

The project has two main objectives. The first is to identify and compare how the courts of selected countries update the meaning of legal provisions, that is, adapt their content to changing circumstances. Three countries will be compared: Poland, Spain and Ireland. In Poland, there is no provision that explicitly regulates the updating of meaning. In Spain, there is a provision that directs courts to take social realities into account when applying the law, while in Ireland there is a provision that regulates in detail the issue of construction in changing circumstances. The solutions adopted in the compared countries thus have a different status. The second objective is to determine what are the consequences of the formulation of updating directives with such and not other content and in such and not other form (either in the form of rules or in the form of established case law practice): first and foremost, how the exercise of judicial updating of meaning affects the position of the legislator and the courts in the light of the principle of the tripartite authority and what impact it has on the implementation of the principle of legal certainty. The dynamically changing circumstances affect the way of understanding provisions. Updating is sometimes necessary, e.g. strictly adhering to the historical intention, in light of the Dangerous Weapons Act of 1840, we could not consider an atomic bomb a dangerous weapon. Some of the provisions enacted before 1989, in a situation of shortage of services and goods in Poland, were intended to protect the consumer; nowadays they must be interpreted dynamically. The legislator is not able to foresee all scenarios, but the law should be efficient. Nevertheless, judicial updating is sometimes considered controversial. 'Outdated' regulation may be the result of negligence, but it may also be a conscious decision of a lawmaker. In such a situation, to adapt the law to new circumstances is to encroach on the legislator's function. In this research project the rules used by the courts in this regard are called directives. The courts have to make three decisions: to assess whether a change in the scope has occurred, to determine the impact of the change on the meaning, and to decide whether to update the meaning by dynamic interpretation or to wait for the law to be amended. The project is designed to test how courts justify their decisions at all three stages. to the type of change in circumstances in question (social, economic changes, developments in science, technology, etc.) and according to the branch of law, i.e. whether in branches of law such as criminal law or tax law, due to the principles of *nullum crimen/tributum sine lege*, courts are less inclined to decide to update meaning. The research will be of a comparative legal nature. It will consist of an analysis of the legislation and jurisprudence of selected countries, as well as an analysis of Polish-language, English-language and Spanish-language literature. The research project may significantly deepen the understanding of functioning of updating rules in conditions where they are formally codified or freely shaped by ruling practice. The research could also trigger discussion on the role of the judge in a democratic legal state and on the ways and limitations of realisation of such values as legal certainty.