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**RULE OF ART. 3 OF THE POLISH CIVIL CODE
AGAINST RETROACTIVITY IN THE LIGHT
OF THE EUROPEAN LEGAL TRADITION**

Author discusses art. 3 of the Polish Civil Code („The law has no retroactive effect unless its wording or purpose provides otherwise”) in the light of rules banning retroactive legislation which functioned in the European legal tradition till 18th century. He describes the roots and development of the idea of limited retroactivity of legal enactments in Roman and Canon Law respectively, which source is C. 1.14.7 issued in 440 AD: „(...) It is certain that statutes and constitutions fix a rule only for future transactions, and cannot be applied to past acts, unless special provision was made concerning past time in regard to matters still pending.(...)”

Author deduces that the wording of art. 3 of the Polish Civil Code seems to be in accordance with the legal tradition concerning retroactivity only partly, underlining that the involvement of the term „purpose” [of the law] contradicts it, which is in favor of opinions presented in Polish jurisprudence on the unconstitutionality of the above mentioned provision in this regard.