

## **Streszczenie w języku angielskim:**

The subject of power of attorney is very popular among legal researchers of private law. This legal institution is crucial for the theory of legal acts. R. Ziemmermann described proxy as a legal miracle, and R. Goode called it a subject of never-ending fascination. However, too little space has been devoted to power of attorney in nonproprietary (nonpecuniary) legal relations. In Polish jurisprudence still lacks the clear concept of personal legal acts.

The doctoral dissertation uses the formal-dogmatic method, as well as comparative and historical-legal method.

Power of attorney is a legal institution that allows to accelerate market turnover and acquisition of rights. However, the fundamental question arises whether the proxy can conclude the legal act in nonproprietary relations (such as giving medical consent, entering into marriage, expressing adoption' consent, executing parental responsibility or declaring acknowledgment of paternity).

The author proposed the hypothesis according to which criterion of "the nature of a legal act" under art. 95 § 1 of the Polish Civil Code limits the freedom to act through a proxy in nonproprietary (personal) legal relationships. In this way of interpretation higher-ranking legal rules (from international and constitutional law) are implemented. It means that "personal juridical acts" cannot be concluded by an attorney.

The research has shown that the provisions of the general part of the Civil Code concerning the power of attorney are not adjusted to the nonproprietary relations. The author proposed his own concept of personal legal acts and categorized the personal legal transactions into personal primary and personal secondary as well as personal formally and materially.

Research on Roman law and history of law has shown that the provenance of the concept of representative is of a property character. Doubtless, application of law concerning power of attorney to non-property relations is problematic. An important part of the PhD thesis is dedicated to the medical power of attorney (also called health care proxy or lasting power of attorney).

Comparative law research can be used in legislative work on introducing medical powers of attorney or other kinds of atypical proxy in nonpecuniary relations into the Polish legal system. Basing on the general laws of representation cannot guarantee adequate protection of values important for personal values.