RECTIFICATION OR SUPPLEMENTATION OF THE CIVIL STATUS RECORD

Service Sheet

RECTIFICATION OR SUPPLEMENTATION OF THE CIVIL STATUS RECORD

Rzeszów Municipal Office

1. Documents required to handle the case

• application to rectify or supplement a civil status record
• proof of payment of stamp duty
• valid proof of identity – available for review
• when requesting the rectification or supplementation of a civil status record based on archival materials, the application must be accompanied by a certified copy or extract, or a certified reproduction of those materials
• when an application to rectify or supplement a civil status record based on a foreign civil status document is submitted, the documents referred to below must be attached to the application.
A civil status record that contains data inconsistent with the data contained in the collective civil status registration records or with other civil status records, insofar as they establish a previous event and concern the same person or his or her ascendants, or with foreign civil status documents, is subject to rectification by the head of the civil registry office.
A civil status record that does not contain all the required data is supplemented by the head of the civil registry office based on other civil status records, the collective civil status registration records kept for that record, and other documents that affect the civil status.

A civil status record can be rectified or supplemented based on a foreign civil status document if it is recognised as a civil status document in the country of issue, or of any other foreign document attesting to civil status issued in a country with no civil status registration, if they contain the data to be rectified, state a previous event and concern the same person or his or her ascendants.

Documents in a foreign language shall be submitted with an official translation into Polish made by a sworn translator entered on the list kept by the Minister of Justice or a translator authorised to make such translations in the Member States of the European Union or the European Economic Area (EEA), or a consul.

2. Online application submission

An application to rectify/supplement a civil status record can be sent electronically. The authentication of ICT system users using online services provided by the entities specified in the Act of 17 February 2005 on the computerisation of the activities of public entities requires the use of the ePUAP trusted profile or data verified with a qualified electronic signature certificate.
Address of the ePUAP trusted profile: http://epuap.gov.pl

3. Fees

Stamp duty is payable for the following:
• – issuing a full certified copy of a civil status record after rectification/supplementation - PLN 39
• power of attorney to submit an application to rectify or supplement a civil status record – PLN 17.00
A power of attorney granted to ascendants (parents, grandparents), descendants (children, grandchildren), siblings and spouse is not subject to stamp duty.

The stamp duty can be paid:
• by wire transfer to the account of the Rzeszów Municipal Office, ul. Rynek 1, account no. 90 1240 6960 3851 0062 0000 0423
• on the spot

4. Place of submission of documents

Civil Registry Office in Rzeszów
pl. Ofiar Getta 7
35-002 Rzeszów
Floor II, room 41
tel. 1 7788 99 00

5. Manner of and deadline for handling the case

Manner of handling the case:
An application for the rectification or supplementation of a civil status record should be submitted to the head of the civil registry office that has drawn up the civil status record to be rectified or completed, along with proof of payment of stamp duty for a certified copy of the complete civil status record after rectification/completion. If the civil status record has been rectified or supplemented as part of a material and technical action, the complete certified copy of the civil status record issued is considered to have been issued on request.
A civil status record is rectified or supplemented ex officio, at the request of the person in question or his or her legal representative, at the request of a person with legal interest or of a public prosecutor, as a material and technical action.
If a civil status record is rectified or supplemented ex officio or at the request of a person other than the person to whom the record relates or his legal representative, the head of the civil status office shall notify that person of the intention to rectify or supplement or of the submission of a request to rectify or supplement the civil status record. If a marriage certificate is rectified or supplemented at the request of one of the spouses, the head of the civil registry office shall notify the other spouse of the application submitted by the other spouse.

Deadline for handling the case: immediately.

6. Appeal procedure

Appeals against a refusal to rectify or supplement a civil status record are considered by the Podkarpackie Voivode; address: Podkarpackie Voivodeship Office, ul. Grunwaldzka 15, 35-959 Rzeszów.
The appeal shall be addressed to the Voivode through the Head of the Civil Registry Office who issued the decision refusing the rectification/supplementation.
Appeal deadline: 14 days from the date of the decision's delivery.

7. Legal basis

• Articles 35 and 37 of the Act of 28 November 2014 - Civil Status Records Law
• Act of 16 November 2006 on stamp duty
• Act of 14 June 1960 - Code of Administrative Proceedings
• Act of 17 February 2005 on the computerisation of the activities of public entities
• Act of 05 September 2016 on trust services and electronic identification
• Act of 6 August 2010 on identity cards
• Act of 13 July 2006 on passports
• Regulation of the Minister of the Interior Affairs of 5 February 2015 on the transfer of civil status records to the civil status register
• Regulation of the Minister of Finance of 26 September 2007 on the payment of stamp duty
• Regulation of the Minister of Digital Affairs of 20 January 2015 on draft documents issued in the field of civil status registration
• Act of 24 September 2010 on population registration

8. Notes

Judicial rectification of a civil status record.
A civil status record is rectified by the court in a non-trial proceeding, at the request of the person in question, a public prosecutor or the head of the civil registry office, if:
1) it is not possible to rectify a civil status record based on collective civil status registration records or other civil status records, provided that they establish an earlier event and concern the same person or his/her ascendants, or foreign civil status documents referred to in Article 35 paragraph 2 of the Act of 28 November 2014 - Civil Status Records Law;
2) it is impossible for the head of the civil registry office to rectify a civil status record solely based on the documents listed in item 1.

Judicial supplementation of a civil status record.
A death certificate is supplemented by the court in non-trial proceedings, at the request of the person in question or a public prosecutor, if the death certificate does not contain the date or time of death and this data is not apparent from the collective civil status registration record on which the death certificate is based.
Information on Personal Data Processing
Processing of personal data of The Civil Registry Office's applicants
In accordance with Article 13 of the General Data Protection Regulation of 27 April 2016 (Official Journal of the EU, L 119 of 4 May 2016), I hereby inform that:
1. The Administrator of Personal Data is the Municipality of the City of Rzeszów, Rynek 1,35-064 Rzeszów.
2. The Administrator – Municipality of the City of Rzeszów has appointed a Data Protection Officer whom you can contact:
• in person: in the building at ul. Grunwaldzka 38, 35 - 064 Rzeszów,
• in writing: to the inspector's seat address,
• by e-mail: iod@erzeszow.pl.
3. Your personal data will be processed for the purpose of performing civil status registration tasks, based on the provisions set out in the Act of 28 November 2014 - Civil Status Records Law
4. The recipients of personal data will only include entities authorised to obtain personal data based on rules of law.
5. Your personal data will be kept for the time set out in the rules of law, in accordance with the office instructions.
6. You have the right to request the Administrator to provide access, rectify or restrict the processing of your personal data.
7. You have the right to lodge a complaint with the President of the Personal Data Protection Office.
8. It is mandatory to provide data in the extent required by legislation.

Service Sheet Data

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