

## Obligation To Translate Manual Instruction Into Polish

As a general rule, for B2B sales, the law does not require the obligation to include an instruction manual in Polish. However, this does not apply in the case of the sale of the machinery covered by the Ordinance of the Minister of Economy of October 21, 2008 on essential requirements for machinery (**"Machinery Ordinance"**). This regulation imposes an obligation to include a translation of the operating instructions in Polish with the machine. According to this regulation:

- **a machine placed on the market or put into service must be equipped with instructions,**
- **instructions should be written in at least one official language of the European union. Such language version(s), verified by the manufacturer or its authorized representative, shall bear the inscription "original instructions",**

if the **"original instructions"** do not exist in the official language or languages of the Member State in which the machine will be used, a translation into that language or languages shall be provided by the manufacturer or his authorized representative or by the person introducing the machine into the area. The translation should bear the inscription "translation of the original instructions".

There is an exception to the above regulation. It consists of the fact that the provisions of the regulation do not apply to low-voltage powered electronic and electrical equipment, such as:

1. audiovisual equipment,
2. IT equipment,
3. office machinery of general use.

"Low-voltage" equipment refers to machinery and equipment whose electrical voltage in changeable circuits is between 50 V and 1000 V, while the electrical voltage in non-changeable circuits is between 75 V and 1500 V.

Polish regulations on low-voltage equipment derive from the Regulation of the Minister of Development of June 2, 2016, and do not impose an obligation to issue operating instructions in Polish, however, the directive under which this regulation was issued (Low Voltage Directive (LVD) 2014/35 of the European Parliament and Council) does impose such an obligation. This is an obligation to draw up operating instructions in an easy-to-understand language for consumers and end users.

Regardless of whether a particular machine falls within the scope of the term "low-voltage device", according to the contents of the Ordinance of the Minister of Economy of October 30, 2002 on the minimum requirements for occupational safety and health in the use of machinery by employees at work, and the Polish Language Act of October 7, 1999, the employer is obliged to provide his employees with operating instructions for machines or equipment they use in Polish.