

Small claims**Article 25 1 (a) Competent courts**

District courts (*sądy rejonowe*) or regional courts (*sądy okręgowe*).

In principle, the district court has jurisdiction (at first instance). However, the regional court has jurisdiction (at first instance) for matters which, due to their nature, are within the material competence of regional courts irrespective of the value of the claim. These include, for example, property claims for copyright protection.

Article 25 1 (b) Means of communication

Written pleadings in paper form.

Article 25 1 (c) Authorities or organisations providing practical assistance

Customer Service Offices (*Biura Obsługi Interesantów*) at the district and regional courts.

Article 25 1 (d) Means of electronic service and communication and methods for expressing consent for thereof

Electronic communication methods are not permitted.

Article 25 1 (e) Persons or professions, obliged to accept service of documents or other written communications by electronic means

There is no such obligation.

Article 25 1 (f) Court fees and the methods of payment

A set fee of PLN 100 is charged for applications in cases being heard under the European Small Claims Procedure. An identical fee is also charged for appeals.

Court fees in civil matters may be paid in non-cash form into the current account of the competent court (the account information can be obtained directly from the court or from the court's website, or from the website of the Ministry of Justice), directly at the court payment office, or in the form of court fee stamps available from the court payment office.

Article 25 1 (g) Appeal procedure and courts competent for an appeal

Where the circumstances set out in Article 7(2) of the Regulation arise, the competent court delivers its judgment which may be **appealed** against by the party concerned at the court of second instance (i.e. judgments of the district court are appealed at the regional court and judgments of the regional court are appealed at the court of appeal). Appeals are to be lodged with the court which delivered the contested judgment within **two weeks of the substantiated judgment being served on the complainant**. If the party concerned does not request to be served a substantiated judgment within one week of the judgment being announced (or, in the event of a judgment delivered in closed session, within one week of the judgment being received), the time-limit for lodging an appeal begins when the deadline for submitting such a request expires. (Articles 316 § 1, 367 § 1 and 367 § 2 in conjunction with Articles 369 and 50526 of the Code of Civil Procedure). Where the circumstances set out in Article 7(3) of the Regulation arise, the court delivers a judgment by default. The defendant may file an objection against the judgment by default with the court which delivered the judgment by default. In the event of an unfavourable outcome, the applicant has the right to appeal under general terms. (Articles 339 § 1, 342 and 344 § 1 of the Code of Civil Procedure).

Article 25 1 (h) Review of the judgment procedure and courts competent to conduct such a review

Application to set aside a judgment (Article 50527a of the Code of Civil Procedure). The court which delivered the judgment is competent to examine this application.

Article 25 1 (i) Accepted languages

Polish

Article 25 1 (j) Authorities competent for enforcement

Court bailiffs (*komornicy*) are the competent authorities for the enforcement of judgments handed down under the European Small Claims Procedure.

Complaints against the actions taken by the court bailiffs may be brought before the competent district court. Legal basis: Article 767 § 1 of the Code of Civil Procedure.

Applications for refusal of enforcement must be submitted to the regional court with jurisdiction over the debtor's domicile or registered office or, in the absence of such a court, the regional court in whose jurisdiction enforcement is pending or being carried out.

The authority responsible for implementing the measures under Article 23 of the Regulation is the competent district court. Legal basis: Articles 115320 § 1 and § 2 of the Code of Civil Procedure (for enforcement carried out in Poland on the basis of a judgment handed down under the European Small Claims Procedure in another EU Member State) or Article 8202 of the Code of Civil Procedure (for enforcement carried out in Poland on the basis of an enforceable title order in the form of a judgment handed down by a Polish court under the European Small Claims Procedure and containing a declaration of enforceability).

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