

LAW
of 27 June 1950
Family Code.
(Journal of Laws 1950 No. 34, item 308)

TITLE I.
Marriage.

Section I.
Contracting a marriage.

Article 1.

§ 1. A marriage is contracted when a man and a woman make concordant declarations before a registrar that they are entering into a marriage.

§ 2. For a marriage to be contracted, the declarations must be made before a registrar.

[keywords: form of marriage]

Article 2.

§ 1. A marriage should be contracted before a registrar of the place of residence of one of the parties.

§ 2. For valid reasons, the competent authority may permit a marriage to be celebrated before another registrar.

[keywords: place of marriage]

Article 3.

§ 1. Persons intending to marry should produce to the competent registrar extracts of their birth certificates and provide an assurance that there are no circumstances which, according to law, preclude the marriage.

§ 2. Furthermore, a previously married person should submit evidence that the marriage has been dissolved or annulled.

§ 3. The court may grant an exemption from the obligation to submit a document where obstacles in submitting it are difficult to overcome.

[keywords: official documents, marriage]

Article 4.

A marriage should be contracted at a registry office in a public ceremony in the presence of two witnesses. It may be contracted outside a registry office only for valid reasons.

[keywords: form of marriage]

Article 5.

Where the life of one of the parties is at direct risk, the marriage may be contracted before any registrar and without submitting the documents prescribed by law. However, also in such a case, the parties are obliged to provide an assurance that there are no circumstances which, according to law, preclude the marriage.

[keywords: marriage, life-threatening condition]

Article 6.

§ 1. For valid reasons, the court may permit the declaration of marriage to be made by an authorised representative.

§ 2. The authorisation shall be made in writing, bear an officially certified signature and name the person with whom the marriage is to be contracted.

§ 3. The revocation of the authorisation shall be effective only if it comes to the knowledge of the other party before the declaration is made.

[keywords: marriage by proxy]

Article 7.

§ 1. A person who is already married may enter into another marriage.

§ 2. The annulment of a marriage entered into by a married person may be requested by a prosecutor and anyone who has a legitimate interest in it.

§ 3. However, a marriage may not be annulled if the previous marriage has been dissolved or annulled.

[keywords: bigamy]

Article 8.

§ 1. A marriage may not be contracted by relatives by blood in the direct line, siblings, relatives by marriage in the direct line or persons remaining in an adoptive relationship with each other until the adoptive relationship ceases. For valid reasons, the court may permit a marriage between relatives by marriage in the direct line.

§ 2. The annulment of a marriage on the grounds of consanguinity or adoption may be requested by a prosecutor and anyone who has a legitimate interest in it, and the annulment on the grounds of affinity may be requested by either of the spouses.

[keywords: marriage obstacles, kinship, affinity, adoption]

Article 9.

§ 1. A person affected by mental illness or mental retardation may not marry. However, the court may permit such a person to marry if their medical condition is not in conflict with the essence and purposes of marriage.

§ 2. The annulment of a marriage on the grounds of mental illness or mental retardation may be requested by either of the spouses.

§ 3. However, a marriage may not be annulled **on** the grounds of mental illness once it has ceased.

[keywords: marital obstacles, mental illness]

Article 10.

§ 1. A marriage may not be contracted by a minor. However, for valid reasons, the guardianship authority may permit a marriage with a minor who has reached the age of sixteen years.

§ 2. The annulment of a marriage on the grounds of lack of the prescribed age may be requested by a prosecutor and by either of the spouses.

§ 3. A marriage may not be annulled on the grounds of lack of the prescribed age if the spouse who was a minor at the time of contracting the marriage has already reached the age of eighteen years or if the wife has become pregnant.

[keywords: marriage obstacles, age]

Article 11.

§ 1. A marriage may not be annulled after it has been dissolved. However, a prosecutor and anyone who has a legitimate interest in it may request a marriage to be annulled after it has

been dissolved on the grounds of consanguinity or because one of the spouses was already married at the time of contracting the marriage.

§ 2. If one of the spouses has brought an action for annulment of the marriage, the annulment may also take place after the death of the other spouse.

§ 3. In the event of the death of the spouse who brought the action for annulment of the marriage, the annulment may be pursued by their descendants.

[keywords: marriage annulment]

Article 12.

When declaring a marriage annulled, the court shall also decide whether and which of the spouses has entered into the marriage in bad faith.

[keywords: marriage annulment, guilty verdict]

Article 13.

§ 1. An annulled marriage shall be deemed not to have taken place.

§ 2. However, the effects of a marriage annulment as regards the relationship of the spouses with their mutual children and as regards property relations between the spouses shall be subject accordingly to the divorce rules.

[keywords: effect of marriage annulment]

Section II

Rights and obligations of spouses.

Article 14.

The husband and wife shall have equal rights and obligations **in** marriage. They shall be obliged to live together, be faithful to each other, help each other and work together for the good of the family that they have formed by their union.

[keywords: duties of spouses]

Article 15.

The spouses shall decide on important family matters jointly. In the absence of agreement, either of the spouses may ask the court to decide.

[keywords: important family matters]

Article 16.

The wife shall take the surname of her husband. However, she may keep the surname she had before the marriage, adding her husband's surname to it, provided that she makes a declaration to that effect in the marriage certificate.

[keywords: wife's surname]

Article 17.

A marriage establishes the affinity between one of the spouses and blood relatives of the other spouse. It shall continue even if the marriage is dissolved.

[keywords: affinity]

Article 18.

Both spouses shall be obliged, each according to their respective physical as well as earning capacities and resources, to contribute to satisfying the needs of the family which they have established by their union. This obligation may also be met in whole or in part by personal efforts to raise the children and work in the joint household.

[keywords: meeting the needs of the family, raising children]

Article 19.

In the event of a transient impediment affecting one of the spouses, it shall be presumed that the other spouse is entitled to act on the former's behalf in ordinary affairs and to collect the former's current receivables.

[keywords: authority to act for the other spouse]

Article 20.

§ 1. Liabilities incurred by one of the spouses in the ordinary affairs of the family shall be the joint and several responsibility of both spouses.

§ 2. For valid reasons, the authority to incur liabilities with the aforementioned effect may be repealed by court at the request of the other spouse. Such a restriction may be lifted if the relations change.

§ 3. An exclusion of the joint and several responsibility shall be effective vis-à-vis third parties if it was known to them.

[keywords: liability for spouse's obligations, joint and several liability]

Article 21.

§ 1. Assets acquired by either of the spouses during the marriage that constitute that spouse's attainment shall be the joint property of both spouses (statutory joint property ownership).

§ 2. Statutory joint property ownership shall not apply to items acquired by inheritance, bequest or donation, items of personal use or items needed for work.

[keywords: matrimonial property regime, joint property ownership]

Article 22.

Each of the spouses alone may exercise ordinary administration of the property subject to the statutory joint property ownership. Transactions that extend beyond the ordinary administration shall require the consent of the other spouse.

[keywords: administration of joint property]

Article 23.

§ 1. A creditor whose debtor is only one of the spouses may also claim satisfaction from the property subject to the statutory joint property ownership.

§ 2. However, if the claim arose before the debtor's marriage or relates to their own property which is not subject to the statutory joint property ownership, the creditor may demand satisfaction only from the debtor's personal property and from their salary and personal incomes.

[keywords: enforcement from joint property]

Article 24.

§ 1. For valid reasons, either of the spouses may request that the statutory joint property ownership terminated by court.

§ 2. If one of the spouses becomes legally incapacitated, the statutory joint property ownership shall cease by operation of law.

[keywords: liquidation of the joint property]

Article 25.

§ 1. Once the statutory joint property ownership ceases, the property to which it previously applied shall be subject accordingly to the rules on joint ownership.

§ 2. Both spouses shall have equal shares in the property that was subject to the statutory joint property ownership.

[keywords: liquidation of the joint property]

Article 26.

When the property that was subject to the statutory joint property ownership is being divided, each of the spouses should return the expenses and expenditures made from that property to their own property that was not subject to the statutory joint property ownership. They may also request return of the expenses and expenditures they have made on the joint property from their own property that was not subject to the statutory joint property ownership.

[keywords: division of joint property, outlays, expenses]

Article 27.

§ 1. A spouse who is found to be at fault for divorce may, at the request of the other spouse, be deprived, in whole or in part, of their share in the joint property if they did not contribute to creating it or contributed only slightly. Where both spouses are at fault, the court may, at the request of either of them, determine their shares in the joint property according to the extent to which each contributed to its creation.

§ 2. In assessing the extent to which one of the spouses contributed to creating the joint property, account shall also be taken of the amount of personal work in raising the children and in the joint household.

§ 3. The above provisions shall apply accordingly if the marriage is annulled where either one or both spouses contracted it bad faith.

[keywords: divorce, division of joint assets]

Article 28.

§ 1. Spouses may contractually adopt a joint property ownership regime that is broader or narrower than the statutory joint property ownership. They may also regulate that their joint property be administered in a different manner than provided for the statutory joint property ownership regime.

§ 2. The matrimonial property contract should be made in the form of a notarial deed.

§ 3. The spouses may invoke their matrimonial property contract vis-à-vis third parties only if the contract was known to those parties.

[keywords: prenup]

Section III.

Divorce.

Article 29.

§ 1. If the marriage between the spouses has broken down completely and irretrievably for valid grounds, either of the spouses may request the court to dissolve the marriage by way of divorce.

§ 2. A divorce shall not be permitted if the well-being of minor children could suffer as a result.

[keywords: divorce, welfare of children, grounds for divorce]

Article 30.

§ 1. A divorce may not be pronounced if it is requested by a spouse who is solely at fault for the marital breakdown, unless the other spouse consents to the divorce.

§ 2. However, even in the absence of such consent, the court, having regard to the public interest, may pronounce a divorce in exceptional cases where the spouses have been separated for a long period of time.

[keywords: fault for the breakdown of the marriage]

Article 31.

§ 1. When pronouncing a divorce, the court shall also decide whether and which of the **spouses** is at fault for the divorce.

§ 2. However, at the joint request of the spouses, the court shall desist from deciding on the fault.

[keywords: divorce, declaration of guilt]

Article 32.

A divorce may not be pronounced without deciding **on** the rights and obligations of both spouses in relation to the persons and property of their minor children.

[keywords: divorce, custody of children]

Article 33.

Within three months of the pronouncement of divorce, the wife may return to the surname she had before the marriage by submitting a declaration to that effect to a registrar.

[keywords: divorce, surname of wife]

Article 34.

§ 1. A spouse who has not been found **at** fault for divorce may demand that the other spouse, even if not at fault, provide them with maintenance in accordance with the latter's assets **and** earning capacities, provided that the former is unable to support themselves by their own means.

§ 2. If both spouses are at fault for divorce, the court may also award maintenance to a spouse at fault.

§ 3. The aforementioned right to maintenance, even if granted by court, shall expire upon the death of the obliged spouse and as a result of a new marriage and, if the obliged spouse is not at fault, after five years from the date of divorce.

[keywords: divorce, maintenance]

TITLE II.

Parents and children.

Section I.

General provisions.

Article 35.

The parents shall have custody of the child's person and property. They must care for the physical and mental development of their children, should endeavour to maintain and raise them so that they are properly prepared to work for the good of the society according to their talents.

[keywords: custody of a child, administration of child's property]

Article 36.

§ 1. The child shall bear the father's surname. If the father is unknown, the child shall bear the surname of the mother. If both parents are unknown, the surname shall be given to the child by the guardianship authority.

§ 2. If the paternity is established in court, the court shall, at the request of the child or the mother, give the child the name of the father either in the judgement establishing paternity or in a separate decision issued in non-contentious proceedings.

[keywords: surname of a child]

Article 37.

§ 1. If the parents marry after the child is born, the child shall bear the surname of the father.

§ 2. Where a marriage is entered into by the mother of a child whose father is unknown, the spouses may declare before a registrar that the child will bear the surname of the mother's husband.

[keywords: surname of a child]

Article 38.

The changes to a child's name provided for in the preceding articles may not take place if the child has already reached the age of majority.

[keywords: surname of a child]

Article 39.

§ 1. Both parents shall bear the burden of maintaining and raising the child. Satisfying this obligation may also involve, in whole or in part, personal efforts to raise the child.

§ 2. The duty to maintain the child shall rest on the parents until the child is able to maintain themselves.

[keywords: child maintenance]

Article 40.

§ 1. A child who receives income from their own work should contribute to covering the family's living expenses if they live with their parents.

§ 2. A child who is dependent on and lives with their parents shall be obliged to assist them in

the joint household.

[keywords: child's income]

Article 41.

All agreements and decision concerning the maintenance and raising of children may be amended if the relations concerned change.

[keywords: change of custody arrangements]

Section II. Establishing paternity.

Article 42.

§ 1. It shall be presumed that a child born during the marriage or within three hundred days after the marriage was dissolved or annulled descends from the mother's husband.

§ 2. Where a child is born within three hundred days after the marriage was dissolved or annulled but after the mother entered into another marriage, it shall be presumed the child descends the second husband.

[keywords: presumption of a child's descent from the mother's husband]

Article 43.

Apart from the cases provided for in the preceding article, the father of a child shall be the person who has acknowledged the child or whose paternity has been established in court.

[keywords: acknowledgement of paternity, determination of paternity]

Article 44.

§ 1. For a child to be acknowledged there must be the consent of the mother, unless the mother is dead or fully legally incapacitated, or communication with her encounters obstacles that are difficult to overcome. However, in the latter case, the mother may demand that the acknowledgement be annulled within six months of becoming aware of it if the man who acknowledged the child is not the child's father.

§ 2. A child may be acknowledged either before a registrar or before the guardianship authority.

[keywords: acknowledgement of paternity, consent of the mother]

Article 45.

A child may be acknowledged even if they have not been born, but have already been conceived.

[keywords: acknowledgement of paternity of an unborn child]

Article 46.

The acknowledgement may be annulled due to a defect in the declaration of will only if the man who has acknowledged the child is not the child's father. Such an application may be made only within six months of the date of the acknowledgement.

[keywords: annulment of acknowledgment of paternity, defects in the declaration of intent]

Article 47.

§ 1. In the absence of the acknowledgement, both the child and the mother may request that paternity be established in court.

§ 2. It shall be presumed that the father is the person who had an intercourse with the child's mother between three hundred and one hundred and eighty days before the child's birth.

§ 3. If the alleged father dies, the establishment of paternity shall be sought against the curator appointed by the guardianship authority.

[keywords: acknowledgment of paternity]

Article 48.

§ 1. The husband of the mother can deny paternity in court within six months from the day he learned that his wife had given birth.

§ 2. If the husband is declared fully legally incapacitated due to a mental illness which he developed within the time limit for the denial of paternity, the denial may be made by his legal representative. The time limit for the denial shall be six months from the date of the appointment of the representative and, if the representative became aware of the child's birth only later — then six months from the date on which they received that information.

[keywords: denial of paternity]

Article 49.

§ 1. If the child is born between one hundred and eighty days after the marriage is contracted and three hundred days after it is dissolved or annulled, the paternity may be denied only if it is not probable that the mother's husband could be the child's father.

§ 2. If the child is born before one hundred and eighty days after the marriage is contracted, it shall be sufficient for the husband to rebut the paternity allegation by bringing an action to deny paternity with a declaration that he is not the child's father, unless he had an intercourse with the child's mother between three hundred and one hundred and eighty days before the child's birth or knew that his wife was pregnant when entering into the marriage.

[keywords: denial of paternity]

Article 50.

The husband of the child's mother must apply for a denial of paternity against the child and the mother, and if the mother is dead — then only against the child.

[keywords: denial of paternity, legal standing]

Article 51.

A mother may deny her husband's paternity within six months of the child's birth. The provision of the preceding Article shall apply accordingly.

[keywords: denial of paternity]

Article 52.

Denial of paternity shall not be permissible after the death of the child.

[keywords: denial of paternity]

Section III. Parental authority.

Article 53.

The child shall remain under parental authority until the age of majority.

[keywords: parental authority, age of majority]

Article 54.

Parental authority shall include, in particular, the right and duty of the parents to direct and represent their children and administer their children's property. It should be exercised as required by the well-being of the child and the interest of the society.

[keywords: parental authority, administration of the child's property]

Article 55.

Either of the parents may seek assistance from state authorities if the proper exercise of parental authority so requires.

[keywords: parental authority, state authorities]

Article 56.

§ 1. Parental authority shall be exercised by both parents.

§ 2. If one of the parents is deceased or unknown or does not have full legal capacity, parental authority shall be vested with the other parent. The same shall apply where one of the parents has been deprived of parental authority or if their parental authority has been suspended.

§ 3. In the paternity is established in court, the court shall also decide whether the father shall exercise parental authority.

[keywords: division of parental authority]

Article 57.

§ 1. Each of the parents shall be a legal representative of the children who remain under their joint parental authority.

§ 2. However, neither of the parents may represent the children who are under their parental authority in any legal transactions between them or transactions between one of the children and one of the parents, unless the transaction concerned consists exclusively of a free-of-charge benefit to the child or relates to the means of maintenance and upbringing due to the child. This provision shall apply accordingly to the representation of a child in proceedings before a court or other authority.

§ 3. In the event that neither of the parents is able to represent the child, the child shall be represented by a curator appointed by the guardianship authority.

[keywords: legal representation of the child]

Article 58.

§ 1. Parents should exercise administration of the child's assets with due diligence. Without the authorisation of the guardianship authority, they may not carry out transactions that exceed beyond the scope of ordinary administration, nor consent to the child carrying out such transactions.

§ 2. The net income from the child's property should be put to profit primarily for the purposes of maintaining and raising the child and their siblings who are being raised with them, with the surplus allocated to other legitimate needs of the family.

[keywords: administration of the child's property]

Article 59.

Once a child reaches the age of majority, their parents shall be obliged to hand over the property under their administration to the child. Within one year of the date on which the property was handed over, the child may request an account. However, the request may not concern the income received while exercising parental authority.

[keywords: administration of the child's property, settlement]

Article 60.

If the parents do not exercise their parental authority properly, the guardianship authority shall issue appropriate orders. In particular, the guardianship authority may impose guardianship restriction on one or both parents, **and** may also entrust the administration of the child's property to a curator.

[keywords: guardianship authority]

Article 61.

§ 1. In the event of a transient impediment to the exercise of parental authority, the guardianship authority may order its suspension.

§ 2. When parents are unable to exercise parental authority due to a permanent impediment, or when they abuse their authority or grossly neglect their duties, the guardianship authority shall pronounce the termination of their parental authority.

[keywords: suspension of parental authority]

Article 62.

If neither of the parents is vested with parental authority or if the parental authority of both parents has been suspended, custody shall be established for the child.

[keywords: custody over child]

Article 63.

If the well-being of the child so requires, the guardianship authority shall prohibit the parents who have been deprived of parental authority from having personal contacts with the child.

[keywords: contact with the child, termination of parental authority]

Section IV. Adoption.

Article 64.

Adoption shall create the same relationship is between the adoptive parent and adoptee as between parents and children.

[keywords: adoption]

Article 65.

§ 1. Only a minor can be adopted, and then only for the minor's benefit. If a minor remains under the parental authority of both parents, adoption may take place only in exceptional cases.

§ 2. An appropriate age difference shall exist between the adoptive parent and adoptee.

§ 3. Only a person who has full legal capacity may adopt another person.

[keywords: adoption, child benefit, age of the child]

Article 66.

§ 1. Only spouses may adopt jointly.

§ 2. Adoption by one of the spouses may not take place without the consent of the other spouse, unless the latter has no legal capacity or where communication with them encounters obstacles that are difficult to overcome.

[keywords: adoption by spouses]

Article 67.

§ 1. Adoption shall take place under a decision of the guardianship authority at the request of the adoptive parent.

§ 2. Adoption requires the consent of the legal representative of the person to be adopted, and if the latter is at the age of thirteen years or older, then also the latter's consent.

[keywords: adoption, consent of the adopted]

Article 68.

§ 1. The adoptee shall be given the surname of the adoptive parent or, where adopted by spouses jointly, the surname of the husband.

§ 2. The adoptee may add their existing surname to the surname they have acquired by adoption, provided that the adoptive parent agrees.

[keywords: surname of the adopted]

Article 69.

§ 1. The parental authority or custody exercised over an adoptee previously shall cease once adoption takes place.

§ 2. Maintenance obligations between the adoptee and their family shall continue to exist only insofar as other persons who are obliged to provide maintenance are not able to meet their obligation.

[keywords: adoption, termination of parental authority]

Article 70.

§ 1. For valid reasons, both the adoptee and the adoptive parent may request the guardianship authority to terminate the adoption.

§ 2. If the adoptee has reached the age of majority, the adoption may be terminated by the court or by a concordant declaration made by the adoptive parent and adoptee in the form of a notarial deed.

§ 3. If the adoption relationship is terminated, the adoptee shall keep the surname which they acquired through adoption. For valid reasons, both the adoptive parent and adoptee may demand that the adoptee return to their former surname.

[keywords: termination of adoption]

**Section V.
Maintenance obligation.**

Article 71.

§ 1. Consanguinity shall give rise to a maintenance obligation. The maintenance obligation shall include the provision of means of subsistence and, where necessary, means of upbringing.

§ 2. The maintenance obligation shall exist only between relatives by blood in the direct line and between siblings.

§ 3. The maintenance obligation shall be imposed on the descendants before the ascendants, and on the ascendants before the siblings. If there are several descendants or ascendants, it shall be imposed on those of a closer degree before those of a further degree.

[keywords: consanguinity, maintenance]

Article 72.

If the maintenance obligation is imposed by blood relatives to the same extent, their liability shall be joint and several. A blood relative who has complied with their obligation may claim reimbursement from the co-responsible parties in the proportions that correspond to the earning and financial capacity of each of them.

[keywords: maintenance, joint and several liability]

Article 73.

A claim for maintenance shall only serve those in poverty. However, this provision shall not apply to claims of minor children against their parents.

[keywords: maintenance, poverty]

Article 74.

The extent of the maintenance obligation shall depend on the legitimate needs of the beneficiary and on the earning and financial capacities of the person obliged.

[keywords: scope of maintenance]

Article 75.

The person obliged may avoid maintenance in relation to a sibling if it is connected with excessive hardship for them or their immediate family.

[keywords: maintenance]

Article 76.

Where within the last three years prior to the judicial claim for maintenance, a person who has already been under obligation to provide maintenance has, without a valid reason, relinquished or otherwise let go of a property right, or has given up employment or changed it to a less profitable one, then the resulting change shall not be taken into account when assessing the ability of that person to provide maintenance.

[keywords: maintenance, ineffectiveness of a legal act]

Article 77.

§ 1. The father who is not the husband of the child's mother shall be obliged to contribute, to an extent appropriate in equity, to covering the expenses relating to the pregnancy and childbirth and the costs of three months' maintenance of the mother during the period of childbirth. For valid reasons, the mother may request the father to participate in the costs of her maintenance for more than three months.

§ 2. Where as a result of pregnancy or childbirth the mother has, through no fault of her own, incurred other necessary expenses or special property losses, she may demand that the father pay an appropriate share of such expenses or losses.

§ 3. The claims provided for in this Article shall expire after a period of three years from the childbirth.

[keywords: maintenance, childbirth, pregnancy]

Article 78.

Where the paternity of a man who is not the husband of the child's mother has been ascertained, the mother may demand that he pay, even before the child is born, an appropriate sum towards the mother's living expenses for three months during the period of childbirth, as well as towards the child's living expenses for the first three months after birth. The date and method of payment of these sums shall be determined by the court.

[keywords: maintenance, childbirth, child support]

TITLE III.
Custody.

Article 79.

§ 1. Custody of a minor shall be exercised by a guardian. A guardian shall be appointed by the guardianship authority as soon as the latter becomes aware that there is a legitimate reason to do so.

§ 2. A guardian shall exercise custody of the minor and their property in place of the minor's parents, and in doing so the guardian shall be subject to the supervision of the guardianship authority.

[keywords: guardianship]

Article 80.

A person who has no full legal capacity, or who has been deprived of public rights, honorary civic rights, parental rights or guardianship rights, or a person who is likely to fail to adequately perform their guardianship duties, may not be appointed as a guardian.

[keywords: guardianship, loss of public rights]

Article 81.

Where it is not precluded by the best interest of the minor, appointed as the guardian shall primarily be a person named by the father or mother, provided that they have not been deprived of their parental authority. In the absence of such a person, appointed as the guardian shall be a person from among the minor's relatives, persons close to the minor, or the minor's family members.

[keywords: guardianship, choice by a parent]

Article 82.

Assuming custody shall be a civic duty. It may be avoided only for valid reasons.

[keywords: guardianship, civic duty]

Article 83.

The guardian shall take the legally prescribed oath before the guardianship authority. The guardian should assume their duties immediately and perform them until either the custody is terminated or the guardian is dismissed.

[keywords: guardianship, oath]

Article 84.

The provisions on parental authority shall apply accordingly to the exercise of custody, subject to the provisions contained in the following articles.

[keywords: guardianship, parental authority]

Article 85.

The guardian should obtain the authorisation of the guardianship authority in all major matters that concern the minor's person or property.

[keywords: guardianship, administration of a child's property]

Article 86.

The guardian may not represent the persons in their custody in any legal transactions between them or transactions between either of those persons and the guardian or their ascendants, descendants, spouse or siblings, unless the transaction concerned consists exclusively of a free-of-charge benefit to the person in custody. The same shall apply to proceedings before a court or other authority.

[keywords: guardianship, representation of a child]

Article 87.

The guardian should submit reports to the guardianship authority concerning the minor, and accounts of the administration of the minor's property. If the income from that property does not exceed the likely costs of the minor's maintenance and upbringing, the guardianship authority may exempt the guardian from the obligation to provide detailed accounts of the administration.

[keywords: guardianship, settlement, management of a child's property]

Article 88.

If the custody involves administration of property that requires a significant amount of work, the guardianship authority may, at the guardian's request, grant the guardian appropriate salary or one-off remuneration payable upon the termination of the custody or dismissal of the guardian.

[keywords: guardianship, management of a child's property, remuneration]

Article 89.

A minor's claim against their guardian for damages caused by inadequate custody shall expire three years after the custody is terminated or the guardian is dismissed. The time limitation of the guardian's claim for reimbursement of expenses and expenditures relating to the custody shall be the same.

[keywords: guardianship, settlement, statute of limitations]

Article 90.

§ 1. The guardianship authority may dismiss the guardian at the latter's request for valid reasons.

§ 2. The guardianship authority shall dismiss the guardian if they are unable to provide custody due to factual or legal impediments or if they breach their duties.

[keywords: dismissal of a guardian]

Article 91.

If the custody is terminated or the guardian is dismissed, the guardian should within three months submit accounts of the administration of the minor's property. The guardianship authority may exempt the guardian from this obligation.

[keywords: guardianship, settlement, administration of a child's property]

TITLE IV.
Final provisions.

Article 92.

The implementation of this Law shall be entrusted to the Minister of Justice.

[keywords: delegation]

Article 93.

This Law shall enter into force on 1 October 1950.

[keywords: *vacatio legis*]

President of the Republic of Poland: *B. Bierut*

Prime Minister: *J. Cyrankiewicz*

Minister of Justice: *H. Świątkowski*