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Item 1336

Notice of the Governor of Narodowy Bank Polski

of 14 November 2023

on the promulgation of the uniform text of the Resolution of the Management Board of Narodowy Bank Polski on the terms and conditions of sale by Narodowy Bank Polski of coins, banknotes, and numismatic items for collection and other purposes

1. Pursuant to Article 16(3) of the Act of 20 July 2000 on Promulgation of Normative Acts and Certain Other Legal Acts (Journal of Laws of 2019, item 1461), the uniform text of Resolution No 43/2013 of the Management Board of Narodowy Bank Polski of 5 December 2013 on the terms and conditions of sale by Narodowy Bank Polski of coins, banknotes, and numismatic items for collection and other purposes (M.P. [Official Journal of the Republic of Poland] of 2021, item 1067) is hereby announced in an Appendix to this Notice, including the amendments introduced by:

- 1) Resolution No 54/2021 of the Management Board of Narodowy Bank Polski of 3 December 2021 amending the Resolution on the terms and conditions of sale by Narodowy Bank Polski of coins, banknotes, and numismatic items for collection and other purposes (M.P., item 1152);
- 2) Resolution No 30/2023 of the Management Board of Narodowy Bank Polski of 19 May 2023 amending the Resolution on the terms and conditions of sale by Narodowy Bank Polski of coins, banknotes, and numismatic items for collection and other purposes (M.P., item 550).

2. The uniform text of the Resolution set out in an Appendix to this Notice does not include:

- 1) § 2 of Resolution No 54/2021 of the Management Board of Narodowy Bank Polski of 3 December 2021 amending the Resolution on the terms and conditions of sale by Narodowy Bank Polski of coins, banknotes, and numismatic items for collection and other purposes (M.P., item 1152), which provides:

“§ 2. The Resolution shall enter into force on 27 December 2021.”;

- 2) § 2 of Resolution No 30/2023 of the Management Board of Narodowy Bank Polski of 19 May 2023 amending the Resolution on the terms and conditions of sale by Narodowy Bank Polski of coins, banknotes, and numismatic items for collection and other purposes (M.P., item 550), which provides:

“§ 2. The Resolution shall enter into force 14 days from the date of its promulgation.”

Governor of Narodowy Bank Polski: *A. Glapiński*

RESOLUTION No 43/2013
OF THE MANAGEMENT BOARD OF NARODOWY BANK POLSKI

of 5 December 2013

**on the terms and conditions of sale by Narodowy Bank Polski of coins, banknotes, and numismatic items for
collection and other purposes**

Under Article 36 of the Act of 29 August 1997 on Narodowy Bank Polski (Dziennik Ustaw [Journal of Laws] of 2022, item 2025), it is hereby resolved as follows:

Chapter 1
General provisions

§ 1. 1. The Resolution sets out the terms and conditions of the sale of coins, banknotes and numismatic items for collection and other purposes, hereinafter referred to as “collector items”, irrespective of the date of their issuance by Narodowy Bank Polski, hereinafter referred to as “NBP”.

2. Collector items include:

- 1) gold and silver collector coins;
- 2) collector notes;
- 3) numismatic items:
 - a) notes and coins that have not been put into circulation,
 - b) notes and coins withdrawn from circulation;
- 4) sets of collector items – collector items put together in one package, according to specific criteria, as listed in items 1 to 3;

4a)¹⁾ packets – collector items of the same subject¹⁾ or subjects of the same series, of a specific nominal value or values and in a determined number, not put together in one package;

5) one-ounce gold coins.

3. ²⁾ Pursuant to Article 125 of the Act of 11 March 2004 on the Goods and Services Tax Act (Journal of Laws 2023, items 1570, 1598 and 1852), NBP conducts a register of the sale of gold coins referred to in § 1 para. 2 items 1, 4 and 5, meeting the requirements determined in Art. 121 para.1 item 2 and para. 2 of the above Act.

4. Individual recipients purchasing gold coins referred to in para. 3 are obliged to provide data enabling their identification, i.e., in particular, their first name and surname, the PESEL number, and – in the case of persons not being the citizens of the Republic of Poland and not having a PESEL number – first name and surname, citizenship and the number of the document determining the identity of those recipients.

5. NBP preserves the data referred to in para. 4 for the purposes of fulfilling its statutory recording obligations.

¹⁾ Added by § 1 item 1 letter a of Resolution No 30/2023 of the Management Board of Narodowy Bank Polski of 19 May 2023 amending the resolution on the terms and conditions of sale by Narodowy Bank Polski of coins, banknotes and numismatic items for collection and other purposes (Monitor Polski, item 550), which entered into force on 20 June 2023.

²⁾ In the wording determined by § 1 item 1 letter b of the resolution referred to in footnote 1.

Chapter 2

Definitions

§ 2. Wherever used in the Resolution, these will have the following meaning:

- 1) individual recipient – a natural person who purchases collector items outside of their business operations and a natural person who does not run a business;
- 2) institutional recipient – a natural person who is not an individual recipient, a legal person or an unincorporated organisational unit;
- 3) ³⁾ Distributor – an institutional recipient which under a sale agreement buys collector items from NBP and conducts sales of collector items to individual recipients or institutional recipients at the address of the brick-and-mortar shop or internet site designated for electronic trading indicated in the sale agreement;
- 4) ³⁾ Technical Schedule of Issue of Collector Items – the schedule of issue of collector items, announced by NBP in the year preceding the year of issue of collector items, that does not set the exact days of issue of those items, provided to Distributors in the manner and at the time specified in the sale agreement;
- 5) annual submission – an order for collector items, as submitted by the Distributor by 31 October of the year preceding the year of the scheduled issue, relating to collector items included in the Technical Schedule of Issue of Collector Items;
- 6) sale agreement – an agreement entered into by NBP and Distributors for the sale by NBP of collector items;
- 7) days – calendar days;
- 8) operating days – days from Monday to Friday, save for statutory public holidays and public holidays, as stipulated by separate regulations;
- 9) Catalogue of Production Features – specification of admissible and inadmissible production features of collector coins. The Catalogue is available at NBP regional branches and on the NBP website (www.nbp.pl);
- 10) sale price – the price at which collector items are offered for sale by NBP, set by NBP based on the rules specified in the resolution;
- 11) NBP distribution channel:
 - a) NBP regional branches, the point of sale at the Sławomir S. Skrzypek NBP Money Centre and NBP mobile points of sale,
 - b) the Cash and Issue Department of NBP, hereinafter referred to as “DES”,
 - c) the online shop operated by NBP in accordance with the “Rules for the collector items sales conducted by the online shop,” constituting Annex 1 to this Resolution,
 - d) the Distributors;
- 11a) NBP mobile point of sale – a place which is a movable, in which the sale of silver collector coins and collector banknotes to individual recipients is conducted by employees of NBP regional branches, located outside an NBP regional branch and DES;
- 12) ⁴⁾ foreign issuer – a bank with its registered office outside the Republic of Poland or another foreign issuing authority holding the right to issue currency in the country of its registered office, and an entity acting on their behalf or with their authorisation;
- 13) order – an order for collector items submitted by the Distributor subject to rules, terms and conditions specified in a separate agreement, accepted for execution by NBP;

³⁾ In the wording determined by § 1 item 2 letter a of the resolution referred to in footnote 1.

⁴⁾ In the wording determined by § 1 item 2 letter b of the resolution referred to in footnote 1.

- 14) personal data – information about an identified or identifiable natural person, in particular: first name and surname, PESEL number and identity document number;
- 15) processing of personal data – an operation or set of operations performed on personal data or sets of personal data, whether or not by automatic means, such as collection, fixation, organisation, structuring, storage, adaptation or alteration, retrieval, review, use, disclosure by transmission, dissemination or other form of making available, alignment or combination, restriction, erasure or destruction;
- 16) point of sale at the Sławomir S. Skrzypek NBP Money Centre – a place located at the Sławomir S. Skrzypek NBP Money Centre where the sale of silver collector coins and collector banknotes to individual recipients is conducted by employees of the NBP Regional Branch in Warsaw;
- 17) ⁵⁾ foreign institutional recipient – an institutional recipient with its registered office outside the Republic of Poland.

Chapter 3

The sale of gold and silver collector coins, collector notes, collector sets and packets⁶⁾

§ 3. 1. ⁷⁾NBP may sell the collector items referred to in § 1 para. 2 items 1, 2, 4 and 4a:

- 1) through NBP distribution channels;
- 2) under and in accordance with the terms and conditions set out in agreements with foreign issuers.

1a. ⁷⁾ Subject to the supervision of DES, the Governor of NBP or a Deputy Governor of NBP or a member of the NBP Management Board acting under power of authority awarded onto him by the Governor of NBP may decide – at the request made by the Director of DES – to resign from the sale of certain collector items through an NBP distribution channel or channels.

2. NBP regional branches and DES sell collector items, referred to in para. 1, to institutional and individual recipients. A customer shall declare – while making a purchase at an NBP regional branch – whether he or she is making the purchase for an institutional recipient or as an individual recipient.

3. Collector items, referred to in § 1 para. 2, items 1, 2, 4 and 4a, are sold to institutional recipients:⁸⁾

- 1) in accordance with the order placed, authorised by an NBP regional branch or DES, as the case may be;
- 2) at NBP regional branch cash desks, on receipt of payment and direct handing over of collector items;
- 3) via the online shop.

3a. ⁹⁾ Collector items, referred to in § 1 para. 2, items 1, 2, 4 and 4a, are sold to foreign institutional recipients pursuant to a placed order confirmed by DES.

4. Collector items, referred to in § 1 para. 2 items 1, 2, 4 and 4a, are sold to individual recipients:¹⁰⁾

- 1) at NBP regional branch cash desks, at the point of sale at the Sławomir S. Skrzypek NBP Money Centre and NBP mobile points of sale, on receipt of payment and direct handing over of collector items;
- 2) via the online shop.

⁵⁾ Added by § 1 para. 2 letter c of the resolution referred to in footnote 1.

⁶⁾ The title of the chapter in the wording determined by § 1 para. 3 of the resolution referred to in footnote 1.

⁷⁾ In the wording determined by § 1 item 4 letter a of the resolution referred to in footnote 1.

⁸⁾ The introduction to the enumeration in the wording determined by § 1 para. 4 letter b of the resolution referred to in footnote 1.

⁹⁾ Added by § 1 para. 4 letter c of the resolution referred to in footnote 1.

¹⁰⁾ The introduction to the enumeration in the wording determined by § 1 para. 4 letter d of the resolution referred to in footnote 1.

5. Subject to the supervision of DES, the Governor of NBP or a Deputy Governor of NBP or a member of the NBP Management Board acting under power of authority awarded onto him by the Governor of NBP decides to sell part of collector items:

- 1) when they are intended for:
 - a) hospitality purposes of public authorities,
 - b) own needs of institutions whose scope of activities is related to the subject of a given issue;
- 2) in other particularly justified cases.

6. NBP may earmark for its own needs:

- 1) ¹¹⁾up to 6% of mintage of each issue of silver collector coins;
- 2) up to 5% of mintage of each issue of collector banknotes;
- 3) up to 1% of mintage of each issue of gold collector coins.

7. In particularly justified cases, subject to the supervision of DES, the Governor of NBP, a Deputy Governor of NBP or a member of the NBP Management Board acting under power of authority awarded onto him by the Governor of NBP may decide – at the request made by the Director of DES – to change the percentage specified in para. 6.

§ 4. 1. Collector items referred to in § 1 para. 2 items 1 and 2 are sold at the sale price determined by NBP, under paragraphs 2, 3 and 5.

2. ¹²⁾Subject to the supervision of DES, the Governor of NBP or a Deputy Governor of NBP or a member of the NBP Management Board acting under power of authority awarded onto him by the Governor of NBP accepts the sale price determined by DES.
3. The sale price of gold and silver collector coins and collector notes is determined with consideration of costs directly and indirectly associated with their production and sale, the expenses of their preparation for sale, whereas in the case of notes – also their face values, and the NBP margin. The price also includes VAT due.
4. The sale price of a set of collector items shall be the sum of the net sale prices of the collector items comprising the set, determined in accordance with the procedure specified in para. 3 or in § 12 para. 2, plus the packaging price. The sale price of a set of collector items shall also include VAT due.
 - 4a. ¹³⁾The sale price of a packet shall be the sum of the sale prices of the collector items comprising the packet at a purchase discount. The sale price of a packet includes the NBP margin and VAT due.
 - 4b. ¹³⁾Subject to the supervision of DES, the Governor of NBP or a Deputy Governor of NBP or a member of the NBP Management Board acting under power of authority granted by the Governor of NBP accepts, at the request of DES, the collector items comprising the packet referred to in para. 4a and the NBP margin.
 - 4c. ¹³⁾The sale price of a packet determined by NBP, referred to in para. 4a, is made public.

¹¹⁾ In the wording determined by § 1 item 4 letter e of the resolution referred to in footnote 1.

¹²⁾ In the wording determined by § 1 item 5 letter a of the resolution referred to in footnote 1.

¹³⁾ Added by § 1 item 5 letter b of the resolution referred to in footnote 1.

5. NBP may re-fix the sale price of gold collector coins made available for sale, if:

- 1) as a result of an increase in the prices of precious metal, the quotient of the sale price of a coin, determined in accordance with para. 3, and the value of gold contained therein, fixed in accordance with the price established in accordance with the average monthly quotation for gold on the London Gold Market, drops below 1.05, or
- 2) as a result of a decrease in the prices of gold, the quotient of the sale price of a coin, determined in accordance with para. 3, and the value of gold contained therein, fixed in accordance with the price established in accordance with the average monthly quotation for gold on the London Gold Market, exceeds 1.25, whereas the new sale price of a coin cannot be lower than the value of gold used to produce it, specified in the issue price calculation.

6. (repealed).¹⁴⁾

§ 5. 1. NBP regional branches and DES sell collector items referred to in § 1 para. 2 items 1, 2 and 4, taking account of price reductions, referred to in para. 2 items 4 to 7, exclusively to Distributors under the sale agreement concluded with them.

2. Sale agreements with distributors are concluded on considering the following objectives:

- 1) Distributors place annual submissions for collector items, included in the Technical Schedule of Issue of Collector Items;
- 2) (repealed);
- 3) ¹⁵⁾ if new types of collector items are added to the Technical Schedule of Issue of Collector Items, the orders for those items are accepted for execution within 10 days from the day of sending the information to the Distributors;
- 4) upon the sale of particular types of gold collector coins and collector sets consisting of gold collector coins issued in the year covered by the annual submission, the Distributors who placed annual submissions by 31 October of the year preceding the year of the issue are granted price reductions of:
 - a) 5.0% of net sale price of a particular type of gold collector coins or collector sets consisting of gold collector coins – upon the purchase of from 1% to 1.99% of their mintage,
 - b) 10.0% of net sale price of a particular type of gold collector coins or collector sets consisting of gold collector coins – upon the purchase of at least 2% of their mintage;
- 5) upon the sale of collector items, excluding the items referred to in item 4), issued in the year of the annual submission, the Distributors who placed their annual submission by 31 October of the year preceding the issue, are granted price reductions of:
 - a) 5.0% of net sale price of a particular type of collector items – upon the purchase of from 2% to 4.99% of their mintage,
 - b) 10.0% of net sale price of a particular type of collector items – upon the purchase of from 5% to 7.99% of their mintage,

¹⁴⁾ By § 1 item 5 letter c of the resolution referred to in footnote 1.

¹⁵⁾ In the wording determined by § 1 item 6 letter a of the resolution referred to in footnote 1.

- c) 15.0% of net sale price of a particular type of collector items – upon the purchase of at least 8% of their mintage;
- 6) the Distributors who place additional annual submissions for the items included in the Technical Schedule of Issue of Collector Items after 31 October of the year preceding the issue, are granted price reductions, referred to in items 4 and 5, less 30%, without prejudice to item 3. The additional annual submissions will be executed in the order of their submission;
- 7) upon the sale of collector coins, notes and sets remaining in NBP stock, for which at the order submission date at least one month has passed from their date of issue, price reductions will be granted in the amount of:
- a) 2% of the net sale price of a particular type of gold collector coins and collector sets consisting of gold collector coins – upon the total purchase of at least 30 pieces of particular subjects of collector items,
- b) ¹⁶⁾ 7% of the net sale price of a particular type of collector items, excluding the items referred to in letters a) and c) – upon the total purchase of at least 150 pieces of particular subjects of collector items,
- c) ¹⁷⁾ 25.0% of the net sale price of a particular type of a collector set consisting of silver collector coins – upon the total purchase of at least 50 pieces of particular subjects of particular collector items;
- 8) if the demand for the items enumerated in the Technical Schedule of Issue of Collector Items exceeds the number of collector items available for Distributors, annual submissions will be reduced in accordance with the following algorithm:

$$L_i = \frac{n_i}{\sum_{i=1}^H n_i} \times N_i$$

where:

L_i – stands for the number of given collector items awarded to i^{th} distributor upon the reduction, rounded down to integer parts,

n_i – stands for the number of given collector items for which a distributor placed a submission for i^{th} time,

H – stands for the number of Distributors who placed submissions for the purchase of given collector items,

$\sum_{i=1}^H n_i$ – stands for a total number of given collector items for which all the Distributors placed submissions,

N_i – stands for a tranche of given collector items intended for sale to Distributors;

- 9) sale agreements will contain relevant provisions, keeping NBP indemnified against a possible breach of representations by Distributors.

§ 6. 1. With reference to all collector coins issued by NBP, a 36-month sale period shall take effect, as of the issue date. Beyond that day, the collector items, referred to in § 1 para. 2 item 1, shall be withdrawn from sale.

2. The sale of collector items referred to in § 1 para. 2 items 2-5 shall be conducted until their stock has been exhausted.
3. Subject to the supervision over DES, in specific cases, the Governor of NBP, a Deputy Governor of NBP or a member of the NBP Management Board acting under power of authority awarded to them by the Governor of NBP may decide – at the request of the Director of DES – to conduct the sale of collector items, referred to in § 1 para. 2 item 1, despite the lapse of 36 months from the date of their issue.

¹⁶⁾ In the wording determined by § 1 item 6 letter b first indent of the resolution referred to in footnote 1.

¹⁷⁾ Added by § 1 item 6 letter b second indent of the resolution referred to in footnote

§ 7. Collector coins and notes are handed over to institutional and individual recipients from the day they were put into circulation.

Chapter 4

The sale of one-ounce gold coins

§ 8. 1. ¹⁸⁾NBP regional branches conduct the sale of one-ounce gold coins referred to in §1 para. 2 items 4a and 5 at NBP regional branch cash desks.

2. Institutional recipients can purchase one-ounce gold coins at NBP regional branches pursuant to the placed orders that are authorised by an NBP regional branch or directly at designated cash desks.
3. NBP regional branches sell one-ounce gold coins to individual recipients exclusively at selected cash desks, on receipt of payment and direct handing over of collector items.

§ 9. The sale price of one-ounce gold coins is the price effective on the day of placing the order.

§ 10.1. The net prices of one-ounce gold coins comprise:

- 1) the value of precious metal contained therein, calculated on the basis of the daily afternoon price quotations for gold on the London Gold Market on the day preceding the sale of those coins at NBP, and the US dollar mean exchange rate as shown on the NBP table of exchange rates calculated on the day preceding the sale of those coins. In the absence of the exchange rate from the preceding day, the latest exchange rate calculated before that day shall be taken into account;
- 2) a mark-up covering the costs related to the production and preparation for sale of gold coins and the profit.
 2. The sale price of one-ounce gold coins is determined, pursuant to para. 1, for each denomination of a one-ounce gold coin and for each packet consisting of five pieces of a one-ounce gold coin of a single denomination.
 3. Subject to the supervision over DES, the Governor of NBP, a Deputy Governor of NBP or a member of the NBP Management Board acting under power of authority awarded to them by the Governor of NBP shall approve – at the request of DES – the amount of the mark-up referred to in para. 1 item 2 for each denomination of a one-ounce gold coin and for the packet referred to in para. 2.
 4. The sale prices referred to in para. 2, determined by NBP, shall be made public.

§ 11. The handing over of one-ounce gold coins to institutional recipients shall take place after the indicated NBP bank account is credited with the amount due, resulting from the confirmed order; no later, however, than on the operating day following the day of receipt of the order confirmation.

Chapter 5

The sale of numismatic items

§ 12. 1. The sale of numismatic items, referred to in §1 para. 2 item 3, is subject to the provisions of § 3 and § 4; as well as § 5 para. 2 item 7, respectively.

2. The sale prices of numismatic items, determined by NBP, shall be made public.

¹⁸⁾ In the wording determined by § 1 item 7 of the resolution referred to in footnote 1.

Chapter 6

Complaints

§ 13. 1. If an institutional or individual recipient, hereinafter referred to as “Customer”, finds quality defects in the purchased collector items (in the case of collector coins – inadmissible production features enumerated in the Catalogue of Production Features), the customer shall make a complaint at the place where the collector items were physically transferred and submit the collector items being the object of the complaint with a fiscal receipt or a VAT invoice, as the proof of purchase, as well as a written substantiation of the complaint and information concerning details for correspondence.

2. DES shall consider the complaint within 14 days upon delivery of the complaint to NBP.

3. In the case where the complaint is deemed legitimate:

- 1) NBP will exchange the collector items being the object of the complaint for the same number of collector items of the same type, free from defects at the time and place specified in the notification of acceptance of the complaint, or
- 2) where there is no possibility to physically transfer the respective collector items, free from defects, NBP shall transfer the amount due for the collector items that are the object of the complaint to the bank account indicated by the customer within 14 days from the date of acceptance of the complaint.

4. For the purposes of considering a customer complaint in relation to collector items purchased by mail order at the online shop or via NBP mobile points of sale, the items concerned shall be delivered to the following address: Narodowy Bank Polski, Departament Emisyjno-Skarbcowy, ul. Świętokrzyska 11/21, 00-919 Warszawa, with a note “Sklep internetowy/reklamacja” or “Mobilny punkt sprzedaży NBP/reklamacja” (*Online shop/Customer complaint* or *NBP mobile point of sale/Customer complaint*), as well as a protocol whose template constitutes Annex 2 to this Resolution and a fiscal receipt or a VAT invoice copy, as proof of purchase. If the complaint is deemed justified:

- 1) NBP will exchange the collector items that are the object of the complaint for the same number of collector items of the same type, free from defects, at the time specified in the notification of acceptance of the complaint, while their new delivery will be carried out at the cost of NBP, or
 - 2) where there is no possibility of delivering the respective collector items, free from defects, NBP shall transfer the amount equal to the price paid along with any shipping costs, and where a VAT invoice is issued, with a correcting invoice; the amounts due shall be transferred to the bank account indicated by the customer within 14 operating days from the date of acceptance of the complaint, the correcting invoice – where a VAT invoice was issued – will be sent to the correspondence address provided in the complaint protocol within the above-mentioned time limit.
5. Complaints concerning collector items exhibiting any physical damage due to their improper handling by customers will not be considered.
6. The provisions of paras. 1 through 4 shall not affect any rights related to the seller’s liability for defects in goods arising from generally applicable provisions of law.

Chapter 6a

Processing of personal data

§ 13a. 1. Personal data are processed for purposes related to:

- 1) keeping records referred to in § 1 para. 3;
- 2) carrying out orders placed at the online shop;
- 3) purchasing collector items documented with a VAT invoice;
- 4) resolving complaints.

2. The personal data controller is Narodowy Bank Polski with its registered office in Warsaw at ul. Świętokrzyska 11/21, 00-919 Warszawa.

3. NBP ensures contact with the data protection officer at NBP by e-mail at the address iod@nbp.pl or by post at the address of the personal data controller. Detailed information concerning the data protection officer is available on the website: www.nbp.pl/gdpr and in a publicly accessible location at the seat of NBP.

4. The provision of personal data by an individual recipient is voluntary, but it is a necessary condition to achieve the objectives referred to in § 1 para. 3.

5. NBP does not use personal data provided by customers for automated individual decision-making, including profiling.

6. The individual recipient is responsible for the accuracy of the submitted personal data referred to in para. 1, including the personal details of persons authorised to receive the collector items instead of the person placing the order.

7. The individual recipient has:

- 1) the right to request access to their personal data;
- 2) the right to modify their personal data, including their rectification;
- 3) the right of erasure or to request restriction of processing of their personal data by NBP;
- 4) the right to object to their personal data processing by NBP;
- 5) the right to request that NBP provides them with the personal data made available to NBP in order to be transferred to another service provider;
- 6) the right to withdraw consent to the processing of their personal data by NBP.

8. The individual recipient has the right to lodge a complaint with the supervisory authority: President of the Office for Personal Data Protection, ul. Stawki 2, 00-193 Warszawa.

9. The withdrawal of consent to the processing of personal data and the right of erasure of personal data shall not affect the legality of the processing carried out on the basis of the consent before its withdrawal.

10. Personal data referred to in para. 1 are stored by NBP for a period of five years from the end of the year in which they were collected.

11. The rights referred to in para. 7 shall be exercised by the individual recipient at the data protection officer referred to in para. 3.

12. The provisions of paras. 1-11 do not affect the rights of customers regarding NBP's liability in respect of the protection of personal data of individual recipients, arising from the general provisions of law.

13. Personal data may be transferred, on the basis of legal provisions, to authorised public bodies.

Chapter 7

Final and transitional provisions

§ 14. (repealed).

§ 15. (repealed).

§ 16. Resolution No 73/2009 of the Management Board of Narodowy Bank Polski of 26 October 2009 on the terms and conditions of sale by Narodowy Bank Polski of coins, banknotes, and numismatic items for collection and other purposes (M.P., item 897, as amended¹⁹⁾) becomes ineffective, with the exception of:

- 1) in Annex 1 hereto – § 8 paras. 5, 7-7b and 10 and § 9 paras. 6 and 7,
- 2) in Annex 2 hereto – § 5 para. 7 item 2

– which become ineffective as of 30 April 2014.

§ 17. The Resolution shall enter into force as of 1 March 2014, with the exception of § 5 para. 2 and § 15, which shall enter into force upon their promulgation.²⁰⁾

¹⁹⁾ The amendments to the text of the Resolution were published in Monitor Polski of 2010, items 713 and 980; of 2011, items 254 and 571; of 2012, items 36 and 457 and of 2013, item 544.

²⁰⁾ The Resolution was promulgated on 13 December 2013.

RULES FOR THE COLLECTOR ITEMS SALES CONDUCTED BY THE ONLINE SHOP

§ 1.

General provisions

The Rules lay down the principles for the conduct as well as the rights and obligations of the participants of transactions concluded at the online shop, operating at the address <http://kolekcjoner.nbp.pl>.

§ 2.

Definitions

The terms used in the Rules have the following meaning:

- 1) personal data controller – NBP;
- 2) sale price – the price inclusive of due value-added tax at which collector items are offered for sale at the online shop;
- 3) DES – Cash and Issue Department of NBP (Departament Emisyjno-Skarbcowy);
- 4) days – calendar days;
- 5) operating days – days from Monday through Friday, with the exception of statutory public holidays and public holidays, as stipulated by separate regulations;
- 6) ID – a document with a photo, confirming the identity of the bearer – in the case of a citizen of the Republic of Poland – showing their PESEL number;
- 6a) ²¹⁾ payment instrument – payment instrument within the meaning of Article 2(10) of the Act of 19 August 2011 on Payment Services (Journal of Laws of 2022, items 2360 and 2640, and of 2023, items 1394 and 1723), enabling individual and institutional recipients to make payments: at the NBP Regional Branch in Warsaw, with a payment card or contactless BLIK, in the online shop – with a payment card, by transfer, instant transfer or with BLIK;
- 7) ²²⁾ card — payment card within the meaning of Article 2(15a) of the Act of 19 August 2011 on Payment Services;
- 8) catalogue of production features – specification of admissible and inadmissible production features of collector coins. The specification is accessible at NBP regional branches and on NBP's website (www.nbp.pl);
- 9) customer – a natural person, legal person or organizational unit without legal personality, having the capacity to perform legal acts, which completed the registration and obtained access to the online shop via the created account;
- 10) account – a set of resources and rights at the online shop, assigned to a specific customer, with a unique name (login) and password enabling the placement of orders for collector items;
- 11) NBP – Narodowy Bank Polski with its registered office in Warsaw at ul. Świętokrzyska 11/21;
- 12) individual recipient – a natural person purchasing collector items outside their economic activity, or a natural person not conducting economic activity;

²¹⁾ Added by § 1 item 1 letter a of Resolution No 54/2021 of the Management Board of Narodowy Bank Polski of 3 December 2021 amending the resolution on the terms and conditions of sale by Narodowy Bank Polski of coins, banknotes and numismatic items for collection and other purposes (Monitor Polski, item 1152), which entered into force on 27 December 2021.

²²⁾ In the wording determined by § 1 item 1 letter b of the resolution referred to in footnote 21.

- 13) institutional recipient – a natural person who is not an individual recipient; a legal person or an organizational unit without legal personality;
- 14) security package – a tamper-evident security envelope, which allows seeing the purchased collector item without opening the envelope, sealed with a tape provided with mechanical, thermal and humidity indicators;
- 15) authorised person – a natural person having the capacity to perform legal acts, who has been authorised by the customer to collect collector items purchased at the online shop;
- 16) (repealed);²³⁾
- 17) ²⁴⁾ payment in the NBP Regional Branch in Warsaw – payment made in cash or payment made with a payment card or contactless BLIK;
- 18) registration – the account opening procedure;
- 19) online shop – a computer system which serves to enter into sale agreements between NBP and customers regarding the ordered collector items;
- 20) website of the online shop – the website <https://kolekcjoner.nbp.pl>, operated by Narodowy Bank Polski;
- 21) resolution – Resolution No 43/2013 of the Management Board of Narodowy Bank Polski of 5 December 2013 on the terms and conditions of sale by Narodowy Bank Polski of coins, banknotes, and numismatic items for collection and other purposes (M.P. of 2023, item 1336);
- 22) (repealed).²⁵⁾

§ 3.

Registration

1. Purchases via the online shop are subject to registration resulting in activation of the account.
2. Customers register by filling in a registration form on the website of the online shop.
3. In order to make a purchase at the online shop, the customer must accept the rules for the sale of collector items – available on the online shop website – and consent to the processing of their personal data submitted upon registration in order to service transactions concluded at the online shop.
4. During the registration procedure the customer may agree to have information and promotional material sent to their e-mail address provided upon registration.

²³⁾ By § 1 item 1 letter c of the resolution referred to in footnote 21.

²⁴⁾ In the wording determined by § 1 item 1 letter d of the resolution referred to in footnote 21.

²⁵⁾ By § 1 item 8 letter a of the resolution referred to in footnote 1.

§ 4.**Customer account**

1. The customer is granted access to their account at the online shop after entering their login and password.
2. The account contains the data entered by the customer upon registration. In the case of any modifications regarding these data, the customer is obliged to update them by using the “My account” and “Contact address details” forms available after logging in.
3. In the event of loss of the password to the account, the customer may retrieve it by using the “Forgot your password?” option (“Nie pamiętasz hasła?”), available on the website of the online shop.

§ 5.**Placement and completion of orders**

1. NBP guarantees each and every collector item offered for sale at the online shop to be original and free from any unacceptable physical or legal defects.
2. ²⁶⁾ In the event of collector items being delivered to a customer via courier service, shipping costs, inclusive of insurance, shall be added to the sale price. The effective shipping cost is quoted on the website of the online shop. Orders of collector items of up to a gross value of PLN 25,000 are delivered by courier, without prejudice to para. 2a.
- 2a. ²⁶⁾ In justified cases, NBP may refrain from the execution of orders via courier service for orders up to a gross value of PLN 25,000. Information on execution of orders of collector items exclusively by collection in person at the NBP Regional Branch in Warsaw shall be published on the website of the online shop at least two weeks before the date of issue of the collector item excluded from delivery via courier service.
3. ²⁷⁾ The customer order placed by completing and accepting the order form represents an offer to purchase the product within the meaning of the provisions of the Polish Civil Code. While placing the order, the customer selects the method of payment and collection (courier delivery/collection at the NBP Regional Branch in Warsaw). In the event that the customer chooses the option of collecting the purchased items at the NBP Regional Branch in Warsaw, the notification of the collection day shall be communicated no later than within 10 days of the date of submission of the order or of the date of crediting the NBP account with the amount due. The customer may check the status of the order upon logging in to the account.
4. ²⁷⁾ The order is approved for execution upon placing the order by the customer. The confirmation is sent automatically within 24 hours. It contains information on the order number and amount, method of payment and the collection of the ordered items. The details are also available upon logging in to the account.
5. ²⁷⁾ While selecting the delivery of collector items by courier service, the customer undertakes to pay the full amount due for the order, including shipping costs, using the payment instrument, within seven days of placing the order. The payment shall be deemed completed on the day of crediting the NBP account with the amount due for the items ordered.
6. A cash register receipt or VAT invoice is issued for each order. NBP attaches this document to the sold collector items.

²⁶⁾ In the wording determined by § 1 item 8 letter b first indent of the resolution referred to in footnote 1.

²⁷⁾ In the wording determined by § 1 item 2 letter a of the resolution referred to in footnote 21.

7. The ordered collector items are handed over:

- 1) via courier service, in a security package, to the address indicated by the customer in the order form, within seven operating days of the day of receipt of payment. The delivery is effected only within the territory of the Republic of Poland;
- 2) at cash desks at the NBP Regional Branch in Warsaw, on the day as indicated, upon showing the identity document and providing the order reference number;
- 3) (repealed).²⁸⁾

8. In the case referred to in para. 7 item 2, the customer may provide details of the person authorised to collect the order at the NBP Regional Branch in Warsaw. This authorisation is effective once this person's name, surname and identity document number are entered in the "Authorised Person" ("Osoba upoważniona") form available after logging in to the account.

9. Collection of the order by an authorised person is conditional upon the signing of a declaration, at the time of collection of the collector items, the template of which constitutes an Annex to these Rules.

10. If – after accepting the order – it cannot be executed in full or in part for any reason beyond the control of NBP, NBP reserves the right to refuse to carry out the order, while forthwith notifying the customer of this fact. If the payment of the amount due was effected beforehand, NBP shall refund the customer the amount due.

11. ²⁹⁾ If no payment for the ordered collector items is received within seven days of the placement of the order, the order will be cancelled. If the collector items are not collected at the NBP Regional Branch in Warsaw within seven operating days from the items availability confirmation date, the order will be cancelled and the amount paid by the customer will be remitted to the account from which the payment originated or to the card used for making the payment; the payment will be refunded within 14 days of the scheduled collection day.

12. NBP reserves the right to refuse to carry out the order if the data entered by the customer prove incomplete, inaccurate or false.

13. ³⁰⁾ Any comments, requests and queries concerning the operation of the online shop, processing of personal data or carrying out placed orders should be submitted by e-mail or telephone to the address or telephone number published on the website of the online shop.

§ 6.

Processing of personal data of individual recipients

1. The personal data controller is Narodowy Bank Polski with its registered office in Warsaw at ul. Świętokrzyska 11/21, 00-919 Warszawa.
2. NBP ensures contact with the data protection officer at NBP by e-mail at the address iod@nbp.pl or by post at the address of the personal data controller. Detailed information concerning the data protection officer is available on the website: www.nbp.pl/gdpr and in a publicly accessible location at the seat of NBP.
3. Personal data are processed by NBP for the purpose of:
 - 1) maintaining the register of the sale of gold coins referred to in § 1 para. 3 of the Resolution;
 - 2) purchasing collector items documented with a VAT invoice;
 - 3) carrying out orders placed by an individual recipient;
 - 4) resolving complaints.

²⁸⁾ By § 1 item 8 letter b second indent of the resolution referred to in footnote 1.

²⁹⁾ In the wording determined by § 1 item 2 letter b of the resolution referred to in footnote 21.

³⁰⁾ In the wording determined by § 1 item 8 letter b third indent of the resolution referred to in footnote 1.

4. The provision of personal data is voluntary. The data are necessary in order to obtain an individual account at the online shop which enables submitting an order and purchasing collector items offered by the online shop.
5. NBP does not use personal data provided by customers for automated individual decision-making, including profiling.
6. The customer is responsible for the accuracy of the provided personal data, including the personal data of an authorised person.
7. The individual recipient has:
 - 1) the right to request access to their personal data;
 - 2) the right to modify the personal data, including their rectification;
 - 3) the right of erasure or to request restriction of the processing of their personal data by NBP;
 - 4) the right to object to the processing of their personal data by NBP;
 - 5) the right to request that NBP provides them with the personal data made available to NBP in order to be transferred to another service provider;
 - 6) the right to withdraw consent to the processing of their personal data by NBP.
8. The individual recipient has the right to lodge a complaint with the supervisory authority: President of the Office for Personal Data Protection, ul. Stawki 2, 00-193 Warszawa.
9. The withdrawal of consent to the processing of personal data and the right of erasure of personal data shall not affect the legality of the processing carried out on the basis of the consent granted before its withdrawal.
10. The right to require from the controller to erase personal data should be exercised without undue delay, provided that there are circumstances set out in the GDPR.
11. The data referred to in para. 3 items 1, 2 and 4 are stored by NBP for a period of five years, from the year following the year in which they were collected.
12. The data referred to in para. 3 item 3 are processed for the period during which the customer holds an active account at the online shop and in the case where the account has been removed, no more than five years, from the year following the year in which the account was removed.
13. The rights referred to in para. 7 shall be exercised by an individual recipient with the data protection officer referred to in para. 2.
14. The provisions of paras. 1-12 do not affect the rights of customers regarding NBP's liability in respect of the protection of personal data of individual recipients, arising from the general provisions of law.

§ 7.

Processing of personal data of a person authorised by the customer

1. The personal data controller of persons authorised by the customer is NBP with its registered office at ul. Świętokrzyska 11/21, 00-919 Warszawa.
2. NBP ensures contact with the data protection officer at NBP by e-mail at the address iod@nbp.pl or by post at the address of the personal data controller. Detailed information concerning the data protection officer is available on the website: www.nbp.pl/gdpr and in a publicly accessible location at the seat of NBP.
3. Personal data of the person authorised by the customer, i.e. given name, surname, identity document number, are processed by NBP in order to enable the collection of the order made by the customer. The provision of personal data is not obligatory, but if the customer fails to provide them, he or she will be obliged to collect the order.
4. NBP does not use personal data concerning authorised persons provided by customers for automated individual decision-making, including profiling.

5. The authorised person has:
- 1) the right to request access to their personal data;
 - 2) the right to modify their personal data, including their rectification;
 - 3) the right of erasure or to request restriction of the processing of their personal data by NBP;
 - 4) the right to object to the processing of their personal data by NBP;
 - 5) the right to request that NBP provides them with their own personal data made available to NBP;
 - 6) the right to withdraw consent to the processing of their personal data by NBP.
6. The authorised person has the right to lodge a complaint with the supervisory authority: President of the Office for the Protection of Personal Data: ul. Stawki 2, 00-193 Warszawa.
7. The withdrawal of consent to the processing of personal data and the right of erasure of personal data shall not affect the legality of the processing carried out on the basis of the consent granted before its withdrawal.
8. The personal data referred to in para. 3 are stored by NBP for a period of five years from the year following the year in which they were collected.
9. The rights referred to in para. 5 shall be exercised by the individual recipient at the data protection officer referred to in para. 2.
10. NBP shall provide the information referred to in paras. 1-9 to the authorised person at the time of collection of the order from the internet shop by the authorised person at the NBP Regional Branch in Warsaw or at the time of ordering by the customer the delivery of collector items to the authorised person by courier service.
11. The provisions of paras. 1-10 shall not affect the rights of customers relating to NBP's liability in respect of the protection of personal data of authorised persons, arising from the general provisions of law.

§ 8.

Return of the purchased collector items

1. An individual recipient may return the collector items purchased at the online shop within 14 days from the date of their delivery by courier service or their collection at the NBP Regional Branch in Warsaw.
2. Returns of collector items shall be made at the customer's expense to the following address: Narodowy Bank Polski, ul. Świętokrzyska 11/21, 00-919 Warszawa, with a note "Sklep internetowy" ("Online shop"), by post or courier service; NBP refunds the shipping costs in accordance with paras. 3 and 4.
3. The return of collector items by courier shall be made in intact, original security packages and must be accompanied by the cash register receipt. NBP shall, within 14 operating days from the date of the delivery of the collector items to the address specified in para. 2:
 - 1) refund the equivalent of the amount due together with the shipping costs:
 - a) via bank transfer to the bank account from which the payment originated or
 - b) ³¹⁾ to the card used for making the payment;
 - 2) send a correcting invoice – where a document confirming the sale is a VAT invoice – to the correspondence address or e-mail address indicated by the customer.
4. The return of collector items collected at the NBP Regional Branch in Warsaw shall be made together with the fiscal receipt. NBP shall, within 14 operating days from the date of collection of the collector items:

³¹⁾ In the wording determined by § 1 item 3 letter a of the resolution referred to in footnote 21.

- 1) refund the equivalent of the amount due:
 - a) via bank transfer to the bank account from which the payment originated or
 - b) ³²⁾ to the account of the card used for payment, or
 - c) in cash at the NBP Regional Branch in Warsaw;
- 2) send a correcting invoice – where a document confirming the sale is a VAT invoice – to the correspondence address or e-mail address indicated by the customer.

§ 9.

Complaints

1. For the purposes of considering a customer complaint in relation to collector items purchased by mail order at the online shop, the items concerned shall be delivered to the following address: Narodowy Bank Polski, Departament Emisyjno-Skarbcowy, ul. Świętokrzyska 11/21, 00-919 Warszawa, with a note “Sklep internetowy/reklamacja” (Online shop/Customer complaint), as well as a protocol whose template constitutes Annex 2 to this Resolution and a fiscal receipt or a copy of the VAT invoice, as the proof of making the purchase.
2. DES shall consider the customer’s complaint no later than within 14 days from receipt of the complaint by NBP.
3. In the case where the complaint is deemed legitimate:
 - 1) NBP shall exchange the collector items that are the object of the complaint for the same number of collector items of the same type free from defects; when they were purchased by mail order, their new delivery will be carried out at the cost of NBP, or
 - 2) the customer will receive an amount equal to the price paid with any shipping costs; the amount due will be transferred to the bank account indicated by the customer, within 14 operating days from the date on which the complaint was considered justified; where the VAT invoice was issued, a correcting invoice will be sent to the address for correspondence provided in the complaints protocol within the above-mentioned time-limit.
4. Complaints concerning collector items exhibiting any physical damage due to their improper handling by customers will not be considered.

§ 10.

Final provisions

1. Any amendments to the Rules governing the online shop may be made unilaterally by NBP at any time. The customer shall be advised of the amendments the first time the customer logs in to the system following their introduction. In the case of failure to accept the amended Rules, it will be impossible to place orders at the online shop.
2. Amendments to the Rules shall become effective on the date specified by NBP. Orders placed before the effective date of the amendments shall be effected in accordance with the procedure binding theretofore.
3. NBP holds proprietary copyrights to the online shop and all the works contained therein, among other things, the online shop logo and the NBP trademarks.
4. All matters not regulated by these Rules shall be governed by the generally applicable provisions of law.

³²⁾ In the wording determined by § 1 item 3 letter b of the resolution referred to in footnote 21.

Annex to the Rules

The NBP Regional Branch in Warsaw, (date)

Order no.:

Date of the order:

Sold:

Recipient:

Details of the customer:

Details of the authorised person:

.....
.....

.....
.....

(business name and address)

.....
.....

(full name, address)

Details of collector items purchased:

List of products

Number of products purchased

Unit price

VAT

Amount in PLN

Information about the processing of personal data: obtained otherwise than directly from the person whom they concern, with consent for the processing of personal data

1. Pursuant to Article 7 of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, page 1, OJ L 127, 23.5.2018, page 2 and OJ L 74, 4.3.2021, page 35), hereinafter the "GDPR", I hereby agree to having my personal data processed by Narodowy Bank Polski with its registered office in Warsaw, at ul. Świętokrzyska 11/21.

2. I have been advised that I have the right to withdraw consent to the processing of my personal data at any time, which, however, does not affect the lawfulness of the processing based on the consent before its withdrawal.
3. With regard to giving consent to the processing of my personal data, I have been advised that under Article 14(1) and (2) of the GDPR:
 - 1) my personal data controller is Narodowy Bank Polski with its registered office in Warsaw at ul. Świętokrzyska 11/21;
 - 2) Narodowy Bank Polski ensures contact with the data protection officer at NBP by e-mail at the address iod@nbp.pl or by post at the address of the personal data controller. Detailed information concerning the data protection officer is available on the website: www.nbp.pl/gdpr and in a publicly accessible location at the seat of Narodowy Bank Polski;
 - 3) the source of obtaining my personal data by NBP is the person defined above as the customer;
 - 4) my personal data will be processed for the purpose of collecting collector items ordered at the online shop;
 - 5) the following categories of my personal data will be processed: given name, surname, identity document series and number;
 - 6) my personal data will be stored for a period of five years from the end of the year in which they were collected;
 - 7) I have the right to demand access to my personal data and the right to rectification, erasure or restriction of processing of such data as well as the right of data portability;
 - 8) I have the right to lodge a complaint with the supervisory authority: the President of the Office for the Protection of Personal Data: ul. Stawki 2, 00-193 Warszawa;
 - 9) my personal data will not be used for automated individual decision-making, including profiling.

.....
I confirm the collection of the above-mentioned collector items and I consent to having my personal data processed in the above-mentioned scope

TEMPLATE

COMPLAINTS PROTOCOL NO

made on in

Details of the person making the complaint: given name and surname, address, telephone

.....
.....
.....

Date of purchase of collector items

Number of pieces of collector items complained about

Face value of collector items

Type and subject of collector items complained about

.....

Sale price of collector items

Proof of purchase: receipt/copy of VAT invoice*

Exact description of defects

.....
.....
.....
.....

Request by the person making the complaint regarding the method of dealing with the complaint

.....
.....

Number of the account of the person making the complaint*

.....

*Delete as appropriate.

Information about the processing of personal data

Pursuant to Article 13(1) and (2) of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, page 1, OJ L 127, 23.5.2018, page 2 and OJ L 74, 4.3.2021, page 35), hereinafter the “GDPR”, Narodowy Bank Polski informs you that:

- 1) your personal data controller is Narodowy Bank Polski with its registered office in Warsaw at ul. Świętokrzyska 11/21;
- 2) Narodowy Bank Polski ensures contact with the data protection officer at NBP by e-mail at the address iod@nbp.pl or by post at the address of the personal data controller. Detailed information concerning the Data Protection Officer is available on the website: www.nbp.pl/gdpr and in a publicly accessible location at the seat of Narodowy Bank Polski;
- 3) your personal data will be processed for the purpose of carrying out the complaint procedure concerning collector items;
- 4) the legal basis for the processing of your personal data for the purpose referred to in point 3 is Article 6(1)(b) of the GDPR, i.e. the processing is necessary for the performance of a contract to which the data subject is a party or in order to take steps at the request of the data subject prior to entering into a contract;
- 5) your personal data will not be transferred to other entities, including recipients in third countries or international organisations, except for public authorities for which the legal grounds for making such data available is a provision of law;
- 6) your personal data will be stored for a period of five years from the end of the year in which they were collected;
- 7) you have the right to request access to or rectification, erasure or restriction of processing of your personal data as well as the right of data portability and the right to object to data processing;
- 8) you have the right to lodge a complaint with the supervisory authority: President of the Office for Personal Data Protection, ul. Stawki 2, 00-193 Warszawa;
- 9) the submission of personal data is voluntary, but it is a condition for carrying out a complaint procedure;
- 10) your personal data will not be used for automated individual decision-making, including profiling.

.....

Signature of the person making the complaint

NBP’s position regarding the request of the person making the complaint

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.....

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Signature of the authorised person