

<p><b>CITY OFFICE OF KRAKOW</b></p>	<p><b>SC-6</b></p>
	<p><b>TRANSFERRING TO THE CIVIL STATE REGISTER OF A FOREIGN CIVIL SERVICE DOCUMENT AS TRANSCRIBED</b></p>
<p><b>1. Handle the matter electronically</b> Not applicable</p> <p><b>2. Appendices</b> Appendix 1 to the SC-6 procedure - application for transcription of a birth certificate Appendix 2 to the SC-6 procedure - an application for marriage certificate transcription Appendix 3 to the SC-6 procedure - an application for the death certificate transcription Appendix 4 to the SC-6 procedure - power of attorney</p> <p>Full content of the procedure</p> <p><b>3. Sign language version</b> Not applicable</p> <p><b>4. Matter handled by</b> Civil State Registry Office: Lubelska 27, 30-003 Krakow, Interpretation of Transcripts of Foreign ASCs, p. III, room 304, 305, 307, 308. Telephone hotline: 12 616-55-54 fax: 12 616-55-72</p> <p><b>5. Documents from the Applicant (client)</b></p> <ol style="list-style-type: none"> <li>1. Reporting with the site's statement that it has not occurred so far with a similar application to civil registry offices in Poland (application forms are attachments to this procedure: Annex No. 1 - application form for transcription of birth certificate, Annex No. 2 - application form for transcription of marriage certificate, Annex No. 3 - Sample application form for transcription of an act death). In the case of transcription of a foreign marriage certificate, a statement of the spouses about the choice of surnames to be worn after marriage and a statement on the selection of surnames for children from marriage (included in the application for the marriage certificate - annexed. 2 to this procedure) if the foreign document subject to transcription does not contain them.</li> <li>2. Identification. <ul style="list-style-type: none"> <li>● ID card or passport</li> </ul> </li> <li>3. The original of a foreign copy of the act that is to be transcribed, or a photocopy confirmed by the authority that prepared the file and is entitled to issue copies of it along with the official translation into Polish. The translation should be made by a sworn translator entered on the list maintained by the Minister of Justice, a sworn translator competent to translate in the Member States of the European Union or the European Economic Area (EEA) or</li> </ol>	

in a foreign language translated into Polish by an interpreter in the host country and certified by the consul and documents translated from a language rarely found in the language known to the consul, and then translated by the consul into Polish. Translation copies of civil registration documents issued on a multilingual print, prepared in accordance with the Vienna Convention of September 8, 1976, do not require translation.

4. Power of attorney - in the case of appointing a representative for delivery or a proxy to conduct the case. The power of attorney may be granted in the application by filling in the appropriate item that is in its contents (in Annex No. 1 to this procedure Item No. 8, Annex No. 2 to this Procedure Item No. 8 in Annex No. 3 to this Procedure - item no. 5) or in another written form, eg by using the template, which constitutes Annex 4 to this procedure.
5. Personal ID card and military book of the deceased (if available) in the case of transcription of a foreign death certificate.

#### **6. Fees**

1. Stamp duty for issuing a complete copy transferred by way of transcription of a foreign civil status document to the civil registry - 50.00 PLN.
2. Stamp duty from submitting a power of attorney - PLN 17.00 (does not apply to powers of attorney granted to a spouse, ascendant, descendant or siblings, when the principal is an entity exempt from stamp duty or in the case of appointing a proxy only for deliveries).
3. Payments for stamp duty can be made to the bank account of the Municipality of Krakow 49 1020 2892 2276 3005 0000 0000 (e.g. at the post office, by bank transfer) or without additional charges at branches of the bank PKO Bank Polski SA in Krakow and at the Office's ticket offices. The proof of payment of the stamp duty owed must be attached to the application.
  - Account for cross-border settlements: BIC PKO Bank Polski S.A.: BPKOPLPW 49 1020 2892 2276 3005 0000 0000

#### **7. Form of consideration**

Transfer to the civil registry by way of transcription of a foreign civil status document and issuing a complete copy of it.

An administrative decision in case of refusal to transfer a foreign act in the transcript mode to the civil registry.

#### **8. Time of consideration**

Immediately, up to a month in cases requiring explanatory proceedings, and in matters of complexity up to two months.

#### **9. Documents obtained in the proceedings**

Not applicable

#### **10. Appeal mode**

From the decision issued, the party may appeal to the Małopolska Province Governor

via the Head of the Civil Registry Office within 14 days of its delivery (Art. 127 § 1 and 2 and Art. 129 § 1 and 2 of the Code of Administrative Procedure).

## **11. Legal basis**

1. Art. 2, art. 22, art. 26, art. 31, art. 104, art. 105, art. 106, art. 107 of the Act of November 28, 2014. The law on civil status files (unified text Journal of 2016, item 2064, as amended ).
2. Art. 33, art. 35, art.36, art76a, art.79a and art. 104 of the Act of 14 June 1960. Code of Administrative Procedure (unified text Journal of Laws of 2017 , item 1257).
3. Regulation of the Minister of the Interior of February 9, 2015 on the manner of keeping a civil-status register, and an act of collective registration of civil status (unified text Journal of Laws of 2015, item 1904).
4. Art. 20a, par. 1 or 2 of the Act of February 17, 2005 on Computerization of the Activities of Entities Performing Public Tasks (unified text Journal of Laws of 2017, item 570, as amended ).
5. Act of 5 September 2016 on trust services and electronic identification (Journal of Laws of 2015, item 1579).
6. Art. 2 point 5 of the Act of 18 July 2002 on the provision of electronic services (unified text Journal of Laws of 2017 item 1219).
7. Act of 16 November 2006 on Stamp Duty (unified text Journal of Laws of 2016, item 1827, as amended).
- 8.Regulation of the Minister of Finance of September 28, 2007 on the payment of stamp duty (Journal of Laws of 2007, no. 187, item 1330).
9. Art. 4 and 5 of the Act of 7 October 1999 on polish language (unified text Journal of Laws of 2011 item 224, as amended).
10. Art. 38 of the Act of 24 September 2010 on population records (unified text Journal of Laws of 2017, item 657).
11. Regulation of the Minister of the Interior of January 29, 2015 regarding the model of ID card and the manner and procedure for issuing identity cards, their loss, damage, cancellation and return (Journal of Laws of 2015, item 212).
12. § 10 of the Regulation of the Minister of National Defence of June 10, 1992 on the service of military personal documents and the procedure for dealing with the documents (Journal of Laws of 1992 no. 51, item 233, as amended).

## **12. Additional information for the client**

1. An application to the selected head of the registry office for transcription may be submitted by the person concerned by the transcribed event, or another person who has a legal interest in the transcription, or the actual interest in transcribing the document confirming the death.
2. A Polish citizen who is covered by a foreign civil status document should obligatorily submit a transcription application for the above-mentioned a document in the event that it has a civil status certificate confirming earlier events made in the Republic of Poland and requests performing civil registration activities, or applies for a Polish identity document or a PESEL number.
3. If a foreign civil status document confirming the marriage

does not contain a record of the spouses' declaration regarding their name after marriage, the spouses can submit such statements in the submitted transcription application (fill in the item concerning the selection of surnames, filled in the appendix No. 2 to the SC-6 procedure), or in at any time, submit them to the record in front of the head of the registry office who transcribed. In the same way, the spouses can make a statement regarding the names of children born from this marriage (please fill in the item regarding the choice of surname for children, also included in the application - appendix No. 2 to the SC-6 procedure).

4. In the event of inability to communicate with the party submitting a statement affecting the marital status of a person, due to the lack of knowledge of the Polish language, this person is obliged to provide a sworn translator with the language used by that person.

5. An attorney may be a natural person with legal capacity. The power of attorney should be granted in writing (eg by filling in the relevant position contained in the application - Annex No. 1, 2, or Annex 4 to procedure SC-6), in the form of an electronic document or submitted to the minutes. The power of attorney in the form of an electronic document should be authenticated using the mechanisms specified in art. 20a para. 1 or 2 of the Act on computerization of the activities of entities performing public tasks. The proxy attaches to the file the original or officially certified copy of the power of attorney. A lawyer, legal advisor, patent attorney, and tax advisor may themselves authenticate a copy of the power of attorney granted to them and copies of other documents showing their authorization. If a copy of the power of attorney or copies of other documents showing the authorization have been prepared in the form of an electronic document, they are authenticated using the mechanisms specified in the Act on the computerization of entities performing public tasks.

6. A foreign civil status document confirming birth, marriage or death, submitted together with an application to transfer it to the Polish civil registry after transcription is not refundable.

At the request of a person who submits a foreign civil status document, this document may be issued after a certified copy of the civil registry officer has been made, but only if the applicant can not obtain the document again.

Developed by: Beata Dubis Deputy Head of the Civil State Registry	Opinion presented by: Legal adviser Beata Kachlik Date: 13.07.2017	Approved by: Edmund Olczak Head of the Department Head of the Civil State
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