

## **Regulations on debt collection at the Wrocław University of Environmental and Life Sciences**

### § 1

1. These Regulations define the rules of collecting debt when a debtor is in delay with the payment, subject to the provisions of point 2 below.
2. The Regulations are an internal document and define the rules of collecting debt due to the Wrocław University of Environmental and Life Sciences.
3. The Regulations on debt collection apply to actions performed under pre-litigation proceedings.

### § 2

Depending on the type of case, at the Wrocław University of Environmental and Life Sciences, debt collection is handled by:

- 1) dean's offices (tuition for part-time and postgraduate studies),
- 2) Department of Student Affairs (fees for accommodation in halls of residence),
- 3) General Accounts Department (other matters not listed in points 1 and 2 above).

### § 3

1. The period of limitation of claims for debt payment begins on the day on which the claim of the University became due. The day following the deadline by which a debtor was obliged to make a payment is the day on which the claim for payment becomes due. On this date, the University may undertake actions aimed at collecting debt.
2. Documents that confirm the existence of debt due to the Wrocław University of Environmental and Life Sciences include in particular an invoice, accounting note, interest note, debit note, contract, settlement, declaration of debt recognition, etc.
3. Deadlines and amounts of payment, with the exception of § 9 and § 10, are monitored in the General Accounts Department by an employee responsible for debt collection, hereinafter referred to as the "Department".

### § 4

1. If debt resulting from a contract, invoice, accounting note, debit note, etc. is not repaid, the Department once a quarter, based on data contained in the financial and accounting system of the University, submits a request for payment along with statutory interest for delay. The Department also sets a 5-day deadline for payment, counted from the request delivery date, and sends it by registered mail to a debtor's address.

2. The request for payment is made in two copies, an original is sent to the debtor, a copy is filed. The request payment is signed by a person authorized by the Rector.
3. The debt collector checks on an ongoing basis whether the debt has been settled in full or in part, or whether the debtor responded in writing to the request for payment or questioned the debt existence or its amount.
4. If the debtor questions the debt (its legitimacy, deadline, amount), the Department will clarify the matter and conduct further correspondence with the debtor to determine the actual state of accounts.
5. If the request for payment remains unanswered or the debt with statutory interest for the delay is not settled within deadline specified in the request, the Department asks an organizational unit for copies of all documents in the number of copies corresponding to the number of defendants + 2 copies (one for the court, one to be filed). These documents refer to a given debtor and include in particular: orders, contracts, acceptance reports, correspondence with the contractor, etc. The Department forwards all collected documents to the Organizational and Legal Office in order to take a case to court.
6. At the debtor's request, the debt repayment deadline may be extended or debt to be repaid in instalments in cases justified by important social or economic reasons.
7. The debtor's request to extend the payment deadline or to repay the amount due in instalments should be duly motivated. Before a decision is made whether to extend the repayment deadline or allow the debtor to repay the debt in instalments, an investigation procedure should be conducted and an attempt to collect the amount due should be made.
8. Decisions on the repayment deadline extension or possibility of repaying debt in instalments are made by the Rector or a person authorized by the Rector.
9. The Department notifies the debtor in writing about the decision of the Rector or a person authorized by the Rector on the repayment deadline extension or possibility of repaying debt in instalments.

## § 5

1. If a contractor is late with payment, the University charges statutory interest for the delay and issues interest notes.
2. Invoices and other financial documents as well as the dates of crediting the payment to the University's account or cash register provide the basis for calculating interest referred to in point 1.
3. Interest is calculated according to general rules resulting from the provisions of civil law, in particular the Civil Code.

4. The University refrains from charging statutory interest for delay in debt payment if the amount of interest does not exceed three times the value of the additional fee charged by Poczta Polska for registered letter.

## § 6

1. The Department issues an interest note in the University's financial and accounting system once a quarter.
2. Before an interest note is sent to a contractor, the Department analyses the amount of interest calculated based on a statement from the financial and accounting system of the University and checks whether it was justified to issue an interest note.
3. In particular, the following documents are analysed:
  - contractor's settlements,
  - an agreement with a contractor regarding the payment date and interest calculation,
  - other documents related to a contractor.
4. If such an analysis shows that a contractor has paid other debt in advance, the University will refrain from calculating interest and sending an interest note provided that the number of days of early repayment, calculated as the difference between the indicated payment date and the date of crediting payment to the University's account, is higher or equal to the number of days delays in payment, on which interest is charged.
5. The analysis of legitimacy of issuing and sending an interest note to a contractor is dated and signed by an employee of the Department who handles debt collection is immediately forwarded for approval and signature to the Head of the Accounts Division.. The analysis is stored in the General Accounts Department.

## § 7

1. The Rector or a person authorized by the Rector may remit the entire or part of non-collectible debt particularly when:
  - enforcement proceedings turned out to be ineffective;
  - a petition for bankruptcy, including liquidation of assets when the assets of the insolvent debtor are not sufficient to cover the costs of the proceedings, was dismissed by a court decision;
  - bankruptcy proceedings were discontinued by a court decision;
  - debt has not been collected as a result of completed liquidation or bankruptcy proceedings;

- a debtor - individual died leaving no assets;
  - a debtor - corporate was deleted from the National Court Register and has no assets, and liability in this respect is not transferred to third parties by law.
2. If the costs of debt collection exceed or are equal to the debt amount, the Financial Officer drafts a letter to the Rector for debt remittance.

#### § 8

1. All organizational units of the University are required to immediately provide the Financial Officer, the Head of the General Accounts Department, the Heads of Divisions of the General Accounts Department, an employee of the General Accounts Department who handles debt collection, and the Legal Advisers with reliable and comprehensive information necessary to take effective pre-trial and court actions.

#### § 9

1. Tuition fees for part-time and postgraduate studies should be paid by students in accordance with Orders of the Rector of the University regarding tuition fees for classes and other fees related to studying. The Dean and a head of given studies are responsible for ensuring that students meet payment deadlines.
2. If a delay in payment occurs 30 days following the payment maturity date the Dean's Office sends a request for payment to a student and sets a 5-day deadline for debt repayment.
3. If debt is not repaid within the imposed deadline, a relevant head of studies puts the name of a student who failed to make the payment on a list of students in debt, which forms the basis for removing such a student from the student list. The list is drafted 30 days after the payment maturity date.
4. After receiving the Dean's decision to remove a given student from the list of students, the list of debtors is forwarded to the Organizational and Legal Office in order to take a case to court, providing all documents required by the Office.
5. The Rector may remit the entire or part of non-collectible debt and may decide to extend the payment deadline or allow students to repay debt in instalments.

#### § 10

1. The fees for accommodation in halls of residence should be paid by students in accordance with the applicable Orders of the Rector of the University. Managers of halls of residence are responsible for ensuring that students meet payment deadlines. If students accommodated in halls of residence are behind with residence fee for 2 months, an authorized employee of the Department of Student Affairs sends a request for payment by

registered mail or in person upon acknowledgement of receipt with a 5-day payment deadline counted from the date of the request delivery.

2. The Head of the Department of Student Affairs decides on taking debt collection case to court with regard to students who are behind with residence fees for their accommodation in halls of residence.
3. If the request for payment remains unanswered or the debt amount specified in the request is not settled within the deadline set therein, the Department of Student Affairs transfers the case to the Organizational and Legal Office in order to take it to court and provides all documents required by the Office in three copies.
4. The Rector may remit the entire or part of non-collectible debt and may decide to extend the payment deadline or allow students to repay debt in instalments.

#### § 11

The Dean, a head of relevant and the Head of the Department of Student Affairs are responsible for calculating statutory interest for delay in student's payments referred to in § 9 and § 10.

#### §12

The Regulations become effective on the day specified in the Rector's order.

Approved by:

Rector

Professor Tadeusz Trziszka, PhD, Eng.