

**Author:** MICHAŁ BEREK

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*DATIO IN SOLUTUM* IN POLISH CIVIL LAW

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**Abstract:**

The article deals with the issue of *datio in solutum* and attempts to depict both theoretical and practical problems which refer to functioning of this institution in the Polish legal system. Its first task is to reveal its historical development, focusing on the sources of difficulties that are the most significant in a contemporary legal practice. Further remarks in the article concentrate on exposing weaknesses of the most common doctrinal opinions concerning *datio in solutum*. Critical attitude towards these opinions is considered as a base for offering a new possible way to explain the *datio in solutum* agreement, that according to the author could be more useful to overcome most of the presented difficulties. The general assumption is that legal interpretation of this kind of an agreement should not focus on differences, but rather on similarities between *datio in solutum* and other constructionally related legal institutions.