

## **LAW of 30 July 1997 on the State Enterprise of Public Utility "Poczta Polska"**

### **Chapter 1 General provisions**

Art. 1.1. The State Enterprise of Public Utility "Poczta Polska", hereinafter referred to as "Polish Post", is the undertaken set up to carry on business activities within postal services, inclusively with ensuring the continuity of the provision of a universal service in domestic and international traffic, on the territory of the whole country, and to ensure the safety of the postal traffic, in order to currently and uninterruptedly satisfy the needs of the population, state administration, local government and national economy.

2. The Polish Post shall carry on the activities as provided for under Section 1 hereof, taking into account the requirements pertaining to the State defence and security.

3. Repealed\*.

4. The Polish Post is a postal public operator in the intendment of the international agreements ratified by the Republic of Poland.

Art. 2.1. The Polish Post is a body corporate.

2. The Polish Post shall be entered in the Register of State-owned Enterprises under the rules provided for in the regulations on state-owned enterprises.

3. The registered seat of the Polish Post shall be the capital city of Warsaw.

Art. 3. The Polish Post shall be vested in the exclusive right to use the word "post" in its business name.

Art. 4. The state administration may take decisions with regard to the activities of the Polish Post only in the cases specified under this Law.

Art. 5. The organisational units of the Polish Post determined under its Statutes of Association as provided for in Art. 19 hereof shall have the right to use markings which bear the national emblem of the Republic of Poland, and official seals provided with a picture of the eagle as determined for the national emblem, and a circumscription.

Art. 6. Employees of the Polish Post are entitled to a legal protection as envisaged under the regulations of the penal law for public officials.

Art. 7. Repealed\*.

---

\* by art. 82 section 1 of the Act – Postal Law.

Art. 8. An action against the Polish Post is instituted before the court having competence over the seat of the organisational unit subordinated directly to the Director General, the activity whereof is connected with the claims vindicated.

### **Chapter 2 Activities of the Polish Post**

Art. 9. 1. The subject of commercial activity of "Poczta Polska" shall be:

- 1) provision of postal services,
  - 2) issuing, introduction to the market and withdrawal from the market of postage stamps, postcards and envelopes with printed sign of postage fee,
  - 3) performance of other services connected to use of postal service, in particular within the scope of service rendered to the bodies of public authority, distribution of press and publications, philately,
  - 4) provision of financial services and execution of connected to them activities,
  - 5) participation in execution of financial services, including bank activities,
  - 6) provision of logistic services, and in particular the carriage of cargo postal items, their packing and storage,
2. The activities described in section 1 subsections 1-3 shall be performed within the scope and under conditions established within the Act of Law of 12 June 2003 – Postal Law (Journal of Law No. 130 pos. 1188) and within the provisions issued on its basis.
3. "Poczta Polska" may provide postal services in use of postal agents, who shall be acting in accordance with provisions of Civil Code, when it is required by the circumstances of continuity and access to the services.
4. "Poczta Polska" may perform other commercial activity, unless it shall not restrict the activities described within section 1.

Art. 10. 1. Within the framework of provision of services and execution of activities, which are referred to in article 9 section 1 subsection 4, "Poczta Polska" may in particular:

- 1) provide services connected to the transfer of money within national and international traffic,
- 2) issue the pay cards and perform the financial operation in their use,
- 3) perform the cheque and bill of exchange operations,
- 4) purchase and sell receivables and to provide services within that scope,
- 5) give the loans from own financial resources, including consumer's credits,
- 6) give the bails and guarantees and take other obligations, which are not included into the balance,
- 7) perform the sale of State securities and bonds of local self-governments and perform other ordered activities, related to the above, in accordance with principles and under conditions established within other provisions regulating such activities,
- 8) provide services within the scope of counting, sorting and storage of money notes and coins,
- 9) store valuable subjects and securities and to make access to safe boxes,
- 10) transport the money, including securities and bank documents,

- 11) provide electronic data exchange and electronic data processing services, including the services on behalf of financial institutions and banks.
2. Within the framework of participation in financial operations, which are referred to in article 9 section 1 subsection 5, "Poczta Polska" may:
  - 1) provide the agency services of participation within insurance services,
  - 2) perform on basis of written agreement concluded with bank:
    - a) activities on behalf of bank, consisting of:
      - reception of payments, making the payments and cheque services related to maintenance and service of bank accounts served by this bank,
      - making the payments and reception of instalments, credits and money loans granted by this bank ,
    - b) factual activities related to bank activities
      - complying with regulations obligatory within bank, general conditions of agreements and principles of procedures,
  - 3) provide other services.
3. Having regard to section 2 subsection 2, "Poczta Polska" – under the condition of having the right to execute over 50% of votes on general assembly of bank shareholders – may on basis of authorisation granted by this bank, within the scope compliant with the activity of bank described within bank statute, perform on bank's behalf:
  - 1) bank activities established within article 5 section 1 subsections 1 and 2 of the Act of Law of 29 August 1997 – Bank Law (Journal of Law of year 2002 No. 72, pos. 665, No. 126, pos. 1070, No. 141, pos. 1178, No. 144, pos. 1208, No. 153, pos. 1271, No. 169, pos. 1385 and pos. 1387 and No. 241, pos. 2074 and of year 2003 No. 50, pos. 424, No. 60, pos. 535 and No. 65, pos. 594),
  - 2) bank activities established within article 5 section 1 subsections 3–7 and section 2 of the Act of Law – Bank Law.
4. Bank shall notify the Commission of Bank Supervision on the content of letter of procuratory to perform the activities, which are referred to in section 3 subsection 1, within the period of time of 7 days since the date of granting of letter of procuratory.
5. Granting by the bank of the letters of procuratory, which is referred to in section 3 subsection 2, may take place after obtaining the authorisation of the Commission of Bank Supervision. Authorisation shall be issued on common (mutual) application of bank and "Poczta Polska" and shall describe the activities, which "Poczta Polska" may perform on behalf of bank.
6. The Commission of Bank Supervision shall grant the authorisation, which is referred to in section 5, when:
  - 1) careful and stabile management of bank will not be disturbed,
  - 2) bank and "Poczta Polska" will have credible plans of activity, ensuring continuous and not disturbed execution of the activities, which are referred to in section 3,
  - 3) ensuring by the bank of effective internal control, possibility of performance of bank auditing and protection of confidentiality legally protected within the scope of activities entrusted by bank to "Poczta Polska", will be properly performed,
  - 4) bank will be able to issue to "Poczta Polska" binding orders related to execution of agreement containing full powers to act on behalf of bank.
7. Provisions of the Act of Law – Bank Law shall be applicable to the performance by "Poczta Polska" of the activities described in section 2 subsection 2 and in section 3, respectively.

8. Activity of "Poczta Polska" established in section 3, shall be liable to the supervision executed by the Commission of Bank Supervision on basis of principles established within the Act of Law – Bank Law and the Act of 29 August 1997 on National Bank of Poland (Journal of Law No. 140, pos. 938, of year 1998 No. 160, pos. 1063, of year 2000 No. 53, pos. 648, No. 62, pos. 718, No. 119, pos. 1252, of year 2001 No. 8, pos. 64, No. 110, pos. 1189, No. 154, pos. 1784 and 1800, of year 2002 No. 126, pos. 1070 and No. 141, pos. 1178 and of year 2003 No. 65, pos. 594).

9. "Poczta Polska" may:

- 1) have bank account in National Bank of Poland,
- 2) collect from National Bank of Poland, and pay to this bank – bank notes, complying with the principles obligatory within this scope by banks.

10. Entity providing postal services and employed within it persons performing or participating in performance of bank activities shall be obliged to maintain bank confidentiality, which contain all information related to these activities. The scope of bank confidentiality and principles of giving access to information, which is considered as bank confidential information are established within provisions of the Act of Law – Bank Law.

11. "Poczta Polska" may, within the regulations introduced to public knowledge" establish the conditions of provision of services, which are referred to in section 1. Provisions of these regulations shall be binding for parties, unless parties do not establish otherwise their rights and obligations.

12. Confirmed by "Poczta Polska" receipts of payment of the postage fee, and within the scope of activities established in sections 1 – 3, also issued by "Poczta Polska" statements containing obligations, release from obligations, relinquish the rights or issuing the receipt confirming the reception of money, and statements on granting credit, amount of credit, principles of charging the interest, conditions of payment the credits back – shall have a legal validity of official documents.

Art.11. The Polish Post shall be entitled to enter into contracts and agreements with postal operators of other countries, and also to co-operate with international postal organisations, in accordance with the statutes of such organisations.

Art.12. The Polish Post shall run its business basing upon its own plans, following the rule of cost efficiency and economic effectiveness.

Art. 12a. Transport means used to carry the postal cargo of "Poczta Polska", and also the buildings, accommodations and other properties constituting the property of "Poczta Polska" or given to it for perpetual use, and also those being under management of "Poczta Polska" due to other reasons, cannot be used, in a way of Decisions or other administrative acts, for other purposes than those connected to the subject of activity of "Poczta Polska", unless the special provision shall state otherwise.

### **Chapter 3 Property of the Polish Post**

Art.13.1. The Polish Post shall take part in the economic traffic in its own name and on its own account.

2. The Polish Post when managing its property shall ensure the protection thereof.

Art.14.1. The sales and management by the Polish Post over the fixed assets or organised components of the property shall be subject to the regulations concerning state-owned enterprises, having regard to sections 3 and 4.

2. Solid assets cannot be used to fulfil the financial obligation of "Poczta Polska", with the exclusion of solid assets, which have been purchased in use of such financial obligations.

3. Provisions of articles 4 –6 of the Act of Law of 15 December 2000 on principles of selling the flats, which are the property of State enterprises and some of the commercial companies partly owned by the State Treasury, owned by the State legal persons and some of the flats, which are owned by the State Treasury (Journal of Law of year 2001 No. 4, pos. 24 and No. 102, pos. 1118) shall be applicable to the sell of flats, which are the property of "Poczta Polska", regardless of the purpose of the building, where living apartments subjected to selling are situated.

4. Provisions of articles 3 – 7 and article 9 of the Act of Law of 12 October 1994 on principles of transfer of company's blocks of flats by the State commercial companies (Journal of Law No. 119, pos. 567, of year 1996 No. 52, pos. 236, of year 1997 No. 6, pos. 32 and of year 2000 No. 39, pos. 442) shall be applicable to the blocks of flats, which are the property of "Poczta Polska".

Art.15. The Polish Post may set up business entities.

#### **Chapter 4 Financial management of the Polish Post**

Art.16. The Polish Post shall carry on financial management following the rules determined under the regulations concerning the financial management of state-owned enterprises, unless provided otherwise under the provisions of this Chapter.

Art.17 .1. "Poczta Polska" shall receive the following subsidies from the State budget:

- 1) for activity consisting of universal postal services provisions, when their performance results in loss,
- 2) for financing the investments.

2. The amount of the subsidies, which are referred to in section 1, shall be established within the Act of Law – Budget Law, having regard to the principle, that total amount of subsidies, referred to in section 1 subsection 1, cannot exceed the difference between costs of universal postal services provisions and income, which is obtained from these services.

3. Director General of "Poczta Polska" shall be obliged to declare, to Minister competent to post and telecommunications, the amount of the loss suffered due to universal postal services provision until 15 April of the year following the year within which "Poczta Polska" suffered the loss.

4. Provisions of the Act of Law of 10 June 1994 on public services contracts (Journal of Law of year 2002 No. 72, pos. 664, No. 113, pos. 984 and No. 197, pos. 661 and of year 2003

No. 2, pos. 16) shall not be applicable to spending the financial resources coming from subsidies, which are referred to in section 1 subsection 1.

Art.18.I. The Director General of the Polish Post shall present to the Minister of Posts and Telecommunications an account for the grants-in-aid received by the Polish Post.

2. The account provided for under Section 1 hereof shall comprise in particular:

- 1) information on making use of the grants-in-aid as provided for under Art. 17, Section I,
- 2) state of investment implementation, including:
  - a) a list of investments being implemented with participation of the said grants-in- aid,
  - b) cost calculations for such investments,
  - c) dates of commencement and of foreseeable accomplishment of the investments,
- 3) scope of the services provided with participation of the grants-in-aid.

3. The Minister of Posts and Telecommunications shall determine the date for presenting the account as provided for under Section I hereof.

4. The Minister of Posts and Telecommunications may oblige the Director General to present other information connected with making use of budgetary grants-in-aid.

### **Chapter 5 Organisation of the Polish Post**

Art.19.I. The organisation, the detailed scope and mode of action of the Polish Post shall be determined under its Statutes of Association as adopted by the Postal Council and approved by the Minister of Posts and Telecommunications.

2. The Statutes of Association of the Polish Post shall determine in particular:

- 1) the internal organisation,
- 2) the scope of rights and responsibilities of its organisational units, and the mode of setting up and liquidation thereof,
- 3) the manner of managing the property,
- 4) the legal relationships among its organisational units,
- 5) the internal audit system,
- 6) the organisational units whose managers are appointed by way of competitions,
- 7) the manner of appointing committees for resolving property disputes among organisational units, the composition thereof and mode of proceedings.

3. The Statutes of Association may provide for the appointment of advisory and consultative bodies to the Director General.

4. The announcement by the Minister of Posts and Telecommunications of the approval of the Statutes of Association of the Polish Post, the wording whereof is attached to such announcement, shall be published in the Official Gazette of the Republic of Poland - "Monitor Polski".

Art.20. In the matters not provided for under the Statutes of Association, the detailed organisation of the activities of the Polish Post shall be determined under internal regulations, instructions and rules of procedure issued by the Director General.

### **Chapter 6 Bodies of the Polish Post**

Art.21. The bodies of the Polish Post shall be:

- 1) The Director General,
- 2) The Postal Council.

Art.22.1. The Minister of Posts and Telecommunications shall appoint and revoke the Director General, after consultation with the Postal Council.

2. The Minister of Posts and Telecommunications shall appoint and revoke the deputies to the Director General upon request by the Director General, after consultation with the Postal Council.

3. The Minister of Posts and Telecommunications shall determine the remuneration for the Director General upon request by the Postal Council.

Art.23.I. The Director General shall exercise management over the Polish Post, and shall represent it outside.

2. The Director General, subject to the provisions of Art. 27 hereof, shall make decisions individually and shall bear responsibility therefor.

3. The tasks not being reserved under this Law for the competence of the Postal Council shall be assigned to the Director General.

4. The Director General may oppose a resolution by the Postal Council in the case if the enforcement thereof would be contrary to the law or would expose the Polish Post to serious damages.

5. An objection by the Director General in the matters as provided for under Section 4 hereof shall be reviewed by the Minister of Posts and Telecommunications who shall issue a final decision.

Art.24.1. The Postal Council shall be composed of 9 members.

2. The term of office of the Postal Council shall be three years and shall expire on the day when the financial statement for the last year of the term of office is approved; the term of office of the initial Postal Council shall be two years.

3. The Postal Council shall perform its duties pursuant to the Rules of Procedure adopted thereby, approved by the Minister of Posts and Telecommunications.

4. Resolutions by the Postal Council shall be adopted by an absolute majority of votes, with the attendance of at least a half of its members.

Art.25.1. The members of the Postal Council, including the chairman and vice-chairman thereof, shall be appointed and revoked by the Minister of Posts and Telecommunications, subject to the provisions of Sections 2-5 hereof.

2. Three members of the Postal Council shall be appointed from among the candidates proposed by the personnel of the Polish Post.

3. The manner of proposing candidates for members of the Postal Council, as provided for under above Section 2, as well as a list of their names, shall be jointly determined by the organisation' s trade unions operating within the Polish Post, being representative in the intendment of the regulations of the Labour Code, within 30 days as of the date when a letter by the Minister of Posts and Telecommunications in that matter is received.

4. In the case that such list of names as provided for under above Section 3 is not submitted to the Minister of Posts and Telecommunications within the term prescribed under that regulation, or if it comprises a number of candidates being below the number as set forth in above Section 2, the representatives of the employees of the Polish Post for the seats assigned thereto in the Postal Council shall be designated and appointed by the Minister of Posts and Telecommunications.

5. In the case of resignation, dismissal or death of a member of the Postal Council prior to the end of the term of office, the Minister of Posts and Telecommunications shall appoint a new member of the Postal Council for the period until the end of such term of office.

6. Members of the Postal Council may be revoked by the Minister of Posts and Telecommunications in the case of:

- 1) resignation submitted in writing,
- 2) serious disease impeding the fulfilment of duties,
- 3) conviction under a valid-in-law judicial decision for an offence committed due to an intentional guilt,
- 4) activities to the prejudice of the Polish Post.

Art.26. The employer is obliged to release an employee from work in order to perform the duties of member of the Postal Council. Such release shall take place without retaining the right to remuneration.

Art.27 .1. The Postal Council shall:

1) adopt:

- a) on request by the Director General, or on its own initiative, the Statutes of Association of the Polish Post and amendments thereto,
- b) the Rules of Procedure of the Postal Council,

2) carry out a periodical or annual evaluation of the activities of the Polish Post,

3) issue opinions on the documents submitted by the Director General, namely:



- a) annual financial statement of the Polish Post,
- b) annual, property and financial plans of the Polish Post,
- c) long-term plans of the Polish Post, concerning in particular the employment policy, payroll and international co-operation,
- d) regulations of universal postal services provision,

4) issue opinions on:

- a) participation by the Polish Post in an enterprise requiring a contribution to be brought into by the Polish Post, exceeding the limit of the value as determined under its Statutes of Association,
- b) incurring commitments by the Polish Post, exceeding the limit of the value as determined under its Statutes of Association,
- c) transfer of shareholdings (shares) in the cases determined under its Statutes of Association,
- d) issue of bonds and taking long-term loans,
- e) other matters related to the activities of the Polish Post,

5) give an opinion on other matters as put forward by the Minister of Posts and Telecommunications or by the Director General.

2. Documents and opinions, which are referred to in section 1 subsections 1 and 2, subsection 3 letters a) and c), and in subsections 4 and 5, shall be submitted by "Rada Poczty Polskiej" (Council of Poczta Polska) to Minister competent to post and telecommunications, who shall present his final position on them, and in relation to documents and opinions, which are referred to in section 1 subsection 3 letter d) – after having opinion of the President of the Office of Telecommunications and Post Regulation.

3. The Postal Council may exercise control over the activities of the Polish Post, request reports and explanations from the Director General and from particular employees, and check up books and documents of the Polish Post.

Art.28.1. The remuneration for the members of the Postal Council shall be determined by the Minister of Posts and Telecommunications.

2. The costs of the activities of the Postal Council, inclusively with the remuneration for its members, shall be funded by the Polish Post.

3. The annual plan of expenditures of the Postal Council shall be subject to approval by the Minister of Posts and Telecommunications.

Art.29.I. The Director General, deputies thereto, chief accountant and members of the Postal Council cannot possess shares or be members of bodies in the entities as provided for under Article 15 hereof and also in the entities whereinto the Polish Post has brought for a limited time, for the sake of use against consideration, components of its property being reckoned as fixed assets under separate regulations.

2. The ban as provided for under above Section 1 shall not be referred to the membership in supervisory Boards.

Art.30. Within the Polish Post there shall not be operable any self-government bodies of the staff of the organisation.

### **Chapter 7 Representation of the Polish Post**

Art.31.1. The Director General shall be entitled to individually take legal steps on behalf of the Polish Post.

2. Deputies to the Director General and other attorneys-in-fact of the Polish Post shall act individually within the scope of their powers of attorney.

3. In case if legal steps performed by the persons mentioned under above Section 1 and 2 encompass the disposals of the right for a value higher than the limit determined under the Statutes of Association, or if such steps can bring about a commitment on the part of the Polish Post to a performance of a value higher than the limit determined under the Statutes, for the statements of will to be effective, the joint action of at least two of such persons shall be required.

Art.32.1. The Director General may appoint and revoke attorneys-in-fact of the Polish Post.

2. A power of attorney shall be granted in writing, otherwise being deemed null and void.

3. The granting and revocation of a power of attorney is to be entered in the register of state-owned enterprises. It does not refer to a power of attorney to perform specific steps and to a power of attorney for proceedings at law.

### **Chapter 8 Supervision**

Art.33.1. The supervision over the Polish Post and the function of incorporator shall be performed by the Minister of Posts and Telecommunications.

2. The Minister of Posts and Telecommunications has the right to intervene as incorporator in the matters of the Polish Post only in the cases provided for under this Law.

Art.34. The Minister of Posts and Telecommunications shall carry out the control and evaluation of the activities of the Polish Post and of its bodies.

Art.35.1. The Minister of Posts and Telecommunications may set up a committee in order to examine the operation of the Polish Post, to evaluate the status thereof, and to present proposals resulting from such evaluation.

2. On the basis of proposals by such committee, after consultation with the Postal Council, the Minister of Posts and Telecommunications may make the Director General be obliged:

- 1) to improve the operation of the Polish Post,
- 2) to present a reorganisation scheme and implementation programme therefor after been approved by the Minister of Posts and Telecommunications.

Art.36. The Minister of Posts and Telecommunications in the case of stating that a decision by the Director General is contrary to the law shall stop the enforcement thereof, and shall make the Director General be obliged to amend or withdraw such decision.

Art.37. The Director General shall have the right to lodge an appeal against a decision as taken up in respect of the Polish Post by the Minister of Posts and Telecommunications, following the rules and in the mode as determined under the regulations on state-owned enterprises.

### **Chapter 9 Amendments to the regulations in force, transitory and final provisions**

Art.38. In the Law on State-owned Enterprises of 25 September 1981 (Official Journal of 1991, No. 18, Item 80; No. 75, Item 329; No. 101, Item 444 and No. 107, Item 464; of 1993, No. 18, Item 82 and No. 60, Item 280; of 1994, No. 1, Item 3; No. 80, Item 368 and No. 113, Item 547; of 1995, No. 1, Item 2; No. 95, Item 474 and No. 154, Item 791; of 1996, No. 90, Item 405; No. 106, Item 496; No. 118, Item 561 and No. 156, Item 775 and of 1997, No. 43, Item 272), in Art. 4, in Section I, after Item 3, a full- stop is substituted with a comma and Item 4 is added, reading as follows:

„4) the state-owned public utility enterprise "Polish Post".

Art.39.- In the Law on Amendment of the Law on Land Management and Expropriation of Real Property, dated 29 September 1990 (Official Journal No. 79, Item 464; of 1991, No. 83, Item 373; of 1992, No. 91, Item 455; of 1994, No. 51, Item 201; No. 80, Item 369; No. 84, Item 384 and No. 123, Item 601 and of 1996, No. 5, Item 33), after Art. 2f, Art. 2g is added, reading as follows:

"Art. 2g. The state-owned public utility enterprise "Polish Post", being set up as of 1 January 1992 pursuant to the Ordinance by the Minister of Posts and Telecommunications, which on that basis has taken over the property being under the management of the Polish Post, Telegraph and Telephone state- owned organisational unit, shall acquire, by right, as of the date of that entry in the Register of State-owned Enterprises, the perpetual usufruct right to the land being a component of that property, and the ownership title of the buildings and other equipment and premises located thereon. It is not a breach to the rights of any third parties."

Art.40. In the Communications Act of 23 November 1990 (Official Journal of 1995, No. 117, Item 564; of 1996, No. 106, Item 496, and of 1997, No. 43, Item 272, and No. 88, Item 554), the following amendments are made:

l) In Art. 2, in Section 1, Item 1 thereof shall read as follows:

„1) universal postal service - this means economic activities consisting in the collection, conveyance and delivery of ordinary letters, registered letters, insured letters and postal parcels, and in accepting and delivering of postal orders ".

2) in Art. 4, in Section I, in Item 4 thereof, the wording "to the Minister of Internal Affairs" shall be substituted with the wording "to the Minister of Internal Affairs and Administration" ;

3) in Art. 42, Section I is deleted as well as a marking of Section 2 thereof;

4) Art. 42a is deleted;

5) in Art. 44, Section 2 is deleted;

6) Articles 49-51 are deleted;

7) in Art. 60, the hitherto wording is marked as Section I, and Section 2 and 3 is added, reading as follows:

„2. The entity providing universal postal service may, in the regulations disclosed to the public, determine the detailed conditions for making use of such services.

3. The Polish Post may, in the detailed regulations disclosed to the public, determine the conditions for making use of other postal services not being of a universal nature.”

Art. 41. The acquisition of the ownership title to the buildings and other equipment and premises being the property of the state-owned public utility enterprise "Polish Post", being set up pursuant to Art. 76, Section I of the Communications Act, as taken over after the "Polish Post, Telegraph and Telephone" state-owned organisational unit, shall take place on a gratuitous basis.

Art. 41a. 1. Liabilities of State Treasury due to "Poczta Polska" resulting from the paid purchase by legal predecessors of "Poczta Polska", on basis of provisions of Act of Law, referred to in article 39, of ownership of buildings and other facilities, and accommodations, referred to in article 41, confirmed by the Decisions issued on basis of that Act of Law and the Act of Law of 21 August 1997 on management of properties (Journal of Law of year 2000 No. 46, pos. 543, of year 2001 No. 129, pos. 1447 and No. 154, pos. 1800, of year 2002 No. 25, pos. 253, No. 74, pos. 676, No. 113, pos. 984, No. 126, pos. 1070, No. 130, pos. 1112, No. 153, pos. 1271, No. 200, pos. 1682 and No. 240, pos. 2058 and of year 2003 No. 1, pos. 15 and No. 80, pos. 720 and 721) shall expire on date of entry into force the Act of Law of 12 June 2003 r. – Postal Law (Journal of Law No. 130, pos. 1188).

2. Annulment of the mortgage registers, which are securing the liabilities of the State Treasury, referred to in section 1, shall take place on application submitted by "Poczta Polska" and shall be charged with the fixed fee of 30 Polish Zloty.

Art. 42.1. Until the Director General and deputies to the Director General are appointed, the duties thereof shall be performed by the hitherto director of the Polish Post and by deputies to the director of the Polish Post.

2. The Minister of Posts and Telecommunications, within 3 months as of the effective date of this Law, shall set up the Postal Council. The term of office of the Council shall start as of the date of appointment.

Art. 43.1. The nominated employees of the Polish Post, and the employees who pursuant to Art. 80, Section 1 of the Communications Act have retained the rights of nominated employees, shall become by right employees being employed under an employment contract for an unspecified time.

2. The employees as provided for under above Section 1 may, within 3 months as of the effective date of this Law, submit to the employer a written statement to refuse the further employment. In such a case, the employment shall be terminated on the expiration of 3 months as of the date of submitting such a statement, on the last day of a calendar month. The termination of employment, following the rules provided for under this Section, shall bring about the effects which are under the regulations of the law concerning the termination of an employment contract by the employer with a notice of termination due to the liquidation of the employer' s plant.

Art.44. The property and the rights and responsibilities of the public utility enterprise "Polish Post" set up pursuant to Art. 76, Section 1 of the Communications Act, shall remain the property and the rights and responsibilities of the Polish Post as operable under this Law.

Art.45. This Law shall become effective on the expiration of 30 days as of the date of promulgation thereof.

The President of the Republic of Poland: A. Kwaśniewski