Payment backlogs - activities of the President of UOKiK

* **The President of UOKiK has imposed a fine of PLN 3.3 million on 11 entrepreneurs generating payment backlogs.**
* **One decision concerned a fine for failure to provide information and amounted to more than PLN 450 thousand.**
* **Since the beginning of this year, he has sent 128 soft calls to entrepreneurs.**

**[Warsaw, 20 August 2025]** - As far as payment backlogs are concerned, we are both the first and second instance as we also recognise the appeals of fined entrepreneurs. In both cases, this involves huge amount of work. Only within the framework of recently processed cases have we analysed almost 320 thousand invoices issued by more than 9 thousand suppliers - says Tomasz Chróstny, the President of UOKiK.

**Fines for businesses**

Businesses generating payment backlogs operate in the following industries: automotive, packaging, wind energy, construction, machine, cosmetic, food and pharmaceutical.These are: WISS Samochody Specjalne (PLN 614,389), Amcor Specialty Cartons Polska (PLN 124,852.33), Vestas-Poland (PLN 82,658.91), Marelli Aftermarket Poland (PLN 126,834.66), Robyg Construction (PLN 62,272), Superior Industries Production Poland (PLN 287,606), Medi&More (PLN 1,094,956.58), Contimax (PLN 340,954.05), Cetes Cosmetics Poland (PLN 457,731.40), Velvet Care (PLN 181,515.65) and LiuGong Dressta Machinery (PLN 298,387). Six out of eleven fined entrepreneurs did not challenge the findings of the President of UOKiK and paid the fines imposed by dint of which they were reduced by 20 per cent down from the maximum value.

While imposing fines, not only did we take into account the value of overdue payments and the length of the delays which set the maximum value of the fine computed with the use of the statutory formula. Additionally, we examined and assessed mitigating and aggravating circumstances on a case-by-case basis. For three fined businesses, the following factors affected the mitigation of the sanctions: the importance of the infringement, actions taken with the intention to minimise the risk of payment delays, reduction of their scale and thus discontinuation of further infringements.

A circumstance which is important for the Authority and is reflected in the value of the fines imposed is an active cooperation of a business with the President of UOKiK in the course of the proceedings. This was the case for two entities.

In two cases, the entrepreneurs proved that they themselves were victims of payment backlogs, which resulted in the reduction on the fine imposed. Please be reminded that the novelty of the 2022 Anti-Backlog Act abolished the obligatory withdrawal of imposing a fine for businesses which did not receive payments on time. At the same time, this is a circumstance which is taken into account in favour of an entrepreneur when an amount of a fine is being established. By virtue of the foregoing, a request made by addressees of the Anti-Backlog Act is being pursued so as not to omit this circumstance while assessing the degree or law infringement.

**Fine for failure to provide information**

The President of the Authority imposed a fine of PLN 456,303.71 on the Neptun business entity based in Lublin for untimely provision of the response for calls addressed to it in the course of the proceedings. The business entity provided incomplete information and after the deadlines passed, obstructing thereby significantly the efficient course of the proceedings. The longest period for not answering to one of the calls was 107 days. Following the provisions of the Act on Counteracting Excessive Delays in Commercial Transactions, every single business entity is obliged to provide, at the request of the President of UOKiK, the information and documents which are necessary to establish a status quo in the course of the proceedings. Failure to provide the information, provision of false or misleading information as well as preventing or obstructing the commencement or holding controls is at risk of 5 per cent of the revenue earned in the previous fiscal year, not more than the equivalent of EUR 50 million.

**Soft interventions**

Additionally, with the use of soft calls, entrepreneurs are informed about any irregularities observed and the possible consequences of continued application of such practices. By calling a business entity, the President of UOKiK indicates the risk of payment backlogs occurrence. This way, in July 2025, there were 22 soft calls made, while since the beginning of this year almost 130 ones have been sent. Soft calls mobilise entrepreneurs to change their practices and improve payment discipline towards trading partners with no need to instigate formal proceedings.

**Are you a victim of backlogs? Notify the President of UOKiK**

The applicable regulations allow for reporting to the President of UOKiK any suspicion that a given company is excessively delaying payments. Such notification must contain four elements: identification of the entrepreneur concerned, a description of the facts on which the notification is based, evidence that the delays are actually taking place, and the identity of the notifying party. The notification must be accompanied by documents that can confirm the delays in payment.

**Visit the website on payment backlogs**

What are payment backlogs? When can UOKiK investigate them? How can I report a business partner who has failed to make a payment? Who may file such a report? Answers to these and many other questions can be found at <https://uokik.gov.pl/zatory-platnicze>