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Title: Recovery of foreign currency claims in civil proceedings

The main objective of the dissertation is to conduct research on the legal provisions governing the recovery of claims in foreign currency in Polish civil proceedings. In order to analyze arising problems thoroughly, it is also necessary to present reflections on the status of the foreign currency debts in Polish legal system and substantive law that allows a debtor to discharge his foreign currency debt by making a payment in the Polish currency. The main question to be answered in the thesis is whether the current legislation guarantees sufficient protection of the creditor's interest, in particular allowing the creditor to obtain foreign currency in enforcement or bankruptcy proceedings.

The dissertation is divided into 6 chapters with an introduction and conclusion. First two chapters cover general issues relating to foreign currency obligations and applicable substantive law. The third chapter describes the proceedings before court and various enforcement orders that, after obtaining a writ of enforcement, can be used as enforcement titles. The fourth chapter covers the proceedings to issue a writ of enforcement and documents that, despite not being considered enforcement orders, can be enforced after obtaining a writ of enforcement. In the fifth chapter I analyze the course of enforcement proceedings and describe what the conditions are for the creditors to obtain foreign currency in enforcement proceedings and when they will only receive the equivalent of the foreign currency debt in the Polish currency. The last chapter describes foreign currency claims in bankruptcy and restructuring proceedings.

The main conclusion is that examined rules of civil procedure generally take into account the interest of the creditor of a foreign currency debt and allow him to obtain the currency indicated in the obligation. However, there are some structural differences between procedural and substantive law in this matter. The exceptions are bankruptcy proceedings, where the creditor will always obtain the Polish currency, even if this is contrary to the obligation.