**INSTRUCTIONS ON THE CONTENT OF ARTICLE 11355 OF THE CODE OF CIVIL PROCEDURE**

**Guidance**(\*)

1. Parties to or participants in the proceedings whose domicile, place of habitual residence, or registered office is not in the Republic of Poland or other Member State of the European Union and who have not appointed an attorney residing in the Republic of Poland to handle the case, shall within … days specify an agent for service in the Republic of Poland. If they fail to do so within this deadline, the correspondence intended for them shall, in accordance with Article 11355 of the Code of Civil Procedure, be appended to the case files and deemed served.

2. Parties to or participants in the proceedings who do not have sufficient funds to cover the costs may submit a request for having court costs waived and for appointing a gratuitous representative *ad litem*.

If the party to or the participant in the proceedings is a natural person, the request shall be accompanied by a statement that they are unable to bear the court costs without detriment to the indispensable sustenance of themselves and their family. The statement should include details concerning the family, property, income, and sources of income for the person requesting the waiver.

The court may waive court costs attributable to legal persons, as well as organisational units without legal personality but with legal capacity under law, if the person or unit proves it does not have sufficient funds to pay the costs.

A partnership or company should also prove that its partners or shareholders do not have sufficient funds to increase the company’s or partnership’s equity or property, or to grant a loan to the company or partnership. The foregoing shall not apply to companies or partnerships where the sole shareholder or partner is the State Treasury.

3. The role of the representative *ad litem* may be exercised by an advocate or attorney-at-law; a patent attorney in matters of industrial property; a licensed restructuring consultant in matters of restructuring and insolvency; an administrator of a party’s property or interests; a person in a permanent mandatary relationship if the case falls within the scope of their mandate; a co-participant in the dispute; as well as the spouse, siblings, ascendants or descendants of the party or persons being in an adoptive relationship with the party.

The role of the representative *ad litem* of a legal person or enterprise, including a unit without legal personality, may also be exercised by the employee of the said unit or its superior body. A legal person who provides services for an enterprise, legal person or other organisational unit under separate provisions may appoint an advocate or attorney-at-law as representative *ad litem* on behalf of the entity enjoying the services if entitled to do so by the said entity.

In cases on the determination or denial of paternity, and on maintenance allowance, the role of the representative *ad litem* may also be exercised by a representative of the local government authority competent for social assistance or by a representative of a social organisation devoted to family assistance.

In cases on the operation of an agricultural holding, the role of the farmer’s representative *ad litem* may also be exercised by a representative of an association of individual farmers of which the given farmer is a member.

In cases on the protection of consumer rights, the role of the representative *ad litem* may be exercised by a representative of an organisation whose statutory objectives include consumer protection.

In cases on the protection of industrial property, the role of the representative *ad litem* of a creator of an inventive proposal may also be exercised by a representative of an organisation whose statutory objectives include advocacy for industrial property and assistance to creators of inventive proposals.

If a representative *ad litem* is appointed, at the first procedure carried out during the proceedings, they should file with this Court the power of attorney signed by the principal or a certified copy of the power of attorney.