



Poland

## Maintenance obligations - Poland

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### **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 (*sąd y okręgowe*) (under Article 1151<sup>1</sup>(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<sup>1</sup> 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<sup>1</sup> – 398<sup>21</sup> 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<sup>5</sup>(1) in conjunction with Article 1151<sup>1</sup>(3) of the Polish Code of Civil Procedure).

Contact details for the Supreme Court:

Supreme Court (*Sąd Najwyższy*)

Plac Krasińskich 2/4/6

00-951 Warsaw

Poland

Tel.: +48 22 530 8246

E-mail: [ppsek@sn.pl](mailto:ppsek@sn.pl)

### **Article 71 1. (c) - Review procedure**

In Poland the procedure for annulling a judgment on a maintenance arrangement governed by Article 1144<sup>2</sup> 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 International Cooperation and Human Rights (*Departament Współpracy Międzynarodowej i Praw Człowieka*)

Division for the International Recovery of Maintenance and Cross-border Investigations on Matters of Parental Responsibility (*Wydział ds. Międzynarodowego Dochodzenia Alimentów oraz Transgranicznych Postępowań Dotyczących Odpowiedzialności Rodzicielskiej*)

Al. Ujazdowskie 11

00-950 Warsaw

Tel./Fax: +48 22 23-90-870 +48 22 628 09 49

E-mail: [alimenty@ms.gov.pl](mailto:alimenty@ms.gov.pl)

#### **Article 71 1. (e) – Public bodies**

The regional courts (*sądy okręgowe*) are designated as the central authority for the purpose of transmitting applications and taking any appropriate measures in respect of these applications.

The contact details for the regional courts are listed in [Annex 2](#)

#### **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 <http://bip.ms.gov.pl/pl/rejstry-i-ewidencje/lista-sadow-powszechnych/>

#### **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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