

# Epidemic-Related Protection of the Indebted Employee, and the Impact on Circumstances of the Entrepreneur Employer Regarding Salary Attachment



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**Abstract** The right to collect debt effectively in judicial enforcement proceedings has been significantly curtailed during the COVID-19 epidemic. Outcomes of reducing employees' livelihood income have been temporarily moderated by increasing the garnishment-exempt amount. Not only does this regulation have significant influence over the debtor's (employee's) procedural circumstances—it also indirectly affects businesses (entrepreneurs) who are also employers, i.e. entities obliged to provide benefits to the enforcement debtor.

Legal provisions have opened up the regulation wide to potential abuse in application, encouraging dishonest and disloyal behaviour and fuelling claimant attitudes. They clearly boost and favour the debtor's procedural position at the expense of creditor rights. The statutory mechanism does not differentiate between individual debtors, failing to account for confirmed family or asset property circumstances. It further undermines the assumption that enforcement proceedings under civil law should serve the purpose of securing efficiency and true effectiveness of benefits arising from final judicial rulings. Procedural regulations ought to be assessed in view of values underpinning the principle of proportionality, and the related need to ensure equality for all participants in legal proceedings.

## 1 Introduction

Regardless of whether businessmen or consumers, all debtors should voluntarily pay their civil law claims. In practice, however, debtors frequently avoid payment, or lack the capacity to cover claims. Hence the need to develop a legal protection

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system allowing forced claim collection.<sup>1</sup> A normative civil law enforcement mechanism,<sup>2</sup> the process has to comprise an enforcement stage. Writ of execution enforcement remains an essential operational component of broadly defined justice. Enforcement bodies, the lead role among them conferred upon the bailiff,<sup>3</sup> are obliged to perform duties stipulated in legal acts classified as writs of execution, their characteristics including enforceability.<sup>4</sup>

Effective and inescapable procedural instruments necessitate delivery under civil law obligations, offering a sense of legal security. All legal transactions benefit from the capacity to implement realisable norms. In combination with the principle of swift judicial enforcement,<sup>5</sup> effective enforcement remains an immanent component of the right to fair trial, and a prerequisite for economic development—the capacity to secure enforcement recognisable as swift and effective is essential.<sup>6</sup> Nonetheless, the effectiveness of judicial enforcement in practice is not particularly high, the debtor's position progressively reinforced over the years at the creditor's expense one of the reasons.<sup>7</sup>

## 2 Enforcement Proceedings in the COVID-19 Epidemic Context

The right to collect debt effectively in judicial enforcement proceedings has been significantly curtailed during the COVID-19 epidemic. From the year 2020 onward, multiple processual regulations have been introduced pursuant to the so-called COVID Law of March 2<sup>nd</sup> 2020<sup>8</sup> as well as other legislation. Attempts were made to influence the way courts of law functioned in emergency crisis conditions,<sup>9</sup> particularly in terms of the open justice principle<sup>10</sup>; the course of judicial proceedings with regard to so-called urgent case category was interfered with<sup>11</sup>; and judicial deadlines were tampered with.<sup>12</sup>

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<sup>1</sup> Gaul (2003), p. 34.

<sup>2</sup> Zembruski (2017), p. 152.

<sup>3</sup> Bomba (2020), p. 22.

<sup>4</sup> Zembruski (2022b), p. 7.

<sup>5</sup> Derlatka (2017), p. 119.

<sup>6</sup> Łazarska (2012), p. 308.

<sup>7</sup> Romańska (2021), p. 502; Cieślak (2022), p. 21.

<sup>8</sup> The Law of March 2<sup>nd</sup> 2020 on special-purpose solutions linked to the prevention, deterrence and control of COVID-19, other infectious diseases and emergencies caused by the same (uniform text: *Journal of Laws* 2021, item 2095). Hereinafter referred to as “*the COVID-19 Law*”.

<sup>9</sup> Kulski (2020), p. 441.

<sup>10</sup> Kościółek (2021), p. 22; Litowski (2021), p. 68; Machnikowska (2021), p. 80.

<sup>11</sup> Gapska (2020), p. 949.

<sup>12</sup> Gołaczyński (2020), p. 396.

Regulations were hastily designed and amended in the early phase of the pandemic in particular, the incoherence and inconsistency of extensive legal regulations occasionally glaring.<sup>13</sup> Their typical features would include punctiliousness combined with attempts at introducing *ad hoc* solutions to crisis emergencies and ever-increasing doubts through hurried patching.<sup>14</sup> Legislative action taken at the time might well be considered a manifestation of the rightly stigmatised phenomenon of “*bypassing standards of proper legislation and deviating from good legal norms*”.<sup>15</sup> The functioning of assorted mechanisms introducing special-purpose legal circumstances for the epidemic period increasingly prompts critical reflection<sup>16</sup> and analysis.<sup>17</sup> The above becomes even more significant in view of the fact that the state of epidemic threat has not been formally revoked until this day.<sup>18</sup> In consequence, the judiciary in Poland shall continue operating in altered social and procedural reality for months to come.

With regard to regulations introduced in connection with the epidemic, controversial solutions regarding property (real estate) execution were pointed to most frequently.<sup>19</sup> Noted and analysed less often, not only are amendments to salary garnishment (Articles 880-888 of the Code of Civil Procedure)<sup>20</sup> significant in determining the indebted employee’s procedural circumstances—they also, albeit indirectly, affect employers (most usually businesses) as entities obliged to provide benefits to the enforcement debtor.

Pieces of legislation commonly referred to as the “protective shield” or “shield legislation” have included the Law of May 14th 2020 amending selected acts of law with regard to protective measures taken in conjunction with the spread of the SARS-CoV-2 virus.<sup>21</sup> In Article 52, it references salary attachment, expanding debtor protection<sup>22</sup> through awarding additional enforcement waiver rights. The provision concerns amounts listed under Article 87<sup>1</sup> §1 of the Labour Code,<sup>23</sup> thus

<sup>13</sup>Zembrzuski (2022d), *Przeciwdziałanie*, p. 59.

<sup>14</sup>Zembrzuski (2022c), *Ograniczenia*, p. 4.

<sup>15</sup>Izdebski (2021), p. 29.

<sup>16</sup>In something of a counterbalance, it ought to be pointed out that legal regulations and institutions which had seen daylight at the time do include favourable solutions, primarily including the dynamically evolving computerisation of judicial proceedings and bold moves to introduce state-of-the-art technologies. See Gołaczyński, Kotecka-Kral (2020), p. 637; Gołaczyński (2022), p. 145; Gołaczyński and Dymitruk (2021), p. 685; Zembrzuski (2023), (in press).

<sup>17</sup>See e.g. the special edition of *Polski Proces Cywilny 2022/1, Wymiar sprawiedliwości w czasach pandemii COVID-19 (Justice in Times of the COVID-19 Pandemic)*.

<sup>18</sup>January 15<sup>th</sup> 2023.

<sup>19</sup>Kulski (2022), p. 149; Łyszczek (2022), p. 150; Ged (2022), p. 291.

<sup>20</sup>Code of Civil Procedure of November 17<sup>th</sup> 1964 (uniform text: *Journal of Laws* 2021, item 1805, as amended).

<sup>21</sup>*Journal of Laws* 2022, item 875. Hereinafter referred to as “Shield Law”.

<sup>22</sup>The provision came into force as of May 16<sup>th</sup> 2020.

<sup>23</sup>Labour Code Law of June 26<sup>th</sup> 1974 (uniform text: *Journal of Laws* 2022, item 1510, as amended). Hereinafter referred to as “the LC”.

interfering with principles stipulated in the Code of Civil Procedure. A special-purpose norm, it should therefore not be interpreted in an extending manner (*exceptiones non sunt extendendae*). Yet it also applies to enforcement against other recurrent benefits provided as subsistence or constituting the only source of income for private individual (natural person) debtors.<sup>24</sup>

### 3 Increases to Garnishment-Exempt Salary Attachment Amounts

Pursuant to Article 833 of the Code of Civil Procedure, employee salaries may be subject to enforcement to the extent stipulated in Labour Code provisions.<sup>25</sup> Consequently, employee salaries<sup>26</sup> are subject to collection for alimony purposes up to three-fifths, salary amount notwithstanding (Article 87 §3 item 1 of the LC), and up to one-half for purposes of other payables (Article 87 §3 item 2 of the LC). Yet the salary amount equal to the minimum wage full-time employees are eligible for shall be garnishment-exempt, said wage determined pursuant to separate legal provisions.<sup>27,28</sup>

Article 52 of the Shield Law mitigates the outcomes of reducing employees' livelihood income. Should an employee's pay be cut "*for reasons of measures taken by sanitary-and-epidemiological services on the territory of the Republic of Poland with intent to prevent SARS-CoV-2 viral infection*", the garnishment-exempt amount shall be increased, the debtor's family circumstances taken into account as well. Consequently, limitations on enforcement have been introduced<sup>29</sup> through restrictions to the interest of one of the participants of proceedings to collect (the creditor) to the benefit of another participant (the debtor).

The application of the mechanism stipulated under Article 52 of the Shield Law has been linked to the subjective aspect of a household shared with family members of the indebted employee. The garnishment-exempt amount has been increased by 25% per each of the employee's non-earning dependents, albeit only until the end of the COVID-19 epidemic. Notwithstanding the above, a proviso has been

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<sup>24</sup>Proper application of Article 87<sup>1</sup> of the LC arises from Article 833 §1<sup>1</sup>, 2 and 2<sup>1</sup> of the Code of Civil Procedure.

<sup>25</sup>Kamieński (2022), p. 68.

<sup>26</sup>After social security premiums, Personal Income withholding Tax and Employee Equity Plan payments, had the contribution schedule not been cancelled.

<sup>27</sup>Pursuant to the Council of Ministers ordinance of September 13<sup>th</sup> 2022 regarding the minimum salary and minimum hourly wage in the year 2023 (*Journal of Laws* 2022, item 1952), the minimum salary shall amount to PLN 3,490,00 and PLN 3,600,00 as of January 1<sup>st</sup> 2023 and July 1<sup>st</sup> 2023, respectively.

<sup>28</sup>Should the employee be employed part-time, amounts stipulated under Article 871 §1 of the LC shall be reduced in proportion to the contract worktime.

<sup>29</sup>Romańska (2022), p. 173.

introduced,<sup>30</sup> reducing the exemption threshold to 50% of the amount stipulated under Article 87<sup>1</sup> §1 of the LC.

The Law lists a catalogue of family members defined as dependents the protective regulation shall apply to. These include spouses and/or co-parents, minor children, children younger than 25 years of age if in the education system, or any older children if with disabilities. With regard to the aforesaid catalogue, the Law stipulates that the above shall apply to the employee's own children, and/or children of the spouse or co-parent, provided that the employee had been the children's provider. The legislator acted upon the assumption that the formerly garnishment-exempt minimum wage amount will be insufficient to provide for the family of an employee with family dependents (non-earning spouse or children), especially if some employees find themselves unemployed or with pay reductions as a result of protective measures taken.<sup>31</sup>

## 4 Application Scope for Article 52 of the Shield Law

The standard arising from Shield Law Article 52 shall apply in three cases: (1) of the debtor employee's salary being cut by the employer; (2) of a family member of the debtor employee losing his/her source of income; (3) of the two aforesaid reasons coinciding. The aforementioned shall apply to occurrences tying in with measures stipulated in the COVID-19 Law, the act specifying i.a. the principles, procedures and public administration bodies' responsibilities in the area of preventing and deterring SARS-CoV-2 viral infections and the spread of the infectious disease caused by the said virus in the human population, including principles and procedures to be observed when taking anti-epidemic and preventive measures with a view to neutralise sources of infection and cutting the infectious disease spread pathways. The law further regulates rights and responsibilities of benefit providers, beneficiaries and other persons present on the territory of the Republic of Poland as concerns measures to prevent and/or deter infections and/or the infectious disease.

Rationale for applying Shield Law Article 52 may include termination of employment and/or remuneration conditions (the so-called amending notice) arising from the need to take measures to prevent SARS-CoV-2 viral infection, or the employer entering into<sup>32</sup> a collective agreement with trade union organisations and/or the in-house trade union organisation with regard to conditions and procedures of work to be performed in times of economic standstill or reduced working hours.<sup>33</sup>

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<sup>30</sup>As of July 7<sup>th</sup> 2022.

<sup>31</sup>Justification to the governmental draft of the Law amending selected acts of law with regard to protective measures taken in conjunction with the spread of the SARS-CoV-2 virus, *Sejm* (Lower House) in the 9<sup>th</sup> term of office, *Sejm* publication No. 344, p. 78.

<sup>32</sup>Written form of the agreement shall be of consequence to evidence collection (*ad probationem*).

<sup>33</sup>Or with employee representatives, should there be no in-house trade union organisation.

Proportional pay cuts as a result of working hours having been reduced for the employee may be a factor as well.<sup>34</sup> Consequently, a reduction to the debtor employee's salary (or a family member losing his/her job) for any other reason shall not make the debtor eligible for applying the otherwise favourable Shield Law Article 52 solution.<sup>35</sup> Statutory and non-statutory factors<sup>36</sup> may occasionally coincide.

The effort to define and delineate aforementioned circumstances raises the occasional doubt – and may prove impossible under some circumstances. Reference sources argue that *“provisions increasing the garnishment-exempt salary amount have been based on sufficiently vague legislative prerequisites to merit extreme criticism, having offered vast space for potential creditor abuse with intent to harm.”*<sup>37</sup> Greatest objections have been raised with regard to the failure to differentiate between debtor circumstances, and setting up a mechanism without heed for the debtor's true family and asset situation. The provision offers equal protection to persons in poor and sound financial condition.

The legislator has failed to specify the amount of salary reduction making employees eligible for an increase in the minimum garnishment-exempt remuneration amount. Article 52 of the Shield Law shall apply not only when the employee takes a considerable pay cut, but also if the reduction is symbolic. It goes without saying that any—however token—reduction in salary gives rise to a considerable increase in the garnishment-exempt amount. The interpretation doctrine accentuates that once remuneration is reduced by PLN 0.01 pursuant to the employee's agreement with the employer (entrepreneur), the minimum garnishment-exempt remuneration amount grows by 25%, a development easily classifiable as a manifestation of abusing the law.<sup>38</sup>

The rationale of the debtor employee's family member *“losing his/her source of income”* is equally vague in nature. The term cannot ostensibly be considered tantamount to *“loss of income”*<sup>39</sup> as stipulated in the COVID-19 Law.<sup>40</sup> This means that prerequisites for applying Shield Law Article 52 should not involve a reduction in salary or other earnings, but rather and exclusively their complete loss<sup>41</sup> pursuant to the employer terminating the employee's contract or failing to enter into a successive employment contract, the latter in case of fixed-term or trial period agreements. Furthermore, employment contract termination in an ordinary procedure (Article 30 *et seq.* of the LC) rather than on grounds of temporary epidemic provisions renders the use of preferences arising from Article 52 of the Shield Law unjustified as well.

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<sup>34</sup>Pursuant to Article 5zzzzzq clause 1 item 3 and Article 15zzzzzs clause 1 of the COVID-19 Law.

<sup>35</sup>Marciniak (2020), p. 667.

<sup>36</sup>E.g. the employee losing his/her capacity or eligibility to perform work.

<sup>37</sup>Łyszczek (2022), p. 153.

<sup>38</sup>Rydel (2023), p. 434.

<sup>39</sup>Defined as a reduction in salary or wages earned under an employment or other job contract.

<sup>40</sup>Marciniak (2020), p. 669.

<sup>41</sup>Kulski (2022), p. 155.

One might also express doubt with regard to the aforesaid regulation's applicability should the employee's family member lose only one of many sources of income.

In light of the above, one might well conclude that Article 52 of the Shield Law is imprecise, opening the regulation wide to application-related abuse. The above arises from an assumption that the minimum salary as defined under Article 87<sup>1</sup> §1 of the Code of Civil Procedure is unconditional in nature, whereas the minimum salary increased pursuant to the Shield Law depends on specific conditions having been met, which makes it a relative (conditional) category.<sup>42</sup> Unwarranted use of increased debtor protection may arise from difficulties in verifying the presence of statutory prerequisites for the regulation under analysis, as well as from the variability of the amount of remuneration payable to the employee. An employee who had taken advantage of the Shield Law Article 52 standard cannot in all likelihood be expected to file a statement to confirm occurrences duly eliminating the prerequisites for an increase the garnishment-exempt amount under changed circumstances, such statement blatantly to his/her disadvantage. Furthermore, one cannot reasonably expect employers (entrepreneurs) to immediately redefine amounts to be collected and transferred to a bailiff once having obtained new and relevant information.

## 5 Proceedings Required to Increase the Garnishment-Exempt Amount

The procedure of determining the form of applying Article 52 of the Shield Law may trigger reasonable doubt as well. It remains unclear whether and to what extent due modification ought to arise from action taken by the employer (entrepreneur) or—conversely—by the bailiff handling the enforcement procedure and salary attachment.<sup>43</sup>

Choosing legislative phrasing of the garnishment-exempt amount to read “*being subject to an increase*” means that the outcome takes place by law, once one of the statutory prerequisites have been met. As an entity concerned with securing greater protection when under enforcement, the employee should file a respective demand listing justifying facts and evidence to support them.<sup>44</sup>

Notably, the court bailiff—when serving the employer with a demand to refrain from paying the debtor employee his/her remuneration in the amount of the benefit under enforcement and until the claim has been covered in full<sup>45</sup>—does not specify the amount of the part of the salary to be transferred to the enforcement body.<sup>46</sup>

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<sup>42</sup>Marciniak (2020), p. 674.

<sup>43</sup>Kulski (2022), p. 156.

<sup>44</sup>Marciniak (2020), p. 673.

<sup>45</sup>Excepting the garnishment-exempt salary amount.

<sup>46</sup>Or to the creditor.

Respective calculations are then prepared by the employer,<sup>47</sup> their correctness only verifiable by the bailiff. This means that requests for increased garnishment-exempt amounts pursuant to Article 52 of the Shield Law should not be filed with the enforcement body then duly charged with assessing their admissibility and/or justifiability. Such requests should be addressed to the employer (most usually a business) responsible for handling the salary attachment.<sup>48</sup> The burden of proving circumstances justifying any increase in the garnishment-exempt salary amount rests with the employee, the employer charged with verifying all documents attached to the application. Request approval gives rise to an obligation to notify the court bailiff and creditor as appropriate without undue delay.

When in doubt, the bailiff may serve the employer with a demand to submit clarification with regard to applying Article 52 of the Shield Law.<sup>49</sup> The creditor is also authorised to seek and secure respective knowledge.<sup>50</sup> Should the employer refuse to provide clarification without justification, provide incomplete clarification, or knowingly submit false information, he/she may be penalised with a fine<sup>51</sup> or face criminal charges for failing to meet or abusing his/her professional duties.<sup>52</sup> The employer may be also held responsible for damages to the creditor (Article 886 §3 of the Code of Civil Procedure). It is, however, doubtful, whether creditor protection will be sufficient under such circumstances.

The legislator is responsible for designing rules and mechanisms of judicial enforcement in a form and manner rendering all measures taken as part of proceedings to seek claim coverage specific, non-arbitrary, and subject to no extension interpretation or analogy.<sup>53</sup> The introduction of any execution-related prerogatives should involve a detailed delineation of their nature, prerequisites and time restrictions. None of the above have been met in the case in point. Once interpreted, Shield Law Article 52 gives rise to grave doubts, indirectly encourages dishonest and disloyal behaviour, and fuels claimant attitudes. It can further cause disorientation in the business employer community.

Negative consequences of greater employee protection from the viewpoint of salary attachment effectiveness are already visible in practice,<sup>54</sup> frequently making it completely impossible for creditors to seek redress or enforce claims due to them.<sup>55</sup> The current circumstances generate something akin to an enforcement

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<sup>47</sup>In consideration of Article 87 *et seq.* of the LC in conjunction with Article 833 of the Code of Civil Procedure. For details, see Marciniak (1986), p. 5; Jackowiak and Dalka (1992), p. 58; Antkiewicz (2010), p. 59.

<sup>48</sup>Once filed with the court bailiff, the request should also be served to the employer.

<sup>49</sup>Pursuant to Article 761 §1 of the Code of Civil Procedure.

<sup>50</sup>Borek, Wisłocki (2017), p. 173; Flaga-Gieruszyńska (2018), p. 317.

<sup>51</sup>Up to and including PLN 2,000.00.

<sup>52</sup>Marciniak (2002), p. 5.

<sup>53</sup>Zembrzuski (2022), *Kilka uwag*, p. 13.

<sup>54</sup>See statistical data in: Łyszczek (2022), p. 151.

<sup>55</sup>Marciniak (2020), p. 676.



immunity for the employee,<sup>56</sup> its presence destabilising business relations and breaching the principle of equality before the law.

## 6 Overprotection of the Debtor

The purpose and subject matter of any enforcement procedure turn it into a forum where creditor and debtor interests—contradictory to the core—tend to clash.<sup>57</sup> Protecting debtors against parties interfering with their rights and freedoms rests upon powerful axiological foundations, an expression of humane proceedings, respect for human dignity, and need to provide the debtor with a modicum of sustenance.<sup>58</sup> Yet whether directly or not, such protection usually occurs at the expense of the creditor. Debtors are gaining ever more extensive protection, the phenomenon giving rise to the following question: where should the line be drawn in terms of regulating measures to deliver under the rule of refraining from burdening the debtor beyond reasonable need when collecting financial claims?<sup>59</sup> Enforcement procedure effectiveness should be the fundamental point of reference. The need to protect the debtor should not occasion enforcement distortion caused by failing to respect the principle of equality for all parties concerned, or any other applicable rules of civil law proceedings.<sup>60</sup> Enforcement should remain a coherent system, a resultant of private and public interest protection to the extent required.<sup>61</sup> Failing that, one would be hard-pressed to imagine processes of building or boosting any sense of legal security.

Satisfying claims under private law in judicial enforcement proceedings is the fundamental purpose of judicial enforcement,<sup>62</sup> any procedural regulations duly assessed in consideration of values from beyond the processual system: the principle of proportionality, and the related need to secure equality for all parties to legal proceedings.<sup>63</sup> The regulation under analysis is in glaring breach of the principle of proportionality, grounded in Article 31 clause 3 of the Polish Constitution<sup>64</sup>—the meta-principle determining the use of other rules.<sup>65</sup> It engenders unjustified depletion in—if not deprivation of—the creditor’s right to collect any due claims. It contravenes the thesis pursuant to which enforcement rules should “*primarily and*

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<sup>56</sup>Łyszczek (2022), p. 149.

<sup>57</sup>Zembrzuski (2022b), *Kilka uwag*, p. 12.

<sup>58</sup>Cieślak (2022), p. 40.

<sup>59</sup>Muliński (2022), p. 81.

<sup>60</sup>Gudowski (2005), p. 1015.

<sup>61</sup>Rosmarin (1935), p. 434.

<sup>62</sup>Zembrzuski (2022a), *Funkcje i cele*, p. 830.

<sup>63</sup>Cieślak (2020), p. 13.

<sup>64</sup>Marciniak (2020), p. 677; Rydel (2023), p. 434.

<sup>65</sup>Śledzińska-Simon (2019), p. 23.

*predominantly focus on his/hers (the creditor's) interest*".<sup>66</sup> While debtor protection boosting tendencies are reflected in the centuries-old evolution of enforcement proceedings,<sup>67</sup> they have contemporarily become overprotective.<sup>68</sup> The standard behind Article 52 of the Law is an undesirable manifestation of "fetishising the debtor protection principle"<sup>69</sup> or "exorbitant debtor protection",<sup>70</sup> an expression of legislative action blatantly strengthening and favouritising the procedural position of the debtor,<sup>71</sup> as a result of which one might well doubt whether contemporary enforcement proceedings are truly effective from the creditor's perspective,<sup>72</sup> or rational as seen by a third party—an employer in an entrepreneur's hat.

The right to fair trial comprises the exploratory—or evidence collecting—stage as well as the capacity for enforcing the judicial sentence. Delivering the function of repressive judicial enforcement requires that the adequacy of processual *ad casum* instruments and enforcement measures be preserved. It shall be indispensable to reach a *communis opinio* to the effect of enforcement proceedings targeting the purpose of securing efficiency and true effectiveness of benefits laid out in final judicial rulings. The aforementioned applies to the legislator and enforcement bodies as well as to parties to enforcement proceedings, obliged to observe all applicable legal regulations. Only such an approach makes for a stabilising factor offering protection against undesirable and rash legislative changes.

Current conditions—including those caused by intricate epidemic-related factors—notwithstanding, the legislator should be expected to implement institutions in no contradiction to fundamental principles prevailing in the given field of law. Solutions involving salary attachment as described in the Shield Law of May 14th 2020 merit immediate elimination, without any grace period of awaiting comprehensive revocation of temporary epidemic-related regulations. Otherwise, the process of salary attachment effectiveness plummeting will only become more profound.<sup>73</sup>

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<sup>66</sup>Korzonek (1936), p. 462.

<sup>67</sup>Cieślak (2022), p. 38.

<sup>68</sup>Strus-Wołos (2022), p. 142.

<sup>69</sup>Korzan (1995), p. 10; Zembruski (2020), p. 163.

<sup>70</sup>Rylski (2022), p. 131.

<sup>71</sup>Jabłoński (2020), p. 55; Zembruski (2022a), *Funkcje i cele*, p. 835.

<sup>72</sup>Białek (2022), p. 125.

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