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## Other relevant rules on appeals, remedies and access to justice in environmental matters

### Silence of administration

In cases where the authority fails to deliver the decision in time or to inform the parties about reasons for the delay (inaction of the authority), parties to the proceedings may file a reminder (*ponaglenie*) to the administrative authority of the second instance. The reminder is to be lodged via the authority which failed to act (Article 37 APC). If the reminder is ineffective, the party may lodge a complaint with the administrative court (Article 3 § 2 point 8 PACLA).

The reminder, and then the court complaints, may also be lodged in cases where the proceedings are too lengthy (*przewlekłość postępowania*), i.e. when the extension of the deadline by the authority seems to be unjustified. The authority of second instance, and then the administrative court, orders the first instance authority to fix the case (to issue a decision).

### Penalties to be imposed on public administration for failing to provide effective access to justice

There is no procedure for imposing such penalties.

### Penalties for cases when the administration does not comply with a judgment (quasi contempt of the court)

The possibility to apply such penalties depends on the content and the nature of the judgement.

In cases where the court finds inaction by authority or excessively lengthy proceedings, it may impose on the administrative authority a fine of up to ten times the average monthly salary in the previous year. Moreover, the court may grant a sum of money from the authority to the applicant up to half the aforementioned amount (Article 154 PACLA).

In certain cases, the court in its verdict may oblige the authority to issue a decision within a specified period of time, indicating the manner of resolving the case. In this case the competent authority shall notify the court of the decision within seven days of its issuance. If the court is not notified, it may decide to impose on the authority a fine of up to ten times the average monthly salary in the previous year. Moreover, the court may grant a sum of money from the authority to the applicant up to half the aforementioned amount (Article 145a PACLA).

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