



## European network of legal experts in gender equality and non-discrimination

### NEWS REPORT

<b>Country:</b>	Poland
<b>Title:</b>	Governmental draft of the 'Family 500 Plus' law introducing a new child-upbringing benefit passed by Parliament and will enter into force 1 April 2016
<b>Date:</b>	20 February 2016
<b>Expert:</b>	Eleonora Zielińska
<b>Issue at stake:</b>	New family benefit law discriminatory for families with one child, in particular single mothers
<b>Ground of discrimination:</b>	Sex
<b>Source:</b>	Legislation
<b>Field:</b>	Other
<b>Applicable law:</b>	Law of 11 February 2016 on state aid in the upbringing of children ( JoL 2016 item 195)

### Context:

**Law development:** On 17 February 2016, after an exceptionally fast legislative proceeding (the Government submitted the draft law to the Parliament on 1 February 2016), the Parliament adopted the Law of 11 February 2016 on state aid in the upbringing of children, introducing a new child-upbringing benefit (*świadczenie wychowawcze*), amounting to PLZ 500 PLZ (EUR 125) monthly per every second and further child. The parents of a single child are entitled to the aid if the monthly income per capita in the family does not exceed PLZ 800 (EUR 200). The benefit is thus directed mainly towards families with at least two children. Its primary goal is to aid families, especially ones with multiple children, in covering the expenses related to satisfying existential needs of children and their upbringing. The Law will enter into force 1 April 2016.

**Key points of analysis:** By making the child-upbringing benefit for the first child dependant on the income per capita in the family the new law constitutes indirect discrimination of single mothers with one child. This is due to the fact that the law provides the same income criterion, applicable to families with both parents and to single parents, the great majority of which in Poland constitutes women. As a result, in reality it will be harder for them to meet the income criteria provided for obtaining the child-upbringing benefit for the first child, since there are less persons to divide the income.

### **Internet link source:**

Ustawa z dnia 11 lutego 2016 r. o pomocy państwa w wychowywaniu dzieci [Law of 11 February 2016 on state aid in upbringing of children]  
<http://isap.sejm.gov.pl/DetailsServlet?id=WDU20160000195>, accessed 20 February 2016.

Samotny rodzic ma mniejsze szanse na 500 zł na dziecko [Single parents with less chances for 500,- PLZ for their child]. 9.12.2015

<http://praca.gazetaprawna.pl/artykuly/910063,samotny-rodzic-500-zl-na-dziecko-szanse.html>, accessed 20 February 2016.

"Mieć więcej dzieci". Rzecznik klubu PiS radzi samotnym matkom bez 500 plus ["have more children" Chairmen of the PiS parliamentary club advises single mothers without 500 plus] 03.02.2016

<http://www.tvn24.pl/wiadomosci-z-kraju,3/poslanka-pis-radzi-samotnym-matkom-bez-500-plus,616053.html>, accessed 20 February 2016.

Rodzina 500+: Przywileje dla dłużników alimentacyjnych [Family 500+ program: preferences for payers of alimonies] 11.02.2016.

<http://www.rp.pl/Opinie/302119966-Rodzina-500-Przywileje-dla-dluznikow-alimentacyjnych.html> accessed 20 February 2016.