



The amended Anti-Crisis Shield as regards court proceedings and postal consignments

Due to the coronavirus pandemic, the parliament passed new regulations. We present the most important of them below.

Impact on court proceedings

» During this time, the court will not require a certificate from a court-appointed physician in order to excuse a party's absence due to illness.

During a state of epidemic threat or state of epidemic, motions to grant or alter interim measures will be considered by a judge sitting alone in closed session. Hearings are to be held only in exceptional cases.

Postal consignments

» During a state of epidemic threat or state of epidemic and for 14 days following their revocation, postal operators shall not return consignments to their sender if they were impossible to deliver or if the obligation to return them was imposed on the operator by a particular provision of law. Operators are obliged to release consignments to their addressee where the addressee attempts to collect it during a state of epidemic threat or state of epidemic and for 14 days following their revocation.

During this time and for 14 days following the revocation of these states, uncollected consignments are not subject to the presumption of delivery either. This means that letters, with a collection deadline during the period of the state of epidemic threat or state of epidemic shall not be presumed as being delivered during such states and for 14 days following their revocation.

Note: This regulation does not apply to shipments sent to or sent by the Courts and Tribunals, the prosecutor's office and other law enforcement agencies and court bailiffs.

The proposed regulations also introduce a new postal service in the form of a variation on hybrid consignments. This service will involve the transfer of registered mail into a digital format (an electronic document) by a postal operator which then forwards it to the addressee in this digital format. Such documents are intended to have equal force as the paper form thereof, and the service itself is to be available only to those persons holding a trusted profile (profil zaufany) and will be exempt from fees. The service will only be available where the addressee has consented to its use and has authorized the operator to deliver correspondence in this form.

Note: The legislature has not yet determined the form in which the aforementioned consent should be given, nor how the addressee should provide the operator with an electronic mail address.

The date of a consignment's delivery is presumed to be the date on which the addressee acquainted themselves with the document, and if the addressee fails to become acquainted with the document, it is deemed to have been delivered 14 days following the date of its transmission to them.

Note: This regulation does not apply to shipments sent to or sent by the Courts and Tribunals, the prosecutor's office and other law enforcement agencies and court bailiffs.