

At present, works on five bills amending the act of 26 October 1982 on upbringing in sobriety and counteracting alcoholism are conducted.

1. Act amending the act on upbringing in sobriety and counteracting alcoholism and act on counteracting drug addiction.

- bill prepared by the Minister of Health and State Agency for the Prevention of Alcohol Related Problems (PARPA)
- current status – the bill has been approved by the Committee of the Council of Ministers
- Main premises:
 1. **The term of detoxification treatment is defined as alcohol addiction psychotherapy and co-addiction as its main form. The act also stipulates requirements for persons who are to provide services related with detoxification treatment by stating that treatment can be provided only by persons holding the certificate of addiction psychotherapy specialist. New provision determines in detail the requirements for persons applying for the certificate and obtaining the qualification in the Republic of Poland.** The proposed regulation also introduces the procedure for issuing certificates for specialists and instructors of addiction therapy. The minister responsible for health is authorized to issue a regulation stating, among others, the scope of services to be provided by specialists and instructors of addiction therapy, as well as the scope of training programs and the way of conducting exams for persons applying for the certificates. Amended provisions also describe issues related to obtaining accreditation for providing separate stages of training program and conducting certification exams.
 2. **Obligation of putting a person who is taken by the police to detoxification detention centre or other applicable institution under medical examination is introduced and the provisions on applying physical constraint to persons who being under the influence of alcohol cause moral corruption in a public place or at work, pose health and life threat to others or to themselves are significantly widened.** First of all, new regulations govern the issue of using the physical constraint in places established or assigned by the local government bodies or by the Police. So far, the binding provisions governed the problem in relation to detoxification detention centres only, which shall be considered unsatisfactory, especially taking into consideration the fact that the regulations providing for the use of physical constraint by the Police do not correspond to requirements in the scope of assuring adequate care and health safety to intoxicated persons. Furthermore, the catalogue of acceptable forms of physical constraint was expanded by two new forms: compulsory application of medicines and isolation. The amended provisions determine the scope of persons entitled to make decision on using physical constraint.
 3. **The amended act allows for broadcasting advertisements and promotions of beer on television, radio, cinema and theatre only between 11.00 p.m. and 6.00 a.m.** The change is caused by the need for restricting the influence of advertisements and beer promotions on the under-aged audience of mass media. This proposal constitutes the return to former regulations. Since 2002, when time limits for broadcasting alcohol advertisement promoting beer were alleviated, the amount of broadcasted advertisement has raised from over 10 thousand to over 30 thousand.

4. **The amended act also includes a proposal to prohibit sales, serving and consumption of alcoholic beverages at stadiums and other sports facilities (during sports events), at bathing beaches, swimming pools and health care institutions, as well as in door-to-door sales and peddling trading.**
5. Changes proposed in Art. 4¹ are to improve the functioning of municipal boards for the solving of alcohol related problems by providing professional training to their members. They should first of all be employees of or partners to institutions focusing on prevention and solving of alcohol related problems. Due to significant differences in qualifications among the board members, there is a proposal that the minister responsible for health shall issue a regulation describing a framework training system obligatory for all members of the boards and a timeframe for executing separate stages of the program.
6. An important change is authorising the Council of Ministers to adopt a National Program by way of a regulation. This solution is similar to National Program for Drug Addiction Prevention, which was adopted by way of a regulation of Council of Ministers pursuant to Art. 7 clause 5 of the act of 29 July 2005 on preventing drug addiction (Official Journal No.179, item 1485, as amended).
7. Introduction of obligatory adjudication of the ban on running business activity in the scope of trading in alcoholic beverages after having been sentenced for offence pursuant to art. 43 of the act i.e. selling or serving alcohol without a license, contrary to its conditions or when it is prohibited.
8. Introduction of new offences for the following deeds:
 - a) Purchase of alcohol by an adult in order to resell or serve it to a minor,
 - b) Skiing along ski routes under the influence of alcohol,
 - c) Using vehicles other than motor vehicles in water traffic under the influence of alcohol.

2. Act amending the act on upbringing in sobriety and counteracting alcoholism and certain other acts

- bill prepared by the Minister of Justice based on decisions of Inter-Department Team for the Improvement of Decision Implementation.
- current status – draft bill has been sent to individual departments for approval
- Main premises:
 - 1) Abolition of the obligatory detoxification treatment procedure.
 - 2) Amending art. 23 of the act of 19 August 1994 on the protection of mental health (O.J. No. 111, item. 535 as amended) by adding clause 1a providing for the possibility for admitting to a psychiatric hospital persons who do not have psychotic disorders without their consent but who due to addiction to psychoactive substances face immediate threat to their life or pose a threat to life and health of other persons.
 - 3) Giving up a solution stipulating that when suspending execution of a penalty, court may oblige the sentenced person to undergo treatment, in particular detoxification and rehabilitation treatment or therapy or

to participate in correction and educational programmes only upon the consent of the sentenced person.

3. Act amending the act on upbringing in sobriety and counteracting alcoholism:

- bill prepared by the Chamber of Legal Advisors in Warsaw based on a decision of 'Friendly State' Extraordinary Committee
- Current status – first reading
- Main premises:

Facilitating the procedure for the award of license for sale and serving of alcoholic beverages by:

- 1) abolishing the obligation for an entrepreneur to present a decision by a relevant state sanitary inspectorate on the approval of the outlet pursuant to art. 65 of the act of 25 August 2006 on food safety.
- 2) obliging entrepreneurs to present a statement on the title to premises which forms an alcohol outlet instead of the current obligation to hold a legal document confirming title to premises which forms an alcohol outlet

4. Act amending the act on upbringing in sobriety and counteracting alcoholism:

- Draft TOR prepared based on a decision of 'Friendly State' Extraordinary Committee
- Current status – first reading
- Main premises:

Minister responsible for transport and minister responsible for economy will be authorised to stipulate by way of a regulation rules and conditions for sale, serving and consumption of alcoholic beverages in dining and restaurant cars of passenger trains in international, and national regional transport offered with pre-booked seats and in restaurants at railway stations.

5. Act amending the act on upbringing in sobriety and counteracting alcoholism:

- bill prepared by the Chamber of Legal Advisors in Warsaw based on a decision of 'Friendly State' Extraordinary Committee

- Current status – first reading

- Main premises:

Limiting responsibility of an entrepreneur for actions of sellers if they contravene ban imposed by art. 15 of the act .i.e. they sell alcohol to minors, people under the influence of alcohol or on credit.

Moreover, the following bills affect legal status in the scope of prevention and solving of alcohol related problems:

- 1. Bill on certain medical professions** – by regulating issues of disciplinary liability and several issues related with practicing the professions of addiction psychotherapy specialist and instructor, e.g. trade secret, disclosure of documentation, etc.
- 2. Bill amending act on counteracting family violence and certain other acts** – by imposing on municipal boards for the solving of alcohol related problems obligations under the Blue Card procedure.