

# OFFICIAL JOURNAL OF THE REPUBLIC OF POLAND

Warsaw, 21 December 2022  
Item 2698

## ACT

1 December 2022.

### **on the abandonment of prosecutions for certain acts related to the organisation of the election of the President of the Republic of Poland, ordered on 10 May 2020.**

Recognising that the primary duty of public authorities in a democratic state is to preserve the continuity of state activity, bearing in mind that the Constitution of the Republic of Poland obliges public authorities to hold elections within the constitutionally defined time limit, and that the authorities of the legislative and executive powers as well as the authorities of local self-government units found themselves in 2020 in a previously unknown situation of danger to the life and health of citizens of the Republic of Poland, with their constitutional duty to care for the life and health of citizens, this Act is passed.

**(1)** Proceedings shall not be instituted, and instituted proceedings shall be discontinued, for an act committed during the state of epidemics within the meaning of the Act of 5 December 2008 on preventing and combating infections and infectious diseases in humans (Journal of Laws of 2022, item 1657, 2280 and 2674), consisting in the transfer to a postal operator which is a designated operator within the meaning of the Act of 23 November 2012. - Postal Law (Journal of Laws of 2022, item 896, 1933 and 2042), the register of voters in connection with the election of the President of the Republic of Poland ordered for 10 May 2020.

**Article 2 (1)** Penalties, penal measures, compensatory measures and measures related to putting the perpetrator on probation, which have been validly adjudicated for the acts referred to in Article 1, and which have not been executed in whole or in part, shall not be executed; neither shall the costs of proceedings, which have not been validly adjudicated and which have not been paid in whole or in part, be executed. Convictions for these acts shall be erased by operation of law, and the record of conviction and conditional discontinuance of proceedings for these acts shall be deleted from the National Criminal Register.

(2) Determination of the circumstances referred to in paragraph (1) shall be made by the court which delivered the judgment at first instance, either ex officio or at the request of the public prosecutor. A decision to this effect may be appealed against.

**Article 3** The costs and fees associated with the implementation of this Act shall be borne by the State Treasury.

**Article 4** To the extent not regulated by this Act, the provisions of the Act of 6 June 1997 shall apply. - Code of Criminal Procedure (Journal of Laws of 2022, item 1375, 1855, 2582 and 2600).

**Article 5** The Act shall enter into force on the day following the day of promulgation.

President of the Republic of Poland: *A. Duda*