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**Commentary to the ruling of the Supreme Administrative Court of
January 13, 2016, ref. II GZ 927/15**

SUMMARY

In the commented ruling the Supreme Administrative Court stated that the orders of the provincial administrative courts rejecting a complaint due to formal reasons in the cases brought before the entry into force of the amendment of the Law on Proceedings before Administrative Courts, which took place on August 15, 2015, are subject to a complaint, not a cassation appeal. This legal issue comes down to the accurate interpretation of incorrectly formed intertemporal provisions. The commentary describes the essence of the remedies in administrative court proceedings and briefly characterizes the last amendment to the Law on Proceedings before Administrative Courts. The author presents a critical stand against the thesis of the ruling of the Supreme Administrative Court, indicating that the court should decide the case as to its merits. This view has been supported by adequate reasoning considering the competitive jurisprudence of the Supreme Administrative Court.

KEYWORDS: remedies, cassation appeal, complaint, transitional provisions, Supreme Administrative Court