



Changes in the Polish Postal Sector, Łódź (Poland), 9 December 2014

A first nation-wide research conference entitled ‘Changes in the Polish Postal Sector’ took place on 9 December 2014 at the Faculty of Law and Administration of the University of Łódź (WPIA UŁ). The conference was organized by the Student Group of Energy Law and Other Infrastructure Sectors of the University of Łódź (NKPEiSI). The conference was under the auspices of the President of the Office of Electronic Communications (UKE), the Centre for Antitrust and Regulatory Studies of the University of Warsaw (CARS), the National Council of Legal Advisers, the Łódź Scientific Association and the Nationwide Employers Association of Non-Public Postal Operators. Poczta Polska S.A acted as the strategic partner of the conference providing the organisers with substantial financial and organizational support. The Polish Foundation for Competition Law and Sector Regulation *Ius Publicum* and the law firm *Modzelewska&Paśnik* actively participated in the preparation of the conference.

The aim of this conference was to analyse changes taking place in the Polish postal sector. An attempt was made during the conference to answer the question on how to liberalize the postal services market. Subsequently, a number of issues were presented and discussed connected to the legal status of the Polish postal services market, financial and regulatory conditions of its liberalisation, non-regulatory interference of the State in this sector and ensuring access to universal postal services.

The opening speech was delivered by Professor Sławomir Cieślak (Vice-Dean of the WPIA UŁ, Prof. UŁ) who stressed the importance of postal law in legal transactions and expressed his satisfaction that a conference dedicated to issues of regulating the postal sector was organised in the edifice of WPIA UŁ. On behalf of the President of UKE, Magdalena Sławińska (chief of the Department of the Postal Market of UKE) expressed her thanks for the invitation to attend the conference and wished all participants a fruitful discussion. Professor Tadeusz Skoczny (Director of CARS) and Professor Kazimierz Strzyczkowski (WPIA UŁ) took the floor next. Professor Skoczny congratulated the organisers for the idea of arranging a conference on the regulation of the postal sector in Poland and wished a lot of success to the student organisation that organized it. He also spoke of the date of the post-conference publication and its guidelines. Professor Strzyczkowski stressed subsequently the substantial meaning of the regulation of infrastructural sectors, which is more and more distinct in our legal system as well as in economic practice. He also thanked both organisers and speakers for all the effort they put into preparing this event and expressed his satisfaction at

the active participation of the student body. In conclusion, he brought the attention of the participants to the conference programme as an example of multidimensional approach to the issue, which painted a big picture of the postal sector in Poland's legal order. Concluding the opening part of the conference, Marcin Kraśniewski (chairman of the Student Group of Energy Law and Other Infrastructural Sectors of the University of Łódź, organiser of the conference) thanked all speakers, chairpersons and partners of the conference for their involvement.

The conference consisted of four parts: Non-regulatory intervention of the State on the postal services market (chairperson: Prof. Kazimierz Strzyczkowski), Financial and regulatory conditions of liberalisation of the postal services market (chairperson: Prof. Tadeusz Skoczny), Ensuring access to universal postal services (chairperson: Prof. Agata Jurkowska-Gomułka, University of Information Technology and Management in Rzeszow), Legal status on the postal services market (chairperson: MA Jarosław Olesiak, University of Łódź).

The first session of the conference contained speeches by Professor Anna Fornalczyk (COMPER), Professor Aleksander Werner (Warsaw School of Economics), Associate Professor Agata Jurkowska-Gomułka, Dr. Anna Górczyńska (University of Łódź). Dr Anna Fornalczyk defined, among other things, the concept of 'public aid', pointed out economic prerequisites which justify obtaining public aid and then moved on to aims of its regulation in the postal sector such as ensuring access to universal postal services and development of competition. She also spoke of the forms of public aid in the postal sector. Prof Aleksander Werner defined the concept of 'services of general economic interest', analysed aspects of granting compensation for providing services of general economic interest, which should be allocated after fulfilment the Altmark criteria. Professor Agata Jurkowska-Gomułka searched for an answer to the question whether the provisions of postal law are well suited to the risks connected to the activities in this economic sector? Dr. Anna Górczyńska presented the postal service in the light of public procurement law.

The second panel gathered representatives of postal operators, the Office of Electronic Communications and law firms. Speakers discussed 'barriers to entry' existing on the postal services market, rules of access to rail infrastructure, charges for postal services and application of competition law in the postal sector. After that, a heated discussion commenced on changes in the postal sector and on insufficient legal consideration for technological progress set by the European Union.

Two graduate-student panels took place in the afternoon. Graduate students selected from the entire Polish territory presented their papers chosen from all applicants on the basis of abstracts sent to the Scientific Council. The latter consisted of academic employees from a number of Polish universities. The selected papers concerned issues such as: ensuring access to universal postal services and a subjective and objective range of Polish postal law.

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