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Maintenance obligations

Poland

Poland



FINDING COMPETENT COURTS/AUTHORITIES

The search tool below will help you to identify court(s)/authority(ies) competent for a specific European legal instrument. Please note that although every effort has been made to ascertain the accuracy of the results, there may be some exceptional cases concerning the determination of competence that are not necessarily covered.

Article 71 1. (a) - Courts for application for a declaration of enforceability and courts for appeal against decisions on such applications

The competent courts in the Republic of Poland pursuant to Article 27(1) of *Regulation (EC) No 4/2009* are the regional courts (sądy okręgowe) (under Article 1151⁽¹⁾(1) of the *Code of Civil Procedure (Kodeks postępowania cywilnego)* of 17 November 1964).

The competent courts in the Republic of Poland for the appeals referred to in Article 32(2) of *Regulation (EC) No 4/2009* are the courts of appeal (sądy apelacyjne) (Article 394 et seq., in conjunction with Article 1151⁽¹⁾(1) of the *Code of Civil Procedure*). An appeal is lodged with a court of appeal via the regional court that issued the contested decision (Article 369, in conjunction with Article 397(2) of the *Code of Civil Procedure*).

Article 71 1. (b) - Redress procedure

In Poland, in accordance with Articles 398⁽¹⁾ - 398⁽²¹⁾ of the Code of Civil Procedure, an appeal in cassation (*skarga kasacyjna*) is the redress procedure referred to in Article 33 of Regulation (EC) No 4/2009. The competent court is the Supreme Court (*Sąd Najwyższy*). An appeal in cassation must be filed with the Supreme Court through the court of appeal (*sąd apelacyjny*) that issued the contested decision (Article 398⁽⁵⁾(1) in conjunction with Article 1151⁽¹⁾(3) of the Polish Code of Civil Procedure).

Contact details for the Supreme Court:

The Supreme Court

Krasiński Square 2/4/6

00-951 Warsaw

Poland

Phone number: +48 22 530 8246

Email: sn@sn.pl

Article 71 1. (c) - Review procedure

In Poland the procedure for annulling a judgment on a maintenance arrangement governed by Article 1144⁽²⁾ of

the Code of Civil Procedure is the procedure referred to in Article 19 of Regulation (EC) No 4/2009. An application for this procedure is lodged with the court that issued the contested decision. This means that, depending on which court issued the contested maintenance judgment, jurisdiction within the meaning of Article 19(1) of Regulation (EC) No 4/2009 may lie with:

(a) a district court (*sąd rejonowy*)

(b) a regional court (*sąd okręgowy*) (if that court has given a judgment on maintenance in separation, divorce or annulment proceedings).

Article 71 1. (d) - Central Authorities

The Central Authority designated under Article 49(1) of Regulation (EC) No 4/2009 in Poland is:

The Ministry of Justice (*Ministerstwo Sprawiedliwości*)

Department for Family and Minor Affairs (*Departament Spraw Rodzinnych i Nieletnich*)

Department of International Family Proceedings (*Wydział Międzynarodowych Postępowań Rodzinnych*)

Al. Ujazdowskie 11

00-950 Warsaw

Tel./Fax: +48 22 23 90 470

e-mail: alimenty@ms.gov.pl

Article 71 1. (e) – Public bodies

The regional courts (*sądy okręgowe*) are designated as the central authority for transmitting applications and taking any appropriate action relating to applications submitted.

The contact details for the regional courts are listed in [Annex 2 \(190.57 KB - PDF\) PL](#).

Article 71 1. (f) – Competent authorities for enforcement

Pursuant to Article 843(1) and (2) of the Code of Civil Procedure, the competent authority in Poland for initiating the actions referred to in Article 21(2) of Regulation (EC) No 4/2009 is the district court (*sąd rejonowy*) with *ratione materiae* jurisdiction, where enforcement proceedings are under way; where enforcement has not yet been initiated, this authority is the district court (*sąd rejonowy*) with *ratione materiae* jurisdiction under the rules governing general jurisdiction.

Pursuant to Article 758 of the Code of Civil Procedure, the competent authority in Poland for initiating the actions referred to in Article 21(3) of Regulation (EC) No 4/2009 is the district court (*sąd rejonowy*) to which the bailiff carrying out enforcement is attached.

The contact details for the courts are listed at

<https://www.gov.pl/web/sprawiedliwosc/znajdz-wybrany-sad-powszechny>

Article 71 1. (g) - Accepted languages for translations of documents

Poland accepts only Polish for the translation of the documents referred to in Articles 20, 28 and 40 of Regulation (EC) No 4/2009.

Article 71 1. (h) - Languages accepted by Central Authorities for communication with other Central Authorities

The languages accepted by the central authorities in Poland for any other communication, in accordance with Article 59(3) of Regulation (EC) No 4/2009, are: Polish and English.

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