

The subject matter of this dissertation addresses the prerequisites for an appeal to revoke a verdict by the Court of Conciliation as an instrument designed to control the conciliation judiciary by the state. The primary objective of the dissertation was to confirm the research hypothesis that the appeal to revoke the verdict of the Court of Conciliation is a key legal instrument provided for by the legislator to ensure control over the compliance of the conciliation judiciary with the basic precepts of the legal order. The purpose of the paper was also to prove the hypothesis according to which the prerequisites for the appeal to revoke the verdict by the Court of Conciliation are interpreted by the Common Courts in an extremely restrictive manner, and as a result, the appeals lodged are very rarely considered. Whereas, the auxiliary hypothesis posed in the course of deliberations assumed that a legal framework for the appeal established by the legislator is formulated in a fundamentally correct manner creating a complete and coherent system.

The work follows both a legal dogmatic and historical legal method. A very important part of the work is the analysis of the existing body of case law issued under Article 1206 of the Code of Civil Procedure. The dissertation analyzes and describes several hundred rulings, including unpublished judgments. Thanks to the adopted research methods, the prerequisites for the appeal were discussed in both formal and practical terms.

The considerations made are covered within 7 chapters preceded by an introduction. It should be emphasized that the relevant part of the considerations is each time made on the basis of the reviewed case law and concludes with a summary. The exception is the fourth chapter in which a statistical analysis presented by way of charts was carried out.

The first chapter notes that the lawmaker equipped the Common Court with an array of instruments by means of which it can exercise its control over the conciliation judiciary in the various phases of legal proceedings, with the appeal

to revoke the verdict by the Court of Conciliation being the most far-reaching, impactful and consequential form of interference by the Courts of Common Law with the Arbitration Court's freedom of action. In this regard, the most prevalent practical forms of permissible interference by the Common Court with the Arbitration Court's activities both in the pre-trial, trial stages or in the phase of recognition of the verdict are presented. Using the example of the institutions discussed in the commented chapter, considerations were made on the limits of the conciliation judiciary 's autonomy.

In the second chapter, general remarks were made about the appeal to revoke the Conciliation Court's verdict. In addition, as part of the chapter under review, it was argued that the provisions governing the complaint are peremptory (*ius cogens*) in nature. Examining the above, deductions were made concerning the Courts of Arbitration, settling disputes in which one of the parties is the entity that establishes the Arbitration Court and organizes its work. The aforesaid accumulation of roles will then be thoroughly analyzed in terms of a possible allegation of violating the equality of the parties to the proceedings.

Following the theoretical and legal deductions, the complaint is set out in comparative terms, outlining the assumptions governing the complaint under the UNCITRAL Model Law.

The third chapter begins with a historical analysis of the wording of the laws governing the appeal. The scope of interest covers the national laws governing the appeal to revoke the verdict reached by the Court of Conciliation, in effect from 1930 to the present day. In this context, similarities and differences between the various draftings of the regulations are highlighted and further discussed.

In the fourth chapter, a statistical analysis is made of the judgments by the Common Courts located within the boundaries of the Warsaw Appellate Court's jurisdiction in which the appeal to revoke the Conciliation Court's verdict, was considered. It should be underlined that this analysis covers almost all judgments

passed as a result of considering the appeal to revoke the Conciliation Court's verdict by the courts located within the boundaries of the Warsaw Appellate Court's jurisdiction, including unpublished rulings. The subject of the statistical analysis was, in particular, the type of rulings issued as a result of filing a complaint to revoke the Conciliation Court's judgment. Thanks to the study, it was possible to draw conclusions about the low effectiveness of the appeal as an instrument aimed at overturning the Conciliation Court's decision. In addition, the frequency of claimants' invocation of the various grounds was analyzed, which led to a conclusive finding that by far the most commonly raised claim is a breach of the public policy clause.

The last two key chapters of the work discuss the various prerequisites for an appeal to revoke the judgment made by the Conciliation Court. The primary purpose of the fourth and fifth chapters is their attempt to answer the question as to what situations in the evaluation of the body of case law developed thus far can be qualified as a premise for repealing the Conciliation Court's ruling.

Each of the prerequisites is discussed separately, with the observations made correlating with each other and with reference to other provisions of law, including, for example, the Criminal Code or the Civil Code.

As a result of the analysis, it became clear that the hypothesis posed turned out to be correct and proven, since both the drafting of the individual prerequisites of the appeal to revoke the Conciliation Court's verdict and their practical application by the courts should be evaluated positively as an expression of the exceptional nature of the complaint, and, further, the primacy of the principle of the autonomous position of the conciliation judiciary in the Polish legal system.