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Goodbye to paper. Administration and courts will start using the e-delivery system

author: **Piotr Szymaniak** 14.04.2020, 07:26; Update: 14.04.2020, 07:26[Share on Facebook](#)[Share on Twitter](#)

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The bill by the Ministry of Digitization will be dealt with at the next sitting of the Sejm.

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From autumn, communication between entrepreneurs and courts and offices will take place in digital form. What about digitally excluded people? Im emails will print the mail and deliver in an envelope.

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From October, administration and [courts](#) will start using the e-delivery system. The bill by the Ministry of Digitization will be dealt with at the next sitting of the Sejm. It assumes that all correspondence between public entities, as well as exchange of letters between offices and courts as well as court bailiffs and participants of proceedings or their proxies should - as a rule - take place in digital form.

Who and when must

Therefore, both entrepreneurs and professional proxies (see infographic) will be required to have an electronic delivery address, which will be disclosed in the electronic address database (BAE), which is to be kept by the minister of digitization.

Only correspondence containing classified information will be excluded from the e-delivery system, sent in public procurement and concession award procedures and if separate provisions already provide for electronic submission by means of other systems (e.g. in electronic writ proceedings). Other shipments in court and administrative proceedings are to be sent electronically with a return receipt.

See also:

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Service of boxes of public entities (offices, courts, court [bailiffs](#) , state-owned companies, etc.) will be entrusted to the designated operator, i.e. Poczta Polska. Proxies and entrepreneurs will be able to choose between a state operator and a qualified service provider (i.e. private companies that meet certain requirements and have the appropriate certificates).

The citizen has a choice

The situation will be slightly different for citizens. There will be no obligation to use the e-delivery system here. If someone does not have a delivery box entered in BAE, correspondence from the court or office will either be sent to the box from which the citizen sent the letter to the court, or - if it is impossible to determine the electronic address - will be delivered in the form of a hybrid service. What does it mean?

A letter from the court or office will be sent to the Polish Post in electronic form, and there, in an automated manner, such correspondence will be printed, enveloped and delivered in the traditional form by the postman. This is a solution for people who are digitally excluded and for those who for various reasons will not want to set an e-delivery address.

See also:

- The government adopted a bill on e-delivery »

GALLERIES



- A situation in which an additional group of entities appears, which would receive (even short-term) access to the content of correspondence between a citizen and a public entity, can be characterized as an example of a disproportionate restriction of the [right](#) to privacy referred to in art. 47 of the Polish Constitution and in art. 8 of the European Convention on Human Rights, including [the right](#) to respect for private life and correspondence - notes dr hab. Mariusz Golecki, financial spokesperson.

In his opinion, the goal of speeding up the delivery of parcels would be achieved to a small extent, because it would still be necessary to physically perform the operation of printing and enveloping correspondence.

- In addition, the right to privacy would be significantly damaged by allowing an additional group of people to read the content of correspondence addressed to non-public entities - the spokesman points out.

... and with sense?

Even if printing and enveloping within the hybrid service will be so automated that the participation of postal employees in these activities will be minimal, the question arises about the sense of this undertaking. Why, in the absence of disclosure of the address for e-delivery in BAE, the office or court simply will not send the parcel in paper form? Already at the stage of pre-admission work during the consultations, he drew attention to this aspect, e.g. the Podlasie voivode.

- Analysis of the draft provisions (...) leads to the conclusions that the proposed method of hybrid delivery will extend the delivery time. When electronic documents are waiting in a



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... delivery, and hybrid services are ultimately to become only a small complement to e delivery.

- Indeed, at the beginning of the new solutions, parties who are not accustomed to electronic delivery and who do not trust their effectiveness may still send letters, which may lead to a temporary slowdown in delivery. (...) Potential bottlenecks in the electronicisation of deliveries should not be the reason for maintaining the current state of affairs, i.e. the clear prevalence of deliveries on paper over electronic deliveries - the department explained.

See also:

- E-delivery: Revolution or ticking financial bomb »


Ministries duplicate work

But it is not everything. The e-delivery system introduced by MC conflicts with the plans of the Ministry of Justice, which for years has been working on a separate IT system supporting civil court proceedings.

- The IT system implemented in common courts is designed to comprehensively enable the computerization of civil matters, and not only on the level of correspondence itself. Adoption of the changes provided for in Article 38 of the draft act on electronic delivery (i.e. the use of e-delivery in civil proceedings - editor's note) would not only mean that [the state budget](#) would have to bear the costs of achieving the same goal twice , but, moreover, would actually give up a further solution , which is the implementation of a separate IT system supporting the exchange of procedural correspondence in an autonomous manner and without the intermediation of a postal operator - notes the Ministry of Digitization.



Pachnik, President's Plenipotentiary Supreme Bar Council for legislation.

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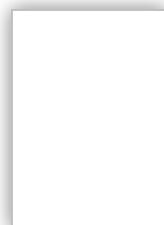
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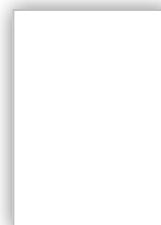
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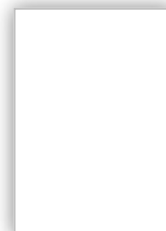
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