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## **From editors**

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The functioning of public institutions is first of all based on the rules of law. They regulate the objectives, appointment procedures and operating principles, and, along with customs and tradition, have the strongest impact on the model and role of such institutions. Most definitions included in this dictionary refer to the rules of law, from the Constitution to specific statutes. It must be emphasized that, apart from typical public institutions, i.e. those which exercise authority and perform administrative tasks, legal institutions will also appear in the lexicon. In all countries, especially democratic ones, institutions have a significant influence not only on the functioning, but also on the character of the state. This mainly refers to countries with well-established political systems, shaped both by the rules of law and tradition. Unfortunately, Poland is not such a country as it established democratic institutions only 30 years ago. Although they often appeal to pre-war tradition, or even to the times from before the partitions of Poland, they are not well-ingrained in Polish social awareness yet. Polish people still do not have the sufficient knowledge of the way in which institutions functions and of how important their role is. This

is not surprising as the timespan of a single generation is too short for a sound legal, political and institutional culture to take root. This is why the publications such as this are so important. We have no illusions that even the best knowledge of the principles and objectives of the functioning of public institutions will make people respect and appreciate them – it is the first necessary step, though.

Joanna Marszałek-Kawa  
Danuta Plecka  
Natalia Daśko

# The Dictionary of Public Institutions

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## Acts of local law

local law is one of the elements of constitutional sources of universally binding law, but only in the area of activity of the bodies that established them. In accordance with the constitutional norm, acts of local law are established on the basis and within the limits of statutory authorizations by local government bodies and local government administration bodies. They are acts of abstract nature (type of behavior) and of general nature (class of entities having a common feature or features) formulating obligations or rights (legal norms). Their announcement must be made in the manner provided for by the applicable law. We can distinguish acts of local law made by local government bodies (commune council or, exceptionally, a commune head/mayor/president of a city), district local government bodies (district council or, exceptionally, district board), voivodeship local government bodies (voivodeship council) and local government bodies (voivode and bodies of a non-combined government administration). Acts of local law of local self-government bodies are passed in the form of resolutions, sometimes enforcement regulations may be passed in the form of a regulation (except for voivodeship self-government bodies). The voivode and local authorities of the non-combined administration issue regulations. Acts of local law can be classified as: executive (issued on the basis of statutory authorizations), ordinal (issued on the basis of a general clause) and system-organizational (defining the internal system). [B. Springer]

M. Kotulski, *Akty prawa miejscowego w świetle uregulowań ustrojowych*, "Kwartalnik Prawa Publicznego" 2001, No. 1; G.L. Seidler, H. Groszyk, A. Pieniążek, *Wprowadzenie do nauki o państwie i prawie*, Lublin 2003; E. Zieliński, *Administracja rządowa i samorządowa w Polsce*, Warsaw 2013, Constitution of the Republic of Poland of April 2, 1997 ("Journal of Laws" 1997, No. 78, item 483, as amended).

**Address**

the literature also provides other terms such as appeal, proclamation, or message. An address is a solemn speech by a very important state official about e.g. the current political situation, addressed at the general public. An address can also cover important social and economic issues. Addresses are often delivered – by means of mass media – by heads of governments to put across messages of nationwide significance. An address is an important prerogative of the President of the RP. It is a legal instrument for the president to keep in direct contact with both the parliament and the nation. As regards contact with the people, addresses are delivered in the form of public speeches aired by mass media to mark important political and economic events or public holidays including New Year's Day, etc. The head of state can also deliver an address in connection with the pending or just finished elections. The president takes advantage of the institution of address to present deputies (and the general public) with his or her viewpoint about important public issues. The opinions presented in an address must not become a subject of parliamentary debate. The Constitution of 2 April 1997 gives the head of state the authority to address both chambers of the parliament, whether they are working separately or jointly as the National Assembly (art. 140 and 144 par. 3 point 8 of the Constitution of the RP). Under art. 2 of the Standing Order of the Sejm of the RP, the agenda of Sejm sessions may include addresses delivered by the head of state. According to art. 186 par. 1 of the Standing Orders, the Marshal (Speaker) of the Sejm shall allow President to deliver his or her address outside the agenda of the session. [J. Marszałek-Kawa]

Constitution of the Republic of Poland of 2 April 1997, "Journal of Laws" 1997, No. 78, item 483 as amended; Standing Orders of the Sejm of the RP of 30 July 1992, M.P. 2018, item 544 as amended, [www.sejm.gov.pl](http://www.sejm.gov.pl); Standing Orders of the Sejm of the RP of 23 November 1990, M.P. 2017, item 827 as amended, [www.senat.gov.pl](http://www.senat.gov.pl); [www.sjp.pwn.pl](http://www.sjp.pwn.pl).

### **Administrative courts**

are special courts. Administrative courts administer justice by monitoring the activity of public administration in terms of compliance with the law and the settlement of disputes over competence and jurisdiction between organs of local government units, self-government appeal boards and between these bodies and government administration bodies. Administrative courts include the Supreme Administrative Court and regional administrative courts. Cases that fall within the jurisdiction of administrative courts are heard at first instance by regional administrative courts. The Supreme Administrative Court supervises the activities of regional administrative courts as regards adjudication, e.g. it handles appellate measures against the rulings of these courts and adopts resolutions explaining legal issues and handles other matters within the jurisdiction of the Supreme Administrative Court under other laws. A voivodeship administrative court is created for one or more voivodeships. The creation and winding up of regional administrative courts and the determination of their seat and area of competence falls within the competence of the President of the Republic of Poland. The regional administrative court is divided into departments, which are created and abolished by the President of the Supreme Administrative Court. The organs of the regional administrative court are: the president of the court, the general assembly of judges of the regional administrative court, and the college of the regional administrative court. The president of the regional administrative court manages the court and represents it outside, performs judicial administration and other activities provided for in the Act. [N. Daško]

Act of 27 July 2001 Law on the structure of common courts ("Journal of Laws" 2019, item 2167).

### **Ambassador**

French: *ambassadeur* – highest-class diplomatic mission Head of Mission accredited to the Head of State. In the Holy See, its equivalent is the nuncio. They enjoy diplomatic privileges and immunities, such

as the immunity of a diplomatic representative, immunity from legal proceedings (excluded from criminal jurisdiction of the host State and, with three exceptions, from jurisdiction in administrative and civil matters. These exceptions apply to: lawsuits *in rem* relating to private property in immovable property situated in the territory of the Host State; actions relating to succession where the diplomatic representative acts as executor, administrator, heir or legatee in their capacity as private individual and not in the interests of the sending State; claims under a professional or commercial activity pursued by the diplomatic representative outside their official capacity. Moreover, there is also no obligation to give evidence as a witness, being exempt from fees and taxes (not subject to social security legislation; exempt from all personal, material, state, regional and communal taxes and dues, except for indirect taxes included in the price of goods and charges for services rendered. Relief shall also be granted in respect of customs duties on articles imported for personal or official use. Luggage shall be exempt from inspection unless there is a suspicion that it might contain articles the import or export of which is prohibited by the host State. [M. Ochwat]

Konwencja wiedeńska o stosunkach dyplomatycznych z 1961 r. ("Journal of Laws" 1965, No. 37, item 232); R. Bierzanek, J. Symonides, *Prawo międzynarodowe publiczne*, Warsaw 2005.

### **Armed Forces General Command (AFGC)**

is one of the main commands of the Polish Armed Forces. It is subordinate to the Chief of the General Staff. The AFGC is in charge of most military units (it mainly commands divisions, independent brigades, flotillas and wings) of armed forces (the Navy, Land Forces, Air Forces, Special Forces) during peacetime and in crisis. During wartime, it commands those military units which are not subject to the Armed Forces Operational Command. The AFGC is also in charge of training the commands and staffs of armed forces and reserves. Its other responsibilities include managing and allocating equipment and weapons to specific tactical and military units.

The headquarters of the Armed Forces General Command are located at Żwirki i Wigury 103, Warsaw.

The Armed Forces General Command was established following the reform of the system of commanding the Armed Forces of the RP on 21 June 2013. As the result of the reform, four armed forces commands were replaced by a single command: the Armed Forces General Command. The new commanding unit is the legal successor of the previous commands and is subordinate to the the Chief of the General Staff of the Polish Army and to the Minister of National Defence.

The Armed Forces General Command is responsible for planning and performing tasks aimed at the preparation of the Armed Forces of the RP for defending the state. It also ensures citizens' security and safeguards international peace as part of its allied obligations.

The structure of the AFGC consists of: Group of the General Commander, Staff, Land Forces Inspectorate, Air Force Inspectorate, Training Inspectorate, Branches of Armed Forces Inspectorate, Navy Inspectorate.

The following are the successive Armed Forces General Commanders:

- Lt. Gen. Lech Majewski (1 January 2014–30 June 2015)
- Lt. Gen. Mirosław Różański (30 June 2015–31 January 2017, from 15 December 2016 dismissed),
- Acting Lt. Gen. Leszek Surawski (15 December 2016–31 January 2017), in place of Maj. Gen. Jan Śliwka (31 January 2017–7 February 2017)
- Gen. Jarosław Mika (from 7 February 2017)

Military units and institutions directly subordinate to the Armed Forces General Command:

Special Operations Component Command

11<sup>th</sup> Division of Armoured Cavalry in Żagań, 12<sup>th</sup> Motor Rifle Division in Szczecin, 16<sup>th</sup> Motor Rifle Division in Olsztyn, 18<sup>th</sup> Motor Rifle Division in Siedlce, 6<sup>th</sup> Airborne Brigade, 25<sup>th</sup> Air Cavalry Brigade

Flotillas:

3<sup>rd</sup> Ship Flotilla in Gdynia, 8<sup>th</sup> Coastal Defence Flotilla in Świnoujście

Naval Air Force Brigade in Gdynia

Navy Hydrographic Bureau in Gdynia