ministers of 27 April 2004 on Nuclear Material Safeguards	X	Penal Code of 6 June 1997 page 4 of the Addendum 1
5 Other measures for accounting	X	1. Council Directive 2003/122/EURATOM 2. Directive 1996/29/EURATOM		page 8 of the EU report
6 Measures to secure production	X	Nuclear Law of 29 November 2000 as amended, Chapter 2 and 5	X	Nuclear Law of 29 November 2000 as amended, Chapter 15 - administrative fines and penal regulations
7 Measures to secure use	X		X	
8 Measures to secure storage	X		X	
9 Measures to secure transport	X	1. Council Directives 94/55/EEC and 96/49/EEC 2. Nuclear Law of 29 November 2000 as amended, Chapter 8 3. Law on road transport of hazardous goods of 28 October 2002	X	1. Directive 1992/3 EURATOM: prior notification of shipments 2. Nuclear Law of 29 November 2000, as amended, Chapter 15 pages 10 and 11 of the EU report page 12 of the report



10	Other measures for securing					
11	Regulations for physical protection of facilities/materials/ transports	X	1. Nuclear Law of 29 November 2000 as amended 2. Regulation of Council of Ministers of 31 July 2004 on Physical Protection of Nuclear Materials			page 14 of the report
12	Licensing of nuclear installations/entities/use of materials	X	Nuclear Law of 29 November 2000 as amended			page 14 of the report
13	Reliability check of personnel					
14	Measures to account for/secure/ physically protect means of delivery					
15	National regulatory authority	X	National Atomic Energy Agency (PAA)			page 14 of the report page 4 of Addendum 1
16	IAEA Safeguards Agreements	X	1. Safeguards Agreement (new) in force in force from 1 March 2007 2. Additional Protocol (new) in force since 1 March 2007			pages 5, 13 and 14 of the report <a href="http://www.iaea.org/OurWork/SV/Safeguards/sir_table.pdf">http://www.iaea.org/OurWork/SV/Safeguards/sir_table.pdf</a>
17	IAEA Code of Conduct on Safety and Security of Radioactive Sources	X	Expressed support to IAEA DG			<a href="http://www-ns.iaea.org/downloads/rw/meetings/code-conduct-signatories.pdf">http://www-ns.iaea.org/downloads/rw/meetings/code-conduct-signatories.pdf</a>
18	IAEA Database on Illicit Trafficking of Nuclear Materials and other Radioactive Sources	X	Contributes to Database Programme			<a href="http://www.iaea.org/About/Policy/GC/GC42/Documents/gc42-17.html">http://www.iaea.org/About/Policy/GC/GC42/Documents/gc42-17.html</a>
19	Other Agreements related to IAEA	X	Joint Convention on the safety of spent fuel management and on the safety of radioactive waste management (1997)			page 2 of the Addendum 1

20	Additional national legislation/regulations related to nuclear materials including CPPNM	X	Amendment to CPPNM of 8 July 2005 is currently under ratification		page 3 of the Addendum 1
21	Other				

**OP 3 (c) and (d) and related matters from OP 6 and OP 10 - Controls of BW including Related Materials**

State: **Poland**  
 Date of Report: 27 October 2004  
 Date of Addendum 1: 26 January 2006

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of BW and Related	National legal framework		Enforcement: civil/criminal penalties, and measures of implementation, etc		Remarks
	YES	if YES, indicate source document	YES	if YES, indicate source document	
1 Border control	X	1. Community Customs Code (EC 2913/92) 2. Commission Regulation No. 2454/1993 (Implementing Provisions for the Community Customs Code) 3. Law on Customs Service of 24 July 1999 4. Act on Border Guard of 12 October 1990 5. Act on Police of 6 April 1990	X	1. Law on Customs Service of 24 July 1999 2. Fiscal Penal Act 3. Customs law of 19 March 2004	pages 8, 9, 10, 11, 15 and 36 of the report page 12 of the EU report
2 Technical support of border control measures					
3 Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	X	Law on external trade in goods, technologies and services of strategic importance for the state security and for the maintenance of international peace and security of 29 November 2000, as amended on 2 July 2004 (further: Law of 29 November 2000)	X	License is required for forwarding services, shipment and loading services, brokering and technical assistance grant, loan, leasing	pages 8, 9 and 29 of the report

4	Enforcement agencies/authorities				X	<p>1. Internal Security Agency</p> <p>2. Foreign Intelligence Agency</p> <p>3. Border Guard</p> <p>4. Police</p> <p>5. Customs Service</p> <p>6. Border Sanitary Inspectors/ Stations</p>	pages 9, 15 and 36 of the report
5	Export control legislation in place	X	<p>1. Council Regulation (EC) 1334/2000 and No. 394/2006</p> <p>2. Law of 29 November 2000</p> <p>3. Law of 21 May 1999 on arms and munitions</p> <p>4. Ordinance of the Minister of Economy of 28 August 2006 on list of military goods</p> <p>5. Ordinance of the Minister of the Environment of 6 June 2002 (GMO)</p>	X	<p>1. Law of 29 November 2000</p> <p>2. Law of 21 May 1999 on arms and munitions</p>	pages 9, 12, 15, 16, 24 and 27 of the report	
6	Licensing provisions	X		X	Under Polish law: fines up to 200.000 PLN and imprisonment up to 10 years	pages 9, 12, 15, 16, 24 and 27 of the report page 6 of Addendum 1	
7	Individual licensing	X	Law of 29 November 2000	X	Under Polish law: fines up to 200.000 PLN and imprisonment up to 10 years	page 28 of the report page 6 of Addendum 1	
8	General licensing	X	Law of 29 November 2000: general and global licenses	X	Under Polish law: fines up to 200.000 PLN and imprisonment up to 10 years	pages 27 and 29 of the report page 6 of Addendum 1	
9	Exceptions from licensing	X	Within the Community free circulation of all goods, exceptions are listed in Annex IV of Regulation 1504/2004	X	Under Polish law: fines up to 200.000 PLN and imprisonment up to 10 years	page 14 of the EU report page 6 of Addendum 1	
10	Licensing of deemed export/visa						

11	National licensing authority	X	Ministry of Economy			pages 27, 28 and 29 of the report
12	Interagency review for licenses	X	Minister of Economy cooperates with Ministers of Foreign Affairs, National Defence, Finance, Internal Affairs, Head of Internal Security Agency, President of the National Atomic Energy Agency and Head of Foreign Intelligence Agency	X	All institutions taking part in the licensing process are obliged to issue their opinion on every export license application	pages 29 and 30 of the report page 15 of the EU report
13	Control lists	X	1. EC Regulation No. 1334/2000, updated by the Regulation No. 1504/2004 2. Ordinance of the Minister of Economy on the list of military goods of 28 August 2006			pages 12, 15 and 28 of the report
14	Updating of lists	X	Export control lists are updated on a regular basis taking into account developments in the international fora, including in the export control regimes			page 37 of the report
15	Inclusion of technologies	X	Council Regulation (EC) No. 1183/2007			page 14 of the EU report
16	Inclusion of means of delivery	X				
17	End-user controls	X	Ministry of Economy demands submission of an International Import Certificate or end-user statement	X	1. Internal system of control 2. Under Polish law: fines up to 200.000 and imprisonment up to 10 years	pages 27 and 30 of the report page 6 of Addendum 1
18	Catch all clause	X	1. EC Regulation No. 1334/2000 2. Law of 29 November 2000			pages 27 and 30 of the report
19	Intangible transfers	X	Law of 29 November 2000			page 27 of the report
20	Transit control	X	1. Law of 29 November 2000 2. Ordinance of the Minister of Economy of 28 August 2006	X	Under Polish law: fines up to 200.000 and imprisonment up to 10 years	pages 15 and 27 of the report page 6 of Addendum 1

21	Trans-shipment control	X	1. Community Customs Code (EC 2913/92) 2. Commission Regulation No. 2454/1993 (Implementing Provisions for the Community Customs Code)			
22	Re-export control	X	Law of 29 November 2000			
23	Control of providing funds	X	Law of 29 November 2000			
24	Control of providing transport services	X	Law of 29 November 2000			
25	Control of importation	X	1. Law of 29 November 2000 2. Law of 21 May 1999 on arms and munitions 3. Ordinance of the Minister of Economy of 28 August 2006 on list of military goods	X	Under Polish law: fines up to 200.000 and imprisonment up to 10 years	pages 15, 24 and 27 of the report page 6 of Addendum 1
26	Extraterritorial applicability					
27	Other	X	Law of 29 November 2000: exporters must have an internal compliance program			page 30 of the report

**OP 3 (c) and (d) and related matters from OP 6 and OP 10 - Controls of CW including Related Materials**

State: **Poland**  
 Date of Report: 27 October 2004  
 Date of Addendum 1: 26 January 2006

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of CW and Related Materials ? Can violators be penalized ?	National legal framework		Enforcement: civil/criminal penalties, and measures of implementation, etc		Remarks
	if YES, indicate source document	if YES, indicate source document	if YES, indicate source document	if YES, indicate source document	
1 Border control	YES 1. Community Customs Code (EC 2913/92) 2. Commission Regulation No. 2454/1993 (Implementing Provisions for the Community Customs Code) 3. Law on Customs Service of 24 July 1999 4. Law on Border Guard of 12 October 1990 5. Law on Police of 6 April 1990	YES 1. Law on Customs Service of 24 July 1999 2. Fiscal Penal Law 3. Customs Law of 19 March 2004		pages 8, 9, 10, 11, 15 and 36 of the report page 12 of the EU report	
2 Technical support of border control measures					
3 Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	YES Law of 29 November 2000	YES License is required for forwarding services, shipment and loading services, brokering and technical assistance grant, loan, leasing		pages 8, 9 and 29 of the report	

4	Enforcement agencies/authorities	X		X	<ol style="list-style-type: none"> <li>1. Internal Security Agency</li> <li>2. Foreign Intelligence Agency</li> <li>3. Border Guard</li> <li>4. Police</li> <li>5. Customs Service</li> </ol>	pages 9 and 36 of the report
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5	Export control legislation in place	X	1. Council Regulation (EC) 1334/2000 and No. 394/2006 2. Law of 29 November 2000 3. Law of 21 May 1999 on arms and munitions 4. Ordinance of the Minister of Economy of 28 August 2006 on the list of military goods	X	1. Law of 29 November 2000 2. Law of 21 May 1999 on arms and munitions	pages 9, 12, 15, 16, 24 and 27 of the report
6	Licensing provisions	X		X	Under Polish law: fines up to 200.000 PLN and imprisonment up to 10 years	pages 9, 12, 15, 16, 24 and 27 of the report page 6 of Addendum 1
7	Individual licensing	X	Law of 29 November 2000	X	Under Polish law: fines up to 200.000 PLN and imprisonment up to 10 years	page 28 of the report page 6 of Addendum 1
8	General licensing	X	Law of 29 November 2000: general and global licenses	X	Under Polish law: fines up to 200.000 PLN and imprisonment up to 10 years	pages 27 and 29 of the report page 6 of Addendum 1
9	Exceptions from licensing	X	Within the Community free circulation of all goods, exceptions are listed in Annex IV of Regulation 1504/2004	X	Under Polish law: fines up to 200.000 PLN and imprisonment	page 14 of the EU report page 6 of Addendum 1
10	Licensing of deemed export/visa					
11	National licensing authority	X	Ministry of Economy			pages 27, 28 and 29 of the report
12	Interagency review for licenses	X	Minister of Economy cooperates with Ministers of Foreign Affairs, National Defence, Finance, Internal Affairs, Head of Internal Security Agency, President of the National Atomic Energy Agency and Head of Foreign Intelligence Agency	X	All institutions taking part in the licensing process are obliged to issue their opinion on every export license application	pages 29 and 30 of the report page 15 of the EU report
13	Control lists	X	1. EC Regulation No. 1334/2000, updated by the Regulation No. 394/2006 2. Ordinance of the Minister of Economy on the list of military goods of 28 August 2006			pages 12, 15 and 28 of the report

14	Updating of lists	X	Regularly updates its export control lists			page 37 of the report
15	Inclusion of technologies	X	Council Regulation (EC) No. 1183/2007			page 14 of the EU report
16	Inclusion of means of delivery	X				
17	End-user controls	X	Ministry of Economy demands submission of an International Import Certificate or end-user statement	X	1. Internal system of control 2. Under Polish law: fines up to 200.000 PLN and imprisonment up to 10 years	pages 27 and 30 of the report page 6 of Addendum 1
18	Catch all clause	X	1. EC Regulation No. 1334/2000 2. Law of 29 November 2000			pages 27 and 30 of the report
19	Intangible transfers	X	Law of 29 November 2000			page 27 of the report
20	Transit control	X	1. Law of 29 November 2000 2. Ordinance of the Minister of Economy of 28 August 2006 on the list of military goods	X	Under Polish law: fines up to 200.000 PLN and imprisonment up to 10 years	pages 15 and 27 of the report page 6 of Addendum 1
21	Trans-shipment control	X	1. Community Customs Code (EC 2913/92) 2. Commission Regulation No. 2454/1993 (Implementing Provisions for the Community Customs Code)			
22	Re-export control	X	Law of 29 November 2000			
23	Control of providing funds	X	Law of 29 November 2000			
24	Control of providing transport services	X	Law of 29 November 2000			

25	Control of importation	X	<p>1. Law of 21 May 1999 on arms and munitions on the implementation of CWC of 22 June 2001, Chapter 3</p> <p>2. Law of 29 November 2000</p>	X	<p>1. Law on the implementation of CWC of 22 June 2001, Chapter 8</p> <p>2. Under Polish law: fines up to 200.000 PLN and imprisonment up to 10 years</p>	
26	Extraterritorial applicability					
27	Other	X	Law of 29 November 2000: exporters must have an internal compliance program			page 30 of the report

**OP 3 (c) and (d) and related matters from OP 6, and OP 10 - Controls of NW including Related Materials**

State: **Poland**  
 Date of Report: 27 October 2004  
 Date of Addendum 1: 26 January 2006

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW and Related Materials ? Can violators be penalized ?	National legal framework		Enforcement: civil/criminal penalties, and measures of implementation, etc		Remarks
	if YES, indicate source document	if YES, indicate source document	if YES, indicate source document	if YES, indicate source document	
1 Border control	X	1. Community Customs Code EC 2913/92) 2. Commission Regulation No. 2454/1993 (Implementing Provisions for the Community Customs Code) 3. Law on Customs Service of 24 July 1999 4. Law on Police of 6 April 1990 5. Law on Border Guard of 12 October 1990 6. Regulation No. 8 of the Commander of Border Guard of 23 March 2006	YES	1. Law on Customs Service of 24 July 1999 2. Fiscal Penal Law	pages 8, 9, 10, 11, 15 and 36 of the report page 12 of the EU report
2 Technical support of border control measures			X	Customs Law of 19 March 2004	page 36 of the report
3 Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	X	Law of 29 November 2000	X	Law of 29 November 2000. License is required for forwarding services, shipment and loading services, brokering and technical assistance grant, loan, leasing.	pages 8, 9 and 29 of the report

4	Enforcement agencies/authorities		<b>X</b>	<ol style="list-style-type: none"> <li>1. Internal Security Agency</li> <li>2. Foreign Intelligence Agency</li> <li>3. Border Guard</li> <li>4. Police</li> <li>5. Customs Service</li> </ol>	pages 9 and 36 of the report
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5	Export control legislation in place	X	<p>1. Council Regulation (EC) 1334/2000 and 1183/2007</p> <p>2. Law of 29 November 2000</p> <p>3. Nuclear Law of 29 November 2000 as amended</p> <p>4. Law of 21 May 1999 on arms and munitions</p> <p>5. Ordinance of the Minister of Economy of 28 August 2006 on the list of military goods</p>	X	<p>1. Law of 29 November 2000</p> <p>2. Nuclear Law of 29 November 2000 as amended</p>	<p>pages 12, 15, 16, 24 and 27 of the report</p>
6	Licensing provisions	X		X	<p>Under Polish law: fines up to 200.000 PLN and imprisonment up to 10 years</p>	<p>pages 9, 12, 15, 16, 24 and 27 of the report</p> <p>page 6 of Addendum 1</p>
7	Individual licensing	X	<p>Law of 29 November 2000</p>	X	<p>Under Polish law: fines up to 200.000 PLN and imprisonment up to 10 years</p>	<p>page 28 of the report</p> <p>page 6 of Addendum 1</p>
8	General licensing	X	<p>Law of 29 November 2000: general and global licenses</p>	X	<p>Under Polish law: fines up to 200.000 PLN and imprisonment up to 10 years</p>	<p>pages 27 and 29 of the report</p> <p>page 6 of Addendum 1</p>
9	Exceptions from licensing	X	<p>Within the Community there is free circulation of goods listed in Annex I of Regulation 1183/2007, except goods listed in Annex IV of Regulation 1183/2007</p>	X	<p>Under Polish law: fines up to 200.000 PLN and imprisonment up to 10 years</p>	<p>page 14 of the EU report</p> <p>page 6 of Addendum 1</p>
10	Licensing of deemed export/visa					
11	National licensing authority	X	<p>Ministry of Economy</p>	X	<p>Law of 29 November 2000</p>	<p>pages 27, 28 and 29 of the report</p>

12	Interagency review for licenses	X	Minister of Economy cooperates with Ministers of Foreign Affairs, National Defence, Finance, Internal affairs, Head of Internal Security Agency, President of the National Atomic Energy Agency and Head of Foreign Intelligence Agency	X	All institutions taking part in the licensing process are obliged to issue their opinion on every export license application.	pages 29 and 30 of the report page 15 of the EU report
13	Control lists	X	1. EC Regulation No. 1334/2000, updated by the Regulation No. 1183/2007 2. Ordinance of the Minister of Economy of 28 August 2006 in the list of military goods			pages 12, 15 and 28 of the report
14	Updating of lists	X	Regularly updates its export control lists			page 37 of the report
15	Inclusion of technologies	X	Council Regulation (EC) No. 1183/2007			page 14 of the EU report
16	Inclusion of means of delivery	X				
17	End-user controls	X	Ministry of Economy demands submission of an International Import Certificate or end-user statement	X	1. Internal system of control 2. Under Polish law: fines up to 200.000 PLN and imprisonment up to 10 years	pages 27 and 30 of the report page 6 of Addendum 1
18	Catch all clause	X	1. EC Regulation No. 1334/2000 2. Law of 29 November 2000			pages 27 and 30 of the report
19	Intangible transfers	X	Law of 29 November 2000			page 27 of the report
20	Transit control	X	1. Law of 29 November 2000 2. Ordinance of the Minister of Economy of 28 August 2006	X	Under Polish law: fines up to 200.000 PLN and imprisonment up to 10 years	pages 15 and 27 of the report page 6 of Addendum 1
21	Trans-shipment control	X	1. Community Customs Code EC 2913/92) 2. Commission Regulation No. 2454/1993 (Implementing Provisions for the Community Customs Code)			

22	Re-export control	X	Law of 29 November 2000			page 4 of the Addendum 1
23	Control of providing funds	X	Law of 29 November 2000			
24	Control of providing transport services	X	Law of 29 November 2000			
25	Control of importation	X	1. Nuclear Law of 29 November 2000 as amended 2. Law of 29 November 2000 3. Law of 21 May 1999 on arms and munitions	X	1. Nuclear Law of 29 November 2000 as amended 2. Under Polish law: fines and imprisonment	pages 9, 12, 13 and 24 of the report page 6 of Addendum 1
26	Extraterritorial applicability					
27	Other	X	Law of 29 November 2000: exporters must have an internal compliance program			page 30 of the report



## OP 6, 7 and 8 (d) - Control lists, Assistance, Information

State: **Poland**  
 Date of Report: 27 October 2004  
 Date of Addendum 1: 26 January 2006

Can information be provided on the following issues ?	YES	Remarks
1 Control lists - items (goods/ equipment/	X	EC Regulation No. 1334/2000, updated by the Regulation No. 1183/2007 page 28 of the report
2 Control lists - other	X	1. List of unwelcome persons 2. List of pathogenic organisms pages 16 and 23 of the report
3 Assistance offered	X	Willing to offer assistance in implementing the provisions of the resolution; activity in this regard will be directed to the States of Central and Eastern Europe; ready to provide assistance in building legal and administrative infrastructure. page 37 of the report
4 Assistance requested		
5 Assistance in place (bilateral/plurilateral/multilateral)	X	Global Threat Reduction Initiative - nuclear reactor conversion program page 5 of Addendum 1
6 Information for industry	X	The European Commission organizes regular meetings with industry Involves industry in joint efforts against identified or possible terrorist organizations in pursuit of international peace and stability; harmonizes actions taken by the industry and the Polish administration with those taken by the EU Member States to prevent proliferation of WMD. The Ministry of Economy has a series of training schemes for business that cover university-level schools and research, development and technology centres. page 15 of the EU report pages 29, 38 and 39 of the report
7 Information for the public		