



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

### NEWS REPORT

**Country:** Poland  
**Title:** Alleged sex discrimination in a local aqua park  
**Date:** 01 August 2018  
**Expert:** Eleonora Zielińska

#### Context

**Issue at stake:** The administration of an aqua park in Wrocław decided that during one day in a week the sauna area will be open to women only

**Ground of discrimination:** Sex discrimination (against men)

**Source:** Miscellaneous

**Field:** Access to goods and services

**Applicable law:** Possible violation of the so-called Antidiscrimination Law of 3 December 2010 (consolidated text: JoL 2016, Item 1219)

#### Content

**Case:** The Commissioner for Human Rights received a complaint concerning the fact that men accessing an aqua-park in Wrocław have to pay the same amount as women for their monthly entrance card despite the fact that they do not have the same access rights, because on Tuesdays the sauna area is only open to women. According to the explanation provided by the administration of the aqua park, the so-called monthly AquaCard includes access not only to the sauna area, but also to other attractions of the facility (such as swimming pools, gym or fitness areas), hence there is no obligation to differentiate the price.

**Key points of analysis:** In the opinion of the Commissioner for Human Rights the issue is not one of financial character. The main problem here is that the decision of the entrepreneur may be seen as an infringement against the collective interests of consumers, or a violation of Polish Antidiscrimination Law. Thus, the Commissioner for Human Rights asked the Office of Competition and Consumer Protection to investigate the case and to undertake appropriate actions (such as a decision prohibiting the continuation of any discriminatory practice or the imposition of financial sanction). At the same time the Commissioner asked the entrepreneur, the company (Wrocławski Park Wodny SA), to provide a justification for the total prohibition for men to use the sauna area one day a week.

#### **Internet link source:**

<http://www.gazetawroclawska.pl/wiadomosci/a/aquapark-na-cenzurowanym-dyskryminuje-mezczyzn-sprawa-zajal-sie-sam-rzecznik-praw-obywatelskich,12895524/>

<https://www.rpo.gov.pl/pl/content/rpo-dlaczego-m%C4%99%C5%BCczy%C5%BAni-nie-mog%C4%85-korzysta%C4%87-z-sauny-we-wroc%C5%82awskim-aquaparku-czy-jest-zgodne-z-zasad%C4%85>, all accessed 20 June 2018.