Contract Law in Poland

Piotr Machnikowski 2020-12-20

Derived from the renowned multi-volume International Encyclopedia of Laws, this practical analysis of the law of contracts in Poland covers every aspect of the subject - definition and classification of contracts, contractual liability, relation to the law of property, good faith, burden of proof, defects, penalty clauses, arbitration clauses, remedies in case of non-performance, damages, power of attorney, and much more. Lawyers who handle transnational contracts will appreciate the explanation of fundamental differences in terminology, application, and procedure from one legal system to another, as well as the international aspects of contract law. Throughout the book, the treatment emphasizes drafting considerations. An introduction in which contracts are defined and contrasted to torts, quasi-contracts, and property is followed by a discussion of the concepts of 'consideration' or 'cause' and other underlying principles of the formation of contract. Subsequent chapters cover the doctrines of 'relative effect', termination of contract, and remedies for non-performance. The second part of the book, recognizing the need to categorize an agreement as a specific contract in order to determine the rules which apply to it, describes the nature of agency, sale, lease, building contracts, and other types of contract. Facts are presented in such a way that readers who are unfamiliar with specific terms and concepts in varying contexts will fully grasp their meaning and significance. Its succinct yet scholarly nature, as well as the practical quality of the information it provides, make this book a valuable time-saving tool for business and legal professionals alike. Lawyers representing parties with interests in Poland will welcome this very useful guide, and academics and researchers will appreciate its value in the study of comparative contract law.

Insurance Law in Poland

Andreas Wiebe 2009

This book provides valuable practical insight into both public supervisory legislation concerning insurance and private insurance contract law in Poland. An informative general introduction surveying the legal, political, financial, and commercial background and surroundings of insurance provides a sound foundation for the specific detail that follows. The book covers all essential aspects of the law and regulation governing insurance policies and instruments. Its detailed exposition includes examination of the form of the insurance company and its reserves and investments; the insurance contract; the legal aspects of the various branches of property and liability insurance; motor vehicle insurance schemes; life insurance, health insurance, and women's compensation schemes; reinsurance, co-insurance, and pooling; taxation of insurance; and risk management and prevention. Succinct yet eminently practical, the book will be a valuable resource for lawyers handling cases affecting Poland. It will be of practical utility to those both in public service and private practice called on to develop and to apply the laws of insurance, and of special interest as a contribution to the much-needed harmonization of insurance law.

Private International Law of Poland

Poland 1981

This book provides a detailed analysis of the law of property, good faith, burden of proof, defects, penalty clauses, and remedies for non-performance. The second part of the book, recognizing the need to categorize an agreement as a specific contract in order to determine the rules which apply to it, describes the nature of agency, sale, lease, building contracts, and other types of contract. Facts are presented in such a way that readers who are unfamiliar with specific terms and concepts in varying contexts will fully grasp their meaning and significance. Its succinct yet scholarly nature, as well as the practical quality of the information it provides, make this book a valuable time-saving tool for business and legal professionals alike. Lawyers representing parties with interests in Poland will welcome this very useful guide, and academics and researchers will appreciate its value in the study of comparative contract law.

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Business Law Guide to Poland-Claudia Seibel 1996 A survey of Polish business law, tax and accounting regulations. The political, legal and economic systems of Poland are outlined

Contract of Carriage of Goods by Sea: General Concept (Polish Law).- W. Adamczak 1984

Employees’ Intellectual Property Rights-Sanna Wolk 2016-04-24 In today’s knowledge-based global economy, most inventions are made by employed persons through their employers’ research and development activities. However, methods of establishing ownership over an employee’s intellectual property assets are relatively uncertain in the absence of international solutions. Given that increasingly more businesses establish entities in different countries and more employees co-operate across borders, it becomes essential for companies to be able to establish the conditions under which ownership subsists in intellectual property created in employment relationships in various countries. This comparative law publication describes and analyses employers’ acquisition of employees’ intellectual property rights, first in general and then in depth. This second edition of the book considers thirty-four different jurisdictions worldwide. The book was developed within the framework of the International Association for the Protection of Intellectual Property (AIPPI), a non-affiliated, non-profit organization dedicated to improving and promoting the protection of intellectual property at both national and international levels. Among the issues and topics covered by the forty-nine distinguished contributors are the following: • different approaches in different law systems; • choice of law for contracts; • harmonizing international jurisdiction rules; • conditions for recognition and enforcement of foreign judgments; • employees’ rights in copyright, semiconductor chip, inventions, designs, plant varieties and utility models on a country-by-country basis; • employee remuneration right; • parties’ duty to inform; and • instances for disputes. With its wealth of information on an increasingly important subject for practitioners in every jurisdiction, this book is sure to be put to constant use by corporate lawyers and in-house counsel everywhere. It is also exceptionally valuable as a thorough resource for academics and researchers interested in the international harmonization of intellectual property law.

Employment Law Review-Erika C Collins 2017-04-07 The Employment Law Review, edited by Erika C Collins of Proskauser Rose LLP, serves as a tool to help legal practitioners and human resources professionals identify issues that present challenges to their clients and companies. As well as in-depth examinations of employment law in 48 jurisdictions, the book provides further general interest chapters covering the variety of employment-related issues that arise during cross-border mergers and acquisition transactions, aiding practitioners and human resources professionals who conduct due diligence and provide other employment-related support in connection with cross-border corporate M&A deals. Other chapters deal with global diversity and inclusion initiatives across the globe, social media and mobile device management policies, and the interplay between technologies and employment law. Contributors include: els de Wind, Van Doorne; Anne Elfassi, Loyens Loeff. &quote;Excellent publication, very helpful in my day to day work.&quote; - Mr Frederic Thoral, Head of HR, BNP Paribas&quote;Excellent coverage and detail on every country which is brilliant.&quote; - Mr Raami Costeloie, General Manager of Legal and Business Affairs, Sony music Entertainment, Australia&quote;An excellent resource for in-house counsel for a company with an international footprint.&quote; - Mr John R Pendergast, Senior Counsel, BASF Corporation, USA&quote;It’s invaluable to any lawyer dealing with cross-border and privacy-related employment issues and is a cornerstone to my own legal research&quote; - Oran Kiazim, Vice President, Global Privacy, SterlingBackcheck, UK

European Product Liability-Piotr Machnikowski 2016 Thirty years after the entry into force of the Directive on liability for defective products (Council Directive 85/374/EEC), and in the light of the threat to user safety posed by consumer goods that make use of new technologies, it is essential to assess and determine whether the Directive remains an adequate legal response to the phenomenon of products brought to market that fail to ensure appropriate levels of safety for their users. European Product Liability is the result of an extensive international research project funded by the Polish National Science Centre. It brings together experienced scholars associated with the European Group on Tort Law (EGTL) and the European Research Group on Existing EC Private Law (Acquis Group). Individual country reports analyse the implementation of the Directive in the domestic law of several EU and EEA Member States (namely Austria, Czech Republic, Denmark, England, France, Germany, Italy, Netherlands, Norway, Poland, Spain, and Switzerland) and the relationship of the implemented rules with the already existing rules of tort law. The country reports show that the practical significance of product liability differs widely in the various Member States. Also taking into account non-EU countries (Canada, Israel, South Africa and the USA), this book examines whether EU law will ensure sufficient safety for individuals using goods that have been produced using new technologies that are currently under development, such as major advances in mechatronics, nanotechnology, regenerative medicine and contour crafting. Together with an economic analysis of product liability it makes the book valuable for academics, practitioners, policy makers and all those interested in the subject.

Tort Law in Poland-Ewa Bagińska 2014-07-31 Derived from the renowned multi-volume ‘International Encyclopaedia of Laws’, this book provides ready access to how the legal dimension of prevention against harm and loss allocation is treated in Poland. This traditional branch of law not only tackles questions which concern every lawyer, whatever his legal expertise, but also concerns each person’s most fundamental rights on a worldwide scale. Following a general introduction that probes the distinction between tort and crime and the relationship between tort and contract, the monograph describes how the concepts of fault and unlawfulness, and of duty of care and negligence, are dealt with in both the legislature and the courts.

Labour Law in Poland-Zbigniew Hajn 2018-12-12 Derived from the renowned multi-volume International Encyclopaedia of Laws, this monograph on Poland not only describes and analyses the legal aspects of labour relations, but also examines labour relations practices and developing trends. It provides a survey of the subject that is both useful and sufficiently detailed to answer most questions likely to arise in any pertinent legal setting. Both individual and collective labour relations are covered in ample detail, with attention to such underlying and pervasive factors as employment contracts, suspension of the contracts, dismissal laws and covenant of non-competition, as well as international private law. The author describes all important details of the law governing hours and wages, benefits, intellectual property implications, trade union activity, employers’ associations, workers’ participation, collective bargaining, industrial disputes, and much more. Building on a clear overview of labour law and labour relations, the book offers practical guidance on which sound preliminary decisions may be based. It will find a ready readership among lawyers representing parties with interests in Poland, and academics and researchers will appreciate its value in the study of comparative trends in laws affecting labour and labour relations.

Contract of Marine Insurance (Polish Law).-J. Figarski 1984

International Construction Contract Law-Lukas Klee 2015-01-07

The Law of Obligations in Central and Southeast Europe-Zvonimir Slakoper 2021-08-17 The Law of Obligations in Central and Southeast Europe examines the new codifications, reforms, and other recent developments in Central and Southeast Europe which have significantly modernized the law of obligations in the last two decades, focusing particularly on the legal systems of Poland, Czech Republic, Slovak Republic, Hungary, Slovenia, Croatia, Serbia, and Turkey. With chapters authored by prominent academics and promising young legal scholars, this book discusses the results of the modernizations and describes the legislative reforms of the law of obligations that are underway or are discussed and advocated for in the countries of Central and Southeast Europe. Divergences of the new civil codes and other legislative acts from earlier legal solutions are identified and the rationale behind these departures is analysed, as well as the introduction of the new legal institutes in the law of obligations in these parts of the world. The Introduction provides a concise country-by-country overview of the recodification, modernization, and reform of the law of obligations in Central and Southeast Europe. In Part I, chapters discuss the process of recodification in the Slovak Republic, Czech Republic, Poland, and Hungary, with focus on the main novelties in their contract and tort law. The chapters in Part II then discuss several, more specific legal institutes of the law of obligations, and other recent developments and contemporary challenges to the law of obligations in the Czech Republic, Slovenia, Croatia, Serbia, and Turkey. This book is of interest to legal scholars in the field of private law, as well as to students, practitioners, members of law reform bodies, and civil servants in Central and Southeast Europe, and beyond.


contract-law-in-poland
Law of E-commerce in Poland and Germany - Bettina Heiderhoff 2005

These conference proceedings contain eight papers by renowned Polish and German authors on important questions of the law of e-commerce. Along with questions on conclusion of contract and burden of proof, Law of E-Commerce in Poland and Germany focuses on the field of banking law and law of financial services.

Property and Trust Law in Poland - Magdalena Habdas 2018-11-30

Derived from the renowned multi-volume International Encyclopaedia of Laws, this practical analysis of the law of property in Poland deals with the issues related to rights and interests in all kinds of property and assets – immovable, movable, and personal property; how property rights are acquired; fiduciary mechanisms; and security considerations. Lawyers who handle transnational disputes and other matters concerning property will appreciate the explanation of specific terminology, application, and procedure. An introduction outlining the essential legal, cultural, and historical considerations affecting property is followed by a discussion of the various types of property. Further analysis describes how and to what extent legal subjects can have or obtain rights and interests in each type. The coverage includes tangible and intangible property, varying degrees of interest, and the various ways in which property is transferred, including the ramifications of appropriation, expropriation, and insolvency. Facts are presented in such a way that readers who are unfamiliar with specific terms and concepts in varying contexts will fully grasp their meaning and significance. The book includes ample references to doctrine and cases, as well as to relevant international treaties and conventions. Its succinct yet scholarly nature, as well as the practical quality of the information it provides, make this book a valuable time-saving tool for any practitioner faced with a property-related matter. Lawyers representing parties with interests in Poland will welcome this very useful guide, and academics and researchers will appreciate its value in the study of comparative property law.

Contract Law - Jan M. Smits 2021-06-25

Reflecting the most recent changes in the law, the third edition of this popular textbook provides a fully updated, comparative introduction to the law of contract. Accessible and clear, it is perfectly pitched for international students and courses with a global outlook. Jan Smits’ unique approach treats contract law as a discipline that can be studied on the basis of common principles and methods without being tied to a particular jurisdiction or legal culture. Notable updates include the consequences of Brexit, the implementation of new European directives 1999/770 and 2019/771 as well as coverage of the effect of COVID-19 on contracts.

Tort Law in Poland, Germany and Europe - Bettina Heiderhoff 2009

“This book represents the outcome of a conference, which was attended by Polish and German scholars and discusses miscellaneous topics, relating to current problems in tort law, that prove crucial in the light of current European practice”. P. 4 of cover.

The Borderlines of Tort Law - Miquel Martin-Casals 2015

All European legal systems recognize a boundary between the domains of tort and contract. While there have been voices contending that this distinction is no longer valid, or at least that there should be a unification of the two sets of rules in particular contexts, others claim that there is still a very important distinction to be maintained. In fact, the boundary between the two areas is often blurred and whether it is drawn in one place or another varies from country to country, giving rise to the paradox that what is considered a matter of contractual liability in one legal system is governed exclusively by tort law in another. This volume explores the differences between tort and contract affect the foundations of liability, the nature and amount of the compensation, the extent of liability, and whether defenses and limitation periods corresponding to the distinct causes of action give rise to substantially different outcomes. The book also analyzes to what extent actions in tort and in contract exclude each other, and, when this is the case, how their concurrence is organized. Lastly, it devotes attention to specific situations, such as pre-contractual liability and the liability of professionals. (Series: Principles of European Tort Law - Vol. 2) [Subject: European Law, Tort Law, Contract Law]

Labour and Employment Compliance in Poland - Barbara Jóźwik 2020-09-22

Detaile attention to compliance with labour and employment laws is crucial for success in setting up business in a foreign country. This book-one of a series derived from Kluer's matchless publication International Labour and Employment Compliance Handbook-focuses on the relevant laws and regulations in Poland. It is thoroughly practical in orientation. Employers and their counsel can be assured that it fulfills the need for accurate and detailed knowledge of laws in Poland on all aspects of employment, from recruiting to termination, working conditions, compensation and benefits to collective bargaining. The volume proceeds in a logical sequence through such topics as the following: written and oral contracts interviewing and screening evaluations and warnings severance pay reductions in force temporary workers trade union rights wage and hour laws employee benefits workers' compensation safety and environmental regulations immigration law compliance restrictive covenants anti-discrimination laws employee privacy rights dispute resolution recordkeeping requirements A wealth of practical features such as checklists of do's and don'ts, step-by-step compliance measures, applicable fines and penalties, and much more contribute to the book's day-to-day usefulness. Easy to understand for lawyers and non-lawyers alike, this book is sure to be welcomed by business executives and human resources professionals, as well as by corporate counsel and business lawyers.

Animals as specific objects of obligations under Polish and German law - Małgorzata Lubelska-Sazanów 2021-01-18

Defining where the needs of contracting parties end, and where the mistreatment of animals begins is especially difficult in contract law, where protecting animals is not a basic premise. Thus, although animal law is a widely discussed topic, the position of animals under civil law has not been discussed in such detail before. The first chapters of the book set the background for subsequent civil law considerations given that the object of a contractual obligation is an animal, and the impact this has on the conclusion, performance and consequences of non-performance of a contract. It constitutes a unique interdisciplinary and comparative work focused mainly on animals in contractual relations (e.g. sale, donation, lease, tenancy, commission, agency, sale-keeping, training contracts).

Prison International Law in Poland - Ewa Kamarad 2020-12-20

Derived from the renowned multi-volume International Encyclopaedia of Laws, this book provides ready access to the law applied to cases involving cross-border issues in Poland. It offers every lawyer dealing with questions of conflict of laws much-needed access to these conflict rules, presented clearly and concisely by a local expert. Beginning with a general introduction, the monograph goes on to discuss the choice of law technique, sources of private international law, and the relevant connection with other laws. Then follows clear description and analysis of the rules of choice of law on natural and legal persons, contractual and non-contractual obligations, movable and immovable property, intangible property rights, company law, family law (marriage, cohabitation, registered partnerships, matrimonial property, maintenance, child law), and succession law (including testamentary dispositions). The presentation concludes with an overview of relevant civil procedure, examining lex fori and issues of national and international jurisdiction, acceptability and enforcement of foreign judgements, and international arbitration. Its succinct yet scholarly nature, as well as the practical quality of the information it provides, make this book a valuable resource for lawyers handling cases in Poland. Academics and researchers, as well as judges, notaries public, marriage registrars, youth welfare officers, teachers, students, and local and public authorities will welcome this very useful guide, and will appreciate its value in the study of private international law from a comparative perspective.

Intellectual Property Law in Poland - Piotr Machnikowski 2017-06-20

Derived from the renowned multi-volume International Encyclopaedia of Laws, this monograph provides a survey and analysis of the rules concerning intellectual property rights in Poland. It covers every type of intellectual property right in depth – copyright and neighbouring rights, patents, utility models, trademarks, trade names, industrial designs, plant variety protection, chip protection, trade secrets, and confidential information. Particular attention is paid throughout to recent developments and trends. The analysis approaches each right in terms of its sources in law and in legislation, and proceeds to such legal issues as subject matter of protection, conditions of protection, ownership, transfer of rights, licences, scope of exclusive rights, limitations, trade names, industrial designs, plant variety protection, chip protection, trade secrets, and confidential information. Particular attention is paid throughout to recent developments and trends. The analysis approaches each right in terms of its sources in law and in legislation, and proceeds to such legal issues as subject matter of protection, conditions of protection, ownership, transfer of rights, licences, scope of exclusive rights, limitations, trade names, industrial designs, plant variety protection, chip protection, trade secrets, and confidential information.
This Volume of the AIDA Europe Research Series on Insurance Law and Regulation focuses on transparency as the guiding principle of modern insurance law. It highlights challenges chapters in the respective field, who address transparency in a range of civil and common law jurisdictions, along with overview chapters. Each chapter reviews the transparency principles applicable in the jurisdiction discussed. Whether expressly or implicitly, all jurisdictions recognize a duty on the part of the insured to make a fair presentation of the risk when submitting a proposal for cover to the insurer. Although there is a nuanced consensus on the scope of that duty. Disputed matters in this regard include: whether it is satisfied by honest answers to express questions, or whether there is a spontaneous duty of disclosure; whether facts relating to the insured’s character, as opposed to the nature of the risk itself, are to be presented to the insurers; the role of insurance intermediaries in the placement process; and the remedy for breach of duty. Transparency is, however, a much wider concept. Potential policyholders are in principle entitled to be made aware of the key terms of coverage and to be warned of hidden traps (such as conditions precedent, average clauses and excess provisions), but there are a range of different approaches. Some jurisdictions have adopted a “soft law” approach, using codes of practice for pre-contract disclosure, while other jurisdictions employ the rather nebulous duty of (utmost) good faith. Leaving aside placement, transparency is also demanded after the policy has been incurred. The insured is required to be transparent during the claims process. There is less consistency in national legislation regarding the implementation of transparency by insurers in the context of handling claims.

The Legal Framework for Private Sector Development in a Transitional Economy- 1991

Sports Law in Poland-Eligiusz Jerzy Krześniak 2021-09-20 Derived from the renowned multi-volume International Encyclopaedia of Laws, this practical analysis of sports law in Poland deals with the regulation of sports activity by both public authorities and private sports organizations. The growing internationalization of sports inevitably increases the weight of global regulation, yet each country maintains its own distinct regime of sports law and its own national and local sports organizations. Sports law at a national or organizational level thus gains a growing relevance in comparative law. The book describes and discusses both state-created rules and autonomous self-regulation regarding the variety of economic, social, commercial, cultural and political aspects of sports. The regulation manifests itself in the form of by-laws, and encompasses organizational provisions, disciplinary rules, and rules of play. However, the trend towards more professionalism in sports and the growing economic, social and cultural relevance of sports have prompted an increasing reliance on legal rules adopted by public authorities. This form of regulation appears in a variety of legal areas, including criminal law, labour law, commercial law, tax law, competition law, and tort law, and may vary following a particular type or sector of sport. It is in this dual and overlapping context that such much-publicized aspects as doping, sponsoring and media, and responsibility for injuries are legally measured. This monograph fills a gap in the legal literature by giving academics, practitioners, sports organizations, and policy makers access to sports law at this specific level. Lawyers representing parties with interests in Poland will welcome this very useful guide, and academics and researchers will appreciate its value in the study of comparative sports law.

Constitutional Values and European Contract Law-Stefan Grundmann 2008-06-27 Two major developments in European Private and European Business Law come together when we speak about “Constitutional Values and European Contract Law”. European Contract Law has become extremely dynamic over the last 10 years, both in substance and perspective: all core areas are considered now in legal science and in EC legislation, and there are even the prospects of some kind of codification. On the other hand, constitutional values and their impact on private law have been an issue of high concern in major Member States over decades, namely Italy and Germany, but as well the Netherlands - hence the strong presence of scholars and practising lawyers from these countries in this book. Constitutional values have however, found their way to the EC level and the national discussions have inspired a European one, with three core values discussed: Fundamental Freedoms, fundamental rights and constitutional system building principles- such as the social welfare state or the rule of law. Their impact on private law can be sensed nowadays quite comprehensively also on the EC level. Such values are however, often seen as the ingredient, which renders European Private Law, namely European Contract Law, more responsive to social values or more “human”. For all these reasons, the book combines comparative law, EC Law and interdisciplinary approaches to the question "Constitutional Values and European Contract Law". Outstanding scholars from six Member States and beyond - quite a few also practising lawyers - discuss the issue and do so for the first time on such a broad and all-encompassing basis.

Polish Business Law-Zdzislaw Brodecki 2003-01-01 As a result of high levels of income and consumer spending, Poland has been an increasingly interesting destination for trade. It is particularly attractive to foreign investors seeking to establish a presence in the country with strong human resources and an ideal geographic location at the heart of Europe. An ambitious strategy of pre-accession to the European Union has changed the legal environment of business towards being more friendly towards foreigners and increased the capacity of the Polish market to cope with competitive pressure within the Union. Comprehensive in its coverage, this book is an excellent source for practitioners and policy-makers, as well as a fundamental resource for lawyers involved in business. Polish Business Law is a guide providing information and best practice advice from outstanding lawyers of CMS Cameron McKenna.

Gaps in Access to Social Protection for People Working Under Civil Law Contracts in Poland: 2018 The civil law contracts are a special category of atypical contracts used to contract labour in Poland. There are two main types of civil law contracts: the contract to perform specified work (umowa o dzieło) and the contract of mandate (umowa zlecenie). The latter is more popular than the former. The number of workers with civil law contracts in Poland has increased substantially since the early 2000s. The incidence of other forms of temporary work - fixed-term employment contracts, temporary agency work - has also risen, but civil law contracts imply an especially acute form of labour market segmentation because they’re much less regulated than other temporary contracts. This applies both to protection against dismissals and worker rights such as paid leave or the right to join trade unions, and to social security coverage. Due to lack of data on civil law contracts, it is difficult to assess precisely the number of people working under civil law contracts. According to the LFS data, in 2016 there were 510,000 people working under civil law contracts (in their main job) which is equivalent to 3.1% of total employment in Poland. Among these workers, 129,000 people worked under a civil contract and 384,000 people worked solely under a contract to perform specified work, 22,000 people worked under another type of a civil law contract (such as a managerial contract), and 22,000 combined various types of civil law contracts. Data from personal income tax records published by the Ministry of Finance show that in the last few years approx. 1 million people has been earning income only on the basis of civil law contracts. The tax records also show that the number of such people has doubled since the early 2000s. Individuals working under civil law contracts tend to be less educated than individuals working under employment contracts. The incidence of civil law contracts is the highest among young workers but it is also noticeable among workers aged over 50. Women constitute majority of workers under civil law contracts, but it is also due to lower hourly wage and larger incidence of part time employment. The median hourly wage of individuals working under contract of mandate is by 25% lower than the median hourly wage of individuals on employment contract. Individuals working under contract of mandate can be either exempted from social security and public health insurance contributions in some circumstances (if they are students aged up to 26 years), or can pay lower contributions than those they would pay if they were employed. All the income under an employment contract. Individuals working under contract to perform specified work are exempted from all social security and public health insurance contributions - this group might not be covered at all. However, more than half of them has probably access thanks to other means, mainly because of an employed spouse. After a raft of changes which have been introduced since 2015 to improve access of workers with civil law contracts to unemployment benefits and maternity benefits. The social security contributions which pertain to civil law contracts have also been increased, although they are not yet identical to contributions pertaining to employment contracts. The key challenge related to social security coverage is in contracted low retirement pensions. In the Polish defined-contribution system, low contributions of workers with civil law contracts will translate into low pensions even if these workers spend only a share of their careers working under civil law contracts. Estimates show that the pension gap will be around 17%. The recent changes in contribution rules have closed it only to some extent. Many of these workers will be
receive minimum pensions which will have to be subsidised from general taxation. Lower contributions paid by civil law contract workers aggravate the deficit in the pension system. On the other hand, individuals working under civil law contracts contribute more in the sickness and accident insurance contributions than they receive in sickness, carer and rehabilitation benefits, and maternity allowances. In aggregate terms, they cross-subsidise other groups, in particular the self-employed.

Rocznik Polskiego Prawa Pracy i Polityki Społecznej - 1996

Contracting and Contract Law in the Age of Artificial Intelligence - Martin Ebers 2022-04-07
This book provides original, diverse, and timely insights into the nature, scope, and implications of Artificial Intelligence (AI), especially machine learning and natural language processing, in relation to contracting practices and contract law. The chapters feature unique, critical, and in-depth analysis of a range of topical issues, including how the use of AI in contracting affects key principles of contract law (from formation to remedies), the implications for autonomy, consent, and information asymmetries in contracting, and how AI is shaping contracting practices and the laws relating to specific types of contracts and sectors. The contributors represent an interdisciplinary team of lawyers, computer scientists, economists, political scientists, and linguists from academia, legal practice, policy, and the technology sector. The chapters not only engage with salient theories from different disciplines, but also examine current and potential real-world applications and implications of AI in contracting and explore feasible legal, policy, and technological responses to address the challenges presented by AI in this field. The book covers major common and civil law jurisdictions, including the EU, Italy, Germany, UK, US, and China. It should be read by anyone interested in the complex and fast-evolving relationship between AI, contract law, and related areas of law such as business, commercial, consumer, competition, and data protection laws.

Comparative Law in Eastern and Central Europe - Bronisław Sitek 2014-07-24
Comparative law is a research methodology which has been increasingly fashionable in recent decades, as comparisons between common law and civil law have dominated the law studies landscape. There are many methods of comparative law in use, including comparison of legal rules, comparison of cases, and comparison of legal theories. Each of these methods has strong proponents and opponents. Dogmatic comparisons of rules are criticized for not giving the whole picture of law in action, but praised for being the first and the only truly legal step in comparative research. Case-based comparisons are praised for enabling us to compare the true understanding of rules by courts, yet the critics of this method point out that only the higher courts’ decisions are subject to comparison, and most cases do not reach this stage. Finally, comparisons of legal theories are praised for enabling us to know the spirit of the laws, yet opponents would argue that many countries sharing the same theory would draw opposite conclusions from it. This book is a result of the attempted (and successful) introduction of comparative law into the region of Eastern and Central Europe. The subject has induced interest beyond expectations. This volume opens with a chapter on the unification of law, both from the perspective of institutional unification by such supra-state organizations, spontaneous and institutionalized unifications between two or more legal systems, and the methods of choosing the right rules in the unification process. Chapters two and three follow the classical division of private and public law, as proposed by the brilliant Roman lawyer Ulpian. Overall, the chapters in this book offer an interesting and engaging commentary on the current topics discussed by academics in Eastern and Central Europe.