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## Case study 5 - commercial law - responsibility - Poland

### Costs in Poland

Case n° 5 (in 5 B- the country when the consumer sues the installer and the equipment company is Poland - in that case, the fees, expenses and conditions are the same as in case A.

#### Costs for Court, Appeals and Alternative Dispute Resolution

Case Study	Court			Other fees
	Initial court fees	Transcription fees		
	Depends on the value of the object of litigation. According to the Act on Judicial Costs in Civil Cases the fee is 5% of the value, but not less than 30 and not more than 100,000 PLN	For each copy, judgements with enforcement, copies of judgement with legal force - 6 PLN. If those documents are in a foreign language or contain tables - 12 PLN for each page.		
Case A	100,000 PLN			--

Case Study	Appeals		Transcription fees	Other fees
	Initial court fees			
	Depends on the value of the object of litigation. According to the Act on costs in civil cases - the fee is 5% of the value, but not less than 30 and not more than 100,000 PLN. But the value of the object of litigation can change during the procedure. Where this is the case, the fee is calculated in the same way - the percentage is still the same but the final sum is not as another calculation base is used.			
Case A			--	--

#### Case Study ADR

	Is this option open for this type of case? Costs	
Case A	Parties are free to opt for ADR	If the court accepts the enforceability clause, 50 PLN

#### Costs for lawyer, bailiff and expert

Case Study	Lawyer Is representation compulsory?	Average costs Depends on the value of the object of litigation.	Bailiff Is representation compulsory?	Pre-judgement costs	Post-judgement costs	Expert Is use compulsory?	Cost
Case A	No		No	--	--	No	If the court accepts the enforceability clause, 50 PLN

### Costs for witness compensation, pledge or security and other relevant fees

Case Study	Witness compensation Are witnesses compensated?	Cost	Pledge or security Does this exist and when and how is it used?	Cost	Other fees Description	Cost
Case A	Yes	Costs of transport, lost earnings, accommodation, according to article 85 to 88 of the Act on Judicial Costs in Civil Cases	Yes. The value of the object of litigation is taken into consideration.	Depends on the value of the object of the litigation	--	--

### Costs for legal aid and other reimbursement

Case study	Legal Aid	Reimbursement	Are there instances when legal aid should be reimbursed to the legal aid organisation?	
Case A	When and under what conditions is it applicable? A party exempted from legal costs can apply for legal aid. The court decides if the participation of a professional attorney is needed	When is support total? Conditions? If the costs are excessive or will cause financial hardship to the party	Can the winning party obtain reimbursement of litigation costs? General rules apply, depending on the circumstances.	<p>If reimbursement is not total, what is percentage in general?</p> <p>What costs are never reimbursed?</p> <p>Balance of costs higher than what was essential and appropriate to the case</p>
	Depends on court decision		--	

## Costs for translation and interpretation

Case study	Translation		Interpretation		Other costs specific to cross-border disputes?	
	When and under what conditions is it necessary?	Approximate cost?	When and under what conditions is it necessary?	Approximate cost?	Description	Approximate cost?
Case A	If documents are submitted to the court in another language	According to the Minister of Justice's Regulations of 24 January 2005	--	--	--	--

■ Last update: 01/05/2010

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