

Art 581 § 1 The persons mentioned in Articles. 578 are not required to testify as a witness or to act as an expert or interpreter, but you can ask for express consent by those persons to give evidence or to appear as an expert or interpreter.

§ 2 In the event of consent referred to in § 1, served notice to those persons may not include the use of coercive threats, and if failure to appear on the summons or refusing to testify against them can not apply these measures.

Art 582 § 1 The persons referred to in Article. 579 apply respectively. 581, if the circumstances of whose testimony or opinions are concerned, are associated with the exercise by those persons of official or service passports, but on a reciprocal basis and in other circumstances.

§ 2 The persons mentioned in Articles. 578 and 579 are not required to produce correspondence and documents relating to these functions.

Art 583 § 1 search the premises of the diplomatic representation should be made only with the consent of the head of the agency or person temporarily discharging its function.

§ 2 to search the premises is required the consent of the consular office manager or person temporarily discharging its functions, or the Head of diplomatic representation.

Art 584 Provisions of Article. 578-583 does not apply to the persons mentioned therein, the steps do not exercise during and in connection with the performance of their official functions, if they are Polish citizens or are in the Polish Republic resident.

Chapter 62

Legal assistance and service in criminal matters

Art 585 By way of legal aid may be made the necessary steps of criminal proceedings, in particular:

- 1) service of documents to persons abroad or institutions established abroad,
- 2) questioning of persons as accused, witnesses or experts,
- 3) making the inspection and search of premises and other places and people, and the issue of seizure of such items abroad,
- 4) calling people staying abroad for personal voluntary appearance before the court or prosecutor to question a witness or confrontation, as well as pushing for this purpose persons deprived of their liberty at this time,
- 5) sharing of files and documents, and information on criminal defendants,
- 6) providing information on the law.

Art 586 § 1 The letter of notification to the person resident abroad, who has Polish citizenship, or heard of such a person as a defendant, witness or expert in court or the prosecutor asks the Polish diplomatic or consular office.

§ 2 In the event of inability to perform activities as specified in § 1, may be requested to carry out these activities to the court, prosecutor or other competent authority of a foreign state. In the case of search, seizure and release of course be accompanied by a copy of the request or court order requiring the prosecutor to carry out this operation in a given case.

Art 587 Prepared at the request of Polish courts or the prosecutor inspection protocols, interrogation of persons as accused, witnesses, experts or other protocols inquiries made by prosecutors or the courts of foreign countries or bodies acting under their supervision, may be read at the hearing on the principles set out in Article. 389, 391, and 393, where the way of the operation is not contrary to the principles of law in the Polish Republic.

Art 588 § 1 Courts and prosecutors provide legal assistance at the request of prosecutors and courts of foreign countries.

§ 2 The court and prosecutors refuse to grant legal aid and refusing to communicate to the competent authorities of a foreign country if the action sought would be contrary to the principles of the Republic of Polish law or infringe its sovereignty.

§ 3 The court and the prosecutor may refuse to grant legal aid if:

1) execution of the desired action does not fall within the scope of the court or the prosecutor under Polish law,

2) the state, from which the request for assistance comes from, does not guarantee reciprocity in this regard,

3) the request relates to acts which is not a crime under Polish law.

§ 4 The procedural steps, performed at the request of the court or the prosecutor of a foreign state, shall apply Polish law. Must, however, to satisfy the wish of these authorities, when an action uses a specific mode of conduct or a particular form, if it is not contrary to the principles of law the Polish Republic.

§ 5 The costs of legal assistance shall be determined in accordance with Article. 616-619.

Art 589 § 1 Called from abroad or expert witness is not a Polish citizen, who appear voluntarily before a court, can be neither prosecuted nor arrested or detained on remand because the crime for which the subject of criminal proceedings and any other crime committed before crossing the Polish state border. There can also be compared to him, made the penalty imposed for such offense.

§ 2 A witness or expert who loses the protection provided for in § 1, if not leave Polish territory, although he could do so, within 7 days from the time when the court told him that his presence has become redundant.

§ 3 the requested witness or expert shall be entitled to reimbursement of travel and subsistence expenses and reimbursement of lost earnings, and expert - pay for the opinion.

§ 4 The notice which was received expert witness or permanently residing abroad must bear a warning about the content of § 1-3. You should not use the post threats of coercive measures because of failure to appear.

Rule 589a. ⁽³⁹⁷⁾ § 1 In view of the person deprived of liberty in the territory of a foreign state, temporarily released to testify as a witness or to make its share of another procedural step before the Polish court or prosecutor, the district court the place of performance management activities put a person surrendered to the Polish prison or jail investigators for the duration of the stay on Polish territory, but not exceeding the time of imprisonment specified in the issuing State.

§ 2 The court's complaint is not entitled to.

Rule 589b. ⁽³⁹⁸⁾ § 1 Legal Aid in the preparatory proceedings between the Polish authorities authorized to conduct such proceedings and the competent authorities of EU Member State or