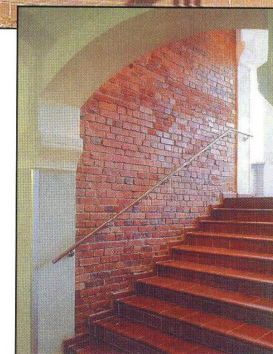
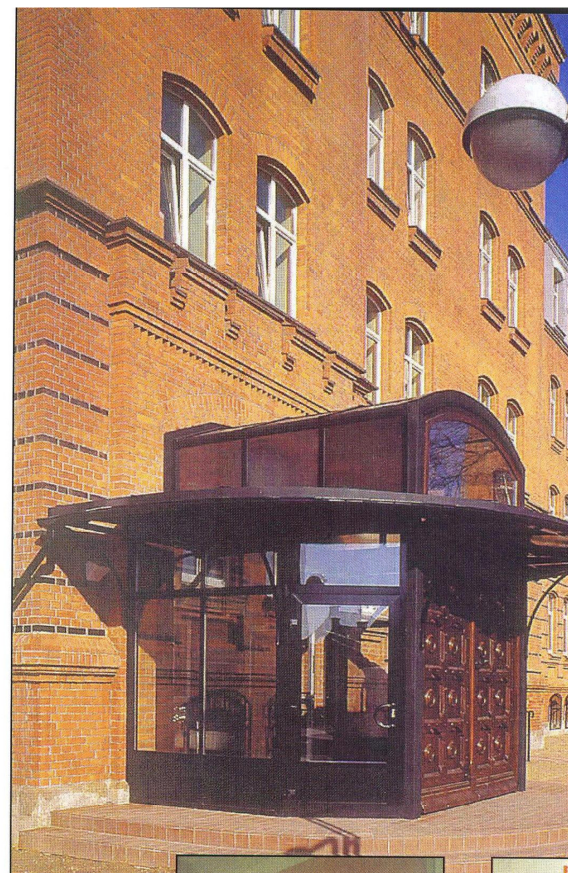


The Regional Court in Gliwice



I. The System of Justice in Poland

1. The Structure of the Judicial System in Poland

The structure of the Judicial System in Poland is not homogenous. The Constitution of the Republic of Poland stipulates that courts and tribunals are vested in the judicial power. Therefore, the judiciary covers two independent areas: courts that form a system of interlinked bodies and two tribunals are excluded from the system of courts and are mutually independent: the Constitutional Tribunal and the State Tribunal. The underlying function of the Constitutional Tribunal is to adjudicate the constitutionality of normative acts with legal acts of higher order. The State Tribunal is passing judgments on the constitutional and criminal responsibility of the highest office holders in the state (President, Prime Minister, Ministers, President of the National Bank of Poland, President of the Supreme Chamber of Control, Supreme Commander of the Armed Forces, and – to certain extent - MPs and senators).

Historically, courts are the first tier of the judiciary and are based upon the strong tradition of being the primary guarantor of safeguarding the rights of an individual. The administration of justice, in accordance with the Constitution of the Republic of Poland, is vested in the Supreme Court, common courts, administrative courts and military courts.

2. The Supreme Court

The Supreme Court – according to the principle of instance – is at the top of the judicial system structure. Although it is not a common court, it reviews the decisions of lower courts, notably, by hearing appeals of binding decisions made by the common courts of second instance. Moreover, the Court is able to raise decisions on legal issues and express opinions on bills and other normative acts, to investigate election protests and to state the validity of: election for the Sejm and the Senate, election for European Parliament, election of the President of the Republic of Poland as well as a national referendum and constitutional referendum.

The seat of the Supreme Court is the Capital City of Warsaw.

3. Administrative Courts

Administrative courts include the Supreme Administrative Court and Voivodeship administrative courts. The administrative judicial system is a specific system that reviews activities of the public administration and adjudicates the legality of the administrative bodies' decisions and normative acts of all bodies of state administration with statutes.

4. Military courts

Military courts pass judgments in criminal cases in the Military Defence. Organisationally, they are part of the Military Defence. The military courts of first instance are garrison courts and of second instance – circuit courts.

5. Common courts

1. Common courts are vested in the administration of justice in all cases, save those statutorily restricted to the competence of other courts. The current hierarchy of the common courts was standardised in the Act of 27 July 2001 – the Law on the organisation of common courts. The Minister of