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INCONGRUITY OF CIVIL LAW TERMS UNDER POLISH AND BRITISH LEGAL SYSTEMS: A STUDY OF TRANSLATION METHODS

Summary. The present paper introduces seven Polish and British incongruent terms referring to civil law and makes an attempt to determine the translation methods applied while forming English equivalents for the Polish terms ("mienie", "rzecz", "nieruchomość rolna", "część składowa", "część składowa rzeczy", "część składowa gruntu", "przynależność"). The terms under analysis are the terms that appear at the very beginning of the third section of the Polish Civil Code called "Mienie" and constitute "terms" according to Sager (1990, p.19) and "legal terms" according to the division of terms by Morawski (1980, p. 187). The definitions of the Polish civil law terms are presented beginning with the definitions of a "term" and "equivalence". The equivalents under analysis have been suggested in the IATE database and the most globally recognised forum for translators, "proz.com". The research involves comparing the definitions of the terms and, if possible, the suggested equivalents, checking whether the equivalents appear in texts of the sources of the law of the United Kingdom. It has been concluded that the occurrence of system-bound terms as well as the phenomenon of the incongruity of terms make the process of translation extremely challenging, and it is difficult to find the single most adequate equivalent. Furthermore, the translation methods applied while forming the English equivalents have been determined.

Keywords: equivalence; civil law; term; incongruity; functional equivalent; culture-bound term.

Introduction

Translation of culture-bound terms seems to be the most challenging and time-consuming activity of professional translators. It is even more strenuous to find the most accurate equivalent for numerous legal terms as they are characteristic of a given legal system due to the system-bound nature thereof (Šarčević 1997, p. 232). Polish-English and English-Polish legal text translators attempt to find the most congruent equivalents, but numerous legal institutions of the Polish legal system and the British one are totally different since the Polish legal system, like the German one, for instance, belongs to civil law systems, while the British legal system is an example of a common law system.

It should be emphasised that the United Kingdom of Great Britain and Northern Ireland has no unified legal system. England and Wales have one common legal system, while Scotland and Northern Ireland are separate legal systems. In this paper the terms used to name legal institutions of the legal systems of England, Wales, Scotland and Northern Ireland are called "British legal system terms".

Methodology

The Polish terms under analysis are all assumed to be terms in accordance with the definition of a *term* by Lukszyn and Zamrzer: "a word (a phrase) of a conventionally determined, strictly defined conceptual structure, as a rule monosemic and uninterpretable, of an emotional character, able to create systems" (2001, p. 9) as well as in accordance with the definition by Sager (1990, p. 19): "The items which are characterized by special reference within a discipline are the terms of that discipline (...)". Moreover, they constitute "legal terms" according to the division of terms by Morawski (1980, p. 187) who distinguishes between "legal terms" and "actual terms". A "legal term" is a term occurring in "teksty prawne", all the application criteria of which are defined by the law and expressed by legal definitions – classical or partial. By contrast, an "actual term" is a term the application criteria of which are not formulated in "tekst prawny" (Morawski 1980, p. 187). "Teksty prawne" are understood here following Gizbert-Studnicki as "normative texts" (1986, p. 34, 95–102).

The term "functional equivalent" is defined in translation studies in different ways (cf. Reiss and Vermeer 1984). In this paper we follow the definition by Šarčević, namely, "a term designating a concept or institution of the target legal system having the same function as a particular concept of the source legal system" (1997, p. 236).

The first stage of the research involves citing the definition of the Polish legal term analysed and listing its suggested equivalents. Next, if any appear in monolingual law dictionaries, the definitions of the suggested English equivalents are presented. The definitions of the Polish terms come from the Polish Civil Code, whereas the definitions of the English terms appear in English law dictionaries. It must be pointed out, however, that not in all

dictionaries is it stated which legal system they refer to (the one of England and Wales or Scotland, etc.). A comparison of the definitions of the Polish terms and their English equivalents is indispensable in order to state whether the equivalents constitute functional equivalents of the terms (i.e. if the functions of the institutions to which a given term and equivalent refer are the same).

The aim of the second stage of the research is to check whether the equivalents in question appear in texts of the sources of British law. Texts of the sources of British law are the texts of statutes available in the *legislation.gov.uk* database which "carries most types of legislation and their accompanying explanatory documents"⁴⁰.

The final part of the research includes the determination of translation methods applied while forming the suggested English equivalents. The translation method in this paper is understood according to its definition by Hejwowski, who explains it not only as a given type of action undertaken during the translation process but also as given translation solutions the implementation of which is the target text (2004, p. 76).

Discussion⁴¹

The first term (see Table 1) under analysis is "mienie", defined in the Polish Civil Code as: "property and other property rights" (Article 44). The equivalent suggested in IATE is "asset" which belongs to the civil law terms in the database. The "Proz.com" website proposes two equivalents for the term "mienie" that refer to civil law. The first noun is "assets", which is accompanied by a concise remark according to which the equivalent mentioned is the most general term. The second noun is "property" with the explanation that it may be used "if it is only the material items that were taken". Moreover, the term "mienie" appears in one more phrase in the database, namely as an element of the Polish term "mienie powierzone" which is translated as "entrusted assets".

⁴⁰ <http://www.legislation.gov.uk>.

⁴¹ Articles 44–51, Polish Civil Code.

Table 1.

The terms used for the analysis

Polish term	IATE	proz.com
"mienie"	"asset" (civil law section exclusively)	1. "assets" (the most general term) 2. "property" (could also be used if it is only material items that were taken) 3. "entrusted assets" - "mienie powierzone" (the above terms are civil law terms)
"rzecz"	"bona vacantia" - "rzecz niczyja" (civil law section exclusively)	1. "thing indicated as to its identity" - "rzecz oznaczona co do tożsamości" 2. "motion to release an/the item (to have an/the item released)" - "wniosek o wydanie rzeczy" ("konkretna rzecz to item" - author's remark) (the above terms are civil law terms)
"nieruchomość rolna"	----	"agricultural property", "arable land/ agricultural land"
"część składowa"	----	"component parts" "parts" "constituent parts"
"część składowa rzeczy"	----	----
"część składowa gruntu"	-----	---
"przynależność"	----	"appurtenance"

All three suggested equivalents appear in texts of the sources of British law. The texts of the sources of British law are the texts of statutes available in the "legislation.gov.uk" database mentioned above. The term "asset" does appear in one monolingual law dictionary among the ones listed in the bibliography and is defined as follows: „1. An item that is owned and has value 2. the entries on a balance sheet showing the items of property owned, including cash, inventory, equipment, real estate, accounts receivable, and goodwill" (Black's Law Dictionary, 1999, p. 113). The term "assets" is defined as:

1) "physical property and/or rights that have a monetary value and are capable of being those of a legal person or a natural person (i.e. a human being): they can comprise real assets (real property) and personal assets (personal property)" (A Dictionary of law, 2003, p. 35);

2) "such property as is available for the payment of the debts of an individual or company, or of a person deceased (The Law Student's Dictionary, 2008, p. 20);

3) "all the property of a person available for paying debts" (Black's Law Dictionary, 1999, p. 113);

4) "Property available for the payment of debts. Real assets are real property, and personal assets are personal property. Legal assets comprise everything which an executor takes by virtue of his office, and with which he would have been charged in an action at law. Equitable assets are such as could only be reached in a court of equity. (...)" (Osborn's concise law dictionary, 2001, p. 39);

5) "Assets in the hands of the executor or administrator, that is – 'sufficient', from the French assez, to make him chargeable to a creditor and a legatee or party in distribution, so far as such property extends" (Stroud's judicial dictionary of words and phrases 1952, p. 207); "Property available for the satisfaction of debts or, in the case of a deceased's person, bequests. More generally all the property of any person or undertaking. (...)" (Jowitt's Dictionary of English Law, 2015, p. 165).

On the basis of the definition of the Polish term and the definition of the term "assets" it may be assumed that the noun "mienie" and "assets" are functional equivalents as they both refer to material property and the rights of a monetary value. The meaning of the term "asset" is presumably more extensive than the meaning of the Polish term: they both refer to "an item that is owned and has value" but the English term has one more meaning presented in a dictionary. Thus, the English equivalent has probably been formed as a result of the application of the "hypernym translation method" defined by Hejwowski (2007, p. 82) as the English equivalent has a broader meaning than the source term.

With reference to the equivalent "property", its definitions are as follows:

1) "the nature of property at law can be elaborated along different lines: i) the different kinds of things which can be the subject matter of property; ii) the sorts of interests that law will recognise in things; (iii) the nature of title." (*The Law Student's Dictionary*, 2008, p. 229);

2) "Anything that can be owned" (*A Dictionary of law* 2003, p. 389);

3) "1. The right to possess, use, and enjoy a determinate thing (either a tract of land or a chattel); the right of ownership <the institution of private property is protected from undue governmental interference> 2. Any external

thing over which the rights of possession, use, and enjoyment are exercised <the airport is city property>" (Black's Law Dictionary, 1999, p.1232);

4) "Traditional legal meaning: *a right over a determinate thing, either a tract of land or a chattel* – the transferred meaning that nonlawyers commonly attach to the term is *any external thing over which the rights of possession, use, and enjoyment are exercised*" (*Garner's dictionary of legal usage*, 2011, p. 721);

5) "1. That which is capable of ownership, whether real or personal, tangible or intangible 2. A right of ownership, e.g. the property in goods. Property may be general, i.e. that which every owner has, or special. Special property means that the subject-matter is incapable of absolute ownership (such as a wild animal) or that it can only be treated in a limited way (e.g. under a bailment), 3. Intellectual property." (*Osborn's concise law dictionary*, 2001, p. 306);

6) "'Property' is the generic term for all that a person has dominion over. Its two leading divisions are (a) real and (b) personal; property is the most comprehensive of all terms which can be used, in as much as it is indicative and descriptive of every possible interest which the party can have." (*Stroud's judicial dictionary of words and phrases*, 1952, p. 2340);

7) "The highest right a man can have to anything, being that right which one has to lands or tenements, goods or chattels which does not depend on another's courtesy. In its largest sense property signifies things and rights considered as having a money value, especially with reference to transfer or succession, and to their capacity of being injured. Property includes not only ownership, estates and interests in corporeal things, but also rights such as trademarks, copyrights, patents and risks in personam capable of transfer or transmission, such as debts. Property is of two kinds (...)" (*Jowitt's Dictionary of English Law*, 2015, p. 1821). Judging by the definitions of the Polish term and the definition of the term "property", the equivalent in question presumably constitutes the functional equivalent of the Polish term "mienie" as they both refer again to material property and the rights of a monetary value that concern things.

Summing up, two of the suggested equivalents for the Polish term "mienie" ("property" and "assets") constitute functional equivalents of the Polish term. The English equivalent "asset" has probably been formed as

a result of the application of the "hypernym translation method" defined by Hejwowski (2007, p. 82) as the English equivalent has a broader meaning than the source term.

The following equivalents for the Polish term "rzecz" as a civil law term have so far been suggested in IATE: "bona" as a part of the phrase "bona vacantia" translated as "rzecz niczyja" and "thing" as well as "item" by the specialists in the Proz.com forum as the elements of the following phrases: "thing indicated as to its identity" (translated as "rzecz oznaczona co do tożsamości") and "motion to release an/the item (to have an/the item released)" (translated as "wniosek o wydanie rzeczy"). The author of the last entry discussed emphasises that the term "item" refers to a specific thing.

The term "rzecz" is defined in the Polish Civil Code in its plural form as: "are only material objects" (Article 45). All suggested equivalents ("bona", "thing", "item") appear in texts of the sources of law of the United Kingdom. The Latin equivalent "bona" appears in the law dictionaries as an element of the phrase "bona vacantia", defined as:

1) "property not disposed of by a deceased's will and to which there is no relation entitled on intestacy" (*A Dictionary of Law*, 2003, p. 53);

2) "goods found without any apparent owner. They belong to the first occupant or finder, unless they are royal fish, shipwrecks, treasure trove, waifs and strays which belong to the Crown" (*The Law Student's Dictionary*, 2008, p. 30);

3) "1. property not disposed of by a descendant's will and to which no relative is entitled under intestacy laws 2. Ownerless property; goods without an owner" (*Black's Law Dictionary*, 1999, p. 168);

4) "bona vacantia is a term of art meaning property not disposed of by a descendant's will and to which no relative is entitled upon intestacy" (*Garner's dictionary of legal usage*, 2011, p. 116);

5) "Goods without an apparent owner in which property vests in the Crown, e.g. fish royal, shipwrecks, treasure trove. In default of any person taking an absolute interest in the property of an intestate it belongs to the Crown, Duchy of Lancaster, or Duke of Cornwall, as the case may be, as bona vacantia and in lieu of any right to escheat Administration of Estates Act, 1925, s. 46 (1) (vi). In practice, the Treasury may grant such property to the person who appears to have the most meritorious claim. In Roman Law it was property

left by a deceased person who had no successor." (*Osborn's concise law dictionary*, 2001, p. 61);

6) "the property of a dissolved company is, subject to any order of the court, to be deemed *bona vacantia*." (*Stroud's judicial dictionary of words and phrases*, 1952, p. 308). On the basis of the definition of the Polish term and the cited definitions of the term "*bona vacantia*", it may be assumed that the nouns "rzecz" and "bona" are functional equivalents as they both refer to a material object. The equivalent in question constitutes a special one as it is expressed in a third language (not Polish or English), which is understandable as in the English legal discourse the occurrence of Latin words and phrases is relatively common (Mellinkoff, 1963, p. 11–29). Nevertheless, it must be emphasised that the equivalent "bona" is recommended to be used exclusively as the Latin noun "bona" referring to "goods" or "property" but not "good" and "goodness", which are other meanings of the Latin noun under analysis⁴².

The suggested equivalent "item" is defined as "1. a piece of a whole, not necessarily separated 2. Commercial law. A negotiable instrument or a promise or order to pay money handled by a bank for collection or payment" (*Black's Law Dictionary*, 1999, p. 837). The English equivalent has a different meaning from the Polish legal term ("are only material objects") and appears in the sources of the British law, so it has presumably been created as a result of the method called complete semantic shift that involves using a phrase of the target language in the target text that appears in the texts of the sources of law of the target language the meaning of which is completely different from the meaning of a phrase of a source language that appears in the texts of the sources of law of the source language; as a result, the meaning of a phrase of the target language in the target text is changed (Kizińska, 2015, p. 176).

The equivalent "thing" is treated in the law dictionaries as a synonym of the term "choses" which is defined as: "A thing. Choses are divided into two classes. A chose in possession is a tangible item capable of being actually possessed and enjoyed, e.g. a book or a piece of furniture. A *chose in action* is a right that can be enforced by legal action" (*A Dictionary of Law*, 2003, p. 80). The meaning of the term "thing" is presumably more extensive than the meaning of the Polish term, so the English equivalent has probably been

⁴² <https://pl.glosbe.com/la/pl/bona>.

formed as a result of the application of the "hypernym translation method" defined by Hejwowski (2007, p. 82) as the English equivalent has a broader meaning than the source term.

To sum up, the suggested equivalent "bona" constitutes a functional equivalent, the equivalent "thing" has been created because of the "hypernym translation method", as the Polish term has a less extensive meaning than the English equivalent "thing". The translation method that has been applied in the formation of the equivalent "item" is the *complete semantic shift method* explained above.

The term "nieruchomość rolna" is defined as a plural noun: "Properties that may be used to conduct production activity in agriculture in the scope of plant and animal production not excluding garden orchard and fish production" (Article 46 of the Civil Code). The equivalent "agricultural land" is used in the definition of "agricultural holding" appearing in *A Dasictionary of Law* (2003, p. 21) and "agricultural property" in *Stroud's judicial dictionary of words and phrases* (1952, p. 103). What is more, it appears in the documents available in the governmental websites of the UK⁴³. The equivalent appears in the UK law sources and its meaning, judging by the meaning of the separate elements it comprises, being similar to the meaning of the Polish term in question probably constitutes a functional equivalent. Nevertheless, it could be proved only if its definitions were available. The equivalent has not yet been accommodated in the dictionaries of law as an entry, which makes it impossible to recognise it as an appropriate equivalent.

The equivalent "agricultural property" is defined as "agricultural land, pasture and woodland, and also includes such cottages, farm buildings, farm houses and mansion-houses (together with the land occupied therewith) as are of a character appropriate to the property" (*Black's Law Dictionary*, 1999, p. 103) and does appear in the sources of the law of the UK. The meaning of the Polish and English terms coincides to a large extent, they both name properties that are useful in manufacturing agricultural products. The English equivalent in question is presumably a functional equivalent of the Polish term "nieruchomość rolna".

⁴³ <https://www.gov.uk/guidance/developing-farmland-regulations-on-land-use-for-agricultural-land>.

The "arable land" is defined as "infield lands" (*Stroud's judicial dictionary of words and phrases*, 1952, p. 79) and appears in the documents available in the governmental websites of the UK (for "arable land"⁴⁴) as well as the sources of British law. The meaning of the equivalent is significantly less extensive than the meaning of the Polish source term, which may prove the equivalent having been formed as a result of the application of the "hyponym translation method" defined by Kizińska (2015, p. 175) (the Polish term has a broader meaning than the suggested equivalent).

The equivalent "agricultural property" suggested for the Polish term "nieruchomość rolna" presumably constitutes a functional equivalent, the term "arable land" has been used as a result of the application of the "hyponym translation method". However, it is not possible to assume the translation method applied while suggesting the equivalent "agricultural land" as its legal definition is not available.

For the term "część składowa rzeczy" there has been no equivalent suggested in the translators' forum or the IATE database. The term in question is the synonym of "część składowa" discussed below and defined as: "everything that cannot be detached from a thing without the damage or significant change thereof or without the damage or significant change of the detached part" (Article 46 of the Civil Code).

For the Polish term "części składowe" as many as three equivalents have been suggested in the forum of translators and none in the IATE database. The equivalents are "component parts", "parts", "constituent parts" and they all appear in texts of the sources of British law.

The equivalent "*component parts merely connotes a constituent part of a whole*" (*Garner's dictionary of legal usage*, 2011, p. 687). On the basis of the definitions of the Polish term and English equivalent one may assume that the equivalent in question serves as a functional equivalent for the Polish term, as they both name a part of a whole.

The equivalent "part" is a general English word as it is widely used as such in the sources of British law. Moreover, the equivalent "part" is defined as "*Part as part of houses, walls, buildings, lands, tenements, and hereditaments*

⁴⁴ <https://www.gov.uk/countryside-stewardship-grants/woodland-edges-on-arable-land-wd3>.

may be acquired compulsorily by a Metropolitan local authority Michael Angelo Taylor's Act, 1817 but that only authorities the taking of such a part as will not so sensibly and substantially alter the character and condition of the property from which it is to be taken such property could no longer be occupied and used for its existing purposes" (*Stroud's judicial dictionary of words and phrases*, 1952, p. 2094). According to the legal definition of "part" presented above, and it may be assumed the most accurate functional equivalent of the Polish term as they both refer to something that if taken away from a thing/property makes the mentioned thing/property lose some of its characteristics.

The term "constituent part" appears in acts referring to, for example, motor vehicles [where it refers, for example, to a part of an engineering plant: "where an abnormal load consists of an engineering plant from which one or more constituent parts have been detached, such abnormal indivisible load and such constituent parts may be carried, subject to the following conditions (...)" in: "Motor Vehicles (Authorisation of Special Types) Order (Northern Ireland) 1997"] or education [where it names, for example, an element of a teaching programme: "a course is deemed to have started on the date that the first constituent part of any programme of education which contributes to the final award for that course commenced (...)" in "The Education (Fees, Awards and Student Support) (Miscellaneous Amendments) (Scotland) Regulations 2012"]. None of the legal dictionaries listed in the bibliography accommodates the equivalent in question. Taking the above into account it may be assumed that it has been formed by the "terminologisation method" which involves "using in the target text a phrase that appears in the target language but is not a legal term. The result of its application is a phrase of a general language becoming a legal term in the target language" (Kizińska, 2015, p. 177), as the equivalent appears in English texts but does not signify a legal institution.

The last term under analysis is "przynależność", defined in its plural form as "movables necessary to use another thing (main thing) in accordance with its purpose" (Article 51 of the Civil Code). The suggested equivalent appearing in the translators' forum website, "appurtenance", has been defined in its plural form as:

1) "things both corporeal and incorporeal belonging to another thing as the principal, but which have not been naturally or originally so annexed,

but have become so by grant or prescription, e.g. hamlets to a manor, common of pastures, turbary, piscary and the like" (*The Law Student's Dictionary*, 2008, p. 17);

2) "something that belongs or is attached to sth else <the garden is an appurtenance to the land>" (*Black's Law Dictionary*, 1999, p. 98);

3) "appurtenances form part of the property which is the principal subject of the instrument" (*Stroud's judicial dictionary of words and phrases*, 1952, p. 177);

4) "appurtenances are things belonging to another thing, as hamlets to a manor, and common of pasture, turbary, etc.; liberties and services, outhouses, yards, orchards, and gardens are appurtenant to a messuage, but lands cannot properly be said to be appurtenant to a message (...)" (*Jowitt's Dictionary of English Law*, 2015, p. 148–149). On the basis of the definitions of the Polish term and the definition of the term "appurtenance" the equivalent in question presumably constitutes the functional equivalent of the Polish term "przynależność", as they both refer to something that is attached to a thing. Nevertheless, in the Polish legal system the term "przynależność" refers to a physical object while the term "appurtenance" may additionally name a right that lacks a physical or material nature.

Conclusion

To summarise, it may be concluded that the most accurate equivalents for the Polish term "mienie" are "assets" and "property" (as they all refer to material property and the rights of a monetary value). The most appropriate equivalent for the term "rzecz" is "thing" as both terms refer to tangible items capable of being actually possessed. However, it should be emphasised that the term "chose", which has not been suggested in any of the sources, constitutes a synonym to "thing" and may be used interchangeably therewith. With reference to the term "nieruchomość rolna", it has been concluded that "agricultural property" is a functional equivalent that is most widely used in the sources of British law and the documents available on UK governmental websites. It is the equivalent "part" that has been recognised as the most accurate functional equivalent for the Polish term "część składowa". For the last

term under analysis, "appurtenance", only one functional equivalent has been suggested.

The majority of suggested equivalents are functional equivalents: "property", "assets", "bona", "agricultural property", "component parts", "parts" and "appurtenance". To create the equivalent "constituent parts" the terminologisation method has been used. The hypernym translation method has probably been applied while forming the equivalents "asset", „thing”, whereas the hyponym translation method – while forming the equivalent "arable land". The complete semantic shift method has been used to suggest the equivalent "item".

It should be concluded that finding the most accurate equivalent while translating legal terms is a time-consuming process, due to the high terminological incongruity between two legal systems. The research is of significant practical value translators with no professional legal background, as it is challenging to choose the most accurate equivalent among the ones suggested in numerous sources. Furthermore, the most common translation method used in this case study is a functional equivalent, which is an interesting conclusion, for as far as the equivalents suggested in Polish-English printed specialist biligual dictionaries are concerned the prevailing translation method is a calque (Kizińska 2014, 2016). In this paper the term calque is defined according to the definition by Vinay and Darbelnet. They explain calque, one of their direct translation methods as 'a special kind of borrowing whereby a language borrows an expression form of another, but then translates literally each of its elements' (2000, p. 85). Vinay and Darbelnet (2000) add that the result of the method is either a lexical calque or a structural calque.

Last but not least, the IATE database presents fewer English equivalents for the Polish terms in question than "proz.com" or none (for "część składowa", "nieruchomość rolna", "przynależność"). No equivalents have been suggested for the Polish term "część składowa gruntu".

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**CIVILINĖS TEISĖS TERMINŲ NEATITIKMENYS LENKIJOS IR
DIDŽIOSIOS BRITANIJOS TEISINĖSE SISTEMOSE: VERTIMO
METODŲ TYRIMAS**

Santrauka. Šis tyrimas apžvelgia septynių lenkiškų ir britiškų civilinės teisės terminų neatitikimą ir nurodo vertimo metodus, naudojamus formuluojant angliškus atitikmenis lenkiškiems terminams („mienie“, „rzecz“, „nieruchomość rolna“, „część składowa“, „część składowa rzeczy“, „część składowa gruntu“, „przynależność“). Pirmieji terminai, randami trečiajame Lenkijos civilinio kodekso skyriuje, vadinamame „Mienie“, yra analizuojami ir atitinka „terminų“ apibūdinimą pagal Sager (1990, p. 19) bei „teisinių terminų“ skirstymą pagal Morawski (1980, p. 187). Lenkiškų civilinės teisės terminų apibrėžimai yra pateikiami pradedant „termino“ ir „lygiavertiškumo“ sąvokomis. Analizuojami atitikmenys rasti IATE duomenų bazėje ir globaliai pripažintame vertėjų forume „proz.com“. Tyrimas apima terminų apibrėžimų ir, jei tai yra įmanoma, siūlomų atitikmenų palyginimą, tikrinant, ar pateikti atitikmenys yra randami teisiniuose Jungtinės Karalystės šaltinių tekstuose. Vis dėlto galima teigti, kad su sistema susijusių terminų atsiradimas, taip pat kaip ir terminų neatitikimo reiškinys, verčia susidurti su dideliais sunkumais vertimo procese ir problemomis randant vieną teisingiausią atitikmenį. Be to, buvo nustatyti vertimo metodai, taikomi formuluojant angliškus terminų atitikmenis.

Pagrindinės sąvokos: lygiavertiškumas; civilinė teisė; terminas; neatitikmenys; funkcinis atitkmuo; su kultūra susijęs terminas.