



# AWARENESS OF CONSUMER RIGHTS AND ANALYSIS OF BARRIERS PREVENTING CONSUMERS FROM SAFE AND SATISFACTORY PARTICIPATION IN THE MARKET

RAPORT



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Awareness of consumer rights and analysis of barriers preventing consumers from safe and satisfactory participation in the market – survey report

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## **1. GENERAL INFORMATION ABOUT THE SURVEY**

### **1.1. Survey objectives**

1. To attempt to determine whether and to what extent consumers feel active market participants (whether they understand the significance of the process of making rational decisions about the purchase, as a factor balancing the relations on the point of contact between the consumer and the entrepreneur).
2. To analyze the methods of making consumer decisions: attempt to determine to what extent the decisions are rational and to what extent spontaneous and not well thought-through; do consumers have purchase decision-making strategies (characteristics of consumer groups with developed strategies and consumer groups without such strategies).
3. To analyze the level of consumer activity among Polish consumers: “individual activity or institutional representation” – comparison of expectations and needs.
4. To identify the existing barriers to consumer activity in the area of skills and effectiveness of pursuance of claims.
5. To determine the level of awareness of OCCP as an institution dealing with consumer protection.
6. To determine the level of awareness of OCCP’s educational programs addressed to consumers and assess them.
7. To analyze changes in consumer market adaptation levels since 2007, with special focus on factors influencing consumer behaviors in the market (quality markings, quality-price, advertising, rights awareness).
8. To segment the consumer population from the standpoint of:
  - purchase decision-making patterns, taking into consideration the changing price and quality levels,
  - purchase decision-making mechanisms,
  - place of purchase,
  - significance of the brand,
  - attitudes to quality,
  - awareness of consumer rights,
  - benefiting from consumer rights.

9. To determine the attitudes of Polish consumers to advertising.
10. To determine expectations and preferences of Polish consumers with regard to advertising message.

## **1.2. Methodology and sample**

The survey entitled “Awareness of consumer rights and analysis of barriers preventing consumers from safe and satisfactory participation in the market” was conducted by the ARC Rynek i Opinia Research Institute. The research project included two stages: qualitative and quantitative part.

In the qualitative stage, the sample comprised consumers who decide about selection and purchase of goods satisfying the basic needs of the household. Participants of six focus groups were selected on the basis of the following social and demographic characteristics: place of residence, age, gender and education.

In the quantitative part of the survey, the sample comprised a national representative group of population selected using the random method (based on the name-specific sample drawn from the PESEL report) aged 18 plus. The distributions of the basic social and demographic characteristics in the sample correspond to the distributions in the population. The survey was conducted using the personal questionnaire interview method. In total N=1000 interviews were carried out.

Since the objectives of this survey were tantamount with the objectives of the 2007 survey, in the quantitative survey the same research tool as in the previous survey was used. Hence retaining high internal accuracy of the two surveys (selection of the sample, operationalization of indicators), it was possible to compare the results from 2009 and 2007. This approach made it possible to monitor the dynamics of the changes in the consumer habits and opinions in the years in question.

## **2. KEY FINDINGS**

### **2.1. Introduction**

The period in which Polish consumers have had the opportunity to fully take advantage of their rights and benefits of market economy is relatively short and comprises twenty years. The systemic changes of 1989 created a number of opportunities for Poles which, albeit often known and obvious to inhabitants of other countries, were break-through for the Polish consumer. The process of adaptation of the society to the new conditions in which it found itself was diversified. Just like any change, it generated new opportunities but also threats. Customers faced a broad range of goods which had not been available before, a new problem regarding making choices emerged, and the purchasing power changed. As a result of all these factors, in the initial period when market participation rules were being formed, consumers could not be fully-fledged partners for entrepreneurs.

Establishment of the Antimonopoly Authority was an important stage in the formative process of the relations between consumers and manufacturers and service-providers. 1996 was a breakthrough year, when the Antimonopoly Authority was renamed to the Office of Competition and Consumer Protection (OCCP) and its powers were extended to include consumer protection. Adaptation of the Polish antimonopoly and consumer law to the EU legislation was another milestone. This was a *sine qua non* condition for equalizing the positions of individual market participants. However the level of consumer activity depended on individual motivation and actions taken.

Currently, both Poland's membership in the European Union, the act on competition and consumer protection of 16 February 2007 and other legal regulations ensuring high level of consumer protection give the consumer the possibility of functioning in the market as a fully-fledged partner in relation to the entrepreneur.

The consumer appears in the market in a triple role: as the target of the company's promotional activity (in particular advertising), purchaser of manufactured goods and provided services, and the user of purchased goods. He/she should be protected in each of these respects because in each of them the consumer's interests can be threatened or infringed by application of specific market methods or practices by manufacturers or service providers. Therefore in market economy countries consumer protection is normally a most important area of active state involvement and has to enter more and more new areas. Its

basic objective is to strengthen the consumer's position and ensure consumer's safety. This is manifested primarily in enactment of legal regulations that secure the purchasers' interests, in development of the organizational and functional infrastructure aiming at enforcement of consumer rights, and in running information and educational campaigns. These last actions aim at increasing the level of consumer awareness pertaining to the rights they are entitled to in the market<sup>1</sup>.

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<sup>1</sup> For more detail c.f.: A. Dąbrowska, M. Janoś-Kresło, I. Ozimek: Ochrona i edukacja konsumentów we współczesnej gospodarce rynkowej [Protection and education of consumers in contemporary market economy]. PWE, Warsaw 2005, p. 22-29.

## **2.2. Key findings of the survey**

- Poles feel active and subjective market participants. However the actual scope of consumer awareness is diversified. For example, in the case of transactions that involve the signing of a contract, consumers act in a way which may not sufficiently secure their interests.
- A clear majority of the consumers make purchases in a well thought-through manner. The price is unchangeably the main product selection criterion. In comparison to the previous survey, the number of respondents who declare that in most cases they make decisions independently increases and the number of persons who declare that they buy products on the impulse slightly increased.
- The consumer attitude to advertising can be labeled as pragmatic. Consumers declare that they realize that advertising over-exaggerates the benefits that the customer will enjoy after purchasing a given commodity. They claim that in advertising they look for information which will enable them to select a product from the broad range of products available in the market. Hence consumers maintain that what matters to them is the credibility of the advertising message.
- The role of modern trade chains increases at the cost of traditional retail trade. Consumers do shopping in discount stores, supermarkets and hypermarkets more often than in previous years. Also the significance of Internet as a way of online shopping increases.
- Poles are convinced that their awareness of their rights is low and this opinion has not changed since the last survey. The prevalence of this conviction points to consumer education priorities. In relation to 2007, the awareness of regulations pertaining to conclusion of loan/credit agreements or purchase of brown or white goods has decreased but the knowledge about the principles of warranties has increased.
- A typical consumer is still convinced about his/her weaker position in relation to the manufacturers, sellers and service providers. Although in relation to 2007 the percentage of persons who believe that the position of consumers and sellers is equivalent has increased, the number of persons perceiving the seller's advantage has increased more.
- The product price is main criterion deciding about whether the consumer will pursue his/her rights in a given situation. In the case of purchase of goods whose value is relatively low, most consumers do not take any action; only a significant value of the

good or service purchased is able to motivate consumers to take action. In relation to the previous survey, the weight of the price factor has decreased insignificantly. The role of the time factor, in turn, has increased – currently customers increasingly frequently give up pursuing their rights, believing that it will last long.

- Problems with proper understanding of the provisions of the contract are the main barriers affecting the ability and effectiveness of pursuing claims. The language of the contracts is incomprehensible for an average customer. No knowledge of the existing legal regulations and of the actions that should be taken to effectively resolve the problem is the next limitation that is pointed out by respondents. This should be counteracted by intensification of educational efforts which would present the possibilities of effective pursuance of rights in an understandable, guidebook-like fashion.
- Relatively low awareness of institutions and organizations dealing with consumer protection has been identified. One third of the respondents claim that they do not know any organizations dealing with consumer protection. The effects of the actions taken by the Office of Competition and Consumer Protection over the past few years have resulted in much better recognizability of this institution. The awareness of OCCP (both spontaneous and prompted) has improved, which however is not accompanied by increased respondent awareness of the powers of the Office. The scope of issues which, in the respondents' opinion, OCCP deals with is decisively broader than in reality.
- Most respondents subscribe to the opinion that consumer interests should be represented by appropriate authorities or organizations. Hence top-down actions of consumer institutions are still expected more often than independent consumer initiative. A comparison of the consumer needs with the previous survey shows that this expectation does not change among Poles. Shift of the initiative to authorities representing customers is surely convenient but does not help increase of consumer activity and development of proactive consumer attitudes.
- The level of awareness of educational programs addressed to consumers is low. One should take into consideration, however, the time that elapsed between the execution of these programs and the timing of the survey. The consumer rights ombudsmen information campaign was best remembered (“You can scream, you can beg...”). The channel of communication used surely had influence on the awareness of this campaign – television broadcast guaranteed a broader reach.

Respondents positively view the programs which convey information in understandable terms, using practical examples.

- Summing up, one should emphasize that in Poland the barriers to consumer activity are still as follows:
  - lack of awareness of the rights that consumers are entitled to;
  - lack of awareness of consumer protection institutions and organizations;
  - lack of internal motivation to make conscious choices based on multi-criteria analysis;
  - lack of involvement in filing complaints due to low price of the product and time-consuming complaint process;
  - the level of income – resulting in concentration on the price when making purchase decisions;
  - limitations resulting from lack of: understanding of the wording of legal regulations and contract forms, application of the information gathered to a broader context and its verification with other sources;
  - limitations in Internet access and the resulting inability to use the diversified forms of information and education about consumer protection presented therein;
  - insufficient number of educational campaigns.

Because the increase of the consumer awareness is a condition for conscious development of consumer behaviors, it is indispensable to initiate further educational campaigns and actions.

### **3. ANALYSIS OF THE METHODS OF MAKING CONSUMER DECISIONS**



An analysis of the methods in which consumers make choices should comprise each constituent of the decision-making process. The ultimate behavior is the effect of different activities undertaken by the consumer and sometimes also the result of lack of such initiative on the part of the buyer. Depending on the type of the goods consumed, respondents take different actions because the motives that drive them are different. The consumer makes most decisions quickly, without thinking and without any major mental effort. However, some decisions are taken after a long thought, consideration of all pros and cons and review of the benefits and negative effects, if any. The final outcome of the actions taken is often preceded by weighing the expected benefits in relation to the costs that the consumer has to incur.

### **3.1. Consumer – decision-maker**

In the survey conducted in 2009, 44 percent of those polled claim that they independently make decisions about purchase of articles of daily use. Compared to 2007 (36 percent), we can see an increase of the number of respondents who believe that they make choices individually. There are no differences in the number of households where the decision about what to buy is the result of a joint effort – both in 2007 and in 2009 it is 34 percent. In most cases it is men who convinced that the decision is made jointly. In reality, it was women who more often made an independent choice about the daily use products bought (63 percent in 2009 and 57 percent in 2007)<sup>2</sup>.

Just like two years ago, it turns out that in the case of daily use items, women not only more frequently choose a given product or brand, but are also responsible for the execution of the purchase process (in 2009 58 percent women declared that they make such purchases themselves; in 2007 this figure was 53 percent).

In the case of more serious purchases, the number of persons declaring that the purchase decisions are taken jointly has increased. This is associated with the cost of an incorrect decision, if any. In the case of purchase of daily use products, the results of the selection are short-term and relatively unimportant for the consumer. When bigger financial resources are involved, the purchase is one-off rather than regular and the costs are more painful and long-lasting. Therefore in such situations respondents prefer to consult their choice with someone else.

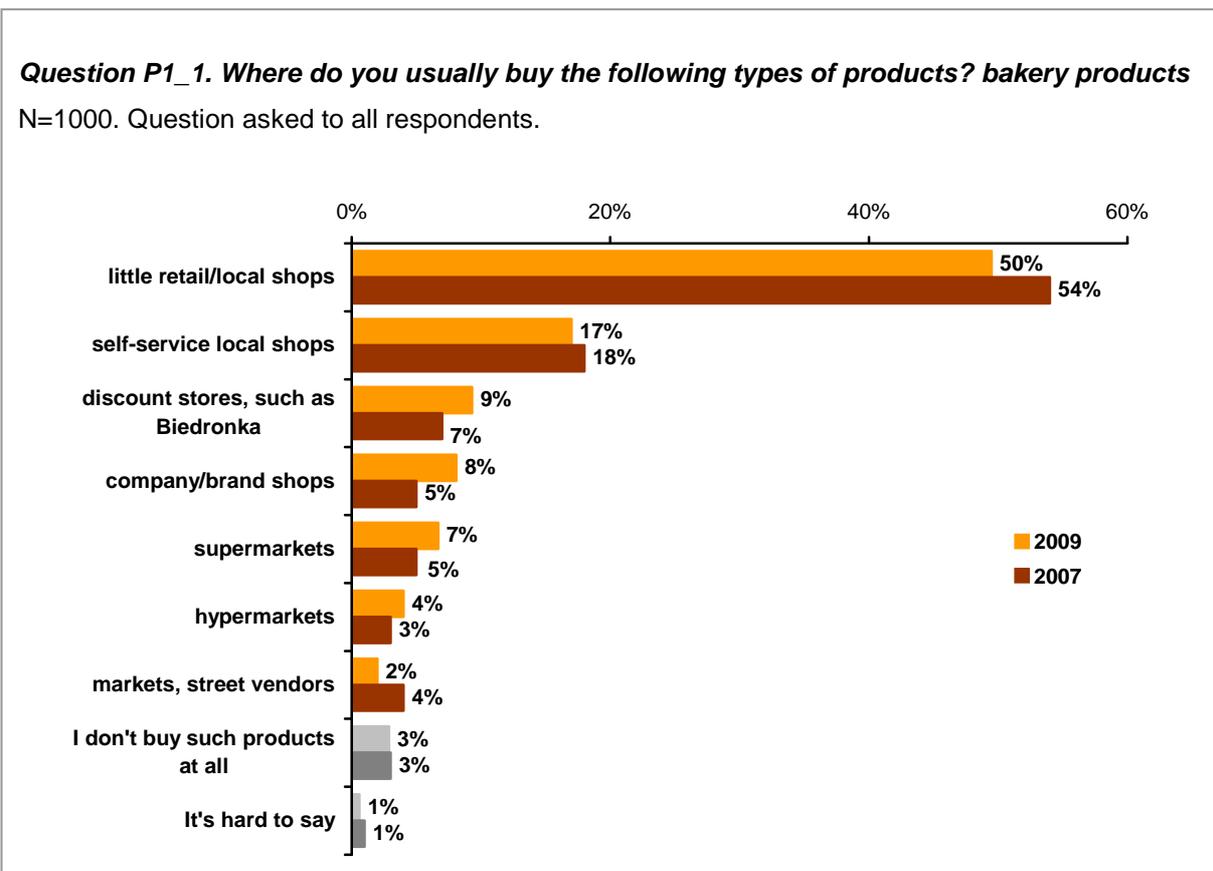
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<sup>2</sup> The role of women in making purchasing decisions and their more frequent independent shopping are confirmed also by other surveys, inter alia: the survey conducted by the CBOS polling center in 2008 entitled "Consumer behaviors" (BS Communication/117/2008).  
For more detail c.f.: [http://www.cbos.pl/SPISKOM.POL/2008/K\\_117\\_08.PDF](http://www.cbos.pl/SPISKOM.POL/2008/K_117_08.PDF)

### 3.2. Factors determining the place of purchase

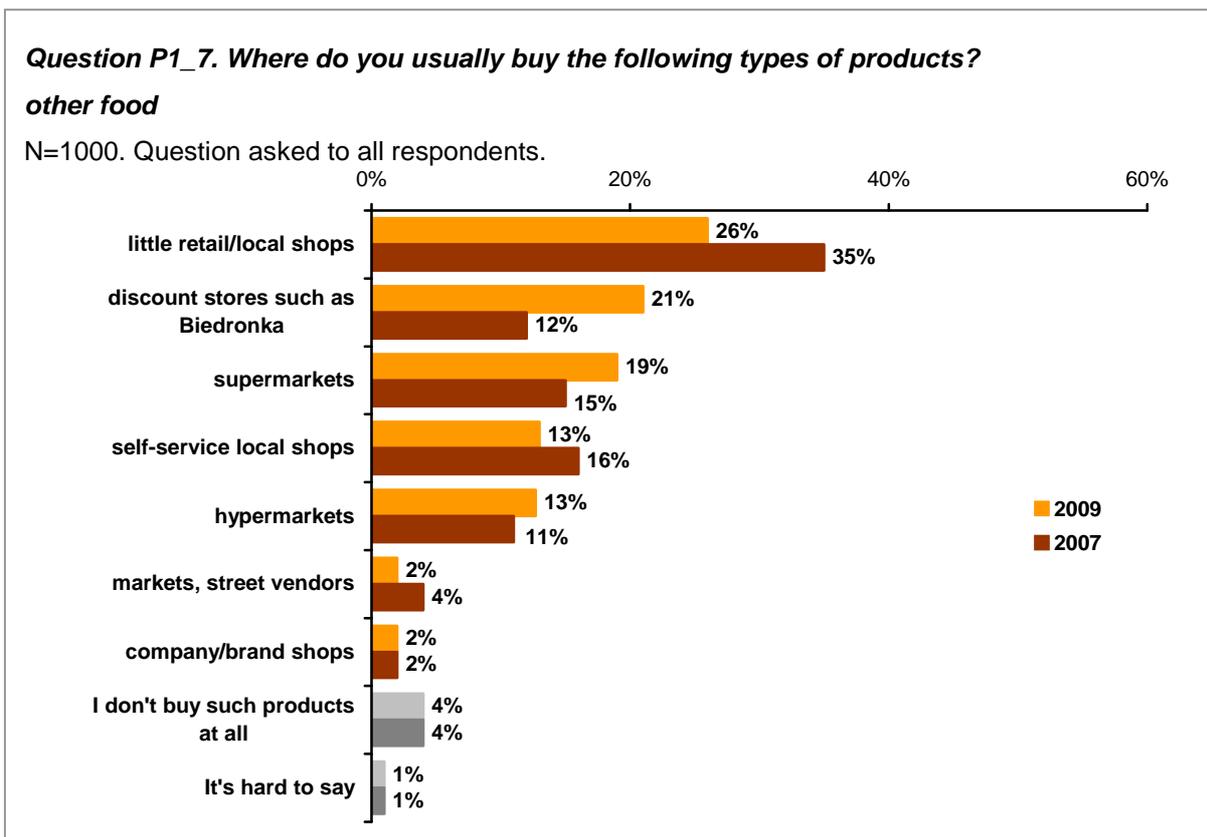
A contemporary consumer may make purchases in different places in which the product range, product prices, range of additional services and the popularity among consumers is much diversified. The place of purchase is the derivative of consumer expectations regarding where one can obtain a product characterized by good quality, affordable price and physical accessibility of the shopping outlet. Also, earlier customer experience associated with selection of the given sales channel is of significant importance.

There is a connection between what one wants to buy and where the purchase takes place. Foodstuffs are the most frequently purchased in small retail/local shops. In the questions about purchase of bakery products, this type of shop is indicated by 50 percent of the consumers; milk and dairy products – 43 percent of the respondents; vegetable fats – 38 percent; meat and cold meats – 37 percent; fruit and vegetables – 28 percent, and other food – 26 percent of those polled.



This is dictated on the one hand by the proximity of such outlets and on the other by the necessity of making frequent purchases. Since 2007 little retail/local shops have been

the most popular place of buying popular foodstuffs<sup>3</sup>. Nonetheless we still can see a slight decrease of the attractiveness of this sales channel accompanied by simultaneous increase of popularity of discount stores and supermarkets. This phenomenon can be seen especially clearly in the case of other foodstuffs<sup>4</sup>.



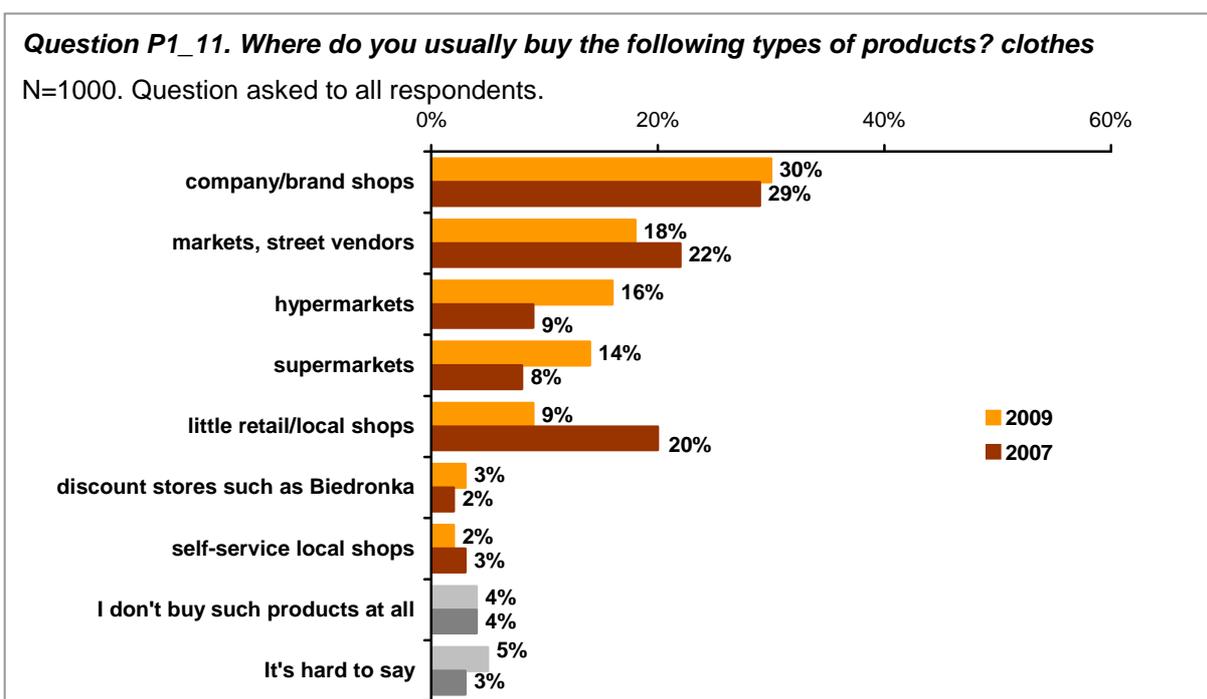
<sup>3</sup> The role of local shops as an important place of buying foodstuffs is also confirmed by other surveys, among others: the survey conducted by the CBOS polling center in 2008 entitled "Consumer behaviors" (BS Communication/117/2008). For more detail c.f.: [http://www.cbos.pl/SPISKOM.POL/2008/K\\_117\\_08.PDF](http://www.cbos.pl/SPISKOM.POL/2008/K_117_08.PDF)

<sup>4</sup> The term "other foodstuffs" in this case means other food, i.e. other than meat, dairy products, fruit and vegetables.

Comparing the results obtained in 2009 with the survey conducted two years before, we can see decreasing popularity of traditional retail trade (local shops etc.). Interpreting the above results, one should take into consideration the impact of the following factors:

- The period in which the survey was conducted. The last survey took place at a time referred to as financial downturn whose symptoms could be seen also in Poland. First of all, this was a time when the financial problems were ever present in the mass media. As a result it became a frequent topic of discussions of many people, shaping their opinions and views. Looking for alternative, cheaper shopping opportunities was one of the ways of “combating” the crisis. Discount stores and supermarkets and hypermarkets are such an alternative to retail/local shops. Hence looking for savings, consumers more frequently used modern trade outlets.
- Change of the format of modern trade outlets. Big cities in Poland have limited space available for large format retail. Supermarkets and hypermarkets, having used up such resources and saturating the market, had to move their operations to other locations. Discount stores do not require large space hence big chains are increasingly interested in opening small and medium-size discount stores. At the same time the oldest chain of grocery discount stores in Poland has been systematically growing the number of sales outlets, covering larger and larger areas of Poland. In the face of such transformations in the market, some small retail shops cannot cope with the competition and close down. Others consolidate. The rest of the outlets join forces and work under the auspices of grocery chains, which may be perceived by some respondents as discount stores, which such outlets actually become.

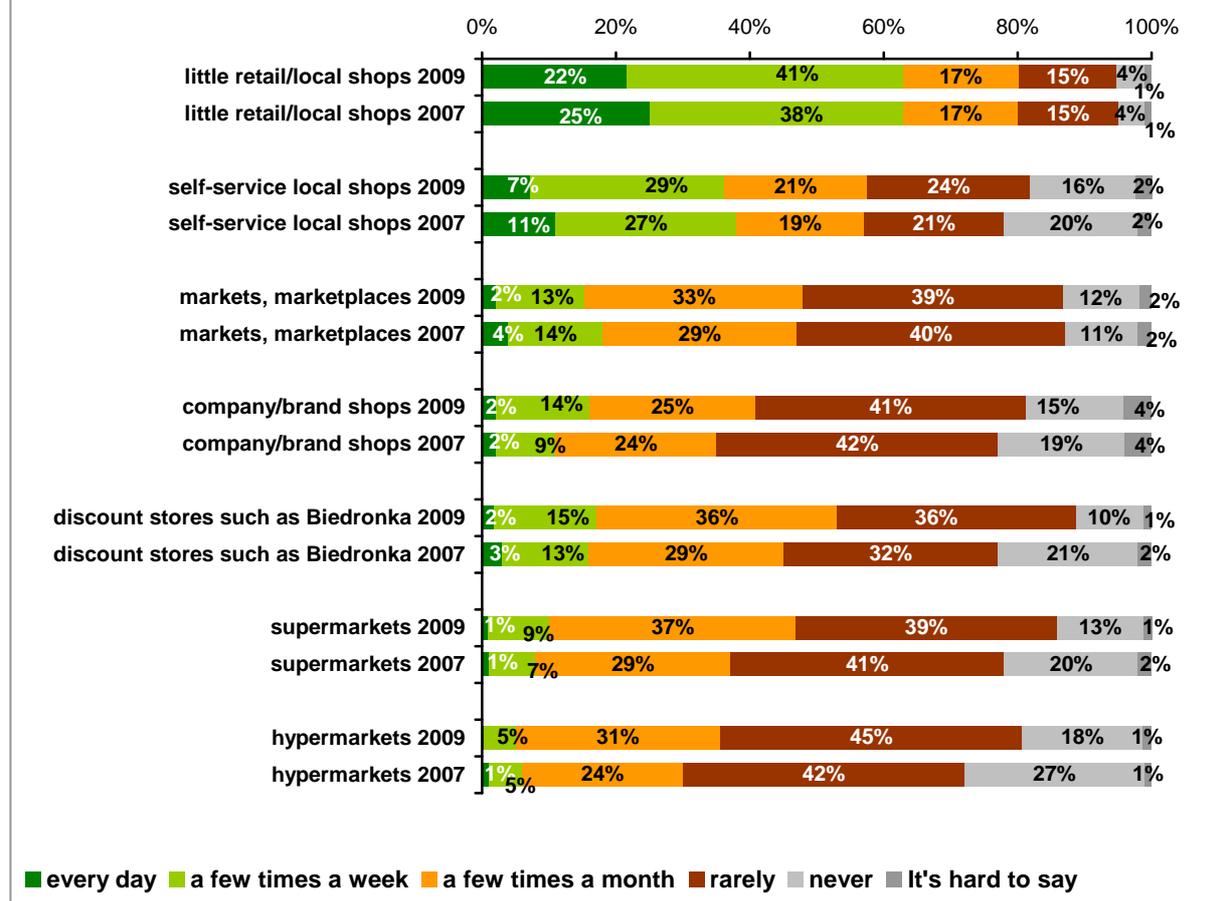
Looking for the cheapest sales channel, consumers more frequently (than in 2007) do shopping in discount stores, supermarkets and hypermarkets. The place of buying clothes is a meaningful example of these changes. Respondents still buy clothes the most frequently in the shops of a specific company/in brand shops. However much more frequently than in 2007 Poles declare purchase of clothes in supermarkets and hypermarkets.



No significant changes in the frequency of shopping depending on the place of sale have been identified. Like in 2007, Poles do shopping the most frequently near their place of residence and hence visit small retail/local shops, as well as self-service shops located near home. They visit supermarkets and hypermarkets the least frequently – one out of three respondents visits these outlets several times a month.

**Question P2. How often do you do shopping in the following places?**

N=1000. Question asked to all respondents.



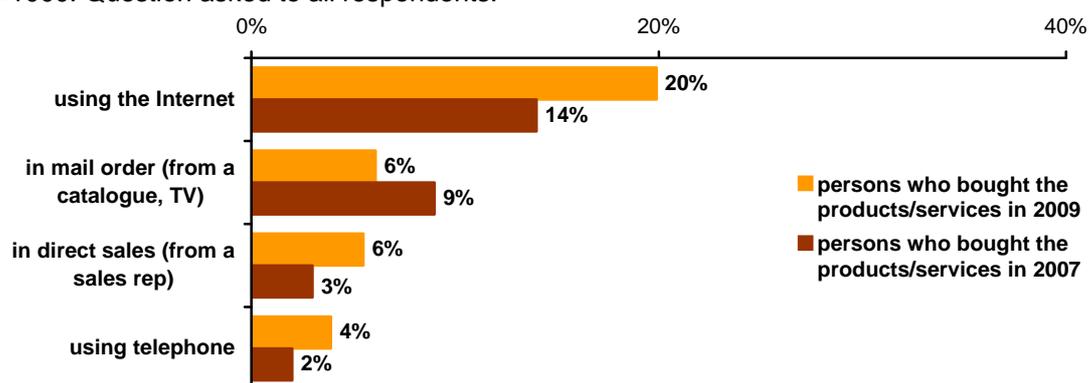
Apart from traditional sales channels, more interest in shopping through the Internet has been recorded (6 percent increase). In 2009 one out of five respondents declares that during the last year he/she did online shopping. However still a large group of consumers do not use this channel – 68 percent of those polled in 2009 claim that they have never shopped in an Internet shop and 70 percent have never used Internet auctions.

Analyzing the results of the two surveys, we can see increasing popularity of online sales at the cost of traditional mail order sales. The Internet, offering higher diversity of products and more possibilities of learning about the available product range, has an advantage over the existing methods used in mail order sales. Online shopping still remains the domain of younger consumers. Among the persons using e-commerce, 49 percent are people aged 18-29. Only 9 percent of people aged 50–59 did electronic shopping last year.

As the results of the 2009 survey show, Poles increasingly frequently buy products by telephone and in direct sales. This result is the outcome of increasing competition between the existing entities which look for new sales channels to increase their operating income. Direct sales increasingly frequently are used by insurance companies and financial institutions.

**Question P28. Over the past 12 months, did you buy any products or services...?**

N=1000. Question asked to all respondents.

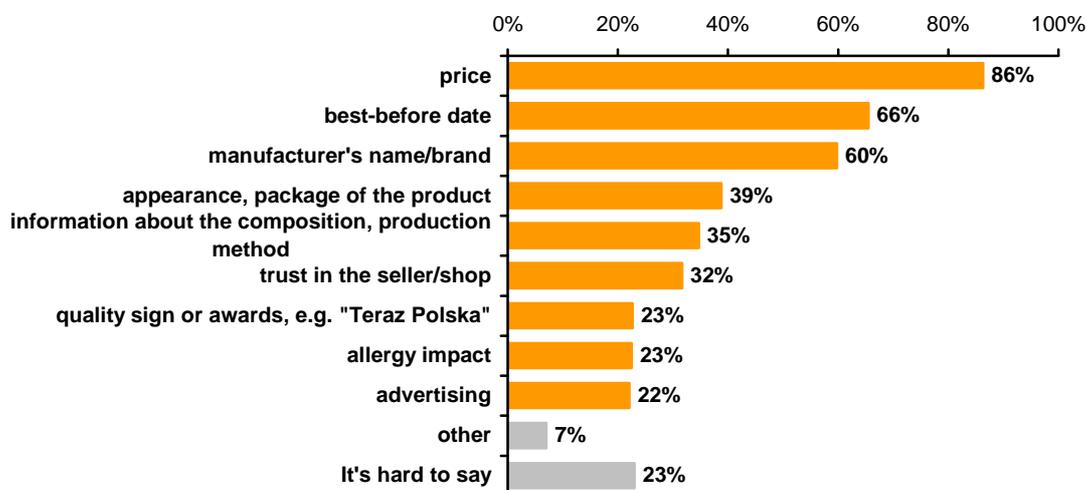


### 3.3. Motives driving consumers when making a choice

The motives that stand behind each decision-making process can be different, depending on what commodity they apply to. Hence in this survey we analyzed the factors that consumers take into account when choosing different products.

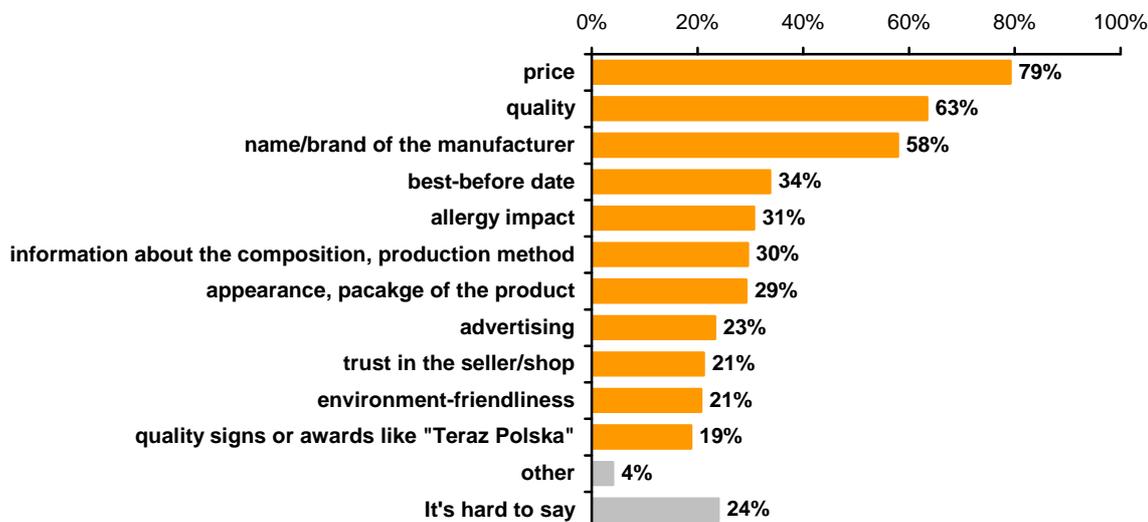
**Question P3. What factors do you primarily take into account when buying foodstuffs?**

N=1000. Question asked to all respondents. Several answers are possible.



**Question P4. What factors do you primarily take into account when buying cosmetics and other chemicals?**

N=1000. Question asked to all respondents. Several answers are possible.



Clear majority of those polled point to the product price as the main selection criterion<sup>5</sup>. In the case of foodstuffs, this is 86 percent of the respondents and in purchase of cosmetics and chemicals, 79 percent of those polled.

When buying foodstuffs the consumers also look at the best before date of the product (66 percent of the answers) and the manufacturer's brand/name (60 percent). Poles use similar criteria when selecting cosmetics: 63 percent declare that they are driven by the quality of the product and 58 percent pay attention to the brand.

Other criteria get relatively lower scores. Only 22-23 percent of the respondents (respectively: in the case of purchase of foodstuffs and cosmetics and other chemicals) declare that they are driven by advertising. Taking into account the high score of such factors as: brand and manufacturer's name (whose awareness is to a large extent determined by advertising), one should assume that the impact of advertising is underappreciated by the respondents.

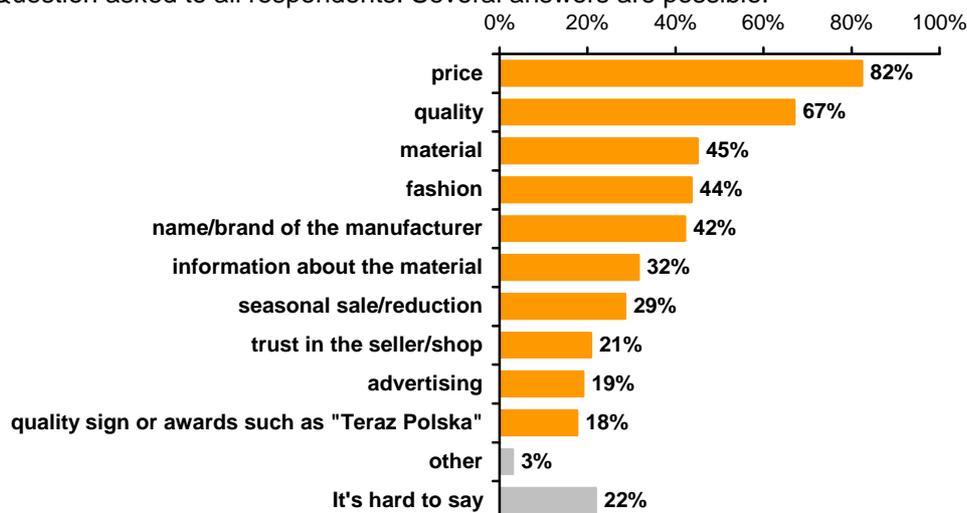
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<sup>5</sup> In national surveys conducted since 1994, in the case of food, both the price and the best before date are the most important factors influencing the decision about choosing the given foodstuff. For more detail c.f.: I. Ozimek: Bezpieczeństwo żywności w aspekcie ochrony konsumenta w Polsce [Safety of food in the context of consumer protection in Poland]. Publ. by SGGW, Warsaw 2006.

If one looks at the consumer motives pertaining to products from other categories, one can see that the product price criterion is the most important, regardless of the type of the commodity purchased.

**Question P5. What factors do you primarily take into account when buying clothes and shoes, apart from the fact that you buy things that you like?**

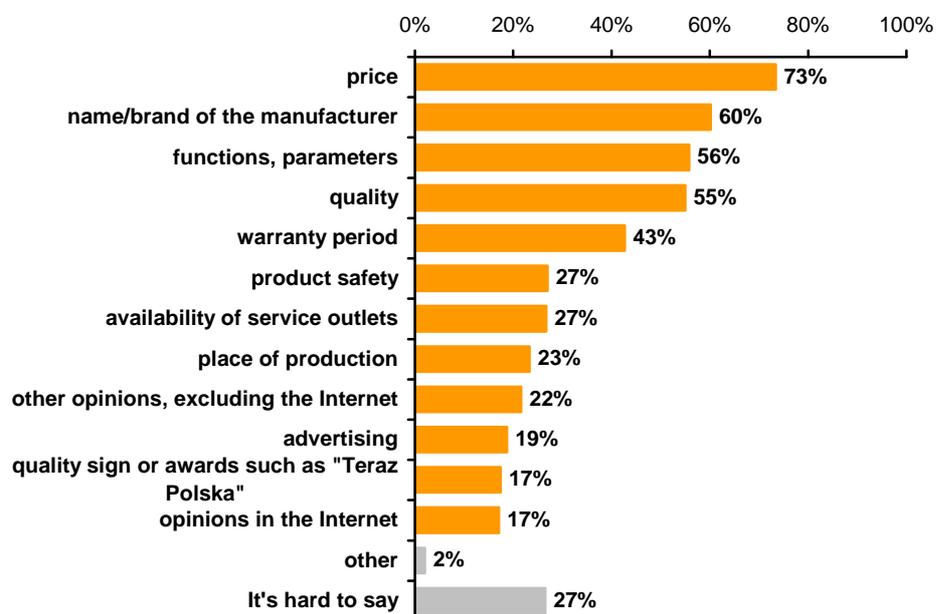
N=1000. Question asked to all respondents. Several answers are possible.



The percentage difference between the most important factor (price) and the next criteria is relatively the smallest in the case of brown goods and white goods. Apart from the price, consumers often point to the brand, functions and parameters of the equipment, the quality and warranty period. Purchase of such equipment is occasional and the product is supposed to work for a longer time, hence the customer's motivation to choose a commodity with the best possible parameters is higher. On the other hand, advertising messages regarding products from this category concentrate on technical characteristics of the equipment, aiming at emphasizing its quality compared to others. Hence the criteria listed by the respondents pertain mainly to product parameters, which are often used in persuasive messages based on a cognitive component.

**Question P6. What factors do you primarily take into account when buying brown goods or white goods?**

N=1000. Question asked to all respondents. Several answers are possible.

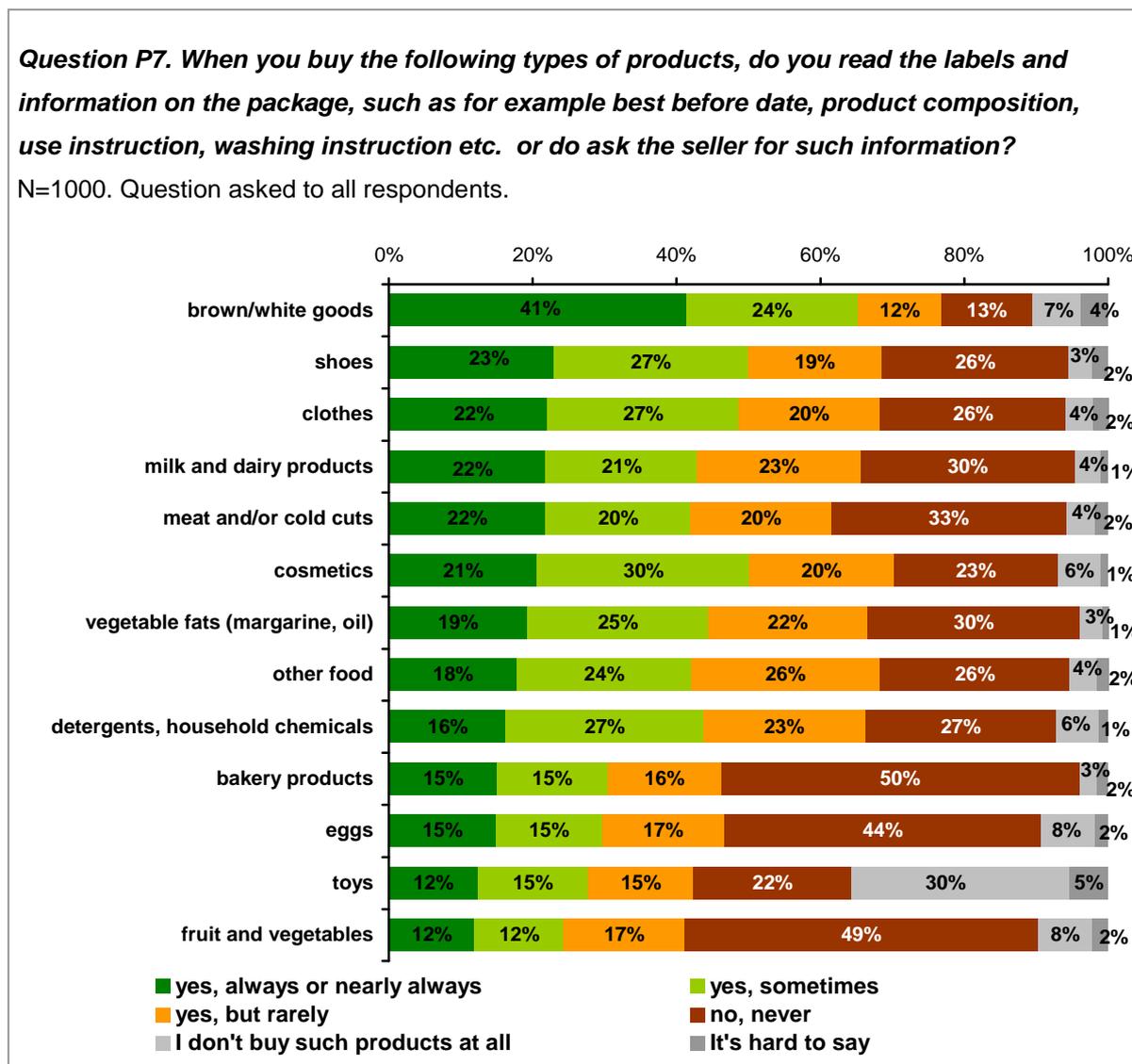


Like in the qualitative survey, the respondents to a limited extent put the opinions of persons perceived as experts (or who have been using a given product in practice) ahead of the opinions expressed in the web. Personalized advice is perceived as more useful during the selection than content of unknown origin found in the Internet. In the latter medium the large volume of information, instead of making the decision easier, often makes the choice even more complicated.

Comparing the results with the results of the 2007 survey, we can see a similar (sometimes identical) configuration of importance of individual criteria when making the choice. Regardless of the year of survey, the price is still the main factor taken into account by Polish consumers. In light of these results, it is understandable why in the case of groceries the biggest sellers, i.e. chains, so often make references to the price in their communication with the prospective customer. A communication strategy build this way is the most persuasive.

Realizing the need by the consumers starts up the purchase decision-making process. It creates the required premises to look for ways of satisfying it. The ways in which the need can be satisfied can be identified, inter alia, through: leveraging one's own experience and knowledge, relying on the experience of other people, through copying the behaviors of other consumers, or using formal sources of information.

Therefore it was important to measure the consumers' opinions about whether they obtain additional product information during the purchasing process and if so, to what extent and during what kind of shopping.



Polish consumers the most actively look for information when buying brown goods and white goods (41 percent of them declare that they always or nearly always do it).

Purchase of equipment of this type is associated with a big outlay, i.e. with a certain economic risk. Hence to reduce the possibility of occurrence of an after-decision dissonance, the consumer should before making the purchase decision look for information about the purchased product to have the most extensive knowledge, in order to make the right choice.

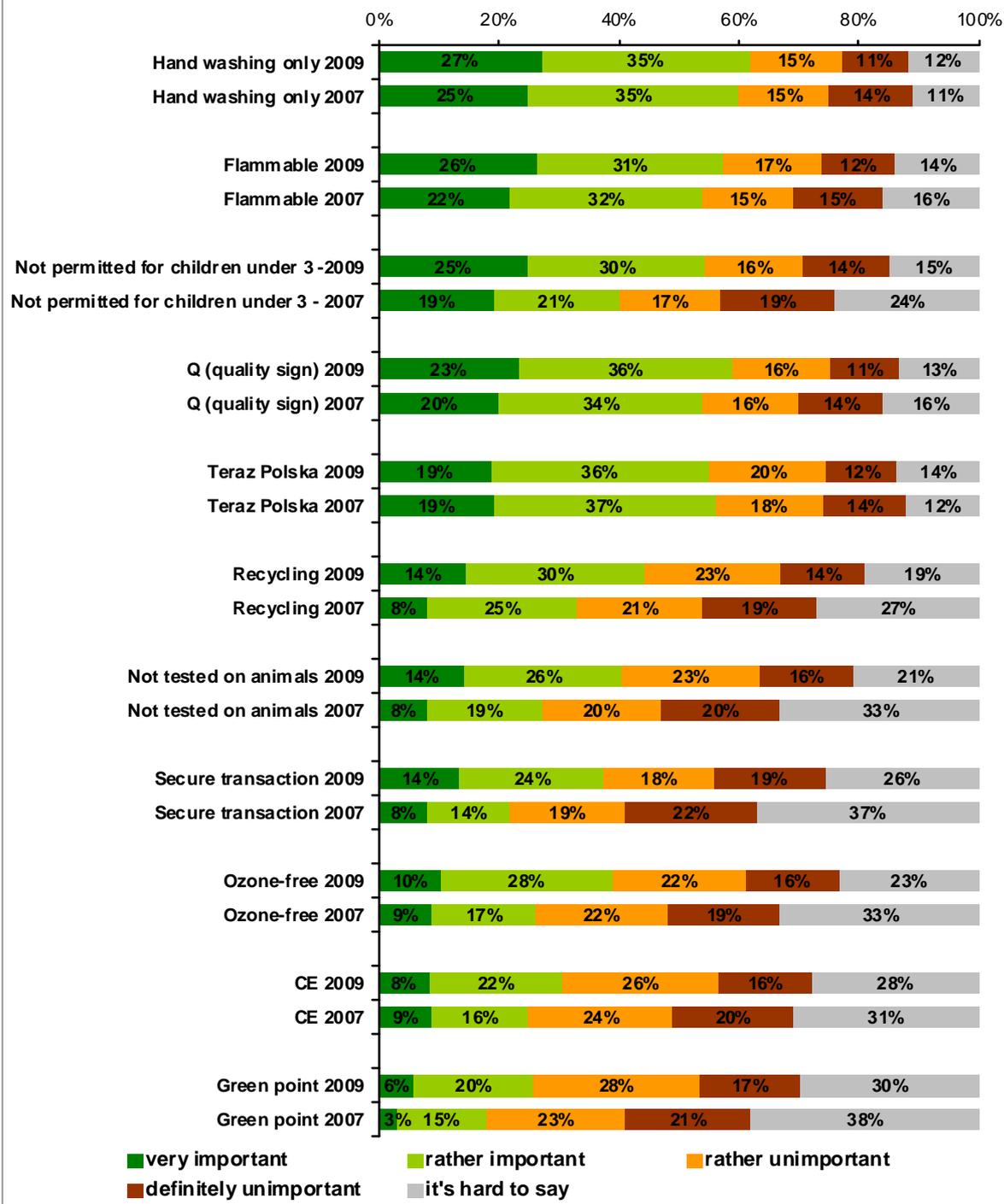
The use of information derived by consumers from different markings on the products is particularly interesting. The symbols and markings on products have increasing importance for consumers. Over the past two years, for most markings tested, their role during decision-making has increased. Respondents more frequently pay attention to such markings as: “ozone-free” (“ozone friendly”), a padlock symbol meaning a secure Internet transaction, “not permitted for children under 3”, the “green point” and the “recycling” and “not tested on animals” signs. To a slightly smaller extent, but more frequently than in 2007, consumer decisions are influenced by the presence of the “CE” sign and the “Q” quality sign. Awareness of this kind of symbols, compared to the previous survey, remains on a similar level. Respondents declare, however, that they take them into account more frequently in their choices. A detailed comparison with the previous survey is shown on the chart below.

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**Question P9. Please answer to what extent these markings and symbols are important to you (i.e. which markings do you take into account) when you buy something.**

N=1000. Question asked to all respondents.



Special attention should be paid to the role of the CE marking which constitutes the manufacturer's declaration that the product introduced into trade satisfies the principal

requirements specified the most frequently in the regulations issued pursuant to the act on the conformity assessment system of 30 August 2002<sup>6</sup>. They pertain to over twenty product groups, including among other things, electrical devices (electronic equipment and white goods), toys, personal hygiene items, construction materials, machinery and elevators. Only the goods for which there are principal requirements specified in regulations should have the CE mark. It is worth emphasizing at this point that despite the information materials about the CE marking prepared by OCCP<sup>7</sup>, diversified in terms of the recipient's age and perception ability, its awareness among Polish consumers is relatively low, which points to the necessity of further popularization of this mark.

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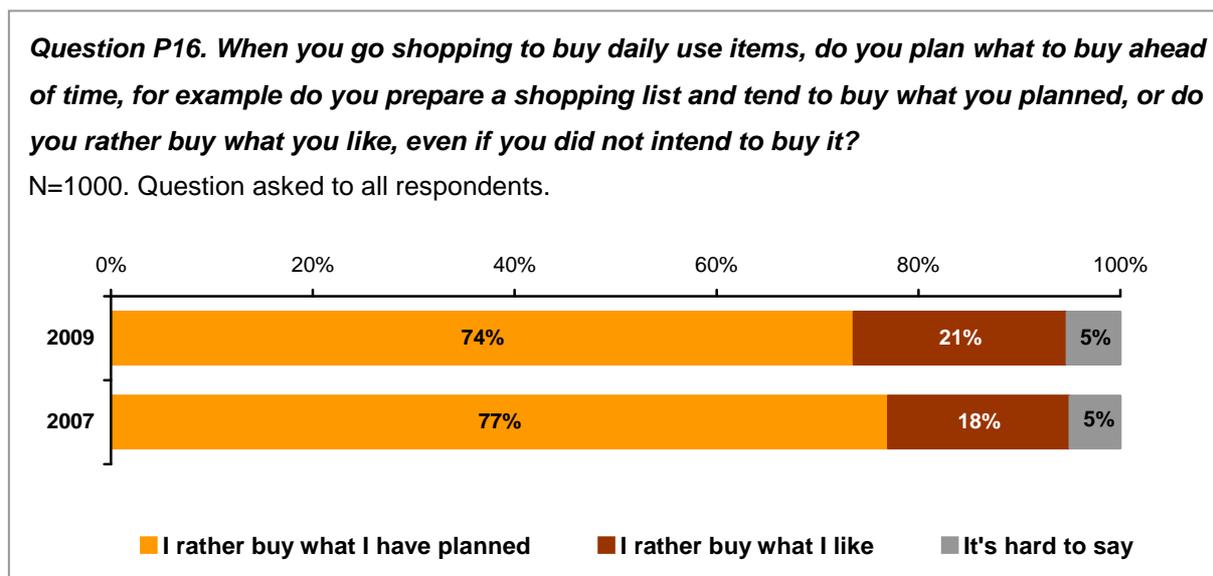
<sup>6</sup> Consolidated version: Journal of Laws of 2004 No. 204 Item 2087 as amended.

<sup>7</sup> [http://www.OCCP.gov.pl/pl/informacja\\_i\\_edukacja/publikacje/znak\\_ce/](http://www.OCCP.gov.pl/pl/informacja_i_edukacja/publikacje/znak_ce/)

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### **3.4. Consumer strategies. Well thought-through choice vs. decisions made on the impulse**

Consumer behavior can assume the form of a purchase made on the impulse or be preceded by a long decision-making process. In both cases this is an expression of conscious or unconscious effort aiming at satisfaction of physiological, economic or social and psychological needs.



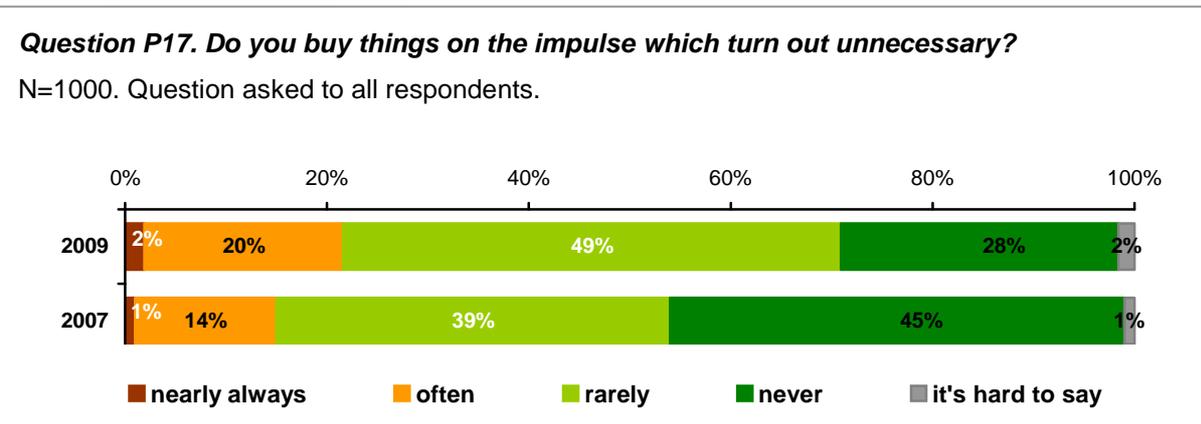
A clear majority of respondents declare that their purchases more frequently result from well thought-through decisions (74 percent) than from purchases on the impulse (21 percent).

Compared to 2007, the number of persons making purchases on the impulse has slightly increased. Women (76 percent) more frequently than men (71 percent) declare that their purchases result from rational decisions. People with secondary education make purchases on the impulse the most frequently. Often the decision about what to buy is made in the shop (43 percent). The most frequently decisions in the shop are made by young consumers aged 18-39 (48 percent).

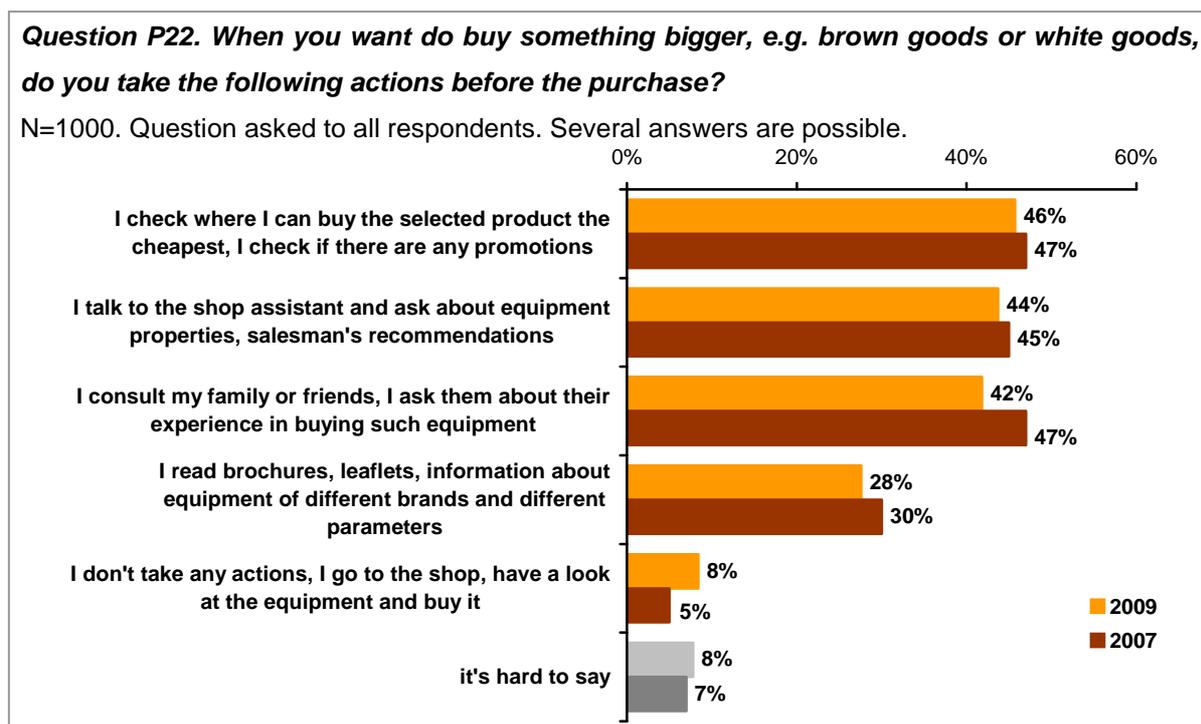
Sellers realize the customer strategies and adapt their advertising communication to fit them. More frequently than in previous years we come across increasingly new forms of advertising messages in the point of sale. This is achieved by all kinds of promotions, use of music and fragrance, and broadcast of materials on POS-TV screens. The shop increasingly becomes the place of the battle for not only for the consumer's attention but primarily for his/her wallet.

As a result of intensification of these efforts, consumers may increasingly frequently make purchases that are not well thought-through. One out of five respondents admits that he/she often happens to buy things which later turn out unnecessary.

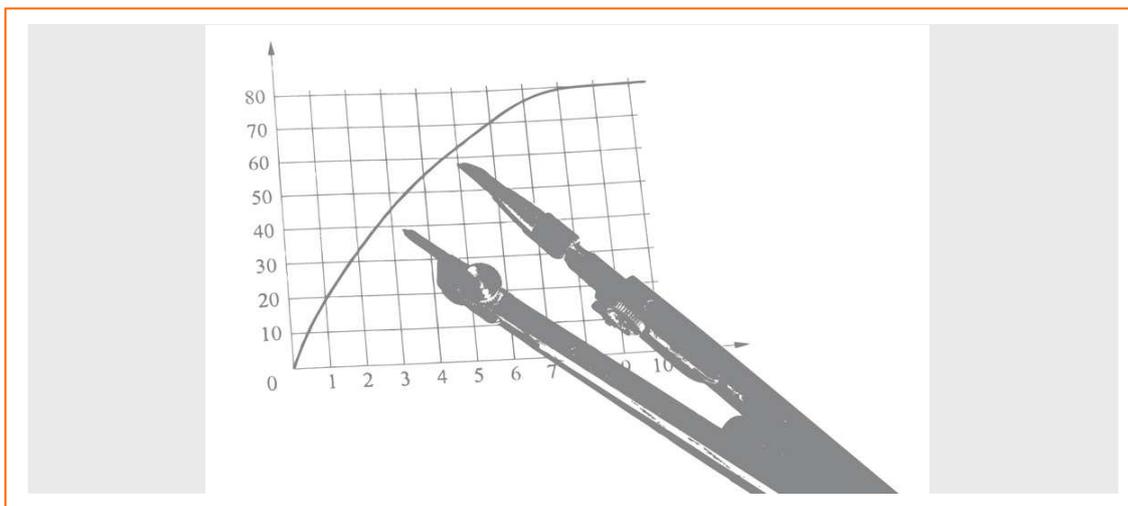
Comparing the results obtained in 2007, we can see an increase of the number of people who buy unnecessary things on the impulse. The number of respondents declaring purchase of such products increases and at the same time the number people who claim that they never make impulse purchases decreases.



Impulse shopping applies primarily to cheaper products. However, for example, in the case of purchase of brown goods and white goods, a slight increase of purchases made in a less rational way was observed – the decision was taken on the spot, in the point of sale, and was not preceded by comparison of offers or collection of information from other users or from the seller.

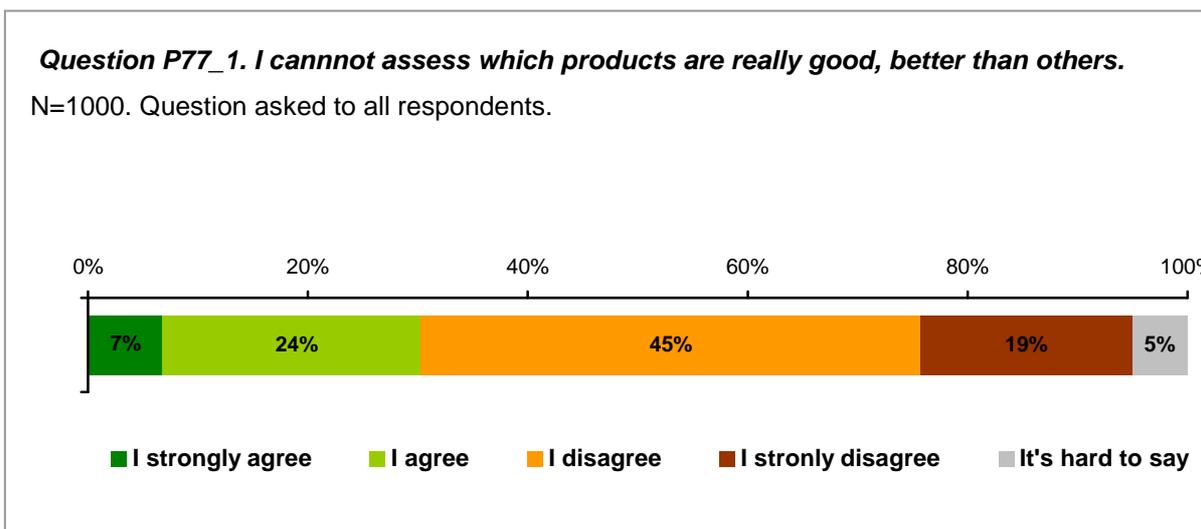


#### 4. LEVEL OF CONSUMER ACTIVITY

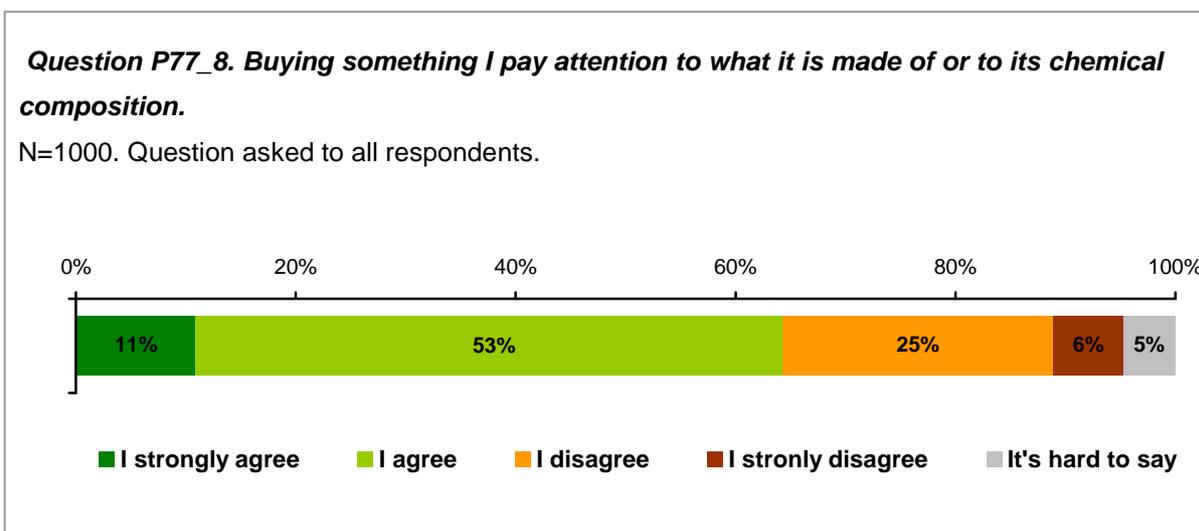


Together with development of information society a communication revolution has taken place. Increase of the possibility to exchange views and opinions has been accompanied by development of a new type of consumer. The so-called “prosumer” is a unique consumer who independently gathers knowledge about products and brands, and his/her actions are the result of rational and conscious decisions. He/she is an active market participant sharing knowledge with others.

Analyzing the level of activity of Polish consumers, among other things their ability to assess products was tested.



Nearly 1/3 of those polled claim that they are not able to assess products against the background of others. No material differences in the declared opinions were observed from the standpoint of gender. Both men and women are not able to make such choices to the same extent (29 percent men and 32 percent women respectively). Assessment of the quality of the given product causes more difficulty to elderly persons, aged over 60, and respondents with primary and basic vocational education.

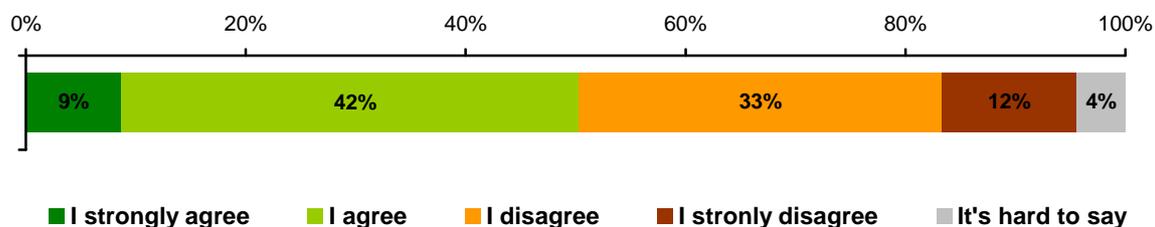


Product information is actively sought by 64 percent of those polled, at the same time as much as 31 percent admit that they do not take such actions. Women (67 percent) slightly more frequently than men (62 percent) are active in looking for information about product characteristics. This difference, however, is insignificant statistically. Together with increase of education, the respondent's initiative in taking the above actions – typical of the prosumer attitude – grows.

Consumer activity often requires behaviors which are associated with incurring certain additional cost, e.g.: spending additional time on analyzing offers or traveling to a distant point of sale offering better conditions. All these costs in the overall balance are leveled out by satisfaction from selection of an optimum product that satisfies the customer's needs. Taking such actions shows that choices are made rationally and the consumer's attitude is proactive.

**Question P77\_12. I sometimes to go to a distant shop to buy something cheaper**

N=1000. Question asked to all respondents.

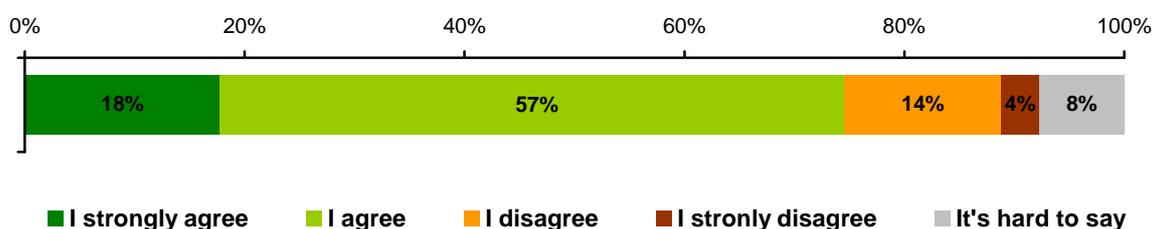


Half of the respondents admit that they occasionally make the effort associated with traveling to a distant shop to do cheaper shopping. Women more often than men declare such behaviors. At the same time 45 percent claim that they do not take such actions.

A factor that is indispensable for active functioning of a fully-fledged market participant is not only knowledge about the product, having a strategy for collection of information about services and the skill to use this knowledge, but also awareness of the regulations governing the conditions of market participation. Then the position of the buyer of goods and services may become equivalent to the position of such entities as the manufacturer or service provider. The next chart illustrates Poles' convictions regarding the level of awareness of their consumer rights.

**Question P77\_13. Poles don't know their consumer rights.**

N=1000. Question asked to all respondents.

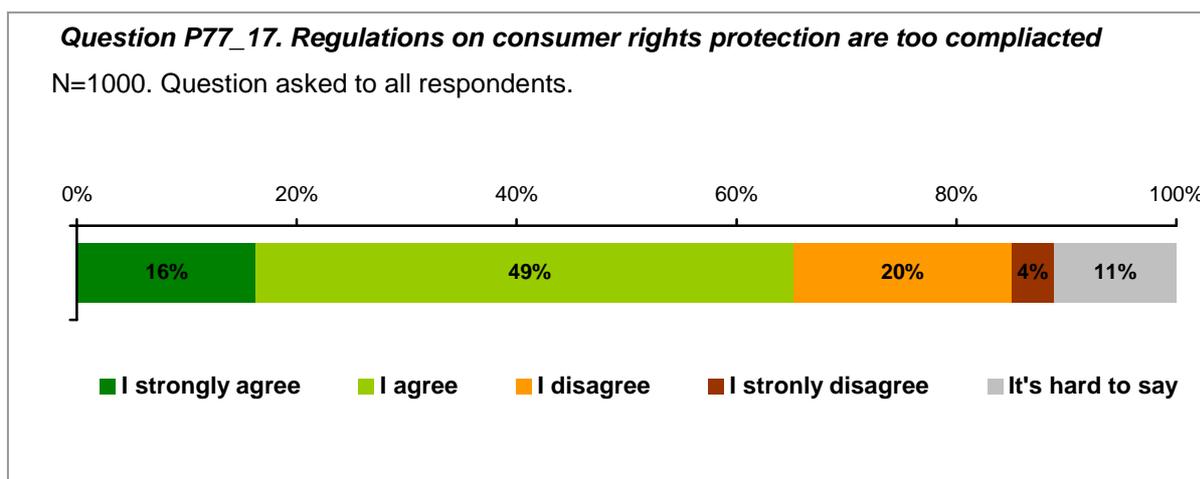


The above results vividly show that 75 percent of those polled are convinced about their lack of awareness of the provisions of law pertaining to consumer protection. The result obtained is important because the term "Poles" the respondents usually assess not

only their relatives and friends but largely also themselves, projecting their own attitudes and feelings. A result in which 3/4 of those polled from a representative national sample confirm the view about the lack of awareness of the rights shows that this is a problem applying to large parts of the society.

This situation may result from problems with understanding the regulations and their efficient use in pursuance of claims, which was mentioned during the qualitative survey. The respondents expressed a view that such regulations are too complicated and inaccessible to them due to the language they use. They believe that to be proficient in legal regulations, one should have legal education which will make it possible to read and understand such laws.

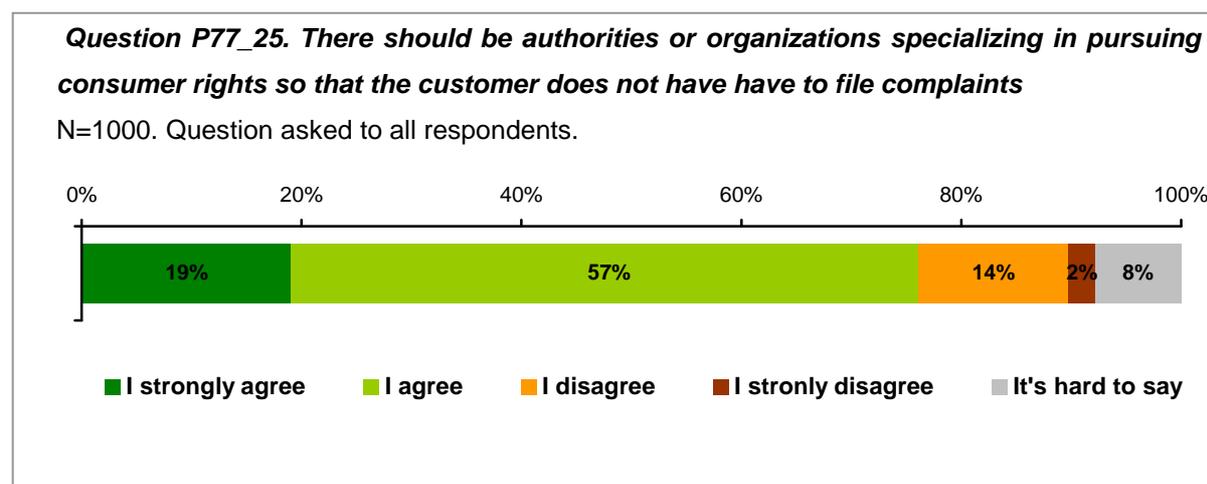
In the quantitative survey the respondents were also asked about their assessment of the level of complexity of the existing regulations.



The results obtained show that the limitations in absorbing the knowledge about consumer protection rights may be caused by the perceived difficulty with their interpretation. Clear majority (65 percent) is of the opinion that the regulations are too complicated; the opposite view is expressed by only 24 percent of those polled. Looking at the results broken down by education, one should conclude that the biggest percentage of the people assessing the regulations as too complicated come from the group of respondents with basic vocational education (70 percent), however also in the group with higher education (with M.A. title) the percentage is significant (68 percent).

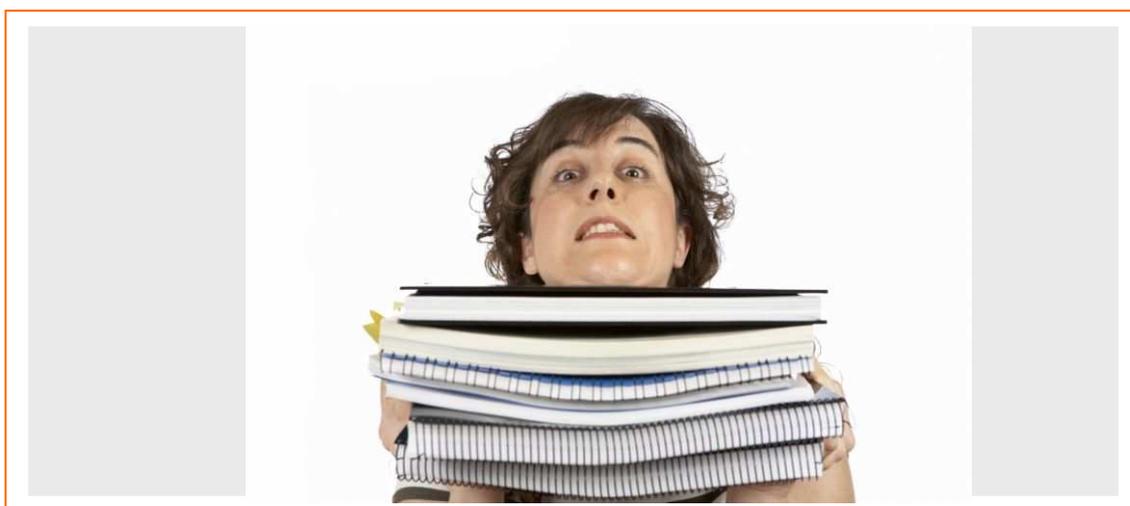
Would, however, simplification of the regulations or adaptation of the language in which they are formulated address the consumer's needs in this respect? Lack of awareness of the regulations may result, after all, from low motivation to acquire

such knowledge or an attitude expecting that such issues should be dealt with by relevant authorities and institutions. Shifting this activity to other entities takes off the consumer's shoulders the requirement to take additional actions. At the same time a declaration that regulations are too complicated may constitute, in essence, an attempt to find an excuse for why consumers do not try to expand their knowledge. Shifting the initiative to the authorities representing customers is surely convenient but does not help increase of activity and development of proactive consumer attitudes.



Large majority (76 percent) of those polled are of the opinion that consumer interests should be represented by appropriate authorities or organizations. The result obtained shows that top-down actions of consumer institutions are still expected more often than independent consumer initiative. A comparison of the consumer needs with the previous survey shows that this expectation has not changed (in 2007, 78 percent of those polled preferred that authorities/organizations should take the place of the consumer in pursuance of complaint claims).

## **5. AWARENESS OF CONSUMER RIGHTS AND ANALYSIS OF THE EXISTING BARRIERS IN PURSUING CLAIMS**



### **5.1. Awareness of rights**

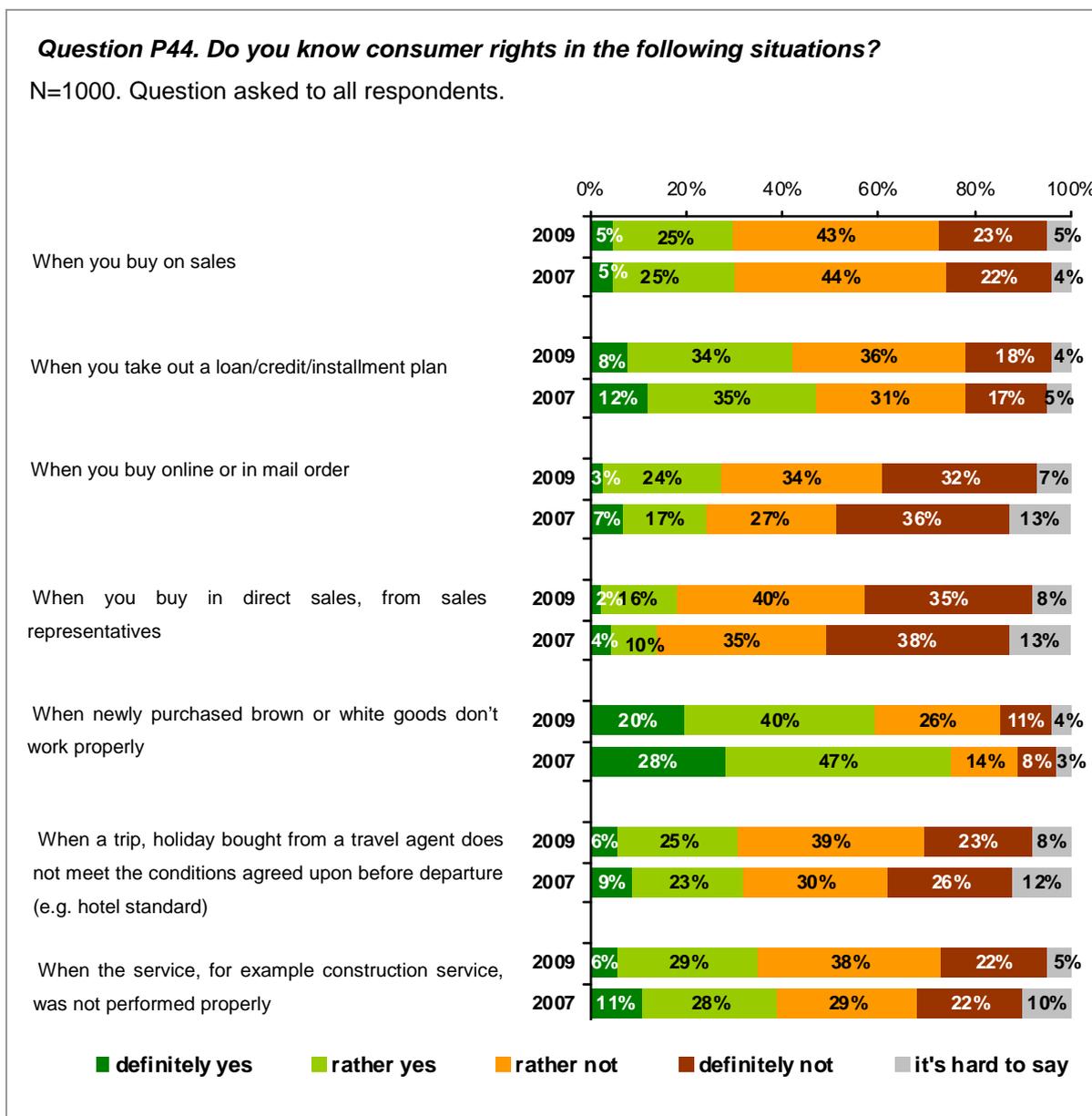
Respondents were asked to assess their awareness of consumer rights in different areas. As the results of the survey show, consumers declare the highest level of rights awareness in situations in which they purchase different goods and service the most frequently and in the case of items which are bought more often than others.

Those polled gave the highest scores to their knowledge of their rights in situations where they purchase defective brown/white goods – 60 percent of the respondents believe that they know consumer rights pertaining to such situations quite or decisively well. 42 percent of those polled believe that they know their rights well when they take out a loan or installment plan. The respondents declare relatively lower awareness of their rights in such situations as: improper performance of a construction service, purchase made on sales, travel conditions inconstant with the arrangements made with the travel agent before departure, or Internet or mail order shopping (35, 30, 31 and 27 percent respectively declare that they know the consumer rights associated with such situations quite or decisively well).

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The respondents know the least about their rights in direct sales purchases, from sales representatives – only 18 percent of the respondents believe that they know their rights in this situation.



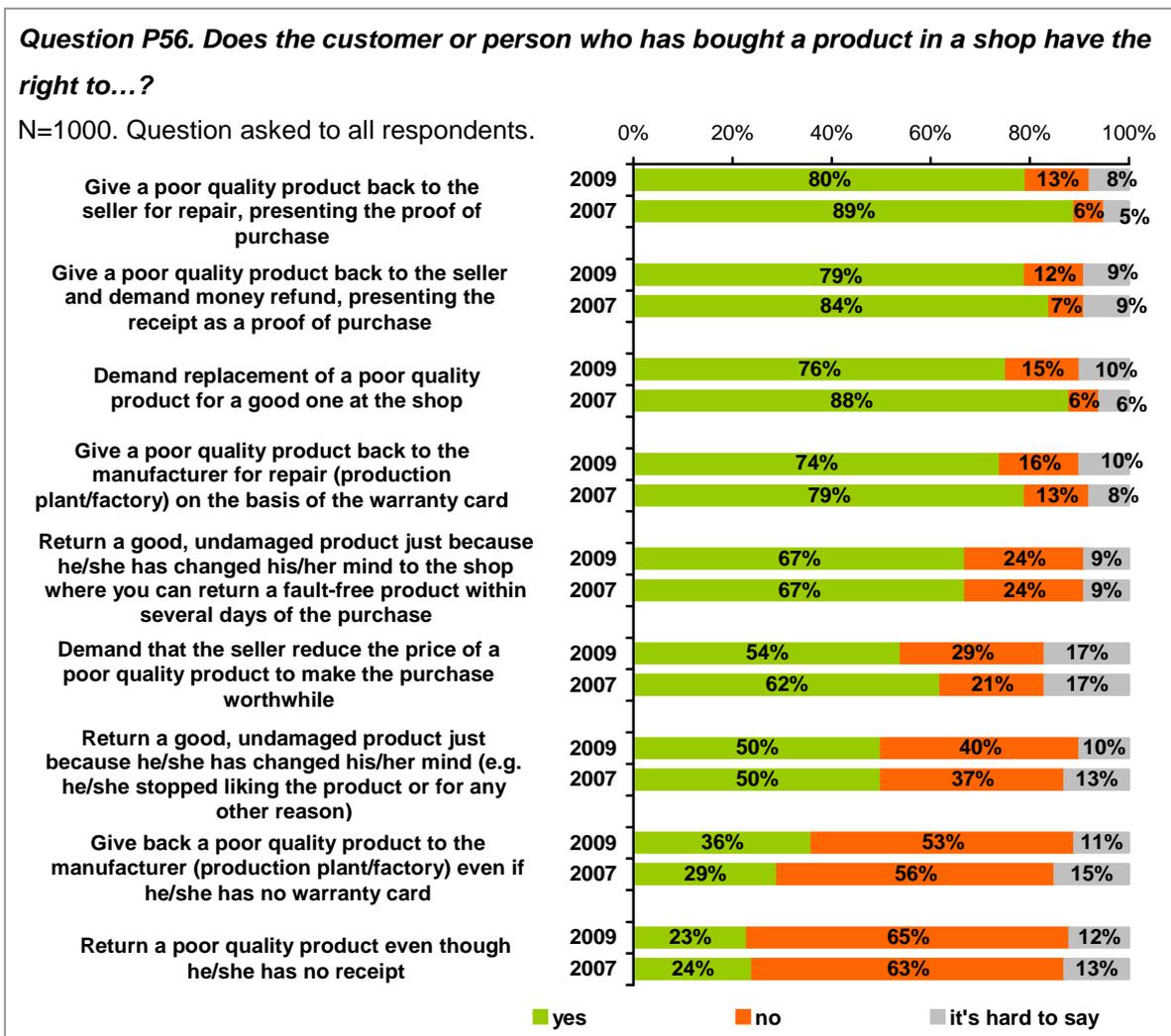
The results of the current survey in the scope in question are not significantly different from the results of the 2007 survey. A few percentage growth of the awareness of the consumer rights was recorded in such areas as: Internet /mail order purchases (increase by 3 percentage points) and direct sales / sales representative purchase (increase by 4 percentage points). Awareness of the rights remained on the same level in the case of purchases on sales. In other situations, a decrease of the level of the declared awareness

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of consumer rights has been observed: in a borrowing situation, it dropped by 5 percentage points, in the case of inappropriate performance of a construction service: it dropped by 4 percentage points, and when the conditions of a holiday turned out incompliant with those agreed upon with the travel agents – decrease by 1 percentage point. The most vivid decrease of the declared awareness of consumer rights was recorded in the case of purchase of defective brown goods/white goods – decrease by 15 percentage points.

The respondents were tested on their awareness of the prevailing regulations pertaining to consumer rights. The situations presented to respondents pertained, inter alia, to contract of sale, the possibility of pursuing claims in the case of purchase of a defective commodity, or the consumer's rights if, for example, he/she stopped liking the commodity. The difficulty of the test questions was diversified; however the structure of possible answers remained the same – each time the respondent could choose one correct answer: “yes” or “no”.



One of the important areas in which consumer should be protected is conclusion of a contract of sale whose principles are defined in the Act on detailed terms and conditions of consumer sale and amendment of the Civil Code of 27 July 2002<sup>8</sup>. The act stipulates the seller's liability if the commodity is incompliant with the contract. It formulates the rights that the buyer is entitled to if the consumer good is inconsistent with the contract. If such situation happens, the buyer may demand that the good be brought to a condition consistent with the agreement through replacement of the good or its free repair, unless the replacement or repair is impossible and requires excessive costs. When assessing the excessiveness of the costs the factors taken into account include the value of the commodity consistent with the agreement, the type and level of identified inconsistency, and the inconvenience that the buyer would be exposed to if the need was satisfied in another way. If the buyer, for the aforementioned reasons, cannot demand replacement or if the seller does not manage to satisfy such demand within the appropriate period of time or if the replacement exposed the buyer to significant inconvenience, he/she has the right to demand a relevant reduction of the price or to withdraw from the contract. However he/she cannot withdraw from the contract if the inconsistency of the consumer good with the agreement is immaterial. When determining the appropriate period of time for replacement, the type of commodity and the purpose of its purchase are taken into account.

Compared to the previous edition of the survey, a decrease of the awareness of consumer rights regarding pursuance of claims has been recorded. In the case of most questions, the number of people who gave the correct answer has decreased by a few percentage points. The biggest decrease of correct answers in relation to the results of the 2007 survey was recorded in the question whether the consumer may have a poor quality product repaired at the seller's, submitting the receipt as the proof of purchase. The correct answer was given by 80 percent of those polled, that is 9 percent less than in the previous edition of the survey. The question belonged to the group of questions where the respondents had the most diversified positions.

Respondents answered relatively consistently to the question whether the consumer may return the poor quality product to the seller and demand, on the basis of a receipt, refund of money for the commodity. An affirmative answer was given by 79 percent of the respondents. However in this case, according to the rights vested in the consumer sale act, the consumer may not demand withdrawal from the agreement (i.e. return of the commodity and refund of money) right away because he/she is bound by the relevant sequence of claims (first he/she can demand replacement or repair of the commodity).

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<sup>8</sup> Journal of Laws of 2002 No. 141 Item 1176 as amended.

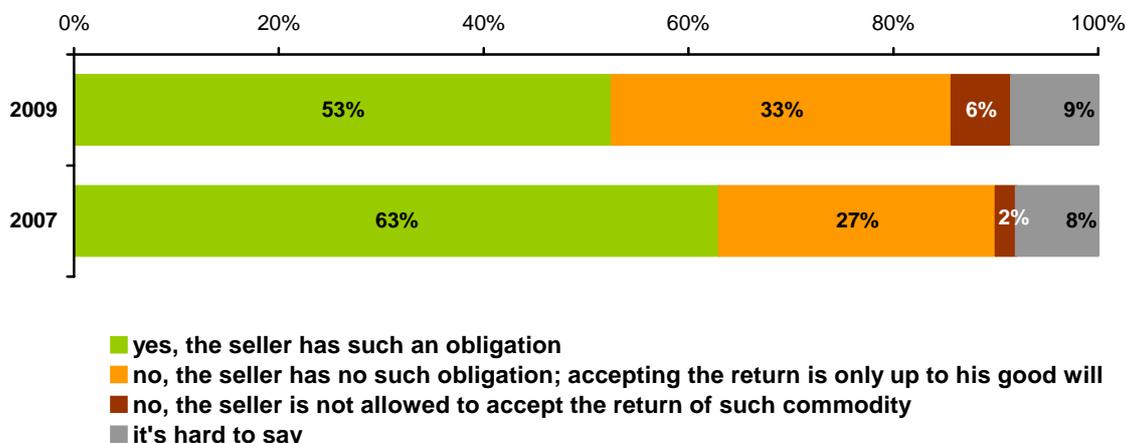
Those polled also relatively consistently answered the question whether you can return a good, undamaged product at the shop which communicates a message that such return is possible within several days of the purchase (67 correct, affirmative answers were given). As part of the marketing actions taken, some shops in Poland as an incentive offer the possibility of returning a non-defective commodity to the shop within a specified number of days of the purchase. However this is not a right, but an additional method of getting the customer interested in the shop's offering, and if such deadline has been offered to the consumer it has to be observed by the entrepreneur. During the complaint procedure, a proof of purchase by the consumer makes the filing of the complaint easier because the consumer does not have to additionally prove that he/she purchased the commodity in the given shop. Most respondents consistently claim that one cannot return a poor quality item without a receipt (65 percent).

As regards other questions, those polled were less unanimous; they also answered "It's hard to say" more frequently. This points to the higher uncertainty as regards the regulations prevailing in such circumstances and probably a higher number of "intuitive" answers. The distribution of the answers to a larger extent than in the case of other questions may result from giving "random" answers by the respondents.

The "troublesome" questions pertained to situations with which those polled probably have come across relatively less frequently, hence they found it more difficult to apply these situations to their own experience. Only slightly more than half of those polled gave the correct, affirmative answer to the question whether you can demand reduction of the price of a poor quality product from the seller to make the purchase worthwhile. A similar portion of the respondents gave a negative answer to the question whether you can have demand from the manufacturer (production plant/factory) a repair of a poor quality product event if you do not have the warranty card. Only 40 percent of the respondents correctly say that the consumer cannot return a good undamaged product only because he/she has changed his/her mind. The same number of respondents answer that the seller does not have an obligation to accept the return of a full-value commodity from the customer who has changed his/her mind; a similar percentage of the respondents say that the seller is not allowed to accept the return of such commodity.

**Question P20. Does the seller, in your opinion, have an obligation to accept return of a full-value, unused commodity from the customer who has changed his/her mind?**

N=1000. Question asked to all respondents.

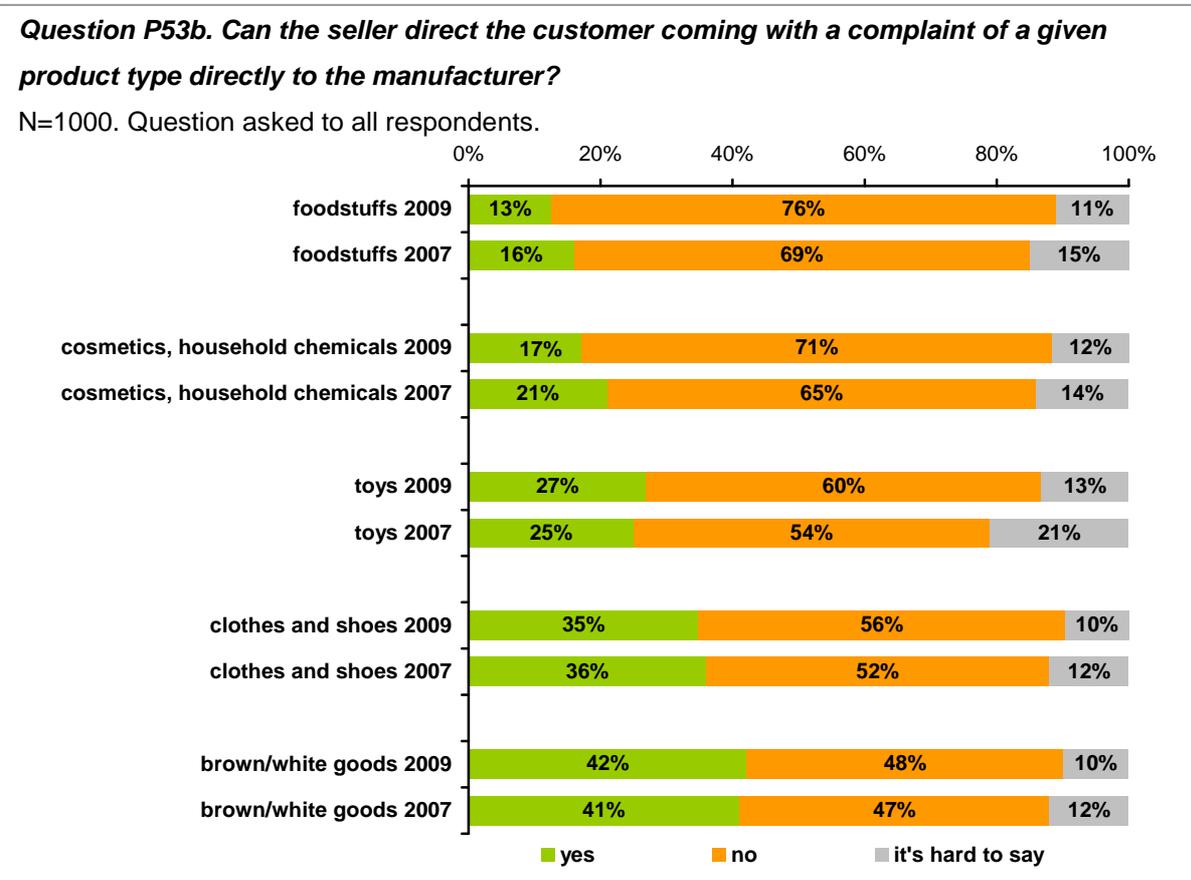


Respondents are still wrong about the consumer's rights in a situation where he/she wants to return a full-value commodity to the shop because he/she has changed his mind, however in relation to 2007 the knowledge about this issue has improved.

The above results point to moderate awareness of the consumer rights by the respondents. The results are the better the more likely it is that the respondent has had an opportunity to come across the situation which the question pertained to. More "unusual" situations are more difficult to assess and lead to more diversified respondent opinions. What is noteworthy is the case of "overestimating" the consumer rights associated with return of a defective product to the seller together with a demand to refund the money. A clear majority of those polled are convinced that they have such right. However, the prevailing regulations regulate this issue in a different way, allowing in the first place a repair or replacement of the commodity for another, defect-free item and then, if this is impossible or costly – withdrawal from the agreement.

58 percent of those polled realize that the seller cannot refuse to accept a complaint from the customer, 31 percent incorrectly answer that the seller has such right and 11 percent are not able to give an answer. Compared to the 2007 survey, the percentage of people who know the prevailing regulations in this respect has decreased.

Like in the previous survey in 2007, also in 2009 the awareness of the rights pertaining to complaints varies, depending on product category. The respondents realize that the seller cannot send the customer filing a complaint to the manufacturer because the choice of the rights which one can take advantage of is up to the consumer. The respondents display the best awareness of their rights in the case of complaints about foodstuffs and the worst in the case of brown goods/white goods.



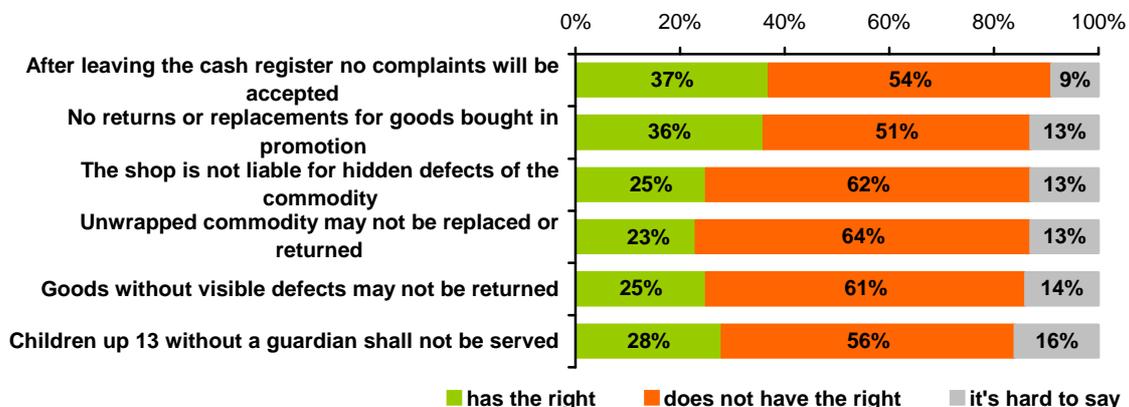
If a commodity subject to warranty breaks down, the consumer is entitled to choose the right that he/she wants to take advantage of – the warranty provided by the guarantor or the seller's liability. Most respondents correctly believe that it is possible to send a poor quality product for repair to the manufacturer on the basis of the warranty card (74 percent of correct, affirmative answers).

The warranty is a right that can be granted to the consumer by the guarantor. Less Poles are convinced that each product is covered by warranty (53 percent compared to 64 percent in 2007). This result should be interpreted as a proof of improvement of the awareness of the additional and voluntary right, such as a warranty.

Respondents were also asked about different types of messages displayed in shops. The respondent's ability to identify whether the seller does not breach the prevailing regulations by displaying messages inconstant with the law is another manifestation of their knowledge of consumer rights.

**Question P71. Does the shop have the right to introduce the following rules?**

N=1000. Question asked to all respondents.



In general, one should note the fairly high level of awareness of those polled in this respect. However, a decrease of the level of the respondents' awareness about these issues in comparison with the results of the 2007 survey was recorded.

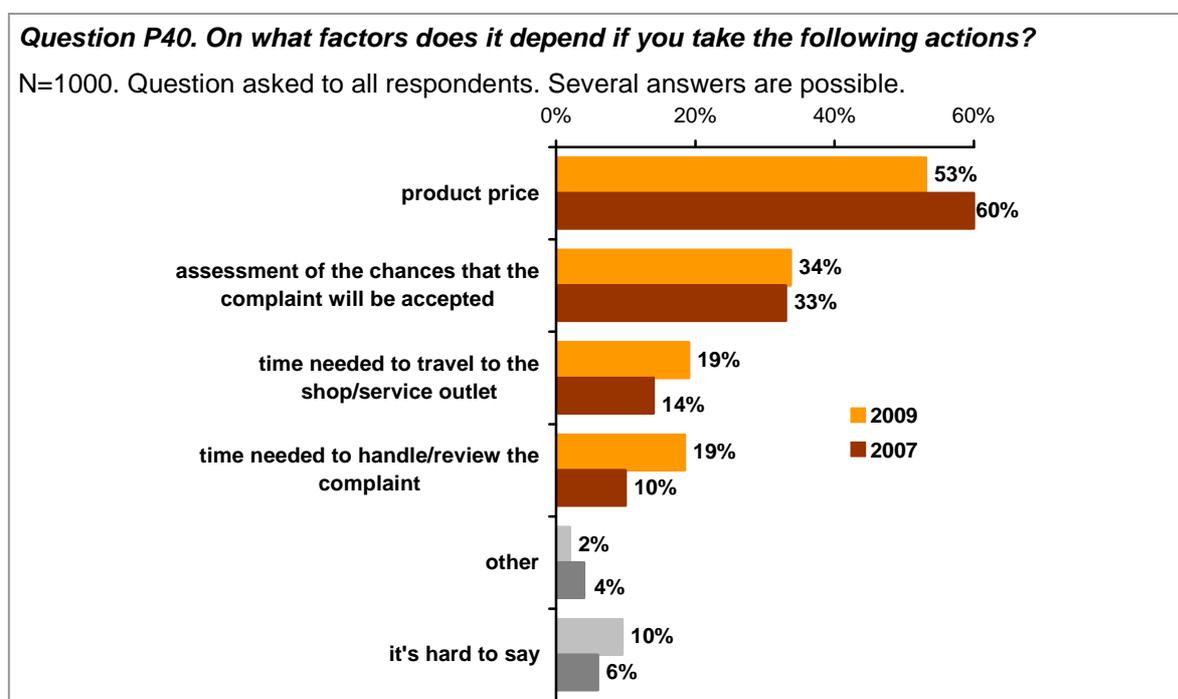
In the case of all messages presented to the respondents for assessment, the correct answer to the question about the possibility of introducing such principle by the shop was "does not have the right". The percentage of correct answers in this edition of the survey ranges between 51 and 64 percent. - the highest score went to the question about the message: "Unwrapped commodity may not be replaced or returned."

## **5.2. Identification of the existing barriers to consumer activity in the area of abilities and effectiveness of pursuing claims**

The qualitative survey provided a lot of interesting information about the perceived limitations of the respondents with regard to pursuance of their rights. In a situation where a defective commodity is purchased, most respondents weigh the financial sense of taking additional actions.

The product price is main criterion deciding about whether the person will pursue his/her rights in a given situation. In the case of purchase of commodities whose value is relatively low, consumers do not take any actions. However there is a small group of people for whom the product price is irrelevant; these people declare that if they identify any inconsistency they are ready to pursue their rights “as a matter of principle.” In most cases, however, only a significant value of the good or service purchased is able to motivate the consumers to be active.

The quantitative survey confirmed that the perceived product value is the most important factor. Compared to the previous survey, the weight of this factor has weakened slightly, and the importance of time that one should devote to such activities has slightly increased.



All actions that should be taken to pursue one's rights are perceived in terms of costs and outlays. The possibility of effective pursuance of one's rights in the complaint process depends on the awareness of the prevailing regulations.

*"If you know your rights in the given situation and you know what you can expect, that's OK, you're stronger than someone who doesn't know his rights; then the man from the shop can tell you all kinds of things and send you back with the commodity. He will tell you you're not entitled. If I studied the regulations and consumer rights, I suspect there would be some possibilities of getting your money back."* (respondents aged 40 – 55, Warsaw)

If someone does not have knowledge in this area, he/she is forced to gather such information. Gathering the information, analysis of the material gathered and most of all use of the knowledge for one's own situation is an obstacle for most consumers. Respondents point out that the information showing individual stages of the process, step by step, have the highest value; they appreciated most materials in the form of guidebooks which offer practical examples. They are assessed positively and preferred in relation to other information whose understanding requires more initiative on the part of the reader. Also time is an important criterion; looking for and interpreting information is time-consuming; with time the probability of giving up pursuance of claims increases.

In light of the collected information one may define two critical points which, to a large extent, determine the effectiveness of the claims. The outcome of the cost and benefit analysis is an elementary factor triggering the rights enforcement process; consumers take action only in a situation where the relatively perceived value of the commodity is higher than the outlays that they have to incur. Because individual outlays may have different usefulness to the given person, the final decision depends on the individual's personal features. The way in which consumers calculate the costs and benefits is well illustrated by the statements from the qualitative survey:

*"Once I tried to pursue my rights in case of using a mobile telephone and it turned out it doesn't make sense. It simply doesn't make financial sense. In the case of, let's say 500 zlotys, it doesn't make sense at all."* (respondents aged 25 – 39, Puławy)

*"What is terrible is also that last time I had problems with my shoes; I know my rights; I know that I can appeal to the consumer ombudsman and so on, but firstly, I don't have time for that and secondly, it costs money so what am I supposed to do? And I let it go. This is stupidity. But I can't afford it."* (respondents aged 25 – 39, Puławy)

*"I can't be bothered if, for example, I bought a pair of shoes and I know that I have one-year warranty. I've been wearing these shoes for 11 months. The winter-autumn season."*

*And it's obvious that the shoes are worn out in some way. The sole cracks – it now often happens that the sole of the shoe cracks. In such a situation, although I have this warranty period, I don't lodge a complaint about these shoes – that'd be going too far. But when I buy a TV and after a month or even after a year it breaks down, I lodge a complaint. I wouldn't tell myself 'why bother.' It depends what product it is." (respondents aged 25 – 39, Puławy)*

*"Small value, we can't be bothered, we don't have time. I've done shopping and although the cheese I bought is within its best before date but it's off, then I can't be bothered to go back, and pay for the ticket, about this cheese for 2 zloty. But it was equipment, then probably yes." (respondents aged 40 – 55, Warsaw)*

If as a result of considerations the consumer concludes, however, that the value of the product justifies taking additional actions, the next critical point which decides about the complaint process is the psychological cost of lodging the complaint. Many people describe the moment when they have to face the seller as difficult and troublesome. For some of them talking about the problem with the product in the presence of other customers or shop employees is something awkward. Persons who do not feel up to independently manage this task ask a family member to help them or do this for them. Respondent statements from the qualitative survey confirm the stress associated with lodging a complaint.

*"This is an unpleasant situation because you have to go and explain everything".*  
(respondents aged 40 – 55, Puławy)

*"...Costs, stress – because your adrenaline goes up. (respondents aged 40 – 55, Puławy)*

*"It this is a small amount I let it go. As a rule the man or lady says – no, you're not entitled. A don't feel like having a discussion when 5 people next to me are looking at what I'm doing."*  
(respondents aged 25 – 39, Płock)

*"My girlfriend is like that and I return things for her. She said that this is a pain in the back and that I'm a cheapskate because I can't buy another one. But it doesn't matter that it cost 50 zloty, I give it back and that's it, that's the way I am. This is a habit but she is too shy to do that; she will not go and I understand her, because there are people who don't want to talk".* (respondents aged 25 – 39, Warsaw)

However the expected response of the seller causes the biggest fear; the respondents assume that the seller will challenge their opinion about the defect of the product and then they will have the burden of proof that the product is defective. The emotional cost of such personal confrontation is high and for many people may constitute

an obstacle. Unfriendly attitude of the sellers to the consumer filing a complaint is well illustrated by the following quotes from focus groups:

*“I’m sure that if I go with a complaint I may come across a situation where I won’t be treated the way I should. That’s happened many times. The shop assistant responds rudely – what, you don’t like this one?”* (respondents aged 40 – 55, Płock)

*“They are kind and nice when you’re buying something and then, when you come back with anything because there is a defect, some second-hand clothes companies look at you this way so I say, I’m lodging a complaint, and the talk is different”.* (respondents aged 25 – 39, Warsaw)

*“Last year I bought a cooker in a hypermarket and the cooker cracked after three weeks. I took it back and the lady at the repair service looked at me as if I’d killed her granddad... She accepted it, she scolded me a bit – said that I must’ve broken it myself and after one or two weeks I got a text message that the cooker had a production defect. I went back and I happened to see the same lady and I asked her – how do you feel now? She pretended she didn’t remember me. I was returning the cooker and you scolded me saying that I must’ve broken it myself.”* (respondents aged 40 – 55, Warsaw)

A situation where after filing a complaint it is rejected is a separate issue. Then consumers again wonder whether their further activity is justified. In a situation where they are to appeal and obtain an opinion of an expert, once again they calculate the financial sense and purposefulness of further actions, which may lead to discouragement and abandoning further pursuance of claims.

*“I once was in a situation where the amount was PLN 150 for brand flip-flops which broke after three weeks and the manufacturer didn’t accept the complaint. Not even the manufacturer, but the company that sold them. I already wrote a letter to the Consumer Protection Federation, but then I didn’t have the emotions to send it and I didn’t follow through.”* (respondents aged 25 – 39, Warsaw)

On the basis of the surveys conducted one can pinpoint the skills that should be developed to mitigate the limitations in conscious and satisfactory market participation. Such skills include primarily the ability to read and understand the contract and draw conclusions. Conclusion of the contract is an important moment of the relationship between the service provider and their consumer; its provisions will bind both parties for a long time. Familiarization with the conditions of the contract before signing it characterizes consumers who are aware of their rights. Failure to do that means that they leave the initiative up to the

entrepreneur. Signing a contract with provisions favoring one of the transaction participants leads to asymmetry of the relationship and may result in subsequent dissatisfaction with the service. After signing the contract the possibility of making any claims is limited by the provisions of such contract. The respondents in the qualitative survey complained about the arrogance of the service providers who are secured against complaints with the provisions of the contract.

*"... I got the answer. But the authority, in communication with the provider, said that the contract was signed for 24 months and everything was written down but in really small print – I didn't read it because I didn't have my glasses with me.. But you need to have a magnifying glass... they have checked the outreach. Płock, and I live nearby. In Płock but not in the city center. (respondents aged 25 – 39, Płock)*

*"In the first place, question no. 1 to the provider – why was the contract structured in such a way that you couldn't read it without a magnifying glass. Why not in normal print? Unfortunately this question didn't get through to the operator. I called them and asked why the contract is structured this way. He said he read it using glasses".*

*(respondents aged 40 – 55, Płock)*

To prevent such situations and even out the positions of market participants, one should become familiar with the document which determines these conditions. However, as the quantitative survey shows, only 41 percent carefully read the contract pertaining to such important issues as: loan agreement or home or car insurance agreement. 7 percent of the respondents do not read such contracts at all and 17 percent claim that they only skim through the wording of the contract<sup>9</sup>. Asked why they do not read the wording of the contract they sign, respondents justify that by pointing to the length of the contract and lack of time to read it precisely (27 percent of those polled), incomprehensible provisions (24 percent), use of small print which is difficult to read (23 percent). The results obtained confirm the findings of the qualitative survey:

*"Sometimes there is an inscription. When you get some services, even with a bank, the contract is so long, it has so many pages written in so small print that you start to read it and soon you stop understanding what you're reading." (respondents aged 40 – 55, Puławy)*

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<sup>9</sup> This is also confirmed by the surveys conducted in 2009: Consumers on the banking services market. Report from the survey conducted by ARC Rynek i Opinia commissioned by OCCP, Warsaw, July 2009; Consumers in the telecommunication services market. Report from the survey carried out by ARC Rynek i Opinia commissioned by OCCP, Warsaw, December 2009.

Report prepared under the Transition Facility 2006/018-180.02.02 "Competition and consumer protection policy" project co-financed from European Union funds.

Striving to eliminate the existing barriers, one should put more stress on educational efforts, increasing the awareness of the consequences following from failure to read the contract before signing it and from the fact of signing the contract. One should emphasize the fact that the Polish Consumer Federation pointed to this a few years ago in its educational campaign using the slogan: “You have to read it, you can sign it”, so maybe it is worth repeating this campaign as one of the elements of the educational program. Execution of the educational program should bring two measurable results. On the one hand, developing the ability to read and understand the legal regulations, it increases the confidence of the consumer pursuing his/her rights, pointing to the right path. On the other hand, more frequent familiarization with the conditions of the contract should lead to refusal to sign contracts with unfavorable clauses, hence protect the buyers from incurring financial and emotional costs of pursuing claims.

Another important issue is to bring closer to the respondents the methods of enforcement of their rights, using information materials which, in a guidebook fashion, using specific examples and written in digestible language, would specify individual steps to be taken.

## **6. THE LEVEL OF AWARENESS OF OCCP AND EDUCATIONAL PROGRAMS ADDRESSED TO CONSUMERS**



### **6.1. Level of awareness of OCCP as an institution dealing with consumer protection**

The Act on Competition and Consumer Protection of 16 February 2007<sup>10</sup> defines the institutions and organizations dealing with consumer protection as well as their powers.

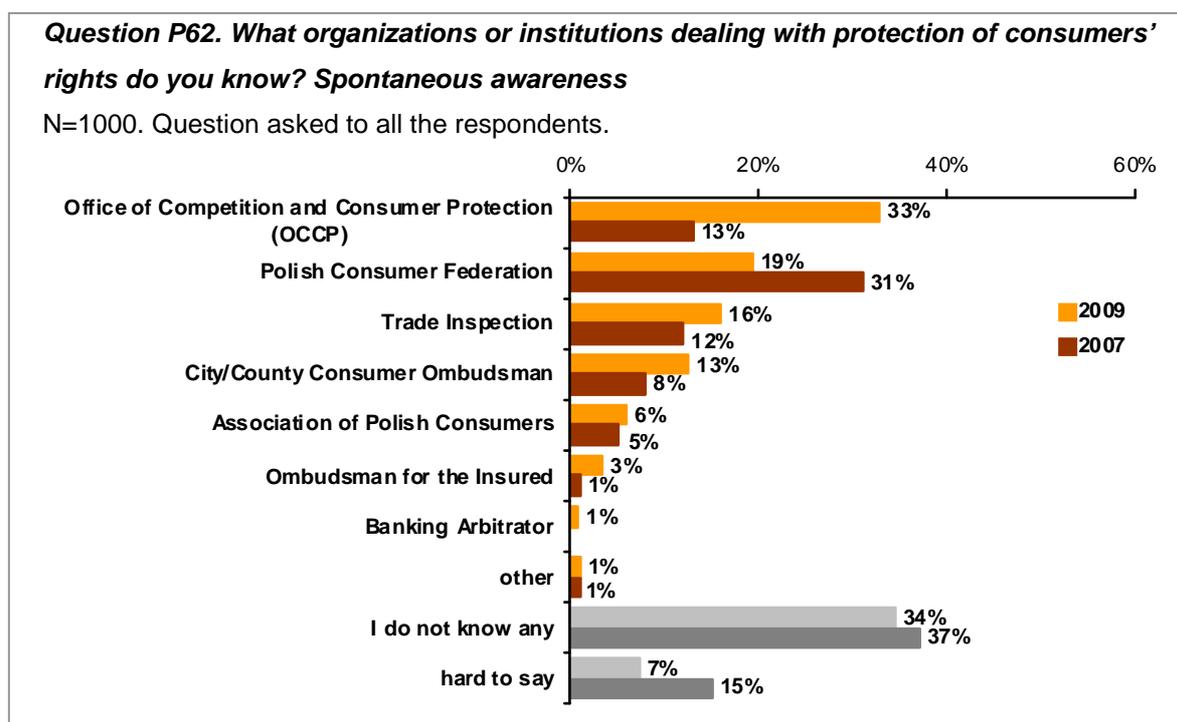
A survey of spontaneous awareness of institutions and organizations dealing with protection of consumer rights indicates significant changes in the consumers' awareness as compared to the year 2007.

There has been a change in the two highest positions in the spontaneous awareness ranking. The Polish Consumer Federation, recalled by the highest number (31 percent) of respondents in 2007, is ranked second now. It has been replaced by the Office of Competition and Consumer Protection, which ranked second in the previous survey. The extent of the change as measured by the percentage rise / fall in the awareness rates of these organizations is considerable. OCCP, which was recalled spontaneously by as few as 13 percent of the respondents in 2007, was mentioned by as many as 33 percent of the respondents in the present survey.

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<sup>10</sup> Journal of Laws of 2007 No. 50, Item 331 as amended.

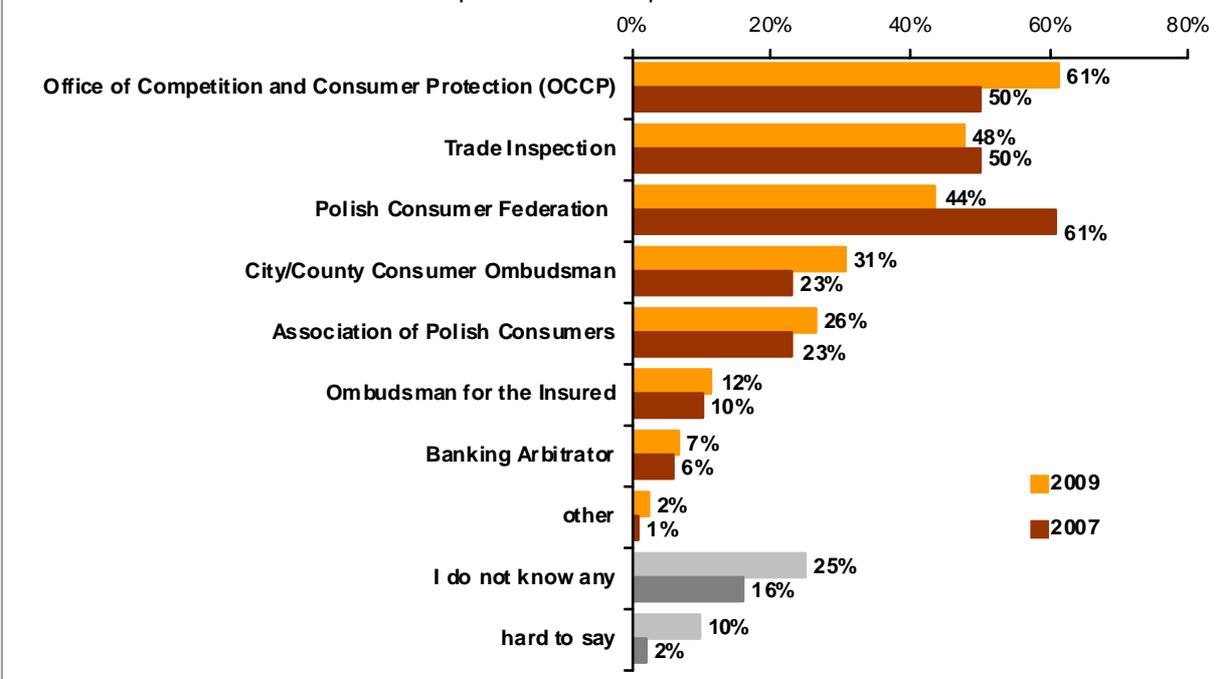
Spontaneous awareness of the Polish Consumer Federation has changed in the opposite direction. In the survey of 2007, this institution was spontaneously recalled by 31 percent of the respondents (which is almost the same as the present spontaneous awareness level for OCCP), while the results of the 2009 survey indicate merely 19 percent of persons spontaneously aware of this organization (slightly higher than the result of OCCP in 2007).



As compared to 2007, the spontaneous awareness rate of such institutions dealing with protection of consumer rights as the Trade Inspection and the City/County Consumer Ombudsman has increased. The awareness rates for other organizations (the Association of Polish Consumers, the Ombudsman for the Insured, the Banking Arbitrator) have been similar to those in 2007, with these entities continuing to be familiar to very few respondents.

**Question P63. It may be that you do not remember everything immediately. Do you know any of the following organizations or institutions dealing with protection of consumers' rights?**

N=1000. Question asked to all the respondents. Prompted awareness

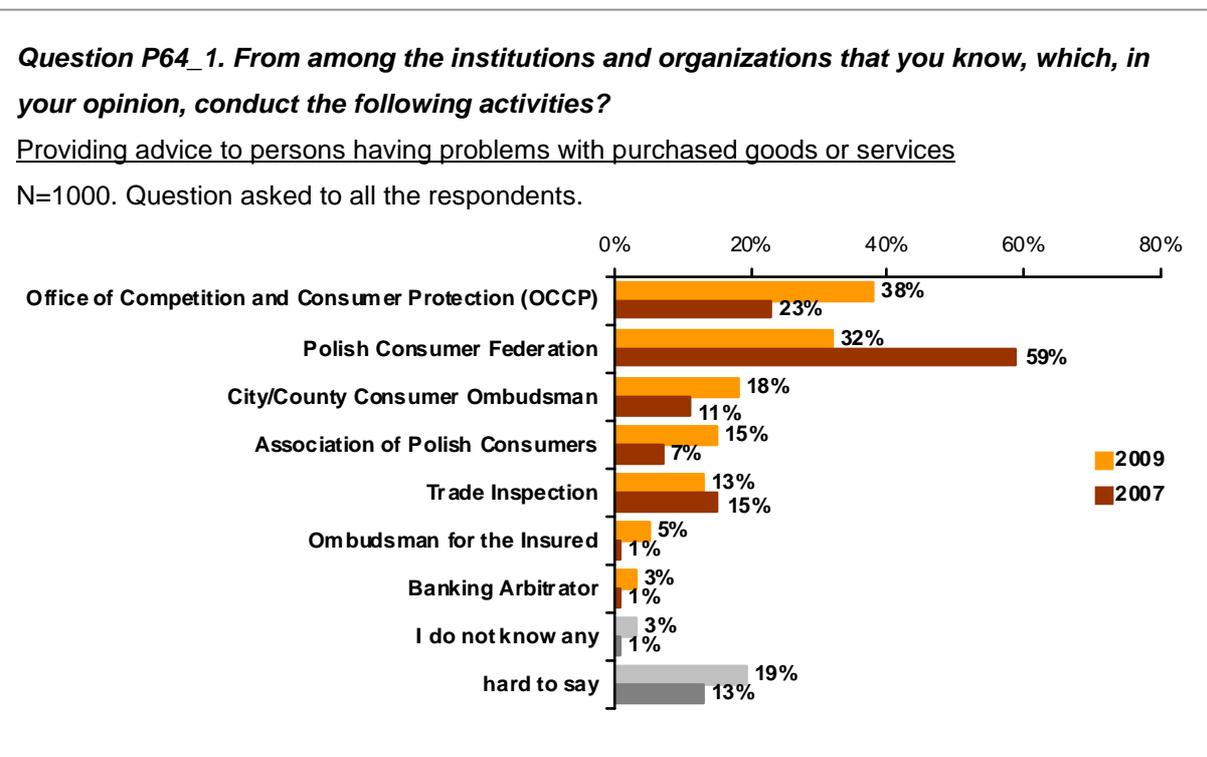


The respondents were also asked to indicate organizations dealing with protection of consumer rights that they were familiar with in a list of such institutions presented to them.

In the prompted awareness ranking, the highest position has been taken once again by the Office of Competition and Consumer Protection, indicated by 61 percent of the respondents. This is a result nearly identical to that achieved by the entity ranked highest in the previous survey, i.e. the Polish Consumer Federation, which has been ranked third now and selected by 44 percent of the respondents. The prompted awareness rate of the Trade Inspection is almost unchanged (48 percent in 2009 as compared to 50 percent in 2007). The awareness rates of the other institutions shown in the list have risen to a certain extent. The greatest difference as compared to 2007 concerns the awareness rate of the City/County Consumer Ombudsman, indicated by 31 percent of the respondents (an increase of 8 percent).

It is quite remarkable how many more persons, as compared to the previous survey, could not indicate in the list any organization dealing with consumer protection that would be familiar to them. The answers “hard to say” and “I don’t know any” were selected by 35

percent of the respondents, while almost half as many respondents (18 percent) chose them in 2007.

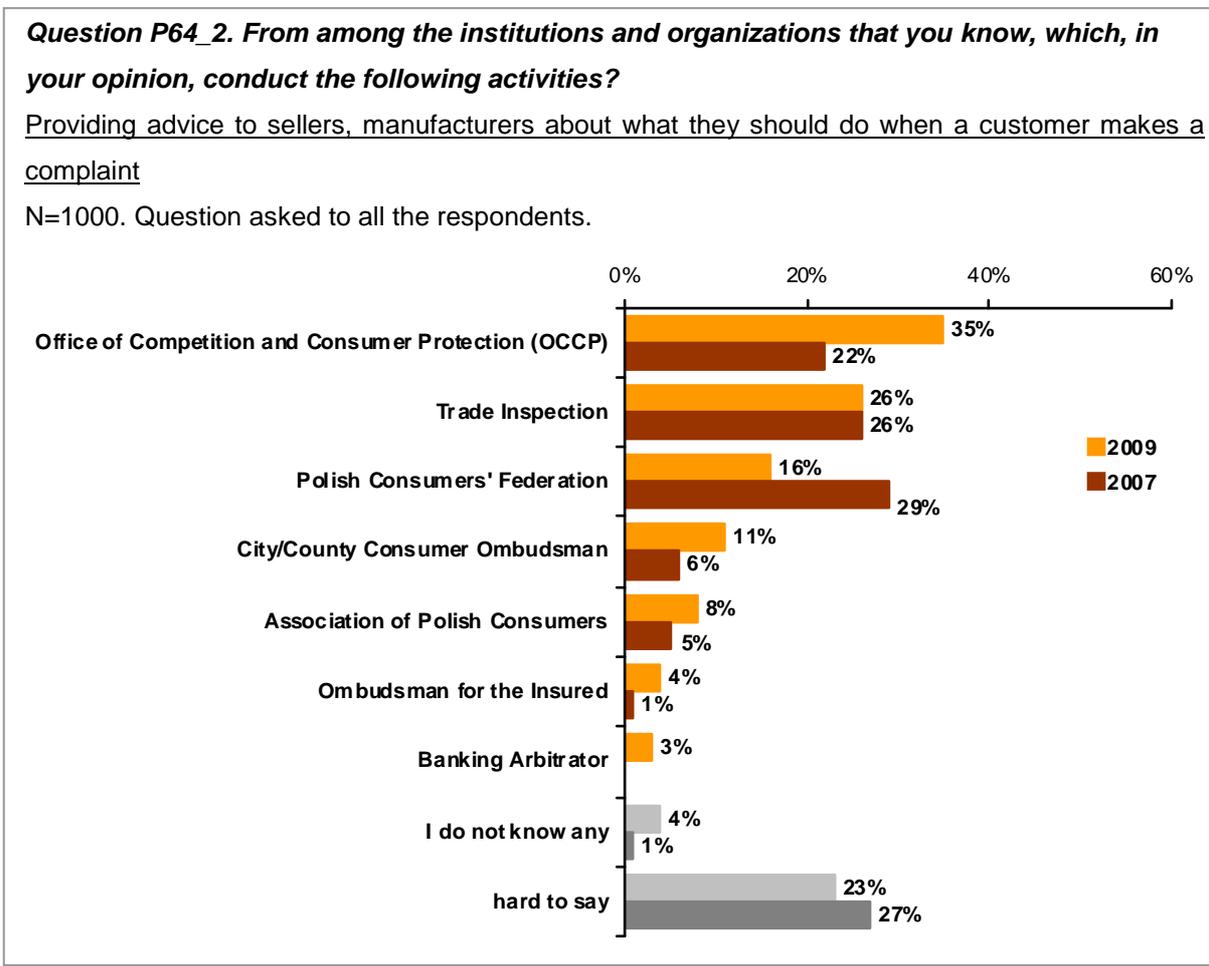


The results of questions concerning the respondents' knowledge about the activity profile of each of the organizations dealing with the protection of consumers' rights seem interesting. Considering, however, the differences in particular measurements, the following findings concerning comparisons of the 2007 and 2009 surveys should be treated as approximate.

The number of respondents recognizing the Polish Consumer Federation as an institution that provides advice to persons having problems with purchased goods or services has fallen by half. It is worth emphasizing this result because this is the only organization to be perceived in this area differently from its actual activity profile. The Polish Consumer Federation, after all, belongs to the consumer organizations whose major activity areas include exactly the provision of advice to individual consumers who have problems.

The other institutions that also deal with the provision of such advice to consumers either record an increase in the number of answers matching them with such activity or the percentage of such answers remains similar compared to 2007. Against this, the result for OCCP is exceptional – as many as 38 percent of the respondents (the first position in the ranking of results of this answer), as compared to 23 percent in 2007, thought that OCCP deals with problems of individual consumers. As can be seen below, this result is typical of

a wider phenomenon where a large group of respondents wrongly attributes to the Office of Competition and Consumer Protection powers which are not within this institution's scope of activity.



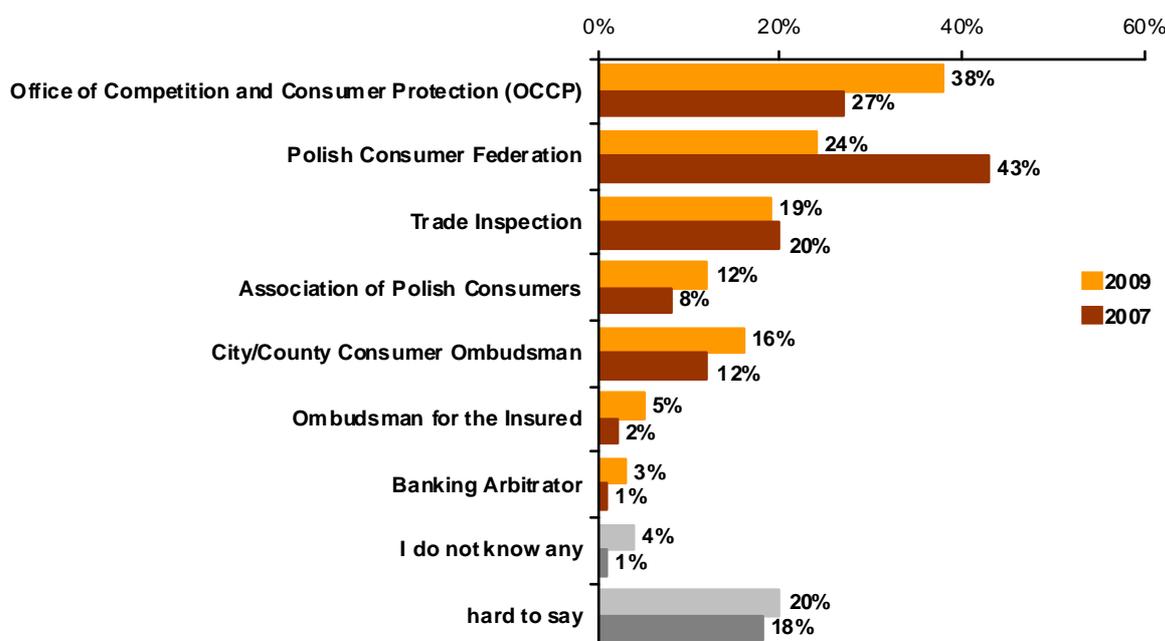
According to the respondents, the organization which provides advice to sellers and manufacturers about what they should do when a customer makes a complaint is first of all OCCP (35 percent of the answers), the Trade Inspection (26 percent of the answers) and the Polish Consumer Federation (16 percent). Actually, the entity involved in such activity is first of all the Trade Inspection.

Powers of the Office of Competition and Consumer Protection were once again overestimated by the respondents, and the increase in the number of persons wrongly attributing to OCCP the activity of instructing sellers and manufacturers about procedures for handling complaints has grown by 13 percent over the 2007 survey.

**Question P64\_3. From among the institutions and organizations that you know, which, in your opinion, conduct the following activities?**

Intervening with sellers or manufacturers on behalf of a cheated consumer

N=1000. Question asked to all the respondents.



According to the respondents' knowledge or intuitions, the main organization that intervenes with sellers or manufacturers to defend a cheated customer is again OCCP, ranked first in terms of the number of selections (38 percent). The number of the respondents who attribute this power to the Office has increased by 11 percent over 2007.

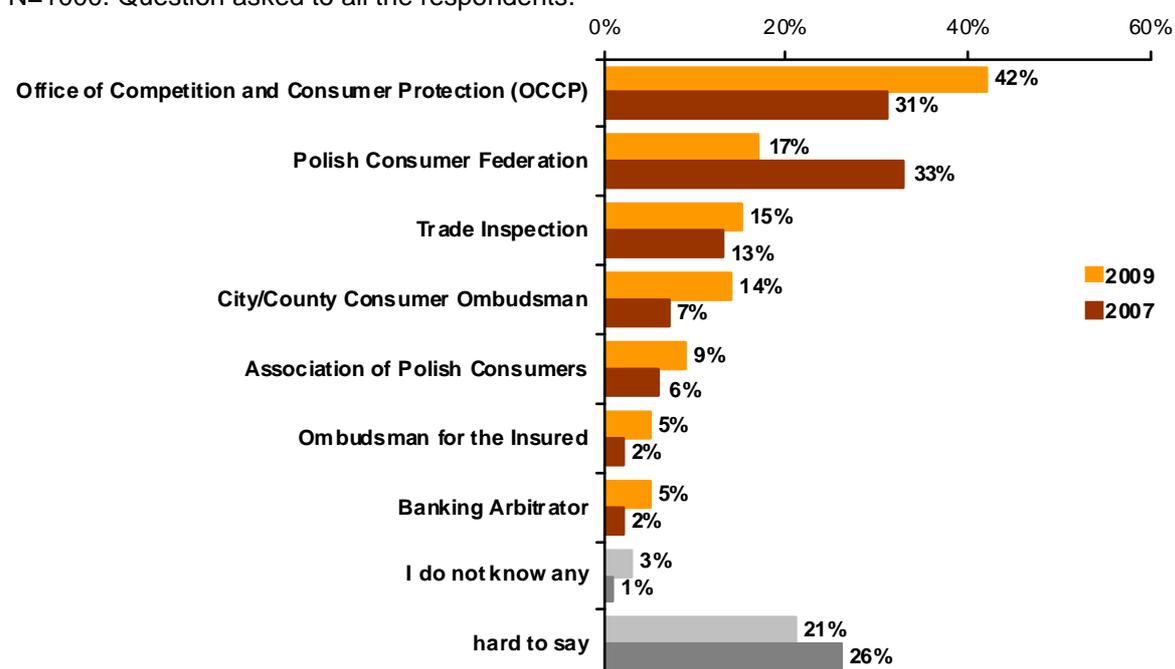
In the case of consumer organizations, there has been a decrease in the number of persons attributing these activities to the Polish Consumer Federation. At present, only 24 percent of the respondents did so, while in the 2007 survey 43 percent of the respondents correctly attributed to the Federation activities connected with intervention with manufacturers or sellers to defend a consumer. Even though the number of persons who correctly identified these activities as the domain of another consumer organization, that is the Association of Polish Consumers, has slightly risen, it remains at a low level of 8 percent. The City/County Consumer Ombudsman, who first and foremost deals with the above described activities apart from the above consumer organizations was selected by 16 percent of the respondents as compared to 12 percent of such answers in 2007.

The Trade Inspection, indicated among this kind of institutions, pursuant to the Trade Inspection Act of 15 December 2000<sup>11</sup>, first of all acts as a supervisor of companies, but it may also take mediation actions to protect consumers' interests and rights, provide advice to consumers and organize permanent consumer arbitration courts.

**Question P64\_4. From among the institutions and organizations that you know, which, in your opinion, conduct the following activities?**

Settling disputes between consumers and sellers or manufacturers before a court of consumer arbitration

N=1000. Question asked to all the respondents.



Permanent consumer arbitration courts (SPSK) operate by Voivodeship Inspectorates of the Trade Inspection to handle disputes over proprietary rights resulting from agreements to sell products and provide services to consumers. This type of arbitration courts, however, does not settle disputes in the area of energy and financial services (insurance companies, investment fund companies, open-end pension funds, brokerage houses and banks) or postal and telecommunication services. Assistance in the above areas is provided by, among others, the Banking Arbitrator, the Court of Arbitration by the Ombudsman for the Insured, the Court of Arbitration by the Financial Supervision

<sup>11</sup> Consolidated version: Journal of Laws 2009, No. 151 Item 1219.

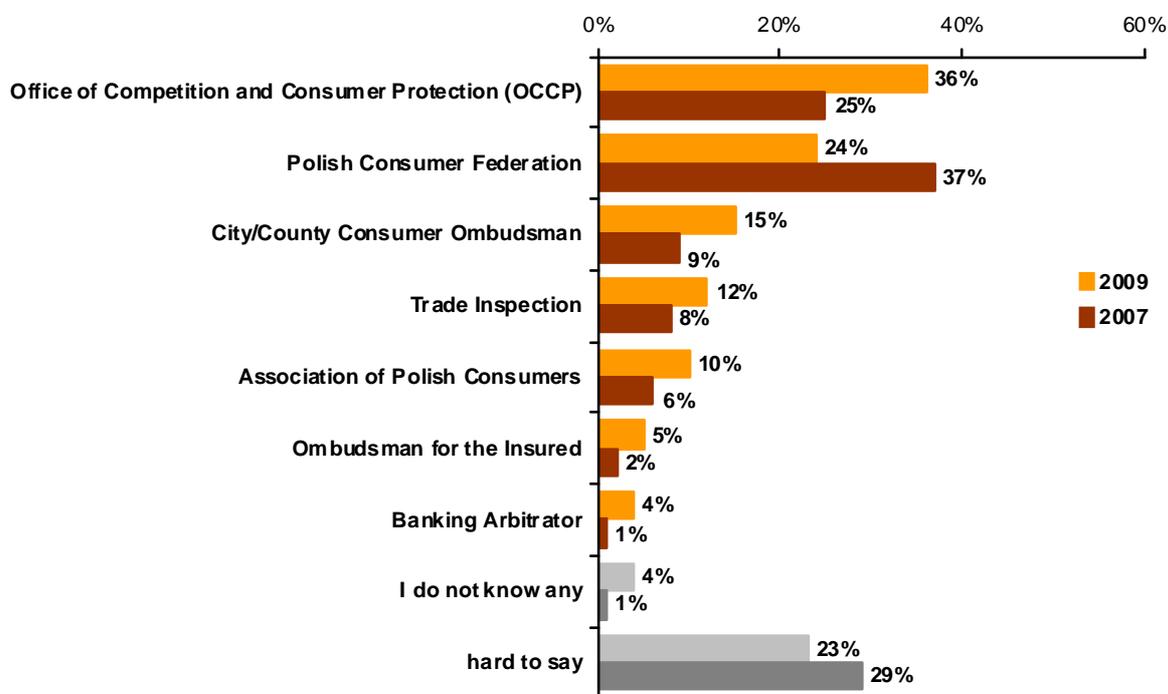
Commission, the Permanent Consumer Arbitration Court by the President of the Office of Electronic Communications.

The percentage of the respondents who correctly assign the above organizations to their activities is still insignificant, despite an increase in comparison to the 2007 survey. When asked about these activities, the respondents most often indicate the following institutions: the Consumer Federation and OCCP. The Consumer Federation was indicated by 17 percent of the respondents, which represents a considerable decline over 2007, when as many as 33 percent of those polled associated this organization with these activities. This was the correct association because it is consumer organizations that appoint permanent arbitrators to SPSKs to represent consumers' interests and participate in cases before such courts. The Office of Competition and Consumer Protection once again was selected by the most respondents (42 percent), with the number of persons mistakenly thinking that it participates in proceedings before a court of consumer arbitration increasing by 11 percent in comparison with 2007.

**Question P64\_5. From among the institutions and organizations that you know, which, in your opinion, conduct the following activities?**

Writing statements of claim and conducting court cases on behalf of consumers

N=1000. Question asked to all the respondents.



The Office of Competition and Consumer Protection was again ranked first among the institutions whose aims, according to the respondents, include writing statements of claim and conducting court cases on behalf of consumers. For the second time, the number of persons thinking that these actions are included in the Polish Consumer Federation's scope of activity has fallen quite considerably as compared to the previous research wave. Not too many respondents recognized the role in this area of another consumer organization, the Association of Polish Consumers, even though it is consumer organizations that may help consumers prepare statements of claim and represent them in court.

The City/County Consumer Ombudsman is another institution involved in court proceedings between a consumer and a manufacturer or seller. A small group of those polled, though a little more than in 2007, were able to identify these entities with the above described activities.

In order to protect consumers, it is essential to counteract the practices used by some entrepreneurs which infringe collective interests of consumers, including in particular the following illegal activities:

- use of provisions of agreement models entered in the Register of Prohibited Clauses,
- violation of the duty to provide consumers with reliable, true and complete information,
- unfair market practices or acts of unfair competition.

It is worth pointing out the powers of the President of the Office of Competition and Consumer Protection in this area, resulting from the aforementioned Competition and Consumer Protection Act and concerning the issuing of decisions to recognize a practice violating collective consumers' interests, require that it be abandoned and impose a financial penalty amounting up to 10 percent of the revenues achieved in the financial year preceding the year of imposing the penalty.

From among the institutions and organizations dealing with the protection of rights of consumers in general, or attending to the so-called "collective consumers' interest", the respondents most often selected, correctly, OCCP (48 percent), but these powers were also attributed to the Polish Consumer Federation (21 percent). It is worth emphasizing that in comparison with 2007 the number of consumers knowing that OCCP is an office endowed with those powers has increased.

In view of the obtained results it should be emphasized that there are statutory powers of the City/County Consumer Ombudsman which are unknown to most

respondents. Pursuant to the powers listed in the Competition and Consumer Protection Act, the tasks of the City/County Consumer Ombudsman include:

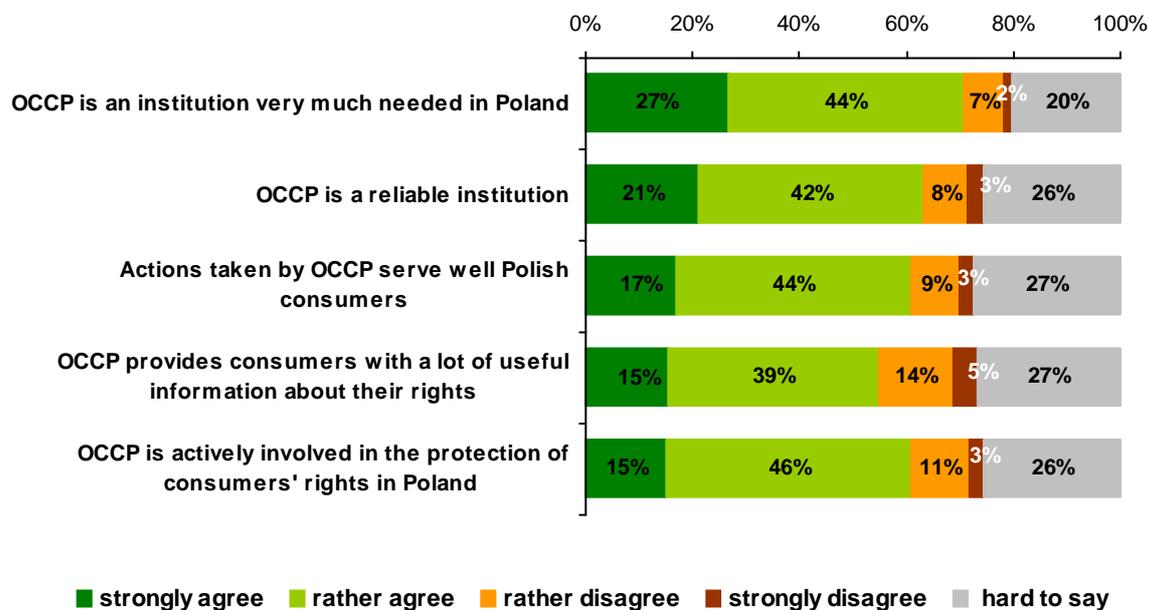
- to provide free-of-charge advice and legal information for consumers about protecting their interests;
- to address entrepreneurs with matters concerning protection of consumers' rights and interests;
- to cooperate with the Office's branches, agencies of the Trade Inspection and consumer organizations;
- to submit claims for the benefit of consumers and, with their consent, enter pending proceedings in cases regarding protection of consumers' interests.

On the other hand, what should be pointed out is a considerable increase in the number of persons attributing to OCCP actions admittedly connected with various aspects of consumer protection but not belonging directly to the scope of the Office's powers. OCCP holds the first position in the ranking of institutions which, according to the respondents, deal with each type of the activities mentioned in the survey and connected with enforcing compliance with consumers' rights on the part of sellers and manufacturers. This perception seems to result from OCCP's generally stronger presence in the respondents' awareness owing to increasingly frequent appearance in the media of news about various actions taken by the President of the Office of Competition and Consumer Protection. The respondents' knowledge about OCCP, though increasingly reinforced, is nevertheless so general that it makes them overestimate the Office's powers to a great extent.

Furthermore, one should notice a significant decrease in the number of persons attributing particular powers to the Polish Consumer Federation, the longest operating consumer organization in Poland. In the previous survey of 2007, this organization was in the lead of organizations and institutions familiar to the respondents and those to which the respondents attributed most often the suggested forms of protecting consumers. The survey of 2009 has revealed lower spontaneous and prompted awareness of the Polish Consumer Federation among the respondents, accompanied by a decline in the number of persons associating the Federation with various actions aiming to protect consumers.

**Question P73a. Please say whether you agree with each of the following statements about the Office of Competition and Consumer Protection (OCCP).**

N=1000. Question asked to all the respondents.

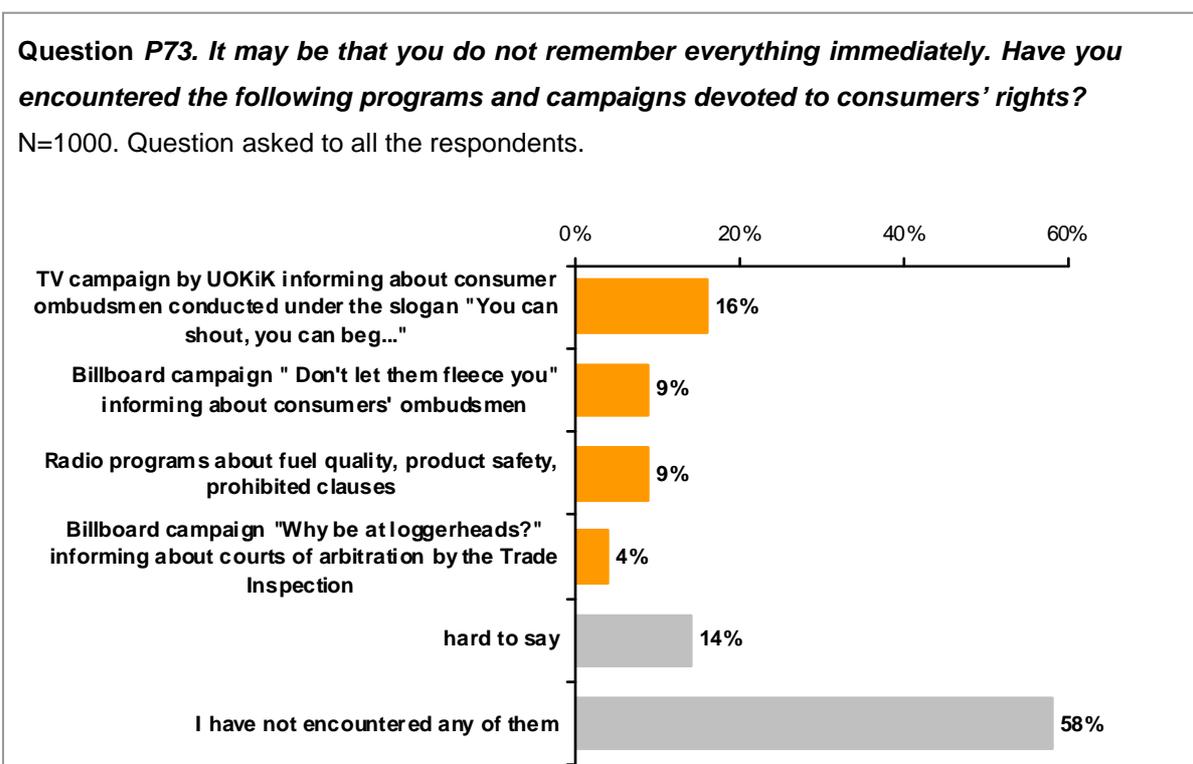


The image of the Office of Competition and Consumer Protection has improved as compared to the way the institution was perceived by consumers in 2007. Already then OCCP enjoyed a generally good opinion among the respondents, but the findings of the present survey show an increase of several percent in the number of persons who quite agree or strongly agree with particular statements reflecting favorable opinions about the Office's activity.

It is worth pointing out two statements with which the greatest number of the respondents agreed, and in which the greatest favorable change was observed in comparison to the previous survey. The most persons (71 percent) agree with the statement: "OCCP is a very useful institution in Poland", which shows an increase of 9 percent over the 2007 survey. The respondents who regard OCCP as a reliable institution make up the majority of 63 percent. Compared to the previous survey, this measurement has grown by as much as 10 percent.

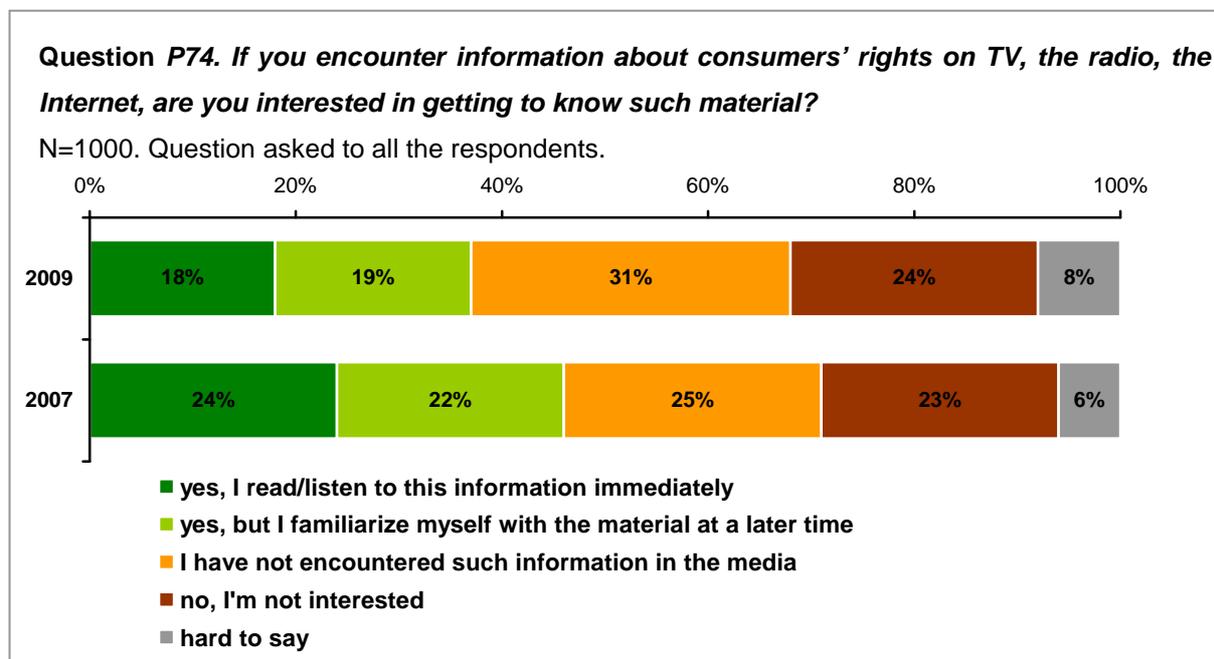
## **6.2. Determining the awareness and assessment of OCCP's educational programs addressed to consumers**

One of the key objectives of the consumer policy is to inform and educate consumers about their rights. Education is aimed not only to actively exert influence on consumer motives and attitudes in all phases of an individual's consumer activity but also to make the consumers aware of their rights and obligations, and improve their knowledge about organizations and institutions that can help them.



The survey has identified limited awareness of programs and campaigns devoted to consumer rights. In assessment of the results, however, one should take into consideration the time that elapsed between the execution of these programs and the date of the survey. The answers to the questions checking the prompted awareness of educational campaigns carried out by OCCP are interesting. The most people – 16 percent of the sample, have come across the television information campaign devoted to the consumer ombudsmen, conducted under the slogan "You can scream, you can beg." A comparison of the current results with the results of the 2007 survey shows that the message of the campaigns carried out at the time has reached a bigger group of addressees. In the qualitative survey the respondents highly evaluated the programs which in understandable terms, offering practical examples, promote knowledge of consumer rights. Analyzing the above results,

one should point to the necessity of initiating further educational campaigns addressed at consumers.



## **7. ANALYSIS OF CHANGES IN THE CONSUMER MARKET ADAPTATION LEVELS SINCE 2007**



Comparative surveys make it possible not only to diagnose a present situation but also to analyze trends over time. Monitoring such processes as they occur serves the purpose of acquiring knowledge about human beings and their behavior, making it possible to discover factors and motives underlying human actions. In the case of consumers' behavior on a market, the knowledge gained in this way may be used to verify and assess the effectiveness of educational programs or information campaigns. Then we obtain data not only about the scope of the conducted program but also information whether and to what extent it influenced the behavior of persons to whom it was addressed. What we obtain is effectiveness assessment and, if the planned effectiveness indicators have not been achieved, it is possible to optimize information or educational tools. In a longer perspective, measurable benefits are obtained by both addressees of the given initiative and organizers of the given activity.

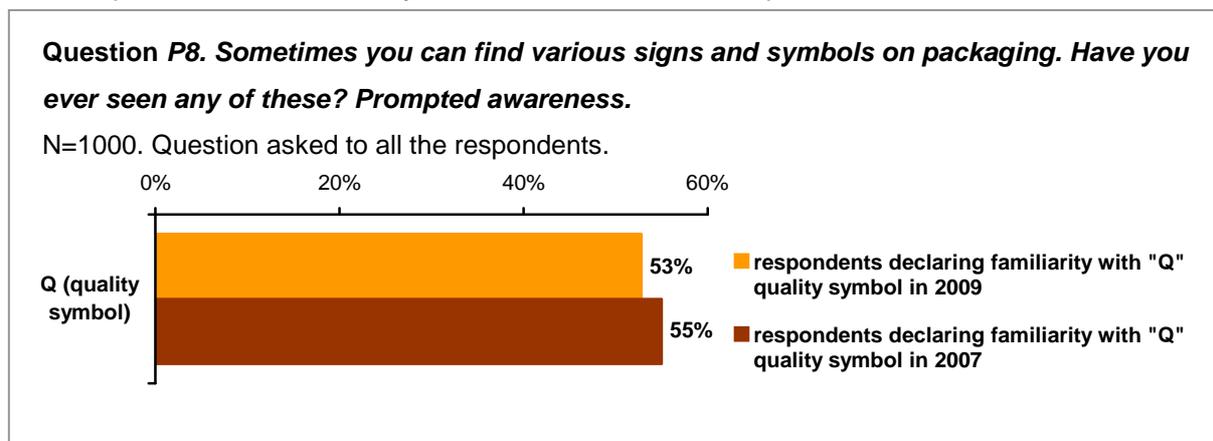
This research project has been intended to verify whether there occurred changes in consumers' market adaptation. The measurement covered predictors affecting market participants' behavior, such as:

- Quality symbol
- Relationship between quality and price
- Advertising
- Awareness of rights

In the further part of this chapter the results obtained for the measurement in 2009 are presented, with reference to similar questions asked the respondents two years ago.

### 7.1. Quality symbol

The "Q" quality symbol is a symbol reserved to PCBC S.A. [the Polish Center for Testing and Certification]. This symbol may be granted to Polish and foreign goods which are mass-produced and show above-the-standard quality, are functional and healthy and fulfill requirements about safety of use and environmental protection<sup>12</sup>.

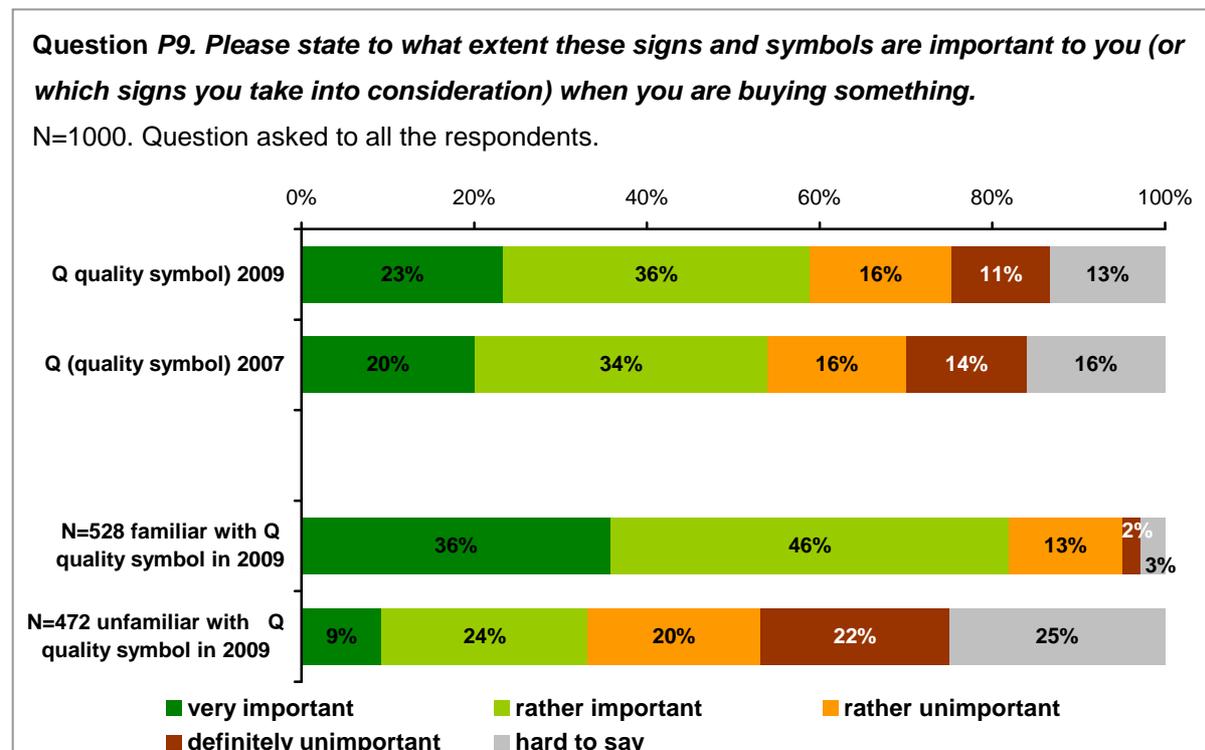


Despite the fact that the prompted awareness rate of the quality symbol has been lower by two percentage points in 2009, it should be concluded that the awareness level of this symbol has not changed. In the case of comparable signs, awareness rates for most of them have slightly fallen.

At present there are many signs operating on the market, granted by various organizations and placed on products to show their quality. Some of them are actually far from impartial, as they have features of persuasive messages communicated in order to increase the value of the given product for potential purchasers.

<sup>12</sup> Cf. and see more details at: <http://www.pcbc.gov.pl>;

Manufacturers refer to various rewards and distinctions in an attempt to prove the product quality. Distinctions which are not awarded on the basis of objective and universally known criteria should not be identified with such marks as the “Q” quality symbol.



An analysis of consumers’ statements shows that in 2009 the quality symbol plays an increasingly important role in their purchases. More and more persons think that the symbol is important and is taken into consideration while making decisions; at the same time, the number of persons thinking differently has decreased. Even though the change is not significant, it indicates the direction of changes in consumer behavior. Using additional information, taking into consideration marks indicating specific product quality brings Polish consumers closer to taking informed decisions to a greater extent than before. This also provides solid foundations for equal positions of all market participants, with their decisions being preceded by inference based on available information. The obtained findings should be interpreted as a progress in adaptation of Polish consumers to market conditions.

Particularly significant conclusions follow from the results showing prompted awareness of the “Q” quality symbol. A substantial majority of persons familiar with this symbol declares that it is very important to them and taken into consideration while making purchases (82 percent); on the other hand, among the persons who do not know this sign, a similar opinion was expressed by 33 percent of those polled. It is hard to suppose, however, that the respondents who did not show any familiarity with the graphic sign “Q” presented to

them would actually take it into consideration while doing shopping. Therefore it should be concluded that the symbol has relatively less influence on decisions of persons unfamiliar with it.

Information campaigns addressed to consumers and aiming at increasing their knowledge about the quality symbol, also taking into consideration other signs relevant to the selection of goods (e.g. the “CE” sign)<sup>13</sup>, should result in an increased awareness level and, consequently should influence the behavior of market participants as well.

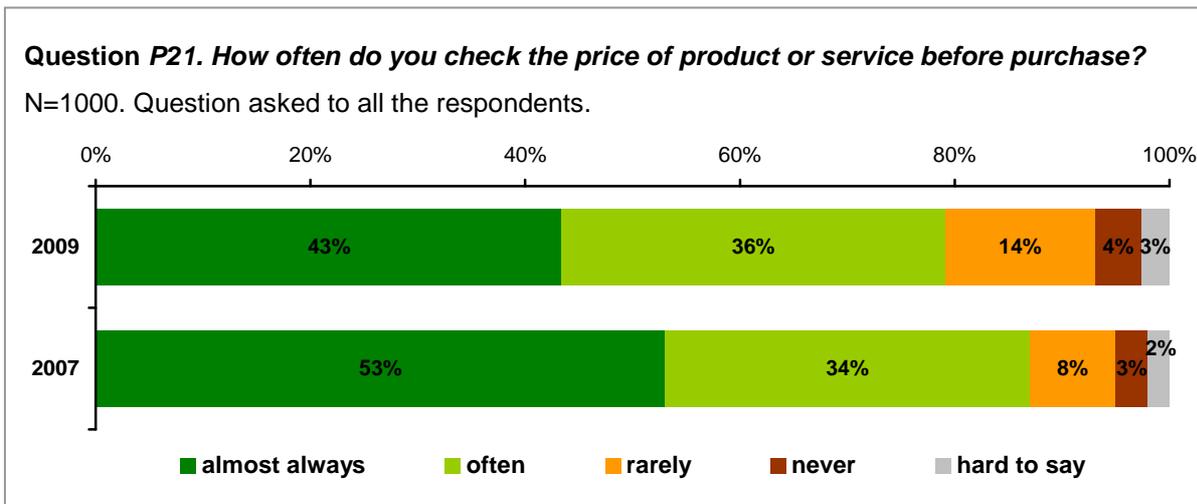
## **7.2. Quality – price**

For Polish consumers, the price is still the main criterion taken into consideration at the moment of choosing products or services. The product quality is important in purchasing cosmetics or shoes but the price remains a priority criterion. In light of the qualitative survey this attitude results from the income earned and the process of education in domestic budget management.

In comparison with the survey conducted two years ago, at present Poles less frequently check the price of a product or service before a purchase. The number of persons asserting such behavior has been found to decrease by 8 percent. There are increasingly more persons who rarely or almost never check prices; in 2009 such persons represent already 18 percent of those polled, as compared to 11 percent in 2007.

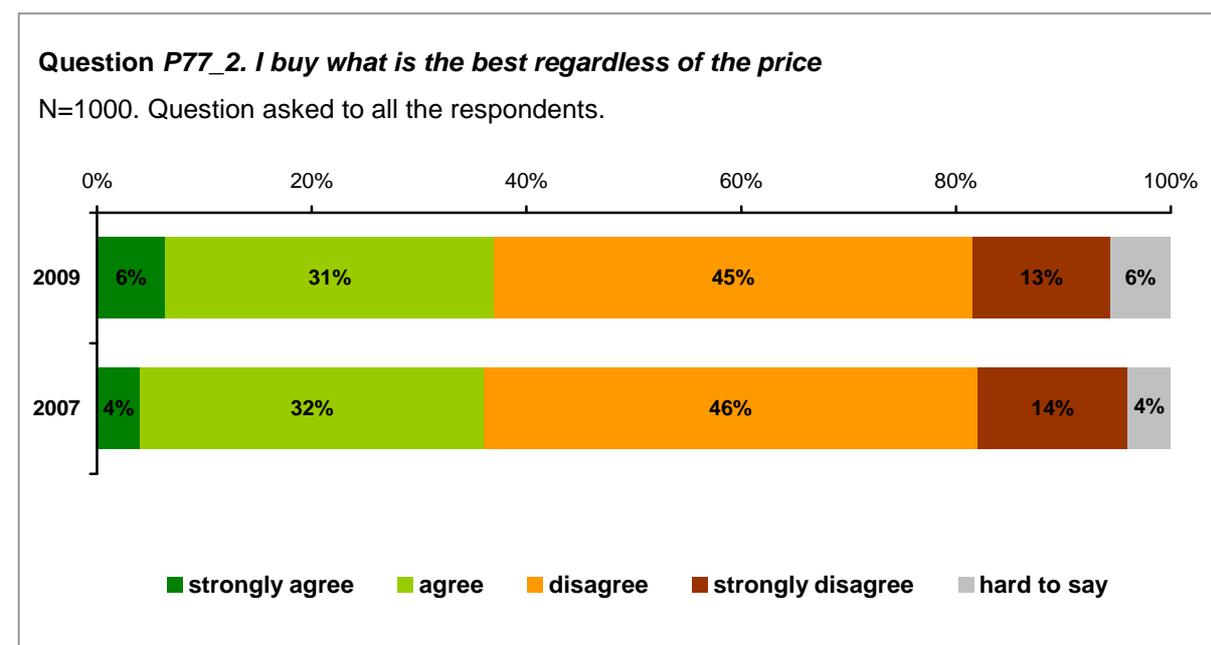
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<sup>13</sup> For more detail c.f. Chapter 3.3.



Naturally, verification of the price of a product or service before purchasing it shows not only an active involvement of consumers (checking offers and selecting the most advantageous) but it also reflects the individual's financial position (persons with relatively high income do not have to check the price each time to look for the cheapest offer).

In this case, while interpreting the provided answers, one should take into consideration this latter scenario. This is shown by the results showing the breakdown of the respondents according to their financial situation: persons who declare that they do not check the price before a purchase are more often those having sufficient income for current expenses rather than those whose income is not enough to pay for the basic benefits.

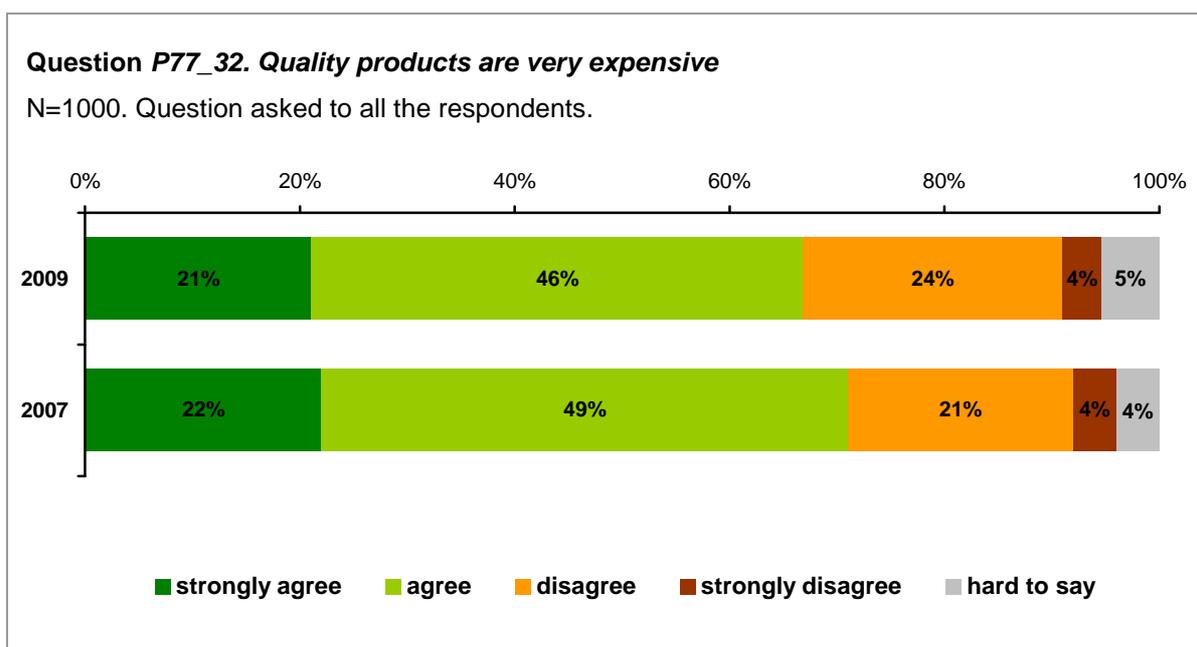


There has been a slight increase in the number of persons who can afford to choose goods of the highest quality regardless of their price. In 2009, the number of persons who agreed with such a statement has increased by 1 percent; at the same time the number of persons disagreeing with that statement has dropped by 2 percent. The possibility of making purchases using quality as the only criterion is a privilege reserved for small social group who can afford it. For most persons, the price remains an important and relevant criterion affecting their behavior as purchasers. Therefore in the quality – price measurement most consumers are on the side of price.

A meaningful result of the perceived relationship between quality and price can be seen in the findings described below.

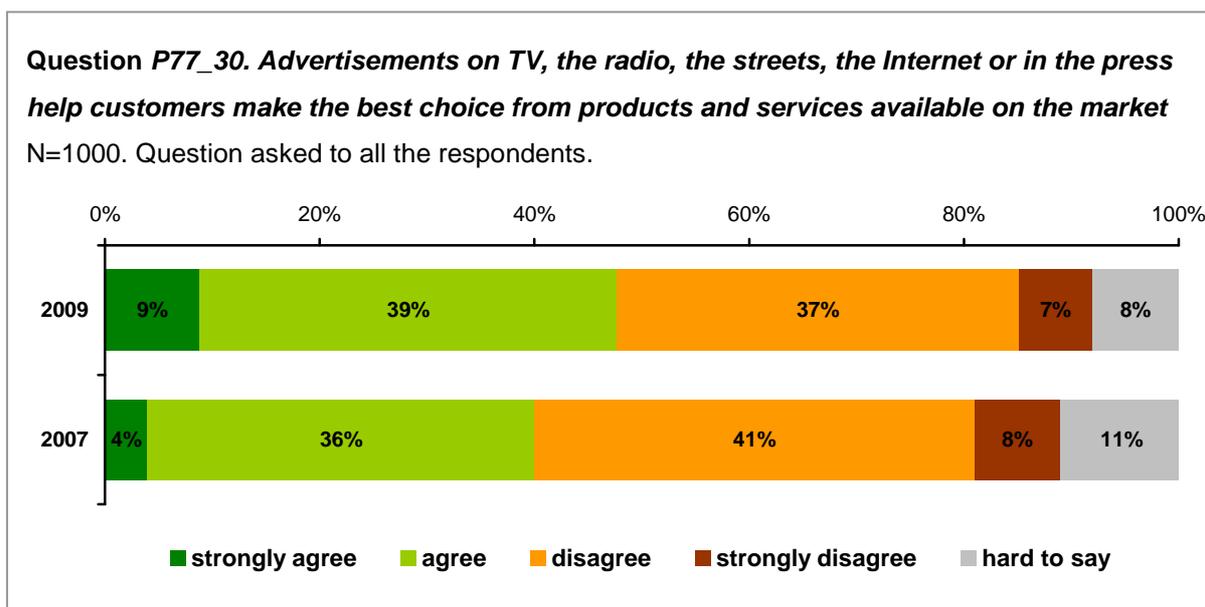
At present, in comparison with 2007, the percentage of persons perceiving quality goods as very expensive has fallen (by 4 percent), while the percentage of persons who do not share the opinion that high quality products are expensive has risen (by 3 percent)

Obviously, there are many processes occurring on the market, such as, among others: competition and an increase in the number of entities offering similar products or services, which leads to an appearance of offers of high quality goods at an attractive price. In this case, the obtained results indicate rather a change in the subjectively perceived financial capabilities. The evidence for this is the fact that for the last two years there has been no increase in the number of such goods, because increased competition among companies more often concerns the production of basic rather than luxurious goods.



### 7.3. Advertising

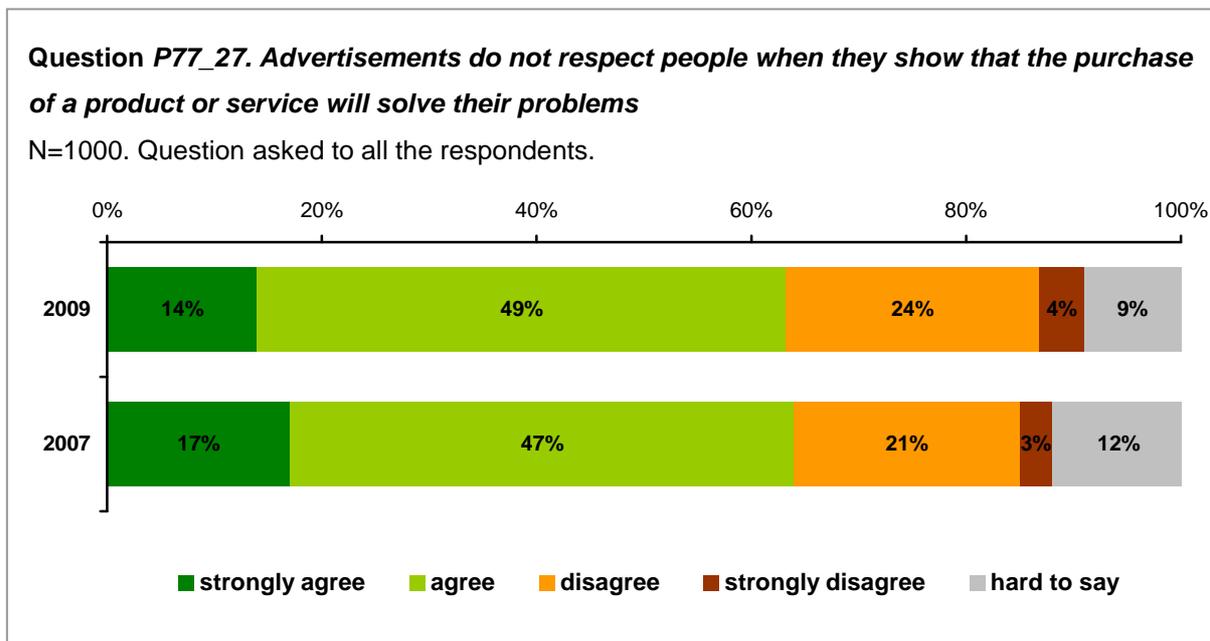
A comparison of the respondents' opinions about advertising shows some interesting results. The perceived function of advertising has been observed to change. In comparison with 2007, there are more persons thinking that advertisements help customers make a choice from among a number of goods and services available on the market. Although the percentage of persons convinced of a positive role of advertising is similar to the percentage of the respondents expressing the opinion to the contrary (48 percent and 44 percent respectively in 2009), the trend has reversed in relation to the previous survey (the results were 40 percent and 49 percent respectively in 2007). At present more people attribute to advertising a positive function in the choice of goods.



Are Poles beginning to like advertising then? Not necessarily so. We need to remember that the above statement asked the respondents to select an opinion about advertising as a tool to help consumers. In a situation where there are increasingly more entities in the market, increasingly more product substitutes, it is becoming increasingly difficult to choose from a wide range of goods. The choice is further complicated by marketing activities taken by manufacturers/ sellers.

Paradoxically, though, advertising messages might have recently provided additional guidance for consumers as to which decisions to take. A Polish consumer is price-oriented, while in the period of unfavorable market conditions advertising messages focused on cost-

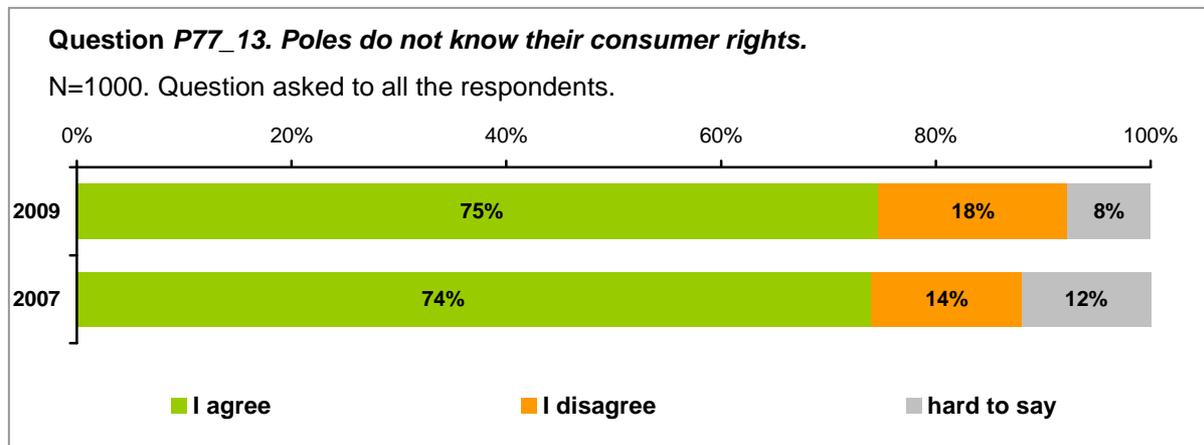
effectiveness of the purchase (by lowering the price or increasing the volume of a product). By this, a consumer looking for a particular product, usually motivated by price, obtained information useful to him or her, employing a criterion relevant to him or her. For this reason it should be concluded that advertisements might have actually provided help to consumers.



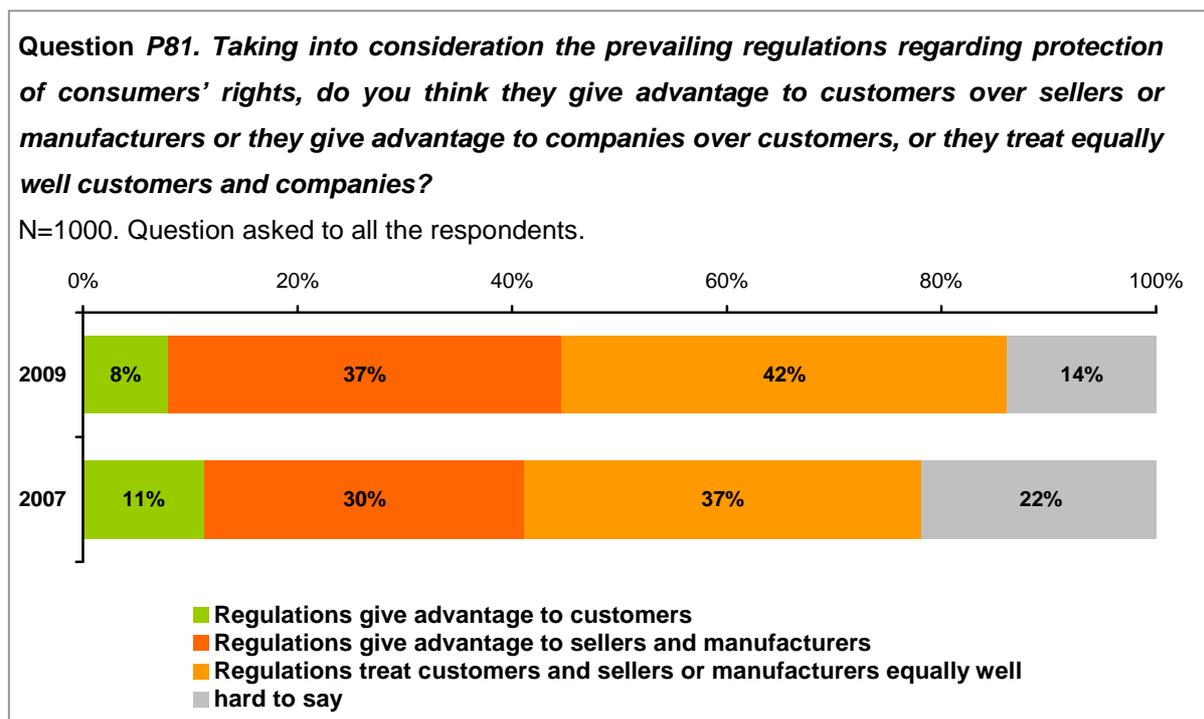
A decisive majority of the respondents (63 percent in 2009 and 64 percent in 2007) shares the opinion that advertisements do not respect people by showing that the purchase of a product or service will solve their problems. Therefore even though Poles show a more positive attitude towards advertising as a tool facilitating a choice from a wide range of products, they still remain skeptical about the effects of purchasing a given product, often presented in the media as being the ideal solution. In light of the above results it should be recognized that Polish consumers have adapted quite well to the market and their attitude to advertisements may be regarded as pragmatic and beneficial in a long term.

### 7.4. Awareness of rights

An important objective of consumer education is to increase consumers' knowledge in the area of consumers' rights.



Unfortunately, regardless of the year of a survey, a decisive majority of those polled (75 percent in 2009 and 74 percent in 2007) believe that Poles do not know the rights due to them in the area of consumer protection. An optimistic sign is an increase in the number of persons who disagree with the above opinion; the change, however, results to a greater extent from the number of persons having a strong opinion on that matter (with the simultaneous decline in the number of “hard to say” answers) and is relatively slight (an increase by 4 percentage points).

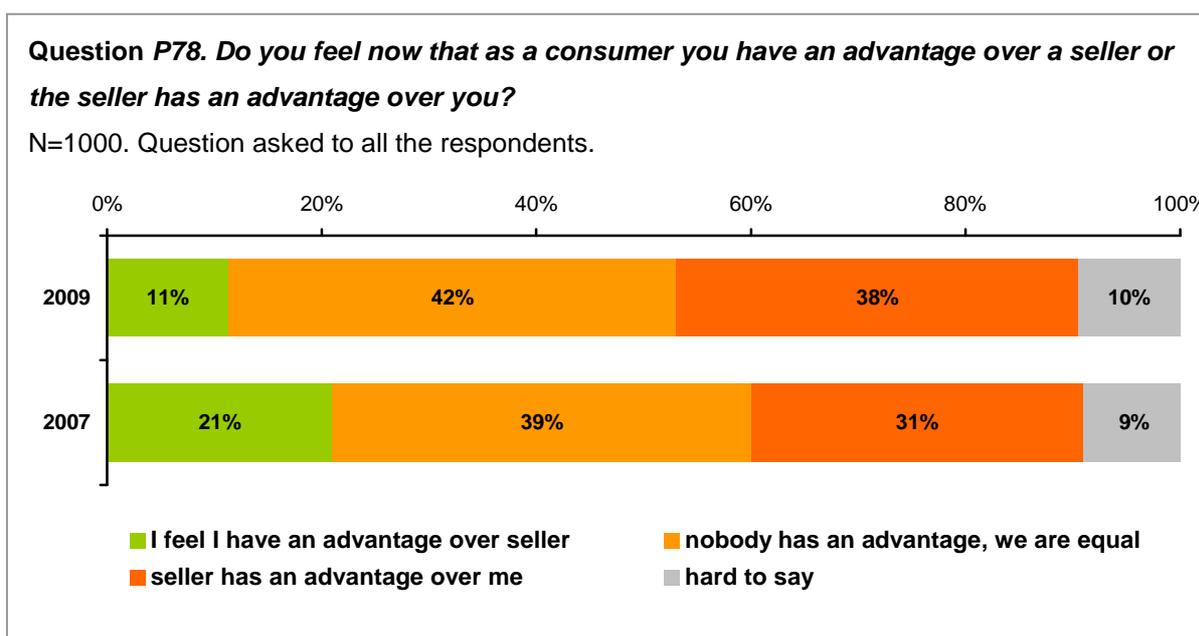


Poles are then convinced that as a nation they have low awareness of rights, with this opinion being unchanged since the time of the previous survey. This common belief indicates that informing weaker participants in the market about the prevailing legal regulations should constitute one of the major priorities of consumer education.

In comparison to 2007, the percentage of persons who found it difficult to answer the question about to whom the prevailing law gives the advantage has fallen (a decline of 8 percentage points).

The hierarchy of the answers has not changed, however: both in 2009 and in 2007 the greatest group of those polled were of the opinion that there is a balance between protection of the interests of consumers and entrepreneurs (42 percent in 2009 and 37 percent in 2007). Next, the most frequently selected answer was that provisions of law give advantage to sellers and manufacturers (37 percent in 2009 and 30 percent in 2007). The least persons stated that the existing legal regulations favor customers (8 percent in 2009 and 11 percent in 2007).

The comparison turns out to be particularly interesting in the question which directly asks the respondents to state what kind of position they adopt in relations with a seller. There has been a nearly twofold decrease in the number of persons perceiving their own (consumer's) position as having an advantage over the seller. There has been a slight increase (by 3 percentage points) in the number of persons stating that they take an equal position to sellers, the group of respondents perceiving the seller as an entity having a stronger position (an increase by 7 percentage points).



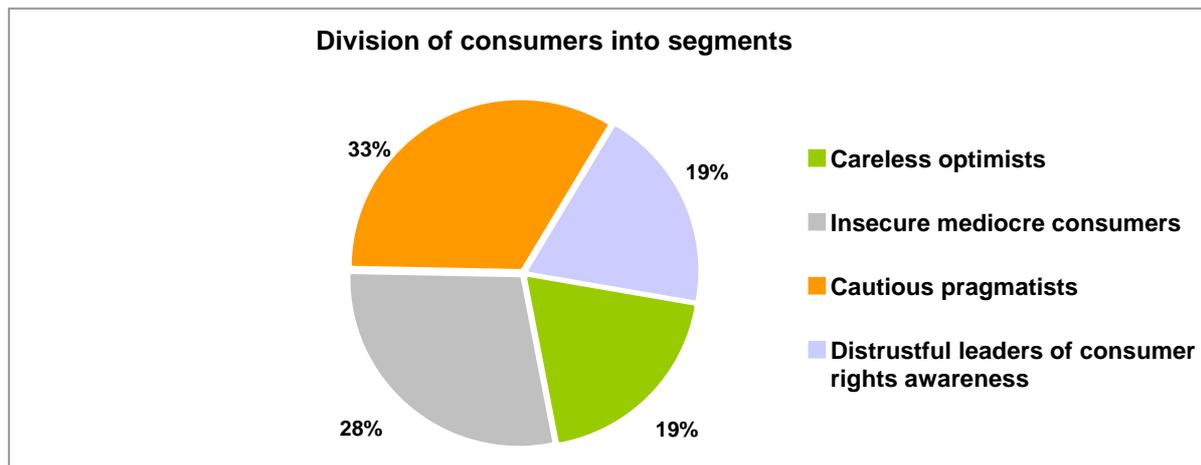
## 8. SEGMENTATION OF CONSUMER POPULATION



Polish consumers have been divided into 4 groups based on the following information:

- purchase decision-making patterns taking into consideration the changing price and quality levels,
- purchase decision-making mechanisms,
- place of purchase,
- significance of the brand,
- attitudes to quality,
- awareness of consumer rights,
- use of consumer rights.

The basic vector of the segmentation was awareness of consumer rights and the manner of taking advantage of these privileges.



The first group, constituting 19 percent of the population, is that of “careless optimists”. These people like doing shopping. They do not belong to the most affluent, sometimes they live beyond their means. Their attitude to advertising and new sales channels is that of complete trust. They are not “allergic to advertisements”, like watching them and absorb information from them which they subsequently use while shopping. Their affirmative attitude to shopping is not derived from awareness of consumers’ rights. Just the opposite: self-confident optimists hardly realize the scope of privileges they are entitled to. During shopping they do not try to receive till receipts, which facilitate the complaint procedure.

This group includes a large number of men, more than the average (54 percent) and persons who have not completed secondary education (62 percent).

The second group of “insecure mediocre consumers”, representing 28 percent of the population, is characterized by a quite low awareness of consumers’ rights. Differently, however, from “careless optimists”, in this group ignorance is combined with unwillingness to assertive behavior in relation to sellers. If these persons find a defect in purchased goods, it is harder for them to try to enforce their own privileges: very often they simply do nothing at all. They try not to use distance shopping and do not buy goods from door-to-door salespersons. They declare that they do not do shopping on impulse, they go to the shops with a prepared plan and try to follow it. They are, however, less careful when

shopping, stating less frequently that they familiarize themselves with information on product packaging, and after shopping they often do not try to get a till receipt.

This group includes more women (55 percent), there are definitely more persons with secondary education (35 percent) and those over 50 years old (47 percent).

In the third group, among “cautious pragmatists”, we can find every third consumer. These persons know quite a lot about the rights due to them. In addition, they declare that they try to do shopping as consciously as possible – they carefully make themselves acquainted with the goods before purchasing, carefully read agreements before signing them and take a till receipt having paid for goods. Due to this they have no problems with enforcing their rights and are not afraid to make complaints. They do not think that sellers behave unethically and try to sell goods at any cost, violating the customer's interests. Rather, these consumers relatively trust the institution of commerce. They value branded products, which they can afford because these persons perceive the economic situation of their households as being better as compared to other groups.

Among “cautious pragmatists”, one may find, more often than in other groups, inhabitants of the biggest cities (25 percent), persons with higher education (17 percent), persons employed full-time (54 percent) or self-employed (7 percent).

The fourth group (19 percent of the population) is made up of persons who know the most about the rights they are entitled to. Contrary to “cautious pragmatists”, however, they believe that sellers will stop at nothing just to thrust goods on customers. Persons from this group have no trust in advertising either, regarding it as an instrument to mislead consumers. In such a situation consumers may defend themselves with the weapon of perfect knowledge of the rights due to them. Therefore those “distrustful leaders of rights awareness” belong to the best educated customers – on average they were able to answer correctly as much as 85 percent of the competence test included in the questionnaire. They show consumer behavior similar to “cautious pragmatists”: they carefully choose products so as not to have to make complaints later.

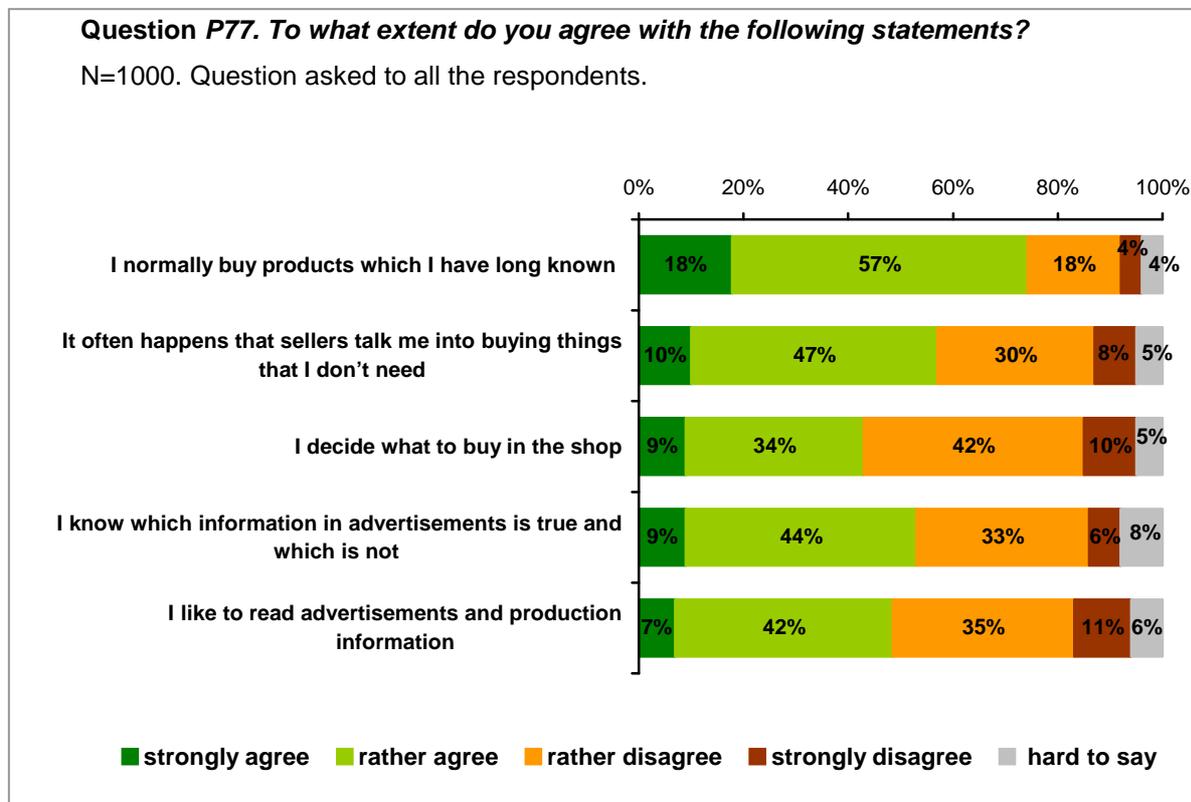
“Distrustful leaders...” are moderately rich and economical, therefore in consumer choices they pay more attention to price than to quality or brand.

This group includes the greatest number of women (55 percent), inhabitants of big towns (30 percent of inhabitants of towns with population of 20-200 thousand).

## 9. ATTITUDES TOWARDS ADVERTISING. EXPECTATIONS AND PREFERENCES



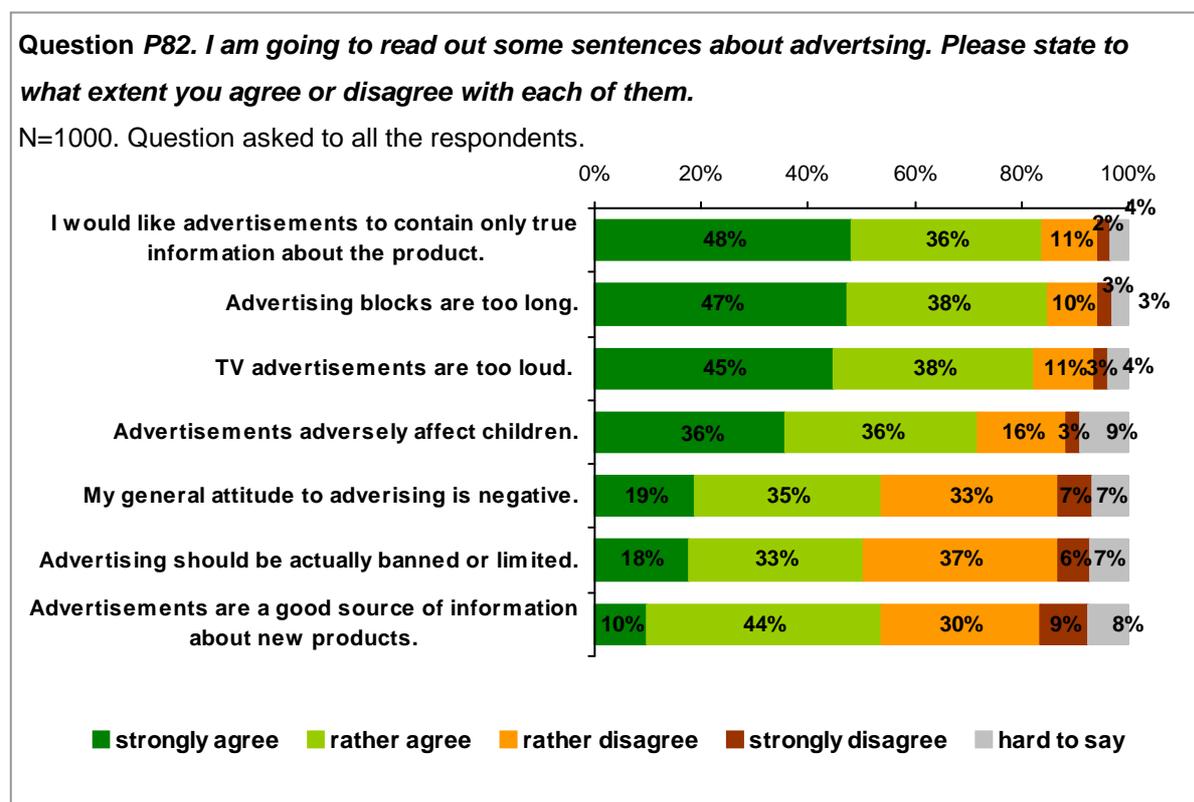
The obtained results demonstrate the respondents' self-assessment in the area of consumer behavior directly connected with the moment of making a purchase (question P77). These results also refer to behavior connected with consumption of advertising messages.



From the survey results there emerges an image of a rational consumer who in the process of choice and purchase of needed goods is primarily motivated by previous experience rather than a sudden impulse. Three fourths of the respondents agree with the statement that they usually buy products they have known for a long time. A large group of consumers are motivated then by attachment to a particular product, which, we may suppose, many times have “proved” its usefulness for them. This result corresponds to the fact that more than a half of the respondents disagree with the statement: “I decide what to buy only in the shop”.

The respondents were asked to take a position on statements about advertising. Various, potentially bothering aspects of advertising were presented for assessment (question P82).

The consumers divided themselves into two, nearly even groups: those who like reading advertisements and information about products and those who disagree with such a statement. It is worth emphasizing that the majority of those polled are persons who notice that advertising involves disinformation. Only 39 percent of the respondents think that advertisements are a good source of information about new products.



Expressing generally critical opinions about truthfulness of most advertisements, the majority of the respondents highly estimates their own abilities to discern false messages included in advertisements. A clear majority (84 percent) of the respondents declare at the same time that they would like advertisements to contain only true information about the given product. It is worth pointing out the fact that the consumer is particularly protected in this area. After all protection of consumers, guaranteeing them actual possibilities of pursuing their rights and fighting and preventing unfair market practices (which include misleading advertisements) are the most important objectives of the act on combating unfair commercial practices of 23 August 2007<sup>14</sup>.

The overwhelming majority of the respondents see also various negative aspects of broadcasting advertisements – advertising block on television are perceived as excessively long and too loud, and according to the respondents advertising is harmful to children.

It is worth emphasizing at this point that less than a half of the respondents does not agree with the statement that advertisements should be banned or limited. It seems then that the negative image of advertising as seen by their addressees should not be interpreted as a manifestation of a general disapproval of this channel of communication between the manufacturer and the consumer. The assessment rather shows that advertisements fail to satisfy the recipients' needs, both with regard to content and form.

Summing up, modification of advertising messages called for by the respondents should be highlighted. Most consumers seem to expect that advertising, to a greater extent than to date, will fulfill information functions. Most respondents would also expect broadcast advertising messages to be less intensive.

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<sup>14</sup> Journal of Laws 2007, No. 171, Item 1206.